PLANNING COMMISSION MEETING
DECEMBER 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

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. Z-17-13/V-17-29 East of Main Phase II/Cricket Lane
Consideration of a request to rezone 3.44 acres from R-15 (Dwelling, 'For-Sale', Residential) to DT-R (Downtown Residential) to develop Phase II of East of Main subdivision, including 20 'For-Sale' single-family detached homes. Variances are requested to increase the building height from 35' to 40' and to reduce stream buffers from 150' to 75'. The property is located on the west side of Cricket Lane between Cumming Street and the East of Main subdivision and is legally described as Land Lot 1253, 2nd District, 2nd Section, Fulton County, Georgia.

b. CU-17-15/V-17-37 Natural Body Spa/City Center
Consideration of a request for conditional use to allow "Spa Services' for Natural Body Spa within City Center. A variance is requested to reduce the minimum distance requirement between comparable 'Spa Services' uses and to allow the spa to occupy a space larger than 4,000 square feet. The property is located at 575 Commerce Street and is legally described as being located in Land Lot 1268, 2nd District, 2nd Section, Fulton County, Georgia.

c. PH-17-29 Unified Development Code Text Amendments
Consideration of text amendments to Unified Development Code, Appendix A: Alpharetta Downtown Code and Alpharetta Downtown Design Guidelines to add a Heritage Design Area, as well as other amendments.

VII. ADJOURNMENT

PLANNING COMMISSION SUMMARY
NOVEMBER 2, 2017

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
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

- Members Present
  - Francis Kung'u
  - Kyle Caswell
  - Larry Attig
  - Karen Richard
  - Rob Partee
  - John Hipes
  - Fergal Brady
  - Steve Usry (Non-Voting Alternate)

- Staff Present
  - Kathi Cook, Director of Community Development
  - Eric Graves, Senior Traffic Engineer
  - Michael Woodman, Senior Planner

III. APPROVAL OF MEETING MINUTES

a. October 5, 2017 Minutes

- Commissioner Partee offered a motion to approve
- The motion received a second from Commissioner Attig
- The Motion was approved (7-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. CLUP-17-04/Z-17-10/V-17-23 Haynes & Devore/DT-MU

The Applicant withdrew this item. It was not considered.

B. Z-17-16/CU-17-12/V-17-35 Cotton House Boutique Hotel

Kathi Cook, Director of Community Development presented consideration of a request to rezone 0.99 acres from C-2 (General Commercial) to DT-C (Downtown Core) to allow a boutique hotel with retail/restaurant uses and removal of the structures at 21, 29 and 35 Milton Avenue. A conditional use is requested to allow a 'Boutique Hotel'. Variances are requested to reduce the rear setback and to increase the maximum building height in stories from 4- to 5-stories. The property is located at the northwest corner of Milton Avenue and Old Canton Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

Applicant presented and discussed response to Staff recommended conditions.

Public Comment:

In Favor:

1. Jeff Herman 2606 Eldwick Dr.

Reason:

Fills a void in the City.

In Opposition:

1. Rene Watson 243 Canton St.
2. Robin Rosenburg, 28 -30 N Main St.
3. Gina Daunt 1555 Stelten Way
4. Ron Wallert 320 Rose Garden Lane
5. Francene Taylor 2017 Hidden Alley
6. Alexander Williamson 12535 Wexcroft Lane
7. Ben Burnett 1440 Salem Dr.
8. Daniel McAlonon 1995 Willshire Gln.
9. Sue Jacques 12566 Wexcroft Lane
10. Lawson Finlayson

Concerns:

Closing of Old Canton St.
Character of Old Canton St.
Traffic
Too Many Hotels in Alpharetta
Pedestrian Safety
No Variances should be given
Parking
Impact on Street Festivals, Special Events

After presentation from the Applicant and hearing from Public.

- Commissioner Caswell offered a motion to deny the Application
- The motion received a second from Commissioner Richard
- The Motion was approved (5-2)(Attig, Partee)

Chairman Kung'u called a recess at 9:14 p.m.
Chairman Kung'u reconvened the meeting at 9:27 p.m.

c. Z-17-14/V-17-32 Mid Broadwell Parc

Michael Woodman, Senior Planner, presented consideration of a request to rezone 2.18 acres from R (Dwelling, 'For-Sale', Residential) to R-15 (Dwelling, 'For-Sale', Residential) to allow 5 'For-Sale' single-family detached homes. A variance is requested to allow a private street within residential lots. The property is located on the north side of Mid Broadwell Road, just west of Peyton Farm Drive and is legally described as Land Lot 1202, 2nd District, 2nd Section, Fulton County, Georgia.

The Applicant presented that the development planned will be similar to Twelve on Canton St.

Public Comment:

1. Gina Daunt 555 Stelten Way
2. David Cochran, 1615 Briars Shoot

Concerns:

1. Width of Street
2. Left Turn out of nearby subdivision
3. Increase in property taxes to smaller homes due to building of large homes
4. Depth of lot is suitable for 1 or 2 homes
5. Feasibility of driveway
6. Traffic
7. Need for acceleration/deceleration lane

After discussion of:

- City owned Park area
- Underground Detention pond
- Width of street
- Condition for no parking on the street to accommodate emergency vehicles
- Depth of driveway
- Maximum yield on a tough lot
- Architecture
- Adjacent land use
- 24" Water Oak

- ❖ Commissioner Attig offered a motion to approve subject to Staff Conditions
- The motion received a second from Commissioner Brady

- ❖ Commissioner Richard offered a friendly amendment to add a condition for no parking on the street
- The friendly amendment was accepted by Commissioner Attig
- The Motion with the friendly amendment was approved (7-0)

1. The site, consisting of approximately 2.18 acres, shall be zoned R-15 and developed substantially similar to site plan submitted by Roger S. Lee & Associates, dated 9/25/2017, 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. Home elevations shall be substantially similar to photographs submitted by the applicant (Exhibit A), with final approval by Staff.
3. Homes shall have a front covered entry and shall be a minimum 6' in depth.
4. Minimum building setbacks shall be: Front – 20' (as measured from edge of street), Side – 8', Rear – 20'.
5. Unfinished wood decks, fences or porches shall not be visible from Mid Broadwell Road.
6. The following specimen trees shall be saved: Tree #273 (41" Water Oak), #274 (39" Poplar), #275 (25" Water Oak), #276 (25" Water Oak), #277 (24" Water Oak), #279 (33" Water Oak) and #280 (28" Red Maple). Home sites shall be laid out to minimize impact to the existing tree canopy, as approved by Staff.
7. 20' decorative landscape strip shall be provided along Mid Broadwell Road and shall include a minimum 3' high planted berm or decorative low wall, as approved by Staff.
8. Minimum 10' landscape buffer shall be provided along the east, west and north property lines, consisting of 80% evergreen material. Existing trees shall be saved, where possible, within the perimeter landscape buffers.
9. Decorative pervious paver apron shall be required at the project entrance, as approved by Staff.
10. 5' internal sidewalk shall be constructed of pervious pavers, as depicted on the site plan.
11. Fire turnaround shall be constructed of grasscrete, or similar product,

as approved by Staff.

12. Stormwater pond shall be heavily screened with a minimum 20' landscape strip on-grade from Mid Broadwell Road with evergreen landscaping, as approved by Staff.
13. No parking shall be permitted on the private driveway.

d. CLUP-17-05/Z-17-12/V-17-28 Villa Magnolia/Parkland Communities

Kathi Cook, Director of Community Development presented consideration of a request to rezone 3.53 acres from C-1 (Neighborhood Commercial), C-2 (General Commercial) and AG (Agriculture) to DT-R (Downtown Residential) to develop 28 'For-Sale' detached units. A comprehensive land use plan amendment is requested from 'Mixed Use' to 'Downtown Residential Density'. Variances are requested to reduce required landscape buffers and to allow a private street within residential lots. The property is located 377 South Main Street and is legally described as Land Lots 648 & 693, 1st District, 2nd Section, Fulton County, Georgia.

After discussion of:

1. Staff Recommended Conditions
2. Applicant's response to Conditions
3. Music Venue on property
4. Sufficiency of parking for the development
5. Fire Marshall approved Site Plan
6. Requirement for restoration of existing structure on property to be completed before first CO
7. Feasibility of Impact fees/Credits being tailored to Wills Park
8. Interparcel Connectivity to school and traffic light
9. Benefits of addition of residential close to school and Park

Parks Huff presented for the Applicant.

History of product
Property owner has owned property for 90 years and are ready to sell
Matilda's has been a great enterprise but is not financially viable

Present zoning of the property includes AG which is not consistent with Downtown Area
Comp Plan with regard to Wills Park
Site Plan
Greenspace
Multi-use Trail with regard to need for Variance to buffer
Asked for 10 homes complete before restoration of existing building
Existing building
Donation of buildings to City

Public Comment:

1. Tammy Solan 325 Hermitage Trail
2. Gordon Eyre 144 Woodhaven Way
3. Sue Jacques 12566 Wexcroft Lane
4. Daniel McAlonan 1995 Willshire Glen
5. Emma Schietinger 430 Sable Ct.
6. Kathryn Kessler 12125 Bluejay Terrace

Concerns:

- Builders' and Developers' responsibility to community
- Closing of Matilda's unique venue
- Too many townhomes

After discussion of Staff recommended conditions , Applicant's response to Conditions , support for Matilda's venue:

- Commissioner Caswell offered a motion to approve using all of Staff's recommendations as they are noted and also try to incorporate a few of the comments from the Applicant specifically in Condition # 8 change where the developer shall dedicate a minimum of 10' permanent easement to the City instead of 15', in Condition #11 I'd like to add " and vehicular connection" shall be provided between the project site and Alpharetta Square to the East, # 19 to add the word recommended so basically developer shall incorporate recommended improvements from GDOT, #20 no more than 3 of the residential units shall be permitted to be rented and just for clarification on Condition #21after the word utilities insert "within" the site shall be placed underground.

There was discussion during the motion on #11 stating "pending agreement by adjacent property owner."

- ❖ Commissioner Brady offered a friendly amendment to add Condition #22 to add all improvements to the commercial building would be completed prior to the issuance of the tenth CO.

- Vice Chairman Caswell accepted the friendly amendment

- ❖ Commissioner Attig offered a friendly amendment to add a Condition #23 to donate the building to the city if it is feasible for them to find a place for a new venue and Condition #24 to study the possibility of impact fees going to Parks and Rec if the City Attorney approves it.

- Vice Chairman Caswell accepted Condition #23 "Applicant shall donate music venue structures to the City if approved by Staff."
- Vice Chairman Caswell did not accept Condition #24

- The motion with Friendly amendments received a second from Commissioner Brady
- The Motion was approved (5-2)(Richard, Kung'u)

There was discussion during the motion:

- This project may set precedent for South Gateway to the City
- May not want this area to be high density
- Parking issues
- Not a compelling reason for change to the Comprehensive Land Use Plan
- Impact on Schools
- Possibility of creating unintended consequences
- Property may not be large enough for Mixed Use

1. The site, consisting of approximately 3.53 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by Advanced Engineering + Planning, dated 10/13/2017, 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. Commercial building shall remain as depicted on the approved site plan.

2. The comprehensive land use plan designation of the property shall be Downtown Residential Density.
3. Minimum building setbacks shall be:
    a. Front – 10′
    b. Side – 0′ (10′ between structures)
    c. Rear – 10′ (as measured from edge of alley)
4. Architecture and materials shall be substantially similar to the submitted renderings, except for modifications required to comply with these conditions and Staff comments, 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′.
5. A minimum 20′ partially disturbed buffer, replanted where sparse, shall be provided to the east and west and shall be supplemented with evergreen trees and shrubs to provide a visual screen, as approved by Staff. A minimum 30′ partially disturbed buffer, replanted where sparse, shall be provided to the north due to the additional clearing for sewer connection and detention pond. Grading and tree removal shall be minimized within the buffers. Developer shall remove exotic and invasive trees and shrubs within open space, buffers and tree save areas and replant where sparse as approved by Staff.
6. A 25′ landscape strip shall be provided for the western half of property frontage on South Main Street. Landscape strip shall include a minimum 3′ berm or decorative wall. Final approval of landscape strip by Staff. Landscape strip shall not be within overhead lines to ensure proper tree canopy can be established.
7. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff.
8. Amenity space shall be developed with a 10′ concrete sidewalk, as depicted on the site plan, including a connection to the fronts of units. Amenity space shall include landscape, hardscape, seating and pedestrian-scale lighting, as approved by Staff. Landscape shall include plant selections promoting the historic district. Developer shall dedicate a minimum 10′ permanent easement to the City for public access over the trail. Developer shall provide City typical wayfinding signage along the trail and at locations determined by Staff.
9. Tree save area at the project entrance shall include entrance plaza, seating and ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
10. Development shall not be gated and alley will be private and

maintained by the HOA.

11. Pedestrian and vehicular connection shall be provided between the project site and Alpharetta Square to the east, if agreed to by the adjacent property owner.
12. Fencing visible from the street shall be decorative as approved by Staff.
13. Existing trees shall be preserved as depicted on site plan prepared by Advanced Engineering + Planning, dated 10/13/2017. In addition, the developer shall save tree #16 (29" Hickory). Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment, as approved by Staff.
14. Street trees shall be required along South Main 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 and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
15. Off-site disturbance shall require easement approval by City Attorney. At a minimum, existing storm drain pipe shall be replaced and outlet ditch shall be river rock encased in concrete.
16. 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.
17. Overall impervious area (lot coverage) of the site shall not exceed 50%.
18. Decorative paver apron shall be required at the project driveway as approved by Staff.
19. Developer shall ensure that GDOT's South Main Street recommended improvements are incorporated into the development plan. The Developer shall dedicate any necessary right-of-way for improvements that are not currently being acquired by GDOT from the property owner.
20. No more than 3 of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
21. Overhead utilities within the site shall be placed underground.
22. Commercial building shall be renovated prior to the 10th Certificate of Occupancy.
23. Applicant shall donate music venue structures to the City, if approved by Staff.

e. CU-17-11 Pinstripes/360 Tech Village

Michael Wooodman presented consideration of a request for conditional use to allow 'Recreation Facilities, Indoor' for a bowling entertainment venue within the 360 Tech Village mixed-use development. The property is located at the southwest corner of Haynes Bridge Road and Lakeview Parkway and is legally described as being located in Land Lots 744, 745, 752 & 753, 1st District, 2nd Section, Fulton County, Georgia.

Denn Webb presented for the Applicant. Applicant requested changes to Conditions #1 and #3.

There was no Public Comment.

- Commissioner Partee offered a motion to approve with Staff's Conditions as Michael Woodman read them to us.
- The motion received a second from Commissioner Attig
- The Motion was approved (7-0)

Approve CU-17-11 Pinstripes/360 Tech Village, subject to the following conditions:

1. Conditional use approval shall be limited to Pinstripes; no additional 'Bowling Entertainment Venue' businesses or subleasing shall be permitted within the approved space.
2. The proposed use shall be subtracted from the approved 57,700 square feet of retail use.
3. Hours of operation shall be limited to Monday – Thursday 10:00 AM – 11:00 PM, Friday 10:00 AM – 1:00 AM, Saturday 10:00 AM – 1:00 AM and Sunday 10:00 AM to 10:00 PM.
4. Architecture shall be substantially similar to the location in Georgetown Park, Washington D.C., as approved by Staff.
5. Outdoor spaces, including rooftop terrace, shall be developed substantially similar to the floor plans prepared by RDL Architects, dated 8/15/2017. Outdoor spaces shall include all amenities as depicted on the above-referenced floor plans, with final approval by Staff.

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 11:33 p.m.

CITY COUNCIL MEETING
STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: KATHI COOK
DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** Z-17-13/V-17-29 EAST OF MAIN PHASE II/DT-R

PLANNING COMMISSION: DECEMBER 7, 2017

CITY COUNCIL: DECEMBER 18, 2017

II. **RECOMMENDATION:**

Approve Z-17-13/V-17-29 East of Main Phase II/DT-R, subject to the following conditions:

1. The site, consisting of approximately 3.44 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by Travis Pruitt & Associates, Inc., dated 10/10/2017, 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. There shall be no more than 3 single-family detached lots fronting Cumming Street (Lots 18-20) and those lots shall have a minimum lot width of 40′ and minimum lot size of 4,500 square feet. Lots 18-20 shall have a 30′ heavily landscaped front setback along Cumming Street.
3. The maximum permitted building height shall be no more than 40′ along Cricket Lane and max 2 stories and 35′ fronting Cumming Street.
4. Minimum building setbacks shall be:
    a. Front – Cricket Ln – 10′, Cumming St – 30′, Lot – 10′
    b. Side – Perimeter – 10′, Lot – 0′ (10′ between structures)
    c. Rear – Perimeter – 10′, Lot – 10′ (as measured from edge of alley)
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and Downtown Architect/Staff comments, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. All homes shall have 4-sided architecture with brick or stone. Majority of units facing Cricket Ln and Cumming St shall have front porches with a minimum 6′ deep and a minimum 50% of the façade length. Stoops shall have a minimum depth of 6′. Bay windows shall have a minimum depth of 2′.
6. Homes along Cumming Street shall include courtyards with low stacked stone walls between sidewalk and home.
7. Amenity space along Cricket Lane shall be developed with a park-like setting with decorative landscape and 1 sculpture approved by Staff. The landscape shall include plant selections promoting the historic district.
8. Street trees shall be required along Cumming Street and Cricket Lane within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
9. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. A 6′ sidewalk shall be required on Cricket Lane and an 8′ sidewalk shall be required on Cumming Street. Minimum 3 on-street parallel parking spaces shall be required along Cricket Lane for the site to meet the required guest parking.
10. The corner of Cumming Street and Cricket Lane shall include a decorative knee wall and shall be heavily landscaped with ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall

complement materials used in the Downtown, as approved by Staff. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.

11. 5' area between the alley and the west and south property lines shall be planted with evergreen trees to provide a screen, as approved by Staff.
12. Developer shall remove exotic and invasive trees and shrubs within stream buffers and tree save areas and replant where sparse as approved by Staff.
13. Provide heavy landscape screening and decorative brick walls where alleys are exposed to streets. Sides of homes shall be screened with a minimum 10' landscape strip adjacent to public roadways.
14. Decorative paver aprons shall be required at the project driveways, as approved by Staff.
15. Development shall not be gated and roads will be private and maintained by the HOA.
16. Driveways shall be a minimum 18' from garage to alley.
17. Internal sidewalks shall be provided, including a connection to the fronts of units and shall be a minimum 5' and pedestrian-scale lighting provided throughout the development.
18. Fencing visible from the street shall be decorative as approved by Staff.
19. Existing trees shall be preserved as depicted on the site plan prepared by Travis Pruitt & Associates, Inc., dated 10/10/2017. In addition, the developer shall save tree #262, 265, 266, 269, 275, 278, 280 – 283 and 287. Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff.
20. 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.
21. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
22. Overhead utilities shall be placed underground.

III. REPORT IN BRIEF:

The applicant, The Providence Group, is requesting a rezoning of 3.44 acres from R-15 (Dwelling, 'For-Sale' Residential) to DT-R (Downtown Residential) to allow for the construction of 20 'For-Sale' single-family detached homes. If approved, the property would become Phase II of the adjacent East of Main subdivision to the south. Variances are requested to increase the building height, reduce stream buffers and to allow an alley within a residential lot. The property is located on the west side of Cricket Lane between Cumming Street and East of Main.

DISCUSSION

The submitted request, if approved, will allow for Phase II of the East of Main subdivision, including 20 'For-Sale' single-family detached homes on 3.44 acres. The proposed density is 5.81 dwelling units per acre. The property is located on the west side of Cricket Lane between Cumming Street and East of Main.

The property consists of four (4) parcels of land zoned R-15 and developed with two (2) single-family detached homes. A stream bisects the property from north to south. Surrounding properties are zoned R-15 to the north and west, R-8A/D to the south and R-15 and SU to the east. Unplatted single-family detached lots are located to the north, Alpharetta First United Methodist Church to the west, East of Main to the south and unplatted single-family detached lots on Cricket Lane to the east. The proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Downtown Residential Density'.

The property was rezoned to R-8A/D on June 15, 2015 as part of a 10.43-acre residential development to allow for the construction of 83 'For-Sale' detached homes and townhomes. In addition, Council approved a comprehensive land use plan amendment, rezoning and variance in February 2017 to allow the Ben Manning House to be used for an office.

Since the approval of the Downtown Master Plan update in 2015, over 200 single-family detached units have been approved in the Downtown. Given the surrounding development, single-family detached product is appropriate at this location. Densities vary in the Downtown, with residential subdivisions in the vicinity having densities of 8.0 at East of Main (Phase 1), 2.9 at Lehigh Homes/Cumming St, 4.0 at Academy Park and 4.95 at Taylor Morrison/Cumming St. The applicant's proposed density of 5.81 dwelling units per acre is consistent with surrounding developments and represents a transition between Phase 1 of East of Main and the Lehigh Homes and Taylor Morrison developments on Cumming Street.

The following variances are requested from the regulations in the Unified Development Code (UDC):

1. UDC Subsection 3.3.6(C): A variance to reduce the required 150' perennial stream buffer to 75'. The applicant's environmental engineer has indicated that the stream is likely a perennial stream, which would require a 150' stream buffer and impervious setback. However, the stream in question has been piped on the adjacent property to the west. In an effort to preserve the stream in its current state, the applicant's request to reduce the stream buffer to 75' is reasonable.

2. UDC Appendix A: Alpharetta Downtown Code, Section 3.8.5 Bulk and Mass: A variance is requested to increase the building height from 35' to 40'. The applicant received approval of a height variance to 40' in conjunction with the original rezoning for East of Main (Phase 1). The requested height variance is consistent with the height of surrounding properties, which have maximum heights of 35' to 40'.

3. UDC Subsection 1.4.2: A variance is requested to the definition of 'Lot' to allow a private alley within residential lots. The site plan depicts a 20' private alley within each of the residential lots. The definition of a 'Lot' is provided below.

   "A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the street right-of-way or private street easement may be included."

SITE PLAN

The submitted site plan depicts 20 single-family detached lots on 3.44 acres. Homes are proposed to be three (3) stories and 40'. Lots 1 – 15 are oriented to a central amenity space, including a tree save. Lots 16 – 20 are situated at the corner of Cricket Lane and Cumming Street with three (3) lots oriented to Cumming Street and two (2) lots oriented to Cricket Lane. Lots 16 and 17 should be removed and Lots 18 – 20 should be pushed back from Cumming Street to accommodate a linear green space between the street and the lots. This recommendation is similar to a condition placed on the Taylor Morrison development on Cumming Street. Minimum lot size is proposed to be 2,500 square feet with lots ranging in size from 2,678 to 3,190 square feet. The City recently changed the minimum lot size in the DT-R district from 2,500 to 4,500 square feet. However, the applicant submitted this public hearing application prior to this change. Minimum lot width is proposed to be 30'. Homes will be rear-loaded with access from a private alley. The 20' alley is depicted within each of the residential lots.
Three (3) project driveways are depicted on Cricket Lane. Guest parking spaces are not provided on the site plan, which does not meet the Downtown Code minimum requirement of 0.15 parking spaces per

residential unit. At least three (3) guest parking spaces should be provided on-site or as on-street parallel parking along Cricket Lane. Minimum building setbacks are proposed as follows:

- Front – 10' Cricket Lane/Residential Lot, 20' Cumming Street
- Side – 10' Perimeter, 0' Residential Lot (min. 5' between buildings)
- Rear – 10' Perimeter, 3' Residential Lot

The site plan depicts 0.36 acres of amenity space consisting of a central amenity space with tree save. An additional 0.74-acre greenspace is provided within the stream buffers; however, there are no proposed amenity improvements within this area. Amenity space is not provided on the north side of the stream for Lots 16 – 20. If approved, a minimum 30' wide linear greenspace is recommended between Lots 18 – 20 and Cumming Street.

There are several trees on the subject property, consisting of Hardwoods. Tree save areas are depicted within the stream buffers and within a central amenity space. If approved, staff recommends certain tree saves. Stormwater facilities are proposed to the rear of Lots 16 – 20.

TRAFFIC

The proposed project, consisting of 20 single-family detached homes, would generate less than 20 PM Peak Hour trips. The net increase (removal of 2 single-family detached homes) is less than 18 PM Peak Hour trips.

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 – 20 Single-Family Detached Units

School	Single Family Average #
Manning Oaks Elementary School	1 to 6 students
Hopewell Middle School	0 to 2 students
Alpharetta High School	1 to 4 students
TOTAL	2 to 12 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 2 – 12 school age children. Since two (2) single-family detached homes already exist on the subject property, the net increase is 2 – 10 school age children. Numbers provided by Fulton County Schools show that all three (3) schools 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 would be suitable as it relates to the use and development of adjacent or nearby properties. However, a linear greenspace should be provided along Cumming Street and lots along Cumming Street shall have a larger minimum lot width and lot size to be consistent with recent approvals on Cumming Street.

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

Response: The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties, if conditions are approved requiring larger lot widths and sizes along Cumming Street.

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

Response: The applicant's proposal should not have significant impacts on the natural environment.

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 with single-family detached lots under the existing R-15 zoning. However, the comprehensive land use plan has a different vision for the property. If approved, the property would become Phase 2 of the East of Main development to the south.

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 as the applicant's proposal would represent a net gain of 18 or less single-family detached homes. Schools would see a slight increase, but the continued improvement of Cricket Lane would enhance the Downtown street network.

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 subject property is located in the Downtown Overlay, which includes opportunities for properties to be developed under the new Downtown zoning districts.

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 as the proposed development would represent a second phase of the East of Main subdivision and is consistent with the Downtown Master Plan. However, a linear greenspace should be provided along Cumming Street and lots along Cumming Street should have a larger lot widths and sizes in order to be consistent with recent approvals on Cumming Street.

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

Response: The subject property could be developed with single-family detached lots under the existing R-15 zoning. However, the comprehensive land use plan has a different vision for the property.

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

Response: The request to allow 'For-Sale' single-family detached use is consistent with the Comprehensive Land Use Plan designation of the property, which is Downtown Residential Density.

VARIANCE REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

(1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; or

Response: The on-site stream bisects the property from north to south. If the stream is determined by the City to be a perennial stream, the required buffers would significantly reduce the developable area. East of Main Phase 1 received height variance approval to increase the maximum building height from 35' to 40'. The applicant's current request for height variance is consistent with the approval for East of Main Phase 1. It appears that all lots would meet the maximum impervious area even with the alley contained within the lots.

(2) The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or

Response: The applicant could develop the site in compliance with the required building height, lot requirements and stream buffers. The proposed building height is the same as the height variance approved for Phase 1 of East of Main. The property owner could pipe the stream, which would result in the loss of a natural feature and removal of several good quality trees on the site. It appears that all lots would meet the maximum impervious area even with the alley contained within the lots.

(3) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or

Response: The proposed building height is the same as the height variance approved for Phase 1 of East of Main. The property owner could pipe the stream, which would result in the loss of a natural feature and removal of several good quality trees on the site. It appears that all lots would meet the maximum impervious area even with the alley contained within the lots.

(4) Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the City of Alpharetta ordinances.

Response: Approval would not cause substantial detriment to the public good. The proposed building height is the same as the height variance approved for Phase 1 of East of Main. The property owner could pipe the stream, which would result in the loss of a natural feature and removal of several good quality trees on the site. It appears that all lots would meet the maximum impervious area even with the alley contained within the lots.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for rezoning and variances. The proposed rezoning to DT-R is consistent with the comprehensive land use plan designation of the property and existing use of adjacent and nearby properties. While the proposed use is consistent with the vision in the Downtown Master Plan, staff has concerns with the number and size of lots at the corner of Cumming Street and Cricket Lane. 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. Taylor Morrison was approved in 2017 for single-family detached lots, with a density of 4.95 units per acre and a minimum lot size of 4,000 square feet for lots on Cumming Street. Taylor Morrison also included a linear greenspace along Cumming Street.

Even though this development is an extension of East of Main the architecture should be different than Phase I. Phase I has heavy siding, large porches and pitched roofs. This development should aim for a different roof style with heavy cornice detailing and brick and/or stone facades.

Variances to reduce stream buffers, increase building height and to allow an alley within residential lots can be supported. The proposed building height is the same as the height variance approved for Phase 1 of East of Main. The property owner could pipe the stream, which would result in the loss of a natural feature and removal of several good quality trees on the site. It appears that all lots would meet the maximum impervious area even with the alley contained within the lots. If approved, staff recommends conditions to require certain tree saves, larger lots fronting Cumming Street and a linear greenspace along Cumming Street.

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 no comments were received.

IV. ATTACHMENTS:

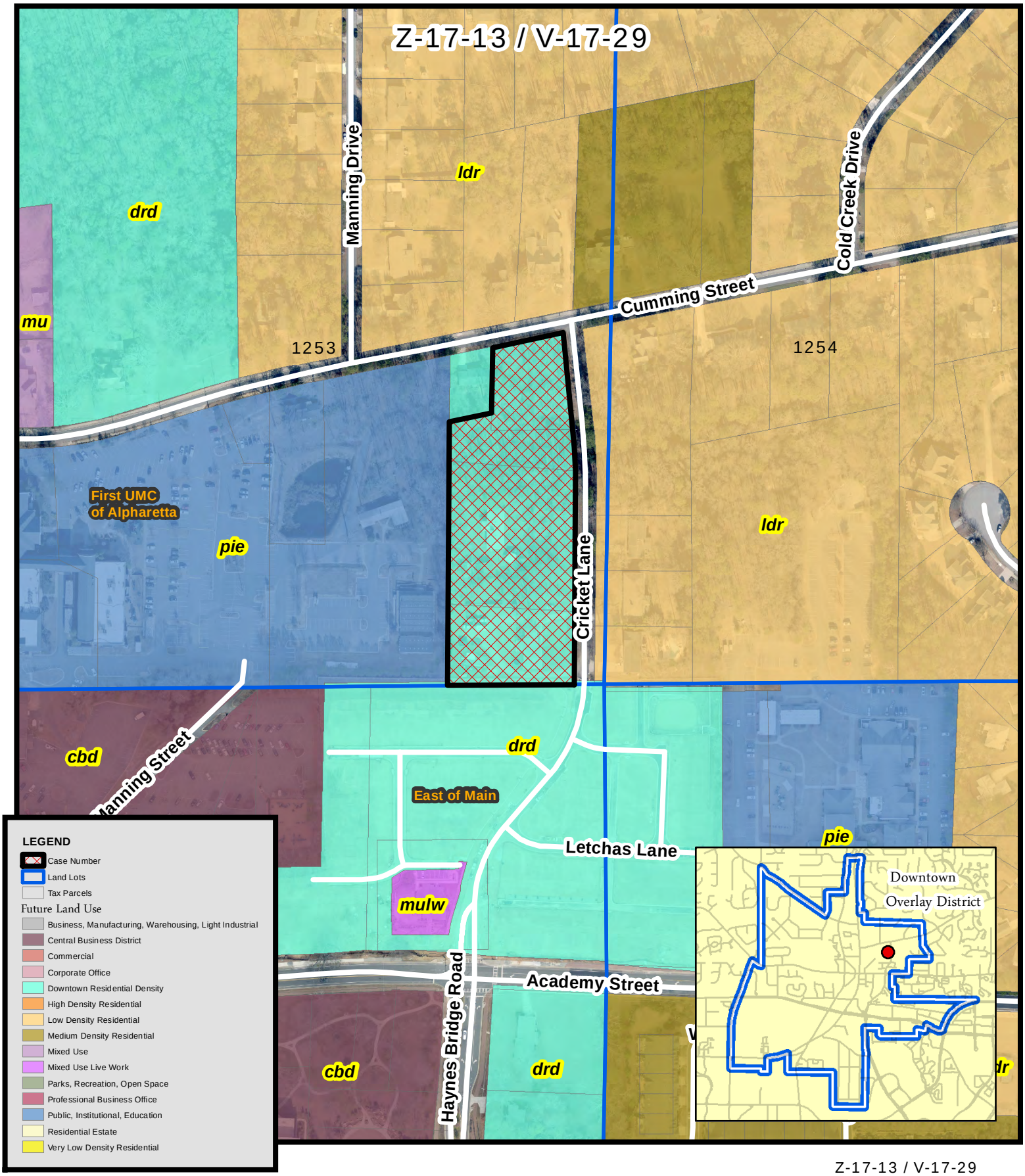
- Site Plan

Approve Z-17-13/V-17-29 East of Main Phase II/DT-R, subject to the following conditions:

APPLICANT VERSION

1. The site, consisting of approximately 3.44 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by Travis Pruitt & Associates, Inc., dated 10/10/2017, 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. There shall be no more than 3 single-family detached lots fronting Cumming Street (Lots 18-20) and those lots shall have a minimum lot width of 40′ and minimum lot size of 4,500 square feet. Lots 18-20 shall have a 30′ heavily landscaped front setback along Cumming Street. NEEDS FURTHER STUDY
3. The maximum permitted building height shall be no more than 40′ along Cricket Lane and max ~~2~~ 3 stories and 35′ fronting Cumming Street.
4. Minimum building setbacks shall be:
    a. Front – Cricket Ln – 10′, Cumming St – 30′ FROM CURRENT RIGHT OF WAY, Lot – 10′
    b. Side – Perimeter – 10′, Lot – 0′ (~~10′~~ 5′ between structures)
    c. Rear – Perimeter – 10′, Lot – 10′ (as measured from edge of alley)
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and Downtown Architect/Staff comments, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. All homes shall have ~~4 sided~~ 3 SIDED architecture with brick or stone. ~~Majority of units facing Cricket Ln and Cumming St shall have front porches with a minimum 6′ deep and a minimum 50% of the façade length~~. Stoops shall have a minimum depth of 6′. Bay windows shall have a minimum depth of 2′.
6. Homes along Cumming Street shall include courtyards with low stacked stone walls between sidewalk and home. CAN BE CONSOLIDATED WITH #10
7. Amenity space along Cricket Lane shall be developed with a park-like setting with decorative landscape and 1 sculpture approved by Staff. The landscape shall include plant selections promoting the historic district.
8. Street trees shall be required along Cumming Street and Cricket Lane within the beauty strip EXCEPT WHERE PARALLEL PARKING IS TO BE INSTALLED, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
9. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. A 6′ sidewalk shall be required on Cricket Lane and an 8′ sidewalk shall be required on Cumming Street. Minimum 3 on-street parallel parking spaces shall be required along Cricket Lane for the site to meet the required guest parking.
10. The corner of Cumming Street and Cricket Lane shall include a decorative knee wall and shall be heavily landscaped with ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
11. 5′ area between the alley and the west and south property lines shall be planted with evergreen trees to provide a screen, as approved by Staff.
12. Developer shall remove exotic and invasive trees and shrubs within stream buffers and tree save areas and replant where sparse as approved by Staff, SUBJECT TO ORDINANCES AND LAWS WHICH RESTRICT ACTIVITY IN STREAM BUFFERS.

13. ~~Provide heavy landscape screening and decorative brick walls where alleys are exposed to streets.~~ Sides of homes shall be screened with a minimum 10′ landscape strip adjacent to public roadways.
14. Decorative paver aprons shall be required at the project driveways, as approved by Staff.
15. Development shall not be gated and roads will be private and maintained by the HOA.
16. Driveways shall be a minimum 18′ from garage to alley.
17. Internal sidewalks shall be provided, including a connection to the fronts of units and shall be a minimum 5′ and pedestrian-scale lighting provided throughout the development.
18. Fencing visible from the street shall be decorative as approved by Staff.
19. Existing trees shall be preserved as depicted on the site plan prepared by Travis Pruitt & Associates, Inc., dated 10/10/2017. In addition, the developer shall save tree #~~262~~, 265, ~~266~~, ~~269~~, ~~275~~, 278, 280 – 283 and 287. Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff.
20. 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, EXCEPT FOR TREE 268 WHICH MAY ENCROACH UP TO 30%.
21. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
22. Overhead utilities ON THE WEST SIDE OF CRICKET LANE shall be placed underground OR RELOCATED ON THE EAST SIDE OF CRICKET LANE, SUBJECT TO UTILITY PROVIDER APPROVAL. APPLICANT CANNOT BURY UTILITIES ON THE EAST SIDE OF CRICKET LANE WHERE OWNER OCCUPIED HOMES PRESENTLY EXIST.

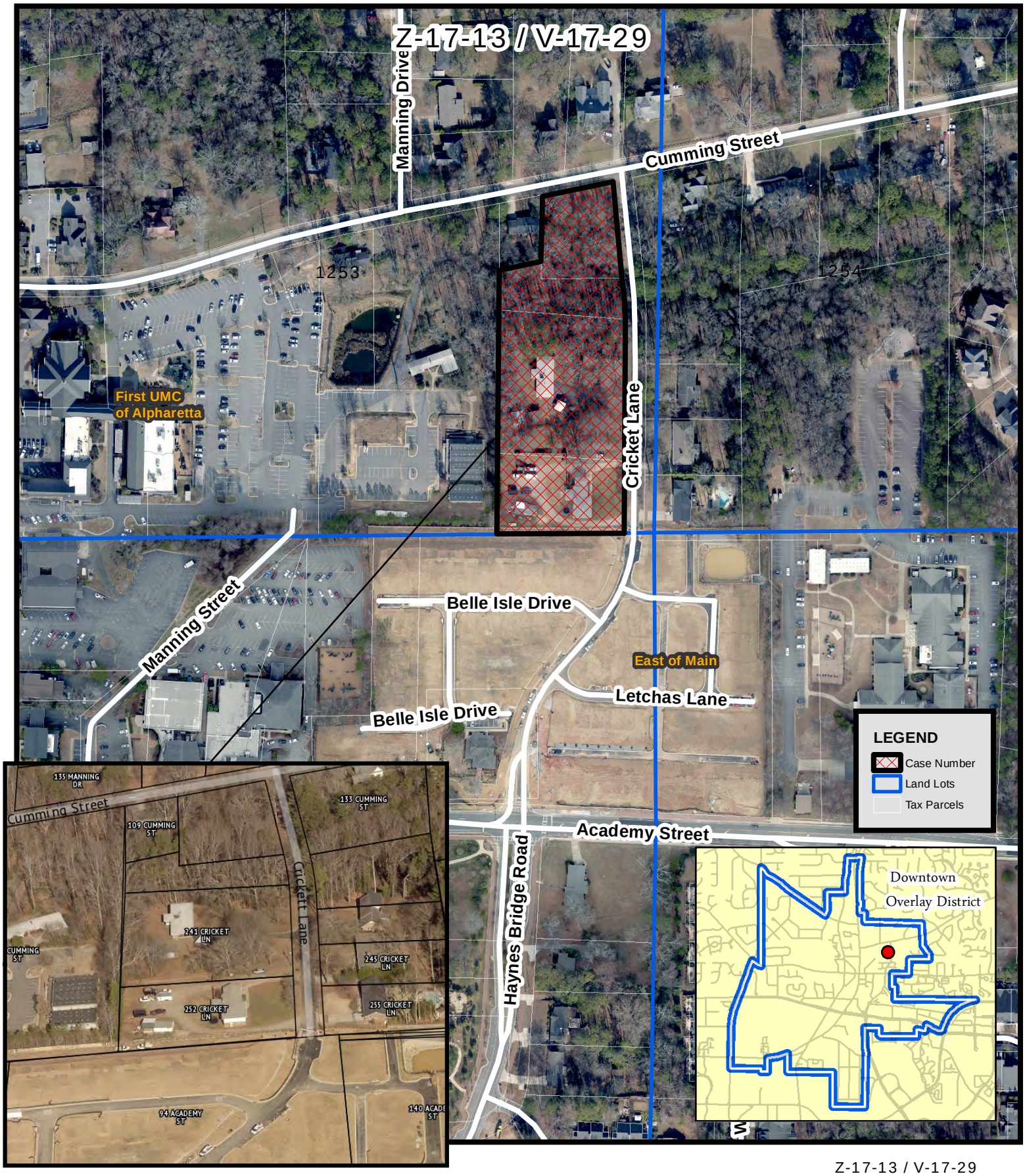


Z-17-13 / V-17-29
D/LL: 2/2/1253
PC Date: 12/07/17
CC Date: 12/18/17

Future Land Use
East of Main Phase II / DT-R

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS

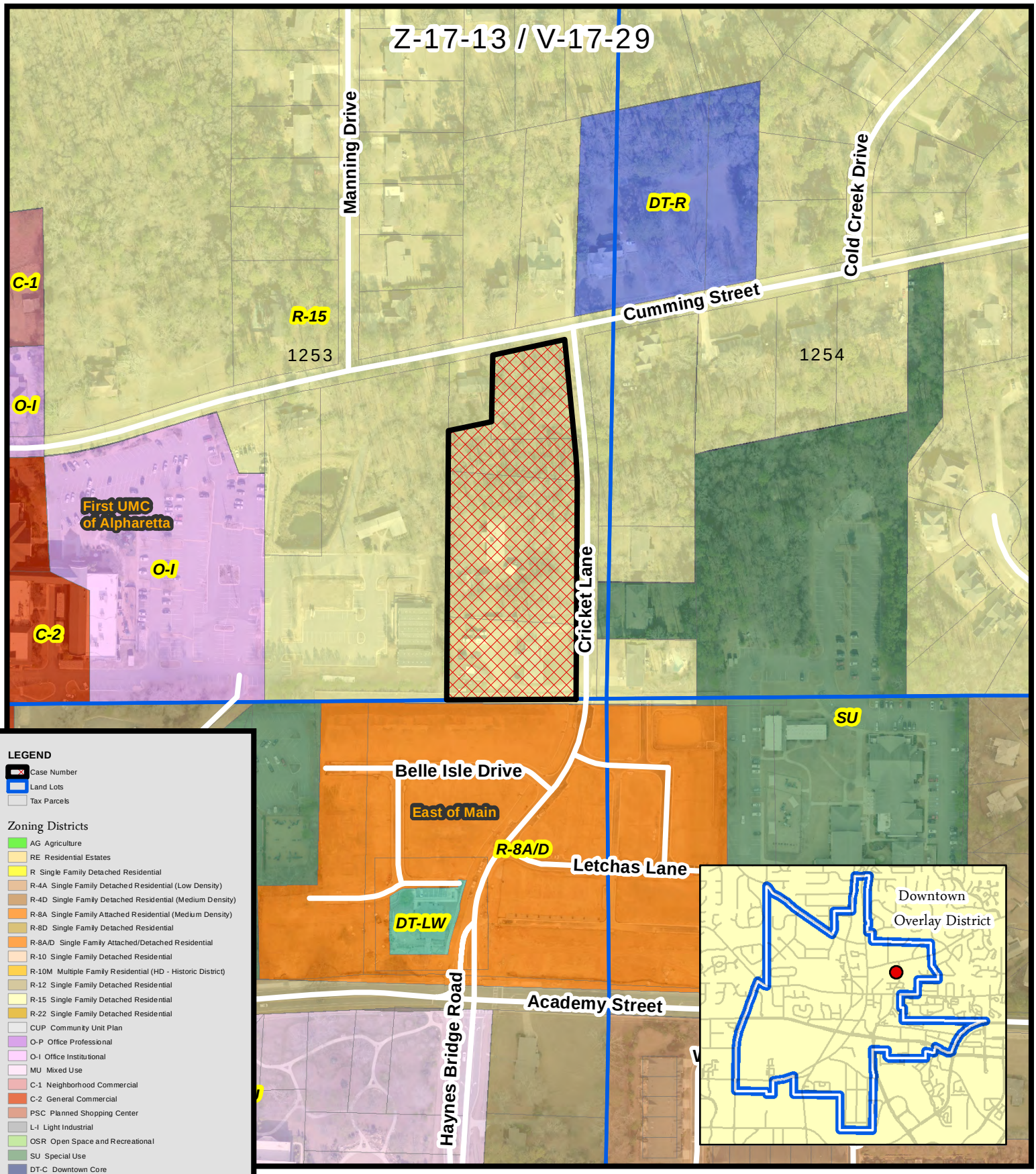


Z-17-13 / V-17-29
D/LL: 2/2/1253
PC Date: 12/07/17
CC Date: 12/18/17

Aerial Map
East of Main Phase II / DT-R

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS



Future Land Use
East of Main Phase II / DT-R

Z-17-13 / V-17-29
D/LL: 2/2/1253
PC Date: 12/07/17
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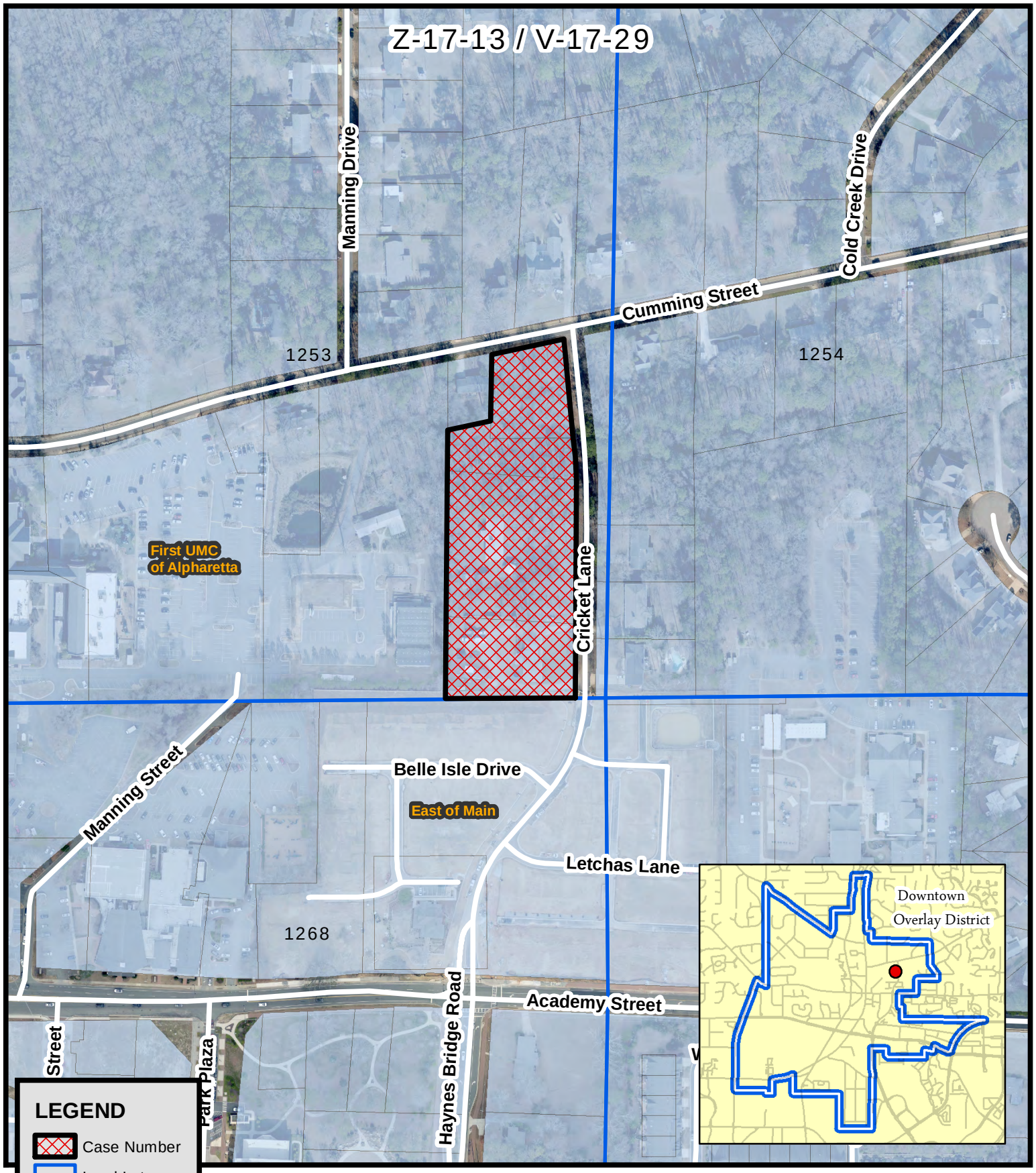
THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS



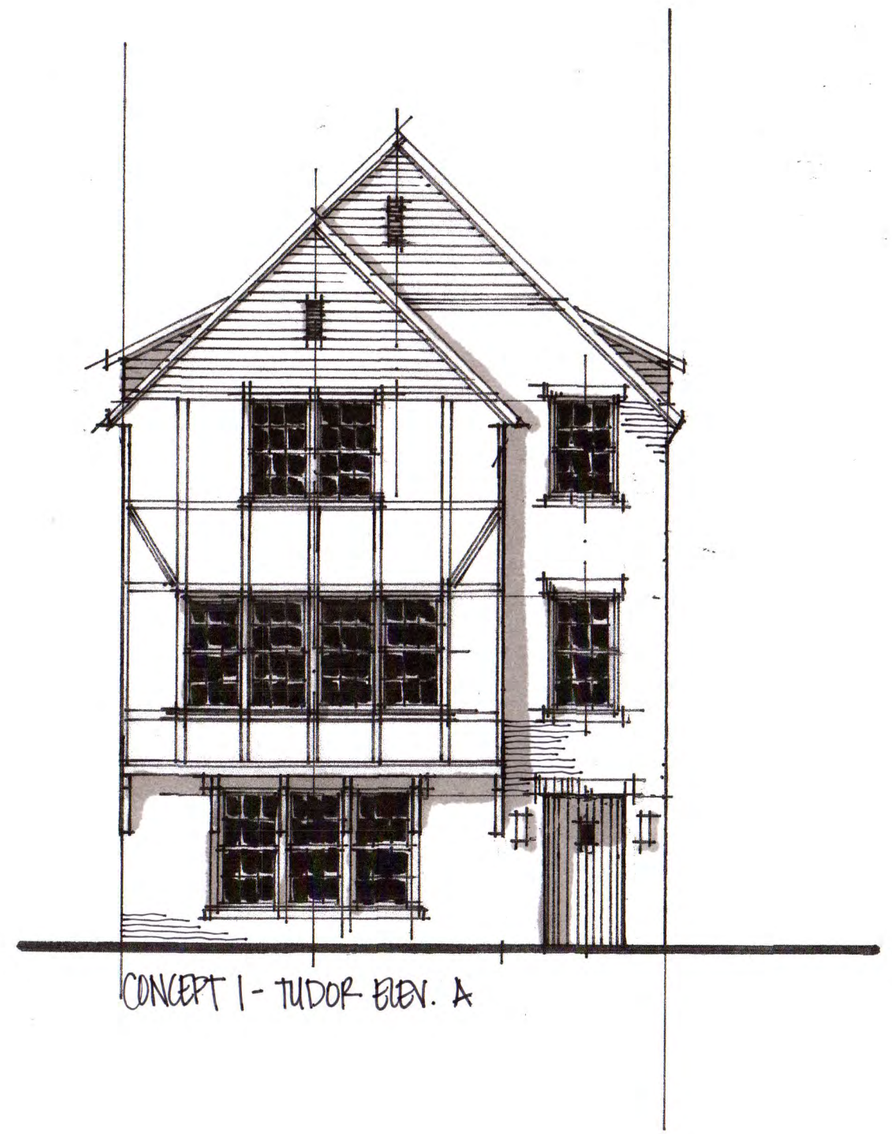
Location Map
East of Main Phase II / DT-R

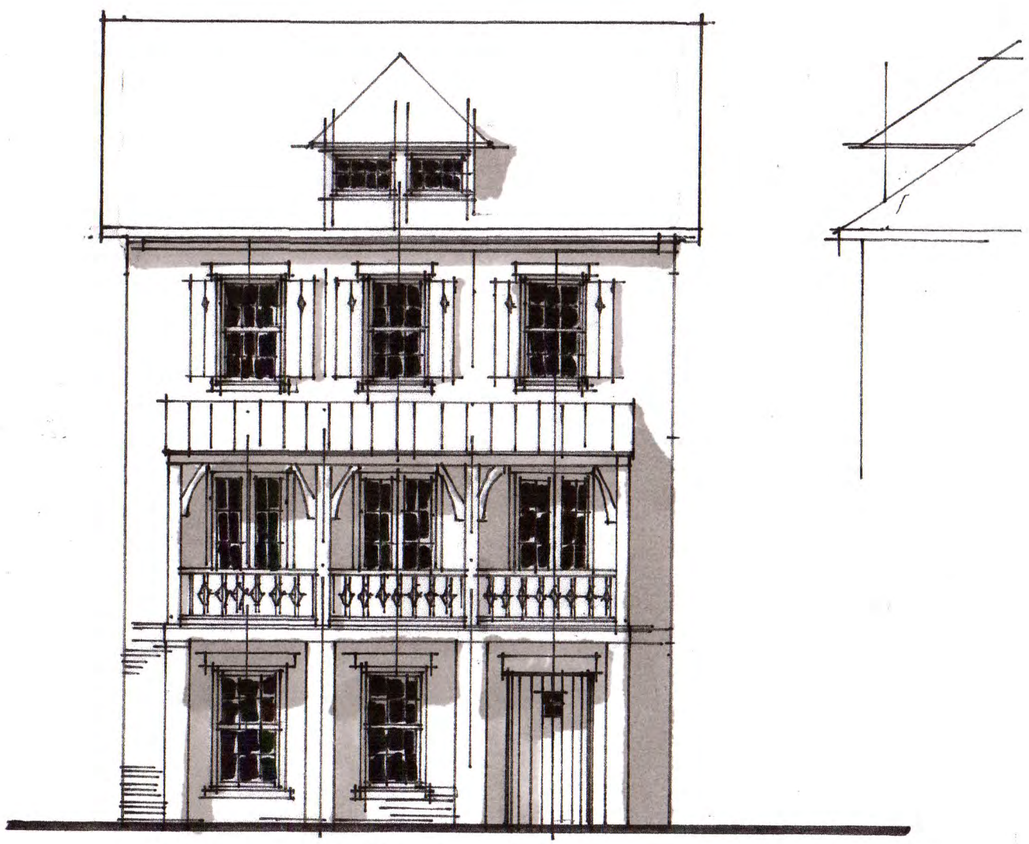
Z-17-13 / V-17-29
D/LL: 2/2/1253
PC Date: 12/07/17
CC Date: 12/18/17

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS

East of Main Proposed Streetscape

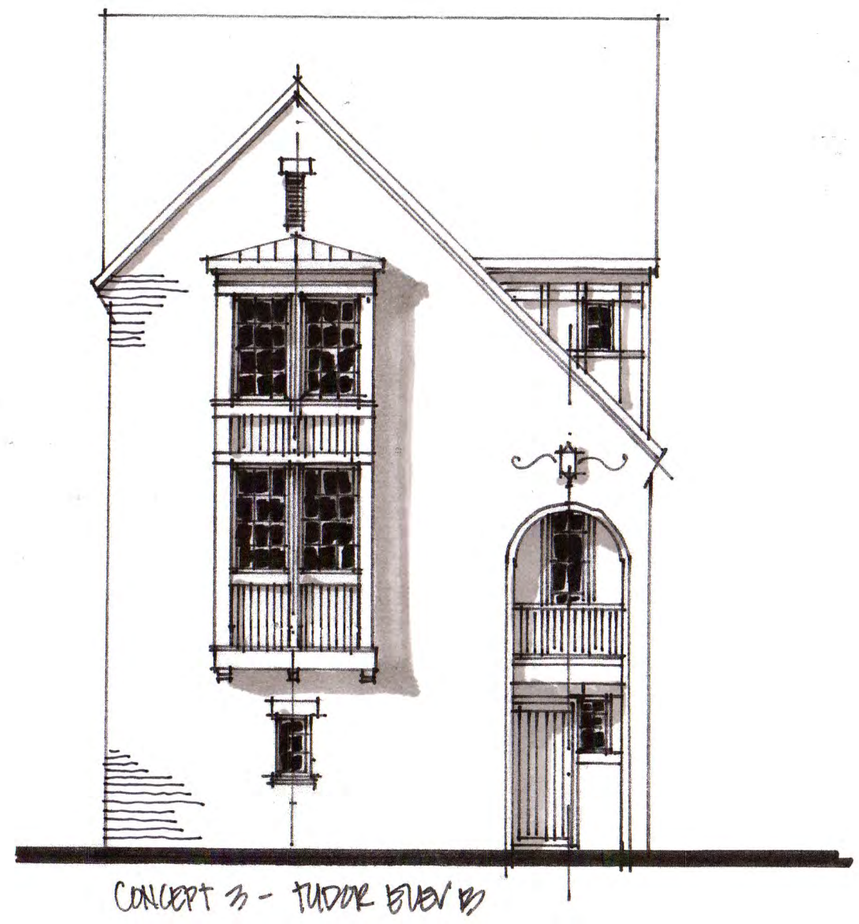

CONCEPT 1 - TUDOR ELEV. A



CONCEPT 1 - TUDOR ELEV B.

CONCEPT 2 - TUDOR BLDG.

CONCEPT 3 - TUDOR BLEV. A


CONCEPT 3 - TUDOR ELEV'D

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: Cricket Lane and Cumming Street

Contact Name: Warren Jolly

Telephone: 770-527-4544

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.

None

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: Warren S Jolly Pm

Date: 09/20/2017

Print Form

Cricket Lane - 500-Foot Mailing List		
Name	**Address**	**City, State, Zip**
City of Alpharetta	2 Park Plaza	Alpharetta, GA 30009
William M. Walden	11935 Haynes Bridge Road	Alpharetta, GA 30009
Betty R. Stephens	11945 Haynes Bridge Road	Alpharetta, GA 30009
Jeff W. Adams	80 Denna Place	Alpharetta, GA 30004
Peggy Turner Enslow	708 E. Gadsden Street	Pensacola, FL 32501
Academy Park Neighborhood Assn., Inc.	PO Box 87363	Atlanta, GA 30337
Linda B. Joyner	12533 Wexcroft Lane	Alpharetta, GA 30009
Alexander & Roberta Williamson	12535 Wexcroft Lane	Alpharetta, GA 30009
Michael & Gloria Marie McGough	12537 Wexcroft Lane	Alpharetta, GA 30009
Thomas & Judy Egan	5412 Buena Vista Drive	Frisco, TX 75034
Wade & Susan Cauthen	12543 Wexcroft Lane	Alpharetta, GA 30009
Kristy Rush	12545 Wexcroft Lane	Alpharetta, GA 30009
David & Sherry Anglin	12547 Wexcroft Lane	Alpharetta, GA 30009
Jerry Harper Sutton & Michelle Brizendine	12549 Wexcroft Lane	Alpharetta, GA 30009
Michael & Kellie March	2463 Claystone Lane	Alpharetta, GA 30009
Robert & Kimberly Marsh	2461 Claystone Lane	Alpharetta, GA 30009
Steven & Bonnie Stolle	2459 Claystone Lane	Alpharetta, GA 30009
Daniel & Liselotte Mitnick	2455 Claystone Lane	Alpharetta, GA 30009
Freddy & Charlotte Kelly	2457 Claystone Lane	Alpharetta, GA 30009
Gregory & Ellen O'Neill	12568 Wexcroft Lane	Alpharetta, GA 30009
James R. Taylor, IV	12566 Wexcroft Lane	Alpharetta, GA 30009
Rober Bartels	12564 Wexcroft Lane	Alpharetta, GA 30009
Salvatore & Diana Pella	12562 Wexcroft Lane	Alpharetta, GA 30009
Robert & Kjackilee Taylor	12560 Wexcroft Lane	Alpharetta, GA 30009
Alpharetta Presbyterian Church	180 Academy Street	Alpharetta, GA 30009
Joseph R. Niolon & James Manning	254 Moss Side Drive	Athens, GA 30607
First Batptist Chruch of Alpharetta, Inc.	44 Academy Street	Alpharetta, GA 30009
Alpharetta Christian Academy	44 Academy Street	Alpharetta, GA 30009
Alpharetta First United Methodist Church, Inc.	69 N. Main Street	Alpharetta, GA 30009
Thoas Lecain & William J. Pixley	255 Cricket Lane	Alpharetta, GA 30009
Janet T. Vaughan	262 Cricket Lane	Alpharetta, GA 30009
Phillip R. Monzo	133 Cumming Street	Alpharetta, GA 30004
Atlanta Presbytery, Inc.	180 Academy Street	Alpharetta, GA 30004
Rossitza & Tim Rice	2640 Clairview Street	Alpharetta, GA 30009
Thomas & Beverly Bailey	2630 Clairview Street	Alpharetta, GA 30009
Robert W. Brower	2620 Clairview Street	Alpharetta, GA 30009
James & Nancy Berlo	251 Red Oak Lane	Alpharetta, GA 30009
Igor & Natalya Fainberg	250 Red Oak Lane	Alpharetta, GA 30009
Lindsay Caye	371 Oak Terrace	Alpharetta, GA 30009
Yvens J. Consuegra	380 Oak Terrace	Alpharetta, GA 30009
Drew & Mona Jacobs	10185 Autry mill Road	Alpharetta, GA 30009
Judy Machen	2441 Loxford Lane	Alpharetta, GA 30009
Robert & Martha McLaughlin	2439 loxford Lane	Alpharetta, GA 30009
James & Donna Lotshaw	2451 Claystone Lane	Alpharetta, GA 30009
Keith Van & Susan Duna Cummings	2453 Claystone Lane	Alpharetta, GA 30009
Robert & Diane Scaglione	12531 Wexcroft Lane	Alpharetta, GA 30009

ROLADER & ROLADER, P.C.
ATTORNEYS AND COUNSELORS AT LAW
1865 LOCKEWAY DRIVE, SUITE 601
ALPHARETTA, GEORGIA 30004
Telephone (770) 442-0330
Fax (770) 442-0641
www.roladerandrolader.com

DONALD A. ROLADER
don@roladerandrolader.com

D.W. "Pete" ROLADER
1924 - 2011

September 14, 2017

Mayor and City Council
City of Alpharetta, Georgia
2 Park Plaza
Alpharetta, Georgia 30009

RE: Application for Rezoning R-15 to DT-R and Variances by The Providence Group of Georgia, LLC for 3.442 acres located in Land Lot 1253, 2nd District, 2nd Section, City of Alpharetta, Fulton County, Georgia (Cricket Lane property)
Amended Letter of Intent

Dear Mayor and Councilpersons:

The Applicant is seeking approval of this Application for Rezoning and Variances on the property referenced above. Applicant has filed an Application with the City. This letter, together with the original Letter of Intent filed with the application, dated August 4, 2017, shall be construed as the Amended Letter of Intent for this Application. Specifically, Applicant amends the Application to request rezoning to category DT-R rather than R-8A, and to correctly state the acreage of the property as 7.48 acres.

Approving this Rezoning and Variance Application has no negative impact on the health, safety, morality or general welfare of the City of Alpharetta or its citizens. The intent of the project is to expand Applicant's existing East of Main project along Cricket Lane.

The granting of this Rezoning and Variance Application will have no negative impact on adjoining or nearby properties. This development will not unduly tax any City of Alpharetta services, including, but not limited to fire and police protection, water service and garbage collection. To deny this Application will be of no benefit to the citizens of Alpharetta, Georgia while causing a severe financial burden upon the property owners and Applicant.

This site is appropriate for the use requested. The project proposed herein is consistent with development in the surrounding area, and with the purpose and intent of the Downtown Development Plan.

Applicant has attached a Constitutional Challenge to this Amended Letter of Intent which is incorporated herein by reference herein and made a part hereof.

The Applicant respectfully requests that the Alpharetta City Council grant this Rezoning and Variance Application as requested.

Very truly yours,

Rolader & Rolader, P.C.

Donald A. Rolader
For the Firm

cc: Warren Jolly

CONSTITUTIONAL OBJECTIONS

Georgia Law and the procedures of the City of Alpharetta require us to raise Federal and State Constitutional objections during the rezoning application process. While the Owner anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the owner will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

A denial of the Application would be unconstitutional in that it would destroy the Owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Alpharetta, or the Unified Development Code of the City of Alpharetta, to the Subject Property that prohibits the Owner from developing the Subject Property as proposed is unconstitutional, illegal, null and void because such an application constitutes a taking of the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and a violation of the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would also constitute an arbitrary and capricious act by the City of Alpharetta without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Alpharetta to grant the Application would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable

manner between the Owner and Owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Application that subjects the Subject Property to conditions that are different from the conditions requested by the Owner, to the extent such different conditions would have the effect of further restricting the Owner's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional category and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

In addition, this constitutes formal written notice to City of Alpharetta, pursuant to O.C.G.A. § 36-33-5, that the Owner plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Subject Property by the City of Alpharetta. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Subject Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner respectfully requests that the City of Alpharetta grant the Application as requested.

ROLADER & ROLADER, P.C.

By: Donald A. Rolader

Donald A. Rolader
Attorney for Owner

1865 Lockeway Drive
Suite 601
Alpharetta, GA 30004
770-442-0330

Z-17-13/V-17-29

8/15/17 EAST MAIN II/ PROVIDENCE GROUP

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

☐ 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: Warren Jolly Telephone: 770-527-4544

Address: 11340 Lakefield Drive Suite: 250

City Johns Creek State: GA Zip: 30097 Fax: 678-475-1801

Mobile Tel: 770-527-4544 Email: wjolly@theprovidencegroup.com

Subject Property Information:

Address: 241, 252 Cricket Lane and 0 Cumming Street Current Zoning: R-15

District: 2 Section: 2 Land Lot: 1253 Parcel ID: 22 49811253043, 22 498112530639,
22 498112530589, 22 498112530506

Proposed Zoning: R-8A Current Use: Residential/Vacant

This Application For *(Check All That Apply)*:

- ☐ Conditional Use
- ☒ Rezoning
- ☒ Variance
- ☐ Comprehensive Plan Amendment
- ☐ Master Plan Amendment
- ☐ Master Plan Review
- ☐ Public Hearing
- ☐ Other *(Specify)*: _____

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

The proposed use of the property residential

Applicant's Request (Please itemize the proposal):

To rezone the parcels located at 0 Cumming Street, 241 Cricket Lane, and 252 Cricket Lane to DT-R with a variance on the building height to allow for up to 40 feet.

Applicant's Intent *(Please describe what the proposal would facilitate)*:

Applicant wishes to rezone the parcels located at 0 Cumming Street, 241 Cricket Lane, and 252 Cricket Lane to DT-R so that they may construct a 27 unit residential development consisting of 22 townhomes and 5 detached single-family homes.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Lautrell Gardner Telephone:

Address: 241 Cricket Lane Suite:

City Alpharetta State: GA Zip: 30009 -

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- ☐ Annexation
- ☒ Rezoning
- ☒ Variance
- ☐ Land Use Application
- ☐ Special Use
- ☐ Conditional Use
- ☐ Master Plan
- ☐ Other

Identify Authorized Applicant:

Name of Authorized Applicant: Warren Jolly Telephone: 770-527-4544

Address: 11340 Lakefield Drive Suite: 250

City Johns Creek State: GA Zip: 30097 -

So Sworn and Attested:

Owner Signature: Lautrell Gardner Date: 8-12-17

Notary:

Notary Signature: Mary Dolores Garrett Date: 8-12-17

MARY DOLORES GARRETT
NOTARY PUBLIC
MY COMMISSION EXPIRES FEBRUARY 18, 2018
FULTON COUNTY, GEORGIA

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Stephen and Donna Thompson Telephone: 256-783-0776

Address: 8022 Tea Garden Road SE Suite:

City Huntsville State: AL Zip: 35802 -

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- ☐ Annexation
- ☒ Rezoning
- ☒ Variance
- ☐ Land Use Application
- ☐ Special Use
- ☐ Conditional Use
- ☐ Master Plan
- ☐ Other

Identify Authorized Applicant:

Name of Authorized Applicant: Warren Jolly Telephone: 770-527-4544

Address: 11340 Lakefield Drive Suite: 250

City Johns Creek State: GA Zip: 30097 -

So Sworn and Attested: 14 AUG. 2017

Owner Signature: Date: 14 Aug. 2017

Notary:

Notary Signature: Date: 8/14/2017

MIRANDA McCUTCHEON NOTARY PUBLIC ALABAMA STATE AT LARGE

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Peggy DeVore Telephone: 404-312-9579

Address: 252 Cricket Lane Suite:

City Alpharetta State: GA Zip: 30009

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- ☐ Annexation
- ☐ Special Use
- ☒ Rezoning
- ☐ Conditional Use
- ☒ Variance
- ☐ Master Plan
- ☐ Land Use Application
- ☐ Other

Identify Authorized Applicant:

Name of Authorized Applicant: Warren Jolly Telephone: 770-527-4544

Address: 11340 Lakefield Drive Suite: 250

City Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: Peggy DeVore Date: 8/10/17

Notary:

Notary Signature: Pamela Tysinger Date: 8-10-17

PAMELA TYSINGER

PAMELA TYSINGER NOTARY PUBLIC COBB COUNTY, GEORGIA MY Commission Expires 08-04-2020

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Warren Jolly

Subject Public Hearing Case: 241, 252 Cricket Lane and 0 Cumming Street

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of $250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: Dan Merkel Position: City Council Member

Description of Contribution: campaign contribution Value: $ 500.00

Description of Contribution: Value:

Description of Contribution: Value:

Description of Contribution: Value:

Description of Contribution: Value:

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: Warren S. Jolly, President Date: 8/14/2017

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

This proposal is compatible with the surround properties by the adjacent properties being zoned R-8A to the south and R-15 to the north, east, and west. This will be become an extension of the adjacent residential development currently zoned R-8A and being developed by the applicant.

How will this proposal affect the use and value of the surrounding properties?

This proposal will affect the use and value of the surrounding properties by increasing the price per square foot.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

No, the property cannot be developed for a reasonable economic use.

What would be the increase to population and traffic if the proposal were approved?

The increase to population and traffic would be that of the buyers who reside in the 27 homes.

What would be the impact to schools and utilities if the proposal were approved?

The impact to schools and utilities would be minor.

How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

The property is within the "Downtown Overlay" area and the proposed zoning's density is consistent with the Future Land Use Plan.

Are there existing or changing conditions which affect the development of the property and support the proposed request?

The applicant owns and is currently developing the adjacent property. Applicant desires to continue improving the Downtown Alpharetta area.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

ROLADER & ROLADER, P.C.
ATTORNEYS AND COUNSELORS AT LAW
1865 LOCKEWAY DRIVE, SUITE 601
ALPHARETTA, GEORGIA 30004
Telephone (770) 442-0330
Fax (770) 442-0641
www.roladerandrolader.com

DONALD A. ROLADER
don@roladerandrolader.com

D.W. "Pete" ROLADER
1924 - 2011

November 9, 2017

VIA EMAIL

Mr. Michael A. Woodman, AICP
Senior Planner
City of Alpharetta
Community Development Dept.
2 Park Plaza
Alpharetta, GA 30009

RE: Providence Group of Georgia Cricket Lane Application

Dear Michael:

I have attached the variance request for a reduction in the stream buffer on this project from 150 feet to 75 feet. This is the matter that you, Kathi and Warren have discussed.

Please consider the filing to amend the pending application to request this variance. If anything further is required, please advise me.

Very truly yours,

ROLADER & ROLADER, P.C.

Donald A. Rolader

DAR/ls
Attachment

Cc: Kathi Cook
Warren Jolly

Board Of Zoning Appeals Review Criteria

REDUCE 150' STREAM BUFFER TO 75'

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

The property is bisected by a very small stream which is the outfall from the Alpharetta FUMC detention pond. The property is extremely narrow (280'+/-) and the stream and standard buffer split the developable property leaving 1/3 to the north and 2/3 to the south. The standard stream buffer would consume approximately 35% of the property, while protecting a very small stream for only 280'. Based on the size and shape of the property, the buffer is excessive. a 75' buffer would provide adequate stream protection.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Requiring a 150' stream buffer takes approximately 35% of the property with no corresponding benefit to the City. That is an extreme hardship as it renders that portion of the property unusable.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

The property is immediately downstream of the outflow stream from a church detention pond, and immediately upstream from a headwall for existing flow. The property is small (3.4 acres) and the buffer area at 150' takes about 1/3 of the property. The stream is not of the type, size or quality to gain benefit from more than a 75' buffer, which is sufficient to protect the stream. These conditions are peculiar to the property.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

Permitting a reduced buffer of 75' would cause no detriment to the public good, nor would it impair the purpose and intent of the zoning code. It would allow the property owners reasonable use of their property.

Allowing applicant to pipe the stream would eliminate the need for this variance.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

BOARD OF ZONING APPEALS REVIEW CRITERIA

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

No.

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

Yes, the 35 foot height restrictions diminishes the architectural value of the product for the applicant. Applicant desires to extend their current residential development located to the south and maintain similar architecture and continuity.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

No.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

Approving the reqeusted variance will not cause any detriment to the public good, nor will it impair the purpose and intent of the Zoning Code. The request will benefit the City of Alpharetta by improving the area.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

8/15/17

EAST MAIN II/ PROVIDENCE GROUP

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: Cricket Lane

Contact Name: Warren Jolly

Telephone: 770-527-4544

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

See attached 500-Foot Mailing List

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- [x] Letter
- [ ] Personal Visits
- [ ] Telephone
- [ ] Group Meeting
- [ ] Email
- [ ] Other *(Please Specify)*

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

These individuals will have the opportunity to respond via regular mail or telephone call to the applicant.

Cricket Lane - 500-Foot Mailing List		
Name	**Address**	**City, State, Zip**
City of Alpharetta	2 Park Plaza	Alpharetta, GA 30009
William M. Walden	11935 Haynes Bridge Road	Alpharetta, GA 30009
Betty R. Stephens	11945 Haynes Bridge Road	Alpharetta, GA 30009
Jeff W. Adams	80 Denna Place	Alpharetta, GA 30004
Peggy Turner Enslow	708 E. Gadsden Street	Pensacola, FL 32501
Academy Park Neighborhood Assn., Inc.	PO Box 87363	Atlanta, GA 30337
Linda B. Joyner	12533 Wexcroft Lane	Alpharetta, GA 30009
Alexander & Roberta Williamson	12535 Wexcroft Lane	Alpharetta, GA 30009
Michael & Gloria Marie McGough	12537 Wexcroft Lane	Alpharetta, GA 30009
Thomas & Judy Egan	5412 Buena Vista Drive	Frisco, TX 75034
Wade & Susan Cauthen	12543 Wexcroft Lane	Alpharetta, GA 30009
Kristy Rush	12545 Wexcroft Lane	Alpharetta, GA 30009
David & Sherry Anglin	12547 Wexcroft Lane	Alpharetta, GA 30009
Jerry Harper Sutton & Michelle Brizendine	12549 Wexcroft Lane	Alpharetta, GA 30009
Michael & Kellie March	2463 Claystone Lane	Alpharetta, GA 30009
Robert & Kimberly Marsh	2461 Claystone Lane	Alpharetta, GA 30009
Steven & Bonnie Stolle	2459 Claystone Lane	Alpharetta, GA 30009
Daniel & Liselotte Mitnick	2455 Claystone Lane	Alpharetta, GA 30009
Freddy & Charlotte Kelly	2457 Claystone Lane	Alpharetta, GA 30009
Gregory & Ellen O'Neill	12568 Wexcroft Lane	Alpharetta, GA 30009
James R. Taylor, IV	12566 Wexcroft Lane	Alpharetta, GA 30009
Rober Bartels	12564 Wexcroft Lane	Alpharetta, GA 30009
Salvatore & Diana Pella	12562 Wexcroft Lane	Alpharetta, GA 30009
Robert & Kjackilee Taylor	12560 Wexcroft Lane	Alpharetta, GA 30009
Alpharetta Presbyterian Church	180 Academy Street	Alpharetta, GA 30009
Joseph R. Niolon & James Manning	254 Moss Side Drive	Athens, GA 30607
First Batptist Chruch of Alpharetta, Inc.	44 Academy Street	Alpharetta, GA 30009
Alpharetta Christian Academy	44 Academy Street	Alpharetta, GA 30009
Alpharetta First United Methodist Church, Inc.	69 N. Main Street	Alpharetta, GA 30009
Thoas Lecain & William J. Pixley	255 Cricket Lane	Alpharetta, GA 30009
Janet T. Vaughan	262 Cricket Lane	Alpharetta, GA 30009
Phillip R. Monzo	133 Cumming Street	Alpharetta, GA 30004
Atlanta Presbytery, Inc.	180 Academy Street	Alpharetta, GA 30004
Rossitza & Tim Rice	2640 Clairview Street	Alpharetta, GA 30009
Thomas & Beverly Bailey	2630 Clairview Street	Alpharetta, GA 30009
Robert W. Brower	2620 Clairview Street	Alpharetta, GA 30009
James & Nancy Berlo	251 Red Oak Lane	Alpharetta, GA 30009
Igor & Natalya Fainberg	250 Red Oak Lane	Alpharetta, GA 30009
Lindsay Caye	371 Oak Terrace	Alpharetta, GA 30009
Yvens J. Consuegra	380 Oak Terrace	Alpharetta, GA 30009
Drew & Mona Jacobs	10185 Autry mill Road	Alpharetta, GA 30009
Judy Machen	2441 Loxford Lane	Alpharetta, GA 30009
Robert & Martha McLaughlin	2439 loxford Lane	Alpharetta, GA 30009
James & Donna Lotshaw	2451 Claystone Lane	Alpharetta, GA 30009
Keith Van & Susan Duna Cummings	2453 Claystone Lane	Alpharetta, GA 30009
Robert & Diane Scaglione	12531 Wexcroft Lane	Alpharetta, GA 30009

Cricket Lane and Cumming Street

LEGAL DESCRIPTION
Overall

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

BEGINNING at a 1/2" rebar set at the intersection of the southerly R/W line of Cumming Street (40' R/W) with the westerly R/W line of Cricket Lane (40' R/W), THENCE running along said R/W line of Cricket Lane the following courses and distances: South 08 degrees 22 minutes 06 seconds East a distance of 195.00 feet to a ½" rebar found; THENCE South 00 degrees 24 minutes 18 seconds West a distance of 59.11 feet to an iron pin set; THENCE South 00 degrees 24 minutes 18 seconds West a distance of 283.46 feet to a ½" rebar found; THENCE South 00 degrees 27 minutes 02 seconds West a distance of 149.87 feet to a 1" crimp top pipe found on the southerly line of Land Lot 1253 (said Land Lot Line being the common line between land Lots 1253 and 1268); THENCE running along said Land Lot Line South 89 degrees 59 minutes 50 seconds West a distance of 244.86 feet to a 1.5" open top pipe found; THENCE leaving said Land Lot Line North 00 degrees 11 minutes 18 seconds EAST a distance of 73.64 feet to an iron pin set; THENCE North 77 degrees 12 minutes 50 seconds East a distance of 85.20 feet to a 1/2" rebar found; THENCE North 00 degrees 15 minutes 31 seconds East a distance of 132.77 feet to a ½" rebar found on the southerly RW line of Cumming Street; THENCE running along said R/W line of Cumming Street North 78 degrees 29 minutes 02 seconds East a distance of 137.5 feet to the TRUE POINT OF BEGINNING.

Said tract contains 149,961 square feet or 3.442 acres.

thePROVIDENCE group

11340 LAKEFIELD DRIVE - JOHNS CREEK, GA 30097

August 4, 2017

Mayor and City Council
City of Alpharetta, Georgia
2 Park Plaza
Alpharetta, GA 30009

RE: Application of The Providence Group of Georgia, L.L.C. for Rezoning from R-15 to DT-R and Variance of 4.29 acres located on Cricket Lane and Cumming Street, City of Alpharetta, Fulton County, Georgia; Letter of Intent

Mayor and Councilpersons:

Please accept this Letter of Intent from The Providence Group of Georgia, L.L.C. in our effort to gain approval of the Rezoning from R-15 to DT-R and a Variance.

The subject property contains approximately 4.29 acres and is located on Cricket Lane and Cumming Street in the City of Alpharetta. It will be the continuation of our East of Main residential development project located at Academy Street and Hayne Bridge Road.

We propose to rezone the property DT-R to be able to construct a 27-unit residential development consisting of 22 townhomes and 5 detached single-family homes. We also seek a a variance on the zoning building height to be able to construct up to 40 feet in building height.

The DT-R rezoning will remain consistent with Phase I of East of Main. This property will be considered Phase II of the East of Main development. East of Main Phase I currently contains townhomes and single-family homes. We plan for Phase II to be compatible in the product type, their architecture, and their price per square foot.

The granting of this Zoning Application and Variance will have no negative impact on adjoining or nearby properties, but will provide a compatible, attractive use. This development will not unduly tax any City of Alpharetta services, including, but not limited to, fire and police protection, water services and garbage collection. Presently sewer is available through Fulton County.

We have an outstanding track record for quality development in North Fulton and in the City of Alpharetta. We respectfully request that the Mayor and City Council approve this Application for Rezoning and the Variance requested to allow the use of the property as indicated on the site plan.

Best regards,

Warren S. Jolly
President

Onebark LLC
PO BOX 870784
Stone Mountain GA 30087
p: 678-634-8878 www.onebark.com

Tree Study Report

Cricket Lane parcels Alpharetta GA 30004

Date of Inspection 5/17/2017

Inspector
Jesse Milton
ISA #SO-1170B
Email: jesse@onebark.com

Developer
William Harper
wharper@theprovidencegroup.com

INTRODUCTION
This inspection was made to verify trees that meet Specimen Tree criteria and/or meet the criteria for an Arborist Report as outlined in the City of Alpharetta checklist..

METHODOLOGY
The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees, including boundary trees within 30 feet outside of the parcel limits and potential 'Trees of Character.' Boundary trees can only be inspected from the subject parcel, unless written permission is given by the neighboring parcel owner. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

Any tree which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance and which also meets the minimum size criteria set forth below:

30-inch DBH or larger for trees in the *Pinus* genus
30-inch diameter or larger for trees in the Sweetgum or Tulip poplar genus
20-inch DBH or larger for trees in the *Cedrus*, *Thuja*, or other ecologically similar trees
20-inch diameter or larger for trees in the Beech, *Nyssa*, Persimmon, Sassafras, or other ecologically similar trees
20-inch diameter or larger for *Magnolia grandiflora* and those cultivars that generally reach a mature height over 40'
24-inch DBH or larger for trees in all other genera
10-inch DBH or larger for Sourwood
Understory Trees: 8-inch DBH diameter or larger

DEFINITIONS OF TREE HEALTH
GOOD - Few if any pathological problems exist; canopy is full, leaf density is above average, and live crown ratio is generally 50% or greater
FAIR - vigor is reasonable but a minor pathological problem may exist; leaf density is average; live crown ratio may be less than 50%. Most urban trees fall in this category.
POOR - vigor is waning, some dieback may be present, leaf density is below average; a significant pathological problem may be present; decay may exist within vital structures.
DECLINING - vigor is terminal, dieback is developing or is inevitable; tree has a limited life expectancy of less than 5 years.

Tree 262

Species	12″	Dogwood, flowering	*Cornus florida*
Status	**Not Specimen**		
Health/Vigor	Poor	Stress symptoms in canopy, leaves have low turgor.	
Structure	Bifurcated		

Other notes

Tree 263

Species	14″	Dogwood, flowering	*Cornus florida*
Status	**Specimen**		
Health/Vigor	Fair	Leaf density average, leaf size below average	
Structure	Single		

Other notes

Tree 264

Species	12″	Dogwood, flowering	*Cornus florida*
Status	**Specimen**		
Health/Vigor	Fair	Leaf density average, leaf size below average	
Structure	Bifurcated		

Other notes

Tree 265

Species	12″	Sourwood	*Oxydendron arborea*
Status	**Not Specimen**		
Health/Vigor	Declining		
Structure	Single	Failing; stress fracturing radially; hollow; cavity at base	

Other notes

Tree 266

Species	11″	Dogwood, flowering	*Cornus florida*
Status	**Not Specimen**		
Health/Vigor	Poor		
Structure	Asymmetric	Base of trunk is hollow, trunk hollow	

Other notes

Tree 267

Species	34″	Oak, water	*Quercus nigra*
Status	**Specimen**		
Health/Vigor	Fair	Soil conditions compacted; leaf density not optimal	
Structure	Single		

Other notes

Tree 268

Species	26″	Oak, Southern red	*Quercus falcata*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; canopy size average	
Structure	Single		

Other notes

Tree 269

Species	12″	Dogwood, flowering	*Cornus florida*
Status	**Not Specimen**		
Health/Vigor	Poor	Stress symptoms in canopy; leaves have low turgor, below average in size. Some dieback, dead stem at base	
Structure	Single		

Other notes

Tree 270

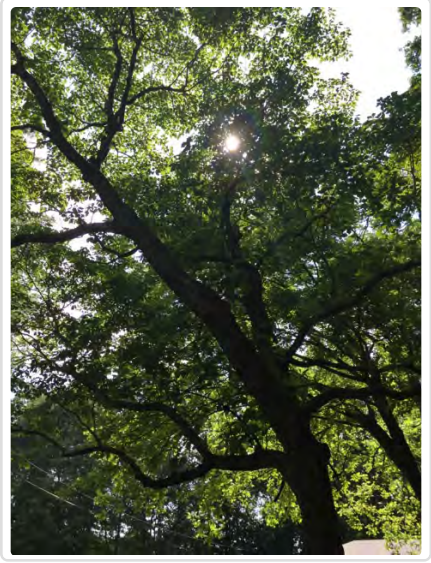
Species	10″	Sourwood	*Oxydendron arborea*
Status	**Not Specimen**		
Health/Vigor	Dead		
Structure	Single		

Other notes

Tree 271

Species	12″	Dogwood, flowering	*Cornus florida*
Status	**Not Specimen**		
Health/Vigor	Fair	Moderate stress symptoms in canopy, some deadwood	
Structure	Asymmetric		

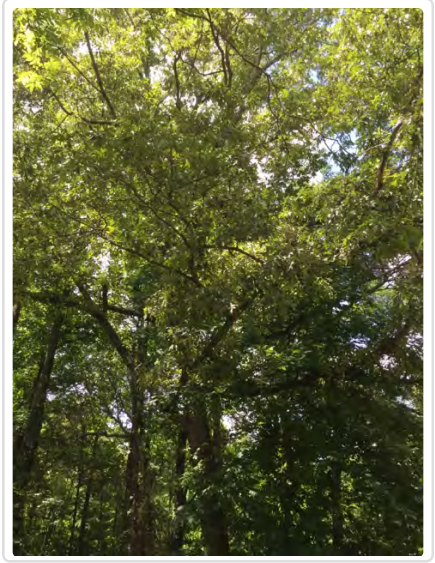
Other notes



Tree 272

Species	32″	Oak, Southern red	*Quercus falcata*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal	
Structure	Single		

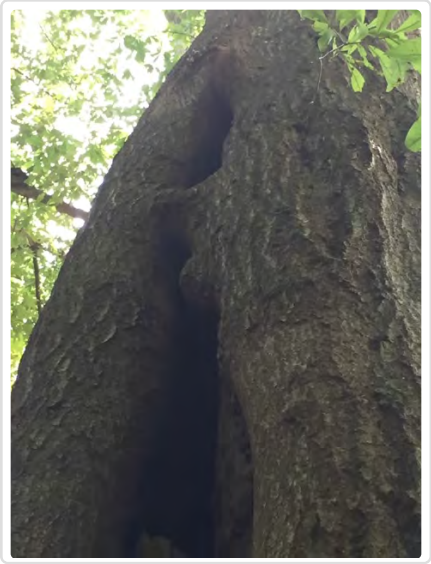
Other notes



Tree 273

Species	36″	Oak, water	*Quercus nigra*
Status	**Not Specimen**		
Health/Vigor	Fair	decay present; central trunk column	
Structure	Asymmetric	Significant hollow column and vertical open cavity on tension side of lean	

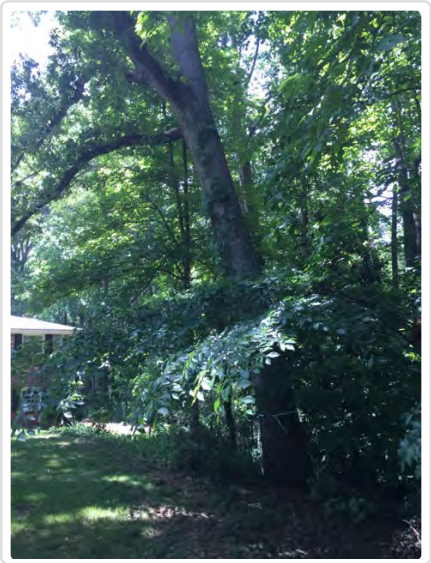
Other notes

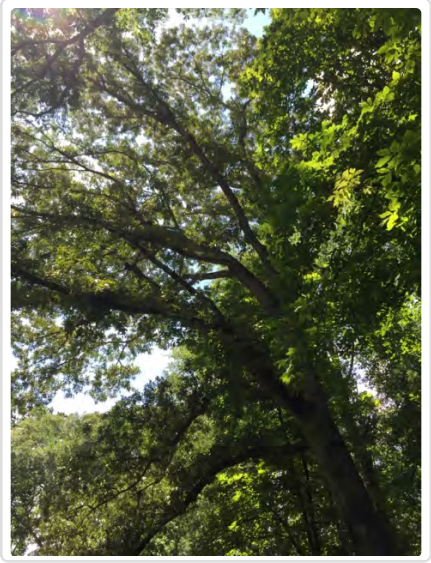


Tree 274

Species	31″	Oak, red	*Quercus spp.*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; canopy size average	
Structure	Asymmetric	Canopy form is off center, one sided; highly asymmetrical	

Other notes





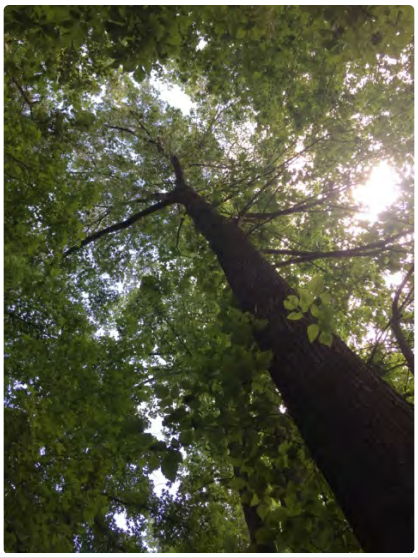
Tree 275

Species	26″	Oak, water	*Quercus nigra*
Status	**Not Specimen**		
Health/Vigor	Poor	Major decay defect in lower trunk	
Structure	Asymmetric		

Other notes

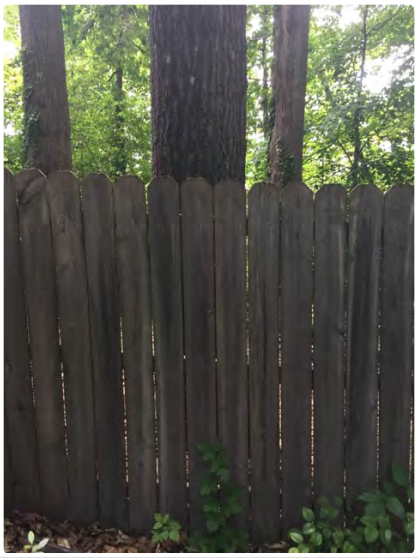
Tree 276

Species	24″	Oak, Southern red	*Quercus falcata*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; canopy size average	
Structure	Single	Slight lean to east	
Other notes			



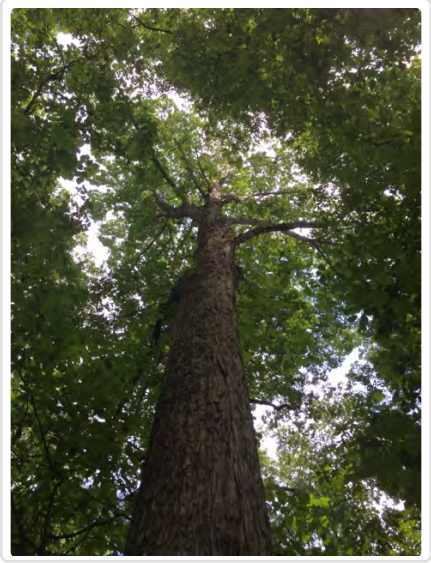
Tree A

Species	26″	Oak, Southern red	*Quercus falcata*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; average vigor	
Structure	Asymmetric		
Other notes	BOUNDARY TREE		



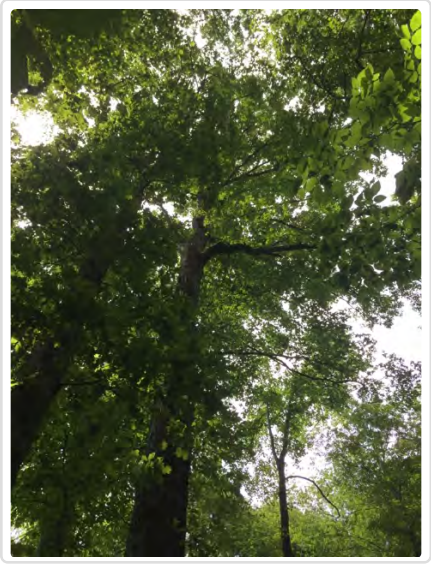
Tree 277

Species	34″	Oak, white	*Quercus alba*
Status	**Specimen**		
Health/Vigor	Good		
Structure	Single		
Other notes			



Tree B

Species	29″	Oak, white	*Quercus alba*
Status	**Specimen**		
Health/Vigor	Good		
Structure	Single		
Other notes	BOUNDARY TREE		



Tree 278

Species	30″	Oak, white	*Quercus alba*
Status	**Not Specimen**		
Health/Vigor	Poor	Multiple defects; radial cracks, hollow base and trunk; decay extends into bifurcated stem	
Structure	Bifurcated		

Other notes

Tree 279

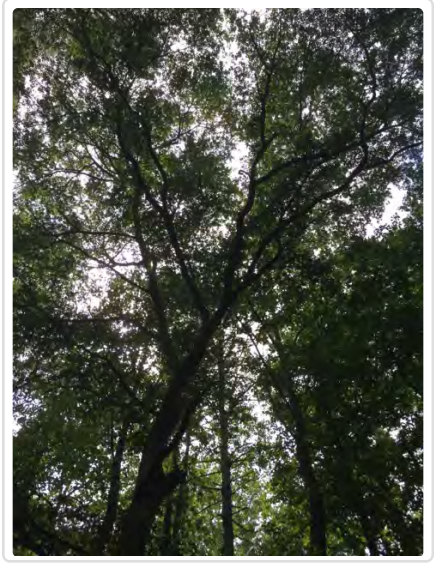
Species	35″	Beech, American	*Fugus grandifolia*
Status	**Specimen**		
Health/Vigor	Good		
Structure	Single		

Other notes

Tree 280

Species	26″	Oak, water	*Quercus nigra*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; canopy size below average	
Structure	Asymmetric		

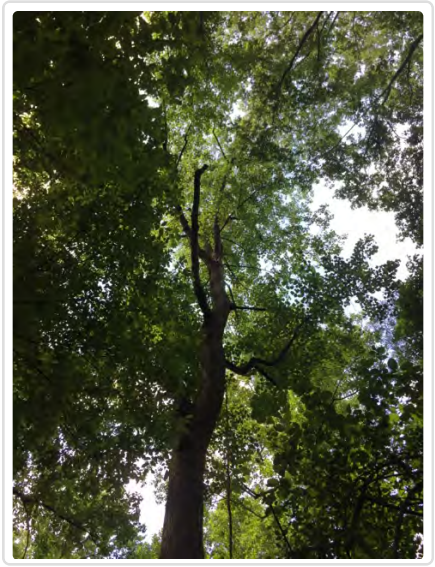
Other notes



Tree 281

Species	32″	Tuliptree	*Liriodendron tulipifera*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal; canopy size average	
Structure	Asymmetric	Significant lean to south	

Other notes



Tree 282

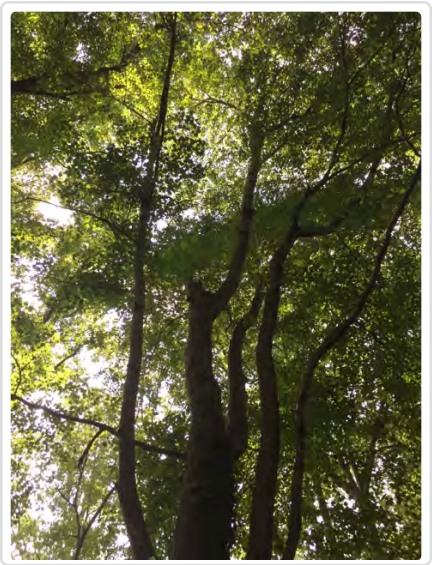
Species	20″	Blackgum	*Nyssa sylvatica*
Status	**Not Specimen**		
Health/Vigor	Declining		
Structure	Single	Massive decay and cavity at base of tree	

Other notes

Tree 283

Species	27″	Maple, red	*Acer rubrum*
Status	**Not Specimen**		
Health/Vigor	Poor		
Structure	Asymmetric	Canopy is broken; decay forming in regions of lower trunk	

Other notes



Summary

Total specimen trees identified: 17

Additional Recommendations

Revise site plan to reflect any differing size, species, and location verifications made in the field.

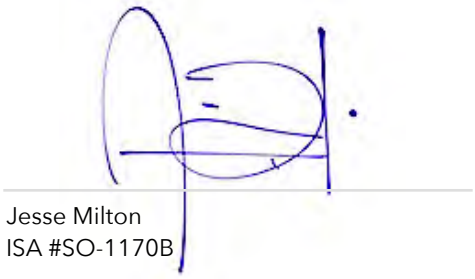
LIMITATIONS
This report is not meant to override any determination by the City of Alpharetta regarding the status of Specimen trees. Additional tree information may be required by the City once the Specimen Tree Report is submitted to Alpharetta, including but not limited to: Trees of Character, Level III assessments, site meetings with the City arborist, and Tree Maintenance Plan preparation.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed. Clients may choose to accept or disregard the recommendations of the arborists, or to seek additional advice. This inspection was made without the expectation of a particular result.

Certification

Date Certified: 5/17/2017

I certify that all of the statements made in this report are true, complete and correct to the best of my knowledge and belief, and are made in good faith.

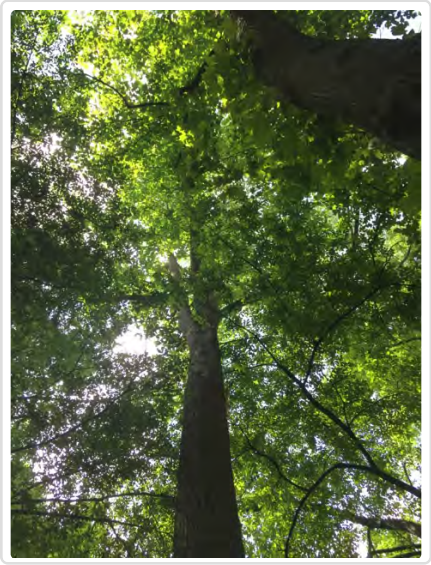


Jesse Milton
ISA #SO-1170B

Tree C

Species	33″	Tuliptree	*Liriodendron tulipifera*
Status	**Specimen**		
Health/Vigor	Fair	leaf density not optimal	
Structure	Single		

Other notes



Tree 284

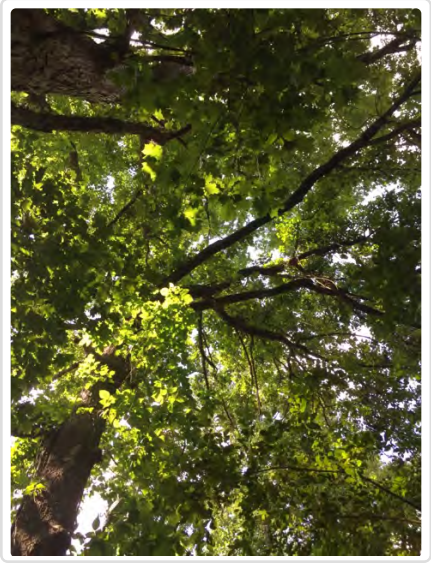
Species	31″	Oak, white	*Quercus alba*
Status	**Specimen**		
Health/Vigor	Fair	leaf density average	
Structure	Asymmetric	Moderate lean to east	

Other notes

Tree 285

Species	24″	Oak, post	*Quercus stellata*
Status	**Specimen**		
Health/Vigor	Fair		leaf density not optimal; multiple dead branches (not problematic)
Structure	Asymmetric		Highly one-sided canopy form towards east. Suppressed by tree 284

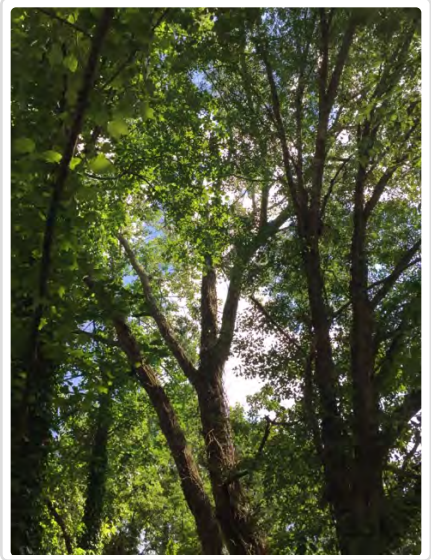
Other notes



Tree 286

Species	27″	Oak, Southern red	*Quercus falcata*
Status	**Specimen**		
Health/Vigor	Fair		Canopy density is waning, possible stress
Structure	Asymmetric		

Other notes



Tree 287

Species	28″	Oak, water	*Quercus nigra*
Status	**Not Specimen**		
Health/Vigor	Poor		Some mistletoe; some limb dieback in lower portion of north side; thinning, leaf density is below average
Structure	Asymmetric		Canopy shaped into one-sided form from overhead utility pruning.
Other notes	Does not meet life expectancy criteria		

SITE ADDRESS:

Tract 1: Cumming Street
Tract 2: Cricket Lane
Tract 3: 241 Cricket Lane
Tract 4: 252 Cricket Lane

SITE AREA:

Tract 1 = 0.619 acres
Tract 2 = 0.380 acres
Tract 3 = 1.599 acres
Tract 4 = 0.844 acres

Total = 3.442 acres

ZONING: R15

Front Yard: From R/W of Local Street: 35'
From R/W of All Other Streets: 65'
Side Yard: 10'
Rear Yard: 25'
This information is reported from public information obtained from City of Alpharetta records on 5/16/17. It is not the intent of the surveyor to interpret or make conclusions regarding the zoning designation shown hereon.

REFERENCE PLATS:

1. Survey for Mrs. R.D. Neely, prepared by Dorsey R. Brumbelow, GA. Reg. No. 1317, dated Sept. 11, 1965.
2. Survey for John S. Gardner & Joan Lautrell Gardner, prepared by Brumbelow–Reese & Assoc., Inc, dated April 9, 1981.
3. Topographic Survey prepared for Alpharetta First United Methodist Church, prepared by Registered Land Surveyors, Inc., dated August 15, 1996.
4. Survey for Mary M. McConnell & Kathryn L. McConnell, prepared by A.S. Giometti & Assoc., Inc., dated 5/23/80.
5. Final Plat for East of Main, prepared by Travis Pruitt & Associates, Inc., last revised January 27, 2017, as recorded in Plat Book 397, Page 104–110, Fulton County Records.

NOTES:

1. This survey is a retracement survey of an existing tract or combination of existing tracts. This survey is not intended to create new tracts of land or change existing tracts of land. This survey is not a subdivision plat and has not been approved by the correct jurisdictional authorities.
2. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
3. Unless otherwise specified, all distances as shown are horizontal ground distances in U.S. survey feet (39.37 inches = 1 meter).
4. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 2012A.

Title Exceptions:

5. *This survey relied upon information contained within a title commitment number Title Commitment # prepared by Title Commitment Company, with an effective date of Title Effective Date, with respect to the property surveyed described in "Exhibit A", and the exceptions listed in "Schedule B, Section II".*

Flood Hazard Note:

6. *By graphic plotting only, this property does not lie within a 100 year flood hazard zone as defined by the F.E.M.A Flood Insurance Rate Map of Fulton County, Georgia and Incorporated areas map number 13121C0058F, effective date September 18, 2013.*

UTILITY STATEMENT:

1. Information regarding the reputed presence, size, character and location of existing underground utilities and structure is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structure not shown may be encountered. The owner, his employees, his consultants and his contractors shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information.
2. Underground utilities may exist on this property that are not shown on survey.

OWNER/DEVELOPER

thePROVIDENCEgroup

Warren Jolly

11340 Lakefield Drive
Building II, Suite 200

Johns Creek, Georgia 30097
Tele: (678) 475-1800

Travis Pruitt & Associates, Inc.
CIVIL ENGINEERS · SURVEYORS · LANDSCAPE ARCHITECTS · ENVIRONMENTAL SCIENTISTS

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com

TITLE EXCEPTIONS - Tracts 1 & 2:

This survey relied upon information contained within A.L.T.A. Commitment Number GA–170276–1 prepared by Fidelity National Title Insurance Company, with an effective date of June 19, 2017, with respect to the property surveyed described as Tracts 1 and 2 in Exhibit "A", and the special exceptions listed in "Schedule B – Section 2":

12. Sanitary Sewer Easement to the City of Alpharetta recorded in Deed Book 9086, Page 178. Comment: Shown on the survey.

13. Easement to Georgia Power Company recorded in Deed Book 4255, Page 106. Comment: Blanket easement does not contain plottable elements and a description of the property, may or may not affect the subject property

TITLE EXCEPTIONS - Tract 3:

This survey relied upon information contained within A.L.T.A. Commitment Number GA–170276–2 prepared by Fidelity National Title Insurance Company, with an effective date of June 19, 2017, with respect to the property surveyed described as Tract 3 in Exhibit "A", and the special exceptions listed in "Schedule B – Section 2":

12. Matters disclosed on the plat recorded in Plat Book 149, Page 181. Comment: Shown on the survey.

13. Easement to Georgia Power Company recorded in Deed Book 4255, Page 106. Comment: Blanket easement does not contain plottable elements and a description of the property, may or may not affect the subject property

14. Right–Of–Way Easement to Georgia Power Company recorded in Deed Book 5081, Page 21. Comment: Blanket easement does not contain plottable elements; affects the subject property.

15. Sanitary Sewer Easement to the City of Alpharetta recorded in Deed Book 9086, Page 181. Comment: Shown on the survey.

TITLE EXCEPTIONS - Tract 4:

This survey relied upon information contained within A.L.T.A. Commitment Number GA–170276 prepared by Fidelity National Title Insurance Company, with an effective date of June 19, 2017, with respect to the property surveyed described as Tract 4 in Exhibit "A", and the special exceptions listed in "Schedule B – Section 2":

12. Right–Of–Way Easement to Georgia Power Company recorded in Deed Book 5081, Page 5. Comment: Blanket easement does not contain plottable elements; affects the subject property.

13. Easement to Georgia Power Company recorded in Deed Book 4255, Page 106. Comment: Blanket easement does not contain plottable elements and a description of the property, may or may not affect the subject property.

14. Matters disclosed on the plat recorded in Deed Book 5019, Page 284. Comment: Shown on the survey.

LEGAL DESCRIPTION:

LEGAL DESCRIPTION
Overall

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

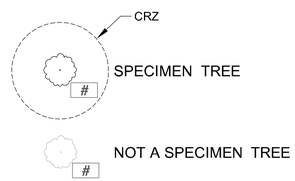
BEGINNING at a 1/2" rebar set at the intersection of the southerly R/W line of Cumming Street (40' R/W) with the westerly R/W line of Cricket Lane (40' R/W), THENCE running along said R/W line of Cricket Lane the following courses and distances: South 08 degrees 22 minutes 06 seconds East a disdtance of 195.00 feet to a 1/2" rebar found; THENCE South 00 degrees 24 minutes 18 seconds West a distance of 59.11 feet to an iron pin set; THENCE South 00 degrees 24 minutes 18 seconds West a distance of 283.46 feet to a 1/2" rebar found; THENCE South 00 degrees 27 minutes 02 seconds West a distance of 149.87 feet to a 1" crimp top pipe found on the southerly line of Land Lot 1253 (said Land Lot Line being the common line between Land Lots 1253 and 1268); THENCE running along said Land Lot Line South 89 degrees 59 minutes 50 seconds West a distance of 244.86 feet to a 1.5" open top pipe found; THENCE leaving said Land Lot Line North 00 degrees 11 minutes 18 seconds East a distance of 149.99 feet to an iron pin set; THENCE North 00 degrees 11 minutes 18 seconds East a distance of 282.66 feet to an iron pin set; THENCE North 00 degrees 11 minutes 18 seconds East a distance of 73.64 feet to an iron pin set; THENCE North 77 degrees 12 minutes 50 seconds East a distance of 85.20 feet to a 1/2" rebar found; THENCE North 00 degrees 15 minutes 31 seconds East a distance of 132.77 feet to a 1/2" rebar found on the southerly R/W line of Cumming Street; THENCE running along said R/W line of Cumming Street North 78 degrees 29 minutes 02 seconds East a distance of 137.50 feet to the **TRUE POINT OF BEGINNING**.

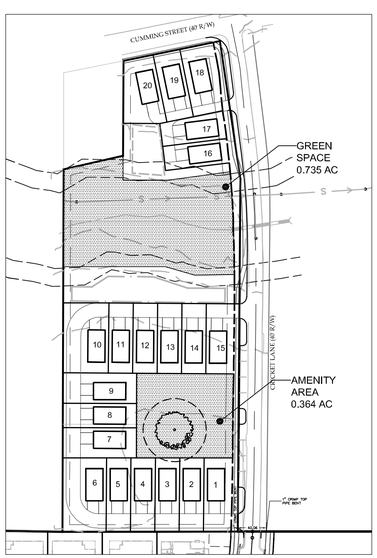
Said tract contains 149,961 square feet or 3.442 acres.

SPECIMEN TREE STUDY

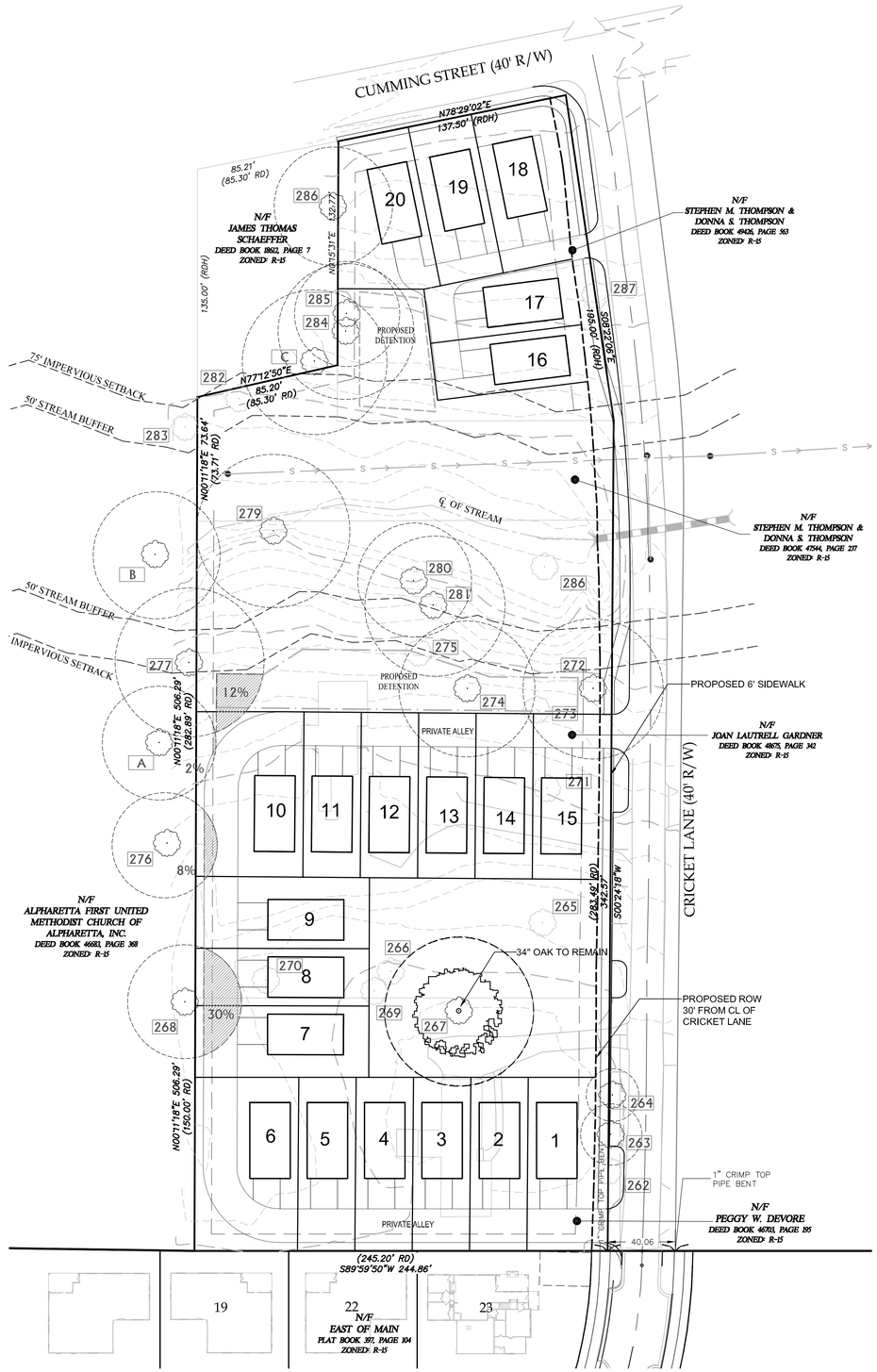
#	Full Desc	Status
262	12" Dogwood	Not Specimen
263	14" Dogwood	**Specimen**
264	12" Dogwood	**Specimen**
265	12" Sourwood	Not Specimen
266	11" Dogwood	Not Specimen
267	34" Water Oak	**Specimen**
268	26" Red Oak	**Specimen**
269	12" Dogwood	Not Specimen
270	10" Sourwood	Not Specimen
271	12" Dogwood	Not Specimen
272	32" Red Oak	**Specimen**
273	36" Water Oak	Not Specimen
274	31" Red Oak	**Specimen**
275	26" Water Oak	Not Specimen
276	24" Red Oak	**Specimen**
277	34" White Oak	**Specimen**
278	30" White Oak	Not Specimen
279	35" Beech	**Specimen**
280	26" Water Oak	**Specimen**
281	32" Tulip Tree	**Specimen**
282	20" Blackgum	Not Specimen
283	27" Red Maple	Not Specimen
284	31" White Oak	**Specimen**
285	24" Post Oak	**Specimen**
286	27" Red Oak	**Specimen**
287	28" Water Oak	Not Specimen
A	26" Red Oak	**Specimen**
B	29" White Oak	**Specimen**
C	33" Tulip Tree	**Specimen**

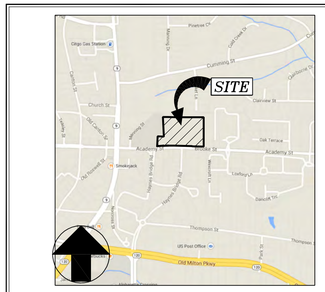
Specimen tree data taken from Specimen Tree Study dated May 17, 2017, by One Bark LLC.





GREEN SPACE AND AMENITY SPACE





LOCATION MAP
not to scale / ref. aero atlas

SITE NOTES

1. Site area - 3.442 acres
2. Total Number of Lots/Units - 20
3. Density - 5.81 Lot/Units per acre.
4. Existing Zoning - R-15
5. Proposed Zoning - DT-R
6. Proposed land use : Single Family Detached

SINGLE FAMILY LOT DATA

	REQUIRED	PROPOSED
FRONT SETBACK		10' TO CURB
SIDE SETBACK		0'
REAR SETBACK		3'
MIN. DISTANCE B/N BUILDINGS		5'
MINIMUM LOT SIZE		2,500 SF
MINIMUM LOT WIDTH		30'

PERIMETER SETBACKS

	REQUIRED	PROPOSED
FRONT SETBACK CRICKET LN.		10'
FRONT SETBACK CUMMING ST.		20'
SIDE SETBACK		10'
REAR SETBACK		10'
GREEN SPACE	15%	0.735 AC (21%)
AMENITY SPACE	10%	0.364 AC (10.5%)

Magnetic North

ZONING PLAN
East of Main II

LL 1267, 2nd District, 2nd Section
Cumming Street and 241, 252 Cricket Lane
City of Alpharetta, Georgia

GEORGIA REGISTERED LANDSCAPE ARCHITECT No. 1395 EDWARD J. ANDERSON

For The Firm
Travis Pruitt & Associates, Inc.

DATE	10/10/17
SCALE	1" = 40'
CN	
LSV	
JN	
FN	1-17-0196CP13

CITY COUNCIL MEETING
STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: KATHI COOK
DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** CU-17-15/V-17-37 NATURAL BODY SPA AND SHOP/CITY CENTER

PLANNING COMMISSION: DECEMBER 7, 2017

CITY COUNCIL: DECEMBER 18, 2017

II. **RECOMMENDATION:**

Approve CU-17-15/V-17-37 Natural Body Spa and Shop/City Center subject to the following conditions:

1. 'Spa Services' shall be added as a conditional use at 575 Commerce Street, Suites 5M through 5S, and limited to no more than 4,365 square feet.
2. Conditional use approval shall be limited to the Natural Body Spa and Shop; no additional spa services businesses or subleasing shall be permitted within the approved space.
3. Spa services shall be limited to medical spa services, body exfoliation, facials, waxing, massage, nail services and retail sales.
4. Hours of operation shall be Monday – Friday 10:00 AM – 8:00 PM, Saturday 9:30 AM – 7:00 PM and Sunday 12:00 PM – 6:00 PM.
5. Window signage shall be limited to no more than 10% of the window area. No lighting window trim.

III. **REPORT IN BRIEF:**

The applicant, Cheri Morris, is requesting a conditional use permit to allow 'Spa Services' for a day spa business. A variance is requested to reduce the minimum distance requirement between comparable 'Spa Services' uses and to allow a spa to occupy a space larger than 4,000 square feet. The subject property is located at 575 Commerce Street, Suites 5M – 5S in the City Center mixed-use development.

DISCUSSION

The submitted request, if approved, will permit the applicant to provide spa services in a 4,365 square foot suite within a mixed-use development. In addition to spa services, the applicant's business would include the sale of associated skin and beauty retail products. The subject property is located at 575 Commerce Street, Suites 5M – 5S in the City Center mixed-use development.

The property is zoned MU (Mixed Use) and is subject to the City Center Master Plan, which allows 'Spa Services' with approval of a conditional use permit. The property, which is currently under construction, received approval on May 18, 2015. The master plan is limited to no more than 104,400 square feet of retail/restaurant use, which the proposed Natural Body Spa and Shop is within this maximum. The applicant's business is proposed within a mixed-use building approved for ground-floor retail with 'For-Rent' units above.

Unified Development Code (UDC) Section 1.4.2 defines 'Spa Services' as, "A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business."

The applicant is requesting variances to the definition of 'Spa Services' to reduce the distance requirements between comparable businesses and to allow the use within a space exceeding 4,000 square feet. A comparable business, Mezz Spa, is located within 1,175' of the applicant's site at 52 North Main Street. The desired space is proposed to be 4,365 square feet, which exceeds the maximum established in the definition of 'Spa Services'. The applicant provided a floor plan depicting over 1,000 square feet dedicated to retail sales. If the retail sales area is deducted from the overall square footage of the space, the use would meet the maximum 4,000 square feet for a 'Spa Services' use. In addition, approximately 600 square feet is dedicated to medical spa services, which are not subject to the 'Spa Services' definition.

The City's Code of Ordinances, Section 12-172 establishes a minimum distance requirement of 300' for spa establishments from State Route 9, State Route 120 and churches, schools, public parks, day care facilities and residences. However, spa establishments within a mixed-use development in the MU zoning district are exempt from the distance requirements. City Center is located on State Route 9 (South Main Street). However, the property is a mixed-use development zoned MU and therefore is not subject to the 300' minimum distance from Highway 9.

According to the applicant, Natural Body Spa and Shop has been in operation for nearly 30 years with several locations in the Atlanta metro area, including Brookhaven, Cumming, Decatur, Marietta, Morningside, Smyrna and Snellville. Spa services are geared toward individuals and groups and include medical spa services, body exfoliation, facials, waxing, massage, nail services and retail sales. The retail sales portion of the business is significantly larger than a typical day spa. Hours of operation are Monday – Friday 10:00 AM – 8:00 PM, Saturday 9:30 AM – 7:00 PM and Sunday 12:00 PM – 6:00 PM. The applicant anticipates between 9 – 11 employees at the proposed location.

CONDITIONAL USE REVIEW CRITERIA

City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Sec. 4.2.3 (B) which are as follows:

A conditional use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria at a public hearing and satisfactory provisions or arrangements are made for:

1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access;

Response: City Center is being developed in compliance with all site access standards.

2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;

Response: The above-mentioned site requirements will be provided on the subject property.

3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

Response: The proposed retail service use would be complimentary to the other uses proposed in City Center and should not be injurious to the use and enjoyment of the area.

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;

Response: Not applicable.

5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area; and

Response: The proposed retail service use would complement other uses proposed in City Center and should not be impede the normal and orderly development of surrounding property.

6. Ensuring that the location and character of the conditional use is considered to be consistent with a desirable pattern of development for the city, in general.

Response: The proposed retail service use would complement other uses proposed in City Center.

VARIANCE REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting a variance. The ordinance specifically states..."a variance may be granted in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography; or

Response: Not applicable.

2. The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or

Response: The developer of the City Center property has indicated for some time their intention to have a day spa within the mixed-use development. The applicant's business includes a large retail sales area and medical spa, making up over 1/3 of the total space. If the retail sales and medical spa areas were deducted from the overall square footage of the suite, the proposed 'Spa Services' use would meet the City's definition with respect to maximum size of the space.

3. There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or

Response: There are no peculiar conditions on the subject property that affect its reasonable use as currently zoned. However, the developer of the City Center property has indicated for some time their intention to have a day spa within the mixed-use development. The applicant's business includes a large retail sales area and medical spa, making up over 1/3 of the total space. If the retail sales and medical spa areas were deducted from the overall square footage of the suite, the proposed 'Spa Services' use would meet the City's definition with respect to maximum size of the space.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the City of Alpharetta ordinances.

Response: Approval of the conditional use would not cause a substantial detriment to the public good. The applicant's business includes a large retail sales area and medical spa, making up over 1/3 of the total space. If the retail sales and medical spa areas were deducted from the overall square footage of the suite, the proposed 'Spa Services' use would meet the City's definition with respect to maximum size of the space.

CONCURRENCES

Staff's analysis finds that the requested conditional use and variance is consistent with the established conditional use and variance standards. The proposed retail service use would complement the surrounding mixed-use development and sufficient parking exists to support the proposed use. If approved, conditions are recommended limiting the approval to Natural Body Spa and Shop and limiting any expansion of services.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. The report states that no comments were received.

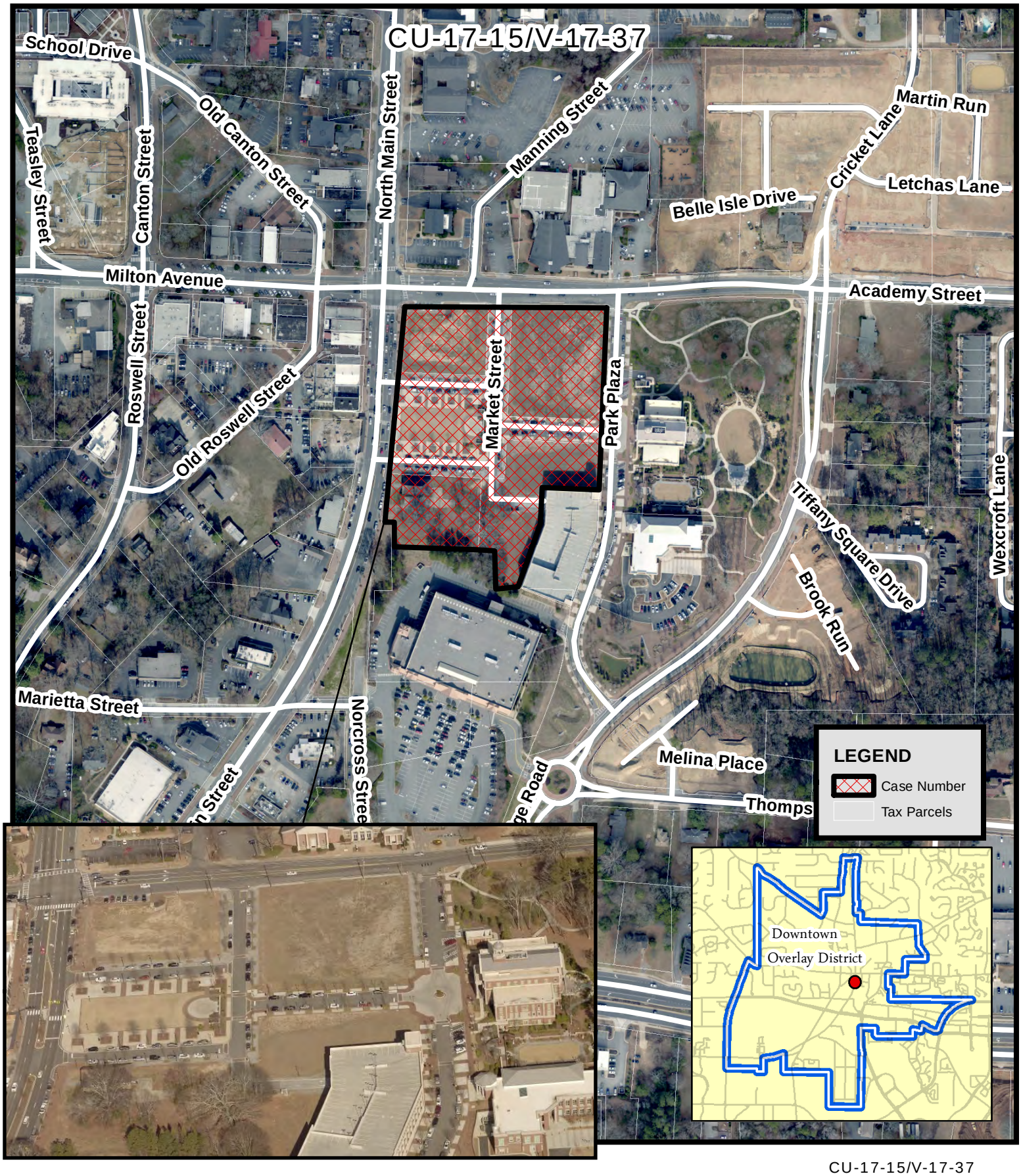
IV. ATTACHMENTS:

- Site Plan
- Elevations
- Floor Plan

City Center Approved Conditions May 18, 2015

1. **Property shall be zoned "MU" with a "Mixed Use" land use category.**
2. **Retail/Restaurant and Residential shall be constructed concurrently.**
3. **Property shall be developed substantially similar to the site plan presented.**
4. **Residential density shall be limited to a maximum of 8 residential units per acre. For-rent residential shall be limited to 168 units.**
5. **Square Footage Limitations:**
   Commercial (Retail/Restaurant) 104,400 square feet
   Office 108,171 square feet (including City Hall and Library)
6. **Property shall be limited to following Uses:**
   Art Galleries
   Academic Services/Tutoring
   Alterations
   Athletic Facilities/Fitness
   Bakery
   Barber Shop, Beauty Shop, Skin Care
   Book Store or Stationery
   Dance Studio
   Dry Cleaning-Pick Up Station
   Fine Arts Performing Center
   Florist-Retail
   Gourmet Food Store
   Nail Salon
   Wine Store
   Office (including medical and dental)
   Restaurant
   Retail Establishment
   Shop or Studio Craftsman/Artist
   Spa Services (conditional use)
7. **Parcel 11 (corner of Thompson and Haynes Bridge Road) shall include a 10 foot wide multi-use trail from Haynes Bridge Road east through the property in the outer most 50 to 75 foot stream buffer.**
8. **The Detention /Retention Area shall be heavily landscaped and/or made into an amenity area with final approval by Staff.**
9. **Residential buildings 1-6 and buildings 21, 43-45 shall have their front door facing towards Haynes Bridge Road to create a strong, consistent edge. Architecture of For-Sale homes shall be similar to submitted elevations and include formal gardens and stone walls as depicted. Final approval by Staff.**
10. **Buildings adjacent to town green shall not exceed 1760 sf each and 50% of the total perimeter walls shall be transparent with final elevations to be approved by Council as a conditional use at a public hearing.**

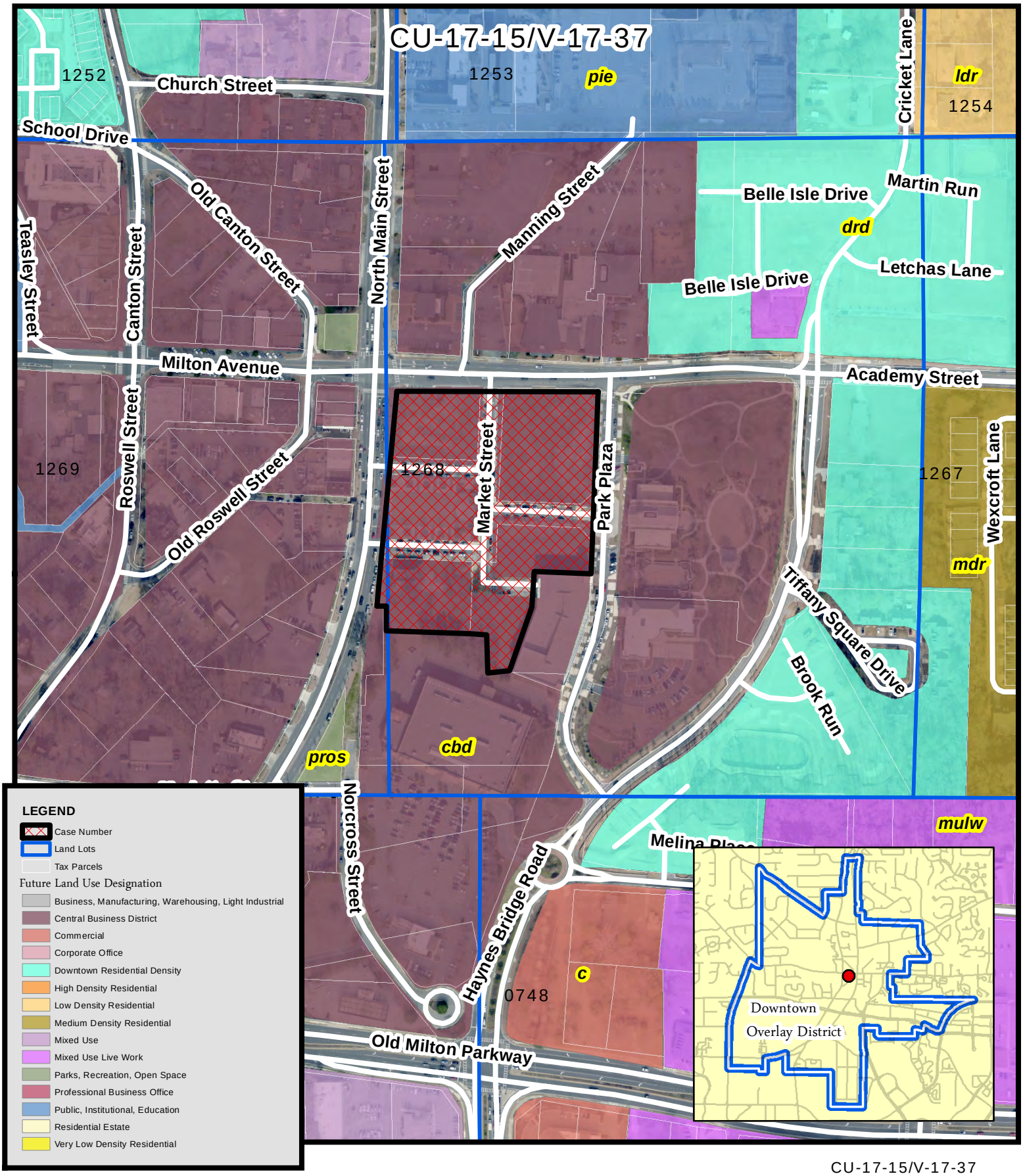
11. On buildings facing Main Street, façade shall be a minimum 24 feet high, with the exception of the renovated Jones House and any buildings along the town green.
12. Parcel 7 shall have 4 and 3 story height with mixed roof types in order to appear as separate buildings, some being flat and other with gables with final approval by Staff and the Design Review Board.
13. All "store front" streets shall contain retail and restaurant on the first floor. A retail/restaurant use shall not be required on Parcel 7 and Parcel 4 on the side fronting Park Plaza or Academy Street. Office uses are permissible on the mitered corners facing City Hall. One (1) first floor space, approximately 20 feet wide, for a Real Estate Sales office is permitted on Parcel 4.
14. There shall be one entrance/exit of approximately 15 feet wide on Parcel 7 facing Parcel 4 for residential entrance/exit.
15. Lighting plans will be submitted for review and will be approved by Design Review Board.
16. "For-rent" residential shall be limited to a maximum of 168 units with only one and two bedroom units permitted.
17. "For-rent" residential shall follow standards established for dwellings within the Central Business and ground floor residential units shall:
    a. Be oriented to the sidewalk.
    b. Provide individual unit entrance from the exterior of the building.
    c. Provide individual stoops or porches.
    d. Provide a minimum of one (1) ground floor window facing the sidewalk
18. Brick sidewalks matching that of the style of the City's brick sidewalks shall be installed. The corner of Haynes Bridge Road and Thompson Street shall include significant landscaping and seating area, final approval by Staff.
19. All building architecture including the parking garage addition shall adhere to the Alpharetta Downtown City Center Development Guidelines with final approval by Staff and the Design Review Board.
20. Property adjacent to Publix shall require a minimum 5' landscape buffer.
21. Property located north of Haynes Bridge Road roundabout shall be heavily landscaped with final approval by Staff.
22. Solid waste deposit locations shall be screened and location to be approved by Staff.



Aerial Map
Natural Body Spa
575 Commerce St (City Center)

CU-17-15/V-17-37
D/LL: 1/2/1268
PC Date: 12/07/17
CC Date: 12/18/17

Location Map Provided by:
Community Development - GIS

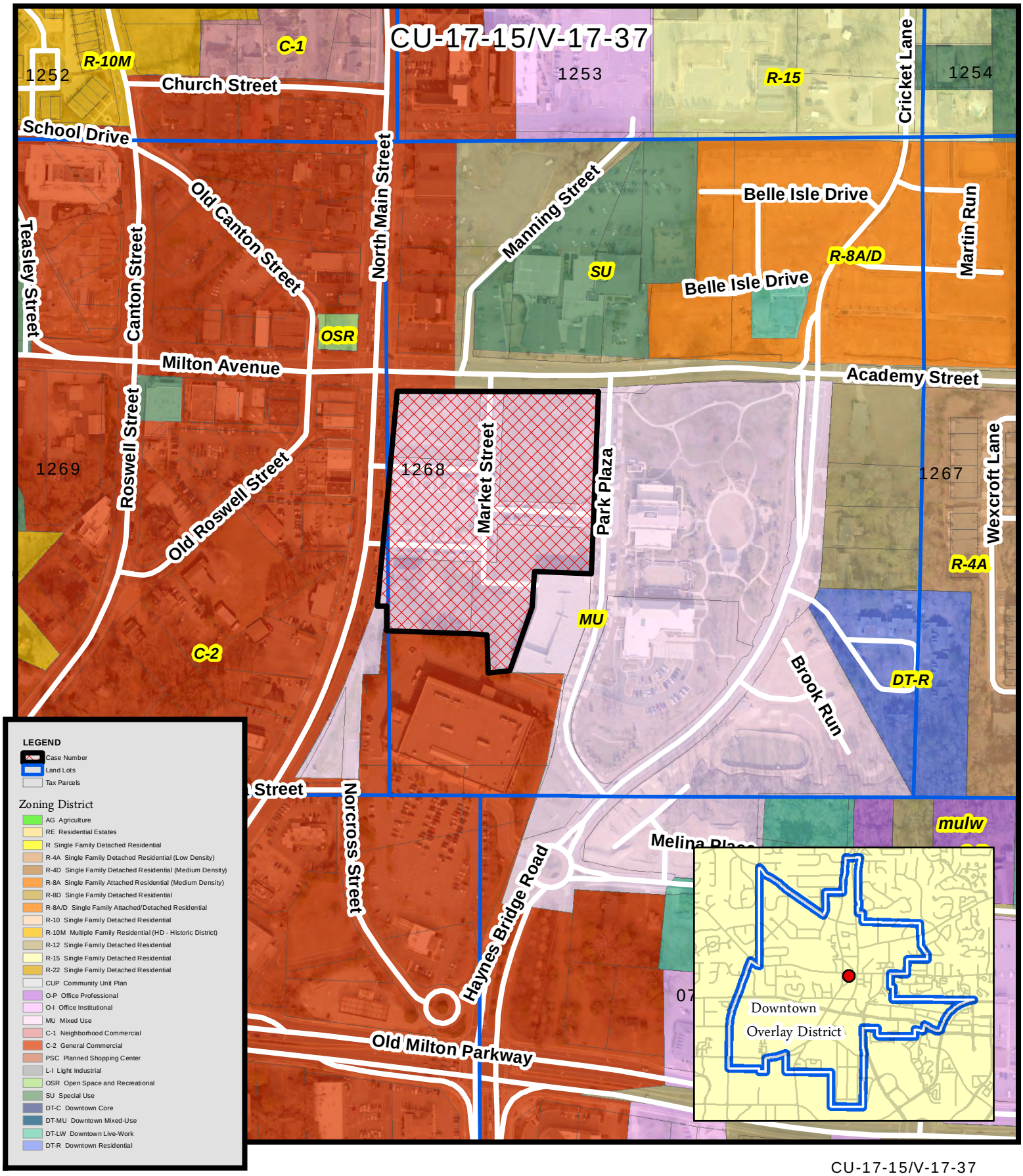


THE CITY OF ALPHARETTA GEORGIA

Future Land Use
Natural Body Spa
575 Commerce St (City Center)

CU-17-15/V-17-37
D/LL: 1/2/1268
PC Date: 12/07/17
CC Date: 12/18/17

Location Map Provided by:
Community Development - GIS

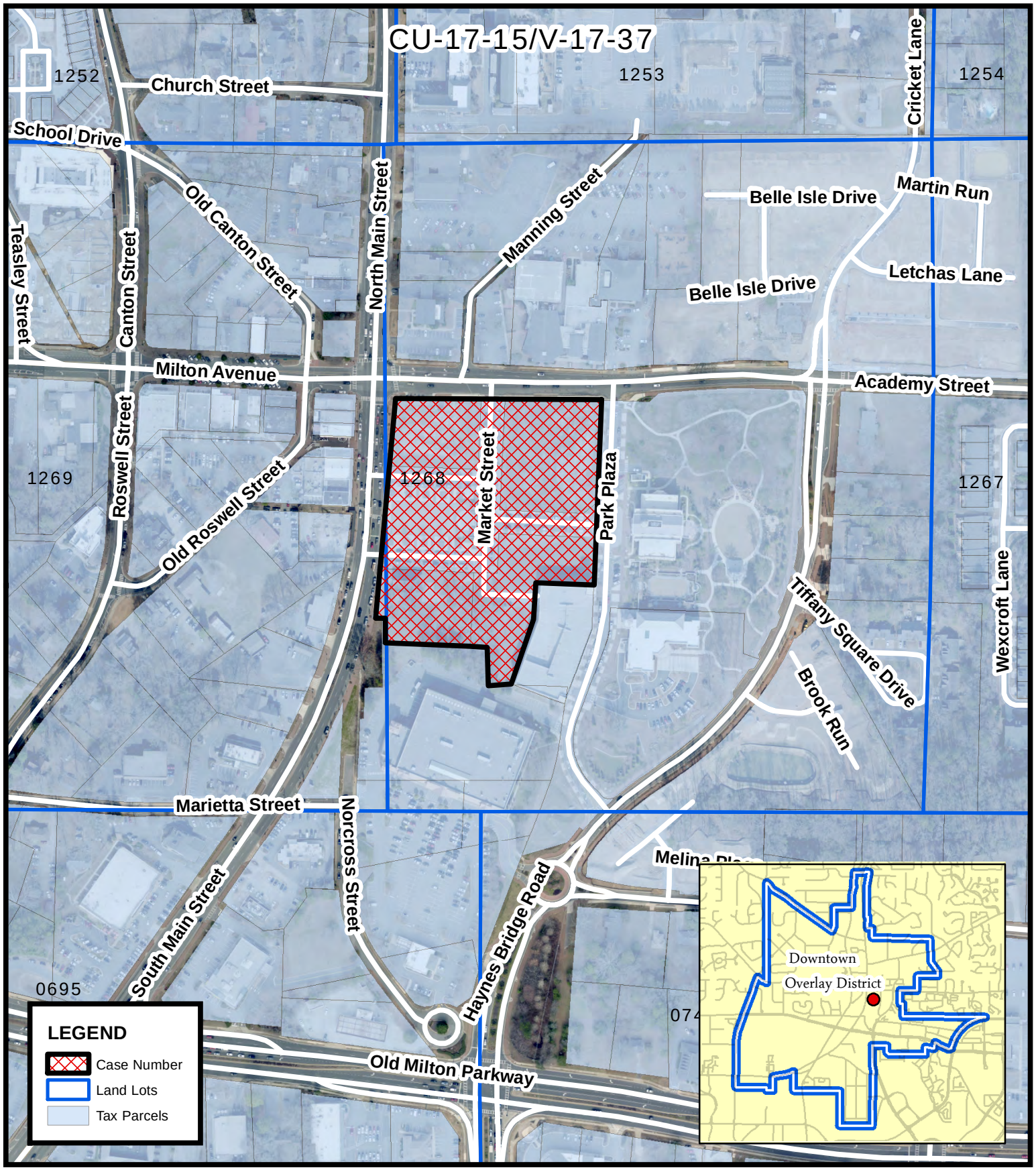


THE CITY OF ALPHARETTA GEORGIA

Zoning Map
Natural Body Spa
575 Commerce St (City Center)

CU-17-15/V-17-37
D/LL: 1/2/1268
PC Date: 12/07/17
CC Date: 12/18/17

Location Map Provided by:
Community Development - GIS



Location Map
Natural Body Spa
575 Commerce St (City Center)

CU-17-15/V-17-37
D/LL: 1/2/1268
PC Date: 12/07/17
CC Date: 12/18/17

Location Map Provided by:
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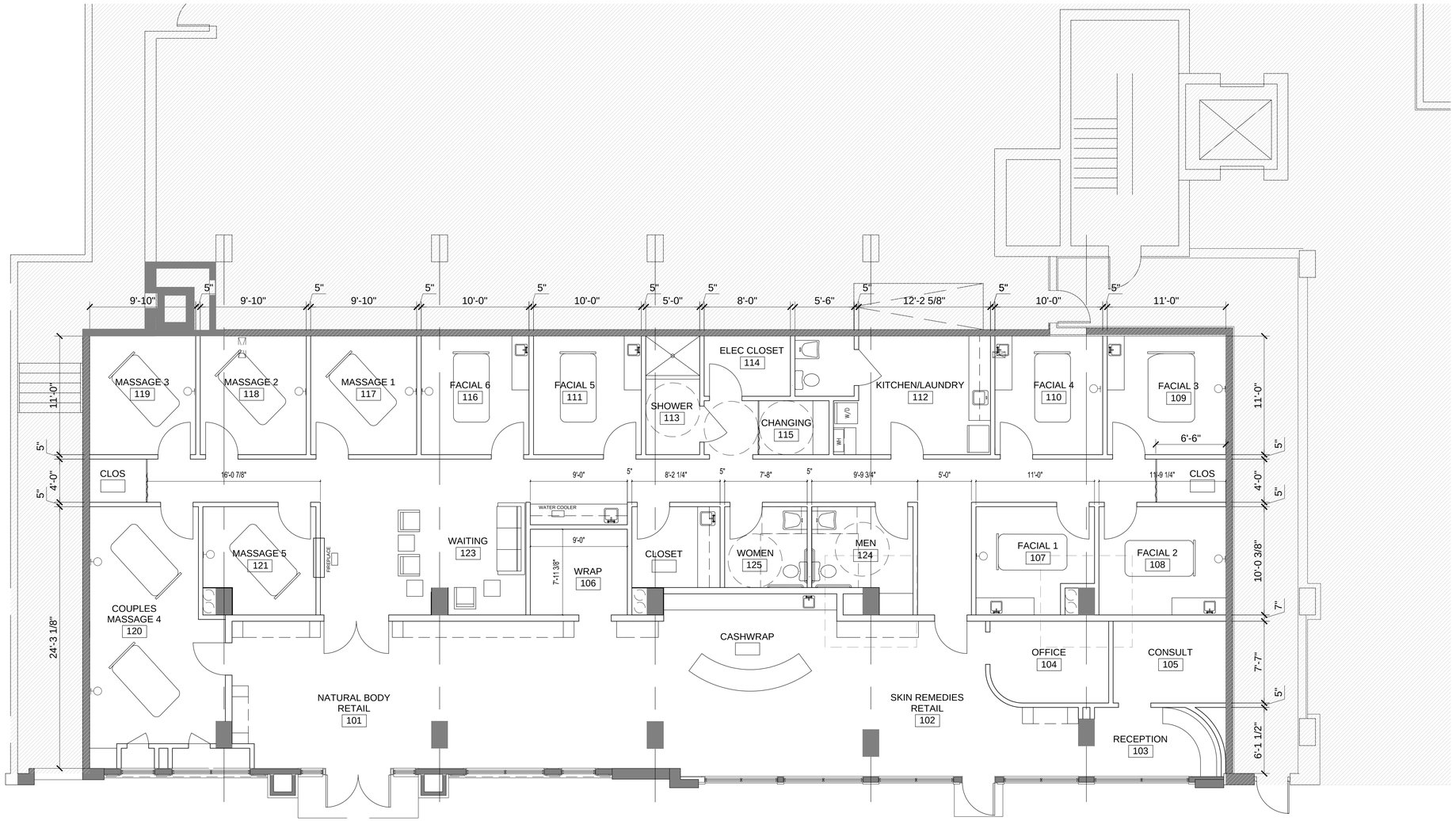


2 FLOOR PLAN 3/16"= 1'-0"

WARE+ASSOCIATES
GLENRIDGE 400
5825 GLENRIDGE DRIVE
BUILDING 3, SUITE 101-H
ATLANTA, GA 30328
PHONE 404.816.9122
WWW.WAREASSOC.COM

WARE+ASSOCIATES

PROJECT:

NATURAL BODY AT CITY CENTER

ADDRESS:

2 SOUTH MAIN STREET
SUITE 5M,N,P,Q,R,S
ALPHARETTA, GA 30009

△NO:	DATE:	ISSUE DESCRIPTION:
	11.03.17	ISSUED FOR REVIEW/PERMIT

SEAL:

SHEET TITLE:

FLOOR PLAN

SCALE:

NA

DRAWN BY:

KAW

CHECKED BY:

DSW

PROJECT N0.:

17-143

THIS DRAWING AND ALL REPRODUCTIONS ARE THE PROPERTY OF DAVID S. WARE, AIA AND MAY BE USED OR REPRODUCED ONLY WITH THE WRITTEN PERMISSION OF DAVID S. WARE, AIA

PROJECT NORTH:

SHEET NO.:

A.1

ISSUED-FOR-CONSTRUCTION

natural body®
spa and shop

CELEBRATING 28 YEARS

- Founded in 1989 by Cici Coffee, Natural Body combined day spa services with extensive retail products and apparel.
- Now there are eight locations in the Metro Atlanta Area, as well as three locations in Chattanooga, TN and Jacksonville, FL.

Because Natural Body Spa and Shoppes cater to a up-scale clientele, they are the sought-after cornerstone tenant in some of Atlanta's most prestigious retail centers and shopping districts.

Brookhaven Place

The Collection at Forsyth

Ivy Walk

natural body
spa and shop

Natural Body's mix of spa services and retail products and apparel acts as a destination, bringing customers to the other retail tenants in these developments.

The Avenue at West Cobb

The Shoppes at Webb Gin

Downtown Decatur

natural body
spa and shop

Natural Body locations in the Atlanta region

- Brookhaven - 1432 Dresden Drive #300, Atlanta, GA 30319
  at Village Place
- Buckhead 2385 Peachtree Rd A3A, Atlanta, GA 30305
  at Peachtree Battle Promenade
- Cumming - 410 Peachtree Pkwy #4116, Cumming, GA 30041
  at The Collection at Forsyth
- Decatur - 225 E Ponce de Leon Ave #150, Decatur, GA 30030
  in Downtown Decatur
- Marietta - 3625 Dallas Hwy #605, Marietta, GA 30064
  at The Avenue at West Cobb
- Morningside - 1402 North Highland Avenue NE #1, Atlanta, GA 30306
  at Morningside Village
- Smyrna - 1675 Cumberland Pkwy SE Suite #410 Smyrna, GA 30080
  at Ivy Walk
- Snellville - 1350 Scenic Hwy S #328
  at The Shoppes at Webb Gin

natural body
spa and shop

Hours and Employees

- Natural Body's proposed hours of operation are:
- Monday – Friday 10:00 am to 8:00 pm
- Saturday 9:30 am to 7:00 pm
- Sunday 12:00 pm to 6:00 pm

- Typical shift staffing will be:
- 1 nurse or P.A.
- 2 retail personnel
- 6-8 therapists and clinicians

natural body
spa and shop

Retail Products

- One of the unique aspects of Natural Body is the variety and quality of natural retail products offered in the retail space including full lines of high end:
- **Aromatherapy and essential oils**
- **Athletic apparel, and fashion accessories**
- **Candles and gifts**
- **Body care products**
- **Hair care products**
- **Home spa products**
- **Skin care products**
- **Nail products**

natural body
spa and shop

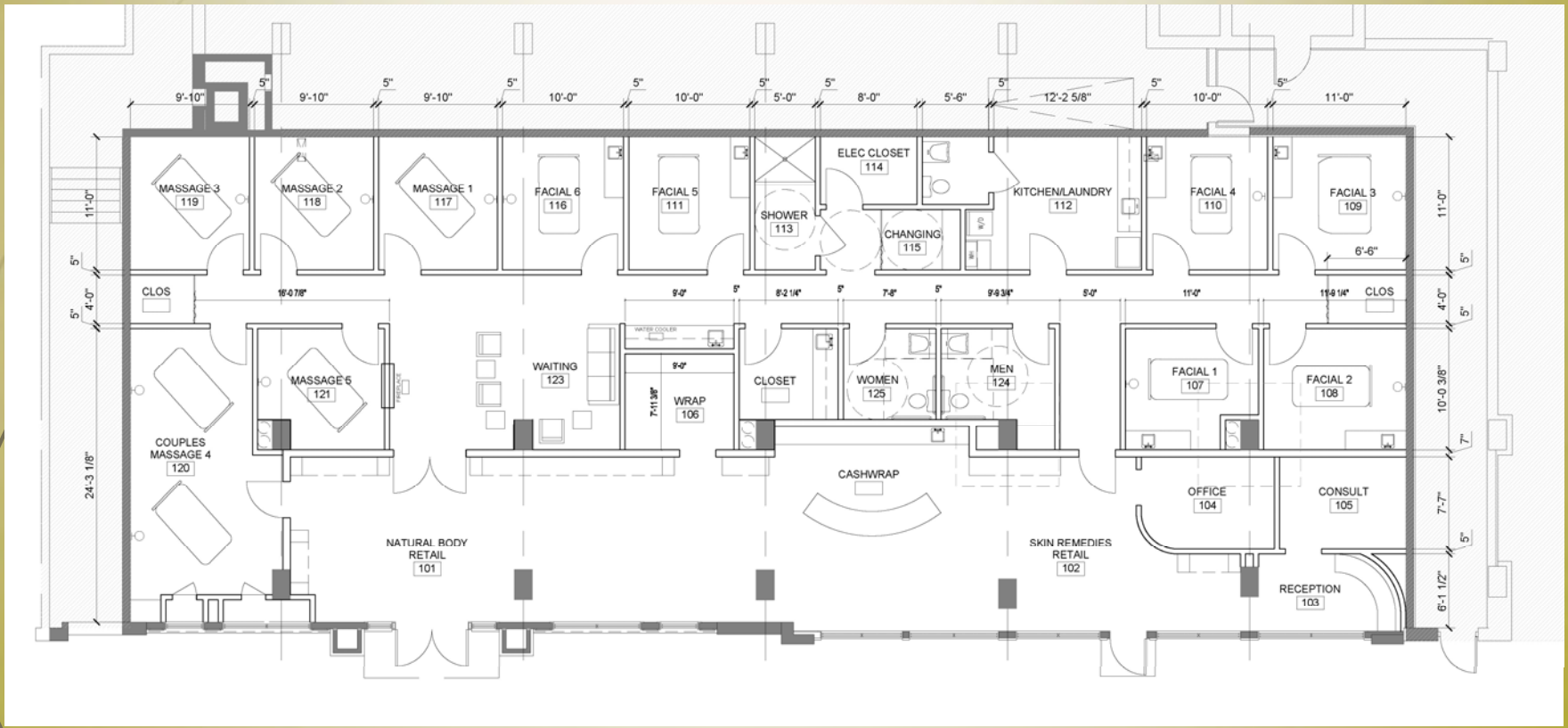
Services

- Natural Body offers the full line of luxury plus medical aesthetic procedures:
- **Manicures & Pedicures**
- **Signature nail services**
- **Exfoliation & waxing**
- **Brow shaping**
- **Brow and lash tints**
- **Seaweed wrap**
- **Massage**
- **MedSpa services including:**
- **HydraFacials & peels**
- **Skin-firming treatments**
- **IPL photo facials**
- **Headache and migraine relief**
- **Allergy and sinus relief**
- **Pain relief massage, spa packages**

natural body
spa and shop

Floor Plan

Natural Body is 4,365 square fee. Of this, approximately 1,000 square feet is a retail store, approximately 900 square feet is spa services, and 600 square feet is medical services, with the remainder in shared restrooms/kitchen/laundry/storage.



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: Natural Body Spa and Shoppe conditional use and variance

Contact Name: Cheri Morris Telephone: 404-250-0225

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.

No comments or concerns received from individuals contacted.

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.*

- [x] Letter
- [ ] Personal Visits
- [ ] Telephone
- [ ] Group Meeting
- [ ] Email
- [x] Other *(Please Specify)* site map, renderings, images of Natural Body interiors

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: 11/20/2017

Print Form

28 NORTH MAIN STREET LLC
Or Current Property Owner
3270 COCHISE DR SE
ATLANTA GA 30339-4319

ALPHARETTA CHRISTIAN ACADEMY
Or Current Property Owner
44 ACADEMY ST
ALPHARETTA GA 30004

ALPHARETTA FIRST UNITED METHODIST CHURCH INC
Or Current Property Owner
69 N MAIN ST
ALPHARETTA GA 30004

ALPHARETTA TOWN COMMONS LLC
Or Current Property Owner
2801 BUFORD HWY NE SUITE T 70
ATLANTA GA 30329

ARIEL HOLDINGS II FIFTY FOUR ROSWELL ST L L C
Or Current Property Owner
54 ROSWELL ST
ALPHARETTA GA 30009-1930

ARIEL HOLDINGS LLC
Or Current Property Owner
48 OLD ROSWELL ST
ALPHARETTA GA 30009-7908

ATTIG LARRY L & MARGE A
Or Current Property Owner
225 OAKMERE DR
ALPHARETTA GA 30009-3268

BLALOCK ESTATE HOLDINGS LLC
Or Current Property Owner
7215 DONCASTER CT
CUMMING GA 30040-7662

BLUE DEVIL ASSOCIATES L L C
Or Current Property Owner
1100 POWERS PL
ALPHARETTA GA 30004

BUR ROG INC
Or Current Property Owner
72 MARIETTA ST
ALPHARETTA GA 30009

CARLOS L BAGWELL REVOCABLE TRUST THE
Or Current Property Owner
40 ROSWELL ST
ALPHARETTA GA 30009

CHALK2CHAMPIONS LLC
Or Current Property Owner
38 N MAIN ST
ALPHARETTA GA 30009

D & R MILLER HOLDINGS LLC
Or Current Property Owner
980 BIRMINGHAM RD SUITE 501-391
ALPHARETTA GA 30004

DELSON STORES INC
Or Current Property Owner
3270 COCHISE DR
ATLANTA GA 30339

FIRST BAPTIST CHURCH OF ALPHARETTA INC
Or Current Property Owner
42 ACADEMY ST
ALPHARETTA GA 30009-3702

FIRST BAPTIST CHURCH OF ALPHARETTA INC
Or Current Property Owner
44 ACADEMY ST
ALPHARETTA GA 30004

FULTON COUNTY GEORGIA
Or Current Property Owner
141 PRYOR ST
ATLANTA GA 30303

GEORGIA FED SAV & LOAN ASSN
Or Current Property Owner
P.O. BOX 2609
CARLSBAD CA 92018-2609

HEIGHT EQUITIES INC
Or Current Property Owner
16 BROAD ST
RED BANK NJ 07701

KELL BUILDING PARTNERS LLC
Or Current Property Owner
131 ROSWELL ST SUITE B201
ALPHARETTA GA 30009

LANPEG, LLC
Or Current Property Owner
35 OLD CANTON ST
ALPHARETTA GA 30004

LEAFE STEPHEN P
Or Current Property Owner
30 MILTON AVE
ALPHARETTA GA 30004

LOCKWOODY JOSEPH K
Or Current Property Owner
369 DORRIS RD
ALPHARETTA GA 30004

MANNING FLORENCE
Or Current Property Owner
803 HICKORY DR
MARIETTA GA 30064

MANNING LUCY & FLORENCE
Or Current Property Owner
72 ACADEMY ST
ALPHARETTA GA 30004-1702

MILTON CAPITAL FUND LLC
Or Current Property Owner
705 WINDWALK DR
ROSWELL GA 30076

NIOLON JOSEPH RICHARD III & MANNING JAMES H
Or Current Property Owner
254 MOSS SIDE DR
ATHENS GA 30607-2109

ONE SOUTH MAIN LLC
Or Current Property Owner
710 COOPER SANDY CV
ALPHARETTA GA 30004

PALMER FAMILY INVESTMENTS LLC
Or Current Property Owner
79 S MAIN ST
ALPHARETTA GA 30009

PALMER FAMILY INVESTMENTS LLC
Or Current Property Owner
11460 ALPHARETTA HWY
ROSWELL GA 30076-3801

PARSONS JAMES J
Or Current Property Owner
10465 STONEFIELD LNDG
DULUTH GA 30097-5951

PHILLIPS ERMINE B
Or Current Property Owner
205 SLATON CIR
ROSWELL GA 30075

PRASANTH PROPERTIES LLC
Or Current Property Owner
416 PIRKLE FERRY RD SUITE H400
CUMMING GA 30040

PUBLIX SUPER MARKETS INC
Or Current Property Owner
P O BOX 32025
LAKELAND FL 33802-2025

RODDY JOSEPH H & KIMBERLY A
Or Current Property Owner
284 CANTON ST
ALPHARETTA GA 30004-1339

SEA MIST IOP LP
Or Current Property Owner
185 N PLAZA CT
MOUNT PLEASANT SC 29464

THE CITY OF ALPHARETTA GEORGIA
Or Current Property Owner
2 S MAIN STRM
ALPHARETTA GA 30004

TWENTY NORTH MAIN LLC
Or Current Property Owner
233 CANTON ST
ALPHARETTA GA 30004

WATERS BUILDING LLC THE
Or Current Property Owner
241 LAKE FORREST LN
ATLANTA GA 30342-3211

TRUCK & TAP ALPHARETTA LLC
Or Current Property Owner
8640 MAIN ST
WOODSTOCK, GA 30188

ALPHA 1-2-3 LLC
Or Current Property Owner
4940 LONG ISLAND DRIVE
ATLANTA GA 30327

EAST CANTON LLC
Or Current Property Owner
11785 NORTHFALL LN SUITE 510
ALPHARETTA GA 30009

MORRIS FELLOWS

November 8, 2017

Dear Property Owner:

RE: Application for conditional use permit and variance
Spaces 5M-5S – Alpharetta City Center

Morris and Fellows has filed application for a conditional use permit and variance for Spaces 5M-5S at 575 Commerce Street of the Alpharetta City Center project.

This requested change will allow the premises to be operated as a full-service spa and medical spa offering goods and services including skin, hair and body products, bath and home products, candles, cosmetics, vitamins and nutritional supplements, casual and fitness wear, massages, body treatments, manicures, pedicures, aromatherapy, stress reduction therapy, beauty consultation, and other wellness services. This request is specifically for tenant: Natural Body Spa and Shoppe, a respected and well-known Atlanta based company with 9 locations and 27 years in business.

A site plan is attached for your reference in locating the spaces identified in this request for conditional use permit and variance.

The current hearing date for this application is as follows:

City Council: December 18, 2017 at 6:30 pm.

The City Council meeting will be held at Alpharetta City Hall located at 2 Park Plaza, Alpharetta, Georgia 30009.

Should you have any questions or would like to request further information regarding this application, please contact me at 678-954-3880 or david.beroset@morrisandfellows.com.

Sincerely,

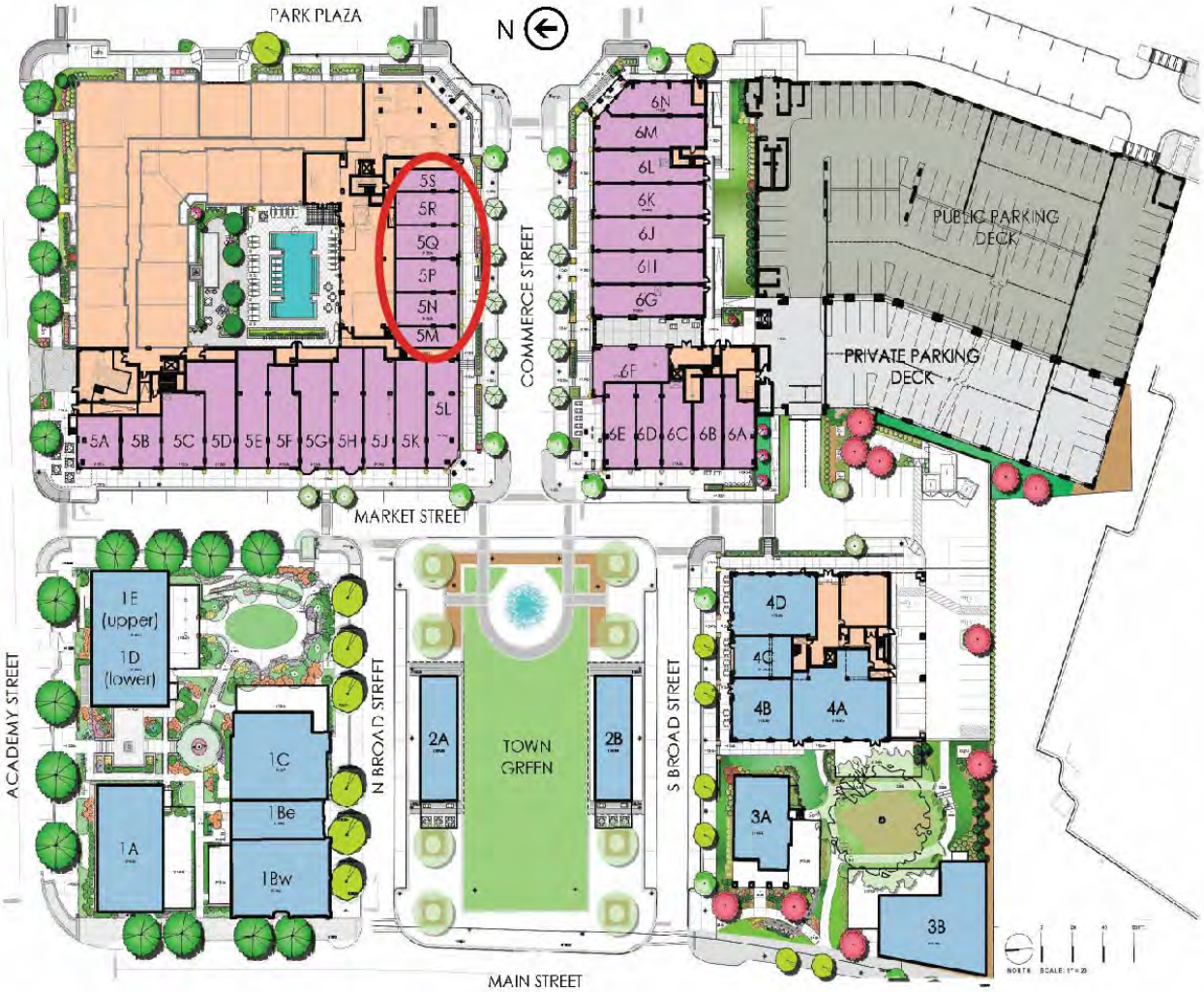
David Beroset
Morris and Fellows

Attachment

4940 Long Island Drive NW • Sandy Springs, GA 30327 • (404) 250-0225 • FAX (404) 250-1515
www.morrisandfellows.com

ALPHARETTA
CITY CENTER

Red oval indicates the approximate location of 575 Commerce Street, location for Natural Body Spa & Shoppes



ALPHARETTA
CITY CENTER

Renderings of 575 Commerce Street in Alpharetta City Center

In 1989 when Cici Coffee and Patti Beggs founded Natural Body, hardly anyone had heard of, let alone been to a "day spa." Up to that time, spas were generally considered luxury escapes for the rich and famous, and few men or women had the opportunity to experience the healing of body work or the rejuvenation of professional skin care.

But when they added a day spa to their highly successful natural products company, they joined an innovative group of spa operators that led nothing short of a wellness revolution. The growth of day spas launched a revolution in health, beauty and wellness that has inspired men and women around the world to care for their bodies and their inner-selves in a whole new way. Natural Body Spa & Shoppes currently has 9 locations in the Atlanta area, with Alpharetta slated to be the 10th location.

natural body®
spa and shop

CELEBRATING 27 YEARS

CU-17-15/V-17-37
10/31/17 NATURAL BODY SPA/ CITY CENTER

City Of Alpharetta

Public Hearing Application

FOR OFFICE USE ONLY

Case #: _____

☐ 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: Cheri Morris Telephone: 404-250-0225

Address: 4940 Long Island Drive Suite:

City Sandy Springs State: GA Zip: 30327 Fax: 404-250-1515

Mobile Tel: 404-625-1403 Email: cheri.morris@morrisandfellows.com

Subject Property Information:

Address: 575 Commerce Street Alpharetta, GA 30009 Current Zoning: MU

District: 2 Section: 2 Land Lot: 1268,1269 Parcel ID:

Proposed Zoning: MU Current Use: Alpharetta City Center [under construction]

This Application For *(Check All That Apply)*:

- ☒ Conditional Use
- ☐ Rezoning
- ☒ Variance
- ☐ Comprehensive Plan Amendment
- ☐ Master Plan Amendment
- ☐ Master Plan Review
- ☒ Public Hearing
- ☐ Other *(Specify)*: _____

APPLICANT REQUEST AND INTENT

What is the proposed use(s) of the property?

The Premises will be operated as a full service spa and medical spa offering goods and services including skin, hair and body products, bath and home products, candles, cosmetics, vitamins and nutritional supplements, casual and fitness wear, massages, body treatments, manicures, pedicures, aromatherapy, stress reduction therapy, beauty consultation, and other wellness services.

Applicant's Request (Please itemize the proposal):

The Developers of Alpharetta City Center request that 575 Commerce Street (Spaces 5M through 5S) be granted a Conditional Use permit so that tenant Natural Body Spa and Shoppe may operate a retail establishment offering Spa Services.

Applicant's Intent *(Please describe what the proposal would facilitate)*:

Natural Body Spa and Shoppe, with 9 other locations in the Atlanta area, is a renowned and respected company operating only in high-end specialty and retail districts. The developers of Alpharetta City Center received a commitment from Natural Body Spa and Shoppe early in the development and design process, and shared this with the City during zoning. We have leveraged Natural Body's commitment to attract other high-end retail establishments that would benefit from co-tenancy with Natural Body, making them an important anchor for the overall retail development and an asset for surrounding commercial properties. Because of Natural Body Commerce Street is merchandised as a health and wellness district that will be a destination for citizens seeking a fitness experience coupled with healthy food.

Property Owner Authorization

Property Owner Information:

Contact Name: Cheri Morris Telephone: 404-250-0225

Address: 4940 Long Island Drive Suite:

City Sandy Springs State: GA Zip: 30327 -

Authorization:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

- ☐ Annexation
- ☐ Special Use
- ☐ Rezoning
- ☒ Conditional Use
- ☒ Variance
- ☐ Master Plan
- ☐ Land Use Application
- ☐ Other

Identify Authorized Applicant:

Name of Authorized Applicant: Cheri Morris Telephone: 404-250-0225

Address: 4940 Long Island Drive Suite:

City Sandy Springs State: GA Zip: 30327 -

So Sworn and Attested:

Owner Signature: Date: 10/31/2017

Notary:

Notary Signature: Date:

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Cheri Morris

Subject Public Hearing Case: Natural Body Spa and Shoppe conditional use permit and variance

Campaign Contribution Information:

Please provide the requested information for each contribution with a dollar amount or value of $250 or more made within the past two (2) years to an Alpharetta Official by the individual identified above. Please use a separate form for each Alpharetta Official to whom such a contribution as been made.

If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: David Belle Isle Position: Mayor

Description of Contribution: Secretary of State campaign Value: $3,000.00

Description of Contribution: Value:

Description of Contribution: Value:

Description of Contribution: Value:

Description of Contribution: Value:

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: Date: 10/31/2017

Alpharetta Planning Commission Review Criteria

How will this proposal be compatible with surrounding properties?

A high-end Spa Services tenant would attract clientelle that would likely patronize other nearby retail and restaurant establishments, and is compatible with the existing downtown commercial retail mix.

How will this proposal affect the use and value of the surrounding properties?

A high-end Spa Services tenant would attract clientele that would be likely to patronize other nearby retail and restaurant establishments, as well as providing an additional amenity for residents in the surrounding area. We believe that this proposal, as a part of Alpharetta City Center, will improve the values of surrounding properties.

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

N/A. Currently MU, so only a Conditional Use permit is required. Zoning does not need to be changed

What would be the increase to population and traffic if the proposal were approved?

This use was planned as part of the overall Alpharetta City Center development design, and as part of that approval process the City has reviewed and approved the Traffic Impact Study done for the project.

What would be the impact to schools and utilities if the proposal were approved?

No impact.

How is the proposal consistent with the Alpharetta Comprehensive Plan; particularly the Future Land Use Map?

The developers have partnered closely with the City in the planning and development of Alpharetta City Center, including the plan to have Natural Body as a tenant. As the City has already approved Alpharetta City Center, we are confident that this proposal is also consistent with the Comprehensive Plan.

Are there existing or changing conditions which affect the development of the property and support the proposed request?

The development of Alpharetta City Center, currently under construction.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

Board Of Zoning Appeals Review Criteria

Please respond to the following ONLY if you are applying for a zoning variance.

Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography? Please describe them.

N/A

Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship? Please explain.

The developers have partnered closely with the City in the planning and development of Alpharetta City Center, specifically including the plan to have Natural Body as a tenant.

Not granting this variance would deprive the development of a valuable 'anchor' tenant and Natural Body's removal from the tenant mix will make attracting desirable retail to the project much more difficult as well as possibly causing some potential tenants to back out of participation in the project.

Are there conditions that are peculiar to the subject property? Please describe them in detail.

Alpharetta City Center is being created all at once as a complete mixed-use project, in that it is designed such that each of the parts of the project, (e.g. green spaces, residential, office, retail, and restaurants) support the success of the whole; the creation of a dynamic place for everyone to enjoy. Natural Body is an important part of that mixed-use plan, and must be considered as a critical element of the larger plan already approved by the City.

1) Size of the Natural Body space is 4,365 SF.
2) Location is approximately 225' from Alpharetta City Hall and approx. 325' from Library
3) Location is approximately 1,175' from Mezz Spa (52 North Main St)

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

No. Natural Body Spa and Shoppe, a well known and respected operator of Spa establishments, would be an asset to the community and support the overall ambiance and success of Alpharetta City Center.

On a separate sheet or sheets, please provide any information or evidence that supports your request and the statements that you have provided in this application.

Citizen Participation Form - Part A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: Natural Body Spa and Shoppe conditional use permit and variance

Contact Name: Cheri Morris Telephone: 404-250-0225

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

Alpharetta First Baptist Church, 44 Academy Street

Method by which these individuals will be contacted. Please mark all that apply. *If you select "Other," please provide a description of the method of contact that will be used.*

- [x] Letter
- [ ] Personal Visits
- [ ] Telephone
- [ ] Group Meeting
- [ ] Email
- [ ] Other *(Please Specify)*

Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

Adjacent property owners may contact applicant by phone or email. Participant contact information shall be provided in the letter sent to adjacent property owners.

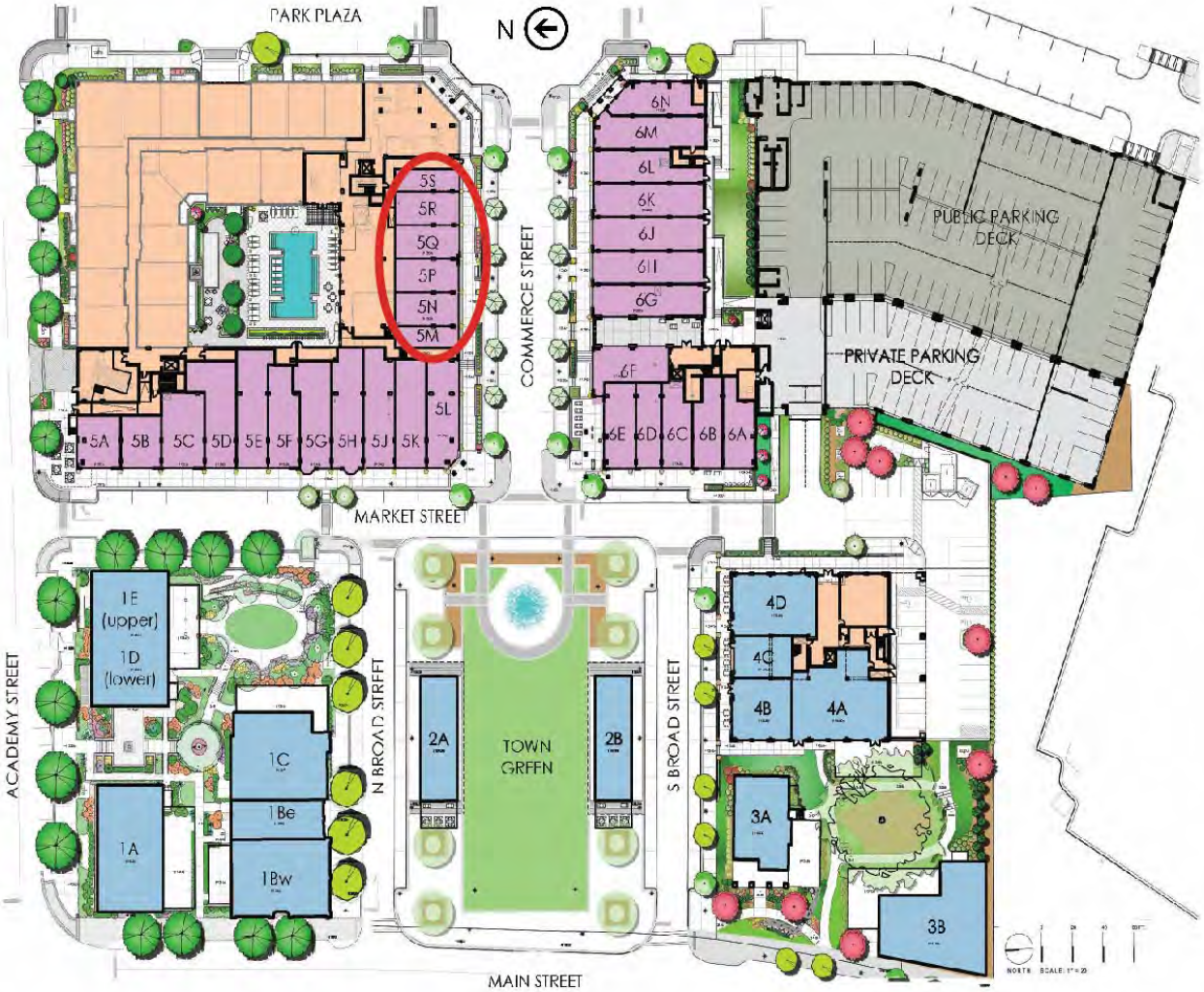
CU-17-15/V-17-37

10/31/17 NATURAL BODY SPA/ CITY CENTER

ALPHARETTA

CITY CENTER

Red oval indicates the approximate location of 575 Commerce Street, location for Natural Body Spa & Shoppes



Renderings of 575 Commerce Street in Alpharetta City Center

CU-17-15/V-17-37

10/31/17 NATURAL BODY SPA/ CITY CENTER

In 1989 when Cici Coffee and Patti Beggs founded Natural Body, hardly anyone had heard of, let alone been to a "day spa." Up to that time, spas were generally considered luxury escapes for the rich and famous, and few men or women had the opportunity to experience the healing of body work or the rejuvenation of professional skin care.

But when they added a day spa to their highly successful natural products company, they joined an innovative group of spa operators that led nothing short of a wellness revolution. The growth of day spas launched a revolution in health, beauty and wellness that has inspired men and women around the world to care for their bodies and their inner-selves in a whole new way. Natural Body Spa & Shoppes currently has 9 locations in the Atlanta area, with Alpharetta slated to be the 10th location.

CU-17-15/V-17-37

10/31/17 NATURAL BODY SPA/ CITY CENTER

natural body®
spa and shop

CELEBRATING 27 YEARS

CITY COUNCIL MEETING
STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: KATHI COOK
DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** PH-17-29 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – DOWNTOWN CODE, HERITAGE DESIGN AREAS AND LOCATIONAL CRITERIA FOR RESIDENTIAL PARKING

PLANNING COMMISSION: DECEMBER 7, 2017

CITY COUNCIL: DECEMBER 18, 2017

II. **RECOMMENDATION:**

Approve text amendments to the Unified Development Code, Subsection 2.5.4(B) as it relates to the locational criteria for residential parking and Appendix A: Alpharetta Downtown Code as it relates to the creation of Heritage Design Areas, maximum building footprints and streetscapes.

III. **REPORT IN BRIEF:**

Consideration of amendments to the Unified Development Code (UDC) Section 2.5 Parking and Loading and Appendix A: Alpharetta Downtown Code.

<u>Locational Criteria for Parking:</u>
Staff proposes an amendment to Subsection 2.5.4(B) to clarify the location of required parking in residential zoning districts.

<u>Heritage Design Areas:</u>
Staff proposes to create Heritage Design Areas along a portion of Roswell Street and along Old Canton Street and Church Street in order to encourage the protection of the existing scale in these areas. Development incentives are recommended as it relates to building coverage, building placement, parking requirements for historic structures, and gravel parking lots and driveways.

<u>Other Downtown Code Amendments:</u>
Staff proposes text amendments to streetscape standards and maximum building footprints in the DT-C and DT-MU zoning districts.

IV. **ATTACHMENTS:**

- UDC Strike Through and Underline Edits

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Article 1. General Provisions

Sec. 1.1. Title and Purpose

1.1.1. Title

This ordinance shall be known as the "Alpharetta Downtown Code" or may be internally citied as "this code."

1.1.2. General Purpose

The intent and purpose of this code is to enable and support the implementation of the following policies:

A. That the Downtown Alpharetta is the focal point for high-quality, mixed-use development in the City of Alpharetta as established in the Downtown Master Plan and the City of Alpharetta 2030 Comprehensive Plan.

B. That within Downtown Alpharetta, ordinary activities of daily life should be able to occur within walking or bicycling distance of most dwellings.

C. That Downtown Alpharetta should serve people of all ages and allow residents to remain in the community as they age.

D. That interconnected networks of streets should be designed to disperse traffic and reduce the length and number of automobile trips.

E. That a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community.

F. That the quality-of-life in existing neighborhoods should be preserved and protected.

G. That development patterns should make walking and bicycling safer and more pleasant.

H. That a range of useable open spaces including parks, squares, playgrounds, and preserved environmentally sensitive areas should be distributed throughout Downtown Alpharetta.

I. That buildings and landscaping should be coordinated in order to contribute to Downtown Alpharetta's physical design and sense of place.

J. That development should adequately accommodate automobiles while respecting the pedestrian and the design of public areas.

K. That public buildings, gathering places, and areas for community events should be provided as locations that reinforce community identity.

L. That public buildings should be distinctive and appropriate to a role more important than the other buildings that constitute the fabric of the area.

M. That the harmonious and orderly development and redevelopment of Downtown Alpharetta should be secured through these regulations.

Sec. 1.2. Applicability

1.2.1. Territorial Application

This code applies within the study area of the City of Alpharetta Downtown Master Plan, adopted by the City of Alpharetta Mayor and city Council on February 23, 2015, subject to the following:

A. The study area of the City of Alpharetta Downtown Master Plan shall be shown on the Official Zoning Map and labeled "Downtown Overlay." Heritage Design Areas identified in Sec. 2.10 shall also be shown on the Official Zoning Map and labeled "Heritage Design Area."

B. Within the Downtown Overlay the requirements of Article 2 apply in addition to the requirements of the zoning district in which a parcel lies.

C. Within the Downtown Overlay the requirements of Article 3 only apply when a parcel has been rezoned to a Downtown Zoning Code in accordance with the requirements for such found in Section 4.2 of the Unified Development Code.

1.2.2. Conformance Requirements

A. All buildings, structures or land, in whole or in part, must be used or occupied, in conformance with this code. All buildings or structures, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this code.

B. Nothing in this code shall require any change in the plans, construction or intended use of a building or structure for which a lawful permit has been issued or a lawful permit application has been accepted before the effective date of this code, provided that the construction under the terms of such permit is diligently followed until its completion.

1.2.3. Conflicting Provisions

A. It is not the intent of this code to interfere with or abrogate or annul any easements, covenants or other agreements between parties; provided, however, that where this code imposes a greater restriction upon the use of property or premises or upon the height of buildings, or requires greater space than is imposed or required by other resolutions, rules or regulations, or by easements, covenants or agreements, the provisions of this code shall govern.

B. Nothing herein shall be construed as repealing or modifying the conditions of operation or conditions of site development accompanying those zoning approvals, variances or use permits issued prior to the existence of this code; however, modification or repeal of these past conditions of approval may be accomplished through a zoning change in accordance Section 4.2 of the Unified Development Code.

1.2.4. Use of Words and Phrases

Terms used throughout this code may be defined in Article 4 Definitions of Terms. Article 4 contains regulatory language that is integral to this code. Those terms not defined in Article 4 shall be accorded their commonly accepted meanings. In the event of conflicts between these definitions and those of Section 1-4 of the Unified Development Code, those of this code shall take precedence.

1.2.5. Text and Graphics

Illustrations, photos, and graphics are included in this code to illustrate the intent and requirements of the text. In the case of a conflict between the text of this code and any Illustrations, photos, or graphics, the text governs.

Sec. 1.3. Downtown Zoning Districts

1.3.1. Downtown Zoning Districts Established

A. The following "Downtown Zoning Districts" are established within the area regulated by this code:

1. Downtown Core (DT-C)
2. Downtown Mixed-Use (DT-MU)
3. Downtown Live-Work (DT-LW)
4. Downtown Residential (DT-R)

B. Parcels shall retain their current zoning that existed on the effective date of this ordinance.

1.3.2. Relationship between Land Use Categories and Downtown Zoning Districts

The land use categories established by the Comprehensive Land Use Plan may be implemented by the establishment of appropriate zoning districts within each category. The Downtown Zoning Districts permitted within each land use category are restricted to the following:

A. The "Downtown District" land use category permits the "Downtown Core" zoning district.

B. The "Mixed-Use Commercial District land use permits the "Downtown Mixed-Use" zoning district.

C. The "Mixed-Use Live/Work District" land use category permits the "Downtown Live-Work" zoning district.

D. The "High Density Residential" land use category permits the "Downtown Residential" zoning district.

E. All other land use categories permit the zoning districts identified in the Comprehensive Land Use Plan.

1.3.3. Zoning Changes

Zoning changes to a "Downtown Zoning District" shall only occur in conformance with Section 1.3.2 and in accordance with Section 4.2 of the Unified Development Code.

Article 2. Downtown Overlay

Sec. 2.1. Applicability

2.1.1. Applicability

A. The requirements of this Article apply to all parcels within the Downtown Overlay unless expressly stated otherwise in this Article.

B. The requirements of the Unified Development Code also apply in all Downtown Districts unless expressly stated otherwise in this Article.

C. This Article does not change the permitted use or density of a property within the Downtown Overlay. Land and structures must be used in accordance with the standards of the underlying zoning district.

D. This Article does change the permitted form and design of a property subject to the Downtown Overlay. When requirements of this Article conflict with any other requirement of the Unified Development Code or the Alpharetta Downtown Design Guidelines, the requirements of this Article shall prevail.

E. When the word "street" is used in this Article it means both public and private streets unless stated otherwise.

Sec. 2.2. Block and Access

2.2.1. Intent

A. The intent of the block and access standards is to provide a well-connected street network. Large blocks with limited connectivity discourage walking, contribute to street congestion, and add driving distance that can negatively impact emergency services. New streets should also be designed to consider the future development identified in the Alpharetta Downtown Master Plan.

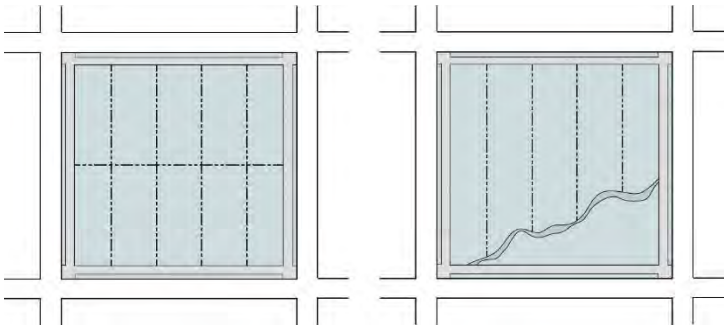
B. The intent of the access standards is to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments and to lessen traffic congestion and increase connectivity. Pedestrian, bike, and vehicular access should be safe, direct and convenient.

2.2.2. Blocks

A. Sites greater than 4 acres in size must incorporate existing or new streets that terminate at other existing or new streets to form an interconnected network with the maximum block perimeter lengths that follow:

	Block Perimeter (Max.)
Downtown Zoning Districts	
DT-C	1,600 feet
DT-MU	2,000 feet
DT-LW, DT-R	2,400 feet
Other Zoning Districts	
C-1, C-2, O-I, O-P	2,400 feet
CUP, R-8A, R-10A	2,400 feet
AG, R-12, R-15, SU, I-1	n/a

B. In addition to the block standards above, blocks containing exclusively 'For Sale' detached dwellings must be wide enough to provide two tiers of lots, except where fronting on arterial streets prevented by topographical conditions or size of the property, in which case the City Transportation Engineer may require and/or approve a single tier of lots.



C. Other than stub-out streets, dead-end streets are not allowed unless a variance is granted for topographic hardship.

D. Block Measurement

1. A block is bounded by a public or private right-of-way (not including an alley). All public or private rights-of-way proposed as part of a development must be improved with a street.
2. Block perimeter is measured along the edge of the property abutting the public or private right-of-way, except for the measurement of dead-end streets, which are measured from intersecting centerlines.
3. The City Transportation Engineer may modify the block perimeter requirements when steep slopes in excess of 25%, preexisting development, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a complete block infeasible.
4. Where the block pattern is interrupted by public parkland, including greenways, that is open and accessible to the public, pedestrian access points must be provided with a minimum spacing equal to half of the maximum block perimeter.

E. No public or private street within the Downtown Overlay, including alleys, may be gated.

2.2.3. Access

A. General. When land is subdivided or otherwise developed, parcels and buildings must be arranged and designed so as to allow for the opening of future streets and must provide access to those areas not presently served by streets. No development may be designed to completely eliminate street access to abutting parcels without current street access.

B. Stub-Out Streets

1. Stub-Out Required
   a. Where a development abuts unsubdivided land, stub-out streets within the new development must be installed to the meet the block standards of Section 2.2.2.
   b. The stub-out street right-of-way, pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
   c. Where a stub-out street is provided, a sign noting the future street extension must be posted at the applicant's expense.
2. Connecting to an Existing Stub-Out Street. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through

street.

3. Exception. The City Transportation Engineer may eliminate the requirement for a stub-out street or require pedestrian and bicycle only access when steep slopes in excess of 25%, freeways, waterways, tree conservation areas, stream buffers, cemeteries, open space or easements would make the provision of a stub-out street infeasible.

2.2.4. Vehicle Cross-Access

All lots in districts allowing commercial uses, attached 'For-Sale' dwellings, or 'For-Rent' dwellings, and all lots where the adopted comprehensive plan land use classification would allow for rezoning to such district, that abut another lot in a district or land use classification allowing either commercial uses, attached 'For-Sale' dwellings, or 'For-Rent' dwellings must comply with the following standards.

A. Internal vehicular circulation areas must be designed and installed to allow for cross-access between abutting lots.

B. Vehicle cross-access may not be gated.

C. When an abutting lot is vacant or already developed, a stub for a future cross-access connection must be provided at the point where the connection to the abutting parcel is expected to occur in the future.

D. If a cross-access driveway stub exists on an abutting parcel, the internal vehicular circulation area must connect to the stub to form a cross-access connection.

E. When cross-access for vehicles is deemed impractical by the City Transportation Engineer on the basis of topography, the presence of natural features, or vehicular safety factors, the requirement for cross access may be waived. Bicycle and pedestrian connections must be provided between abutting properties when cross-access is waived.

F. Property owners who establish cross-access easements must:

1. Allow pedestrian and vehicular access to all properties on the same block face as the property owner establishing the cross-access. Pedestrian and vehicular access is contingent upon the granting of reciprocal vehicular, bicycle, and pedestrian access rights to the granting property;
2. Record an easement allowing cross-access to and from properties served by the cross-access easement;
3. Record a joint maintenance agreement requiring each property owner to maintain the vehicular, bicycle, and pedestrian access areas on their lot;
4. Contain a provision prohibiting the erection of fences, walls and other obstructions that prevent the use of vehicular, bicycle, and pedestrian access ways;
5. Include a statement that the cross-access agreement is conveyed with the land, is binding on all successors, heirs and assigns and that the easement rights are perpetual; and
6. The cross access agreement must be signed by all of owners of the granting property.

Sec. 2.3. Streets

2.3.1. Intent

A. The intent of this Section is to provide a palette of street types and design elements that reflect the character of different areas within the Downtown Overlay as established in the Alpharetta Downtown Master Plan.

B. The regulations provide adequate accommodations for vehicles, cyclists, and pedestrians.

C. The street types defined in this Section provide a guide to balancing the needs of all modes of travel. Modifications to these types may be made by the City Transportation Engineer.

D. The appropriate street type will be selected by the City Transportation Engineer based on the Roadway Plan in the Alpharetta Master Plan and engineering and land use context factors, including anticipated vehicle volumes.

2.3.2. Applicability

A. When a development proposes the construction of a new public or private street, the requirements of this Section apply.

B. When constructing a new street or reconstructing an existing street, sidewalks, bike lanes, curb and gutter or an alternative curb and gutter to accommodate GI/LID, and street trees must be installed and constructed in accordance with this Section and the City of Alpharetta Department of Engineering/Public Works Design Standards.

C. Use of multi-functional stormwater BMPs is expressly allowed and encouraged in the ROW, including streetscape landscape bioretention areas and stormwater planters, stormwater street trees, curb bulbouts and medians with bioretention, and vegetated swales. Such stormwater BMPs may receive stormwater credit for the site if part of an approved stormwater management plan and with a long-term maintenance agreement.

D. D. Traffic calming design elements, such as intersection bulbouts can help moderate vehicle speeds on Downtown Streets; multifunctional bulb-outs that include runoff reduction measures for stormwater management are encouraged. Landscaping and traffic calming techniques that are ideal on Downtown Streets include, but are not limited to, street trees with grated wells, bioretention areas/planters, curb bulbouts with bioretention.

E. Existing streets may continue serving existing development in their current configuration; however, they must not be extended or substantially rebuilt except in conformance with this Section.

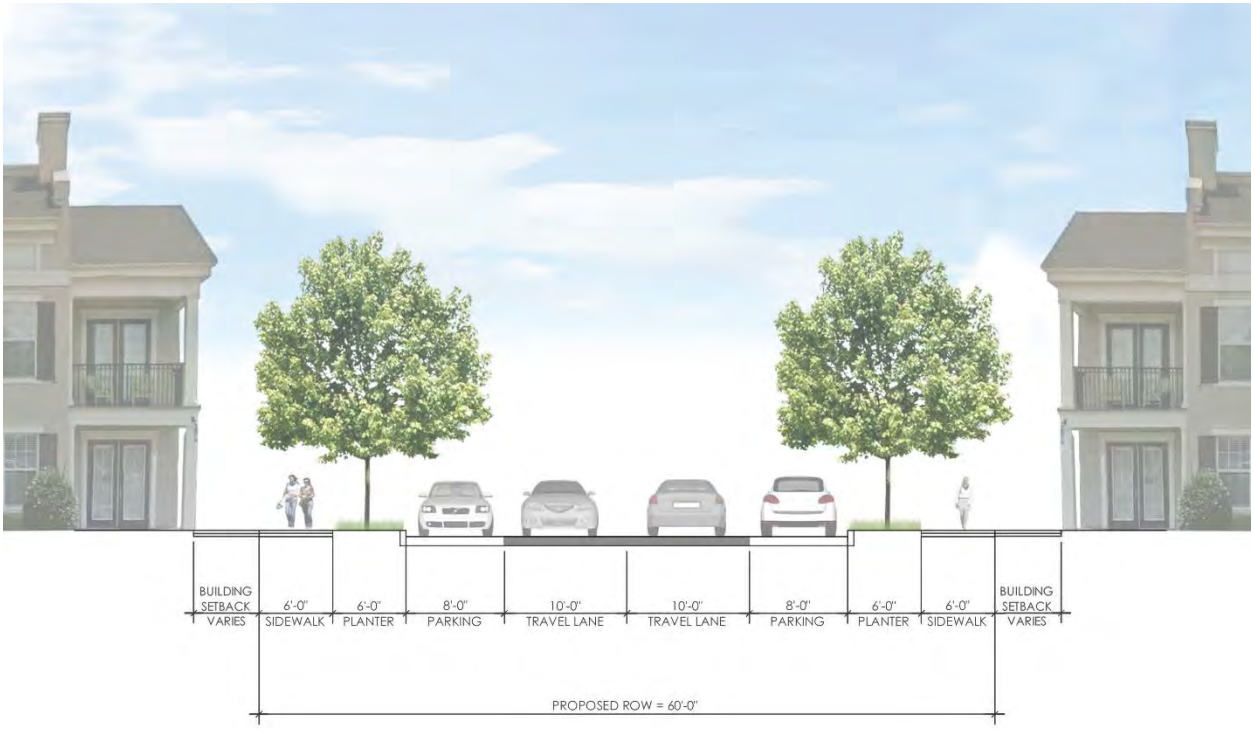
2.3.3. Street Types

A. All new or extended public or private streets must meet the following standards unless modified by the City Transportation Engineer for the following public purposes:

1. To provide on- or off-street bicycle facilities;
2. To provide wider sidewalks or planters;
3. To provide a median, left turn lane, or combination therefore;
4. To provide bulb-outs;

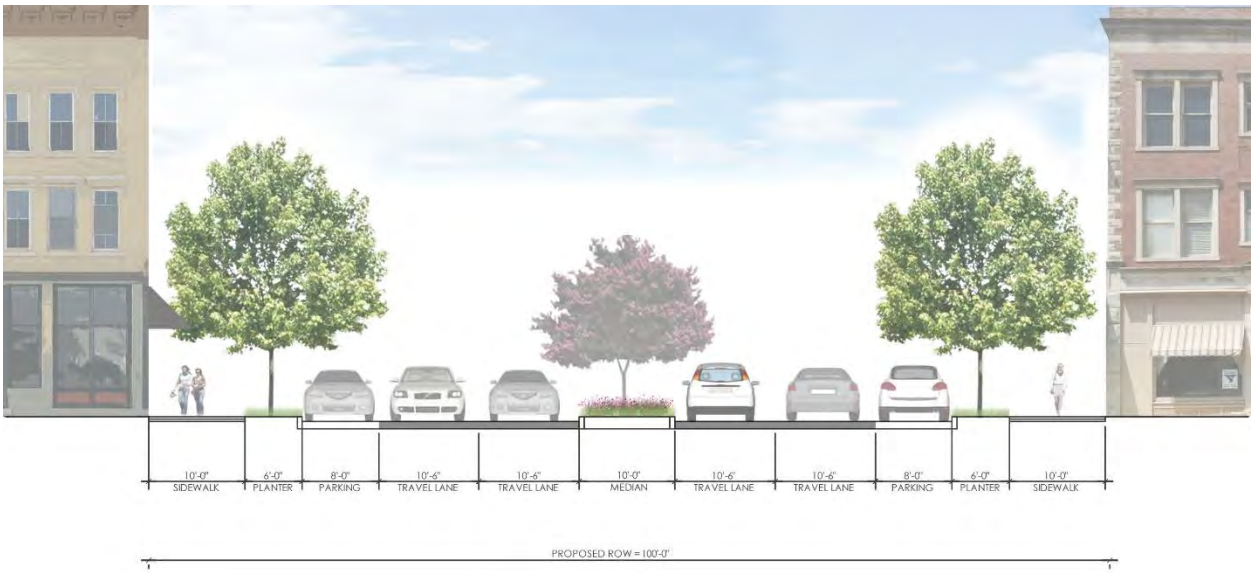
5. To provide hardscape surface in otherwise landscaped planters in order to provide pedestrian access to adjacent on-street parking;
6. To increase or decrease the travel lane width; and
7. To provide traffic calming or pedestrian safety measures.

B. Arterial Street Residential



Width	
Right-of-way Width	60 feet
Face of curb to face of curb width	36 feet
Streetscape	
Sidewalk	6 feet
Planter	6 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped
Travelway	
Parallel Parking	8 feet
Travel Lane	10 feet

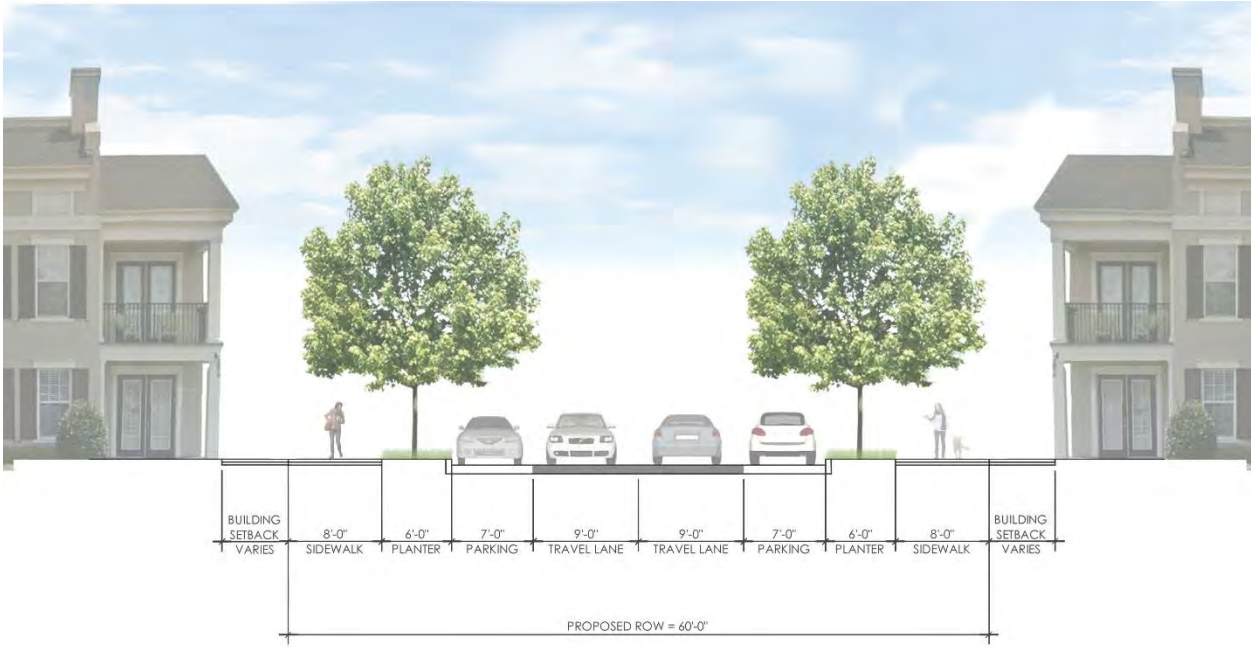
C. Arterial Street Commercial/Mixed-Use



Width	
Right-of-way Width	100 feet
Face of curb to face of curb width	68 feet
Streetscape	
Sidewalk	10 feet
Planter	6 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped/Hardscaped*
Travelway	
Parallel Parking	8 feet
Travel Lane	10.5 feet

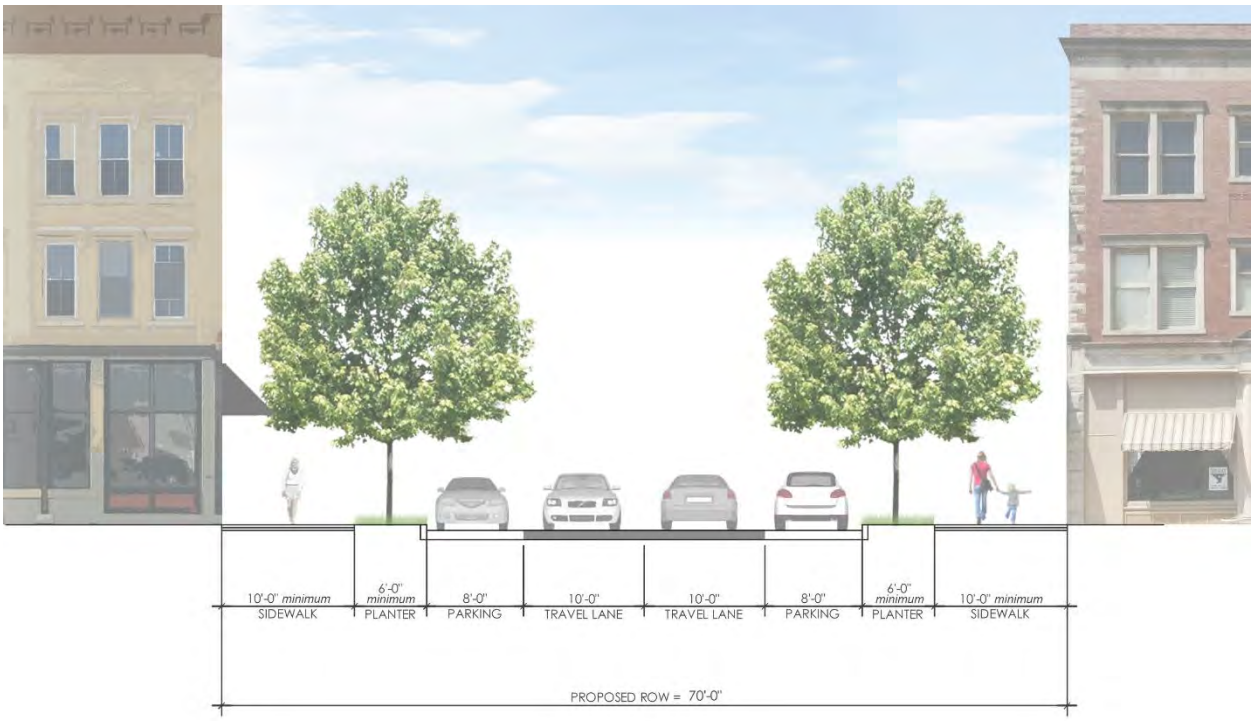
*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

D. Collector Street Residential



Width	
Right-of-way Width	60 feet
Face of curb to face of curb width	32 feet
Streetscape	
Sidewalk	8 feet
Planter	6 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped
Travelway	
Parallel Parking	7 feet
Travel Lane	9 feet

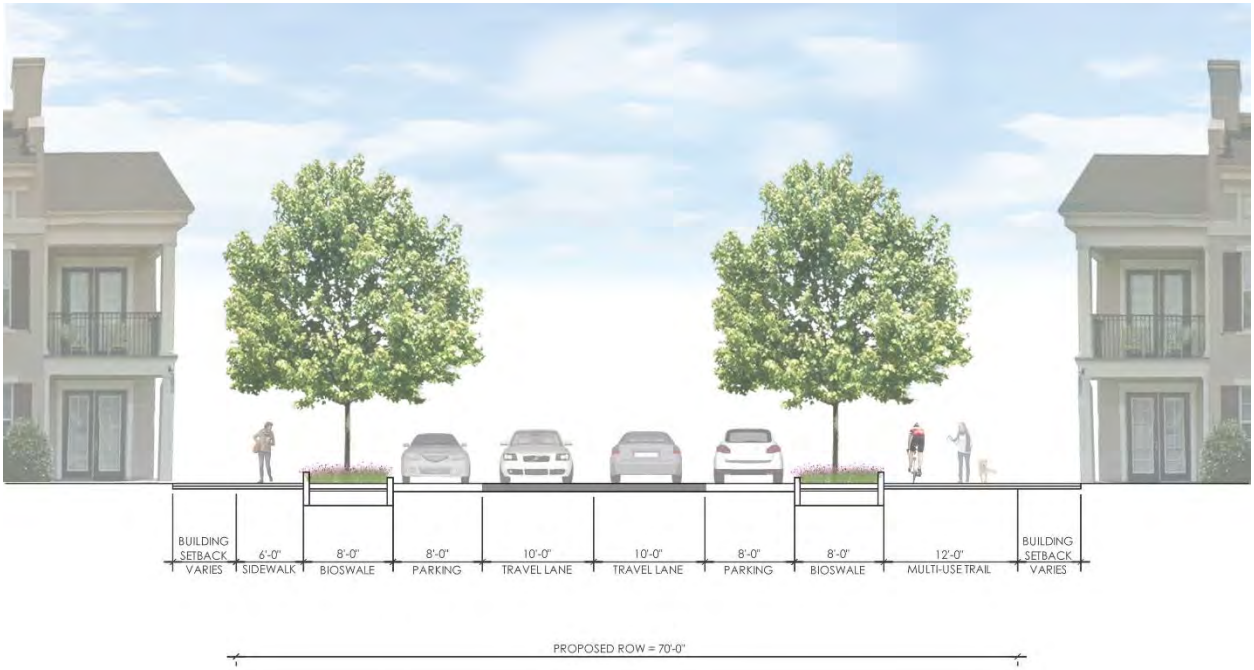
~~D.~~E. Collector Street Commercial/Mixed-Use



Width	
Right-of-way Width	70 feet
Face of curb to face of curb width	36 feet
Streetscape	
Sidewalk	Min. 10 feet
Planter	6 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped/Hardscaped*
Travelway	
Parallel Parking	8 feet
Travel Lane	10 feet

*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

~~E.~~F. Green Street



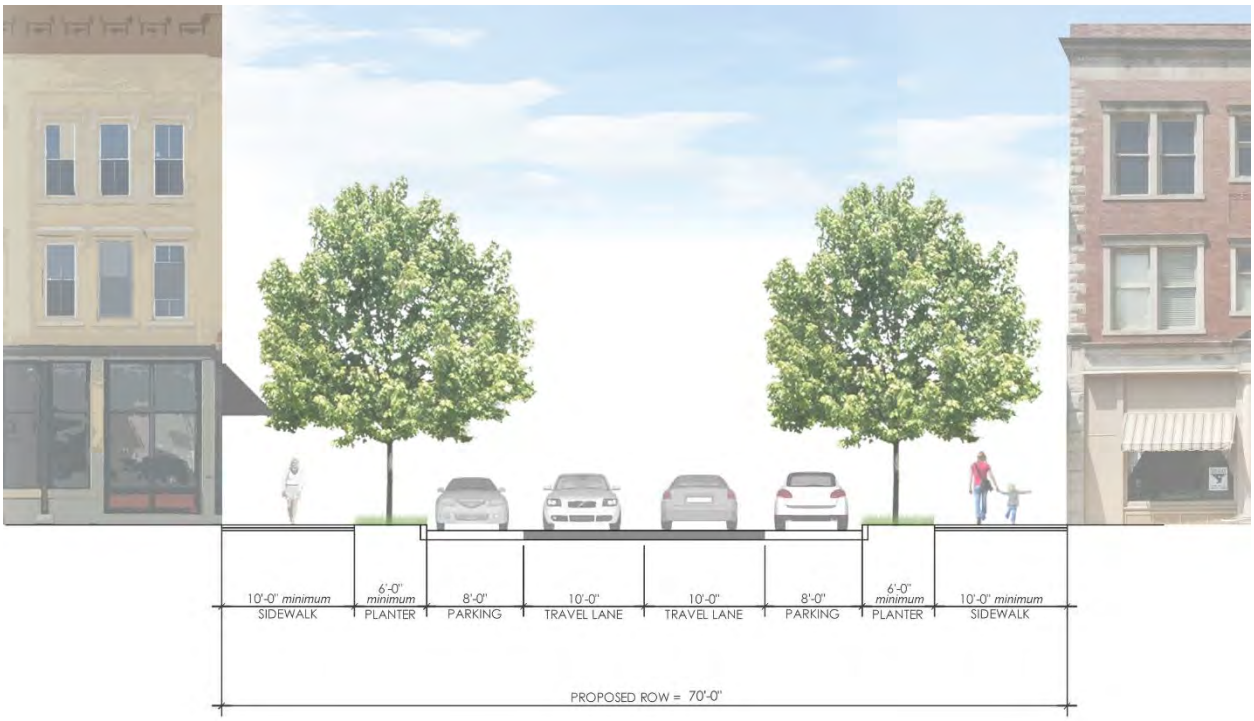
Width	
Right-of-way Width	70 feet
Face of curb to face of curb width	36 feet
Streetscape	
Sidewalk	6 feet (one side) (see note 1)
Multi-use trail	12 feet (one side) (see note 1)
Planter	8 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Bio-swale
Travelway	
Parallel Parking	8 feet
Travel Lane	10 feet

Note 1: The side of the street containing sidewalks and multi-use trails shall be as established by the City Transportation Engineer.

G. Local Street Residential

Width	
Right-of-way Width	50 feet
Face of curb to face of curb width	26 feet
Streetscape	
Sidewalk	6 feet
Planter	6 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped
Travelway	
Parallel Parking	8 feet
Travel Lane	9 feet

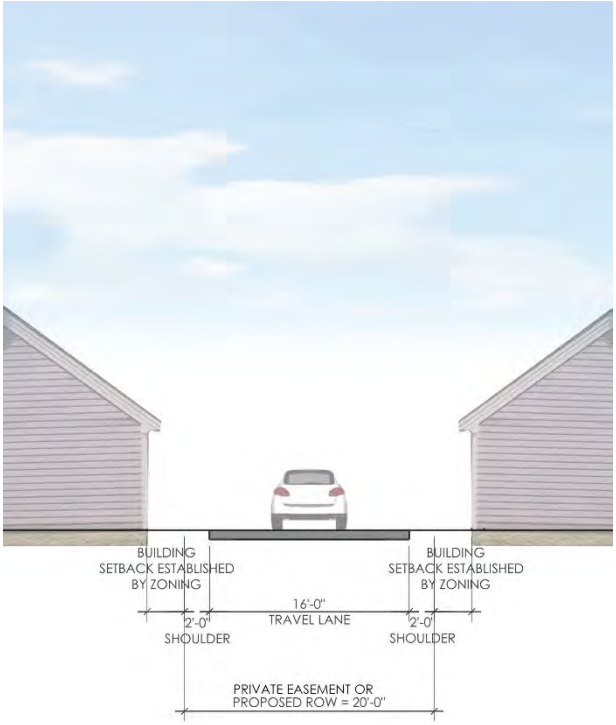
~~F.~~H. Local Street Commercial/Mixed-Use



Width	
Right-of-way Width	70 feet
Face of curb to face of curb width	34 feet
Streetscape	
Sidewalk	Min. 10 feet
Planter	7 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped/Hardscaped*
Travelway	
Parallel Parking	7 feet
Travel Lane	10 feet

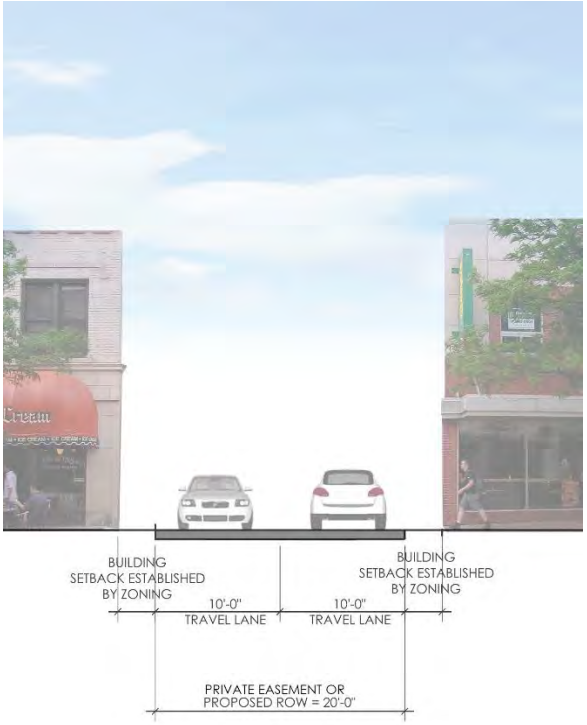
*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

~~G.~~I. Residential Alley



Width	
Right-of-way or Easement Width	20 feet
Paved Width	16 feet
Shoulder	2 feet
Travelway	
Parallel Parking	Not allowed
Travel Lane	16 feet

~~H.~~J. Commercial/Mixed-Use Alley



Width	
Right-of-way or Easement Width	20 feet
Paved Width	20 feet
Shoulder	0 feet
Travelway	
Parallel Parking	Not allowed
Travel Lanes	10 feet

~~I~~K. Representative Alternative Streetscape Standard along an Existing Street

1. **Purpose.** Sec. 2.3.4.C.6 allows alternative streetscape standards to be approved by City Transportation Engineer under certain conditions. The purpose of this section is to illustrate one option for how this street type could be arranged.

Width	
Right-of-way Width	Varies
Face of curb to face of curb width	Varies
Streetscape	
Sidewalk	Min. 8 feet
Planter	7 feet
Planter Tree Spacing (max.)	40 feet on-center
Planter Type	Landscaped
Travelway	
Parallel Parking	8 feet
Travel Lane	Varies

2.3.4. Existing Streets, Streetscapes

A. Applicability. A building or site may be renovated or repaired without meeting the requirements of this Section, provided any increase in gross floor area or improved site area does not exceed 25%.

B. Exceptions. This does not apply as follows:

1. On a parcel zoned R-12 or R-15 when such parcel is located within a recorded subdivision that existed on the date of adoption of this ordinance and when no sidewalks currently exist adjacent to the parcel.

2. On a parcel for which a Land Disturbance Permit or Building Permit is issued but where the Director of Community Development determines that the permit is for an accessory use or structure to the principal use or structure or for minor repairs or additions to the principal building or structure in existence.

C. Streetscapes Required

1. Existing streets~~, planters, and sidewalk~~ that do not meet the parallel parking, planter, and sidewalk ~~width and planting~~ standards of the Downtown Alpharetta Streetscape Table ~~-~~must be brought into compliance with said ~~the current~~ standards along the site's frontage prior to the issuance of Certificate of Occupancy, except as indicated in 5 below.

2. On existing streets where there is insufficient right-of-way for the required streetscape and parking improvements, the right- of-way needed for such improvements may be expanded by mutual agreement between the property owner and the entity holding the right-of-way, or a public access easement may be provided to the City to meet the required improvements.

3. Where an easement is provided to the City and a parcel is zoned a Downtown Zoning District, the back of the minimum required sidewalk (adjacent to the lot) may be considered the lot line for the purpose of establishing yards, may not be included in lot coverage calculations, and may not be counted in minimum lot size requirements for new lots.

Downtown Alpharetta Streetscape Table

Street Type and Parcel Zoning District (both must be met)		Parallel Parking	Planter	Sidewalk (see note 1)
Arterial (existing)	DT-C, DT-MU, C-1, C-2, O-I, OP, MU	Required	6 feet	10 feet
Arterial (existing)	All other Zoning Districts	Required	6 feet	6 feet
Collector (existing or proposed)	DT-C, DT-MU, C-1,C-2, O-I, OP, MU	Required	6 feet	10 feet
Collector (existing or proposed)	All other Districts	Required	6 feet	6 feet
Green (existing or proposed, includes Thompson Street)	DT-C, DT-MU, C-1, C-2, O-I, OP, MU	Required	8 feet	10 feet
Green (existing or proposed)	All other Districts	Required	8 feet	8 feet
Local (existing or proposed)	DT-C, DT-MU, C-1, C-2, O-I, OP, MU	Required	6 feet	10 feet
Local (existing or proposed)	All other Districts	Required	6 feet	8 feet

Note 1: Along at least one side of Thompson Street a 12-foot wide multi-use trail must be provided in lieu of the required sidewalk in accordance with the Downtown Master Plan. Such trail may be on the north or south side of the street, as determined by the City Transportation Engineer. The planter width may also be increased to allow the trail to run through existing or new open spaces.

4. Where a publically funded streetscape project using alternative planter standards was installed adjacent to a parcel after January 1, 2005, the planter standards of Downtown Alpharetta Streetscape Table do not apply.

5. The City encourages the use of multi-functional runoff reduction measures in the streetscape, including bioretention areas, stormwater tree box, and planter box. The dimensional standards for planting area, tree spacing, planting type and utility placement may be varied to accommodate runoff reduction measures.

6. Alternative streetscape standards along an existing local street may be approved by City Transportation Engineer when all of the following conditions are met:
   a. The site has less than 100 feet of frontage along an existing local street;
   b. The site is along a block that is transitioning from for-sale detached dwellings into more intense uses;
   c. The site is exclusively used for detached houses, cottage courts, semi-detached houses, or townhouses; and
   d. Compliance with this section would result in a streetscape that extends 4 feet or greater beyond the existing right-of-way.
   ~~a.~~e. An example of one possible alternative streetscape standard is shown in Sec. 2.3.3.K.

2.3.5. Multi-Use Trails

A. Multi-use trails shall have an average width of 12 feet, but their width may be periodically reduced to 8 feet where topography, wetlands, stream buffers, existing buildings, existing trees, or other existing conditions render this requirement infeasible. The maximum length of this reduced width is 400 feet.

B. A multi-use trail may be required instead of a sidewalk along any new or existing street when the location is identified for a multi-use trail in the Downtown Master Plan or other plan that has been adopted by the City of Alpharetta.

C. Where a City of Alpharetta park or access easement held by the City of Alpharetta abuts a street subject to Section 2.3.5.A above, the multi-use trail may also be located in such park or easement.

D. In approving a multi-use trail in lieu of a sidewalk, the City Transportation Engineer may reduce the planter width to a minimum width of 5 feet.

2.3.6. Improvements along State Highways

A. For any development that abuts a State highway or other right-of-way controlled by the State of Georgia, improvements to the roadway and the location and design of any street or driveway providing access from the State highway must comply with the standards and requirements of the Georgia Department of Transportation.

B. An approved permit for proposed access or improvements is required by Georgia Department of Transportation and must be incorporated into the construction drawings for the project prior to the issuance of a Land Disturbance Permit.

2.3.7. Planter

A. **Defined.** A zone adjacent to the curb intended for planting street trees and the placement of street furniture including light poles, litter receptacles and similar items.

B. Street trees shall be planted in the planter as follows:

1. Where no overhead utilities exist, shade trees must be planted a maximum of 40 feet on center in the planter. Newly planted trees shall be a minimum of 3½ inches in caliper, and shall be limbed up to a minimum of 7 feet.
2. Where overhead utilities exist, one understory tree must planted a maximum of 25 feet on center in the planter, subject to approval of the overhead utility provider and the City Arborist.
3. Trees shall have a minimum 6 feet by 10 feet pervious landscape planting area. Tree grates are not allowed unless the City Arborist determines that they will no negatively impact tree health.

Sec. 2.4. Parking and Loading

2.4.1. Vehicle Parking

A. Every use must provide and maintain vehicular parking in accordance with the Vehicular Parking Requirements Table.

B. Vehicular Parking Requirements Table

Use	Parking Space Ratio
Residential Activities	
Dwelling, 'For-Sale,' Attached	Min. 1 per bedroom (up to 2 bedrooms), plus 0.15 visitor space per unit
Dwelling, 'For-Sale,' Detached	Min. 1 per bedroom (up to 2 bedrooms), plus 0.15 visitor space per unit
Dwelling, 'For-Rent"	Min. 1 per bedroom (up to 2 bedrooms), plus 0.15 visitor space per unit
Bed & Breakfast	Min. 1 per guest bedroom
Hotel	Min. 1 space per guest room, plus 1 employee space per 20 guest rooms, plus 1 per 500 sf of convention rooms, conference rooms, ballrooms, restaurant and retail shops
Congregate Housing, Assisted Living Facility	Min. 1 per 2 sleeping rooms
Home-Elderly, Children, Nursing	Min. 1 per 2 sleeping rooms
Business Uses	
Bank, Savings & Loan, Mortgage Company	Min. 3 per 1,000 sf
Day Care Center	Min. 1 per 400 sf, plus stacking for 6 cars on the lot
Funeral Home (with no cemetery or mausoleum)	Min. 1 per 4 seats in chapel or parlor, plus sufficient space to park or store all company vehicles
Medical, dental and optical offices	Min. 3 per 1,000 sf
Professional and business offices not otherwise specifically enumerated	Min. 3 per 1,000 sf
Auto, truck and mobile home sales, outdoor equipment and machinery sales, commercial nurseries	Min. 3 per 1,000 sf of showroom, sales office or other conditioned space
Restaurant	Min. 1 per 500 sf
Retail businesses, not otherwise specifically enumerated	Min. 1 per 500 sf
Theaters, night clubs and other such places of public assembly	Min. 1 per 4 seats, plus 1 (employee space) per 10 seats
Service and repair establishments not otherwise specifically enumerated	Min. 3 per 1,000 sf, excluding storage
Service Station, Automotive	Min. 2 per fueling station, pus 1 per 250 sf of retail

Use	Parking Space Ratio
Technology Centers/Data Processing Centers	Min. 1 per 500 sf of unmanned areas and min. 1 per 300 sf of manned areas
Wholesale/Industrial Uses	
Wholesaling and industrial uses including lumber, brick, coal, junk and supply yards	Min. 1 per 1,000 sf
Public and Semipublic Uses	
Hospital	Min. 1 per bed, plus 1 per 200 sf for outpatient treatment areas
Church, Synagogue, Other Place of Worship	Min. 1 per 2 seats in the principal assembly room
Places of assembly or indoor recreation without fixed seats	Min. 1 per 500 sf playing court, rink, playing field and spectator area, plus 1 per 200 sf of patron use areas
Schools, elementary and middle schools	Min. 1 per classroom and administrative office, plus 5 visitor spaces
Schools, senior high	Min. 1 per classroom and administrative office, plus 1 per 4 students (based on the design capacity of the school)
Other public building	Min. 1 per 300 sf

C. Parking in the following locations may be used to satisfy the minimum requirements of the Vehicular Parking Requirements Table:

1. Off-street parking located on the same site or lot as the use it serves;
2. On-street parking located adjacent to and on the same side of the street as the site or lot contain the use it serves; and

D. When a use provides more than 120% of the minimum number of spaces required by the Vehicular Parking Requirements Table, any additional spaces in a surface parking lot must be constructed of pervious paving materials. For the purpose of conforming to this requirement, any on-street spaces or off-street spaces in parking structures must be counted towards satisfying the minimum requirement.

E. A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.

2.4.2. Bicycle Parking

A. Facilities that provide or required 25 or more vehicle parking spaces must provide a minimum of 1 bicycle parking space, plus 1 space for each additional 25 provided vehicle parking spaces, provided that no site may have fewer than 3 spaces nor be required to exceed bicycle 30 spaces.

B. Bicycle parking facilities must comply with the following provisions.

1. Each required bicycle parking space must be at least 2 feet by 6 feet. Where a bike can be locked on both sides of a bicycle rack without conflict, each side can be counted as a required space.
2. Bicycle racks must be securely anchored, be easily usable with both U-locks and cable locks, and support a bicycle at 2 points of contact to prevent damage to the bicycle wheels and frame.
3. Bicycle parking must be provided in a well-lit area.
4. Spacing of the bicycle racks must provide clear and maneuverable access.
5. Bicycle parking may be placed within the public right-of-way, provided the encroachment is approved by the City Transportation Engineer.
6. Bicycle parking spaces must be as close as or closer than the nearest vehicle parking space (as

measured along a pedestrian walkway from the door of the use the parking serves).

2.4.3. Driveways

A. Applicability. This following applies to driveways, including those serving alleys, but not to new streets in conformance with Section 2.3.3.

B. Width. Unless approved by the City Transportation Engineer or required by the Georgia Department of Transportation along a State highway, the maximum width of curb cuts, not including flares or returns at the throat of the facility, for entrances, exits, service drives and similar facilities shall be 24 feet for two-way entrances and 12 feet for one-way entrances.

C. Number. The maximum number of driveways allowed on a site shall not exceed an amount equal to one driveway for every 300 feet of total street frontage or fraction thereof. All parcels are permitted at least one driveway.

D. Location. Driveways may not be located on an arterial street when access is available from a collector or local street.

2.4.4. Design of Parking Structures

A. When a parking structure fronts an arterial or collector street its ground story must have active uses (such as, but not limited to, residential, commercial, office or civic space) located between the parking structure and the closest adjacent street (not including an alley). Such active use shall have a minimum depth of 20 feet.

B. Where upper stories of structured parking are adjacent to or visible from any street, they must be screened so that cars and ramps are not clearly visible from ground level view from the adjacent parcel or the adjacent street (not including an alley).

C. Structured parking facades adjacent to or visible from any street must have the appearance of a horizontal storied building.

2.4.5. Loading

A. On-site loading space is not required.

B. Loading areas must be located to the rear of buildings. Loading areas must not be placed between a building and the closest adjacent street.

C. Screening. If a loading area is provided, it must meet the following.

1. Where a loading dock designed for tractor-trailers is placed between a shared lot line or building and the closest adjacent street (not including an alley), the entire length of the loading area must be screened.

2. Screening must consist of either:

   a. An 8-foot high wall compatible with the principal building in terms of texture, quality, material and color; or

   b. Evergreen plant material that can be expected to reach a height of 8 feet with a spread of 4 feet within 3 years of planting.

2.4.6. Vehicle Access and Parking Locations

A. No driveway or off-street parking lots may be located between a building and the closest street unless an intervening approved building type exists.

B. Off-street parking for the following must be accessed from alleys:

1. Townhouses on lots of any width.
2. All other building types on lots less than 50 feet in width.

C. Where a garage faces a street the garage must be recessed a minimum distance of 20 feet behind the front building façade.

Sec. 2.5. Landscaping and Screening

2.5.1. Applicability

A. New Construction. Any new building or site improvement must comply with the landscaping and screening requirements of this Section.

B. Maintenance and Repair. An existing building or site may be repaired, maintained or modernized without providing additional landscaping or screening, provided there is no increase in gross floor area or improved site area.

C. Additions

1. When an existing building, use or site is increased in gross floor area or improved site area by up to 25% cumulatively, landscaping and screening is required for the additional floor or site area only.
2. When an existing building, use or site is increased in gross floor area or improved site area by more than 25% cumulatively, both the existing building, use or site and the additional floor or site area must conform to the landscaping and screening requirements of this Section.

D. Change in Use. A change in use does not trigger the application of these requirements except when there is a specific use standard requiring landscaping or screening for the new use.

2.5.2. Yard Landscaping

A. Yards between a parking lots and a street must comply with Section 2.5.3.

B. Yards greater than 5 feet in depth and located between a building and the closest adjacent sidewalk along a street must be landscaped with grass, trees, shrubs, hedges and other landscaping materials for their entire width, with the exception of areas used for:

1. Front porches and stoops;
2. Outdoor dining or display;
3. Pedestrian walkways used to access a street-facing pedestrian entrance;
4. Driveways used to access off-street parking; and
5. Amenity space, where required by Article 3.

C. Yards greater than 10 feet in depth must be planted with one tree for each 30 feet of street frontage or portion thereof.

D. Vegetated runoff reduction measures shall be allowed in the designated yards, if properly designed to provide stormwater management and screening functions.

2.5.3. Parking Lot Landscape Strips

A. Applicability. All surface parking areas (of any size) abutting a street (not including an alley) must be screened using one of the following options.

B. Landscape Strip with Shrubs. A minimum 10 feet wide landscape strip planted with a minimum of 10 shrubs per 35 linear feet of street frontage, excluding driveway openings. Shrubs shall be provided to screen paved areas and parking lots from the right-of-way. Shrubs shall be at least 2 feet tall at time of planting. They must be planted 2 rows deep, and provide a screen within 3 years of planting.

C. Landscape Strip with Wall

1. A 2.5 feet high wall in a minimum 4-foot planting strip.
2. Walls must be close to the parking lot in order to provide a minimum 2-foot landscaped area facing the street.
3. Walls must be closed and be constructed of one or a combination of

the following: decorative blocks; brick; stone; cast-stone; split-faced block; or stucco over standard concrete masonry blocks.

D. Landscape Strip with Berm

1. An earth berm a minimum of 2.5 feet higher than the finished elevation of the parking area, planted with 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings.
2. The berm must contain a rounded crown suitable for planting, and a stabilized side slope of no greater than 3:1.

E. Landscape Strip with Grade Change. A 6-foot landscaped strip with a minimum 3-foot grade drop from the street to the parking area, planted with a minimum of 5 shrubs for every 35 linear feet of street frontage, excluding driveway openings.

F. Location. A required landscape strip must be located at the outer perimeter of the parking area and must be provided along the entire parking area abutting the street, excluding breaks for pedestrians, bicycles and driveways.

G. Plant Material. Required shrubs must be a minimum of 2.5 feet in height at time of planting. 70% of the required amount of shrubs must be evergreen.

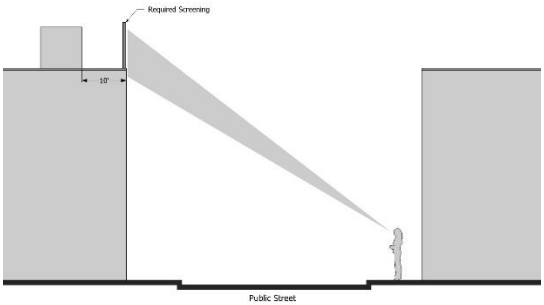
2.5.4. Screening

A. Service Areas

1. Trash and recycling collection and other similar service areas must be located to the side or rear of buildings and may not between a building and the street.
2. Service areas must be screened on 3 sides by a wall a minimum 6 feet in height and on the 4th side by a solid gate at a minimum of 6 feet in height.
3. The wall must be opaque and be constructed of one or a combination of the following: decorative blocks; brick; stone; cast-stone; split-faced block; or stucco over standard concrete masonry blocks.
4. The gate must be self-locking and maintained in good working order.

B. Roof-Mounted Equipment

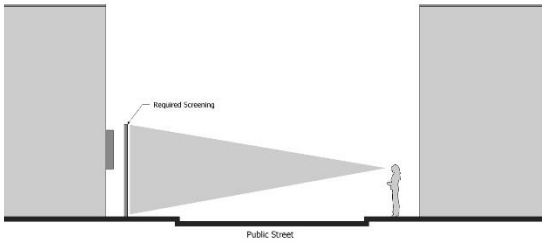
1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from abutting parcel or abutting street (not including an alley).
2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal building in terms of texture, quality, material, and color that fully screens roof-mounted equipment from ground level view.



3. For buildings with no or low parapet walls, roof mounted equipment must be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material, and color.

C. Wall-Mounted Equipment

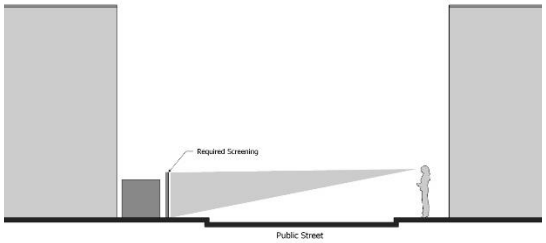
1. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

D. Ground-Mounted Equipment

1. Ground-mounted mechanical equipment that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material and color.



2. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

2.5.5. Design and Installation

A. Plant Material

1. Plant materials must be hardy to zone 7b in accordance with the U.S. Department of Agriculture's Plant Hardiness Zone Map.
2. Plant materials must be able to survive on natural rainfall once established with no loss of health.
3. Tree height is measured from the top of the root ball to the tip of the main stem.
4. No artificial plants, trees, or other vegetation may be installed as required landscaping and screening

2.5.6. Maintenance of Landscaping

A. Responsibility. The property owner is responsible for maintaining all required landscaping and screening in good health and condition. Any dead, unhealthy, damaged or missing landscaping and screening must be replaced with landscaping and screening that conforms to this Section within 90 days (or within 180 days where weather concerns would jeopardize the health of plant materials) as approved by the City Arborist.

B. Soil Erosion

1. All planting areas must be stabilized from soil erosion immediately upon planting and must be maintained for the duration of the use.
2. Grass areas must be sodded prior to the issuance of a Certificate of Occupancy. If grass seed must be used, it must be a variety that may be reasonably expected to produce full coverage of the area.

C. Pruning and Trimming

1. All required landscaping must be allowed to reach its required size and must be maintained at no less than required size.
2. To prevent long-term harm to the health of required landscaping, all pruning of shrubs and trees must be done in accordance with the International Society of Arboriculture Standards entitled '"ANSI A300 Standards."
3. "Topping," defined as removal of more than one-third of the leaves and branches of a tree, as measured from the lowest branch on the trunk of the tree to the top of the tree, is prohibited, except where necessary to maintain public overhead utilities.

Sec. 2.6. Neighborhood Compatibility

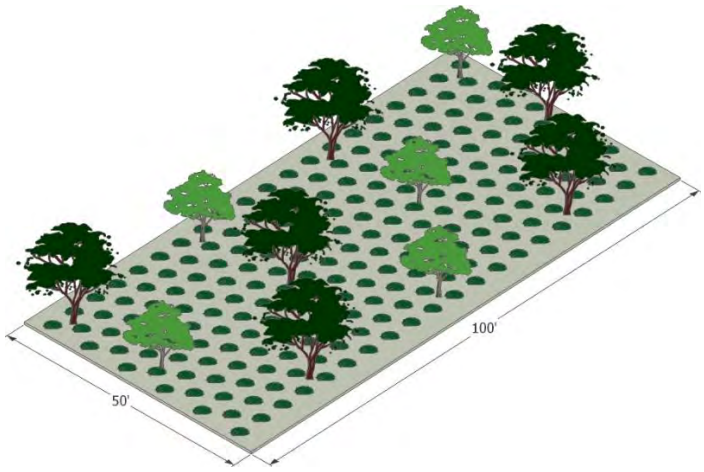
2.6.1. Applicability

A. Neighborhood compatibility measures are required when a lot zoned or used for a rental dwelling, office, institutional, commercial, industrial uses, or occupied by a non 'For-Sale' residential use adjoins a protected district

B. Protected district as used in this Section means any property zoned for or used by 'For-Sale' residential purposes. Where commercial or industrial districts or developments abut R-10M zoning districts, the R-10M zoning district is considered a protected district and neighborhood compatibility measures also apply.

2.6.2. Buffers

A. A 50 feet wide undisturbed buffer is required as shown in the Downtown Buffer Table.

Downtown Buffer Table		
Depth (min.)	50 ft.	
Fence/wall height (min.)	Not required	
Shade trees (min. per 100 feet and evenly spaced)	6	
Understory trees (min. per 100 feet in length and evenly spaced)	5	
Shrubs (min. per 100 feet in length and evenly spaced)	60	

B. Except as otherwise provided, herein, the buffer shall be preserved in its natural undisturbed state, except that sparsely planted buffers shall be enhanced with additional plant material. Enhancement plants must provide an opaque screen within two years of planting and must meet the following standards:

1. Plants must be a minimum of 5 feet in height at time of installation;
2. At least 75% of the total number of plants installed must be evergreen species; and
3. Plants will be planted and spaced as shown in the Downtown Buffer Table.

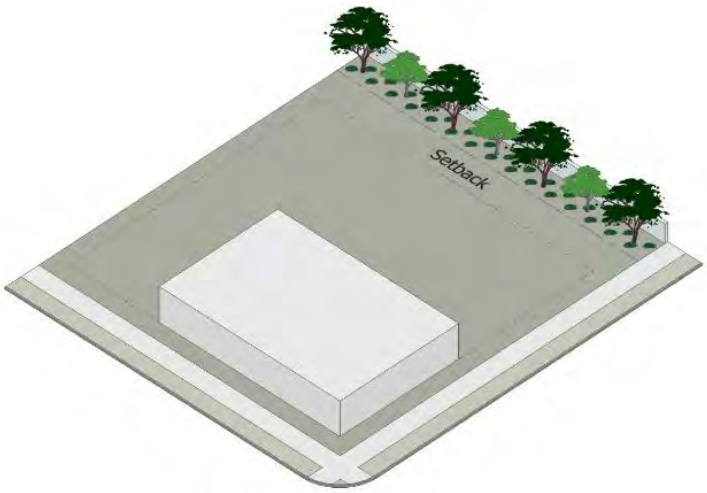
C. Buffers may not contain any surface parking or storm water, detention basins, or any structures except that the Director of Community Development may approve underground facilities within the buffer or the crossing of the buffer for the purpose of extending utilities. The Community Development Director may approve vegetated runoff reduction measures within the buffer. The planting requirements in A. and B. above may be varied to accommodate vegetated runoff reduction measures as part of an approved stormwater management plan, if properly designed to provide stormwater management and screening functions.

D. Stream buffers must be replanted where disturbed for approved access, and utility crossings. Replacement plants must be approved by the City Arborist.

E. All buffer plantings are subject to the approval of the Director of Community Development.

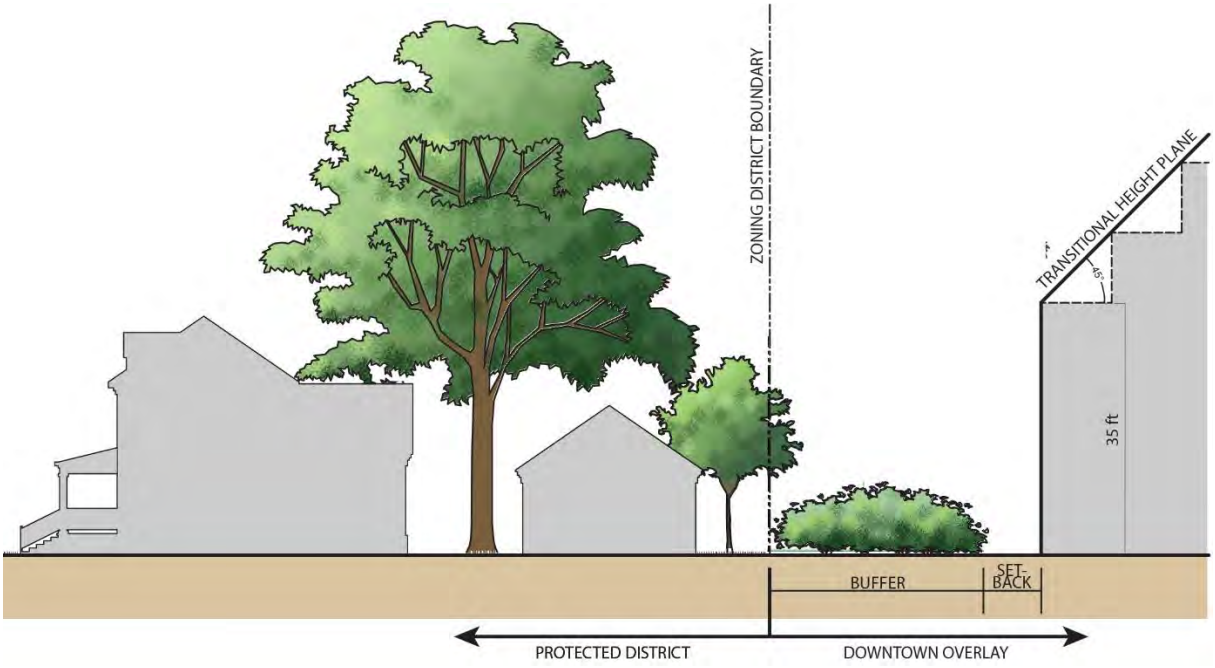
2.6.3. Building Setbacks

All building setbacks are measured from the inside edge of the required buffer.



2.6.4. Transitional Height Plane

A. A building must not extend into a 45-degree angular plane projecting over the subject property measured from a height of 35 feet at the side interior or rear setback line.



B. The transitional height plane ends at any public street (not including an alley) or 60 feet from the protected district lot line, whichever is less.

Sec. 2.7. Building Types

The following rules apply to all buildings in the Downtown Overlay.

2.7.1. Descriptions

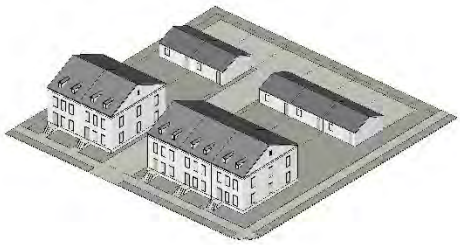
Within the Downtown Overlay building types are used to regulate the design of buildings. Each building type is described below. A building's building type is determined by the Director of Community Development. Within Downtown Zoning District, building types are subject to the additional use requirements of the applicable zoning district. All graphic depictions of building types are for illustrative purposes only. Note that these building types are for zoning purposes only, and not linked to the Building Code. Freestanding parking structures are not considered to be a building type.

A. **Detached House.** A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Not intended for nonresidential uses.

C. **Cottage Court**. A building type designed to accommodate 5 to 10 detached dwelling units organized around a shared internal courtyard. Units cannot be vertically mixed.

B. **Carriage House**. A small self-contained accessory dwelling unit located on the same lot as a detached house, semi-detached house, or townhouse but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.

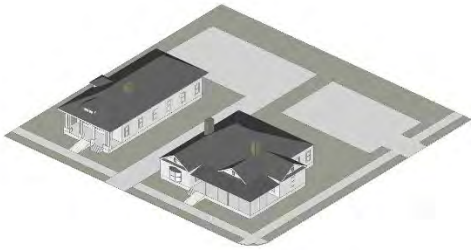
D. **Semi-Detached House.** A building type that accommodates two dwelling units arranged either horizontally or vertically. Not intended for nonresidential uses.



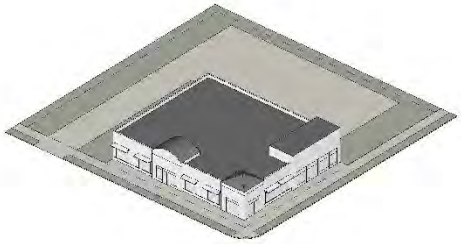
E. **Townhouse.** A building type that accommodates 3 or more dwelling units where each unit is separated by a common side wall. Units cannot be vertically mixed.

F. **Walk-up Flat.** A building type that accommodates 3 to 8 dwelling units vertically and horizontally integrated.

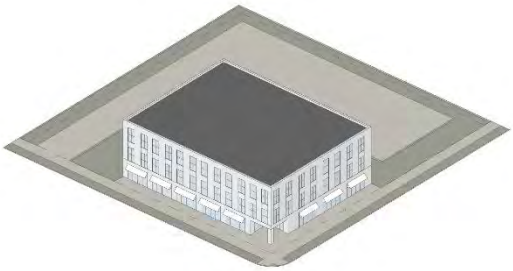
G. **Stacked Flat.** A building type that accommodates 9 or more dwelling units vertically and horizontally integrated.



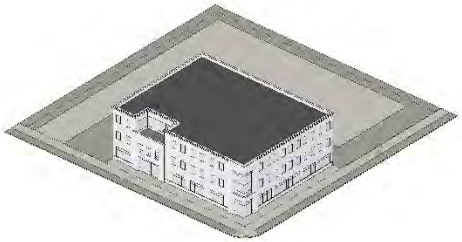
H. **Commercial House.** A building type that accommodates nonresidential uses in a building type that resembles a detached house. Not intended for residential uses.



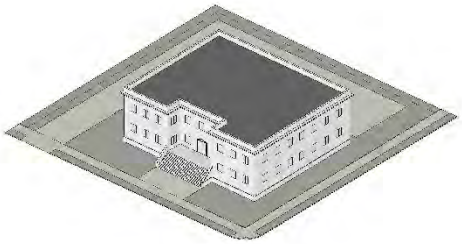
I. **Shopfront.** A single-story building type that typically accommodates single-use retail or commercial activity.



J. **Mixed Use Building**. A multi-story building type that typically accommodates ground story retail, office, or commercial uses with upper-story residential or office uses. Not for ground story street-facing residential uses along arterial or collector streets.



K. **General Building.** A multi-story building type that typically accommodates nonresidential uses such as industrial, hotel, or office uses on all stories.



L. **Civic Building.** A building type that accommodates civic uses. Not intended for commercial, retail, office, or residential uses.

2.7.2. Rules Specific to Building Types

A. Detached House

A building type that accommodates one dwelling unit on an individual lot with yards on all sides. Not intended for nonresidential uses.

Lot	
Detached house units per lot:	1 max.
Pedestrian Access	
Entrance facing street:	Required
Walkway width:	3 ft min. /5 ft max.

B. Carriage House

A small self-contained accessory dwelling unit located on the same lot as a detached house, semi-detached house, or townhouse but physically separated, for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.

Lot	
Carriage house units per lot:	1 max.
Size	
Dwelling Floor Area:	700 sf max. (excluding garage)
Bedrooms:	1 max.
Pedestrian Access	
Entrance facing street:	Not Required
Walkway width:	n/a

C. Cottage Court

A building type designed to accommodate 5 to 10 detached dwelling units organized around a shared internal courtyard. Units cannot be vertically mixed.

Site	
Site width/depth:	150 ft min.
Cottage court units per site:	5 min./ 10 max.
Courtyard	
Area:	3,000 sf min.
Width:	40 ft min.
Courtyard may not be parked or driven upon, except for emergency access and permitted temporary events.	
Pedestrian Access	
Entrance facing street:	Required for units along street
Walkway width:	3 ft min. /5 ft max.

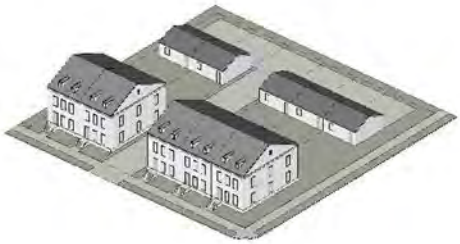
D. Semi-Detached House

Semi-Detached House. A building type that accommodates two dwelling units arranged either horizontally or vertically. Not intended for nonresidential uses.

Lot	
Semi-detached house units per lot:	2 max.
Pedestrian Access	
Entrance facing street:	Required
Walkway width:	3 ft min. /5 ft max.

E. Townhouse

A building type that accommodates 3 or more dwelling units where each unit is separated by a common side wall. Units cannot be vertically mixed. Not intended for nonresidential uses.



Site	
Townhouse units per site:	3 min.
Townhouse units in a row:	8 max.
Fenestration	
Ground floor:	15% min.
Upper story:	15% min. / 35% max.
Blank wall area:	20 ft max. (per story)
Pedestrian Access	
Entrance facing street:	Required for units along street
Walkway width:	3 ft min. /5 ft max.
Parking Location	
No on-site parking is allowed between the building and the street.	
Design	
No more than three adjacent units may have identical facade designs. Differentiation between adjacent units may be accomplished by a change in materials, building height, color, roof form, or setbacks.	

F. Walk-up Flat

A building type that accommodates 3 to 8 dwelling units vertically and horizontally integrated.

Site	
Walk-up flat units per building:	3 min. /8 max.
Fenestration	
Ground floor:	20% min.
Upper story:	20% min. / 40% max.
Blank wall area:	20 ft max. (per story)
Pedestrian Access	
Entrance facing street:	Required for lobby (if provided) or ground floor units along street (if no lobby)
Walkway width:	3 ft min. /6 ft max.
Parking Location	
No on-site parking is allowed between the building and the street.	

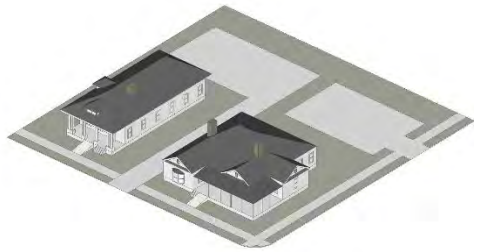
G. Stacked Flat

A building type that accommodates 9 or more dwelling units vertically and horizontally integrated. Intended for primarily residential uses, but may include limited ground story

Site	
Stacked flat units per building:	9 min.
Street facing façade length:	200 ft max.
Fenestration	
Ground floor:	20% min.
Upper story:	20% min. / 40% max.
Blank wall area:	20 ft max. (per story)
Pedestrian Access	
Entrance facing street:	Required for lobby and ground floor units along street
Walkway width:	3 ft min. /8 ft max.
Parking Location	
No on-site parking is allowed between the building and the street.	

H. Commercial House

A building type that accommodates nonresidential uses in a building type that resembles a detached house. Not intended for residential uses.



Site	
Street facing façade length:	100 ft max.
Fenestration	
Ground floor:	15% min. / 30% max.
Upper story:	15% min. / 30% max.
Blank wall area:	20 ft max. (per story)
Pedestrian Access	
Entrance facing street:	Required for businesses facing street
Walkway width:	6 ft min.
Parking Location	
No on-site parking is allowed between the building and the street.	

I. Shopfront

A single-story building type that typically accommodates single-use retail or commercial activity.

Site	
Street facing façade length:	200 ft max.
Height	
Ground floor height (floor to ceiling) :	14 ft min.
Fenestration	
Ground floor: arterial or collector/local street:	70% min./30% min.
Blank wall area: arterial or collector/local street:	30 ft max. / 50 ft max.
Pedestrian Access	
Entrance facing street:	Required every 75 ft of frontage
Walkway width:	6 ft min.
Parking Location	
No on-site parking is allowed between the building and the street.	

J. Mixed Use Building

A multi-story building type that typically accommodates ground story retail, office or commercial uses with upper-story residential or office uses. Not intended for ground story, street-facing residential uses along arterial or collector streets.

Site	
Street facing façade length:	200 ft max.
Height	
Ground floor height (floor to ceiling) :	14 ft min.
Fenestration	
Ground floor: arterial or collector/local street:	70% min./30% min.
Blank wall area: arterial or collector/local street:	30 ft max. / 50 ft max.
Upper story:	20% min. / 40% max.
Pedestrian Access	
Entrance facing street:	Required every 75 ft of frontage
Walkway width:	6 ft min.
Parking Location	
No on-site parking is allowed between the building and the street:	

K. General Building

A multi-story building type that typically accommodates nonresidential uses such as industrial, hotel, or office uses on all stories.

Site	
Street facing façade length:	200 ft max.
Height	
Ground floor height (floor to ceiling) :	11 ft min.
Fenestration	
Ground floor: arterial or collector/local street:	50% min./20% min.
Blank wall area: arterial or collector/local street:	40 ft max. / 60 ft max.
Upper story	20% min.
Pedestrian Access	
Entrance facing street:	Required every 150 ft of frontage
Walkway width:	6 ft min.
Parking Location	
No on-site parking is allowed between the building and the street.	

L. Civic Building

A building type that accommodates civic uses. Not intended for commercial, retail, office, or residential uses.

Fenestration	
Ground floor:	15% min.
Blank wall area:	60 ft max.
Upper story:	15% min.
Pedestrian Access	
Entrance facing street:	Required
Walkway width:	6 ft min.
Parking Location	
No on-site parking is allowed between the building and the street.	

Sec. 2.8. Building Design

2.8.1. Applicable

This Section applies to the Building Types identified in Section Sec. 2.7.

2.8.2. Fenestration

A. Fenestration is the minimum percentage of window and door glass that must cover a facade.

B. Glass used to satisfy fenestration requirements must be unpainted, must have a transparency (visible light transmission) higher than 70%, and must have an external reflectance of less than 15%. Transparency and external light reflectance must be established using the manufacturer's specifications.

C. Fenestration is measured from the top of the finished floor to the top of the finished floor above.

D. When there is no floor above, fenestration is measured from the top of the finished floor to the top of the wall plate.

2.8.3. Pedestrian Access

A. A pedestrian entrance and walkway providing both ingress and egress, operable to residents at all times and operable to customer, visitors, and employees during business hours, is required to meet the street-facing pedestrian entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are permitted, but must have the same or shorter hours of operability as the street-facing entrance.

B. An angled pedestrian entrance may be provided at either corner of a building along the street to meet the street-facing pedestrian entrance requirements.

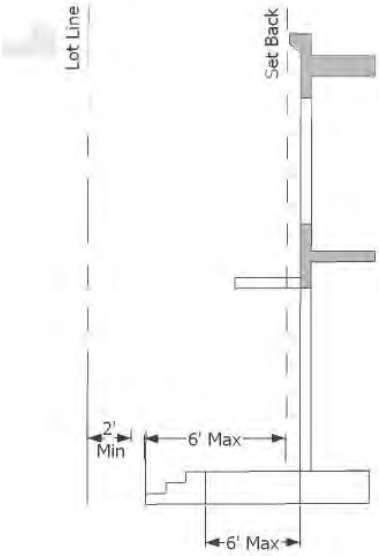
C. Where a lot has frontage on a civic space instead of a street, these requirement apply to and from the civic space.

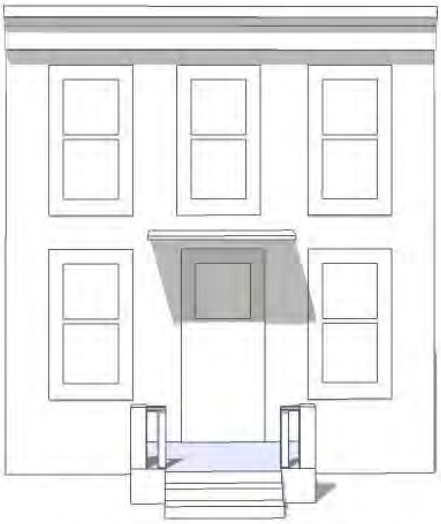
2.8.4. Building Elements

A. **Intent.** The following standards are intended to ensure that certain building elements that when added to a street-facing facade are of sufficient size to be both usable and functional and be architecturally compatible with the building they are attached to.

B. **Front Porch**. A raised structure attached to a building, forming a covered pedestrian entrance to a doorway.

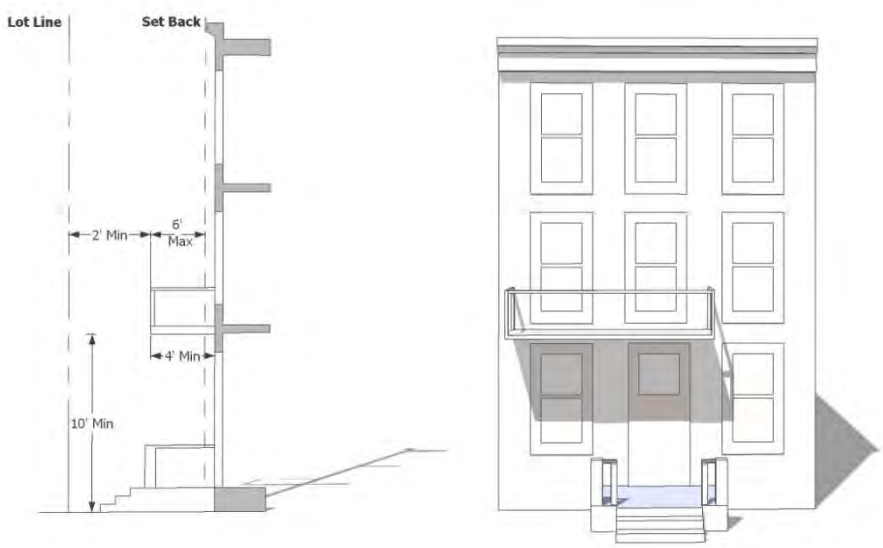
1. A front porch must be at least 6 feet deep (not including the steps).
2. A front porch must be contiguous, with a width not less than 33% of the building facade from which it projects.
3. A front porch must be roofed and may be screened, but cannot be fully enclosed.
4. A front porch may extend up to 9 feet, including the steps, into a required front setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
5. A front porch must not encroach into the public right-of-way or required sidewalk.
6. Steps leading to front porches must have enclosed risers.
7. Front porch columns must be a minimum width of 8 inches.





C. **Stoop**. A small raised platform that serves as a pedestrian entrance to a building.

1. A stoop must be no more than 6 feet deep (not including the steps).
2. A stoop may be covered but cannot be fully enclosed.
3. A stoop may extend up to 6 feet, including the steps, into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
4. A stoop must not encroach into the public right-of-way or required sidewalk.
5. Steps leading to stoops must have enclosed risers.
6. Stoop columns, where provided, must be a minimum width of 8 inches.



D. **Balcony**. A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

1. A balcony must be at least 4 feet deep and may extend up to 6 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
2. A balcony must have a clear height above the sidewalk of at least 10 feet.
3. A balcony may be covered and screened, but cannot be fully enclosed.
4. A balcony may encroach up to 6 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

E. **Awning/Canopy**. A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

1. An awning must be a minimum of 10 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
2. An awning may extend into a required setback.
3. An awning may encroach up to 9 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.
4. Awning must be made of canvas and may not be reflective or shiny.
5. Awnings must have open ends called “shed awnings” to allow views into buildings.
6. Awnings may not be internally lit.
7. Awnings may not be narrower than nor two feet wider than the door or window opening that they serve. Where multiple doors and windows are less than two feet apart, multiple awnings may be combined into a single awning.

F. **Gallery**. A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides.

1. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 10 feet.
2. A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
3. A gallery may extend into a required setback.
4. A gallery may encroach up 9 feet into the public right-of-way or required sidewalk but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

2.8.5. General Architectural Standards

A. Applicability

1. The following applies to all buildings, except as specifically stated otherwise.
2. Detached houses, carriages houses, cottage courts, semi-detached houses, townhouses, walk-up flats, and stacked flats must comply with either the following or Section 2.8.6, at the discretion of the applicant.
3. Commercial houses must comply with Section 2.9.6.

B. Building Materials

1. Exterior finish materials on walls visible from a street or civic space must be limited to brick, manufactured stone, architectural block, natural stone, wood siding, cement-based siding, cement-based panels, and/or hard coat stucco.
2. Hard coat stucco, when used as an exterior wall finish material on any individual building, is subject to the following additional standards:
   a. Hard coat stucco may not exceed 30% of the total wall area (excluding foundations) visible from a street or civic space. For the purpose of calculating conformance with this requirement, windows and doors are not included in the total wall area.
   b. The maximum wall length (excluding foundations) visible from a street or civic space that is finished in any continuous or discontinuous hard coat stucco is 60 feet. Authorized wall lengths finished in hard coat stucco must be separated by a minimum wall length of 60 feet that contains no hard coat stucco.

3. Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in the General Visual Weight Table. This does not apply to architectural details such as cornices, window sills, and beltlines.
4. No more than three different exterior finish materials, textures, colors, or combinations thereof may be used on a single building, excluding materials used on windows, doors, front porches, balconies, foundations, awnings, or architectural details.
5. Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall. Exposed above-ground foundations

General Visual Weight Table

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

Visually Lighter	Hard Coat Stucco
	Wood/Cement-Based Siding or Panels
	Brick
	Architectural Block
Visually Heavier	Natural /Manufactured Stone

must be coated or faced in cement, hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

C. Building Facade

1. The following applies to all street-facing facades.
2. Where used, shutters must match one half the width and shape of the window opening to which they are adjacent.
3. Facades must provide visual divisions between the ground story and second story through architectural means such as courses, awnings, or a change in materials.
4. Facades must delineate all stories above the ground story with windows, belt courses, balconies, cornice lines or similar architectural detailing.
5. Windows above the ground story must be equally sized, vertically oriented, equally spaced and arranged in a grid pattern.
6. Window must be recessed a minimum of 3 inches and a maximum of 8 inches from the adjacent façade.

D. Building Massing

1. Facades over 50 feet in length must incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections must constitute at least 20% of the total facade length.
2. Variation in the roofline of buildings and offsets in pitched roofs and gables are required. Parapets in individual building facades exceeding 100 continuous linear feet must be varied in height and projection and must use decorative elements such as crown moldings, dentals, brick soldier courses, or similar details.
3. The roofs of buildings may include cisterns and greenroofs if part of an approved stormwater management plan for the site and if designed in accordance with the GA Stormwater Management Design Manual (latest version). Above-ground cisterns and greenwalls shall require approval by the Community Development Director.

2.8.6. Small Residential Building Standards

A. Applicability. The following applies to detached houses, carriages houses, cottage courts, semi-detached houses, townhouses, walk-up flats, stacked flats, and commercial houses.

B. Building Materials

1. The exterior finish material on all walls is limited to brick, manufactured stone, natural stone, wood siding, cement-based siding and/or hard coat stucco.
2. Exterior finish materials must be combined only horizontally, with the visually heavier below the lighter as shown in the Small Residential Building Visual Weight Table. This does not apply to architectural details such as cornices, window sills, and beltlines.

Small Residential Building Visual Weight Table

This table shows the visual weight of permitted materials. Those at the top are lighter than those at the bottom and must be combined accordingly.

Visually Lighter	Hard Coat Stucco
	Wood/Cement-Based Siding or Panels
	Brick
	Architectural Block
Visually Heavier	Natural /Manufactured Stone

3. No more than three different exterior finish materials, textures, colors, or combinations thereof may be used on a single building, excluding materials used on windows, doors, porches, balconies, foundations, or architectural details.
4. Foundations must be constructed as a distinct building element that is finished in a different material or color than the exterior wall. Exposed above-ground foundations must be coated or faced in cement, hard coat stucco, brick, manufactured stone, or natural stone to contrast with façade materials.

C. Building Facades

1. The following apply to all street-facing facades.
2. Windows and Doors
   a. Where used, shutters must match one half the width and shape of the window opening to which they are adjacent.
   b. Doors and windows that operate as sliders are prohibited
   c. All windows must be vertically shaped with a height greater than width, except for windows that are part of a door or otherwise appropriate for a required architectural style. The top of said windows must generally be in alignment with the top of the adjacent door frame.
   d. Windows must have true or simulated divided lights or be one-over-one lights.
   e. Windows must include sills of wood, masonry, stone, cast stone, or terra cotta.
   f. Window frames must be recessed a minimum of 1.5 inches from the exterior façade.
3. A stoop or front porch is required.
4. Awnings are not allowed.

D. Building Massing

1. Pitched roofs, if provided, must be symmetrically sloped no less than 5:12, except that roofs for front porches and attached sheds may be no less than 2:12.
2. Flat roofs must be enclosed by parapets a minimum of 42 inches high, or as required to conceal mechanical equipment by Section 2.6.4.
3. All roofs must have a minimum 25-year roof life and no visible roll roofing.
4. Chimneys, where provided, must extend to the ground and must be faced in brick or stacked stone.

2.8.7. Architectural Style Requirements

A. Applicability

1. This section only applies to detached houses, cottage courts, and carriages houses that are accessory to a detached house or cottage court. All other building types must comply with the requirements and procedures found of the Downtown Alpharetta Design Guidelines amendment to the Alpharetta Design Review Ordinance and Design Guidelines.
2. This section is further limited to not apply to parcels zoned R-12 or R-15 when such parcels are located within a recorded subdivision that existed on the date of adoption of this ordinance.

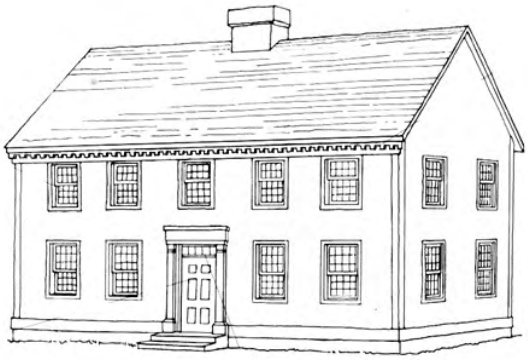
3. This section is further limited to only apply to new construction, modification, addition, alteration, moving, destruction or demolition which would affect the exterior appearance of any structure, building, land, site or other object, as follows:
   a. The demolition of any building, structure or object.
   b. The moving or relocation of any building, structure or object.
   c. Except housecleaning, any material work on the exterior appearance of existing buildings by additions, reconstruction, rehabilitation, alteration or any maintenance (including exterior color), or any exterior material changes.
   d. Any new construction of a principal building or accessory building or structure subject to view from a street or public way.

B. Administration
   1. Conformance with this section is determined by the Director of Community Development. The Director of Community Development may grant relief from one or more requirement when:
      a. The requirement is unique to this section and is not otherwise required by the Unified Development Ordinance, another section of the Downtown Overlay, a Downtown District, or any other applicable local, State, or Federal regulation; and
      b. The relief does not cause substantial detriment to the public good or impair the purpose and intent of this Overlay.
   2. Appeals of a decision by the Director of Community Development shall be made to the Board of Appeals for interpretation.

C. General Requirements
   1. All buildings must be designed in one of the following architectural styles:
      a. Georgian
      b. Federal/Adam
      c. Greek Revival
      d. Neoclassical
      e. Stick
      f. Queen Anne
      g. Shingle
      h. Folk Victorian
      i. Romanesque
      j. Italianate
      k. Tudor eclectic
   2. Specific elements of the required styles are identified in Section 2.9.7.D through M. More information on each style can be found in A Field Guide to American Houses by Virginia Savage McAlester , Residential Architectural Styles in Georgia by the Historic Preservation Division of the Georgia Department of Natural Resources, or other architectural resources.

D. Georgian

Elements of the Georgian style are as follows:

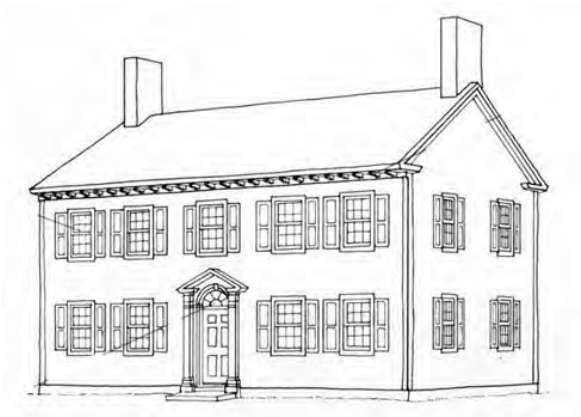


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are always symmetrical and usually five windows wide. Narrower houses are sometimes three windows wide and larger houses are sometimes seven windows wide. There is never an even number of windows across the front façade.
Front Doors
Front doors are paneled, centered, and topped with a decorative crown support by decorative pilasters. There is also usually a row of small rectangular glass panes beneath the crown, either within the door or in a transom.
Windows (visible from a street or civic space only)
Windows have double-hung sashes, typically with nine or twelve small panes per sash.
Windows are never in adjacent pairs.
Cornices
The cornice is usually emphasized with tooth-like dentils or other decorative molding.

E. Federal/Adam

Elements of the Federal/Adam style are as follows:

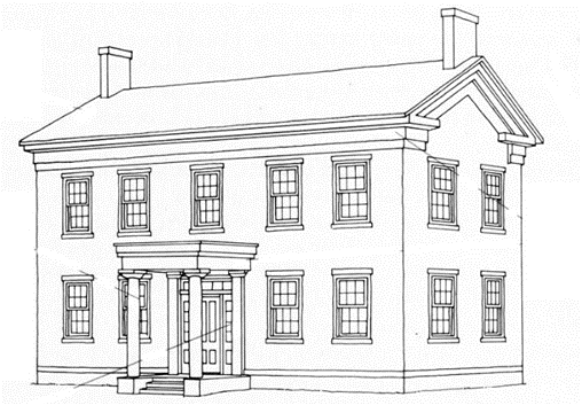


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are always symmetrical and usually five windows wide. Narrower houses are sometimes three windows wide and larger houses are sometimes seven windows wide. There is never an even number of windows across the front façade.
Front Doors
Front doors are paneled, centered, and topped with a semi-circular or elliptical fanlight. There are also usually sidelights, an elaborate crown and surround, and/or an extended small entry porch.
Windows (visible from a street or civic space only)
Windows have double-hung sashes, typically with six panes per sash.
Windows are never in adjacent pairs.
Cornices
The cornice is usually emphasized with tooth-like dentils or other decorative molding.

F. Greek Revival

Elements of the Greek Revival style are as follows:

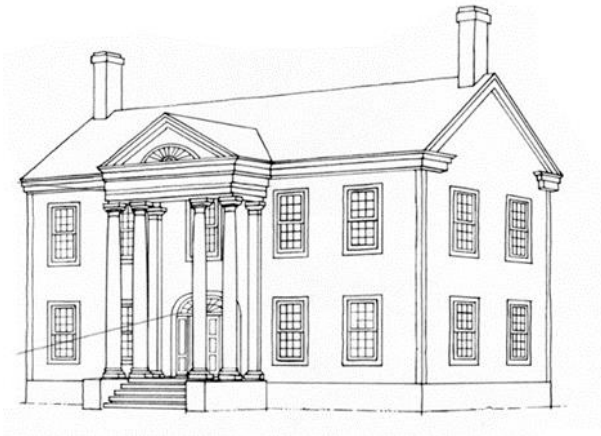


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades of the principal building mass are usually symmetrical. Exceptions to this are limited to off-centered doors, which may be located at one side of the structure, especially in narrower detached houses.
Front Doors
Front doors include a narrow line of transom and sidelight windows, usually incorporated into an elaborate door surround.
Front entry porches or full-width porches are usually provided. Porch roofs are always supported by square or rounded columns of one of the Classical Orders.
Cornices
The cornice is emphasized with a wide, divided band of trim.
Roof
The roof is usually gabled or hipped with a low pitch.

G. Neoclassical

Elements of the Neoclassical style are as follows:



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are always symmetrical and usually five windows wide. Narrower houses are sometimes three windows wide and larger houses are sometimes seven windows wide. There is never an even number of windows across the front façade.
Front facades are usually dominated by a full-height entry porch with a triangular gable above supported by four columns with shallow square bases.
Front Doors
Front doors are paneled, centered, and topped with a semi-circular or elliptical fanlight.
Windows
Windows have double-hung sashes.

H. Stick

Elements of the Stick style are as follows, although it's rare for one building to have all elements:

Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are usually asymmetrical and include horizontal and vertical bands raised from the wall surface for emphasis.
Front porches or stoops are always provided and include diagonal or curving support braces.
Roofs
Roofs are steeply pitched.
When roof gables are provided they include decorative trusses. Cross gables are common.

I. Queen Anne

Elements of the Queen Anne style are as follows:

Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades of the principal building mass are usually asymmetrical.
Front facades include a partial- or full-width porch and extend along one or both side walls.
All facades often include textured shingles or other devices to avoid a smooth-walled appearance.
Roofs
Roofs are steeply pitched.

J. Shingle

Elements of the Shingle style are as follows:

Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are always asymmetrical.
Front porches are almost always present.
Wall cladding and roofs are of continuous wood shingles.
Shingled walls turn corners without interruption.
Roofs
Roofs have irregular, steeply pitched roof lines, usually with cross gables and multi-level eaves.

K. Folk Victorian

Elements of the Folk Victorian style are as follows:

Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades are always symmetrical, except when a front gable or wing is provided.
Front porches are provided and have spindlework detailing.
Roofs
Roofs are usually gabled and with very simple massing.
Roofs include brackets under eaves.

L. Romanesque

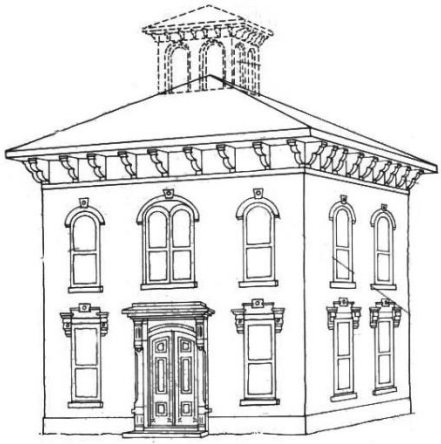
Elements of the Romanesque style are as follows:

Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Façade Composition
Front facades of the principal building mass are usually asymmetrical.
Walls are of masonry.
Round top arches are provided over windows or entrances.
Roofs
Roofs shapes vary, but there are conical roofs on towers, when such are provided.

M. Italianate

Elements of the Italianate style are as follows:



Source: A Field Guide to American Houses by Virginia Savage McAlester

Façade Composition
Facades are usually two or three stories.
Windows
Windows often have elaborate crowns, usually of an inverted U-shape.
Windows are tall, narrow, and often arched above.
Roofs
Roofs are low pitched with widely overhanging eaves supported by decorative brackets.
Roofs often include a square cupola or tower.

N. Tudor Eclectic

Elements of the Tudor Eclectic style are as follows:

Source: A Field Guide to American Houses by Virginia Savage McAlester

Façade Composition
Facades dominated by one or more prominent front-facing gables, usually steeply pitched.
Front door and/or entry porch with round or Tudor arch.
Decorative half-timbering, but not present on all examples.
Windows
Tall, narrow windows, usually in multiple groups, with multi-pane glazing
Roofs
Steeply pitched roof, usually side-gabled
Massive and prominent chimneys, usually capped with decorative clay pots.

2.8.8. Storefront Street Requirements

A. **Applicability**. These regulations apply to the portions of sites abutting the street segments designated in the Downtown Alpharetta Storefront Street Table.

Downtown Alpharetta Storefront Street Table

Street	Street Segment		Side of Street
	From:	To:	
Milton Avenue	A point 400 feet west of the intersection with Canton Street (centerline)	State Route 9/Main Street	Both sides
Academy Street	State Route 9/Main Street	Manning Street	Both sides
State Route 9/Main Street	A point 200 feet north of the intersection with Milton Avenue/Academy Street	Marietta Street	Both sides

B. **Building Type Restrictions**. Buildings abutting a street segment identified in the Downtown Alpharetta Shopfront Table are limited to Mixed-Use Buildings or Shopfronts. Additional building types may be provided to the rear of a conforming Mixed-Use Building or Shopfront.

Sec. 2.9. Tree Protection

2.9.1. Applicability

A. This Section applies to all sites in the Downtown Overlay except 'For-Sale' residential lots.

B. 'For-Sale' residential lots must comply with the full requirements of Section 3.2 of the Unified Development Code.

C. Sites subject to this Section and with a building coverage under 70% must comply with the full requirements of Section 3.2 of the Unified Development Code.

D. Site subject to this Section and with a building coverage of 70% or more must comply with one of the following:

1. The full requirements of Section 3.2 of the Unified Development Code; or
2. All requirements of Section 3.2 of the Unified Development Code except Section 3.27.A, which are replaced with the requirements of Section 2.10.2 below.

2.9.2. Minimum Tree Density Requirements

A. A minimum of one Overstory tree must be provided on-site for every 400 square feet of a site not covered by buildings.

B. The required Overstory tree must have a minimum 4-inch caliper.

C. The required number of Overstory trees may be achieved by counting existing trees to be preserved, planting new trees according to the standards of this Section, or some combination of the two.

D. All sites shall comply with the applicable street tree requirements in the adjacent street.

Sec. 2.10. Heritage Design Areas

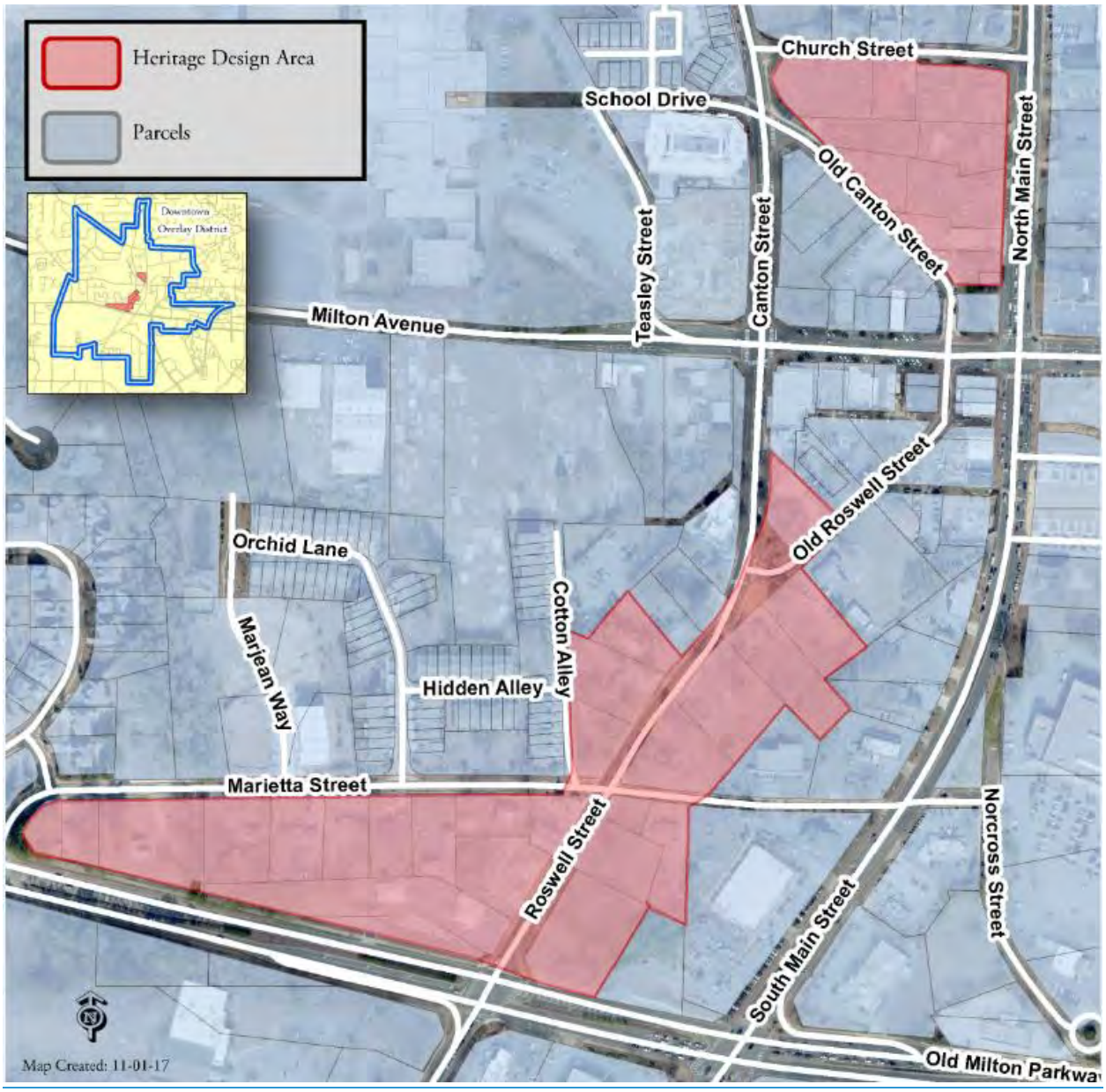
2.10.1. Purpose

The purpose of Heritage Design Areas is to protect the unique character of established, traditionally residential areas in Downtown Alpharetta by requiring new development to be consistent with the unique, character-defining elements of the area.

2.10.2. Applicability

A. Territorial Application.

1. The following map identifies the boundaries of the Heritage Design Areas and is incorporated by reference into the Official Zoning Map, as provided for in Sec. 1.2.1.A.



B. General

1. This Section applies to all sites in designated Heritage Design Areas.

2. The Section applies in addition to the requirements of the zoning district in which a site lies.

C. **Historic Preservation Incentive Zoning.** When a site includes one or more historic properties that have been designated in accordance with Sec. 2.9 - Historic Preservation Incentive Zoning of the City of Alpharetta Unified Development Ordinance, the following additional incentives apply:

1. **Building Coverage Exclusion**. Designated contributing historic buildings are excluded from building coverage calculations. This exclusions also applies to historic accessory structures such as barns, carriage houses, garages, and similar structures that would otherwise be counted towards in building coverage.

2. **Building Coverage Incentive**. The maximum building coverage of a site may be increased an additional 5% for each designated historic building on the site. Historic accessory buildings such as barns, carriage houses, garages, and similar structures are not considered designated historic buildings for the purpose of this increased in lot coverage.

D. Building Coverage

1. The maximum building coverage of a site may not exceed 70%, except as allowed for in Sec. 2.10.2.C. above for sites utilizing Historic Preservation Incentive Zoning.

2. When a site is subdivided into individual lots, the building coverage on any individual lot may exceed the maximum permitted building coverage, provided that the overall maximum building coverage of the site is not exceeded.

E. Building Placement.

1. Front Yard Setbacks along Public Streets

a. The minimum required front yard setback along a public street shall be as follows:

i If a site includes an existing building to remain, the minimum front yard setback shall be the setback of the existing building.

ii If a site includes no existing building to remain, the minimum front yard setback shall be the average front yard of the existing buildings on adjacent developed lots within the same block face. If only one adjacent lot is developed, the minimum front yard setback shall be the front setback of the existing adjacent building.

iii In all other situations, the minimum front yard setback shall be established by the applicable zoning district.

b. The maximum permitted front yard setback along a public street is the largest front setback of any existing building on the block face, except when the minimum setback required by the applicable zoning district is greater.

c. For the purpose of calculating front yard setbacks, a block face means one side of a public street between two consecutive intersecting public streets. Only the portion of such side that is located in the Heritage Design Area may be included in the calculation.

2. **Site Side Yard Setbacks.** The minimum side yard setback on a site may not be less than 5 feet,

except when a greater minimum setback is required by the applicable zoning district.

3. **Site Rear Yard Setbacks.** The minimum rear yard setback on a site may not be less than 5 feet, except when a greater minimum setback is required by the applicable zoning district.

F. Bulk and Mass

1. **Building Height.** The maximum building height is 42 feet.

G. Parking

1. Properties that save a structure on the City's List of Contributing Historic Structures shall be permitted to use the structure for any use permitted within the underlying zoning district and said use shall be exempt from meeting the minimum required parking spaces.

H. Parking -Lots and Driveways

1. Parking lots and driveways may be constructed of pervious or impervious paving materials. Alternative materials such as gravel or crushed stone are also allowed when the City Transportation Engineer finds that such material is suitable for the anticipated use and neither impairs the public health, safety, or welfare, nor creates a public nuisance.

Article 3. Downtown Zoning Districts

Sec. 3.1. Applicability

A. This requirements of this Article apply to all Downtown Zoning Districts.

B. The requirements of the Unified Development Code also apply in all Downtown Districts unless expressly stated otherwise in this Article.

Sec. 3.2. Rules of Interpretation

3.2.1. Site

Defined. A site is any lot or group of contiguous lots owned or functionally controlled by the same person or entity, assembled for the purpose of development. Lots within a site may be separated by an existing public right-of-way.

3.2.2. Lot

A. **Lot Frontage**.

1. Every lot (except cottage court lots) and every cottage court site must have frontage upon:
   a. An existing public street, or
   b. A new public street or private street built to standards of Section 2.3.3, or
   c. A civic space meeting the standards of Section 3.2.4.B or an existing City of Alpharetta park. No more than 20% of the total lots in a site (except cottage court lots) may front on a civic space or existing City park.
2. Alleys may not be used to satisfy the lot frontage requirements of Section 3.2.2.A.1 above.
3. The minimum lot frontage is 20 feet or the minimum lot width identified in district regulations, whichever is greater.
4. Lots having frontage on a civic space or existing City park must still comply with fire lane access requirements, as applicable.

3.2.3. Residential Density

A. **Defined.** The dwelling units per acre of land.

B. The residential density of a site is expressed in dwelling units per acre of land and is calculated by dividing the total dwelling units on a site by the site's acreage. Residential density includes both a base and maximum density.

C. The ability to achieve the permitted density may be further restricted by site conditions, district regulations, or conditions or rezoning.

3.2.4. Open Space

A. **Defined**. Open space is the horizontal outdoor area of a site reserved to provide separation, resource protection, scenic enjoyment, recreation, or amenity. It includes two types: civic space and amenity space.

B. **Civic space**. Civic space is the portion of open space for public use defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping, and their adjacent buildings. Civic spaces are limited to the following types. Each civic space approved must be usable for civic purposes. Above-ground cistern design and appearance shall require approval by the Community Development Director.

1. **Park**. An open space available for structured or unstructured recreation. A park may be independent of surrounding buildings at its edges. Its landscape may consist of paths and trails, meadows and lawns, water bodies, runoff reduction measures such as bioretention areas, swales, cisterns, and woodlands. Recreation fields and courts may also be included. The minimum size for a park is one acre.

2. **Square**. An open space available for unstructured recreation and civic purposes. A square is spatially defined by building or streets at its edges. Its landscape must consist of paths and trees, and may also include runoff reduction measures such as bioretention areas and cisterns, lawns and non-asphalt paved surfaces. The minimum size for a square is one-half acre.

3. **Plaza**. An open space, available for civic purposes and commercial activities. A plaza must be spatially defined by building or streets at its edges. Its landscape must consist primarily of non-asphalt paved surfaces and trees, and may include runoff reduction measures such as bioretention areas and cisterns. The minimum size for a plaza is one-quarter acre.

4. **Pocket Park**. An open space, available for unstructured recreation. A pocket park may be spatially defined by buildings or streets at its edges. Its landscape must consist of lawn and trees, and may include runoff reduction measures such as bioretention areas and cisterns. There is no minimum size for pockets parks.

5. **Playground**. An open space designed and equipped for the recreation of children. A playground must be fenced and may include an open shelter. Playgrounds must be interspersed within residential areas, may be placed within a block, and may be included in parks and greens. There is no minimum size for playgrounds. Playgrounds may include runoff reduction measures such as bioretention and underground detention.

C. **Amenity space**. Amenity space is the covered or uncovered, but unenclosed, outdoor areas of at least 100 square feet each for use by the occupants, invitees and guests of the development and specifically excluding Civic Spaces and required sidewalks. Amenity spaces may include, but are not limited to:

1. Rooftop decks;
2. Balconies;
3. Patios and porches;
4. Outdoor dining areas;
5. Pool areas;
6. Tennis courts, basketball courts, and similar uses;
7. Yards, lawns, and gardens;
8. Hardscape areas improved for pedestrian enjoyment; and
9. Wooded areas.

10. Runoff reduction measures such as bioretention areas and cisterns.

Each amenity area approved must function as an amenity area. Above-ground cistern design and appearance shall require approval by the Community Development Director.

D. Open space may be privately or publically owned. Private open space is open space that is owned by a corporation, individual, or homeowners association. Public open space is open space owned by a governmental agency.

E. Wetlands, lakes, ponds, streams, rivers, flood zones, and stream buffers may only be considered open space when located within one of the five types of civic spaces identified in Section 3.2.4.B, unless part of approved stormwater management plan for the site that includes runoff reduction measures.

F. No required buffer, except for stream buffers, may be used to satisfy open space requirements.

G. Stormwater management facilities for the site may be used to satisfy open space requirements if they meet this Chapter's definition of open space. Open space credit may be given at the discretion of the Director of Community Development.

H. No areas used for vehicles, except for incidental service, maintenance, or emergency actions, may be used to satisfy open space requirements.

I. A site's Open space requirements shall be considered completely satisfied when a development incorporates a historic building that complies with all of the following:

1. The building is at least 75 years old and is listed on the following table:

Original Building Address		
94 Academy Street	30 Milton Avenue	48 Old Roswell Street
375 Brady Place	35 Milton Avenue	37 Roswell Street
133 Canton Street	90 Milton Avenue	54 Roswell Street
193 Canton Street	242 Milton Avenue	61 Roswell Street
212 Canton Street	333 Milton Avenue	88 Roswell Street
36 Church Street	20 North Main Street	103 Roswell Street
37 Church Street	31 North Main Street	119 Roswell Street
10 Cumming Street	38 North Main Street	164 Roswell Street
18 Cumming Street	69 North Main Street	3 South Main Street
40 Cumming Street	101 North Main Street	9 South Main Street
112 Cumming Street	116 North Main Street	21 South Main Street
130 Cumming Street	126 North Main Street	23 South Main Street
122 Marietta Street	134 North Main Street	50 South Main Street
~~171 Marietta Street~~	1720 Old Milton Pkwy	531 South Main Street
24 Milton Avenue	1815 Old Milton Pkwy	86 School Drive
25 Milton Avenue	1835 Old Milton Pkwy	133 Cumming Street
11 Old Canton Street	20 Milton Ave	29 South Main Street

2.

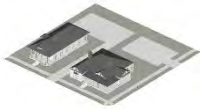
3. The building is deemed fit for human habitation in accordance with Article III of Chapter 5 of The Code of the City of Alpharetta, Georgia; and

4. A binding legal agreement that established a program for guaranteeing maintenance of said building through a condominium association, a homeowner association, bonding, or other protective maintenance guarantees is signed by all property owners and/or their prospective successors in title and is submitted to the City of Alpharetta.

J. When a historic building used to satisfy open space requirements in accordance with Section 3.2.4.I is subsequently completely destroyed, the applicable open space requirements of the zoning district must be satisfied within one year unless a variance is granted by the Board of Appeals.

Sec. 3.3. Building Types Allowed

Building types are allowed by Downtown Zoning District as shown below.

Building Type		DT-C	DT-MU	DT-LW	DT-R
	Detached House	■	■	■	■
	Carriage House	■	■	■	■
	Cottage Court	■	■	■	■
	Semi-Detached House	■	■	■	■
	Townhouse	■	■	■	■
	Walk-Up Flat	■	■	■	
	Stacked Flat	■	■		
	Commercial House	■	■	■	
	Shopfront	■	■	■	
	Mixed-Use Building	■	■	■	
	General Building	■	■	■	
	Civic Building	■	■	■	■

Sec. 3.4. Uses Allowed by District

3.4.1. Allowed Use Table

A. In order to regulate a variety of similar uses, use categorizes have been established for principal uses. Use standards for both principal and accessory uses are specified in Section 2.3 and Section 2.7 of the Unified Development Code. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Board of Appeals for interpretation.

B. Principal and accessory uses allowed by district are shown in the table below.

3.4.2. Use Table Key

A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.

B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.

C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	X	X	O	O
Cemetery				
Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				
Museums & Libraries	X	X	O	

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	X	X	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				
Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	
Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facilities/Fitness Studio	X	X	O	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		
Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		
Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		
Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Ship	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	O	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		
Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O	O	
Industrial Uses				
Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				
Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				
Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O	O	
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				
Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				
Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O	O	
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X
Vehicle access, parking and loading areas	X	X	X	X

3.4.3. Specific Use Standards

The following principal and accessory uses must confirm with the indicated use standards.

A. **Dwelling, 'For-Sale' Accessory**. Where a Dwelling, 'For-Sale' Accessory is allowed, it is subject to the following:

1. The dwelling shall be accessory to a permitted commercial use and shall be shall be located above or to the rear of such use to which it is accessory.
2. The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.
3. The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial structure to which it is accessory.
4. The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial structure and the dwelling.
5. The dwelling and the commercial structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other codes of the City.

B. **Live-Work**. Where Live-Work is allowed, it is subject to the following:

1. Live-work is only permitted on the first floor of a dwelling unit.
2. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
3. The live-work use may employ no more than two persons not living on the premises at any one time.
4. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
5. The nonresidential use of the live-work use is limited to a permitted or conditional use in the zoning district.
6. No equipment or process may be used in connection with the live-work use that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
7. No more than 5 customers are permitted on the premises at any one time.

Sec. 3.5. DT-C: Downtown Core

3.5.1. Purpose

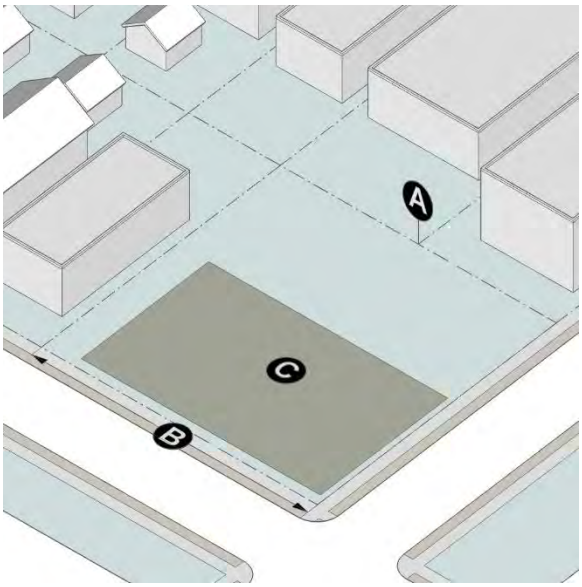
The purpose of this district is to provide for compact development in Alpharetta's core that is compatible with the area's historic character and includes a variety of commercial uses serving the entire city, civic uses, and residential uses.

3.5.2. Building Types Allowed

The following building types are allowed:

A. Detached House
B. Carriage House
C. Semi-Detached House
D. Townhouse
E. Cottage Court
F. Walk-Up Flat
G. Stacked Flat
H. Commercial House
I. Shopfront
J. Flex Building
K. Mixed-Use Building
L. General Building
M. Civic Building

3.5.3. Dimensional Standards



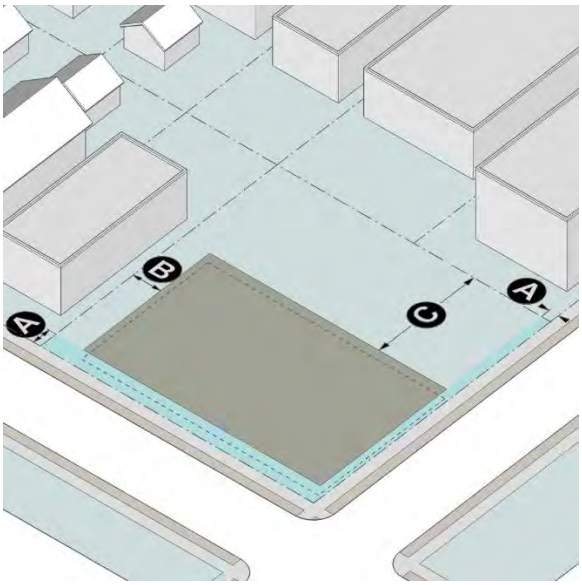
Site Standards	
Residential Density:	No Limit
Min. Amenity Space Requirement:	5% of site (all sites)
Min. Civic Space Requirements:	10% of site (only sites over 5 acres)

The minimum required civic space and amenity space shall be proportionally increased for densities above 10 dwelling units per acre.

Lot Standards	Ⓐ Area	Ⓑ Width
Detached House:	2,500 sf min.	25 ft min.
Carriage House:	Same as principal structure	
Semi-Detached House:	2,500 sf min.	25 ft min.
Townhouse:	900 sf min.	20 ft min.
Cottage Court:	1,200 sf min.	20 ft min.
All other Building Types:	No min.	20 ft min.

Lot Coverage	
Ⓒ All Building Types:	90% max.

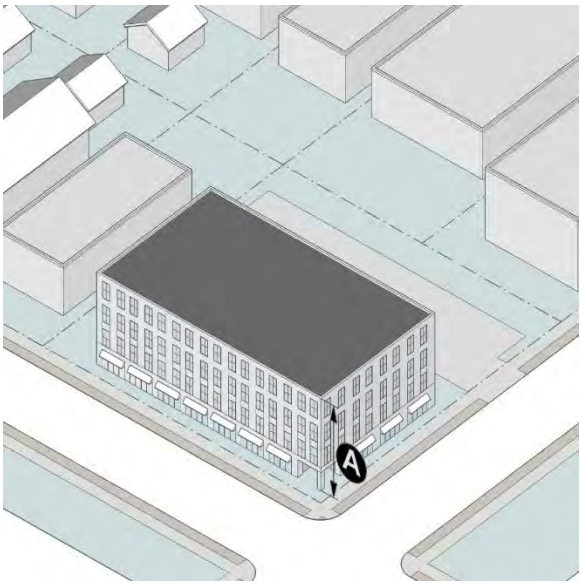
3.5.4. Building Placement



Principal and Accessory Structure Setbacks	
Ⓐ Front Yard:	0 ft. min., 10 ft max.
Ⓑ Side Yard:	0 ft. min.
Ⓒ Rear Yard (no alley):	6 ft. min.
Ⓒ Rear Yard (alley):	3 ft. min.

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes. In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.

3.5.5. Bulk and Mass



Building Height	
Ⓐ Min. Street-Facing Façade Height in Feet:	18 ft
Ⓐ Max. Height in Stories:	4 stories
Ⓐ Max. Height in Feet:	60 ft

The minimum permitted building height is wherever is more.

The maximum permitted building height is whichever is less.

Building Size	
Max. Building Footprint:	2~~1~~0,000 sf

Sec. 3.6. DT-MU: Downtown Mixed-Use

3.6.1. Purpose

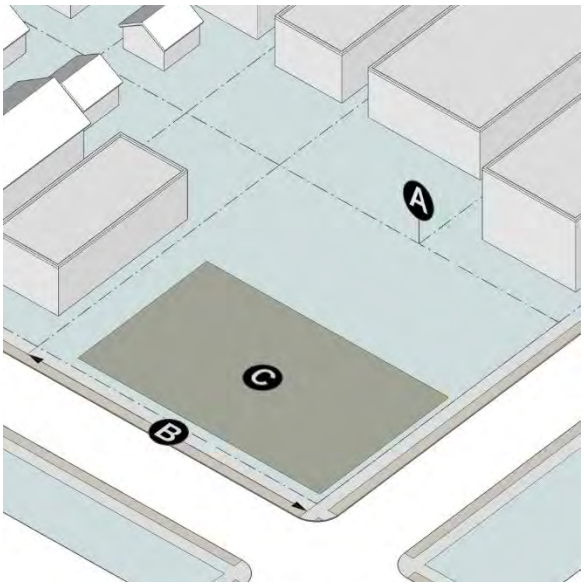
The purpose of this district is to provide for a variety of residential housing, commercial, and civic options along major corridors leading to the Downtown Core.

3.6.2. Building Types Allowed

The following building types are allowed:

A. Detached House
B. Carriage House
C. Semi-Detached House
D. Townhouse
E. Cottage Court
F. Walk-Up Flat
G. Stacked Flat
H. Commercial House
I. Shopfront
J. Flex Building
K. Mixed-Use Building
L. General Building
M. Civic Building

3.6.3. Dimensional Standards

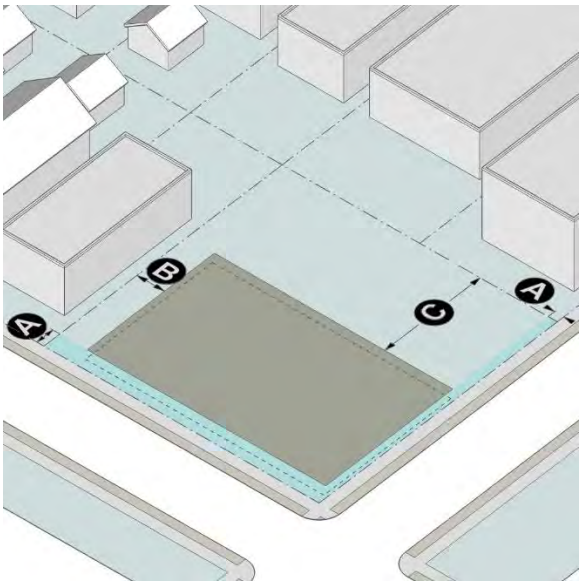


Site Standards for All Sites	
Residential Density (no Conditional Use Permit):	10 u/a
Residential Density (with Conditional Use Permit):	As approved by City Council
Min. Amenity Space Requirement:	10% of site
Additional Standards for Sites Over 5 Acres	
Min. Civic Space Requirements:	10% of site

The minimum required civic space and amenity space shall be proportionally increased for densities above 10 dwelling units per acre.

Lot Standards	Ⓐ Area	Ⓑ Width
Detached House:	2,500 sf min.	25 ft min.
Carriage House:	Same as principal structure	
Semi-Detached House:	2,500 sf min.	25 ft min.
Townhouse:	900 sf min.	20 ft min.
Cottage Court:	1,200 sf min.	20 ft min.
All other Building Types:	No min.	20 ft min.
Lot Coverage		
Ⓒ All Building Types:	80% max.	

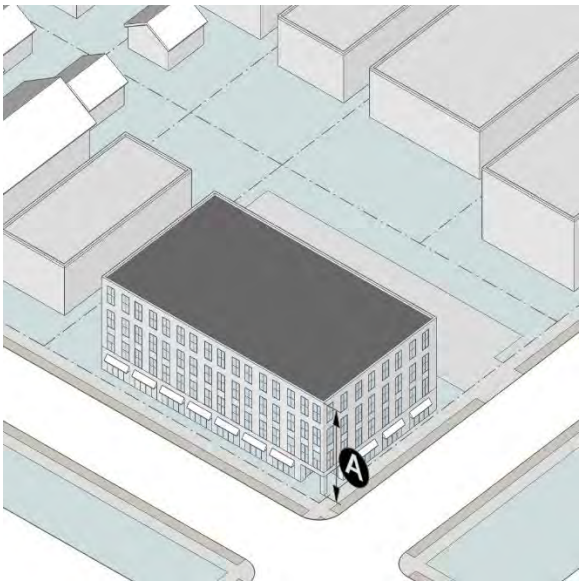
3.6.4. Building Placement



Principal and Accessory Structure Setbacks	
Ⓐ Front Yard:	5 ft. min., 10 ft max.
Ⓑ Side Yard:	0 ft. min.
Ⓒ Rear Yard (no alley)	6 ft. min.
Ⓒ Rear Yard (alley):	3 ft. min.

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes. In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.

3.6.5. Bulk and Mass



Building Height	
Ⓐ Max. Height in Stories:	4 stories
Ⓐ Max. Height in Feet:	60 ft

The maximum permitted building height is whichever is less.

Building Size	
Max. Building Footprint:	10,000 sf

Sec. 3.7. DT-LW: Downtown Live-Work

3.7.1. Purpose

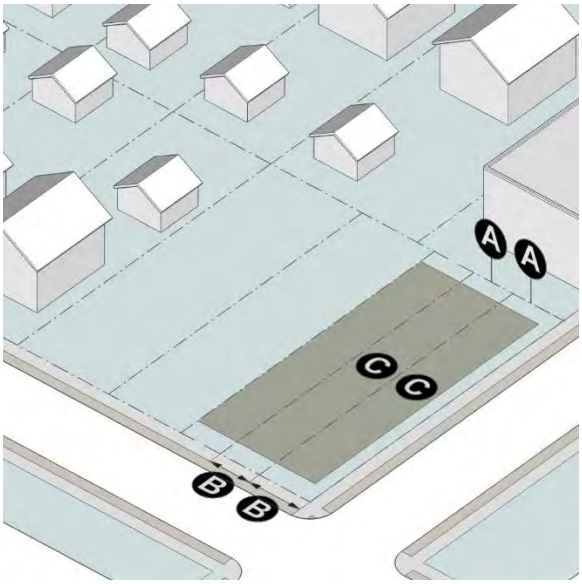
The purpose of this district is to provide for a variety of residential housing options, civic uses, and limited commercial uses and developments that are compatible with residential surroundings.

3.7.2. Building Types Allowed

The following building types are allowed:

A. Detached House
B. Carriage House
C. Semi-Detached House
D. Townhouse
E. Cottage Court
F. Walk-Up Flat
G. Commercial House
H. Shopfront
I. Flex Building
J. Mixed-Use Building
K. General Building
L. Civic Building

3.7.3. Dimensional Standards

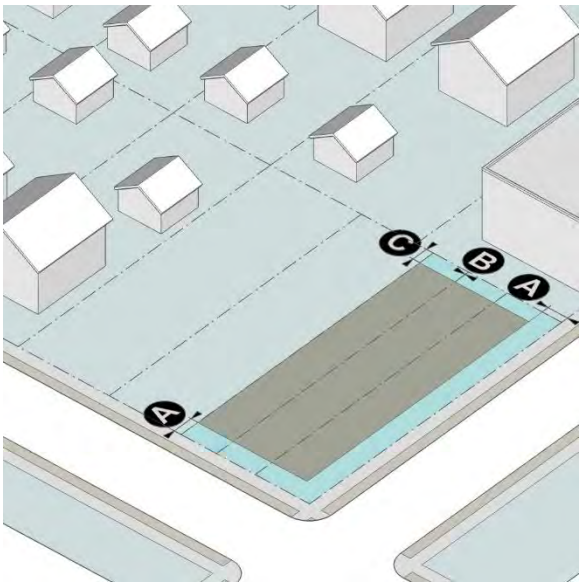


Site Standards	
Residential Density (without Conditional Use Permit):	8 u/a
Residential Density (with Conditional Use Permit):	As approved by City Council
Min. Amenity Space Requirement:	10% of site (all sites)
Min. Civic Space Requirements:	10% of site (only sites over 5 acres)

The minimum required civic space and amenity space shall be proportionally increased for densities above 8 dwelling units per acre.

Lot Standards	Ⓐ Area	Ⓑ Width
Detached House:	2,500 sf	25 ft
Carriage House:	Same as principal structure	
Semi-Detached House:	2,500 sf	25 ft
Townhouse:	900 sf	20 ft
Cottage Court:	1,200 sf	20 ft
All other Building Types:	2,500 sf	20 ft
Lot Coverage		
Ⓒ All Building Types:	70% max.	

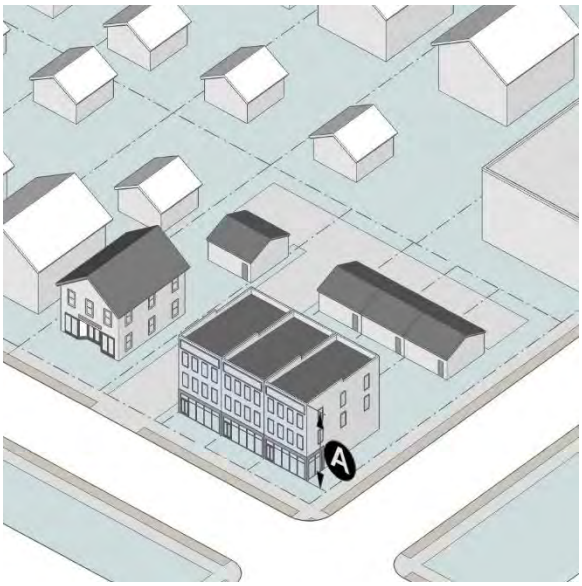
3.7.4. Building Placement



Principal and Accessory Structure Setbacks	
Ⓐ Front Yard:	10 ft. min.
Ⓑ Side Yard:	0 ft. min. (10 ft. between structures)
Ⓒ Rear Yard (no alley)	3 ft. min.
Ⓒ Rear Yard (alley):	10 ft. min.

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes. In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.

3.7.5. Bulk and Mass



Building Height	
Ⓐ Max. Height in Stories:	3 stories
Ⓐ Max. Height in Feet:	40 ft

The maximum permitted building height is whichever is less.

Building Size	
~~Ⓒ~~ Max. Building Footprint:	10,000 sf

3.7.6. Commercial Parking Lot Requirements

A. Commercial parking lots must provide a minimum 10 feet wide landscape strip between parking bays. Such strip shall be provided in addition to the requirements of Section 2.3.5 of the Unified Development Code.

B. The required landscape strip must be planted with a minimum of one shade tree for each 30 feet of landscape strip length or portion thereof.

Sec. 3.8. DT-R: Downtown Residential

3.8.1. Purpose

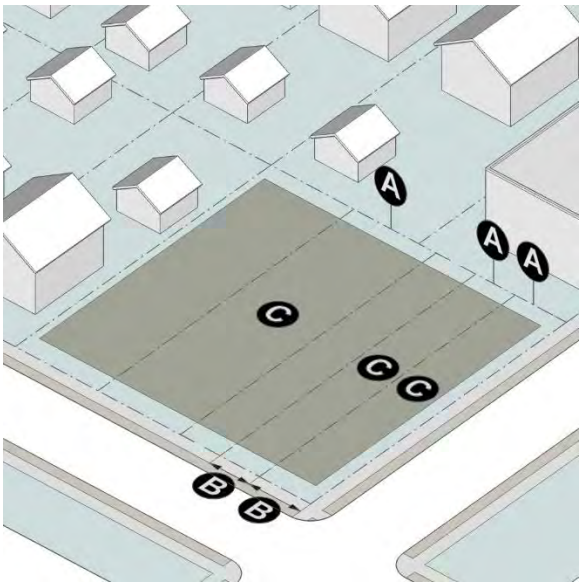
The purpose of this district is to provide for a variety of housing options in a residential setting.

3.8.2. Building Types Allowed

The following building types are allowed:

A. Detached House
B. Carriage House
C. Semi-Detached House
D. Townhouse
E. Cottage Court
F. Civic Building

3.8.3. Dimensional Standards



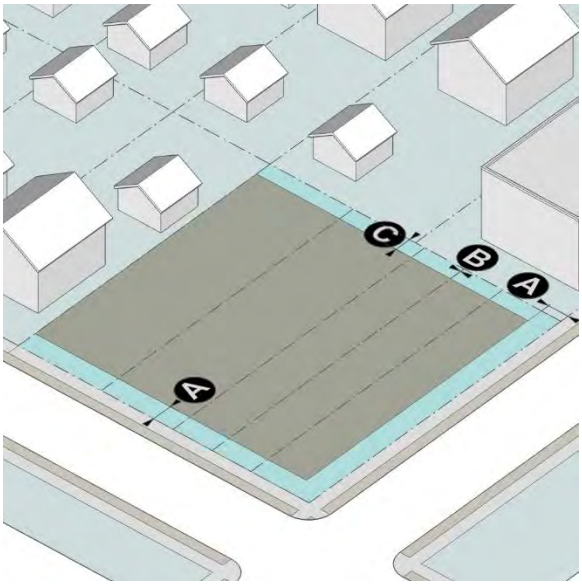
Site Standards	
Residential Density (without Conditional Use Permit):	8 u/a
Residential Density (with Conditional Use Permit):	As approved by City Council
Min. Amenity Space Requirement:	10% of site (all sites)
Min. Civic Space Requirements:	10% of site (only sites over 5 acres)

The minimum required civic space and amenity space shall be proportionally increased for densities above 8 dwelling units per acre.

Lot Standards	Ⓐ Area	Ⓑ Width
Detached House:	4,500 sf	25 ft
Carriage House:	Same as principal structure	
Semi-Detached House:	2,500 sf	25 ft
Townhouse:	900 sf	20 ft
Cottage Court:	1,200 sf	20 ft
Civic Building:	5,000 sf	50 ft
Lot Coverage		

Ⓒ All Building Types:	70% max.

3.8.4. Building Placement



Principal and Accessory Structure Setbacks	
Ⓐ Front Yard:	10 ft. min.
Ⓑ Side Yard:	0 ft. min. (10 ft. between structures)
Ⓒ Rear Yard (no alley):	3 ft. min.
Ⓒ Rear Yard (alley):	10 ft. min.

Greater side setbacks, greater rear setbacks, and greater building separation may be required as established by the applicable building or fire codes. In order to optimize smart stormwater design, required setbacks may accommodate runoff reduction measures such as bioretention areas, cisterns, and greenwalls, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City and must include a long-term maintenance agreement. Above-ground cisterns or other vertical runoff reduction measures shall require approval by the Community Development Director.

3.8.5. Bulk and Mass

Building Height	
Ⓐ Max. Height in Stories:	3 stories
Ⓐ Max. Height in Feet:	35 ft

The maximum permitted building height is whichever is less.

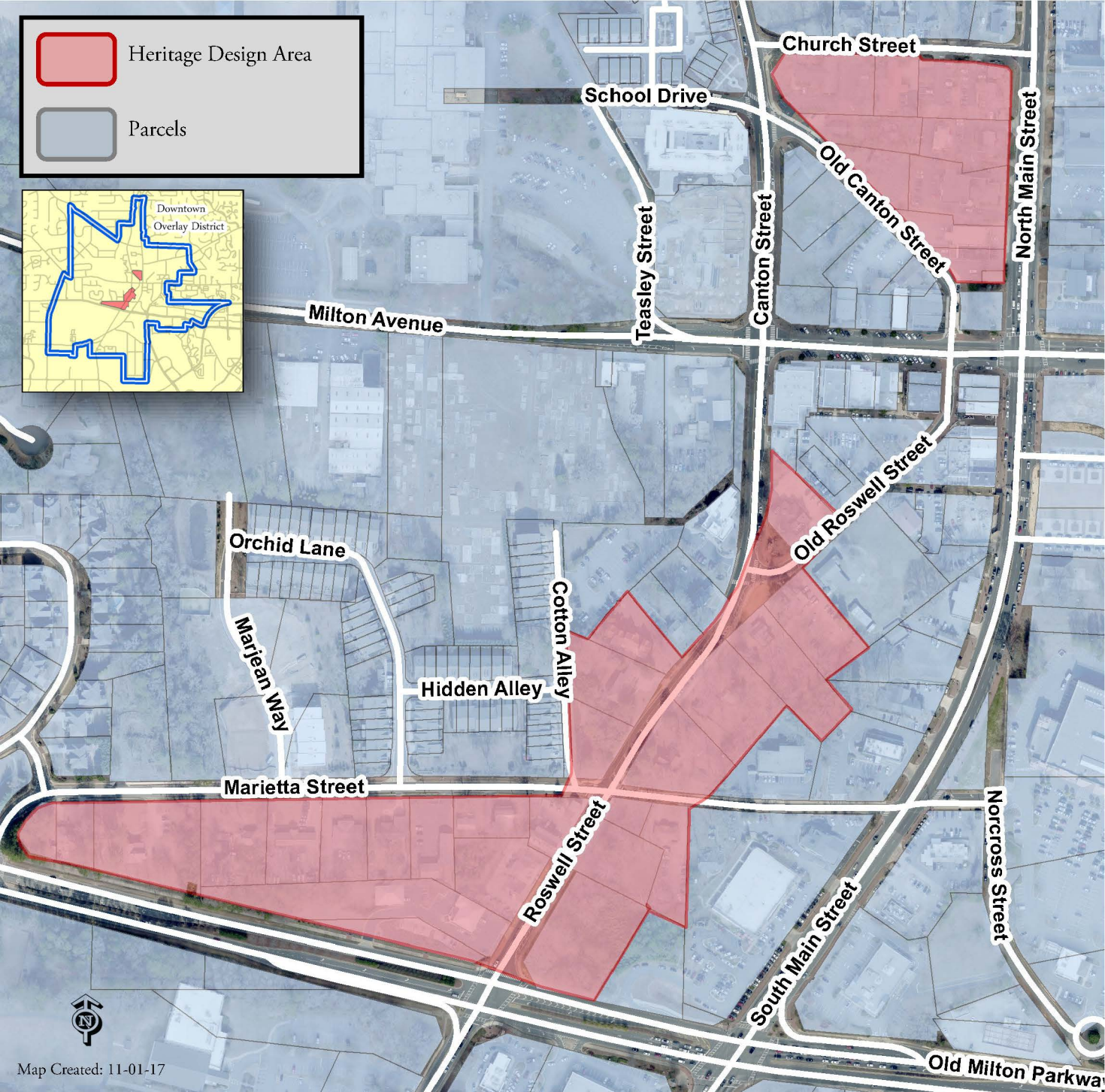
Article 4. ~~Site~~ Definitions

Sec. 4.1. Defined Terms

Live-Work. Nonresidential activity conducted wholly within a residential dwelling that allows employees, customers, clients or patrons to visit.

Stub-out. A shortened thoroughfare which is intended to provide connectivity at some point in the future.

Wall Plate. A horizontal load-bearing member in a wall assembly. The top of the wall plate is the top most structural piece of the wall.



Map Created: 11-01-17

SECTION 2.5 - PARKING AND LOADING[1]

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.4 Locational criteria for parking.

A. Location on Other Property. If the required parking cannot reasonably be provided on the same lot on which the principal use is conducted, such parking may be provided on other off-street property provided such property lies within 500 feet of the main entrance to the principal use. Such parking shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.

B. Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures.

Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, ~~except that:~~ in addition:

Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet.

One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.

The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.

C. Parking and Storage of Certain Vehicles. No automobile, truck, motorcycle, trailer or other vehicle of any kind or type without current license plates shall be parked or stored on any lot in a residential district except in a completely enclosed building.

1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful nonconforming use, subject only to the provisions of any applicable district regulations.

2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:

   a. The ease with which the applicant can comply with the provisions of this ordinance;

   b. Whether there are extraordinary and exceptional conditions pertaining to the particular lot because of its size, shape, topography or location of the improvements on the lot;

   c. The economic hardship that would be imposed upon the applicant if the variance were denied; and

   d. Whether relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of this ordinance.

3. Where appropriate, the Director may attach reasonable conditions to the grant of a variance. The Director may also approve an alternative parking practice which, although not in strict compliance

with the literal provisions of this Article, is deemed by the Director to be in compliance with the spirit of the Ordinance. All variances are personal to the applicant and shall terminate upon the sale of the lot.

D. Written variance applications shall be acted upon by the Director within thirty (30) days of receipt. Variance applications denied by the Director may be appealed by filing a written appeal with the Board of Appeals within fifteen (15) days of the date of denial. The Board shall act upon the appeal at its next available meeting following receipt of the appeal.

E. No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.