



HISTORIC PRESERVATION COMMISSION MEETING FEBRUARY 8, 2018

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
3:00 PM

- I. CALL TO ORDER**
 - a. Election of Officers 2018**
- II. ROLL CALL**
- III. APPROVAL OF MEETING MINUTES**
 - a. November 9, 2017 Minutes**
- IV. ITEMS FROM STAFF**
 - a. Cotton House Hotel Approved 11.13.17**
 - b. Update on Lewis Manning House Designation**
 - c. Update on Letter sent to Contributing Historic Property Owners**
- V. ITEMS FROM BOARD MEMBERS**
 - a. Historical Markers**
- VI. PUBLIC HEARING**
- VII. ADJOURNMENT**



HISTORIC PRESERVATION COMMISSION MEETING NOVEMBER 9, 2017

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
3:00 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 Historic Preservation 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 Historic Preservation Commission Meeting proceedings. Official Minutes are recorded and available for review.*

I. CALL TO ORDER

II. ROLL CALL

- Historic Preservation Commission Members Present:
 - o Bonnie Steadman, Chairman
 - o Sue Rainwater, Vice-Chairman
 - o Ben Hollingsworth
 - o Rex Grizzle
 - o Mary Lee
 - o Connie Mashburn
 - o Joy Ross
- Staff Present
 - o Michael Woodman, Senior Planner
 - o Elle Taylor, Planning and Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

a. August 10, 2017 Meeting Minutes

- ❖ Vice – Chairman Rainwater offered a motion to approve
 - o The motion received a second from Commissioner Lee
 - o The motion passed by vote (6-0)

IV. ITEMS FROM STAFF

- a. Update on 40 Cumming Street and 69 North Main Zoning Conditions 

Staff presented Council Agenda Summaries for these items.

- b. Update on Cotton House Hotel Public Hearing Item  

Staff presented revised elevations to be presented to City Council.

- c. Discussion of Frequency of Meetings 

There was discussion that the Historic Preservation Commission will not meet every month. Staff will call a meeting when there are specific items to come before the Commission. We will strive to have at least one meeting per quarter if there are no specific items to be considered.

V. ITEMS FROM BOARD MEMBERS

- a. 44 Old Canton St 

There was discussion by the Board that this property does not need to be added to the Contributing Historic Property List. It does not meet the Criteria for Designation of a Historic Property.

- b. Letters to Property Owners on Contributing Historic Property List 

Staff presented copy of letter approved by City Attorney that will be sent to owners of Contributing Historic Properties explaining voluntary process of designation.

VI. ADJOURNMENT



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CITY COUNCIL AGENDA ACTION SUMMARY

Public Hearing Date: November 13, 2017

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

Consideration of a request to rezone 0.99 acres from C-2 (General Commercial) to DT-C (Downtown Core) in order to develop a 4-story, 119-room boutique hotel, restaurant and hotel amenities and remove the structures at 21, 29 and 35 Milton Avenue. A conditional use is requested to allow a 'Boutique Hotel'. A variance is requested to reduce a rear setback. The subject property is located at 21, 29 and 35 Milton Avenue at the northwest corner of Milton Avenue and Old Canton Street.

Motion: Approve with Conditions, Kennedy
Second: Owens
Approve: 6-1 (Gilvin)

- ❖ *Council Member Kennedy offered a motion to approve Z-17-16/CU-17-12/V-17-35 Cotton House Boutique Hotel with the following changes:*
 - *Condition #6 - add to the end of the condition, "with applicant budget not to exceed \$15,000."*
 - *Condition #16 – amend to read, "Tree-lined streets shall be provided along Milton Avenue and Old Canton Street, as approved by staff. Provide detailed street planting for Milton Avenue and Old Canton Street. Streetscape shall meet the Downtown Code requirements and shall incorporate tree wells and pedestrian lighting , as approved by staff. Streetscape shall incorporate large canopy trees (Willow, Pin, Shurmard oaks) on the southwest , southeast corners of the building. Tree species and spacing shall require Staff approval."*
 - *Condition #18 – amend to read, "All tree planting areas shall be designed using green infrastructure techniques to incorporate trees and stormwater in order to reduce their stormwater impacts on the surrounding downtown area as approved by Staff."*
 - *Condition #23 – amend to read, "Developer shall improve Milton Avenue streetscape on the north side of Milton Avenue along the hotel site frontage, between Canton Street and Main Street, in concept as depicted on Exhibit A, with final approval by Staff. Improvements shall include brick paver sidewalk, decorative pedestrian lights, on-street parallel parking, curb and gutter and landscaping, with final approval by Staff. Developer shall be permitted road impact fee credits for off-site streetscape improvements and system improvements."*
 - *Condition #25 – amend to read, "Valet drop-off area along Milton Avenue shall be designed in concept as depicted on exhibit A. Valet operation shall not overflow onto Milton Avenue. If valet operation is deemed deficient by the City Transportation Planner, Hotel Operator shall work with staff to develop a revised service plan."*
 - *Add a condition #26 to read, "Applicant shall provide an alternate plan for valet service to be implemented when roads are closed for special events."*
 - *Add a condition #27 to read, "Buildings shall be illuminated in coordination with the City for holidays and special events."*
- *The motion received a second from Council Member Owens with a friendly amendment to Condition #22 to read, "Property owner shall enter into a Development Agreement with the City to address valet operations, special events, lighting and other operation issues along Milton Avenue and Old Canton Street to be approved by Staff and City Attorney."*
- *Amendment Accepted*
- *Council Member Binder offered a substitute motion to approve with all of Council Member Kennedy's Amendments except for Condition #2 – amend to read, "Hotel shall be permitted not to exceed 4 stories, 50 feet in height and a maximum of 119 rooms."*
- *Motion failed for a lack of a second*

- *Council Member Binder offered a friendly amendment to adjust height from 56 feet to 50 feet in Condition #2.*
- *Amendment not accepted*
- *The motion was approved 6-1; Gilvin voting no*

Final Conditions:

1. The property shall be zoned "DT-C" and the site shall be developed substantially similar to the plan by Kimley- Horn & Associates, dated 11/9/2017. However, site plan is subject to meeting all City Code requirements and conditions of zoning.
2. One boutique hotel shall be permitted not to exceed 4-stories and 56' in height with a maximum 119 guest rooms. First-floor building height shall be a minimum 15'. Accessory uses shall be limited to restaurant, day spa and fitness center. Boutique hotel shall be limited to Curio Collection by Hilton or Hotel Indigo by IHG. No extended stay or "suites" hotel shall be permitted.
3. Building architecture and materials shall be substantially similar to elevations prepared by archStudio7, dated 11/9/2017, with final approval by DRB. Building elevations shall require authentically historic details, including window trim, keystones, window mullions, etc. Window A/C units shall not be visible on the exterior of the building. Building shall step back a minimum 10' along Milton Avenue and include planters and landscaping as depicted on the elevations.
4. Development shall be permitted the following setbacks:
 - a. 0' Front Yard
 - b. 0' Side Yard
 - c. 0' – 6' Rear Yard, per the approved zoning plan
5. Dedicate a 10' permanent easement to the City for public access along the northwest property line, as depicted on the site plan, dated 11/9/2017. The easement shall include landscaping, low-level path lighting, seating areas, as approved by Staff. A bike share station shall be provided as approved by Staff.
6. Developer shall provide a minimum of one (1) original sculpture located at a prominent location in the development. Sculpture and location shall require approval by DRB. Sculpture shall be installed prior to the issuance of a CO, with applicant budget not to exceed \$15,000.
7. A minimum 5' brick paver sidewalk shall be provided along Old Canton Street.
8. Decorative foundation plantings (ornamental trees, shrubs, vines, grasses, etc.), in planting beds or in decorative containers, shall be provided along the building frontage on Milton Avenue and Old Canton Street, as approved by DRB.
9. Edge of planting areas shall be no closer than 14' to the face of the building or overhangs, balconies, etc., as approved by Staff.
10. Minimum 0.24 acres of amenity space shall be provided as depicted on site plan, dated 11/9/2017, including landscape, hardscape, lighting and seating/gathering areas, as approved by DRB. The plaza/courtyard at the rear of the hotel shall be open to the public, except when used for events by the hotel.
11. 'Back of house' functions, such as loading or dumpster areas, shall not be visible from the street. Generator and dumpster shall be contained within an enclosure with materials that match the building and shall include landscape screening as approved

- by DRB. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
12. Retaining walls and walls associated with the structured parking shall receive architectural façade treatment or be heavily landscaped.
 13. Areas between the building and the street shall include decorative hardscape consisting of pavers or other materials, as approved by Staff. Landscaping shall also be required in well-defined planting beds and trees in tree wells, as approved by Staff.
 14. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development.
 15. Awnings shall be provided on buildings at street level, where reasonably appropriate.
 16. Tree-lined streets shall be provided along Milton Avenue and Old Canton Street, as approved by staff. Provide detailed street planting for Milton Avenue and Old Canton Street. Streetscape shall meet the Downtown Code requirements and shall incorporate tree wells and pedestrian lighting , as approved by staff. Streetscape shall incorporate large canopy trees (Willow, Pin, Shurmard oaks) on the southwest , southeast corners of the building. Tree species and spacing shall require Staff approval.
 17. The remainder of the Old Canton Street streetscape shall incorporate large and medium canopy trees with planting pits and underground soil volumes as approved by Staff.
 18. All tree planting areas shall be designed using green infrastructure techniques to incorporate trees and stormwater in order to reduce their stormwater impacts on the surrounding downtown area as approved by Staff.
 19. Impacts to off-site trees shall be minimized. The owner(s) of off-site trees shall be notified of any encroachment greater than 20% or as directed by the City Arborist. This notification shall include a letter from the project Arborist detailing the extent of the encroachment and possible outcomes.
 20. All utilities shall be located underground.
 21. Developer shall improve Old Canton Street, adjacent to the hotel site, with decorative pavers, as approved by Staff. Based on the commitment by the developer, Old Milton Park shall be improved with a budget of \$50,000, including hardscape, landscape and seating, with final approval by Staff.
 22. Property owner shall apply for road abandonment or seek approval of a development agreement to allow exclusive rights for valet operation along Milton Avenue and Old Canton Street, as approved by Staff.
 23. Developer shall improve Milton Avenue streetscape on the north side of Milton Avenue along the hotel site frontage, between Canton Street and Main Street, in concept as depicted on Exhibit A, with final approval by Staff. Improvements shall include brick paver sidewalk, decorative pedestrian lights, on-street parallel parking, curb and gutter and landscaping, with final approval by Staff. Developer shall be permitted road impact fee credits for off-site streetscape improvements and system improvements.
 24. Developer shall construct a mid-block crosswalk aligned with the Ceviche patio, as depicted in Exhibit A. Crosswalk shall be enhanced with brick pavers, curb extensions and a pedestrian refuge island, as approved by Staff.

25. Valet drop-off area along Milton Avenue shall be designed in concept as depicted on exhibit A. Valet operation shall not overflow onto Milton Avenue. If valet operation is deemed deficient by the City Transportation Planner, Hotel Operator shall work with staff to develop a revised service plan.
26. Applicant shall provide an alternate plan for valet service to be implemented when roads are closed for special events.
27. Buildings shall be illuminated in coordination with the City for holidays and special events.
- 28.







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Steps for Designation of a Historic Property

1. **An application for designation of a historic property or historic properties may be submitted by:**
 - a. The owner of the subject property; or
 - b. The City Council, via majority vote, subject to the written consent of the property owner(s); or
 - c. The HPC, via majority vote, subject to the written consent of the property owner(s).
2. **HPC shall prepare a report for recommendation consisting of:**
 - a. A detailed physical description of the proposed historic property; and
 - b. A statement of the historical, cultural, architectural, and/or aesthetic significance of the proposed historic property; and
 - c. A map showing the boundaries of the proposed property; and
 - d. A statement justifying the boundaries of the proposed property; and
 - e. Representative photographs of the proposed property.
3. **Notice of the public hearing** shall be published in at least **three consecutive issues** of a newspaper with one of such notices being published at least fifteen (15) days, but not more than forty-five (45) days prior to the date of the hearing
4. **Written notice of the hearing** shall be mailed not less than ten (10) or more than twenty (20) days prior to the date set for the public hearing.
5. **Notification of Historic Preservation Division.** No less than thirty (30) days prior to making a recommendation on any ordinance designating a property as historic, the HPC must submit the report, required in Subparagraph A.3. of this Subsection, to the Historic Preservation Division of the Department of Natural Resources.

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
JASON BINDER
JIM GILVIN
MIKE KENNEDY
DAN MERKEL
DONALD F. MITCHELL
CHRIS OWENS

CITY ADMINISTRATOR
ROBERT J. REGUS

6. **Recommendation on Proposed Designation.** A recommendation to affirm, modify, withdraw, or reject the proposed ordinance for designation shall be made by the HPC following the public hearing and shall be in the form of a resolution to the City Council.
7. **City Council Action Following HPC's Recommendation.** Following receipt of the HPC recommendation, the City Council may adopt the ordinance for designation as proposed, may adopt the ordinance with any amendments it deems necessary, or reject the ordinance.
8. **Notification of Adoption of Ordinance for Designation.** Within thirty (30) days following the adoption of the ordinance for designation by the City Council, the owners and occupants of each designated historic property shall be given written notification of such designation by the City Council, which notice shall apprise said owners and occupants of the necessity of obtaining a certificate of appropriateness prior to undertaking any material change in appearance of the historic property. A notice sent via the United States mail to the last-known owner of the property shown on the City of Alpharetta tax digest and a notice sent via United States mail to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this Section.
- 9.. **Notification of Other Agencies Regarding Designation.** The HPC shall notify all necessary agencies within the City of the ordinance for designation.

Moratorium on Applications for Alteration or Demolition while Designation is Pending. If an ordinance for designation is being considered, the HPC shall notify the permitting division of the Community Development Department. No permit of any kind shall be issued for work which would constitute a material change in the appearance of a building, structure, site, or landscaping located on the proposed property until the proposed ordinance is adopted or rejected by the City Council or otherwise withdrawn by the applicant.

DRAFT

DESIGNATION OF A HISTORIC PROPERTY

- a. Is the property of historic, cultural, aesthetic or architectural significance to the City, the region, the State, or the nation; or
- b. Does the property possess historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and

The Lewis Manning House at 40 Cumming Street possess historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property for the reasons listed below. The City Council requested the property be designated as condition #9 for Case # CLUP-17-02/Z1704 Taylor Morrison/40 Cumming Street on September 25, 2017. (See Attached Exhibit A, B and C)

- c. Is the property deemed worthy of preservation (and the benefits available due to such status) following reasons:

- i. It is an outstanding example of a building representative of its era and over 75 years old;

The property is over 75 years old. It was built in 1895.

- ii. It is one of the few remaining examples of a past architectural style or type and over 75 years old; or

It is an outstanding example of a Queen Anne style home.

- iii. Is The property a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation and over 75 years old.

The Lewis Manning House was built for Colonel Tom Lewis in 1895 and sold to the Manning family in 1905. The Manning family is one of the founding families of the City of Alpharetta. Mary Camp Manning and her brother sold 60 acres to the new Milton County in April 1858. Ms. Cora Lewis is credited as being the driving force behind the creation of the Alpharetta First Baptist Church in 1903. Sim Manning was editor of the local paper, the North Fulton Progress, during the Great Depression. He also served one term as Mayor.



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CITY COUNCIL AGENDA ACTION SUMMARY

Public Hearing Date: September 25, 2017

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

Consideration of a request to rezone 0.837 acres from R-15 (Dwelling, 'For-Sale' Residential) to DT-LW (Downtown Live-Work) and rezone 10.868 acres from R-15 to DT-R (Downtown Residential) to allow for the construction of 58 'For-Sale' detached homes and to allow a historic structure to be used for an office. A comprehensive land use plan amendment is requested from Downtown Residential Density to Central Business District and from Low Density Residential to Downtown Residential Density. The property is located on the north side of Cumming Street between Highway 9 and Manning Drive at 40 Cumming Street and is legally described as being located in Land Lots 1196 and 1253, 2nd District, 2nd Section, Fulton County, Georgia.

Motion: Approve with Conditions, Kennedy
Second: Owens
Approve: 7-0

Council Member Kennedy offered a motion to approve CLUP-17-02/Z-17-04 Taylor Morrison/40 Cumming Street subject to the staff conditions with the following changes:

- O Condition #1– change date to September 12, 2017*
 - O Condition #2 – change date to September 12, 2017*
 - O Condition #8 – change date to September 12, 2017*
 - O Condition #9 – Add a sentence regarding Certificate of Occupancy that reads, “This restriction shall not apply to nor prevent the opening of up to 3 model homes prior to restoration.”*
 - O Condition #11 – strike last sentence regarding evergreen plantings and adding a sentence that reads, “Enhanced plantings and/or understory trees shall be required along the north and east sides of The Lewis Manning House.”*
 - O Condition #12 – adding a sentence to the end that reads, “ Further, the Lewis Manning House shall be designated as an historic structure under the City’s Historic Preservation Ordinance.”*
 - O Condition #18 - strike requirement for granite wall on the Manning Drive lots #9-11 and adding a sentence that reads, “ Individual landscape plans intended to provide landscaping complimentary to existing landscape on Manning Drive shall be submitted for staff approval for the plot of homes on Manning Drive lots #9—11.”*
 - O Condition #30- changing the date on PEC plan to September 22, 2017. Strike requirement for 7500 square foot central tree save area and replacing that with a sentence that reads, “The applicant site plan shall include a central green and a green with a mail kiosk that provides a combined total of at least 5800 square feet.”*
- The motion received a second from Council Member Mitchell*
 - Council Member Binder offered a friendly amend to add a Condition #41- “Pocket parks to the west and northeast of the detention area as depicted in site plan submitted on 9/28/2017 (sheet Z2 dated September 22, 2017).”*
 - Amendment accepted by Kennedy and Mitchell*
 - The motion was approved 7-0*

Final Conditions:

1. The site, consisting of approximately 10.868 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by PEC, dated 9/22/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The Lewis-Manning House property, consisting of approximately 0.837 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by PEC, dated 9/22/2017, except for modifications required to comply with the conditions below. Use shall be restricted to office or HOA use.
3. The permitted residential product on the property shall be single-family detached. Minimum lot size shall be 7,000 square feet for lots fronting Manning Drive (Lots 9-11) and 5,000 square feet adjacent to existing residential on Manning Drive (Lots 17-20). All lots fronting Cumming Street (Lots 5-8) shall have a minimum size of 4,000 square feet and all other lots shall have a minimum lot size of 2,500 square feet in order to maximize tree saves.
4. There shall be only three single-family detached lots fronting Manning Drive (Lots 9-11) and those lots shall have a minimum lot width of 60'. Lots that back up to

existing homes on Manning Drive (lots 17-20) shall have a minimum lot width of 50'.

5. Minimum building setbacks shall comply with the DT-R district standards.
6. Homes fronting Cumming Street (Lots 5-8) shall face that street. Side elevations shall be enhanced with architectural elements and/or shall be screened with evergreen plantings, as approved by Staff. Civic space along Cumming Street shall be a minimum 40' wide, as depicted on the site plan, and developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Civic areas to be maintained by HOA.
7. Homes adjacent to existing residential and commercial shall be front loaded.
8. Architecture and materials shall be substantially similar to the renderings prepared by Main Street Designs, dated 9/12/2017, except for modifications required to comply with these conditions, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. Front porches and stoops shall have a minimum depth of 8' as measured from the front door. Bay windows shall have a minimum depth of 2'. 4-sided architecture and materials shall be required. A minimum 50% of homes fronting Cumming Street (Lots 5-8) and Manning Drive (Lots 9-11) shall be three-sided brick or stone with fireplaces.
9. The Historic Lewis-Manning House shall be restored and protected. Restoration and modifications shall require review and approval by Staff. The exterior of the home shall be restored prior to the first Certificate of Occupancy on the property. Landscaping and fencing style shall be designed to complement the time period of the historic home. This restriction shall not apply to nor prevent the opening of up to 3 model homes prior to restoration.
10. An easement shall be recorded on the final plat providing for use of the Lewis-Manning House yard as depicted on the site plan.
11. The yard surrounding the Lewis-Manning House shall be enhanced with landscape, hardscape, seating areas and a sculpture or fountain, as approved by Staff. Enhanced plantings and/or understory trees shall be required along the north and east sides of the Lewis-Manning House.
12. Developer shall provide a statement on the final plat and in a binding legal agreement providing for the protection and maintenance of the Lewis-Manning House. Further, the Lewis-Manning House shall be designated as an historic structure under the City's Historic Preservation Ordinance.
13. The Lewis-Manning House shall be permitted 1 monument sign not to exceed 10 square feet and 1 wall sign shall not exceed 4 square feet both to be approved by the DRB. The property will forever be known as the Lewis Manning House and will be so designated by a plaque, which will be affixed to the exterior of the structure as approved by the DRB.
14. A minimum 15' transitional, planted buffer, as depicted on the zoning plan, shall be provided adjacent to the existing Manning Drive residential properties to the east and shall be planted with evergreen trees and/or shrubs to provide a visual screen between uses, as approved by Staff. After installation, buffer shall be recorded as undisturbed.

15. A minimum 15' landscape buffer shall be provided adjacent to properties to the west zoned commercial.
16. Roadways with on-street parking shall incorporate curb extensions at intersections. Internal road shall include on-street parking and sidewalk, where feasible, as approved by Staff.
17. The corner of Cumming Street and Manning Drive shall be heavily landscaped with evergreen plantings to screen the sides of Units 8 & 9 and internal driveway and decorative ornamental plantings.
18. A stacked stone, brick or granite wall shall be constructed between homes fronting Cumming Street (Lots 5-8) and front landscape area. Benches and a public art pedestal shall be approved by Staff. Individual landscape plans intended to provide landscaping complimentary to existing landscape on Manning Drive shall be submitted for staff approval for the plot of homes on Manning Drive (Lots 9-11).
19. Civic and amenity areas shall include a mix of trees, shrubs, and ground covers of varying heights, textures and colors as approved by Staff.
20. Development shall not be gated and roads will be private and maintained by the HOA.
21. Developer shall remove, by hand, trash from the stream at the north end of the property.
22. Add trees, shrubs and ground cover plantings to the south side of the trail that roughly parallels the stream, where cleared or sparse. Plantings will consist of traditional native southern plants creating a manicured park-like natural appearance as approved by Staff.
23. In addition to required trees in the on-street parking bump outs, shade trees alternating with flowering ornamental trees shall be planted on the backside of the sidewalk as approved by Staff. In lieu of tree grates, the soil area around the trees shall be planted with evergreen ornamental grasses, groundcovers or shrubs. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
24. Civic space along Cumming Street and Manning Drive shall be recorded for public use.
25. Multi-use path along Cumming Street shall be a 12' concrete accessible path. A path connection through site and along stream shall be provided. Developer shall dedicate a permanent 20' wide public access easement to the City within the 150' impervious setback, as depicted on the site plan. Easement documents shall address maintenance responsibilities, which shall be maintained by the HOA. Lighting, seating areas, landscape and hardscape shall be provided along Cumming Street, as approved by Staff.
26. Driveways shall be a minimum 18' from garage to back of sidewalk or less than 5'.
27. Parking areas and internal driveways shall be heavily screened from Cumming Street, Manning Drive and civic space. A tree shall be provided every 3rd parallel parking space along Cumming Street.
28. Internal sidewalks shall be provided to the fronts of units and shall be a minimum 5' with pedestrian-scale lighting provided throughout the development.
29. Fencing visible from the street or civic areas shall be decorative as approved by Staff.

30. Existing trees shall be preserved as depicted on Sheet SPE prepared by PEC, dated 9/22/2017. The location of the tree protection fence around #67 (47" White Oak) shall be approved by Staff. The applicant's site plan shall include a central green and a green with a mail kiosk that provides a combined total of at least 5,800 square feet. Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff. The 2 non-specimen trees, as well as the 10" Magnolia, along Manning Drive shall be incorporated into lots along Manning Drive.
31. Make reasonable efforts to remove exotic and invasive trees and shrubs within open space, tree save areas and stream buffer and replant where sparse as approved by Staff.
32. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. Street trees shall be required along Cumming Street within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown, as approved by Staff. Heavy landscaping shall be provided along Manning Drive, as approved by Staff. All required landscaping shall be outside of utility easements.
33. Street trees of the proper size and locations shall be required along all internal roads as approved by Staff.
34. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
35. Decorative paver apron dimensioned at 12' deep and 40' wide shall be required at the project driveway entrance at Cumming Street as approved by Staff.
36. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff.
37. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
38. Overhead utilities internal to the project shall be placed underground.
39. Final detention area shall be coordinated with Community Development staff during plan review process, except that no stormwater management facilities shall be permitted within the impervious setback and there shall be no additional tree clearing.
40. Road width and configuration shall require Fire Marshall review and approval.
41. Pocket parks to the west and northeast of the detention area as depicted in site plan submitted on 9/28/2017 (sheet Z2 dated September 22, 2017).