



PLANNING COMMISSION MEETING SEPTEMBER 7, 2017

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
6:30 PM

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MEETING MINUTES
 - a. August 3, 2017 Meeting Minutes
- IV. ITEMS FROM BOARD MEMBERS
- V. ITEMS FROM STAFF
- VI. PUBLIC HEARING
 - a. CLUP-17-02/Z-17-04 Taylor Morrison/40 Cumming Street
This item was tabled by the Planning Commission on 8.3.17 and must be removed from the table in order to be considered.
Consideration of a request to rezone 0.837 acres from R-15 (Dwelling, 'For-Sale' Residential) to DT-LW (Downtown Live-Work) and rezone 10.868 acres from R-15 to DT-R (Downtown Residential) to allow for the construction of 58 'For-Sale' detached homes and to allow a historic structure to be used for an office. A comprehensive land use plan amendment is requested from Downtown Residential Density to Central Business District. The property is located on the north side of Cumming Street between Highway 9 and Manning Drive at 40 Cumming Street and is legally described as being located in Land Lots 1196 and 1253, 2nd District, 2nd Section, Fulton County, Georgia.
 - b. CU-17-08 European Wax Center/Liberty Park Village
This item has been deferred by the Applicant until October 5, 2017. It will not be considered tonight.
Consideration of a request for conditional use to allow 'Spa Services' for a hair removal and waxing business within a mixed-use development. The property is located at 2610 Old Milton Parkway, Suite 120 and is legally described as being located in Land Lot 802, 1st District, 2nd Section, Fulton County, Georgia.
- VII. ADJOURNMENT



PLANNING COMMISSION MEETING
SUMMARY AUGUST 3, 2017

ALPHARETTA CITY HALL
COUNCIL
CHAMBERS
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6:30 PM

*This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by the Planning Commission, but not quoted or paraphrased. This document includes limited presentation by the Planning Commission and invited speakers in **summary** form. **This is not an official record** of the Alpharetta Planning Commission Meeting proceedings. Official Minutes are recorded and available for review.*

I. CALL TO ORDER

II. ROLL CALL

- Commission Members Present
 - Francis Kung'u (Chairman)
 - Kyle Caswell (Vice-Chairman)
 - John Hipes
 - Larry Attig
 - John Goss
 - Fergal Brady
- Commission Members Absent
 - Rob Partee
 - Karen Richard
 - Ben Burnett
- Staff Members Present
 - Kathi Cook, Community Development Director
 - Michael Woodman, Senior Planner
 - Eric Graves, Senior Traffic Engineer
 - Elle Taylor, Planning and Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

a. May 10, 2017 Meeting Minutes

- ❖ Commissioner Caswell offered a motion to remove the item from the table
 - The motion received a second from Commissioner Attig
 - The Motion was approved (6-0)

b. May 19, 2017 Meeting Minutes

- ❖ Commissioner Caswell offered a motion to remove the item from the table
 - The motion received a second from Commissioner Attig
 - The Motion was approved (6-0)

c. July 12, 2017 Meeting Minutes

- ❖ Commissioner Caswell offered a motion to remove the item from the table
 - The motion received a second from Commissioner Attig
 - The Motion was approved (6-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. Z-17-06/V-17-13 Tiffany Square

Consideration of a request to rezone 3.26 acres from R-12 (Dwelling, 'For-Sale' Residential) to DT-R (Downtown Residential) to allow for the redevelopment of a 12-unit townhome development with 25 'For-Sale' single-family detached homes. Variances are requested to reduce setbacks, increase building height and to allow parking between a building and the road. The property is located on the east side of Haynes Bridge Road at Tiffany Square Drive and is legally described as being located in Land Lots 1267 and 1268, 2nd District, 2nd Section, Fulton County, Georgia.

- ❖ Commissioner Hipes offered a motion to remove the item from the table
 - The motion received a second from Commissioner Caswell
 - The Motion was approved (6-0)

There was discussion from the Board:

- 10% Rental Cap(Condition #22)
- Site Plan with 22 lots – Lots 5-14 goes from 10 lots to 9 lots proportionally spread out
- Quality and Price Point of Homes – Upper \$600's

- How Height is Measured by Code and by Applicant
 - Height of Voysey set as a Condition of Zoning at 45'
 - East of Main did not receive a height variance. It is 35'
 - East of Main had different floor heights
 - City Architect is recommending that all floors are 10' as this is more true to what a historical home would have been. This would cause a raise in the height.
 - Lowering the height for this Applicant may cause a change in the architectural style and that is not what is envisioned for downtown area.
 - Community Interaction
 - Density of 6.75 per acre with 22 lot Plan
 - Variance Requests
 - No Concerns from Public Safety concerning Fire Safety
 - Condition # 1 will need to be changed to correct Site Plan
 - Condition #3 Minimum Lot size would need to be changed to 4150' instead of 6000'. Brady suggested leaving it at 6000' per Staff Approval. Staff suggested "There shall be a maximum of 22 lots in the development". Board suggested adding "as approved by Staff"
- ❖ Commissioner Brady offered a motion to approve with the following conditions working off the redline version that we currently have with the exception on #3 scratch what's currently there , add new site plan shall reflect a maximum of 22 lots , strikeout # 16 and #22 shall remain the 10%, no more than 10% of the residential units shall be permitted to be rented and recorded in the HOA's Declarations and Covenants., #23 last sentence shall be striked and add per Staff Approval.
- The motion received a second from Commissioner Goss
 - The Motion was approved (6-0)

There was discussion during the Motion and Commissioner Brady amended his Motion that #16 is to remain in Site Conditions.

b. CLUP-17-02/Z-17-04 Taylor Morrison/40 Cumming Street

Kathi Cook presented update information for consideration of a request to rezone 0.837 acres from R-15 (Dwelling, 'For-Sale' Residential) to DT-LW (Downtown Live-Work) and rezone 10.868 acres from R-15 to DT-R (Downtown Residential) to allow for the construction of 59 'For-Sale' detached homes and to allow a historic structure to be used for an office. A comprehensive land use plan amendment is requested from Downtown Residential Density to Central Business District. The property is located on the north side of Cumming Street between Highway 9 and Manning Drive at 40 Cumming Street and is legally described as being located in Land Lots 1196 and 1253, 2nd District, 2nd Section, Fulton County, Georgia.

The applicant provided a revised site plan depicting all single-family detached product, including 59 lots with a density of 5.04 dwelling units per acre. The site plan considered by the Planning Commission depicted 40 townhome units and 29 detached units. Staff has reviewed the revised site plan and has the following concerns:

- Lot sizes adjacent to existing residential and along Cumming Street and Manning Drive do not comply with the recommended min. 80' lot width and min. 6,000 square feet lot size.
- The linear park along Cumming Street should be counted toward Civic space but maintained by the HOA. Lot 1 should be removed.
- Site plan depicts a 10' landscape strip and front-loaded units along the west property line. Staff recommends a 15' landscape buffer and to allow units to be front-loaded.
- A central tree save area has been removed, as reflected on the revised site plan. The City Arborist recommended additional tree saves before the central tree save was removed. Also, the required detention pond screening will be required to be outside of the required 10' access easement. The applicant moved the pond out of the buffer but will also need to provide a 10' landscape screen in addition to the access easement.
- The Fire Marshall noted that multiple road widths are depicted that will not be approved during the Land Disturbance process.

Denn Webb presented for the Applicant.

- Lewis Manning House restoration
- Site Features
- Extension of Loop Trail
- Open Space 3.2 acres
- Buffers
- Tree Save Area
- Elevations

Chairman Kung'u opened the floor to public comment at 8:15 p.m.

In Opposition:

1. Buddy Stovall, 175 Manning Drive
2. Christine Kujawski, 151 Arrowood Ct
3. Steve Stolle, 2459 Claystone Lane
4. Mary Farr, 192 Manning Drive
5. Kim Yaeger, 2505 Milford Lane

Concerns:

- Suggestion that City buy property
- Price Points
- Precedent of small homes on small lots
- Buffer to homes on Manning Drive should be trees
- Changes to character of area
- Maintain R-15 zoning
- Widening of Cumming St
- Traffic Backup from school from Cumming St. to Westside Pkwy
- Lewis Manning House restoration complete before 1st certificate of occupancy
- Parking for Lewis Manning House
- Use of Manning House
- Fire Safety
- Density

Denn Webb gave a rebuttal

- Fencing
- Le High Development
- Provided Traffic Study
- Parking on Cumming St.

Eric Graves, Senior Traffic Engineer stated there are no plans to widen Cumming St.

- ❖ Commissioner Caswell offered a motion to table
 - The motion received a second from Commissioner Brady
 - The Motion was approved (6-0)

There was discussion during the motion that the Board's reason for tabling this item was they have not been able to study the Applicant's response to Conditions as they just received them, Staff concerns with Application, Site Plan and restoration of Lewis Manning Home timeframe. Tabling will allow Staff and the Applicant to work through issues.

Chairman Kung'u called a recess at 8:58 p.m.

Chairman Kung'u reconvened the meeting at 9:08 p.m.

c. PH-17-20 Unified Development Code Text Amendments

Micheal Woodman presented consideration of text amendments to Unified Development Code, Appendix A: Alpharetta Downtown Code and Alpharetta Downtown Design Guidelines in order to add architectural styles. Text amendments are proposed to increase the single-family detached minimum lot size in the DT-R (Downtown Residential) zoning district.

Architectural Style Requirements:

Staff proposes adding two (2) architectural styles, including Tudor Eclectic and Mercantile/Mill in the Downtown Overlay. The Mercantile/Mill style only applies to commercial mixed-use or mercantile type buildings.

DT-R (Downtown Residential) Development Standards:

Staff proposes increasing the minimum lot size for a detached home in the DT-R (Downtown Residential) zoning district from 2,500 square foot to 4,500 square feet as well as a change to the side setback by adding " and a minimum 10' between structures". The DT-R district is appropriate for properties in the Downtown Overlay designated Downtown

Residential Density in the Comprehensive Land Use Plan. Areas designated Downtown Residential Density are typically those where redevelopment opportunities have been identified and represent a transition between existing established neighborhoods and more intense commercial and mixed-use areas of the Downtown Overlay.

Chairman Kung'u opened the floor to Public Comment at 9:19 p.m.

Kim Yaegar, 2505 Milford Lane

1. Liked proposed DT-R standards
2. Concerned there are too many architectural styles allowed

- ❖ Commissioner Caswell offered a motion to approve
 - The motion received a second from Commissioner Brady
 - The Motion was approved (6-0)

d. **PH-17-21 Unified Development Code Text Amendments**

Michael Woodman presented consideration of text amendments to Unified Development Code in order to modify the definition of open space, MU (Mixed Use) zoning district standards and landscape strip requirements.

MU (Mixed-Use) Development Standards:

Text amendments are proposed to the MU (Mixed-Use) zoning district development standards to change 'Park Space' to 'Open Space'.

Open Space:

Modifications are proposed to the definition of 'Open Space' to exclude sidewalks, building setbacks, buffers, landscape strips or other similar requirements.

Landscape Strip:

Modifications are proposed to the definitions of 'Landscape Strip' in UDC Section 1.4 and Section 3.2 to prohibit utilities within a landscape strip.

Downtown Zoning Districts:

Modifications are proposed to each of the four (4) Downtown zoning districts requiring a proportionate share of civic space and amenity space for requests above 10 dwelling units per acre in the DT-C and DT-MU districts and for requests above 8 dwelling units per acre in the DT-LW and DT-R districts.

All proposed text amendments have been reviewed by the City Attorney.

Kim Yaegar, 2505 Milford Lane discussed clarification that cases that have been previously approved would not have to follow this revision.

- ❖ Commissioner Caswell offered a motion to approve
 - The motion received a second from Commissioner Brady
 - The Motion was approved (6-0)

vii. ADJOURNMENT



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CLUP-17-02/Z-17-04 TAYLOR MORRISON/40 CUMMING STREET

PLANNING COMMISSION: SEPTEMBER 7, 2017

CITY COUNCIL: SEPTEMBER 25, 2017

This item was heard at the June 1, 2017 Planning Commission meeting. Several residents spoke in opposition to the request, with concerns over density, traffic, townhomes and tree protection. One resident spoke in favor of the request. After discussion, the Planning Commission recommended to deny this item. Vote (7-0)

This item was heard at the August 3, 2017 Planning Commission meeting. Several residents spoke in opposition to and in favor of the request, with concerns over density, traffic, townhomes and tree protection. After discussion, the Planning Commission recommended to table this item. Vote (6-0)

II. RECOMMENDATION:

Approve CLUP-17-02/Z-17-04 Taylor Morrison/40 Cumming Street request for comprehensive land use plan amendment and rezoning, subject to the following conditions:

1. The site, consisting of approximately 10.868 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by PEC, dated 8/16/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The Lewis-Manning House property, consisting of approximately 0.837 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by PEC, dated 8/16/2017, except for modifications required to comply with the conditions below. Use shall be restricted to office or HOA use.
3. The permitted residential product on the property shall be single-family detached. Minimum lot size shall be 6,000 square feet along Cumming Street, Manning Drive and adjacent to existing residential. Internal lots shall have a minimum lot size of 2,500 square feet in order to maximize tree saves.
4. Lots along Manning Drive and lots that back up to existing homes on Manning Drive shall have a minimum lot width of 80'.
5. Minimum building setbacks shall comply with the DT-R district standards.
6. Homes fronting Cumming Street (Lots 5-8) shall face that street. Side elevations shall be enhanced with architectural elements and/or shall be screened with evergreen plantings, as approved by Staff. Civic space along Cumming Street shall be a minimum 40' wide, as depicted on the site plan, and developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Civic areas to be maintained by HOA.
7. Homes adjacent to existing residential and commercial shall be front loaded.
8. Architecture and materials shall be substantially similar to the renderings prepared by Main Street Designs, dated 8/29/2017, except for modifications required to comply with these conditions, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. Front porches and stoops shall have a minimum depth of 8'. Bay windows shall have a minimum depth of 2'. 4-sided architecture and materials

- shall be required. A minimum 50% of homes fronting Cumming Street (Lots 5-8) and Manning Drive (Lots 9-11) shall be three-sided brick or stone with fireplaces.
9. The Historic Lewis-Manning House shall be restored and protected. Restoration and modifications shall require review and approval by Staff. The exterior of the home shall be restored prior to the first Certificate of Occupancy on the property. Landscaping and fencing style shall be designed to complement the time period of the historic home.
 10. An easement shall be recorded on the final plat providing for use of the Lewis-Manning House yard as amenity space for the proposed subdivision.
 11. The yard surrounding the Lewis-Manning House shall be enhanced with landscape, hardscape, seating areas and a sculpture or fountain, as approved by Staff. Evergreen plantings shall be required along the north and east sides of the Lewis-Manning House.
 12. Developer shall provide a statement on the final plat and in a binding legal agreement providing for the protection and maintenance of the Lewis-Manning House.
 13. The Lewis-Manning House shall be permitted 1 monument sign not to exceed 10 square feet and 1 wall sign shall not exceed 4 square feet both to be approved by the DRB. The property will forever be known as the Lewis Manning House and will be so designated by a plaque, which will be affixed to the exterior of the structure as approved by the DRB.
 14. A minimum 15' transitional, planted buffer, as depicted on the zoning plan, shall be provided adjacent to the existing Manning Drive residential properties to the east and shall be planted with evergreen trees and/or shrubs to provide a visual screen between uses, as approved by Staff. Buffer shall be recorded as undisturbed.
 15. A minimum 15' landscape buffer shall be provided adjacent to properties to the west zoned commercial.
 16. Roadways with on-street parking shall incorporate curb extensions at intersections. Internal road shall include on-street parking and sidewalk, where feasible, as approved by Staff.
 17. The corner of Cumming Street and Manning Drive shall be heavily landscaped with evergreen plantings to screen the sides of Units 8 & 9 and internal driveway and decorative ornamental plantings.
 18. A stacked stone, brick or granite wall shall be constructed between homes and front landscape area. Under ledge wall lighting shall be required. Benches and a public art pedestal shall be approved by Staff.
 19. Civic and amenity areas shall include a mix of trees, shrubs, and ground covers of varying heights, textures and colors as approved by Staff.
 20. Development shall not be gated and roads will be private and maintained by the HOA.
 21. Developer shall remove, by hand, trash from the stream at the north end of the property.
 22. Add trees, shrubs and ground cover plantings to the south side of the trail that roughly parallels the stream, where cleared or sparse. Plantings will consist of traditional native southern plants creating a manicured park-like natural appearance as approved by Staff.
 23. In addition to required trees in the on-street parking bump outs, shade trees alternating with flowering ornamental trees shall be planted on the backside of the sidewalk as approved by Staff. In lieu of tree grates, the soil area around the trees shall be planted with evergreen ornamental grasses, groundcovers or shrubs. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
 24. Civic space along Cumming Street and Manning Drive shall be recorded for public use.
 25. Multi-use path along Cumming Street shall be a 12' concrete accessible path. A path connection through site and along stream shall be provided. Developer shall dedicate a permanent 20' wide public access easement to the City within the 150' impervious setback, as depicted on the site plan. Easement documents shall address maintenance responsibilities, which shall be maintained by the HOA. Lighting, seating areas, landscape and hardscape shall be provided along Cumming Street, as approved by Staff.
 26. Driveways shall be a minimum 18' from garage to back of sidewalk or less than 5'.
 27. Parking areas and internal driveways shall be heavily screened from Cumming Street, Manning Drive and civic space. A tree shall be provided every 3rd parallel parking space along Cumming Street.
 28. Internal sidewalks shall be provided to the fronts of units and shall be a minimum 5' with pedestrian-scale lighting provided throughout the development.

29. Fencing visible from the street or civic areas shall be decorative as approved by Staff.
30. Existing trees shall be preserved as depicted on Sheet SPE prepared by PEC, dated 8/16/2017. In addition, the developer shall save the following tree: #365 (33" Water Oak). The location of the tree protection fence around #67 (47" White Oak) shall be approved by Staff. Applicant's site plan shall include a central tree save area of a minimum 7,500 SF (similar to previous tree save area). Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff. The 2 non-specimen trees, as well as the 10" Magnolia, along Manning Drive shall be incorporated into lots along Manning Drive.
31. Remove exotic and invasive trees and shrubs within open space, tree save areas and stream buffer and replant where sparse as approved by Staff.
32. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. Street trees shall be required along Cumming Street within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown, as approved by Staff. Heavy landscaping shall be provided along Manning Drive, as approved by Staff. All required landscaping shall be outside of utility easements.
33. Street trees of the proper size and locations shall be required along all internal roads as approved by Staff.
34. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
35. Decorative paver aprons shall be required at the project driveway as approved by Staff.
36. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff.
37. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
38. Overhead utilities shall be placed underground.
39. Final detention area shall be substantially similar to site plan, except that no stormwater management facilities shall be permitted within the impervious setback and there shall be no additional tree clearing.
40. Road width and configuration shall require Fire Marshall review and approval.

III. REPORT IN BRIEF:

The applicant, Taylor Morrison, is requesting to rezone approximately 10.87 acres from R-15 (Dwelling, 'For-Sale' Residential) to DT-R (Downtown Residential) to allow for the construction of 59 'For-Sale' detached homes. An additional rezoning of approximately 0.84 acres from R-15 to DT-LW (Downtown Live-Work) is requested to allow the historic Lewis-Manning House to be restored and used as an office. A change to the Comprehensive Land Use Plan designation of the Lewis Manning House property is requested from 'Downtown Residential Density' to 'Mixed Use Live Work', as well as a change to the designation of 2 parcels on Manning Drive from 'Low Density Residential' to 'Downtown Residential Density'. The property is located on the north side of Cumming Street between Highway 9 and Manning Drive at 40 Cumming Street.

DISCUSSION

The submitted request, if approved, will allow Taylor Morrison to construct 59 'For-Sale' single-family detached units on 11.71 acres with a residential density of 5.04 dwelling units per acre. In addition, the applicant proposes to save and restore the Lewis-Manning House and to use it as an office. The property is located on the north side of Cumming Street between Highway 9 and Manning Drive at 40 Cumming Street and 136 Manning Drive.

The property consists of three (3) parcels of land, including two (2) single-family detached homes and a small vacant residential lot. The subject property and surrounding properties are zoned R-15 to the east, R-12 to the north, C-1 and O-I to the west and O-I and R-15 to the south. The Manning Drive subdivision is

adjacent to the east, Manning's Ridge to the north, North Main Street commercial and office properties to the west and Alpharetta First United Methodist Church to the south. The proposed residential use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Downtown Residential Density'. The applicant proposes a comprehensive land use plan amendment to allow the Lewis-Manning House to be used as an office, as well as an amendment to two (2) parcels on Manning Drive from 'Low Density Residential' to 'Downtown Residential Density'.

The Lewis-Manning House was built in 1895 for Col. Tom Lewis and later sold to the Manning Family in 1905. The 2-story home was designed in the Queen Anne style. The applicant proposes to save and restore the home and to use it as a professional office. This request is similar to the East of Main development, where the Ben Manning House was saved, restored and approved for use as a professional office.

Residential densities vary in the Downtown, as shown in the table below. The applicant's proposed density of 5.04 dwelling units per acre is lower than many other recent approvals in the Downtown. The surrounding neighborhoods of Manning Drive and Manning's Ridge have residential densities between 1.5 and 2.0 dwelling units per acre. However, the closest approval is Lehigh Homes at 2.9 units per acre.

Downtown Overlay – Residential Densities

Development Name	Type	Acres	Density
Southerton/Aycock	10 SFD	1.232 acres	8.1 units/acre
City Center	42 SFD, 156 Apartments	25 acres	8.0 units/acre
Edward Andrews	17 SFD, 23 TH	5.85 acres	6.8 units/acre
Old Milton Holdings/Notting Hill	25 SFD, 89 TH, 42 Condo	23.89 acres	6.5 units/acre
Thompson Street Flats	24 Condo	2.39 acres	10.0 units/acre
Thompson St/Burnett Circle	43 TH	5.722 acres	7.5 units/acre
Lehigh Homes	9 SFD	3.1 acres	2.9 units/acre
Teasley Place	24 Condo	2.2 acres	10.9 units/acre
East of Main	41 SFD, 42 TH	10.43 acres	8.0 units/acre
Newvale (f.k.a. Olmstead Park)	23 TH	2.39 acres	9.6 units/acre
Twelve on Canton	12 SFD	5.465 acres	2.2 units/acre
Perling – S. Main/Devore	78 TH, 129 Apartments	12.913 acres	16.0 units/acre
Chelsea Walk	49 TH	7.04 acres	7.0 units/acre

SITE PLAN

The applicant submitted a revised site plan depicting all single-family detached product. Previous plans had shown both townhome and detached product. The revised site plan depicts 59 single-family detached homes on 11.71 acres. Homes are proposed to be three (3) stories or 35' and are oriented to Cumming Street and Manning Drive. Homes are depicted backing up to the Manning Drive properties at a ratio of two (2) proposed single-family lots to one (1) existing lot in Manning Drive subdivision. The single-family detached lot sizes are reflecting in the Site Data table as being a minimum of 2,500 square feet.

One (1) project driveway is depicted on Cumming Street. The applicant's original site plan depicted access from Manning Drive, which is consistent with the principles of transportation planning. However, the applicant made a decision to move the project access to Cumming Street due to a significant amount of concern voiced by the Manning Drive subdivision over possible negative impacts to their neighborhood.

Access to the Lewis-Manning House and associated parking is proposed through the project driveway on Cumming Street.

35 on-street guest parking spaces are depicted at various locations throughout the development, which exceeds the Downtown Code requirement of 0.15 parking spaces per residential unit. The Lewis-Manning House will be served by six (6) parking spaces at the rear of the structure and six (6) on-street parking spaces along Cumming Street, which meets the Downtown Code requirement of three (3) parking spaces per 1,000 square feet for office use. A 12' multi-use trail (sidewalk) is proposed along Cumming Street and a six-foot (6') sidewalk is proposed on Manning Drive. A minimum 15' landscape buffer is depicted along the east side of the property, adjacent to existing single-family lots on Manning Drive, and a 10' landscape strip is depicted along the west property line. Building setbacks as proposed do not meet the requirements of the DT-R district. Minimum building setbacks are shown as follows:

- Cumming Street – 10'
- Manning Drive – 10'
- Internal (Front, Side and rear) – 0'

The applicant's site plan depicts 2.12 acres of amenity space and 1.08 acres of civic space, which reflects an increase from previous site plans. However, the applicant's site plan depicts amenity space along Cumming Street, which should be reflected as civic space. Also, the area at the north end of the site is depicted as civic space; however, the trail that previously connected this area to Cumming Street has been deleted. A five-foot (5') sidewalk runs through the property; however, there is no connection to the north end of the site adjacent to the stream. Also, the 6' path along the stream has been removed from the latest site plan. A linear park is depicted along Cumming Street and includes a 12' concrete multi-use trail. Additional pocket parks are depicted at other locations within the development, with some including tree save areas.

The Alpharetta Downtown Code requires a minimum 10% civic space and 10% amenity space. UDC Subsection 3.2.4(l) considers a site's open space requirements to be completely satisfied when a development incorporates a historic building. The Lewis-Manning House (40 Cumming Street) is on the City's Historic Resources Inventory List and the developer will make necessary improvements to allow for human habitation of the structure. A legal agreement will be required guaranteeing the maintenance of the building through the established HOA.

There are several trees on the subject property identified as specimen quality, consisting mainly of Hardwoods (Oak, Poplar, Sweet Gum, Maple and Dogwood) and Pines. Staff had concerns with the applicant's initial site plan, which did not save many specimen trees. The applicant revised the site plan to incorporate additional tree save areas, including around the Lewis-Manning House and at the north end of the property. A central tree save area depicted on previous site plans has been removed. Having an internal tree save area is an important consideration for this site and should be required. Additionally units 35 and 37 do not have room for patios or porches without encroachment into the buffer and therefore will not be permitted. The Arborist stated that additional trees should be saved, such as a large grouping of trees on the eastern side of the site near the existing residential. Also, the applicant should be required to limit tree removal for detention beyond what is identified on the site plan.

Stormwater management facilities are depicted as one (1) large above-ground facility at the north end of the property and within the impervious setback associated with the stream. The City's definition of impervious cover does not allow stormwater facilities within the impervious setback of the stream. Previous site plans depicted smaller facilities near the stream and south of 160 Manning Drive.

ELEVATIONS

The applicant's proposed renderings reflect three (3) architectural styles approved in the Downtown Overlay, including Queen Anne, Greek Revival and Italianate. According to the applicant's architect, the single-family detached homes will be a mix of the three (3) above-mentioned architectural styles. A variety of materials are depicted on the renderings, including siding, board and batten and brick.

The Downtown Architect reviewed the proposed building elevations and finds them to be generally in compliance with the Downtown Code. The following comments were provided by the Downtown Architect:

- Single-family Detached Product:
 - Building footprints and rooflines should have more variation.
 - Need more masonry product on single-family detached homes.
- General Comment:
 - All buildings should be 4-sided architecture with the same primary building material on all 4 sides.

TRAFFIC

The applicant commissioned a Traffic Impact Assessment (TIA) at the request of staff in order to evaluate the effect of new traffic from the development. The development's trip generation is presented in the table below. Based on the traffic study assumptions, approximately 59 new vehicle trips are expected to be added to the City transportation system during the PM Peak Hour period. It should be noted that the site plan and proposed development intensity has changed since the traffic study was initiated. However, the number of trips expected from the current proposal are less than presented in the study.

Project Trip Generation Summary

Land Use (Intensity)	ITE Code	Daily Traffic		AM Peak Hour		PM Peak Hour	
		Enter	Exit	Enter	Exit	Enter	Exit
19 units – Single-Family Detached Housing	210	113	113	6	17	15	9
52 units – Residential Condominium/Townhouse	230	182	182	5	26	23	12
Total New Trips		295	295	11	43	38	21

Intersection operations were evaluated along Cumming Street at North Main Street, the proposed site access, Manning Drive and Cricket Lane. At all intersections, traffic operations were found to perform at or better than the Level of Service C, well within the City's transportation system performance goals.

One element identified in the TIA is that traffic congestion experienced along Cumming Street at North Main Street is difficult under existing and proposed conditions, with vehicle queues extending beyond the proposed site access at times during the PM Peak Hour period. As one approach to avoid exacerbating the issue, the intersection at Manning Drive was evaluated assuming an alternative site access onto

Manning Drive. Even with all proposed site traffic and existing traffic from Manning Drive, the intersection was found to continue to operate at or better than Level of Service C, making the alternative site access onto Manning Drive a scenario worth considering.

SCHOOLS

Residential development is known to increase school enrollment. Fulton County calculated the potential maximum number of children who may live on the property by using the Fulton County Schools standard calculation to identify the number of children that a residential development will generate. The following chart outlines these figures:

FULTON COUNTY SCHOOLS – 59 Single-Family Detached Units

School	Single Family Average #
Manning Oaks Elementary School	6 to 22 students
Hopewell Middle School	2 to 12 students
Alpharetta High School	6 to 19 students
TOTAL	14 to 53 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 14 – 53 school age children. Numbers provided by Fulton County Schools show that Alpharetta High School has capacity; however, Manning Oaks Elementary School and Hopewell Middle School are currently over capacity.

STANDARDS FOR ZONING CHANGES

The Planning Commission and the City Council shall consider the following standards in considering a rezoning application, giving due weight or priority to those factors particularly appropriate to the circumstances of each application:

- a. Whether the zoning proposal will permit a use that is suitable in view of the zoning use and development of adjacent and nearby property.

Response: The zoning proposal is suitable as it relates to adjacent or nearby properties, if conditions are approved requiring lots adjacent to or fronting on Cumming Street and Manning Drive to be of a similar sized lot as surrounding development. While approval of the applicant's request would result in the Lewis-Manning House being used as a private office, the restoration and protection of the structure is a benefit to the Alpharetta community and the yard will remain open to residents of the subdivision as amenity space.

- b. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Response: The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties, if conditions are approved requiring lots adjacent to or fronting on Cumming Street and Manning Drive to be of similar size as surrounding development. While approval of the applicant's request would result in the Lewis-Manning House being used as a private office, the restoration and protection of

the structure is a benefit to the Alpharetta community and the yard will remain open to residents of the subdivision as amenity space.

c. Whether the zoning proposal will adversely affect the natural environment.

Response: The applicant's proposal depicts a stormwater management facility encroaching upon the impervious setback associated with the stream. Tree save areas are depicted at several locations on the site. Staff recommends a condition requiring additional tree saves.

d. Whether there are substantial reasons why the property cannot or should not be used as currently zoned.

Response: The subject property could be developed under the existing zoning of R-15, which is similar to the zoning of surrounding residential subdivisions and only allows single-family detached homes. While approval of the applicant's request would result in the Lewis-Manning House being used as a private office, the restoration and protection of the structure is a benefit to the Alpharetta community and the yard will remain open to residents of the subdivision as amenity space.

e. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of public facilities or services, including but not limited to existing streets and transportation facilities, schools, water or sewer utilities, and police or fire protection.

Response: The zoning proposal should not have significant impacts on public facilities or services. However, the proposal would represent an increase to the allowable density on the subject property.

f. Whether the zoning proposal is supported by new or changing conditions not anticipated or reflected in the existing zoning on the property.

Response: The property is located in the Downtown Overlay, which reflects a change in condition. The proposed use of the Lewis-Manning House for an office is consistent with the Downtown Master Plan vision of a walkable, mixed-use environment. However, staff recommends conditions requiring lots adjacent to or fronting on Cumming Street and Manning Drive to be of similar size as surrounding development.

g. Whether the zoning proposal reflects a reasonable balance between the promotion of the public health, safety, morality or general welfare against the right to unrestricted use of property.

Response: The applicant's zoning proposal generally reflects a reasonable balance. The proposed residential use is consistent with the Downtown Master Plan and the proposed office use of the Lewis-Manning House is consistent with the live-work vision in the Downtown. However, staff recommends conditions requiring lots adjacent to or fronting on Cumming Street and Manning Drive to be of similar size as surrounding development.

h. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Response: The subject property could be developed under the existing zoning of R-15, which is similar to the zoning of surrounding residential subdivisions and only allows single-family detached homes. While approval of the applicant's request would result in the Lewis-Manning House being used as a private office, the restoration and protection of the structure is a benefit to the Alpharetta community and the yard will remain open to residents of the subdivision as amenity space.

- i. The extent to which the zoning proposal is consistent with the Comprehensive Plan.

Response: The request to allow 'For-Sale' residential use is consistent with the comprehensive land use plan designation of the property, which is Downtown Residential Density. The applicant proposes a change to the designation of two (2) small lots on Manning Drive from 'Low Density Residential' to 'Downtown Residential Density'. However, the request to use the Lewis-Manning House as an office does not meet the comprehensive land use plan designation of the property. Therefore, the applicant proposes a change to the designation of the Lewis-Manning House property to 'Mixed Use Live Work'.

COMPREHENSIVE LAND USE PLAN

Unified Development Code Section 4.1.3 Standards for CLUP amendment approval, provides the following criteria for consideration when evaluating a request for a change in land use:

- A. The extent to which a change in the economy, land use or development opportunities of the area has occurred.

Response: If the applicant's request is approved, the Lewis-Manning House will be saved and restored as a condition of zoning. The request to utilize the historic structure as an office is consistent with the Downtown Master Plan, which encourages the preservation of historic resources.

- B. The extent to which the proposed designation is in compliance with the goals and policies of the Plan.

Response: The applicant's proposal is consistent with many of the goals and policies in the City's Comprehensive Plan, including promoting a mix of uses and walkability in the Downtown.

- C. The extent to which the proposed designation would require changes in the provision of public facilities and services.

Response: The proposal would not generate significant impacts on public facilities and services.

- D. The extent to which the proposed designation would impact the public health, safety, and welfare.

Response: While approval of the applicant's request will result in the Lewis-Manning House being used as a private office, the restoration and protection of the structure is a benefit to the Alpharetta community and the yard will remain open to residents of the subdivision as amenity space.

- E. The extent to which additional land area is needed to be developed for a specific type of use.

Response: Not applicable.

F. The extent to which area demographics or projections are not occurring as projected.

Response: Not applicable.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for comprehensive land use plan amendment and rezoning. While the proposed change of use is consistent with the intent of the Downtown Master Plan, staff has concerns with the number of residential units proposed immediately adjacent to Manning Drive. Lehigh Homes was approved in 2016 for single-family detached lots, with a density of 2.9 units per acre and a minimum lot size of 7,000 square feet. A similar detached development could be developed on the subject property. Staff supports the preservation of the Lewis-Manning House and the proposed use of the structure as an office. If approval is considered, conditions are recommended that guarantee maintenance and protection of the historic structure, as well as limits the residential density adjacent to Manning Drive.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the applicant met with Manning's Ridge HOA Board, residents of Manning Drive subdivision and other adjacent property owners. According to the applicant, support for the project was mixed, with many saying that they would support the project if the project driveway was moved to Cumming Street. Other topics of concern that were raised included stormwater, trees, density and townhome product. At the request of the neighborhood, Staff met with several residents from Manning Drive subdivision to provide an overview of the applicant's request and to allow the neighborhood to voice their concerns. The following list of concerns were provided at this meeting:

- Not enough notice given to neighborhood by the applicant for a community meeting. Requested that the applicant defer to June or July.
- Do not support project access from Manning Dr. Access should be from existing driveway on Cumming St.
- Density is too high. Density should represent a transition to surrounding, existing neighborhoods.
- Increase size of lots adjacent to Manning Drive subdivision. Lot sizes should be 1-to-1 (proposed vs. existing).
- Concerned that using the Lewis-Manning house as an office would destroy the interior of the home.
- Concerns over stormwater (location, run-off, mosquitos).
- Save more trees, many trees over 100 years old.
- Provide buffer between development and Manning Dr sub. (undisturbed or replanted, possibly a fence).
- All buildings should be 4-sided architecture and masonry materials.
- The City should purchase the property for a park or the developer should build a city park with very low density lots surrounding the park.
- Concern with townhomes being over-built. Applicant should provide a market study to support the request.
- What will happen to wildlife on the property?

IV. ATTACHMENTS:

- Site Plan
- Renderings

**TAYLOR MORRISON
PROPOSED CONDITIONS
(09-~~0706~~-2017)**

Approve CLUP-17-02/Z-17-04 Taylor Morrison/40 Cumming Street request for comprehensive land use plan amendment and rezoning, subject to the following conditions:

1. The site, consisting of approximately 10.868 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by PEC, dated 8/16/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The Lewis-Manning House property, consisting of approximately 0.837 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by PEC, dated 8/16/2017, except for modifications required to comply with the conditions below. Use shall be restricted to office or HOA use.
3. The permitted residential product on the property shall be single-family detached. Minimum lot size shall be 7,000 square feet for lots fronting Manning Drive (Lots 9-11) and 5,000 square feet adjacent to existing residential on Manning Drive (lots 17-20). All lots fronting Cumming Street (Lots 5-8) shall have a minimum size of 4,000 square feet and all other lots shall have a minimum lot size of 2,500 square feet in order to maximize tree saves.
4. There shall be only three single-family detached lots fronting Manning Drive (Lots 9-11) and those lots shall have a minimum lot width of 60'. Lots that back up to existing homes on Manning Drive (Lots 17-20) shall have a minimum lot width of 50'.
5. Minimum building setbacks shall comply with the DT-R district standards.
6. Homes fronting Cumming Street (Lots 5-8) shall face that street. Side elevations shall be enhanced with architectural elements and/or shall be screened with evergreen plantings, as approved by Staff. Civic space along Cumming Street shall be a minimum 40' wide, as depicted on the site plan, and developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Civic areas to be maintained by HOA.
7. Homes adjacent to existing residential and commercial shall be front loaded.
8. Architecture and materials shall be substantially similar to the renderings prepared by Main Street Designs, dated 8/29/2017, except for modifications

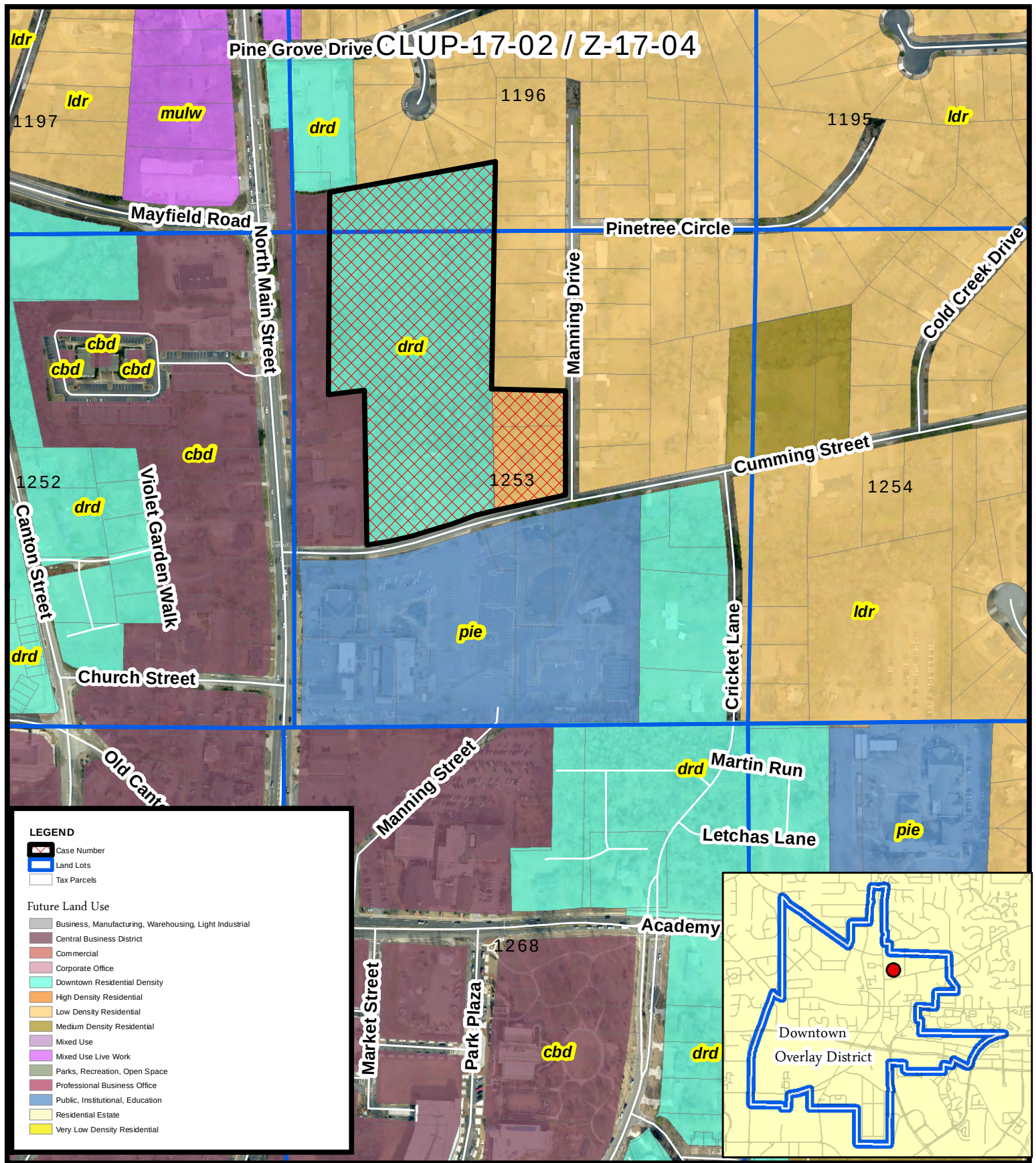
required to comply with these conditions, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. Front porches and stoops shall have a minimum depth of 8' as measured from the front door. Bay windows shall have a minimum depth of 2'. 4-sided architecture and materials shall be required. A minimum 50% of homes fronting Cumming Street (Lots 5-8) and Manning Drive (Lots 9-11) shall be three-sided brick or stone with fireplaces.

9. The Historic Lewis-Manning House shall be restored and protected. Restoration and modifications shall require review and approval by Staff. The exterior of the home shall be restored prior to the issuance of the 29th first Certificate of Occupancy on the property. Landscaping and fencing style shall be designed to complement the time period of the historic home.
10. An easement shall be recorded on the final plat providing for use of the Lewis-Manning House yard as depicted on the site plan.
11. The yard surrounding the Lewis-Manning House shall be enhanced with landscape, hardscape, seating areas and a sculpture or fountain, as approved by Staff. ~~Evergreen plantings shall be required along the north and east sides of the Lewis-Manning House.~~
12. Developer shall provide a statement on the final plat and in a binding legal agreement providing for the protection and maintenance of the Lewis-Manning House.
13. The Lewis-Manning House shall be permitted 1 monument sign not to exceed 10 square feet and 1 wall sign shall not exceed 4 square feet both to be approved by the DRB. The property will forever be known as the Lewis Manning House and will be so designated by a plaque, which will be affixed to the exterior of the structure as approved by the DRB.
14. A minimum 15' transitional, planted buffer, as depicted on the zoning plan, shall be provided adjacent to the existing Manning Drive residential properties to the east and shall be planted with evergreen trees and/or shrubs to provide a visual screen between uses, as approved by Staff. After installation, buffer shall be recorded as undisturbed.
15. A minimum 15' landscape buffer shall be provided adjacent to properties to the west zoned commercial.
16. Roadways with on-street parking shall incorporate curb extensions at intersections. Internal road shall include on-street parking and sidewalk, where feasible, as approved by Staff.

17. The corner of Cumming Street and Manning Drive shall be heavily landscaped with evergreen plantings to screen the sides of Units 8 & 9 and internal driveway and decorative ornamental plantings.
18. A stacked stone, brick or granite wall shall be constructed between homes fronting Cumming Street (Lots 5-8) ~~and Manning Drive (Lots 9-11)~~ and front landscape area. Benches and a public art pedestal shall be approved by Staff.
19. Civic and amenity areas shall include a mix of trees, shrubs, and ground covers of varying heights, textures and colors as approved by Staff.
20. Development shall not be gated and roads will be private and maintained by the HOA.
21. Developer shall remove, by hand, trash from the stream at the north end of the property.
22. Add trees, shrubs and ground cover plantings to the south side of the trail that roughly parallels the stream, where cleared or sparse. Plantings will consist of traditional native southern plants creating a manicured park-like natural appearance as approved by Staff.
23. In addition to required trees in the on-street parking bump outs, shade trees alternating with flowering ornamental trees shall be planted on the backside of the sidewalk as approved by Staff. In lieu of tree grates, the soil area around the trees shall be planted with evergreen ornamental grasses, groundcovers or shrubs. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
24. Civic space along Cumming Street and Manning Drive shall be recorded for public use.
25. Multi-use path along Cumming Street shall be a 12' concrete accessible path. A path connection through site and along stream shall be provided. Developer shall dedicate a permanent 20' wide public access easement to the City within the 150' impervious setback, as depicted on the site plan. Easement documents shall address maintenance responsibilities, which shall be maintained by the HOA. Lighting, seating areas, landscape and hardscape shall be provided along Cumming Street, as approved by Staff.
26. Driveways shall be a minimum 18' from garage to back of sidewalk or less than 5'.
27. Parking areas and internal driveways shall be heavily screened from Cumming Street, Manning Drive and civic space. A tree shall be provided every 3rd parallel parking space along Cumming Street.

28. Internal sidewalks shall be provided to the fronts of units and shall be a minimum 5' with pedestrian-scale lighting provided throughout the development.
29. Fencing visible from the street or civic areas shall be decorative as approved by Staff.
30. Existing trees shall be preserved as depicted on Sheet SPE prepared by PEC, dated 8/16/2017. In addition, the developer shall save the following tree: #365 (33" Water Oak). The location of the tree protection fence around #67 (47" White Oak) shall be approved by Staff. ~~Applicant's site plan shall include a central tree save area of a minimum 7,500 SF (similar to previous tree save area).~~ Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff. The 2 non-specimen trees, as well as the 10" Magnolia, along Manning Drive shall be incorporated into lots along Manning Drive.
31. Make reasonable efforts to remove exotic and invasive trees and shrubs within open space, tree save areas and stream buffer and replant where sparse as approved by Staff.
32. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. Street trees shall be required along Cumming Street within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown, as approved by Staff. Heavy landscaping shall be provided along Manning Drive, as approved by Staff. All required landscaping shall be outside of utility easements.
33. Street trees of the proper size and locations shall be required along all internal roads as approved by Staff.
34. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
35. Decorative paver apron dimensioned at 12' deep and 40' wide shall be required at the project driveway entrance at Cumming Street as approved by Staff.
36. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff.
37. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
38. Overhead utilities internal to the project shall be placed underground.

39. Final detention area shall be coordinated with public works and engineering staff during plan review process, except that no stormwater management facilities shall be permitted within the impervious setback and there shall be no additional tree clearing.
40. Road width and configuration shall require Fire Marshall review and approval.



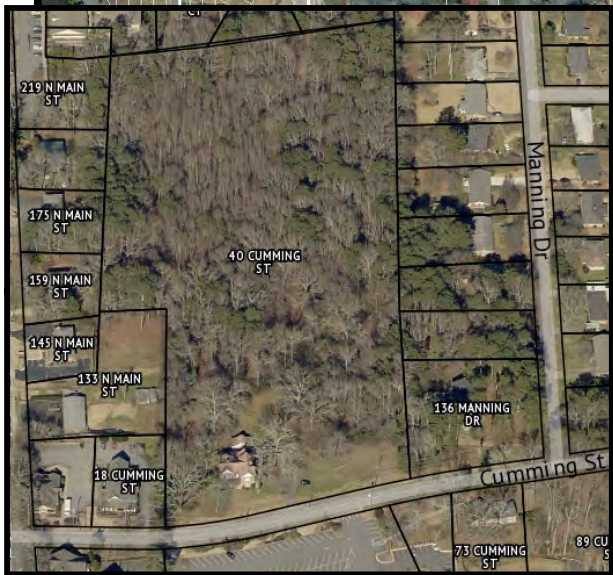
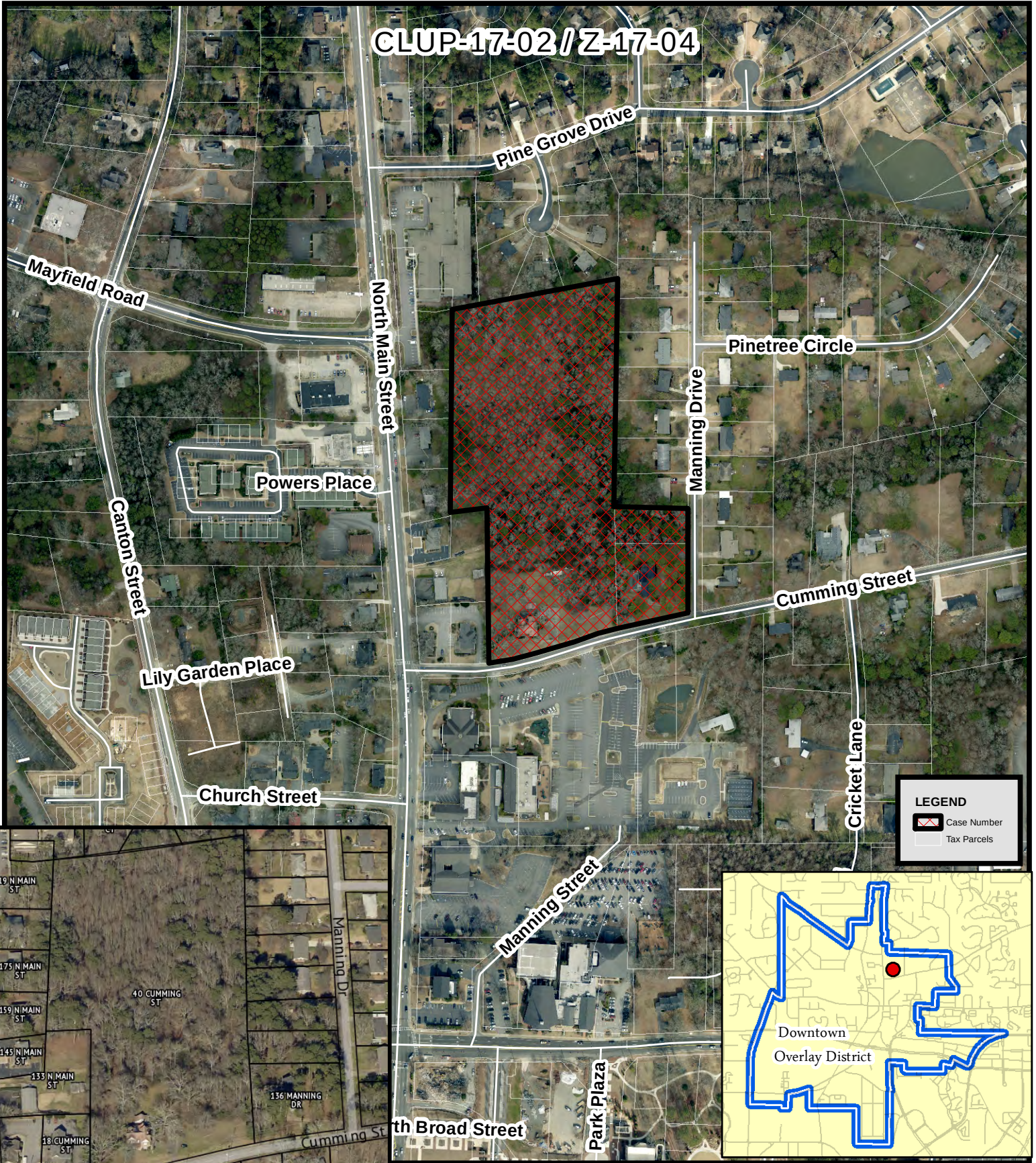
Future Land Use Taylor Morrison 40 Cumming Street

CLUP-17-02/Z-17-04
D/LL: 2/2/1196, 1253
PC Date: 8/03/17
CC Date: 8/28/17



Location Map Provided by:
Community Development - GIS

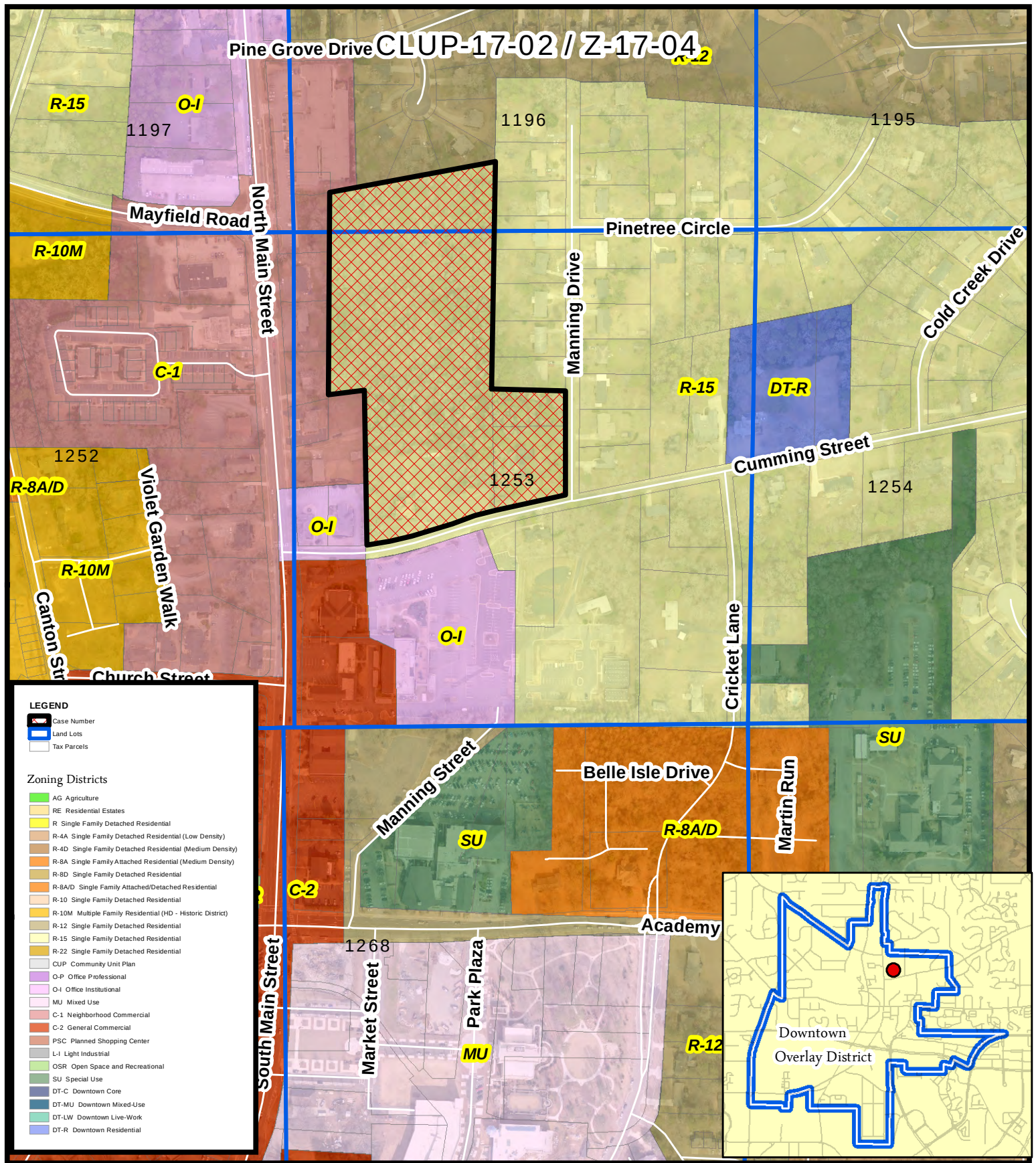
CLUP-17-02 / Z-17-04



Aerial Map
Taylor Morrison
40 Cumming Street

CLUP-17-02/Z-17-04
D/LL: 2/2/1196, 1253
PC Date: 8/03/17
CC Date: 8/28/17

Location Map Provided by:
Community Development - GIS

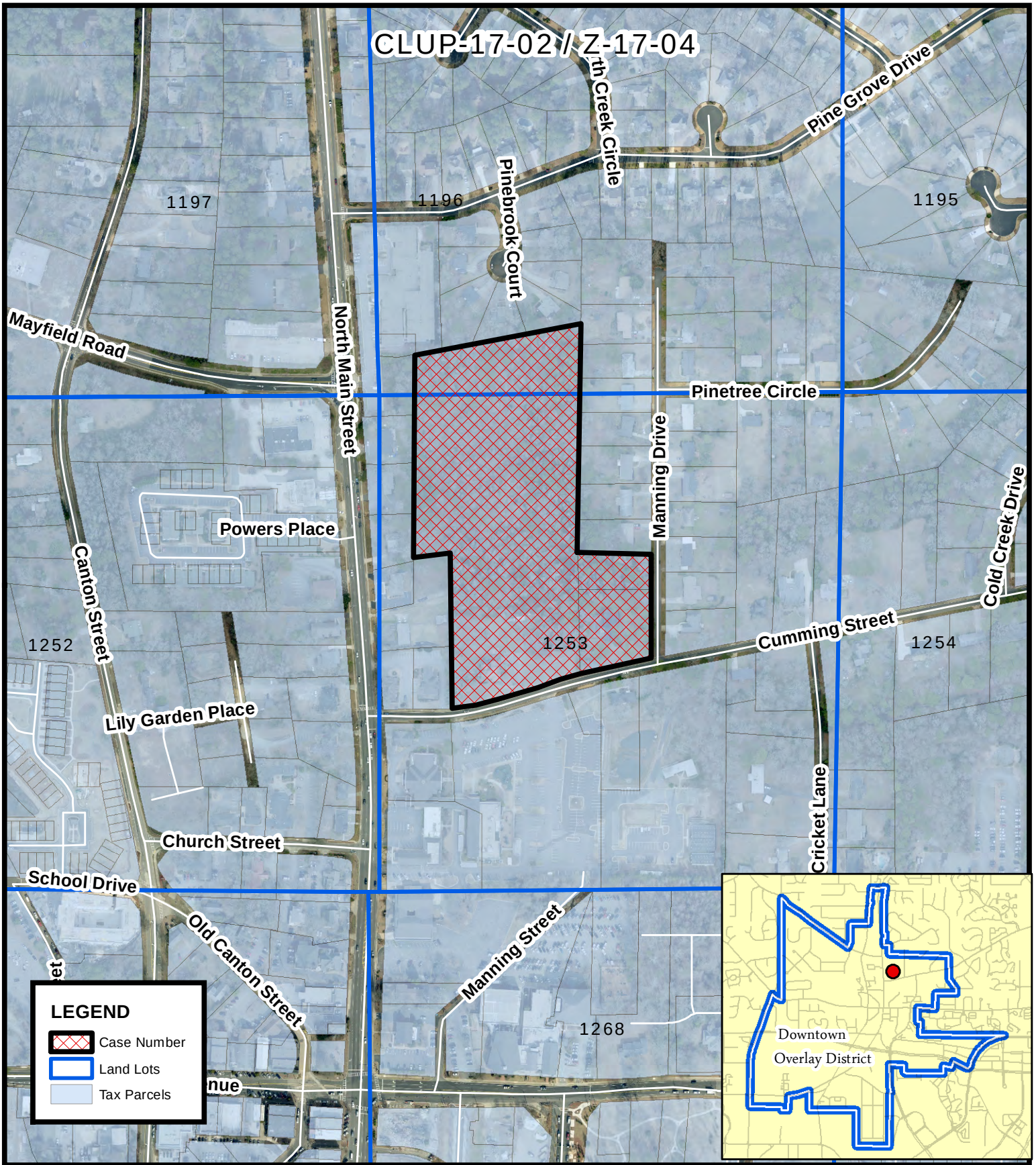


Zoning Map Taylor Morrison 40 Cumming Street

CLUP-17-02/Z-17-04
D/LL: 2/2/1196, 1253
PC Date: 8/03/17
CC Date: 8/28/17

Location Map Provided by:
Community Development - GIS

CLUP-17-02 / Z-17-04



Location Map
Taylor Morrison
40 Cumming Street

CLUP-17-02/Z-17-04
D/LL: 2/2/1196, 1253
PC Date: 8/03/17
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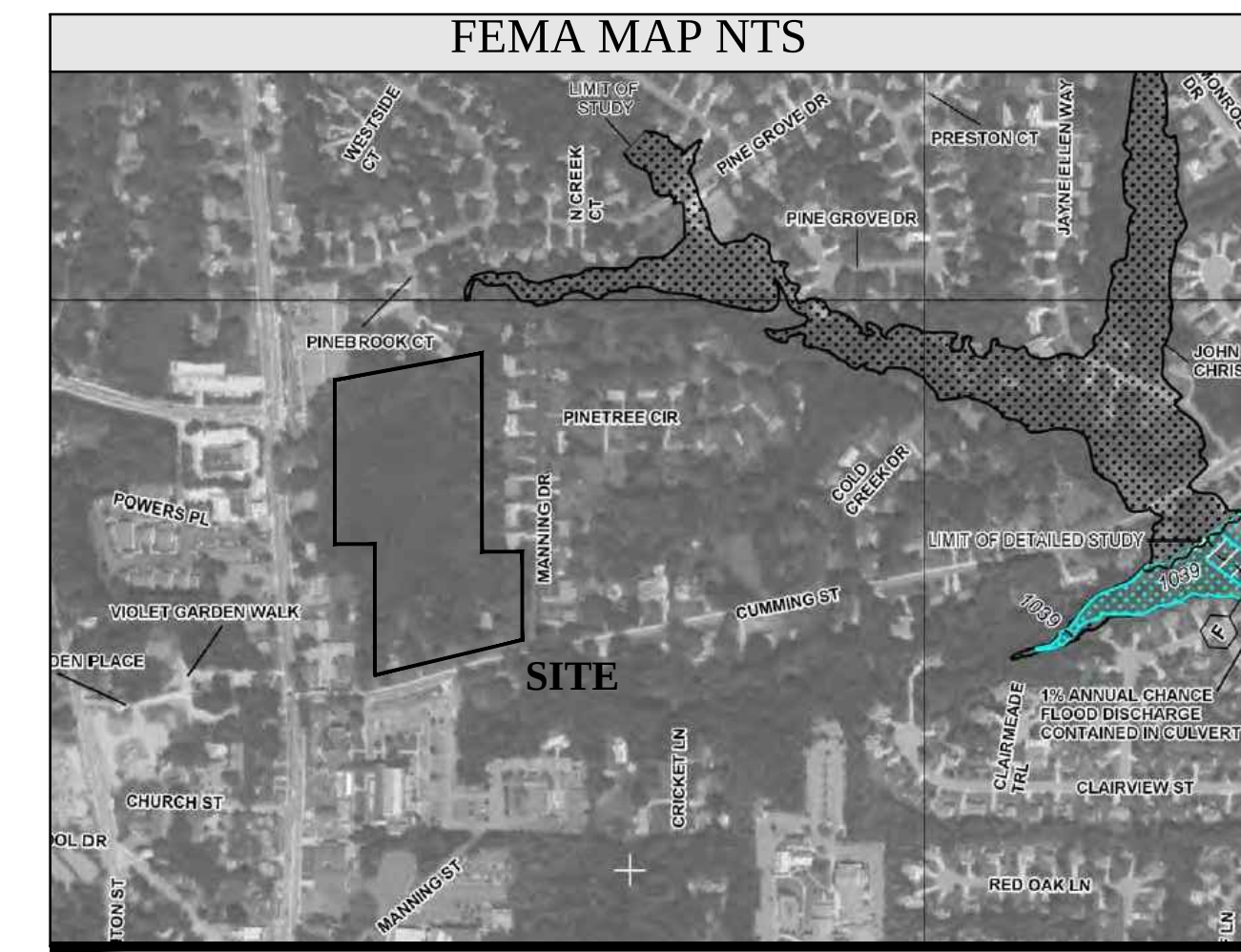
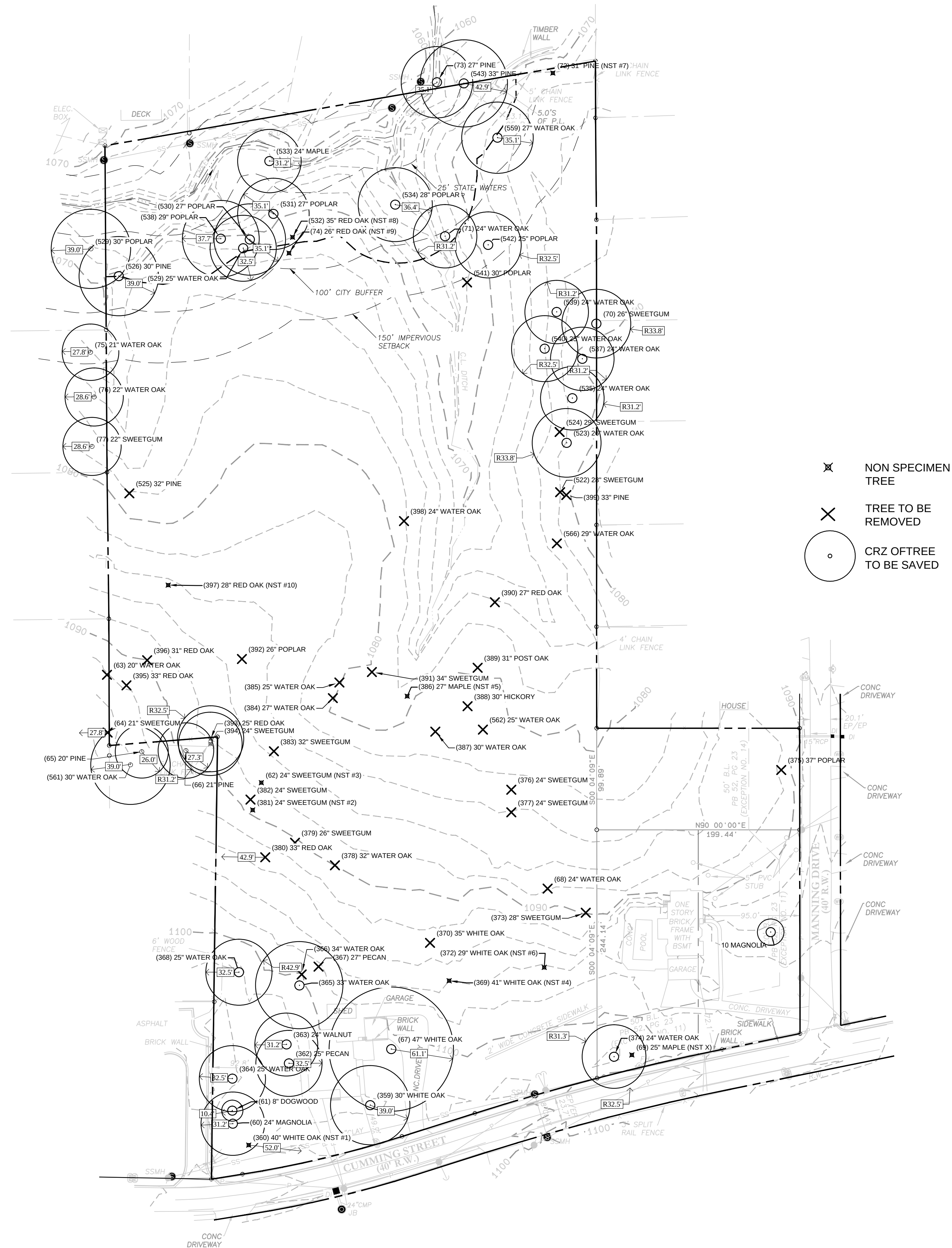
Location Map Provided by:
Community Development - GIS





TOTAL OPEN SPACE REQUIRED	20% OF SITE
**OPEN SPACE REQUIREMENTS ARE SATISFIED IN TOTAL BASED ON THE PRESERVATION OF 40 CUMMING STREET HOUSE ON THE SITE PER SEC. 3.2.4-I	
CIVIC SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	14.6%
AMENITY SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	10.5%
TOTAL OPEN SPACE PROVIDED	25.1%





40 CUMMING STREET, 136 MANNING DRIVE
A MASTER PLANNED RESIDENTIAL COMMUNITY
FOR

FOR
TAYLOR MORRISON

DISTRICT 2
SCHOOL
SECTOR

4400 NORTH POINT PARKWAY
SUITE 205
ALPHARETTA, GA 30009
JOIGONES@TAYLORMORRISON.COM

CITY OF ALPHARETTA,
FULTON COUNTY, GEORGIA

TAYLOR MORRISON

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SHEET TITLE

SPECIMEN TREE
LOCATION PLAN

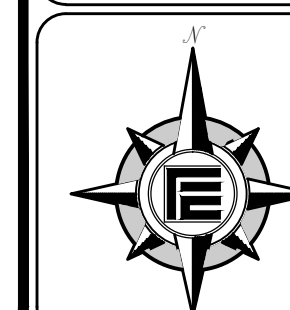


SCALE: 1" = 60'
DATE: AUGUST 16, 2017
PROJECT: 16334.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
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8-16-17

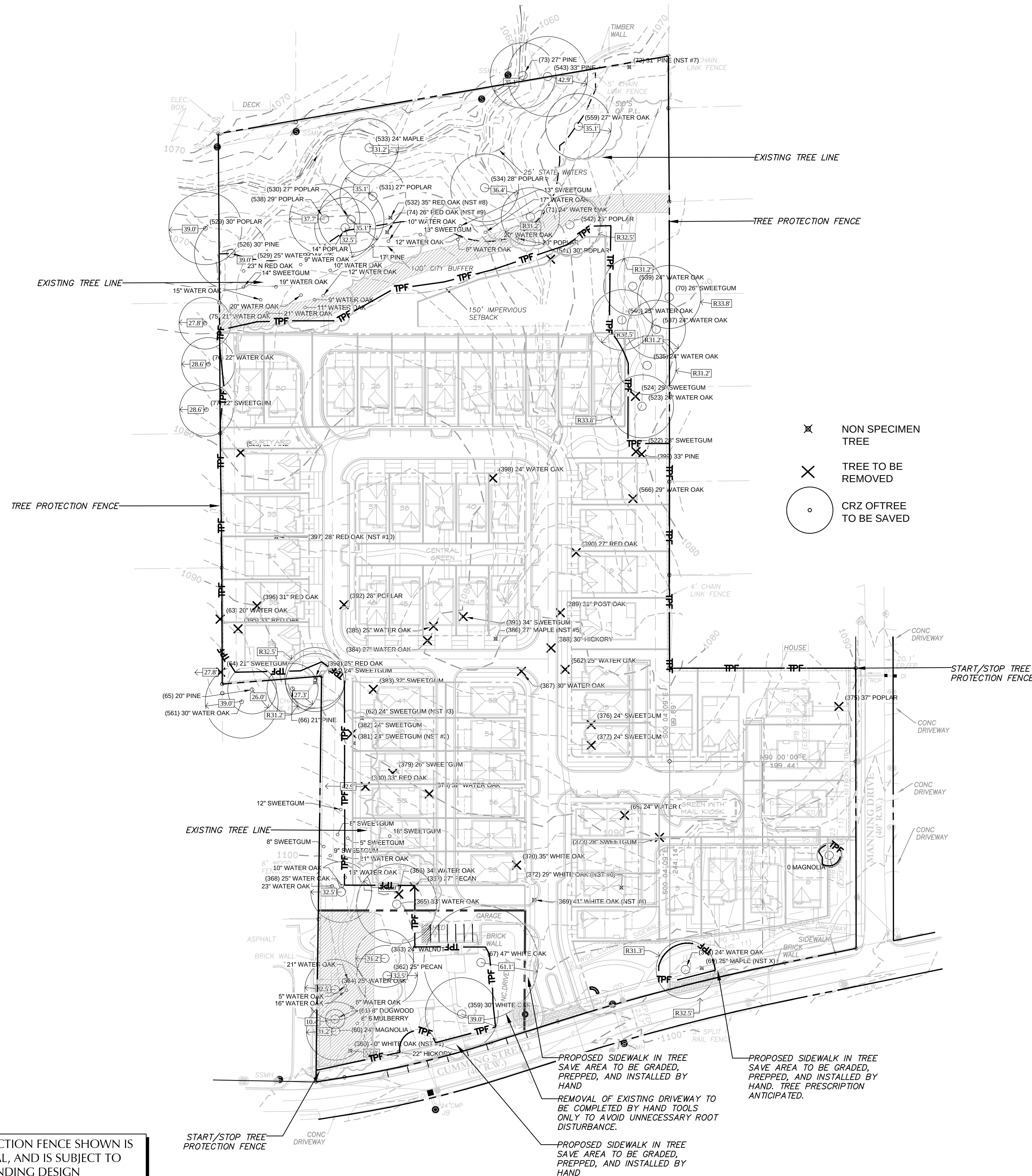


SPE

SHEET



24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com



TREE PROTECTION FENCE SHOWN IS
CONCEPTUAL, AND IS SUBJECT TO
CHANGE PENDING DESIGN
DEVELOPMENT AND GRADING PLANS



24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com

TP
SHEET

40 CUMMING STREET, 136 MANNING DRIVE
A MASTER PLANNED RESIDENTIAL COMMUNITY
FOR

FOR
TAYLOR MORRISON

TAYLOR MORRISON
4400 NORTH POINT PARKWAY
SUITE 295
ALPHARETTA, GA 30009
ONES@TAYLORMORRISON.COM

CITY OF ALPHARETTA,
FULTON COUNTY,
GEORGIADISTRICT 2
SECTION 2

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SHEET TITLE

TREE PROTECTION PLAN

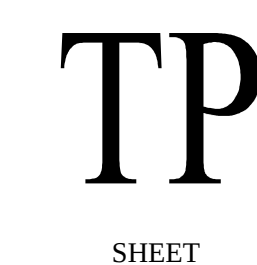


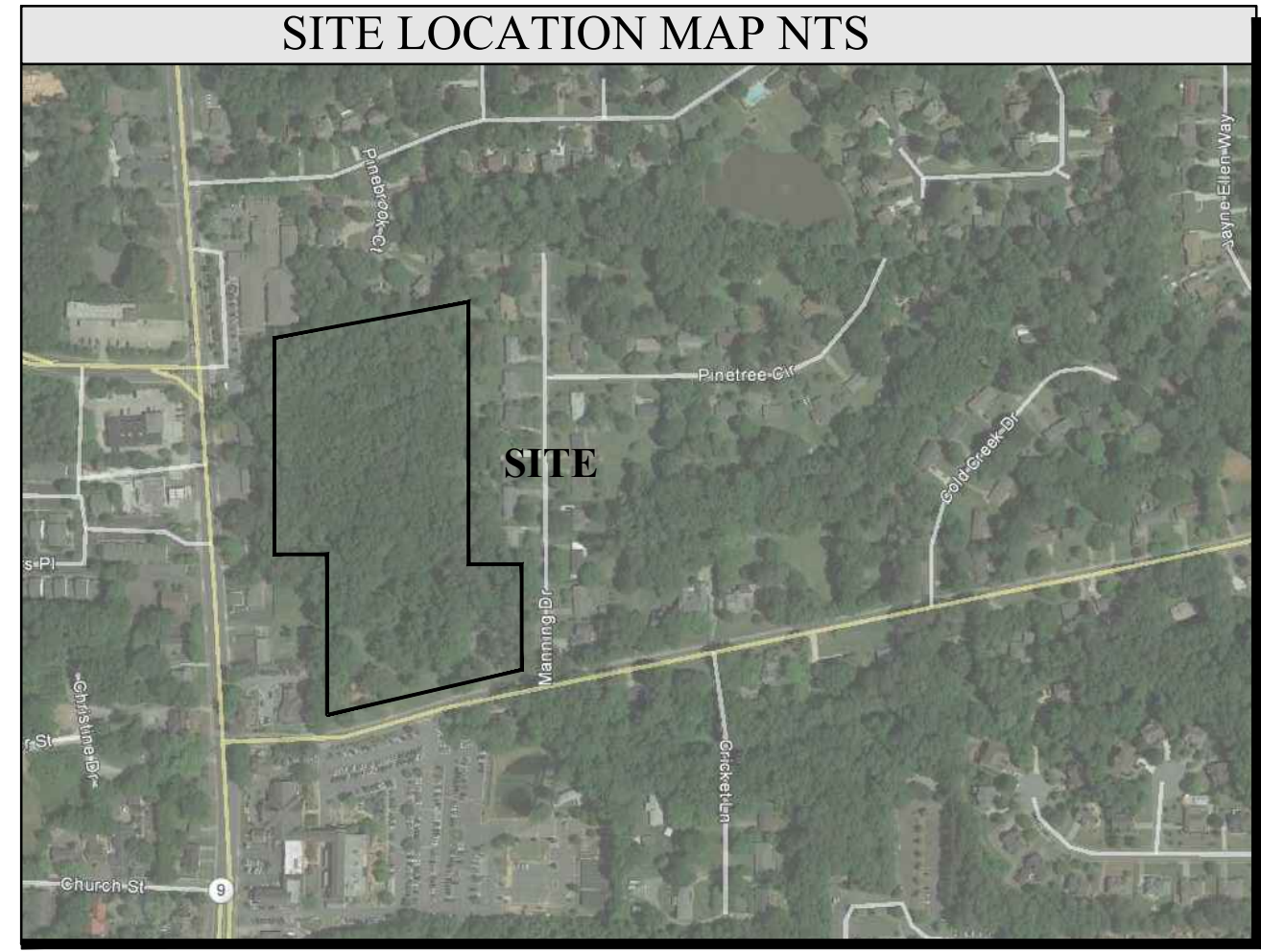
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PROJECT: 16334.00

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8-16-17





TOTAL SITE AREA	11.705 ACRES
PARCEL 1	10.868 ACRES
PARCEL 2	.837 ACRES

CURRENT ZONING R-15
PROPOSED ZONING (PARCEL 1)..... DT-R
PROPOSED ZONING (PARCEL 2)..... DT-LW
ZONING JURISDICTION CITY OF ALPHARETTA
 : COUNTY OF FULTON

TOTAL RESIDENTIAL UNITS	59 HOMES
SF DETACHED HOMES	59 UNITS
RESIDENTIAL DENSITY STANDARD PER UDC (WITHOUT CONDITIONAL USE PERMIT)	8 UNITS/ACRE
DENSITY PROPOSED (59 UNITS / 11.705 ACRES)	5.04 UNITS/ACRE

FRONTAGE PROPERTY SETBACK 5 FEET MIN.
SIDE YARD SETBACK 0 FEET
REAR YARD SETBACK 3/10 FEET
TRANSITIONAL BUFFER ZONE N/A
LANDSCAPE STRIP (ABUTTING PROPERTIES TO THE WEST)..... 5 FEET

DETACHED LOTS	
FRONT, SIDE, REAR SETBACK	0 FEET
BUILDING SEPARATION	5 FEET
LOT AREA	2,500 SF. MIN
LOT WIDTH	25 FT. MIN
LOT COVERAGE	70% MAX/ 60% PROVIDED

RESIDENTIAL PARKING	271 SPACES
(2 GARAGE SPACES & 2 DRIVEWAY SPACES PER UNIT + 35 GUEST SPACES)	
RESIDENTIAL TOTAL HOMES	59 HOMES
RESIDENTIAL PARKING REQUIRED.....	2 / HOME = 118 SPACES
RESIDENTIAL PARKING PROVIDED.....	236 SPACES
GUEST PARKING REQUIRED.....	9 Sp. (15*59)
GUEST PARKING PROVIDED.....	35 SPACES

OFFICE PARKING REQUIRED (3,777 SF) 3/1000 SF = 11 SPACES
OFFICE PARKING PROVIDED 3/1000 SF = 12 SPACES
ONE OF THE TWELVE PROPOSED SPACES TO BE HANDICAP

BUILDING SQ FEET (PER FULTON COUNTY ACCESSOR) 3,777 SQ. FT.

LOT AREA 2,500 SF. MIN
LOT WIDTH 25 FT. MIN
LOT COVERAGE 70% MAX/ 38% PROVIDED

TOTAL OPEN SPACE REQUIRED	20% OF SITE
**OPEN SPACE REQUIREMENTS ARE SATISFIED IN TOTAL BASED ON THE	
PRESERVATION OF 40 CUMMING STREET HOUSE ON THE SITE PER SEC. 3.2.4-I	
CIVIC SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	9.2%
AMENITY SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	18.1%
TOTAL OPEN SPACE PROVIDED	27.3%

REQUEST TO GRADE IN THE 150' IMPERVIOUS BUFFER - ONLY GRADING
TO BE DONE AND NO IMPERVIOUS PROPOSED.



Know what's below.
Call before you dig.

24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com



FOR
TAYLOR MORRISON
4400 NORTH POINT PARKWAY

DISTRICT 2
SECTION 2

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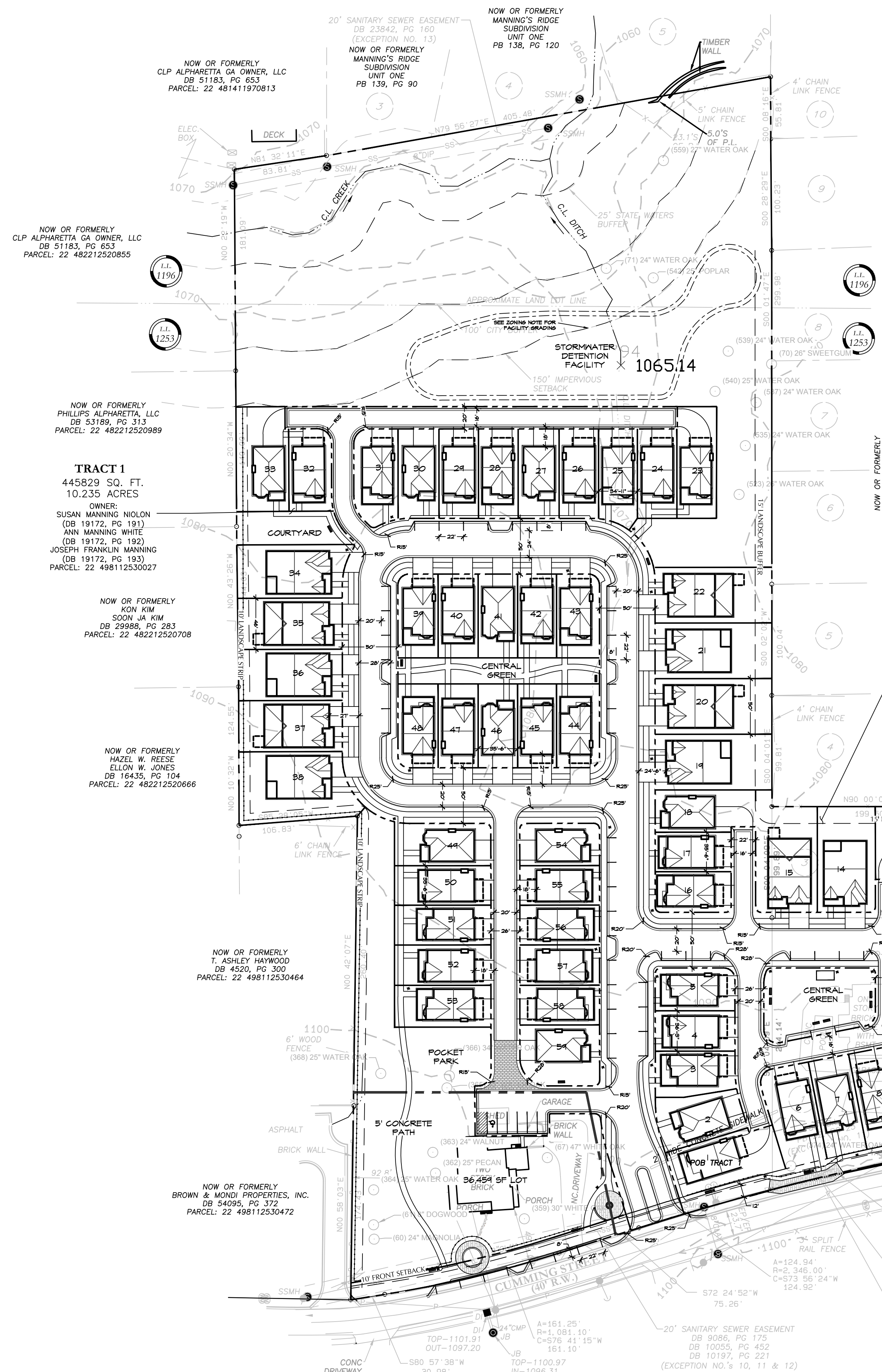
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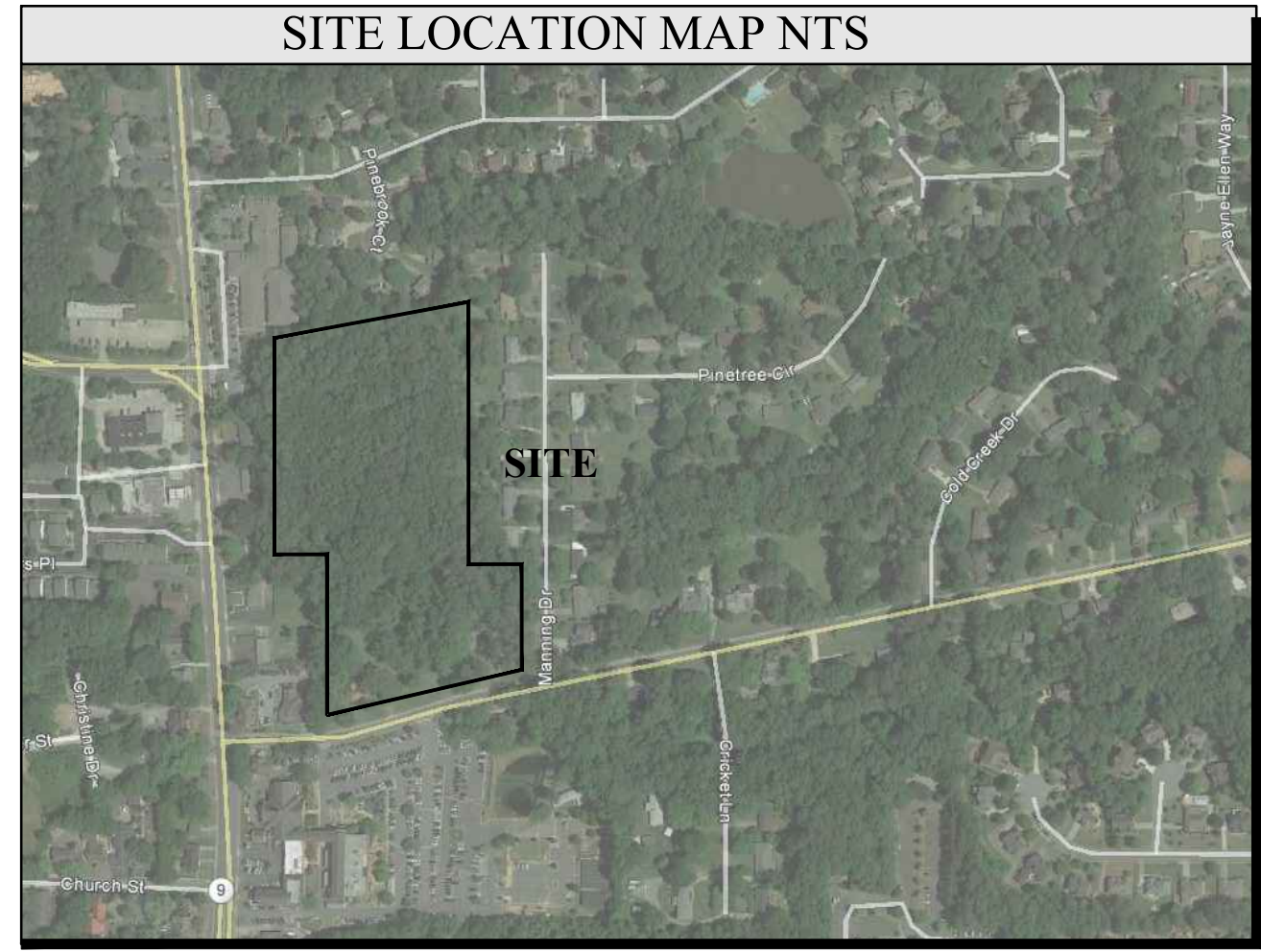
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TECHNICAL SITE PLAN	
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DATE:	JULY 12, 2017
PROJECT:	16334.00

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GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/27/2018





TOTAL SITE AREA	11.705 ACRES
PARCEL 1	10.868 ACRES
PARCEL 2	.837 ACRES

CURRENT ZONING	R-15
PROPOSED ZONING (PARCEL 1).....	DT-R
PROPOSED ZONING (PARCEL 2).....	DT-LW

.....COUNTY OF FULTON

TOTAL RESIDENTIAL UNITS	59 HOMES
SF DETACHED HOMES	59 UNITS
RESIDENTIAL DENSITY STANDARD PER UDC (WITHOUT CONDITIONAL USE PERMIT)	8 UNITS/ACRE
DENSITY PROPOSED (59 UNITS / 11.705 ACRES)	5.04 UNITS/ACRE

FRONTAGE PROPERTY SETBACK	5 FEET MIN.
SIDE YARD SETBACK	0 FEET
REAR YARD SETBACK	3/10 FEET
TRANSITIONAL BUFFER ZONE	N/A
LANDSCAPE STRIP (ABUTTING PROPERTIES TO THE WEST).....	5 FEET

DETACHED LOTS	
FRONT, SIDE, REAR SETBACK	0 FEET
BUILDING SEPARATION	5 FEET
LOT AREA	2,500 SF. MIN
LOT WIDTH	25 FT. MIN
LOT COVERAGE	70% MAX/ 60% PROVIDED

RESIDENTIAL PARKING	271 SPACES
(2 GARAGE SPACES & 2 DRIVEWAY SPACES PER UNIT + 35 GUEST SPACES)	
RESIDENTIAL TOTAL HOMES	59 HOMES
RESIDENTIAL PARKING REQUIRED.....	2 / HOME = 118 SPACES
RESIDENTIAL PARKING PROVIDED.....	236 SPACES
GUEST PARKING REQUIRED.....	9 Sp. (15*59)
GUEST PARKING PROVIDED.....	35 SPACES

OFFICE PARKING REQUIRED (3,777 SF) 3/1000 SF = 11 SPACES
OFFICE PARKING PROVIDED 3/1000 SF = 12 SPACES
ONE OF THE TWELVE PROPOSED SPACES TO BE HANDICAP

BUILDING SQ FEET (PER FULTON COUNTY ACCESSOR) 3,777 SQ. FT.

LOT AREA 2,500 SF. MIN
LOT WIDTH 25 FT. MIN
LOT COVERAGE 70% MAX/ 38% PROVIDED

TOTAL OPEN SPACE REQUIRED	20% OF SITE
**OPEN SPACE REQUIREMENTS ARE SATISFIED IN TOTAL BASED ON THE	
PRESERVATION OF 40 CUMMING STREET HOUSE ON THE SITE PER SEC. 3.2.4-I	
CIVIC SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	9.2%
AMENITY SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	18.1%
TOTAL OPEN SPACE PROVIDED:	27.3%

REQUEST TO GRADE IN THE 150' IMPERVIOUS BUFFER - ONLY GRADING
TO BE DONE AND NO IMPERVIOUS PROPOSED.



Know what's below.
Call before you dig.

24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com

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SCALE: 1" = 60'
DATE: JULY 12, 2017
PROJECT: 16334.00

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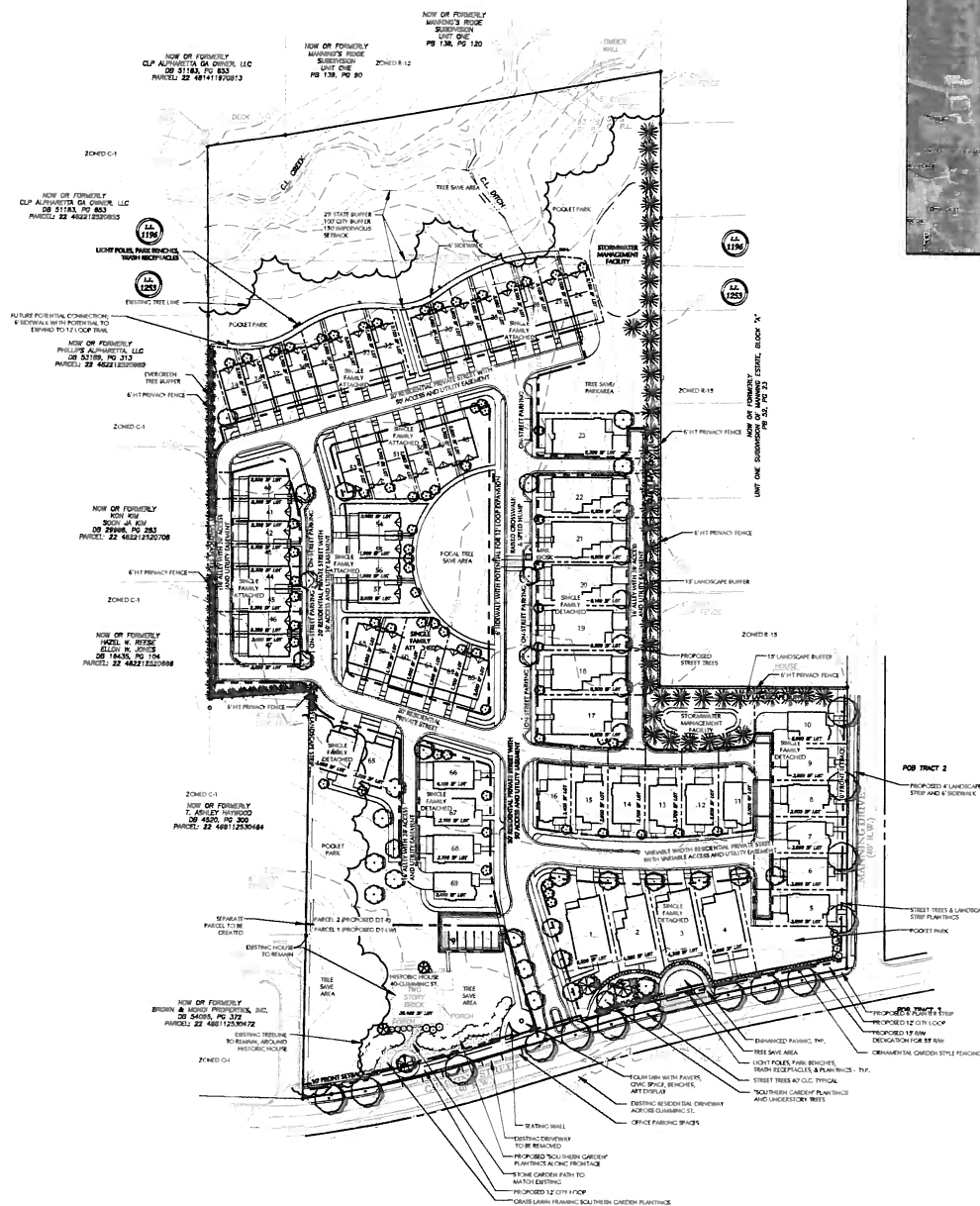
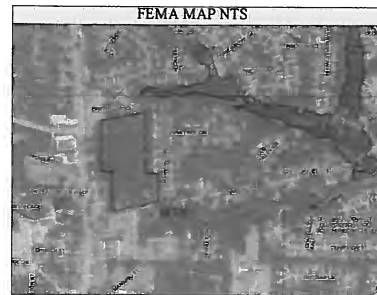


GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/27/2018



Z2

SHEET



SITE DATA:	
TOTAL SITE AREA	11.705 ACRES
PARCEL 1	837 ACRES
PARCEL 2	10.868 ACRES
ZONING	
CURRENT ZONING	R-
PROPOSED ZONING (PARCEL 1)	DT
PROPOSED ZONING (PARCEL 2)	DT
ZONING JURISDICTION	CITY OF ALPHARETTA COUNTY OF FULTON
RESIDENTIAL DT-R DENSITY	
TOTAL RESIDENTIAL UNITS	69 HOMES
3F ATTACHED HOMES	49 UNITS
3F DETACHED HOMES	20 UNITS
RESIDENTIAL DENSITY STANDARD PER UDC (WITHOUT CONDITIONAL USE PERMIT)	8 UNITS/ACRE
DENSITY PROPOSED (70 UNITS / 11.705 ACRES)	5.99 UNITS/ACRE
PERIMETER SETBACK SUMMARY (DT-R & DT-LW)	
FRONTAGE PROPERTY SETBACK	10 FEET MIN
SIDE YARD SETBACK	0 FEET
REAR YARD SETBACK	310 FEET
TRANSITIONAL BUFFER ZONE	N/A
LANDSCAPE STRIP (ABUTTING PROPERTIES TO THE WEST)	5 FEET
PARCEL 1 (DT-R) LOT STANDARDS	
DETACHED LOTS	
FRONT, SIDE, REAR SETBACK	0 FEET
BUILDING SEPARATION	10 FEET
LOT AREA	2,500 SQ. FT.
LOT WIDTH	25 FT. MIN
ATTACHED LOTS	
FRONT, SIDE, REAR SETBACK	0 FEET
BUILDING SEPARATION	0 FEET
LOT AREA	900 SQ. FT.
LOT WIDTH	20 FT. MIN
LOT COVERAGE	70% MAX 60% PROVIDED
PARCEL 1 PARKING SUMMARY (DT-R)	
RESIDENTIAL PARKING	292 SPACES
(2 GARAGE SPACES & 2 DRIVEWAY SPACES PER UNIT + 16 GUEST SPACES)	69 HOMES
RESIDENTIAL PARKING REQUIRED	2 / HOME = 138 SPACES
RESIDENTIAL PARKING PROVIDED	276 SPACES
GUEST PARKING REQUIRED	1136 / (156sq)
GUEST PARKING PROVIDED	16 SPACES
PARCEL 2 PARKING SUMMARY (DT-LW)	
OFFICE PARKING REQUIRED (3,777 SF)	3,1000 SF - 11 SPACES
OFFICE PARKING PROVIDED	3,1000 SF - 12 SPACES
PARCEL 2 - 40 CUMMING STREET BUILDING (DT-LW)	
BUILDING SQ FT (OVER PULTON COUNTY ACCESSOR)	3,777 SQ. FT.
PARCEL 2 LOT STANDARDS (DT-LW)	
LOT AREA	2,500 SF. MIN
LOT WIDTH	25 FT. MIN
LOT COVERAGE	70% MAX 38% PROVIDED
CIVIC & AMENITY SPACE SUMMARY	
TOTAL OPEN SPACE REQUIRED	20% OF SITE
OPEN SPACE REQUIREMENTS ARE SATISFIED IN TOTAL BASED ON THE PRESERVATION OF 40 CUMMING STREET HOUSE ON THE SITE PER SEC 32.41	7.5%
AMENITY SPACE ON SITE (SEE OPEN SPACE EXHIBIT)	10.4%
TOTAL OPEN SPACE PROVIDED	18.5%

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SHEET TITLE
**REZONING
SITE PLAN**

0 30 60 120

SCALE: 1" = 60'
DATE: MAY 19, 2017
PROJECT: 16334.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
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5-19-17

CESWICK LEVEL 1 DESIGN PROFESSIONAL
CER 1114741141 0000079789 EXP. 10/1/22


Z2

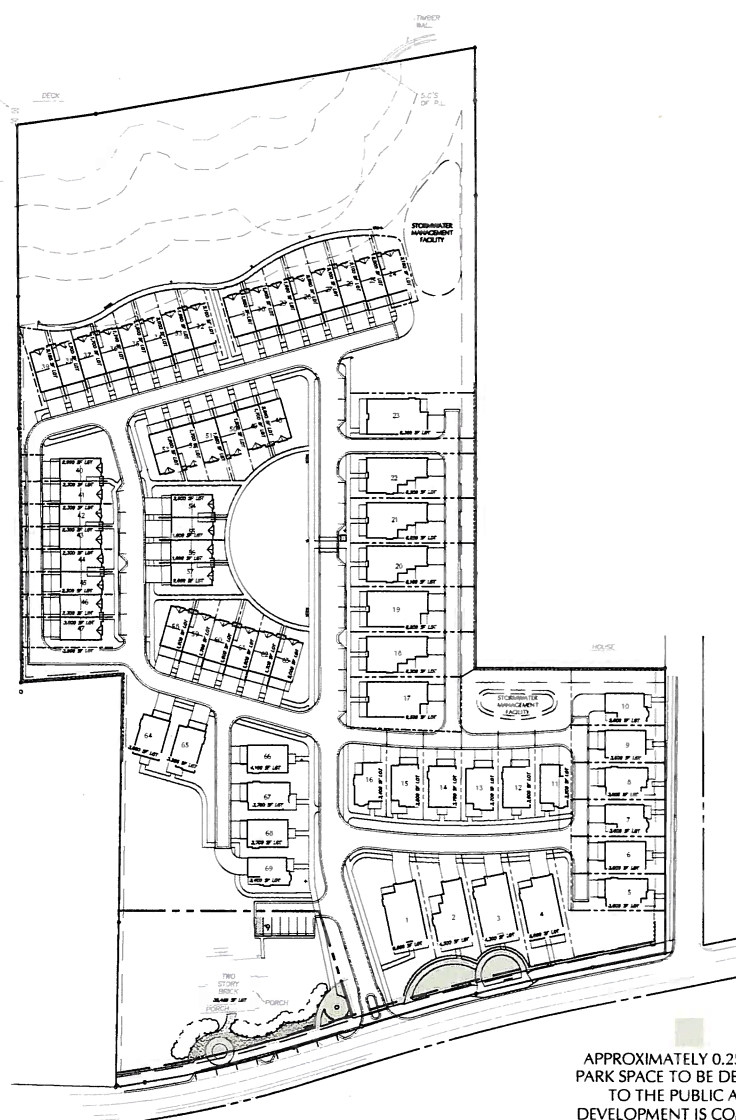
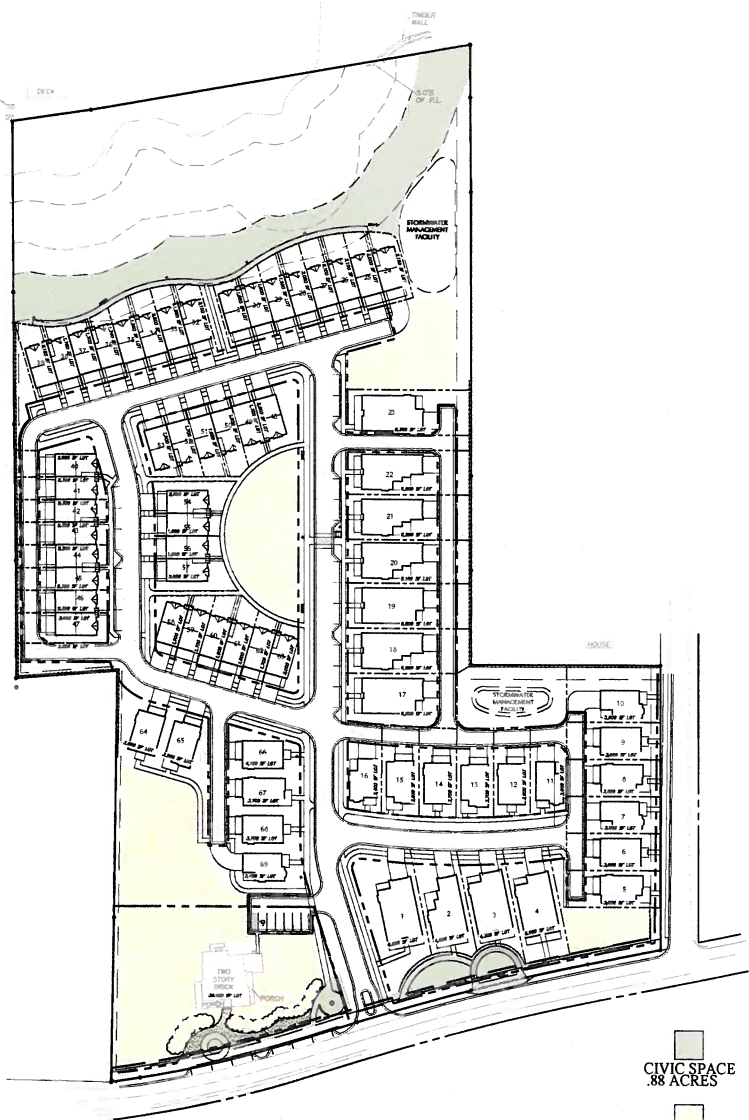
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811
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24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com

Z2
SHEET



The Manning Community Architectural Design



The Lewis - Manning House

Lewis-Manning Architectural Influence:

The Lewis Manning House was created in the end of the Romantic Era that dominated the architectural trends in the United States in the mid 1800's.

The architectural styles included:

- Queen Anne
- Greek Revival
- Italianate

Our goal is to take you back in time to when the City of Alpharetta was formed and the Romantic styles dominated. We take pride in our heritage and the ability to honor and preserve history.



Residential Design by:
Main Street Designs of Georgia, LLC
www.MainStreetDesignsLLC.com

40 Cumming Street / 136 Manning Drive
Alpharetta, Georgia

Date: August 29, 2017

TaylorMorrison.

4400 North Point Parkway, Suite 295
Alpharetta, GA 30022

Queen Anne Style:

Identifying Features:

Steeply Pitched or Irregular Shaped Roofs

Patterned Shingles

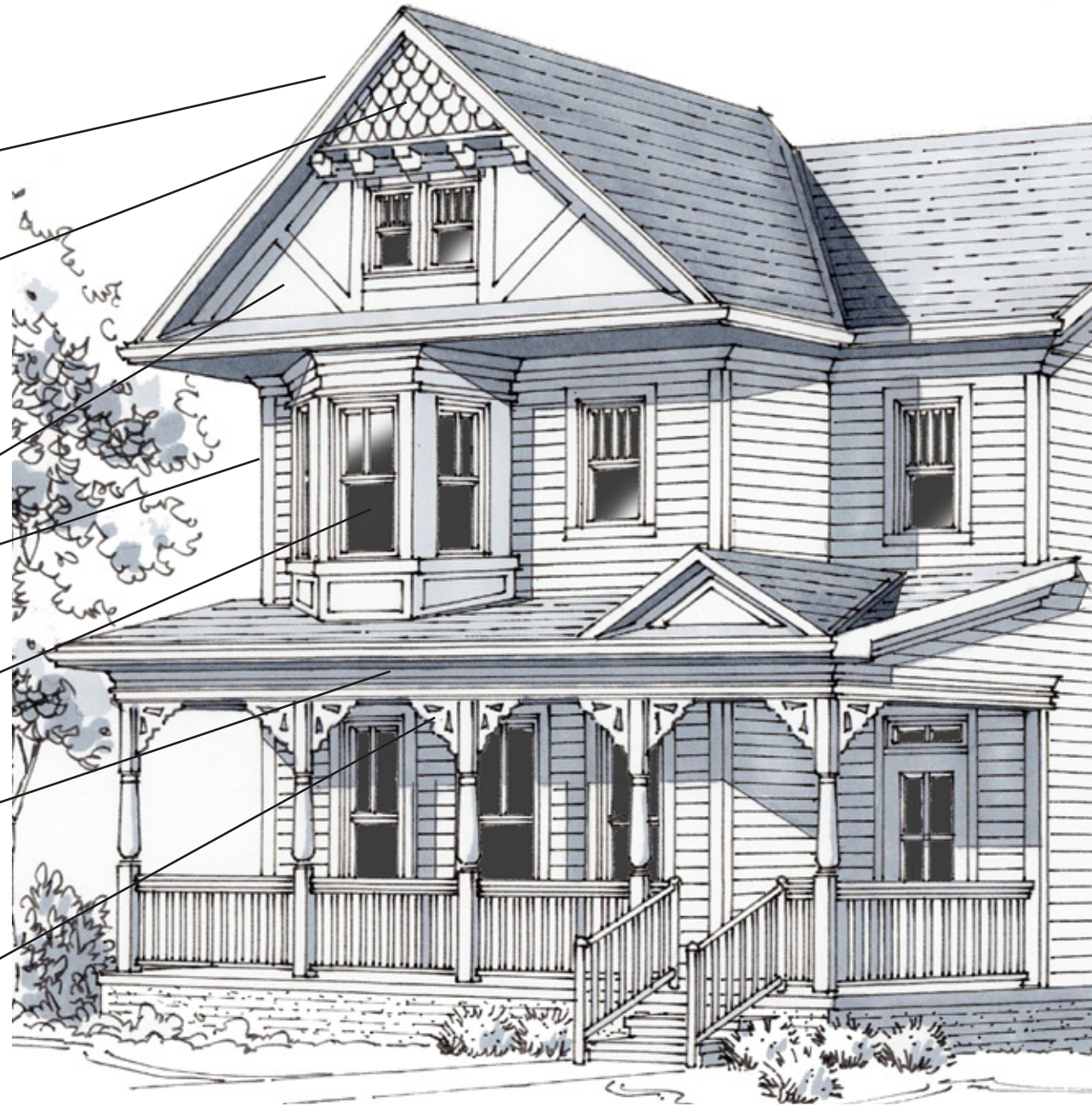
Dominate Front Facing Gable

Asymmetrical Facade

Cutaway Bay Windows

Full or Partial Porch

Decorative porch brackets, pickets or columns



Queen Anne Style

Background:

Queen Anne style became popular by the architect Richard Norman Shaw in the 19th Century. Distinguished by half timber and patterned masonry, ornate spindlework and intricate detailing. The Lewis-Manning House constructed in 1895 is modeled after the Queen Anne style.



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Italianate Style:

Identifying Features:

Symmetrical or Asymmetrical
massing

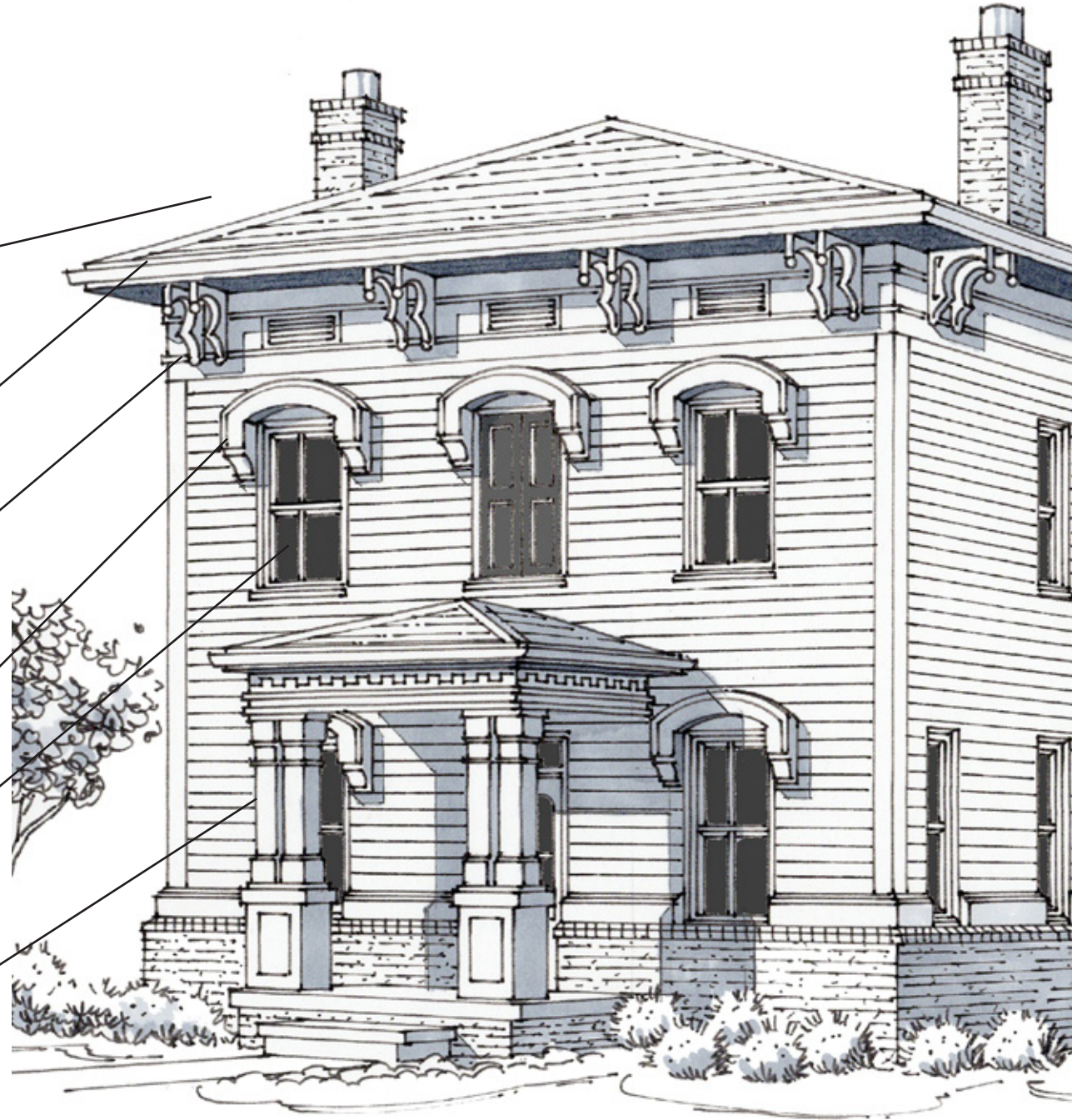
Low pitched main roof (5:12)

Wide overhanging eaves with
decorative brackets

Elaborate window treatment

Two pane window glazing

Single story porches w/ re-
strained detailing and square
posts



Italianate Style

Italianate Style:

Italianate styling dominated urban housing in the decades between 1860 and 1880 in the Eastern and Midwest region. Italianate houses are characterized by wide projecting cornices with brackets, low pitched roofs and decorative window trim.



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Gothic Revival Style:

Identifying Features:

Asymmetrical or Symmetrical structure massing

Steep pitch roofs with cross gable bracing

Siding Pattern Changes

Wall surface extending into gable without break

One story full porch

Porch columns with decorative bracing



Gothic Revival Style:

The Gothic Revival style was more complex and difficult to construct therefore less common. The style grew in popularity in the 1860's in the South. Considered one of the romantic houses using detailing from the European Swiss Chalet. This style became popular by the architect Andrew Jackson Downing's publication in 1842.

Gothic Revival Style



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The Manning Community

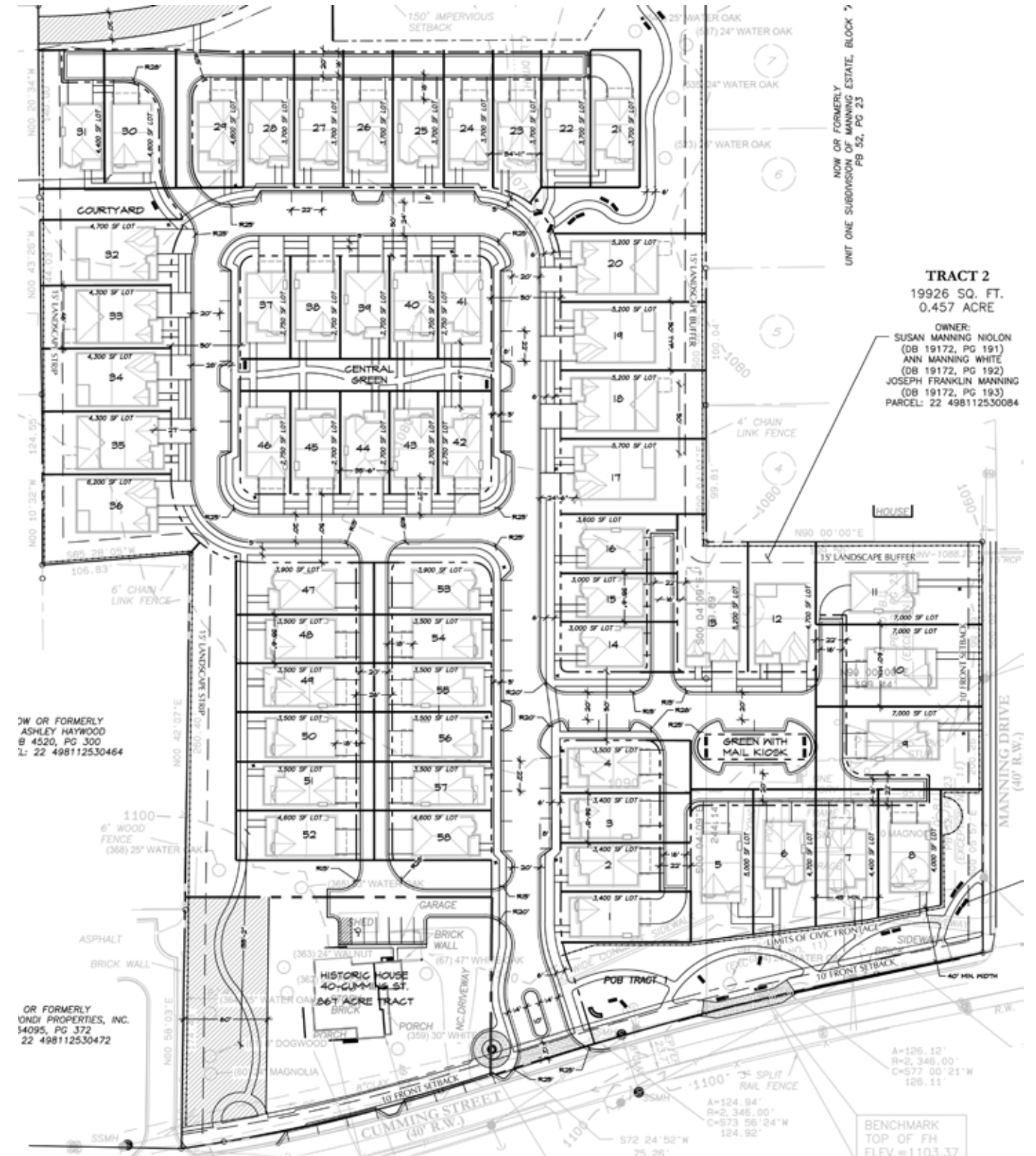
Product Overview

Streetscape View

Single Family Product Line:

Single Family - 2 Story
Slab and Basement Condtitions

Product Name:	Square Footage:	Garage Location:
Buckingham	2,256 sq. ft.	Alley Load
Chastain	2,536 sq. ft.	Alley Load
Providence	2,958 sq. ft.	Alley Load
Bentley	3,262 sq. ft.	Front Load
Emerson	2,998 sq. ft.	Front Load



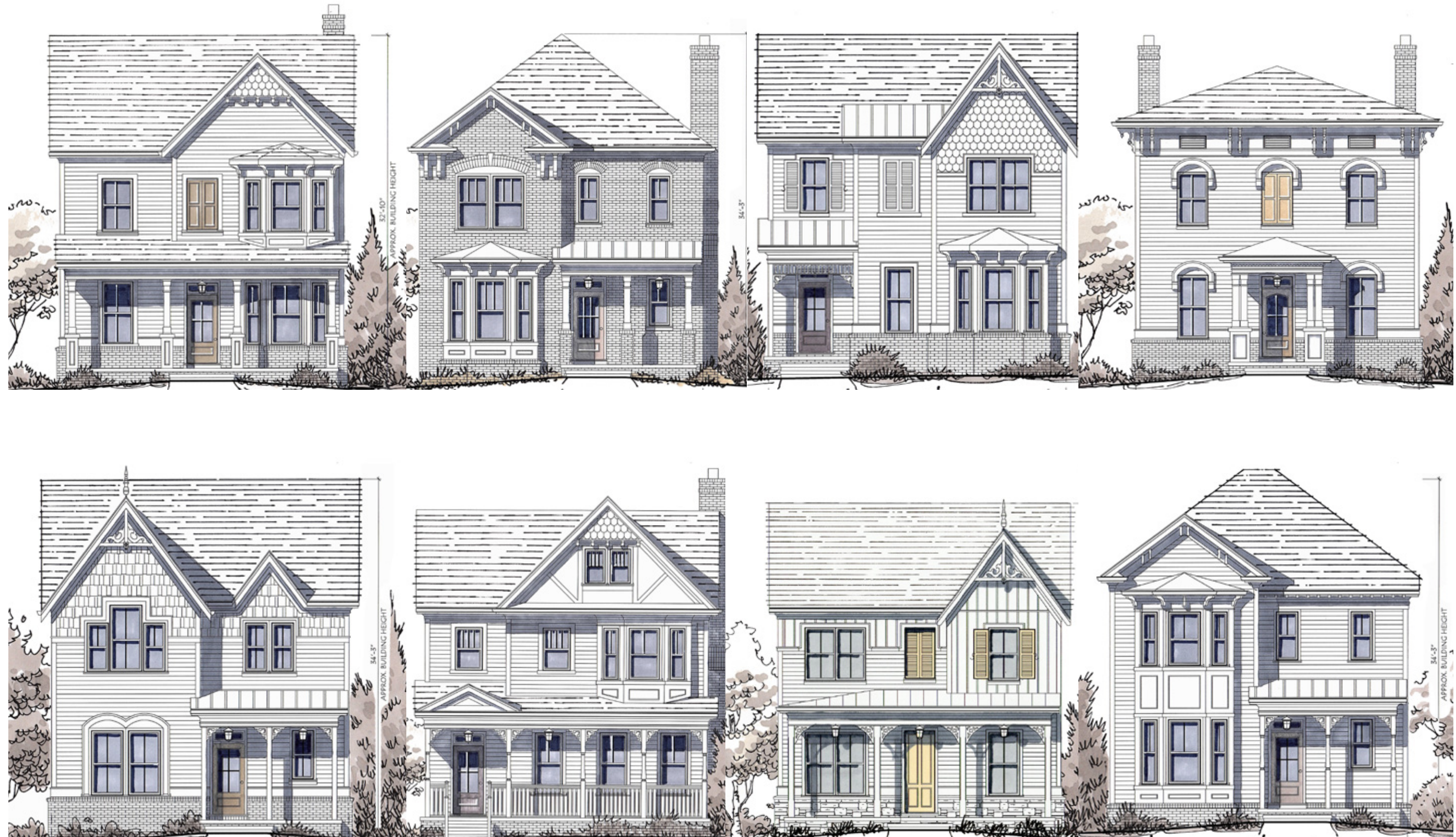
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Manning Community Streetscape

40 Cumming Street / 136 Manning Drive
 Alpharetta, Georgia

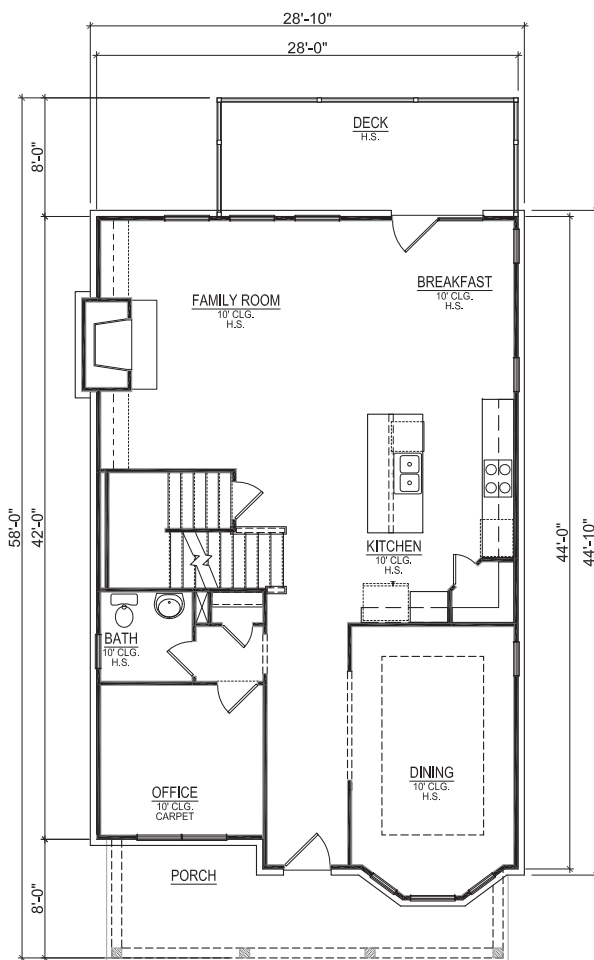
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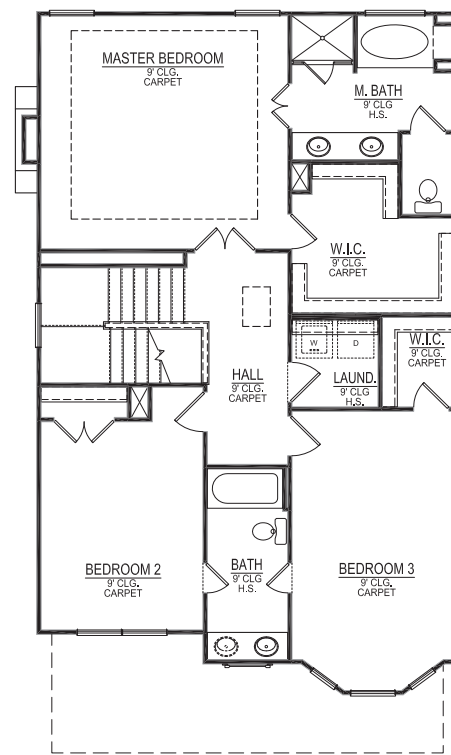
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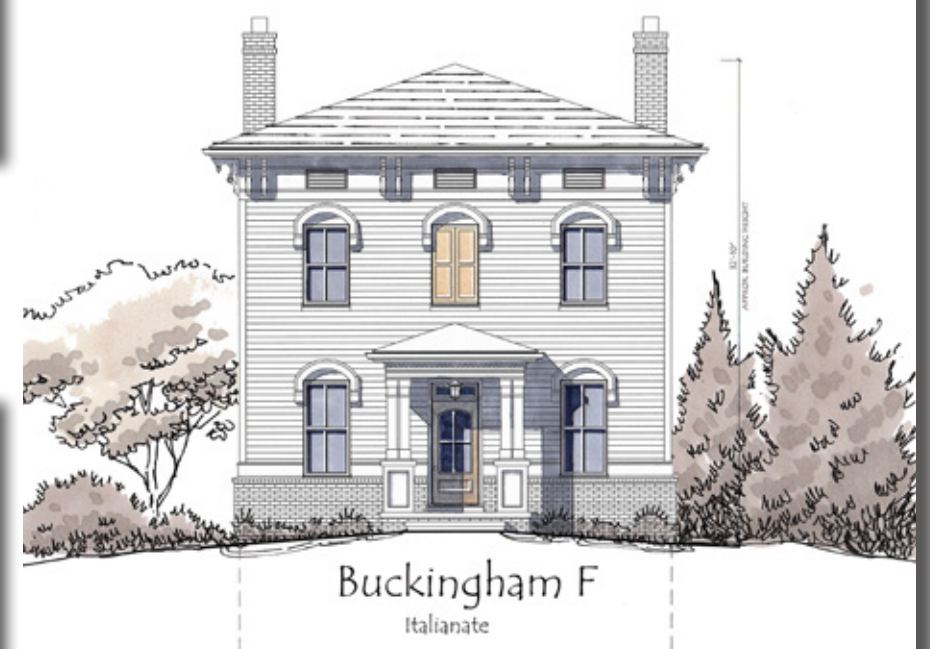
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 Alpharetta, GA 30022



1st FLOOR PLAN - BUCKINGHAM "E"



2nd FLOOR PLAN - BUCKINGHAM "E"



The Buckingham



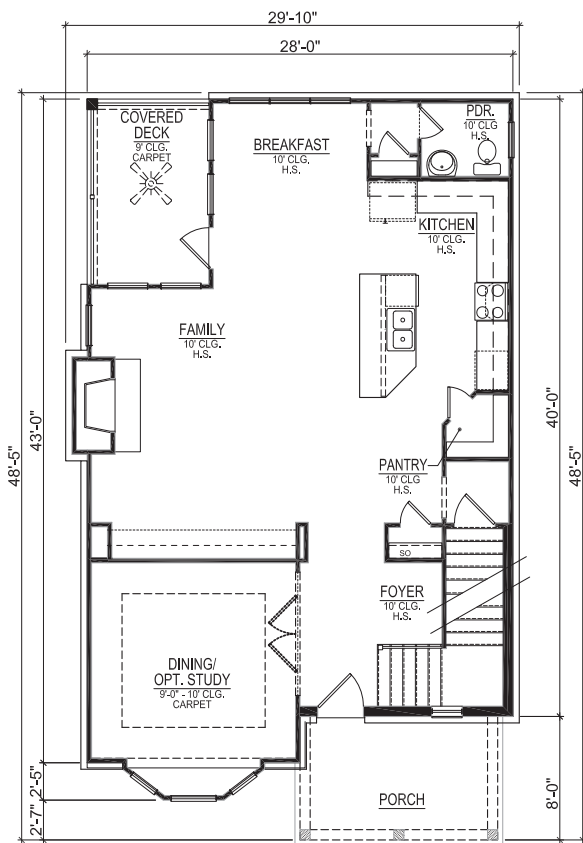
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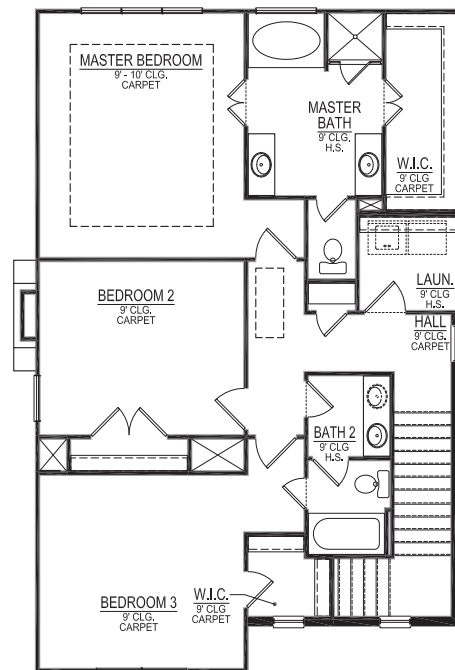
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1st FLOOR PLAN - CHASTAIN "E"



2nd FLOOR PLAN - CHASTAIN "E"

The Chastain



Chastain Elevation E

Italianate



Chastain Elevation G

Italianate



Chastain Elevation F

Gothic Revival



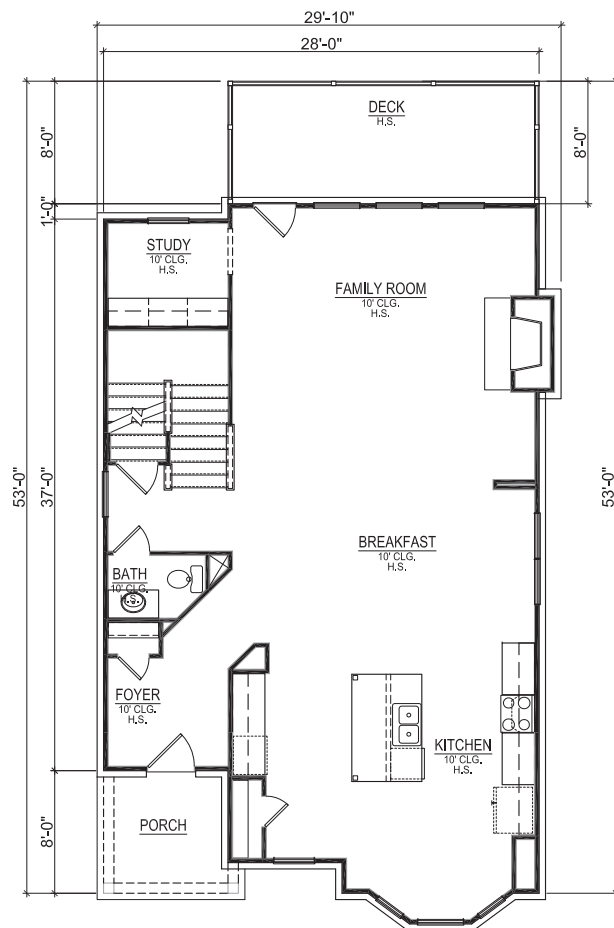
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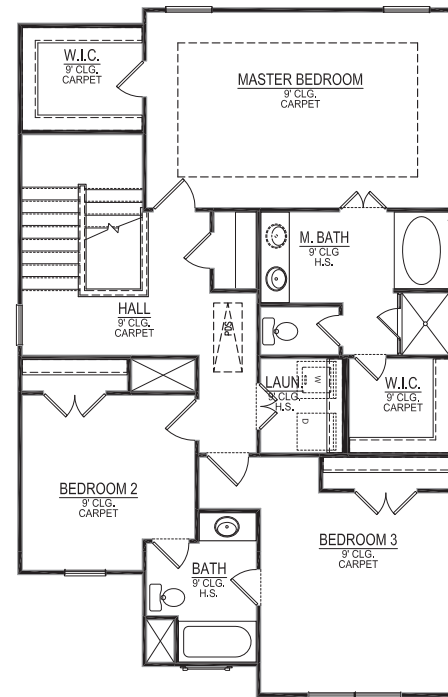
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1st FLOOR PLAN - PROVIDENCE "H"



2nd FLOOR PLAN - PROVIDENCE "H"



Providence Elevation H
Gothic Revival



Providence Elevation K



Providence Elevation J
Queen Anne

The Providence



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40 Cumming Street / 136 Manning Drive
Alpharetta, Georgia

Date: August 29, 2017

TaylorMorrison.

4400 North Point Parkway, Suite 295
Alpharetta, GA 30022

SECOND AMENDED
STATEMENT OF INTENT
(CLUP-17-02 / Z-17-04)

and

Other Material Required by
City of Alpharetta Zoning Ordinance
for the

Rezoning Application
Land Use Map Amendment Application

of

Taylor Morrison

related to

±11.705 Acres of Land located in
Land Lots 1196 and 1253, 2nd District, 2nd Section
City of Alpharetta

Submitted for Applicant by:

Kathryn M. Zickert
Dennis J. Webb, Jr.
J. Alex Brock
Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, NE
Atlanta, Georgia 30309
404-815-3500

I. INTRODUCTION

This Application relates to ± 11.705 acres of land in Land Lots 1196 and 1253, 2nd District, 2nd Section of the City of Alpharetta and located at the northwest quadrant of the intersection of Cumming Street and Manning Drive (the “Subject Property”). The Subject Property consists of three (3) parcels: “Tract 1”, which is ± 10.235 acres; “Tract 2”, which is ± 0.457 acres; and “Tract 3”, which is ± 1.013 acres. Tract 1 is zoned R-15 (Dwelling, “For Sale”, Detached Residential). It is located within the Downtown Overlay and is designated as “Downtown Residential” on the City’s Future Land Use Map. Tracts 2 and 3 are zoned R-15 and designated as Low-Density Residential on the City’s Future Land Use Map.

Tract 1 contains a historic home known as the Lewis-Manning House. The Lewis-Manning House is a Queen Anne-style dwelling that dates back to 1895. It is constructed from bricks made in the pasture behind the residence. For many years, it sheltered members of the Manning Family, a number of whom were prominent citizens. The home is unoccupied today. Tract 2 is vacant and undeveloped. Tract 3 contains a 1960’s-era ranch home that is unoccupied.

The Applicant intends to preserve the Lewis-Manning House as a visual focal point for a new single-family community but convert it to office uses. The remainder of the Subject Property will contain 59 new single-family detached

residences at a density of ± 5.04 units per acre.¹ The homes have been designed architecturally to both honor and compliment the historic residence that has existed on the Subject Property for well over a century. Similarly, and respecting the site's once pastoral setting, the Applicant has allowed for significant open space, with smaller green areas located throughout the development and a large, park-like space positioned at the northern end. A trail meanders through and around the Subject Property and connects the green spaces to the park.

The Applicant seeks the following to allow for this development:

1. **Rezoning** of the $\pm .837$ acres of the Subject Property from R-15 to DT-LW.
2. **Rezoning** of ± 10.868 acres of the Subject Property from R-15 to the "Downtown Residential" ("DT-R") zoning district.
3. **Land Use Map Amendment** to change the designation on ± 1.470 acres (Tracts 2 and 3) from "Low Density Residential" to "Downtown Residential."
4. **Land Use Map Amendment** to change the designation on $\pm .837$ acres of tract 1 to "Mixed-Use/Live-Work". The remaining ± 9.398 acres of Tract 1 already has a "Downtown Residential" designation.

¹ When originally filed, the development proposal sought 71 units total, consisting of 52 townhomes and 19 single-family detached homes. In response to requests from neighbors and Staff, the Applicant removed the townhomes and reduced the overall density, among other changes. The Applicant will detail the many changes made in response to neighbor and Staff requests during this six (6) month rezoning process at the public hearings.

The Applicant submits this Statement of Intent, a Survey Plat of the Subject Property, a Site Plan, Conceptual Renderings, and other material in support of these requests.

II. SUBJECT PROPERTY SPECIFICATIONS

The Subject Property consists of three (3) parcels: (a) Tract 1 (40 Cumming Street/22498112530029), which is ± 10.235 acres zoned R-15; (b) Tract 2 (0 Manning Drive/22498112530084), which is ± 0.457 acres zoned R-15; and (c) Tract 3 (136 Manning Drive/22498112530365), which is ± 1.013 acres zoned R-15. Tract 1 is in the Downtown Overlay and designated as “Downtown Residential” on the City’s Future Land Use Map. Tracts 2 and 3 have a “Low Density Residential” designation.

The Subject Property is located on the north side of Cumming Street in the northwest quadrant of its intersection with Manning Drive. Tract 1 contains the Lewis-Manning House, a historic home constructed around 1895 that is currently unoccupied. Tract 2 is vacant. Tract 3 contains an unoccupied single-family home.

III. JUSTIFICATION FOR APPLICATION

1. The proposed rezoning will permit a use that is suitable in view of the zoning, use and development of adjacent and nearby property.

The Subject Property has commercial and office uses to the west and single-family residential uses to the north and east. The proposed development represents

a logical transition. Further, in July of 2015, the City adopted the new Downtown Overlay, which includes ± 10.235 acres of the ± 11.705 acre Subject Property. The Downtown Overlay specifically states that properties designated as “Downtown Residential” on the City’s Future Land Use Map—like almost all of the Subject Property-- should be rezoned to the DT-R district. Accordingly, the Applicant’s proposed use of the Subject Property for a medium density, single-family development is suitable, given the City’s future vision for both the Subject Property and the area in which it is located, and will further the intent of the Downtown Overlay.²

2. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

The proposed development will not adversely affect adjacent or nearby properties. As mentioned above, to the west, the Subject Property is bordered by office and commercial uses. To the north and east, it abuts older single-family residences. The proposed medium density development represents a logical transition between the two. It also appears to be a transition sanctioned by the City. As indicated above, the City placed roughly 90% of the Subject Property in the Downtown Overlay and designated it “Downtown Residential” on the City’s Future Land Use Map, which contemplates higher densities. In doing so, the City

² “Downtown Residential” envisions up to eight (8) units per acre. The Applicant is requesting ± 5.04 units per acre.

signified that it considered whether the type of development proposed would be appropriate in light of adjacent and nearby properties and concluded that it was.

3. The proposed rezoning will not adversely affect the natural environment.

As with any undeveloped tract, the construction on the Subject Property will inevitably require the removal of trees and other land disturbance activities. That being said, there are no significant natural features on the Subject Property that require special protection and the stream on the northern side will be buffered as required by Code. Further, the Applicant will replant trees, grass, and other landscaping materials as part of its redevelopment of the site, and will preserve a historic structure.

4. There are substantial reasons why the property cannot or should not be used as currently zoned.

The City has codified a future identity for the Subject Property: Higher density residential developed in a style specified in the Downtown Overlay. The Subject Property cannot be developed in this manner as currently zoned.

5. The proposed rezoning will not result in a use that will or could cause an excessive or burdensome use of public facilities or services, such as existing streets and transportation facilities, schools, water or sewer utilities, and police or fire protection.

If approved, the proposed rezoning should not have a negative impact on any City services. There is adequate water and sewer capacity to service the site. Transportation facilities will not be negatively impacted. The Applicant has

located the single, curb-cut access point to the development on Cumming Street, a location supported by the City's transportation engineer and validated by a traffic study submitted with this Application. Further, trip generation is manageable. As to the office component, there is no study in the Institute of Transportation Engineers (ITE), Trip Generation Manual (9th Edition), for an old home adaptively re-used for a small-scale office. To provide perspective, however, the Applicant used the Single Tenant Office Buildings Code (715). It suggests that if the Lewis-Manning House officed 8 employees, then it would generate roughly 13 trips in the A.M. peak hour and 13 trips in the P.M. peak hour. Similarly, as to the single-family residences, the Subject Property will generate 37 trips in the weekday A.M. peak hour and 59 trips in the weekday P.M. peak hour.³ Further, the Subject Property is served by Manning Oaks Elementary School, Hopewell Middle School, and Alpharetta High School. Both Manning Oaks Elementary School and Alpharetta High School are under capacity now. Further, Hopewell Middle School is projected to be under capacity by the 2018-2019 school years.

6. The proposed rezoning is supported by new and changing conditions not anticipated or reflected in the existing zoning on the property.

As more fully discussed above, the City has recently codified a vision for both the Subject Property and the area in which it is located, a vision reflected in

³ The Applicant used ITE Codes (210) Single-Family Detached Housing.

the City's Downtown Overlay and on the City's Comprehensive Plan. The existing zoning on the overwhelming majority of the Subject Property conflicts with this vision.

7. The proposed rezoning reflects a reasonable balance between the promotion of the public health, safety, morality or general welfare against the right to unrestricted use of property.

The proposed rezoning allows for an appropriate use for this area and will further the goals of the City's Downtown Overlay. Further, it protects a historic asset, maximizes green space and provides an appropriate transition between the commercial uses to the west and the older single-family uses to the east and north.

8. There are substantial reasons why the property cannot be used in accordance with the existing zoning.

Please see Subsection 4 above.

9. The zoning proposal is consistent with the City's Comprehensive Plan.

The Applicant has concurrently herewith filed an application to amend the Future Land Use Map for the office component from Downtown Residential to Mixed-Use/Live-Work. The designation is appropriate given that office uses abut the Subject Property to the west and the office component is part of a mixed residential development, which creates by definition a "mixed-use/live-work" environment. Similarly, and as to the residential component, the proposed use is consistent with the City's Comprehensive Plan. As noted above, virtually all of the

Subject Property is identified as being in the “Downtown Residential District,” which encourages the exact land uses proposed.

IV. NOTICE OF CONSTITUTIONAL CHALLENGE AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits the current Zoning and/or Land Use Map designations on the Subject Property are unconstitutional and that a refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Property or limit it to an intervening zoning or land use map classification, would discriminate unfairly between the owner of the Subject Property and other property owners similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Property or limit it to an intervening zoning or land use map classification, would amount to a taking of property, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be invalid inasmuch as the Unified Development Code of the City of Alpharetta is unlawful, null and void because its adoption and map adoption/maintenance did not and does not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*

The City's Unified Development Code lacks adequate standards for the City Council to exercise its power to review this Application. Specifically, the "standards", including but not limited to those set out in Sections 4.2.3(A)(2), 4.2.3(B), and 4.5.4(B)(1), are not sufficient to contain the discretion of the Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance, the Unified Development Code is unlawful and violates, among other things, the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraphs I and II of the Constitution of State of Georgia.

Any limitation on the time for presentation of the issues before the Council that has the power to zone and grant conditional use permits, variances and sign package approval is a violation of the guarantees of free speech under the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph V of the Constitution of the State of Georgia. Further, said limitations are in violation of the right to petition and assemble, in violation of the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph IX of the Constitution of Georgia, as well as the due process clauses of the U.S. and Georgia Constitutions.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the proposed Rezoning and Land Use Map Amendments be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Alpharetta so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 26th day of July, 2017.

Respectfully submitted,



Kathryn M. Zickert

Dennis J. Webb, Jr.

J. Alex Brock

Attorneys for Applicant

Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, NE
Atlanta, Georgia 30309
404-815-3500

Project Trip Generation Comparison

This trip generation comparison presents the projected trips to be generated with the existing zoning compared with the proposed zoning for the *Manning Square* development, which is approximately 11.7 acres and is located in the City of Alpharetta, Georgia. The site is located northwest of the intersection of Cumming Street at Manning Drive. Manning Drive is a two-lane dead-end roadway (signed as “No Outlet”) with a posted speed limit of 25 mph. Cumming Street is a two-lane roadway with a posted speed limit of 35 mph.

Project traffic, for the purposes of this evaluation, is defined as the vehicle trips expected to be generated by the proposed development. Anticipated trip generation for the *Manning Square* development was calculated using rates and equations contained in the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Edition, 2012. The proposed density and the anticipated project gross trip generation are summarized in **Table 1**. Note that no reductions for alternative transportation modes (walking, cycling, transit, carpooling, etc.) were taken.

Table 1: Trip Generation Comparison Manning Square (11.7 Acres)						
Land Use (Density)	ITE Code	Daily Traffic			AM Peak Hour	PM Peak Hour
		Total	Enter	Exit	Total	Total
Current Entitlement (Existing Zoning: R-15, C-1)						
Single Family Detached Housing (25 units)	210	290	145	145	27	30
Proposed Plan (Proposed Zoning: DT-R)						
Single Family Detached Housing (59 units)	210	640	320	320	51	65

Attachments:

- Trip Generation Analyses
- Site Aerial
- Proposed Site Plan

Trip Generation Analysis (9th Ed.)
Manning Square
Existing Entitlements (Existing Zoning: R-15, C-1)
City of Alpharetta, Georgia

Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour			
			Total	In	Out	Total	In	Out	
<u>Proposed Site Traffic</u>									
210 Single-Family Detached Housing	25 d.u.	290	27	7	20	30	19	11	
230 Residential Condominium/Townhouse	0 d.u.	0	0	0	0	0	0	0	
Gross Trips		290	27	7	20	30	19	11	

Trip Generation Analysis (9th Ed.)
Manning Square
Proposed Plan (Proposed Zoning: DT-R)
City of Alpharetta, Georgia

Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Site Traffic								
210 Single-Family Detached Housing	59 d.u.	640	51	13	38	65	41	24
Gross Trips		640	51	13	38	65	41	24



AMENDED**CITIZEN PARTICIPATION FORM - PART B**

This form must be completed and submitted to the City of Alpharetta Community Development Department a minimum of twenty (20) working days prior to the scheduled Public Hearing. Failure to do so will result in cancellation of the scheduled hearing.

Public Hearing or Project Name: CLUP-17-02 / Z-17-04 Taylor Morrison/40 Cumming St.

Contact Name: Dennis J. Webb, Jr.

Telephone: 404-815-3620

Please describe comments and concerns provided by any and all individuals contacted as part of the the Citizen Participation Program. If any individuals provided written correspondence, please attach copies of same to this report.

1) We met with an adjacent property owner, Justin Hershoran, on-site and reviewed the site plan. Mr. Hershoran seemed supportive of the project.

2) We spoke to Lee Williams, the president of Mannings Ridge Homeowners Association, and presented to the HOA Board on March 30, 2017. The HOA's only concern was potential impact to the HOA's detention pond, which the Applicant agreed to address.

3) We met with Councilman Don Mitchell who lives near the site and reviewed the plan. Our discussions with Mr. Mitchell will continue.

4) We mailed notice of the Amended Application on 4/17/17 and have notified the City of comments and concerns.

5) We held a meeting with the residents of Manning Estates on April 27, 2017. One of the primary concerns was curbcut access onto Manning Drive. The Applicant has since submitted an alternate site plan that moves the curbcut access off of Manning Drive and onto Cumming Street. The Applicant continues to correspondence with residents of Manning Estates.

Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

- | | |
|---|---|
| ☒ Letter | ☒ Personal Visits |
| ☒ Telephone | ☒ Group Meeting |
| ☒ Email | ☐ Other (Please Specify) _____ |

Attach a list of people who have been notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified.

I, the undersigned, as an authorized representative of the applicant and Public Hearing item identified above, do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Citizen Participation Form - Part B and in any and all documents provided in support of this report are true and accurate. I further understand that any false statements provided by representatives of the applicant as part of this report may result in penalties up to and including denial of the subject application.

Signature of Authorized Agent: _____

Date: 5/22/17

Print Form

FIRST AMENDED

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

CLUP-17-02

Case #: Z-17-04

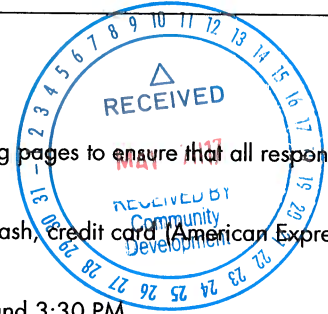
☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta."
5. Applications will be accepted only on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.



Contact Information:

Contact Name: Taylor Morrison c/o Kathryn M. Zickert

Telephone: 404-815-3500

Address: 1230 Peachtree St., NE

Suite: 3100

City: Atlanta

State: GA

Zip: 30309

Fax: 404-685-7004

Mobile Tel: _____

Email: kmzickert@sgrlaw.com

Subject Property Information:

Address: 40 Cumming Street, 136 and 0 Manning Drive

Current Zoning: R-15

District: 2

Section: 2

Land Lot: 1253

Parcel ID: 22-498112530027; 22-498112530365;
22-498112530084

Proposed Zoning: DT-R/DT-LW

Current Use: Residential / vacant land

This Application For (Check All That Apply):

☐ Conditional Use

☐ Master Plan Amendment

☒ Rezoning

☐ Master Plan Review

☐ Variance

☐ Public Hearing

☒ Comprehensive Plan Amendment

☐ Other (Specify): _____

I. INTRODUCTION

This Application relates to ± 11.705 acres of land in Land Lots 1196 and 1253, 2nd District, 2nd Section of the City of Alpharetta and located at the northwest quadrant of the intersection of Cumming Street and Manning Drive (the “Subject Property”). The Subject Property consists of three (3) parcels: “Tract 1”, which is ± 10.235 acres; “Tract 2”, which is ± 0.457 acres; and “Tract 3”, which is ± 1.013 acres. Tract 1 is zoned R-15 (Dwelling, “For Sale”, Detached Residential). It is located within the Downtown Overlay and is designated as “Downtown Residential” on the City’s Future Land Use Map. Tracts 2 and 3 are zoned R-15 and designated as Low-Density Residential on the City’s Future Land Use Map.

Tract 1 contains a historic home known as the Lewis-Manning House. The Lewis-Manning House is a Queen Anne-style dwelling that dates back to 1895. It is constructed from bricks made in the pasture behind the residence. For many years, it sheltered members of the Manning Family, a number of whom were prominent citizens. The home is unoccupied today. Tract 2 is vacant and undeveloped. Tract 3 contains a 1960’s-era ranch home that is unoccupied.

The Applicant intends to preserve the Lewis-Manning House as a visual focal point for a new single-family community but convert it to office uses. The remainder of the Subject Property will contain 70 new residences, at a density of ± 5.98 units per acre. 30 of the homes will be detached residences and 40 attached.

The Applicant submits this Statement of Intent, a Survey Plat of the Subject Property, a Site Plan, Conceptual Renderings, and other material in support of these requests.

II. SUBJECT PROPERTY SPECIFICATIONS

The Subject Property consists of three (3) parcels: (a) Tract 1 (40 Cumming Street/22498112530029), which is ± 10.235 acres zoned R-15; (b) Tract 2 (0 Manning Drive/22498112530084), which is ± 0.457 acres zoned R-15; and (c) Tract 3 (136 Manning Drive/22498112530365), which is ± 1.013 acres zoned R-15. Tract 1 is in the Downtown Overlay and designated as “Downtown Residential” on the City’s Future Land Use Map. Tracts 2 and 3 have a “Low Density Residential” designation.

The Subject Property is located on the north side of Cumming Street in the northwest quadrant of its intersection with Manning Drive. Tract 1 contains the Lewis-Manning House, a historic home constructed around 1895 that is currently unoccupied. Tract 2 is vacant. Tract 3 contains an unoccupied single-family home.

III. JUSTIFICATION FOR APPLICATION

1. The proposed rezoning will permit a use that is suitable in view of the zoning, use and development of adjacent and nearby property.

The Subject Property has commercial and office uses to the west and single-family residential uses to the north and east. The proposed development represents

a logical transition, with the office and higher-density residential townhomes on the west and lower-density, single-family detached homes on the south and east. Further, in July of 2015, the City adopted the new Downtown Overlay, which includes ±10.235 acres of the ±11.705 acre Subject Property. The Downtown Overlay specifically states that properties designated as “Downtown Residential” on the City’s Future Land Use Map—like almost all of the Subject Property--should be rezoned to the DT-R district. Accordingly, the Applicant’s proposed use of the Subject Property for a higher density, single-family development is suitable, given the City’s future vision for both the Subject Property and the area in which it is located, and will further the intent of the Downtown Overlay.

2. The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

The proposed development will not adversely affect adjacent or nearby properties. As mentioned above, to the west, the Subject Property is bordered by office and commercial uses. To the north and east, it abuts single-family residences. The proposed development represents a logical transition between the two, particularly since the Applicant located single-family detached residences along the eastern and southern property boundary. It also appears to be a transition sanctioned by the City. As indicated above, the City placed roughly 90% of the Subject Property in the Downtown Overlay and designated it “Downtown Residential” on the City’s Future Land Use Map, which contemplates higher

densities. In doing so, the City signified that it considered whether the type of development proposed would be appropriate in light of adjacent and nearby properties and concluded that it was.

3. The proposed rezoning will not adversely affect the natural environment.

As with any undeveloped tract, the construction on the Subject Property will inevitably require the removal of trees and other land disturbance activities. That being said, there are no significant natural features on the Subject Property that require special protection and the stream on the northern side will be buffered as required by Code. Further, the Applicant will replant trees, grass, and other landscaping materials as part of its redevelopment of the site, and will preserve a historic structure.

4. There are substantial reasons why the property cannot or should not be used as currently zoned.

The City has codified a future identity for the Subject Property: Higher density residential developed in a style specified in the Downtown Overlay. The Subject Property cannot be developed in this manner as currently zoned.

5. The proposed rezoning will not result in a use that will or could cause an excessive or burdensome use of public facilities or services, such as existing streets and transportation facilities, schools, water or sewer utilities, and police or fire protection.

If approved, the proposed rezoning should not have a negative impact on any City services. There is adequate water and sewer capacity to service the site.

Transportation facilities will not be negatively impacted. The Applicant has located the single, curb-cut access point to the development on Manning Drive, as requested by the City's transportation engineer. This location allows for orderly ingress and egress at the Subject Property and minimizes disruption of the flow of traffic on the more heavily used Cumming Street. Further, trip generation is manageable. As to the office component, there is no study in the Institute of Transportation Engineers (ITE), Trip Generation Manual (9th Edition), for an old home adaptively re-used for a small-scale office. To provide perspective, however, the Applicant used the Single Tenant Office Buildings Code (715). It suggests that if the Lewis-Manning House officed 8 employees, then it would generate roughly 13 trips in the A.M. peak hour and 13 trips in the P.M. peak hour. Similarly, as to the single-family residences, the Subject Property will generate 45 trips in the weekday a.m. peak hour and 56 trips in the weekday p.m. peak hours.¹ Further, the Subject Property is served by Manning Oaks Elementary School, Hopewell Middle School, and Alpharetta High School. Both Manning Oaks Elementary School and Alpharetta High School are under capacity now. Further, Hopewell Middle School is projected to be under capacity by the 2018-2019 school years.

¹ The Applicant used ITE Codes (210) Single-Family Detached Housing and (231) Low-Rise Residential Condominium/Townhouse.

6. The proposed rezoning is supported by new and changing conditions not anticipated or reflected in the existing zoning on the property.

As more fully discussed above, the City has recently codified a vision for both the Subject Property and the area in which it is located, a vision reflected in the City's Downtown Overlay and on the City's Comprehensive Plan. The existing zoning on the overwhelming majority of the Subject Property conflicts with this vision.

7. The proposed rezoning reflects a reasonable balance between the promotion of the public health, safety, morality or general welfare against the right to unrestricted use of property.

The proposed rezoning allows for an appropriate use for this area and will further the goals of the City's Downtown Overlay. Further, it protects a historic asset, maximizes green space and provides an appropriate transition between the commercial uses to the west and the single-family uses to the east and north.

8. There are substantial reasons why the property cannot be used in accordance with the existing zoning.

Please see Subsection 4 above.

9. The zoning proposal is consistent with the City's Comprehensive Plan.

The Applicant has concurrently herewith filed an application to amend the Future Land Use Map for the office component from Downtown Residential to Mixed-Use/Live-Work. The designation is appropriate given that office uses abut the Subject Property to the west and the office component is part of a mixed

residential development, which creates by definition a “mixed-use/live-work” environment. Similarly, and as to the residential component, the proposed use is consistent with the City’s Comprehensive Plan. As noted above, virtually all of the Subject Property is identified as being in the “Downtown Residential District,” which encourages the exact land uses proposed.

IV. NOTICE OF CONSTITUTIONAL CHALLENGE AND PRESERVATION OF CONSTITUTIONAL RIGHTS

The Applicant respectfully submits the current Zoning and/or Land Use Map designations on the Subject Property are unconstitutional and that a refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Property or limit it to an intervening zoning or land use map classification, would discriminate unfairly between the owner of the Subject Property and other property owners similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution

of the United States, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Property or limit it to an intervening zoning or land use map classification, would amount to a taking of property, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia.

A refusal to approve the proposed Rezoning and Land Use Map Amendment, or any attempt to rezone the Subject Property or limit it to an intervening zoning or land use map classification, would be invalid inasmuch as the Unified Development Code of the City of Alpharetta is unlawful, null and void because its adoption and map adoption/maintenance did not and does not comply

with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, *et seq.*

The City's Unified Development Code lacks adequate standards for the City Council to exercise its power to review this Application. Specifically, the "standards", including but not limited to those set out in Sections 4.2.3(A)(2), 4.2.3(B), and 4.5.4(B)(1), are not sufficient to contain the discretion of the Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance, the Unified Development Code is unlawful and violates, among other things, the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraphs I and II of the Constitution of State of Georgia.

Any limitation on the time for presentation of the issues before the Council that has the power to zone and grant conditional use permits, variances and sign package approval is a violation of the guarantees of free speech under the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph V of the Constitution of the State of Georgia. Further, said limitations are in violation of the right to petition and assemble, in violation of the First Amendment of the Constitution of the United States and Article I, Section I,

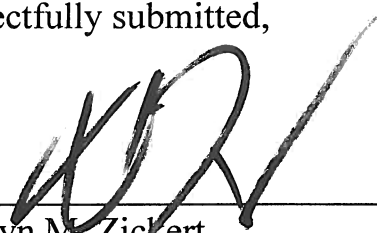
Paragraph IX of the Constitution of Georgia, as well as the due process clauses of the U.S. and Georgia Constitutions.

CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the proposed Rezoning and Land Use Map Amendments be approved. The Applicant also invites and welcomes any comments from Staff or other officials of the City of Alpharetta so that such recommendations or input might be incorporated as conditions of approval of this Application.

This 13TH day of April, 2017.

Respectfully submitted,



Kathryn M. Zickert
Dennis J. Webb, Jr.
Vickie B. Chung
Attorneys for Applicant

Smith, Gambrell & Russell, LLP
Promenade, Suite 3100
1230 Peachtree Street, NE
Atlanta, Georgia 30309
404-815-3500

Legal Description: Tract 1

All that tract or parcel of land lying and being in Land Lot 1253 of the 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the intersection of the western right-of-way line of Manning Drive (40' right-of-way width) with the northerly right-of-way line of Cumming Street (40' right-of-way width); thence leave said intersection and run southwesterly along the northerly right-of-way line of Cumming Street the following courses and distances: S78°32'46"W a distance of 78.17 feet to a point; along the arc of a curve to the left, an arc distance of 126.12 feet to a PK Nail found, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S77°00'21"W and a chord distance of 126.11 feet; along the arc of a curve to the left, an arc distance of 124.94 feet to a point, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S73°56'24"W and a chord distance of 124.92 feet; S72°24'52"W a distance of 21.89 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence continue to run southwesterly along the northerly right-of-way line of Cumming Street the following courses and distances: S72°24'52"W a distance of 53.37 feet to a point; along the arc of a curve to the right, an arc distance of 161.25 feet to a point, said curve having a radius of 1,081.10 feet and being subtended by a chord bearing S76°41'15"W and a chord distance of 161.10 feet; S80°57'38"W a distance of 30.98 feet to an iron pin found (1/2" rebar); thence leave the northerly right-of-way line of Cumming Street and run N00°58'03"E a distance of 174.43 feet to an iron pin found (1/2" rebar); thence run N00°42'07"E a distance of 12.02 feet to a point; thence run N90°00'00"E a distance of 208.86 feet to a point; thence run S11°34'37"E a distance of 131.00 feet to a point located on the northerly right-of-way line of Cumming Street, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 0.837 acre.

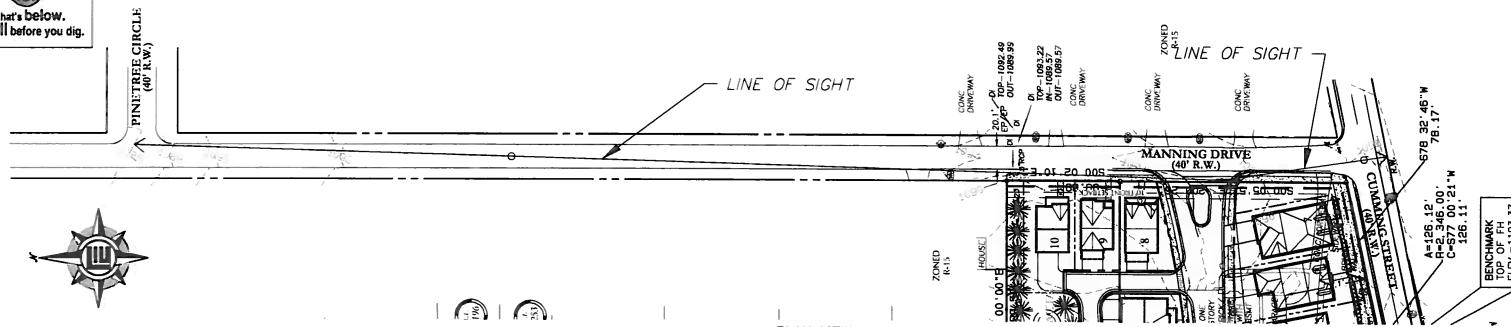
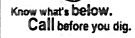
Legal Description: Tract 2

All that tract or parcel of land lying and being in Land Lots 1196 and 1253 of the 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the intersection of the western right-of-way line of Manning Drive (40' right-of-way width) with the northerly right-of-way line of Cumming Street (40' right-of-way width); thence leave said intersection and run southwesterly along the northerly right-of-way line of Cumming Street the following courses and distances: S78°32'46"W a distance of 78.17 feet to a point; along the arc of a curve to the left, an arc distance of 126.12 feet to a PK Nail found, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S77°00'21"W and a chord distance of 126.11 feet; along the arc of a curve to the left, an arc distance of 124.94 feet to a point, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S73°56'24"W and a chord distance of 124.92 feet; S72°24'52"W a distance of 21.89 feet to a point; thence leave the northerly right-of-way line of Cumming Street and run N11°34'37"W a distance of 131.00 feet to a point; thence run S00°00'00"W a distance of 208.86 feet a point; thence run N00°42'07"E a distance of 248.38 feet an iron pin found (1/2" open top pipe); thence run S85°28'05"W a distance of 106.83 feet to an iron pin found (3/4" open top pipe); thence run N00°10'32"W a distance of 124.55 feet to an iron pin found (1" open top pipe); thence run N00°43'26"W a distance of 144.03 feet to an iron pin found (1/2" rebar); thence run N00°20'34"W a distance of 140.00 feet to an iron pin found (1/2" rebar); thence run N00°22'19"W a distance of 181.09 feet to an iron pin found (1/2" rebar); thence run N81°32'11"E a distance of 83.81 feet to an iron pin found (1/2" rebar); thence run N79°56'27"E a distance of 405.48 feet to an iron pin found (1" open top pipe); thence run S00°08'16"E a distance of 55.81 feet to an iron pin found (1/2" rebar, bent); thence run S00°28'29"E a distance of 100.23 feet to an iron pin found (1/2" open top pipe); thence run S00°01'47"E a distance of 299.98 feet to an iron pin found (1/2" rebar, bent); thence run S00°02'02"W a distance of 100.04 feet to an iron pin found (2" open top pipe); thence run S00°04'01"E a distance of 99.81 feet to an iron pin found (2" open top pipe); thence run N90°00'00"E a distance of 199.50 feet to an iron pin found (1/2" rebar, bent) located on the western right-of-way line of Manning Drive; thence run south along the western right-of-way line of Manning Drive the following courses and distances: S00°02'10"E a distance of 99.89 feet to an iron pin found (1/2" rebar); S00°05'57"E a distance of 200.26 feet to an iron pin found (1/2" rebar), said iron pin found being the **TRUE POINT OF BEGINNING**.

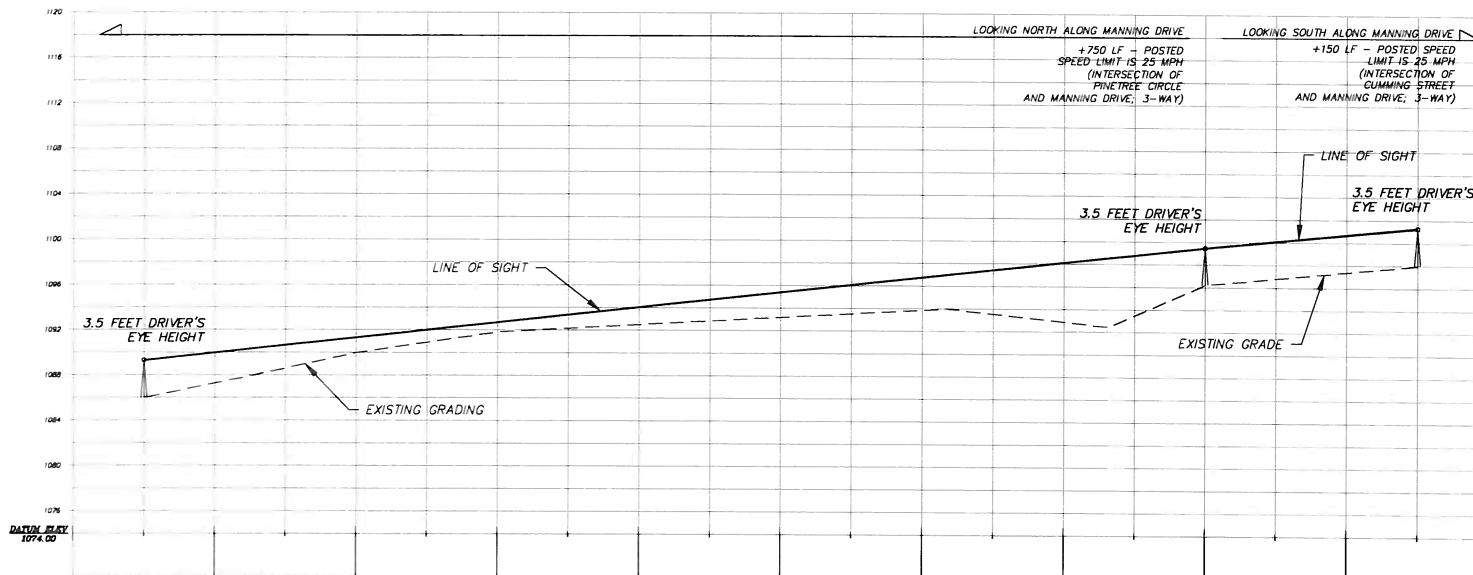
Said tract or parcel of land containing 10.868 acres.

[illegible]



PLAN VIEW
PEACHTREE VIEW ENTRANCE
SCALE: 1" = 50'

24 HOUR CONTACT:
JONATHAN JONES
jojones@taylormorrison.com



SIGHT DISTANCE PROFILE- PEACHTREE VIEW
HORIZONTAL SCALE: 1" = 50'
VERTICAL SCALE: 1" = 10'

40 CUMMING STREET, 136 MANNING DRIVE
A MASTER PLANNED RESIDENTIAL COMMUNITY
EST. 1978

CITY OF ALPHARETTA,
FULTON COUNTY,
GEORGIA

"WE PROVIDE SOLUTIONS"
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SITE PLANNING ■ LANDSCAPE ARCHITECTURE ■ CIVIL ENGINEERING ■ LAND SURVEYING
3530 RESEARCH COURT ■ NORCROSS, GEORGIA 30092 ■ (770)451-2741 ■ FAX (770)451-3915 ■ WWW.PECATL.COM

REVISIONS:

[illegible]

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SIGHT DISTANCE PROFILES

SCALE:
DATE: JANUARY 31, 2017
PROJECT: 16334.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/27/2018

SD

SHORT

SPECIMEN TREE REPORT

ALPHARETTA



Tree Report for:
Taylor Morrison
4400 North Point Parkway
Suite 295
Alpharetta, GA 30009

Property Address:
Manning House
40 Cumming St
Alpharetta
Fulton County

Project 16334.00

Survey Date 12/30/2016



TREE CONSULTANTS

350 RESEARCH CT. PEACHTREE CORNERS, GA 30092
PHONE: 770-451-3915
A PEC DIVISION

Consulting Arborist
Alex Phillips, ASLA
ISA Certified Arborist #MA-4868A
Tree Risk Assessment Qualified

Manning House

Specimen Tree Inventory

Some trees on a site warrant special consideration and encouragement for preservation. The intent of these specifications is to provide the necessary information to facilitate project design, plan review and enforcement processes. The City of Alpharetta Specimen tree specifications are organized by size:

- Deciduous Hardwood trees over 24" DBH

- Conifer Softwood trees over 30" DBH

- Flowering Understory trees over 8" DBH

Any tree that does not meet the following requirements as set forth by the International Society of Arboriculture shall be deemed poor in condition, a danger to human life and property and removed from the site.

- Life expectancy less than 15 years

- A trunk with visible decay

- More than one major and several minor dead limbs (hardwoods)

- Major insect or pathological problems

Landscape Tree Inventory

Landscape trees and trees of quality on a site may warrant consideration for preservation. Landscape trees include street trees, parking lot trees and boundary trees. Trees of quality include smaller non specimen trees that are in groupings or groves that have special interest and character.

Site Location

The site is located in a developed area of Alpharetta, near the historic downtown district. The property is surrounded by single family homes, a multi-family complex and single family residences converted to businesses. The site is a large wooded assemblage of three parcels. The main parcel is a historic single family home that is surrounded by very large and mature trees. The trees are in good health for their age with one tree showing decline and retrenchment. The rest of the property is heavily wooded with large Oaks and Poplars throughout. The trees in are generally in good health with some trees categorized as non-specimen due to splits and trunk wounds with rot and hollows.

The site drains from the south to the north terminating in a creek that runs from the East to the West across the North side of the property. There are some remnant trash areas on the property with some old appliances and farm equipment.



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Definitions

Tree Number: Trees are tagged with an aluminum disk that shows a unique number to identify the tree.

Species: Trees are listed by a regional common name and botanical name.

Diameter at Breast Height (DBH): The diameter of a trunk at 4.5' above ground level.
Measured in inches.

Condition:

Good: A specimen tree with healthy productive tip growth. A sound trunk with no visible damage or decay. No major limb loss and healthy branch unions. No visible insect or disease infestations. Life expectancy of more than 15 years.

Fair: A specimen tree with healthy but not vigorous tip growth. Less than 30% of crown is dead. No major dead limbs and no major trunk cavities or damage. Branch unions show some signs of stress. Tree is expected to live longer than 10 years.

Poor: More than 30% of the crown is dead or has significant tip die back. More than one major limb is dead and are large trunk cavities with visible decay. Severe insect or disease damage leading to immediate death. Roots are visible and show signs of decay and rot. Life expectancy is less than 5 years.

Dead: Tree has no bud or leaf production. All limbs are barren and rot is visible.

Invasive: Tree species whose native range is not within the Piedmont classification.

Hazardous: Severe or uncorrectable damage that will lead to a loss of property or life if there is tree failure.



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Specimen Tree Report

Tree #	Species	DBH	Condition	Comments
359	<i>Quercus alba</i> White Oak	30"	Specimen	Tree is in good health.
360	<i>Quercus alba</i> White Oak	40"	Non-Specimen	NST #1: Retrenchment and decline. Pic #1
362	<i>Carya illionosis</i> Pecan	25"	Specimen	Tree is in good health.
363	<i>Juglans nigra</i> Walnut	24"	Specimen	Tree is in good health.
364	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
365	<i>Quercus nigra</i> Water Oak	33"	Specimen	Tree is in good health.
366	<i>Quercus nigra</i> Water Oak	34"	Specimen	Tree is in good health.
367	<i>Carya illionosis</i> Pecan	27"	Specimen	Tree is in good health.
368	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
369	<i>Quercus alba</i> White Oak	41"	Non-Specimen	NST #4: Trunk wound with major hollow. Pic #4
370	<i>Quercus alba</i> White Oak	35"	Specimen	Tree is in good health.
372	<i>Quercus alba</i> White Oak	29"	Non-Specimen	NST #6: Trunk wound with major hollow. Pic #6
373	<i>Liquidambar styraciflua</i> Sweetgum	28"	Specimen	Tree is in good health.
374	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
375	<i>Liriodendron tulipifera</i> Poplar	37"	Specimen	Tree is in good health.
376	<i>Liquidambar styraciflua</i> Sweetgum	24"	Specimen	Tree is in good health.



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Tree #	Species	DBH	Condition	Comments
377	<i>Liquidambar styraciflua</i> Sweetgum	24"	Specimen	Tree is in good health.
378	<i>Quercus nigra</i> Water Oak	32"	Specimen	Tree is in good health.
379	<i>Liquidambar styraciflua</i> Sweetgum	26"	Specimen	Tree is in good health.
380	<i>Quercus rubra</i> Red Oak	33"	Specimen	Tree is in good health.
381	<i>Liquidambar styraciflua</i> Sweetgum	24"	Non-Specimen	NST #2: Major trunk wound with hollow. Pic #2
382	<i>Liquidambar styraciflua</i> Sweetgum	24"	Specimen	Tree is in good health.
383	<i>Liquidambar styraciflua</i> Sweetgum	32"	Specimen	Tree is in good health.
384	<i>Quercus nigra</i> Water Oak	27"	Specimen	Tree is in good health.
385	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
386	<i>Acer saccharinum</i> Silver Maple	27"	Non-Specimen	NST #5: Trunk wound with hollow and rot. Pic #5
387	<i>Quercus nigra</i> Water Oak	30"	Specimen	Tree is in good health.
388	<i>Caraya glabra</i> Hickory	30"	Specimen	Tree is in good health.
389	<i>Quercus stellata</i> Post Oak	31"	Specimen	Tree is in good health.
390	<i>Quercus rubra</i> Red Oak	27"	Specimen	Tree is in good health.
391	<i>Liquidambar styraciflua</i> Sweetgum	34"	Specimen	Tree is in good health.
392	<i>Liriodendron tulipifera</i> Poplar	26"	Specimen	Tree is in good health.

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Tree #	Species	DBH	Condition	Comments
395	<i>Quercus rubra</i> Red Oak	33"	Specimen	Tree is in good health.
396	<i>Quercus rubra</i> Red Oak	31"	Specimen	Tree is in good health.
397	<i>Quercus rubra</i> Red Oak	28"	Non-Specimen	NST #10: Dead. Pic #10
398	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
399	<i>Pinus spp</i> Pine	33"	Specimen	Tree is in good health.
522	<i>Liquidambar styraciflua</i> Sweetgum	28"	Specimen	Tree is in good health.
523	<i>Quercus nigra</i> Water Oak	26"	Specimen	Tree is in good health.
524	<i>Liquidambar styraciflua</i> Sweetgum	29"	Specimen	Tree is in good health.
525	<i>Pinus spp</i> Pine	32"	Specimen	Tree is in good health.
526	<i>Pinus spp</i> Pine	30"	Specimen	Tree is in good health.
529	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
530	<i>Liriodendron tulipifera</i> Poplar	27"	Specimen	Tree is in good health.
531	<i>Liriodendron tulipifera</i> Poplar	27"	Specimen	Tree is in good health.
532	<i>Quercus rubra</i> Red Oak	35"	Non-Specimen	NST #8: Split with included bark. Pic #8
533	<i>Acer saccharinum</i> Silver Maple	24"	Specimen	Tree is in good health.
534	<i>Liriodendron tulipifera</i> Poplar	28"	Specimen	Tree is in good health.

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Tree #	Species	DBH	Condition	Comments
535	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
536	<i>Quercus nigra</i> Water Oak	33"	Specimen	Tree is in good health.
537	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
538	<i>Liriodendron tulipifera</i> Poplar	29"	Specimen	Tree is in good health.
539	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
540	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
541	<i>Liriodendron tulipifera</i> Poplar	30"	Specimen	Tree is in good health.
542	<i>Liriodendron tulipifera</i> Poplar	25"	Specimen	Tree is in good health.
543	<i>Pinus spp</i> Pine	33"	Specimen	Tree is in good health.
559	<i>Quercus nigra</i> Water Oak	27"	Specimen	Tree is in good health.
562	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
566	<i>Quercus nigra</i> Water Oak	29"	Specimen	Tree is in good health.
60	<i>Magnolia grandifolia</i> S Magnolia	24"	Specimen	Tree is in good health.
61	<i>Cornus florida</i> Dogwood	8"	Specimen	Tree is in good health.
62	<i>Liquidambar styraciflua</i> Sweetgum	24"	Non-Specimen	NST #3: Lighting scar with trunk wounds. Pic #3
67	<i>Quercus alba</i> White Oak	47"	Specimen	Tree is in good health.



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Tree #	Species	DBH	Condition	Comments
68	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
69	<i>Quercus nigra</i> Water Oak	25"	Specimen	Tree is in good health.
70	<i>Liquidambar styraciflua</i> Sweetgum	26"	Specimen	Tree is in good health.
71	<i>Quercus nigra</i> Water Oak	24"	Specimen	Tree is in good health.
72	<i>Pinus spp</i> Pine	31"	Non-Specimen	NST #7: Major trunk wound with hollow. Pic #7
73	<i>Pinus spp</i> Pine	27"	Specimen	Tree is in good health.
74	<i>Quercus rubra</i> Red Oak	26"	Non-Specimen	NST #9: Split with included bark. Pic #9

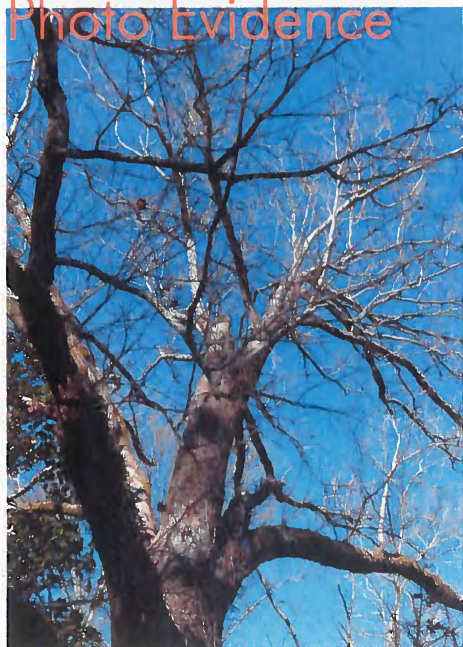
Specimen Tree Summary: Most of the specimen sized trees on site are in good condition. The non-specimen sized trees are typically hollow with major trunk wounds.

Total Specimen Sized Trees: 72
Specimen Condition: 62
Non-Specimen Condition: 10



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Photo Evidence



Pic # 1: Retrenchment and decline.
NST #1



Pic # 2: Major trunk wound with hollow.
NST #2



Pic # 3: Lighting scar with trunk wounds.
NST #3



Pic # 4: Trunk wound with major hollow.
NST #4

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Pic # 5: Trunk wound with hollow and rot.
NST #5



Pic # 6: Trunk wound with major hollow.
NST #6



Pic # 7: Major trunk wound with hollow.
NST #7

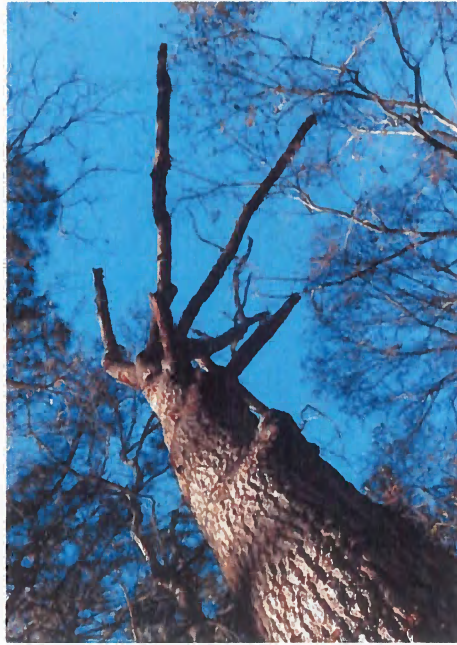


Pic # 8: Split with included bark. NST #8

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Pic # 9: Split with included bark.
NST #9



Pic # 10: Dead.
NST #10

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Landscape Tree Report

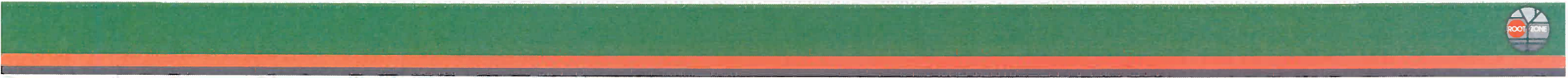
Tree #	Species	DBH	Condition	Comments
393	<i>Quercus rubra</i> Red Oak	25"	Good	Tree is in good health.
394	<i>Liquidambar styraciflua</i> Sweetgum	24"	Good	Tree is in good health.
529	<i>Liriodendron tulipifera</i> Poplar	30"	Good	Tree is in good health.
561	<i>Quercus nigra</i> Water Oak	30"	Good	Tree is in good health.
63	<i>Quercus nigra</i> Water Oak	20"	Good	Tree is in good health.
64	<i>Liquidambar styraciflua</i> Sweetgum	21"	Good	Tree is in good health.
65	<i>Pinus spp.</i> Pine	20"	Good	Tree is in good health.
66	<i>Pinus spp.</i> Pine	21"	Good	Tree is in good health.
75	<i>Quercus nigra</i> Water Oak	21"	Good	Tree is in good health.
76	<i>Quercus nigra</i> Water Oak	22"	Good	Tree is in good health.
77	<i>Liquidambar styraciflua</i> Sweetgum	22"	Good	Tree is in good health.

Landscape Tree Summary: All of the landscape trees on site are boundary trees and are in good condition.

Total Landscape Trees: 11



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Legal Description: Tract 1

All that tract or parcel of land lying and being in Land Lot 1253 of the 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the intersection of the western right-of-way line of Manning Drive (40' right-of-way width) with the northerly right-of-way line of Cumming Street (40' right-of-way width); thence leave said intersection and run southwesterly along the northerly right-of-way line of Cumming Street the following courses and distances: S78°32'46"W a distance of 78.17 feet to a point; along the arc of a curve to the left, an arc distance of 126.12 feet to a PK Nail found, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S77°00'21"W and a chord distance of 126.11 feet; along the arc of a curve to the left, an arc distance of 124.94 feet to a point, said curve having a radius of 2,346.00 feet and being subtended by a chord bearing S73°56'24"W and a chord distance of 124.92 feet; S72°24'52"W a distance of 21.89 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence continue to run southwesterly along the northerly right-of-way line of Cumming Street the following courses and distances: S72°24'52"W a distance of 53.37 feet to a point; along the arc of a curve to the right, an arc distance of 161.25 feet to a point, said curve having a radius of 1,081.10 feet and being subtended by a chord bearing S76°41'15"W and a chord distance of 161.10 feet; S80°57'38"W a distance of 30.98 feet to an iron pin found (1/2" rebar); thence leave the northerly right-of-way line of Cumming Street and run N00°58'03"E a distance of 174.43 feet to an iron pin found (1/2" rebar); thence run N00°42'07"E a distance of 12.02 feet to a point; thence run N90°00'00"E a distance of 208.86 feet to a point; thence run S11°34'37"E a distance of 131.00 feet to a point located on the northerly right-of-way line of Cumming Street, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 0.837 acre.