# City Council Meeting and Public Hearing
# APRIL 30, 2018

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

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PLEDGE TO THE FLAG**

**IV. PROCLAMATIONS AND PRESENTATIONS**

**A. Community Update:**
1. North American Mission Board - Kevin Ezell
2. Vertical Church - Billy Lowe
3. Erin's Hope for Friends - Stacy Horst

**B. Arts Awareness Month**

**V. CONSENT AGENDA**

**A. Alcoholic Beverage License Applications**

**PH-18-AB-47** CFB Food LLC
d/b/a Coalition Food & Beverage
50 Canton Street Ste. 108
Alpharetta, GA 30009

Consumption on Premises
Beer & Wine, liquor, Sunday Sales

Owner: Ryan Pernice
Registered Agent: Ryan Pernice

**B. PH-18-AB-46** Holmes
d/b/a Holmes
50 South Main St.
Alpharetta, GA 30009

Consumption on Premises
Beer & Wine, liquor, Sunday Sales
Wine by the bottle

Owner: David Neary
Registered Agent: Moises Posado-Lozano

**C. PH-18-AB-45 CT Southern LLC**
**d/b/a Chronic Tacos Mexican Grill**
**970 North Point Drive Ste. B160**
**Alpharetta, GA 30009**

**Consumption on Premises**
**Beer & Wine, Sunday Sales**

**Owner: James Smith**
**Registered Agent: Kattegummula Reddy**

**D. Council Meeting Minutes (Meeting of 3/26/2018 & 4/9/2018)**

## VI. PUBLIC HEARING

**A. Z-17-18 / V-17-39: 1245 Rucker Road**
**NOTE: This item has been withdrawn at the request of the applicant and will not be considered**
***Consideration of a request to rezone 1.85 acres from AG (Agriculture) to R-8A/D (Dwelling 'For-Sale', Attached/Detached Residential) to allow for the subdivision of the property into eight (8) single-family detached lots. A comprehensive land use plan amendment is requested from Low Density Residential to High Density Residential and a variance is requested to allow a hammerhead turnaround in lieu of a cul-de-sac. The property is located at 1245 Rucker Road on the south side of Rucker Road and east of Harris Road and is legally described as being located in Land Lot 1275, 2nd District, 2nd Section, Fulton County, Georgia.***

**B. PH-18-04: Unified Development Code Text Amendments/PSC District**
**NOTE: This item has been deferred and will be neither heard nor discussed during this meeting.**
***Consideration of text amendments to Unified Development Code, Article II to amend the Planned Shopping Center (PSC) zoning district to add 'Dwelling, 'For-Sale' Attached/Detached, Residential' and 'Dwelling, 'For-Rent', Residential' as a conditional use.***

**C. CLUP-18-01 / Z-18-01 / CU-18-03 / V-18-01: Atlanta Senior Care Services**
**This item was Tabled by the Planning Commission on April 12, 2018. It will not be considered at this meeting.**
***Consideration of a request to rezone approximately 17.5 acres from LI (Light Industrial) and O-I (Office-Institutional) to C-2 (General Commercial) in order to develop 200 'For-Sale' attached condominium units and 11,915 square feet of retail and office use. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'Commercial' and a conditional use to allow 'Dwelling, 'For-Sale', Attached'. Variances are requested to increase the height of the building and to reduce stream buffers. The property is located at the southeast corner of Old Milton Parkway and Georgia 400 and is legally described as being located in Land Lots 853 & 856, 1st District, 2nd Section, Fulton County, Georgia.***

**D. MP-18-02: Lifehope / Siemens Master Plan**
***Consideration of a request to amend the Siemen's Master Plan and site plan approval to allow a medical office campus. The property is located at 3333 Old Milton Parkway and is legally described as being located in Land Lot 908, 1st District, 2nd Section, Fulton County, Georgia.***

**E. CU-18-01: Vape Bar / Windward Promenade**
***Consideration of a request for conditional use to allow a retail store that sells vape (tobacco alternative/e-cigarette) products in a 1,600 square foot suite within the Windward Promenade retail center. The proposed use is classified as 'Smoke Shop and Tobacco Store'. The property is located at 875 North Main Street, Suite 356 and is legally described as being located in Land Lot 1112, 2nd District, 2nd Section, Fulton County, Georgia.***

F. **PH-17-29: Unified Development Code Text Amendments /Heritage Design Areas**
*Consideration of text amendments to Unified Development Code, Appendix A: Alpharetta Downtown Code to add Heritage Design Areas, amend streetscape standards, amend the parking requirement for office use and add maximum building footprints in the DT-C and DT-MU zoning districts. A text amendment is proposed to UDC Section 2.5 Parking and Loading to clarify the locational criteria for required parking in 'For-Sale' residential districts.*

G. **PH-18-02: Unified Development Code Text Amendments/Downtown Architecture**
*Consideration of text amendments to Unified Development Code, Appendix A: Alpharetta Downtown Code and Alpharetta Downtown Design Guidelines to add four (4) architectural styles.*

H. **PH-18-03: City of Alpharetta Capital Improvement Element and Annual Report**
*Consideration of a resolution authorizing transmittal of the 2018 Capital Improvement Element and Annual Report*

## VII. OLD BUSINESS

A. **V-17-21: 55 & 61 Roswell Street/Parking and Building Height Variance**
**NOTE: This item was tabled on December 18, 2017 and must be removed from the table for consideration.**
*Consideration of a request for variance to reduce parking requirements and to increase the building height from 40' to 46' to allow for the construction of a 35,000 square foot mixed-use building. The property is located at 55 & 61 Roswell Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.*

B. **PH-17-38: Sae Han Church / 3385 Kimball Bridge Road**
**This item was tabled on March 5, 2018. It must be removed from the table for consideration.**
*Consideration of a change to previous conditions of zoning to allow for a detention pond to be placed underground for the purpose of providing more parking for the expansion of the church. The property is located at 3385 Kimball Bridge Road on the south side of Kimball Bridge Road and west of Waters Road and is legally described as being located in Land Lot 916, 1st District, 2nd Section, Fulton County, Georgia.*

C. **Ethics Ordinance (2nd reading)**
*AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AMEND, RESTATE AND ADOPT A CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS (AS HEREIN DEFINED); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES*

D. **Amendment to Speed Zone Ordinance (2nd reading)**

## VIII. NEW BUSINESS

A. **Contract For Planning Services: Wills Park And Equestrian Center Master Plans**

B. **Alpharetta Animal Hospital, P.C. - Settlement Agreement and Release and Access Easement**

C. **Intergovernmental Agreement with Forsyth County regarding McGinnis Ferry Road**

## IX. PUBLIC COMMENT

## X. REPORTS

## XI. ADJOURNMENT TO EXECUTIVE SESSION

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: Administration
Submitted By:
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:**

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

PH-18-AB-47 CFB FOOD LLC
D/B/A COALITION FOOD & BEVERAGE
50 CANTON STREET STE. 108
ALPHARETTA, GA 30009

CONSUMPTION ON PREMISES
BEER & WINE, LIQUOR, SUNDAY SALES

OWNER: RYAN PERNICE
REGISTERED AGENT: RYAN PERNICE

**II. RECOMMENDATION:**

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO
FISCAL IMPACT: NO
INCLUDED IN CURRENT FY CPTL BUDGET: NO
INCLUDED IN CURRENT FY OPRT. BUDGET: NO
TOTAL PROJECT COST:
APPROPRIATIONS:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

EXTERNAL FUNDING SOURCES:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

**IV. REPORT IN BRIEF:**

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: City Clerk
Submitted By:
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** PH-18-AB-46 HOLMES
D/B/A HOLMES
50 SOUTH MAIN ST.
ALPHARETTA, GA 30009

CONSUMPTION ON PREMISES
BEER & WINE, LIQUOR, SUNDAY SALES
WINE BY THE BOTTLE

OWNER: DAVID NEARY
REGISTERED AGENT: MOISES POSADO-LOZANO

**II. RECOMMENDATION:**

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO
FISCAL IMPACT: NO
INCLUDED IN CURRENT FY CPTL BUDGET: NO
INCLUDED IN CURRENT FY OPRT. BUDGET: NO
TOTAL PROJECT COST:
APPROPRIATIONS:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

EXTERNAL FUNDING SOURCES:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

**IV. REPORT IN BRIEF:**

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: City Clerk
Submitted By:
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** PH-18-AB-45 CT SOUTHERN LLC
D/B/A CHRONIC TACOS MEXICAN GRILL
970 NORTH POINT DRIVE STE. B160
ALPHARETTA, GA 30009

CONSUMPTION ON PREMISES
BEER & WINE, SUNDAY SALES

OWNER: JAMES SMITH
REGISTERED AGENT: KATTEGUMMULA REDDY

**II. RECOMMENDATION:**

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO
FISCAL IMPACT: NO
INCLUDED IN CURRENT FY CPTL BUDGET: NO
INCLUDED IN CURRENT FY OPRT. BUDGET: NO
TOTAL PROJECT COST:
APPROPRIATIONS:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

EXTERNAL FUNDING SOURCES:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

**IV. REPORT IN BRIEF:**

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

# City Council Meeting Minutes of MARCH 26, 2018

OFFICE OF THE CITY CLERK

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 Council, but not quoted or paraphrased. This document includes limited presentation by Council and invited speakers in **summary** form. **This** is **not an official record** of the Alpharetta City Council Meeting proceedings. Official Minutes are recorded and available for review.*

## I. CALL TO ORDER

- *Mayor Mitchell called the meeting to order at 6:30 PM*

## II. ROLL CALL

- Council Members
  - Mayor Donald F. Mitchell
  - Jason Binder
  - Ben Burnett
  - Dan Merkel
- Staff
  - Bob Regus, City Administrator
  - Coty Thigpen, City Clerk
  - Sam Thomas, City Attorney
  - James Drinkard, Asst. City Administrator
  - Peter Sewczwicz, Director of Public Works
  - John Robison, Deputy Director of Public Safety
  - Morgan Rodgers, Director of Recreation and Parks
  - Kathi Cook, Director of Community Development
  - Eric Graves, Senior Engineer

## III. PLEDGE TO THE FLAG

## IV. PRESENTATIONS

### A. Community Update:

- North Fulton Community Charities - Barbara Duffy
- Alpharetta Presbyterian - Dr. Oliver Wagner

## V. PUBLIC HEARING

### A. Z-17-15 / V-17-30: 10 & 37 Roswell Street/Alpharetta Town Commons

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff

- This item was heard at the March 1, 2018 Planning Commission meeting. Staff recommended approval, subject to 7 conditions. One resident spoke against the request with concerns over off-site parking. After discussion, Planning Commission recommended to approve the item, subject to staff and applicant conditions. Vote (6-0).

- Staff recommends approval of Z-17-15/V-17-30 Rothman/10 and 20 Roswell Street, 37 Old Roswell Street subject to the following conditions:

    1. Property shall be zoned C-2 and restricted to office, restaurant, retail, art studio, beauty salon/barber shop, art gallery, bakery, bank, book store, drug store, florist, theater or museum. A music venue shall be permitted and restricted to a maximum of 333 seats.
    2. Music venue shall be restricted to operate from 7 PM – 2 AM on Friday and Saturday evenings (performances shall end by midnight). Music venue parking shall be directed to Roswell Street public lot to avoid impacts to existing restaurants in addition to offsite private accommodations. Applicant shall be required to submit an offsite parking plan and agreement to City Staff to mitigate impacts that may include off site valet and temporary signage to direct patrons to offsite parking. Applicant shall provide multiple year or renewed parking agreement each year for music/event space portion of restaurant prior to receiving a business license.
    3. Existing building modifications shall require Design Review Board approval and at a minimum applicant shall replace existing awnings, add outdoor seating and landscape planters, as approved by Staff.
    4. In-lieu of paying for all 70 spaces since an offsite agreement with the animal hospital has been provided for 43 parking spaces and with Wells Fargo Bank for 27 parking spaces, the applicant shall pay into the downtown fund the fee equal to cover any remaining required spaces. Amount shall be determined by the in- lieu fees approved by City Council. The amount may be further reduced if offsite parking agreements are provided within 550' of the site as approved by Staff. If any offsite leases are not extended or renewed the applicant shall be required to pay in lieu fee for spaces in excess of parking spaces available onsite prior to issuance of a business license.
    5. Developer shall provide the City with a binding legal agreement providing for the protection and maintenance of the Phillips House (La Casa building).
    6. La Casa addition shall not detract from the historical features of the structure and shall compliment and coordinate with corner pocket park. Design Review Board approval shall be required.

7. Applicant shall provide sufficient dumpster service to properly and completely enclose the trash and refuse as deemed and reviewed by Staff.

- The applicant, Bob Rothman, is requesting a rezoning from SU to C2 and a parking variance to allow existing office uses within a building to convert to restaurant and a music venue. The existing salon and corner restaurant would remain. The applicant is also requesting a 3,500 square foot addition to the La Casa restaurant at 37 Old Roswell Street. The applicant requests a parking variance. The subject property is located at 10 Roswell Street and 37 Old Roswell Street. Both addresses are part of one combined property.

- The submitted request, if approved, will allow an existing building to operate a music venue and restaurant where office previously existed and continue the existing salon and restaurant uses. One variance is requested as well as a parking variance in order to permit off-site parking.

<u>10 Roswell Street</u>

- The existing 2-story building at 10 Roswell Street is currently occupied with the Corner Deli and Aria Hair Salon. Office users have moved from the building and the applicant plans to convert the space to a music venue with approximately 330 seats and restaurant. Although these uses would be permitted by right within C2 zoning, this parcel is zoned SU (Special Use). It is zoned Special Use because the land was once owned by the City and when sold in 2013 the zoning was not changed. The sales document allowed many C2 uses permitted by right with the statement "and other retail uses permitted by the C-2 zoning classification under the City of Alpharetta's zoning ordinance and typically found in community or neighborhood shopping centers in the City of Alpharetta." Because a music venue of this size did not exist in other shopping centers in Alpharetta Staff informed the applicant that a rezoning was needed.
- The use would occupy the top floor, about 5,000 square feet which could hold approximately 333 people. Code requires 1 per 4 seats, plus 1 employee space per 10 seats. The restaurant portion of the venue would be located downstairs. The code required parking for this use is 84 for patrons and 34 for employees for a total of 118 spaces. Of course these spaces would impact available evening spaces instead of day. Other uses within the building bring the total required for the building is 146 of course with the majority needed for evening music events. The property currently has 40 spaces so there will be an evening need of an additional 106 spaces. There are two nearby public parking lots as well as a proposed parking deck next to the cemetery on Milton Avenue. Until the deck is constructed the applicant should provide an offsite parking agreement to accommodate additional spaces needed. Of course since the music venue also has restaurant space some patrons will eat at the restaurant prior to the show or at other nearby restaurants.
- The applicant's business plan states that the restaurant will be open 7 days a week from 11am – 10 pm. The music events will be held on Friday and Saturdays the restaurant will close at 11. The music events are planned for Friday and Saturday nights after 8 pm.

<u>La Casa Restaurant</u>

- This building is on the City's list of contributing historic properties and was built in 1930. The style is English Vernacular Revival and was the home of Dr. Walter Williams Phillips. The applicant is proposing a small kitchen addition of 500 square feet and an expansion of the dining room to blend existing with an improved outdoor/courtyard to complement the existing pocket park. They also plan to create a stronger entry since they have found that patrons have difficulty finding the front door due to existing ramps. All improvements are required to fit with existing historic style and will require approval. Only 1,500 of addition will accommodate additional seating space and no additional parking is required since the recent adoption of the Historic Preservation Ordinance.

Parking

- The Downtown Master Plan Update and Alpharetta Downtown Code requirements replaced the HIS in 2015. The City is in the process of updating their current Downtown parking requirements to provide in-lieu fees for downtown businesses that can't meet their parking on site. This system will permit buildings to be built to the edge of street similar to main street as well as Milton Avenue instead of parking lots between buildings. In order to create a more walkable environment buildings should front the street and parking should be centralized in a downtown.
- This property is located directly in front of the Old Roswell Street City Parking Lot and within 500' of the Roswell Street City Parking Lot. The City has plans to develop public parking at 92 Milton Avenue, which is approximately 350' from the property. The site is ideally situated near public parking.
- Staff has reviewed the application and is generally in agreement. The applicant's requested use is consistent with the Alpharetta Downtown Code. A music venue would be a good addition to the downtown and provide a use that doesn't currently exist. The only other small indoor music venue in the City is the Velvet Note on Old Milton Parkway, however they are smaller an only accommodate about 45 guests. The applicant should provide an offsite parking arrangement to valet or shuttle people to cars to help keep music venue patrons from using all spaces behind the existing building which are currently used for other restaurants. Of course many attending the music venue will visit other restaurants in addition to the venue's restaurant. The applicant has provide an offsite parking agreement with the animal hospital to use their 43 parking spaces in the evening. The applicant will be required to provide adequate temporary signage and plan so the public is aware of the venue parking. The applicant also provided an off-site agreement for parking at the Wells Fargo bank, however, this location is not within 500' of the subject site.
- Existing parking in the Downtown requires expansion in order to serve this use and additional growth occurring in the Downtown. It is difficult to provide on-site parking on small downtown parcels as it would limit density and in some areas parcels would be purchased and developed solely for the purpose of surface parking. This could be a detriment to building connectivity and needed density along downtown streets.
- The City has budgeted over $7 million to construct additional parking in the Downtown. The previous Historic Downtown Incentive Zoning (HDIZ) contemplated the parking issue by offering developers the option of contributing to a parking fund in lieu of providing on-site parking, which would be used to build communal parking deck spaces. That document required half of the parking be provided on-site and the applicant could pay $4,500.00 per space into the Downtown parking fund to satisfy the remaining parking requirement.
- The Downtown Plan states the intent and purpose is for Downtown Alpharetta to be a focal point for high-quality mixed-use development. The property is within an area designated 'Central Business District', which permits higher densities and building heights than other areas in the Downtown Overlay. It should be noted that each request for parking variances and contributions to the Parking Fund are based upon the available inventory at the request time, as well as proximity to structured parking.
- The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received.
- Don Rolader and representatives of the applicant came forward to speak to the application

**Public Comment**

None

- *Council Member Merkel offered a motion to approve Z-17-15 / V-17-30: 10 & 37 Roswell Street/Alpharetta Town Commons subject to the staff conditions with the following changes:*
  - *Condition #4: In-lieu of paying for all 70 spaces since an offsite agreement with the animal hospital has been provided for 43 parking spaces and with Wells Fargo Bank for 27 parking spaces, the applicant shall pay into the downtown fund the fee equal to cover any remaining required spaces. Amount shall be determined by the in- lieu fees approved by City Council. The amount may be further reduced if offsite parking agreements are provided within 550' of the site as approved by Staff. If any offsite leases are not extended or renewed the applicant shall be required to pay in lieu fee for spaces in excess of parking spaces available onsite prior to issuance of a business license. If the music venue ceases to operate and the lease is terminated or converted to another use, the requirement for the 70 spaces shall cease. Should the applicant lose access to provided parking spaces and need to purchase in-lieu spaces, the fee level begins at the level at which the previous in-lieu purchased spaces level ended.*
  - *Leave Condition #5 as deleted*
  - *Condition #6: La Casa addition shall not detract from the historical features of the structure and shall compliment and coordinate with corner pocket park. Design Review Board approval shall be required in addition to approval by City architect and staff.*
  - *Add Condition #7: Applicant shall agree to add historic marker as approved by staff*
- *The motion was seconded by Council Member Binder with a friendly amendment to Condition #4: In-lieu of paying for all 70 spaces since an offsite agreement with the animal hospital has been provided for 43 parking spaces and <u>for valet only</u> with Wells Fargo Bank for 27 parking spaces, the applicant shall pay into the downtown fund the fee equal to cover any remaining required spaces. Amount shall be determined by the in- lieu fees approved by City Council. The amount may be further reduced if offsite parking agreements are provided within 550' of the site as approved by Staff. If any offsite leases are not extended or renewed the applicant shall be required to pay in lieu fee for spaces in excess of parking spaces available onsite prior to issuance of a business license. If the music venue ceases to operate and the lease is terminated or converted to another use, the requirement for the 70 spaces shall cease. Should the applicant lose access to provided parking spaces and need to purchase in lieu spaces, the fee level begins at the level at which the previous in lieu purchased spaces level ended.*
- *Amendment accepted by Council Member Merkel*
- *Council Member Burnett requested to amend the motion to require music to cease by 12:00AM and the establishment must close by 1:00AM*
- *Amendment not accepted by Council Member Merkel*
- *Council Member Burnett offered a substitute motion to include all amendments specified by Council Member Merkel and Binder with the exception of Condition #2 which shall stipulate that music shall cease at 12:00 AM and establishment must be closed by 1:00AM.*
- *The substitute motion was seconded by Council Member Binder*
- *The motion was approved unanimously 4-0*

## A. PH-17-39 RAM Hospitality (Home 2 Suites)

- Director of Community Development, Kathi Cook, came forward to present this item on behalf of staff
- Staff is recommending denial; however, if approval is considered, the following conditions are recommended:

    1. All portions of the retaining wall visible from the public right-of-way shall be faced with a masonry material with a stone appearance and shall be compatible with materials used for the primary structure. Material to be approved by Staff.
    2. All previous conditions of zoning shall remain in effect.

- The applicant, RAM Alpharetta Hospitality, LLC (Home2 Suites), is requesting a change to previous conditions of zoning to allow a material change for retaining walls facing Morris Road and Webb Bridge Road. The original condition of zoning required retaining walls to be faced with a masonry product having the appearance of stone and compatible with materials used on the primary structure. The applicant proposes a combination of Allan Block and Redi-Rock on the retaining wall. The subject property is located at 12075 Morris Road, at the southeast corner of Webb Bridge Road and Morris Road.
- The submitted request, if approved, will allow a material change to the retaining walls associated with the Home2 Suites extended stay hotel site. The original condition of zoning required retaining walls to be faced with a masonry product having the appearance of stone and compatible with materials used on the primary structure. The applicant proposes a combination of Allan Block and Redi-Rock on the retaining wall. The subject property is located at 12075 Morris Road, at the southeast corner of Webb Bridge Road and Morris Road.
- The 4.13-acre property is zoned O-I (Office-Institutional) and is subject to the Preston Ridge Master Plan, Pod F. Pod F is designated 'Office' allowing up to 25,000 square feet per acre and also allows 'Hotel' as a permitted use. A variance was approved on March 7, 2016, allowing retaining walls within the required building setbacks and to reducing parking requirements. The applicant proposes the following changes to previous conditions of zoning related to file V-16-06 – Home2 Suites:

    3. All portions of the retaining wall visible from the public right-of-way shall be in accordance with the materials and colors set forth in the attached Wall Plan, dated 3/12/17 and attached hereto as Exhibit 1. ~~faced with a masonry material with a stone appearance and shall be compatible with materials used for the primary structure. Material to be approved by Staff.~~

- Surrounding properties are zoned O-I to the north, east and west and CUP (Community Unit Plan) to the south. T5 Data Center is located to the north, undeveloped land in Pod F is located to the east and south, undeveloped land in Pod H is located to the west and Village Park of Alpharetta is located to the northwest.
- The site sits at a much higher elevation than surrounding roads and properties. Retaining walls are depicted holding up all four (4) sides of the property, including a 23' tall retaining wall facing Morris Road and 28' tall retaining wall facing Webb Bridge Road. The retaining wall along Morris Road will be tiered with minimum 5' planting beds and landscaping. As depicted on the attached site plan, the applicant proposes a combination of Allan Block Colonial Series (color: Hickory) on the bottom tier of the retaining wall and Redi-Rock Ledgestone Series (color: Piedmont) on the top two (2) tiers of the retaining wall.
- Staff has reviewed the applicant's proposal and finds that it cannot support the request to change previous conditions of zoning to allow a material change to the retaining walls. The approved building elevations are primarily brick with EIFS accents and a stacked-stone base. The Allen Block and Redi-Rock materials proposed on the retaining walls are not used on the hotel building and do not represent compatible

materials. If approved, retaining walls should be faced with a masonry material with the appearance of stone with final approval of material by Staff.

- 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.
- Jill Arnold, came forward as attorney on behalf of the applicant

**Public Comment**

None

- *Council Member Merkel offered a motion to approve PH-17-39 RAM Hospitality (Home 2 Suites) request to change materials per their request that was submitted*
  - *The motion was seconded by Council Member Binder*
  - *The motion was approved unanimously 4-0*

## VI. NEW BUSINESS

### A. Concealable Body Armor for Public Safety (RFP 18-105)

- Director of Public Safety, John Robison, came forward to present this item on behalf of staff
- Staff recommends that Mayor and Council award RFP 18-105 to Dana Safety Supply and Galls LLC for concealable body armor and authorize the Mayor to execute all necessary documents.
- The Department of Public Safety purchases concealable body armor ("ballistic vests") for Police, Police Reserves, and volunteer personnel. The City's intent is to award a 5-year non-exclusive contract to vendor(s) that meet the ballistic vest requirements listed in the RFP.
- The Department of Public Safety and Finance Departments prepared a Request for Proposal (RFP 18-105) and advertised for proposals in December 2017/January 2018. As noted in the RFP, no guarantee is made for the number of items to be purchased by the City. The City received five proposals from the following firms; 144th Marketing Group LLC, Dana Safety Supply, Galls LLC, Konoval LLC and Law Enforcement Supply.
- The Evaluation Committee met February 21, 2018 to tabulate the overall scores. The Public Safety Department desires to enter into a contract with both Dana Safety Supply and Galls, LLC to ensure competitive pricing and alternative supply sources. The Department has worked with both vendors and is satisfied with their service delivery and the quality of their products. Therefore, staff recommends award of RFP 18-105 to Dana Safety Supply and Galls, LLC.

**Public Comment**

None

- *Council Member Burnett offered a motion to approve the Concealable Body Armor for Public Safety RFP 18-105*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

**B. Truck Route Ordinance Amendment (First Reading)**

- Director of Public Safety, John Robison, came forward to present this item on behalf of staff
- The current Truck Route Ordinance was adopted in 1974 and is in need of updating. The revised Ordinance is recommended in order to better assist Public Safety with enforcement of the recently approved truck route map.
- City Attorney read the Ordinance title into the record constituting a 1st reading

**Public Comment**
None

- *Mayor Mitchell offered a motion to approve the an Ordinance of the Mayor and Council of the City of Alpharetta, Georgia to amend Chapter 18 (traffic) of the Code of the City of Alpharetta, Georgia to delete, modify and add provisions pertaining to the regulation of truck routes; to provide for an effective date; to repeal conflicting Ordinances and Resolutions; and for other purposes*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

**C. Additional Street Lights And Receptacle Outlets In Tree Wells Of City Center**

- City Administrator, Bob Regus, came forward to present this item
- When the infrastructure for City Center was installed, the City purposefully omitted some of the portions of sidewalks and some street lights since we knew the construction process would tear up the original work.
- In the contract with MMS, the City is obligated to spend up to $350,000 for sidewalk construction. We have appropriated this money. The contract does state the City is obligated to cover the purchase and installation of the missing street lights, yet an appropriation was not specified.
- For consideration is a proposal through JE Dunn to provide and install thirteen new City of Alpharetta light poles, including all applicable wiring, bases and fixtures at a cost of $82,550. This figure has been confirmed to be reasonable for the work to be completed. The recommendation is for approval with the source of this funding being Unallocated Capital.
- Also as City Center infrastructure was being installed we asked the contractor to add power to the tree wells. The number they gave was way too much so we went on without adding power to the tree wells. We have however reached out to MMS and they have provided an estimate of $275 per tree well (57 total) for a total amount of $15,675. The source of this funding is Unallocated Capital.

**Public Comment**
None

- *Council Member Burnett offered a motion to approve the additional street lights and outlets in the tree wells in City Center in an amount not to exceed $98,225.00 and authorize Mayor Mitchell to execute all necessary documents.*
  - *The motion received a second from Mayor Mitchell*
  - *The motion was approved unanimously 4-0*

**D. Board / Commission Appointments: Codes Enforcement Board**

- Consideration of the reappointment of the following members to 3-year terms on the Codes Enforcement Board:

| | |
|---|---|
| Phil Kingry | First Appointed September 2009 |
| Jim Cregge | First Appointed January 2015 |
| Mark Wingate | First Appointed April 2015 |

All of these members haves served the City well during their time on the Codes Enforcement Board, and their reappointment is requested by Staff.

**Public Comment**
None

- *Council Member Merkel offered a motion to appoint the following members to the Code Enforcement Board:*
  *Phil Kingry*
  *Jim Cregge*
  *Mark Wingate*

- *The motion received a second from Council Member Burnett*
- *The motion was approved unanimously 4-0*

**E. Resolution - Fulton County Transit Master Plan and Proposed Pending Transit Legislation**

- City Attorney, Sam Thomas, read the Resolution aloud

**Public Comment**
None

- *Council Member Binder offered a motion to adopt the Resolution as read and direct staff the send the Resolution to the appropriate local delegation as well as to MARTA representatives*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

## VII. PUBLIC COMMENT

None

## VIII. REPORTS

- Council Member Binder announced that he is requesting to place a revised version of the Ethics Ordinance on the next Council Meeting Agenda for consideration
- Council Member Burnett reported that HB 887 will be considered by Senate Rules committee tomorrow and encouraged all to contact Senator Albers to voice opposition to the Bill
- Council Member Burnett reported that he and Mayor Mitchell recently attended a meeting of the Alpharetta Touchdown Club and was impressed by their level of engagement in the Community

## IX. ADJOURNMENT

- *Council Member Merkel offered a motion to adjourn*
  - *The motion received a second from Council Member Binder*
  - *The motion was approved 3-1 (Burnett voting no)*

*Respectfully submitted,*

*Coty Thigpen, City Clerk*

# City Council Meeting
# Minutes of APRIL 9, 2018

OFFICE OF THE CITY CLERK

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA

*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 Council, but not quoted or paraphrased. This document includes limited presentation by Council and invited speakers in* ***summary*** *form.* ***This*** *is* ***not an official record*** *of the Alpharetta City Council Meeting proceedings. Official Minutes are recorded and available for review.*

## I. CALL TO ORDER

- *Mayor Mitchell called the meeting to order at 6:30 P.M.*

## II. ROLL CALL

- Council Members
  - Mayor Donald F. Mitchell
  - Jason Binder
  - Ben Burnett
  - Dan Merkel
- Staff
  - Bob Regus, City Administrator
  - Coty Thigpen, City Clerk
  - Sam Thomas, City Attorney
  - James Drinkard, Asst. City Administrator
  - Peter Sewczwicz, Director of Public Works
  - John Robison, Deputy Director of Public Safety
  - Morgan Rodgers, Director of Recreation and Parks
  - Kathi Cook, Director of Community Development
  - Eric Graves, Senior Engineer

## III. PLEDGE TO THE FLAG

## IV. COMMUNITY UPDATES

A. 1. Senior Services North Fulton - Mr. Ron Harlow
2. Chabad of North Fulton - Rabbi Hirshy Minkowicz

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 3/19/18)

B. Financial Management Report: Month Ending February 28, 2018

C. Alcoholic Beverage License Application
PH-18-AB-36 Greater Atlanta Hotel, LLC
d/b/a Aloft Alpharetta
7895 North Point Pkwy
Alpharetta, GA 30009
Consumption on Premises Specialty Gift Shop
Beer, Wine, Liquor- Sunday Sales

D. Alcoholic Beverage License Application
PH-18-AB-37 The Southern Porch on Main Corporation
d/b/a Southern Porch on Main 62 N. Main St.
Alpharetta, GA 30009

Consumption on Premises Wine by the bottle
Beer, Wine, Liquor - Sunday Sales

E. Alcoholic Beverage License Application
PH-18-AB-38 Mercantile Social LTC
d/b/a Mercantile Social 20 N. Main St.
Alpharetta, GA 30009

Consumption on Premises Wine by the bottle
Beer, Wine, Liquor- Sunday Sales

F. Alcoholic Beverage License Application
PH-18-AB-39 Majestic Vino LLC
d/b/a Citizen Soul
60 South Main Street Alpharetta, GA 30009

Consumption on Premises
Beer, Wine, Liquor- Sunday Sales

G. Alcoholic Beverage License Application
PH-18-AB-40 Tinder Box/Vino 100
d/b/a Tinder Box/Vino 100
131 S. Main Street Ste. G
Alpharetta, GA 30009

Retail- Wine Specialty

Gift Shop

H. Alcoholic Beverage License Application
PH_18-AB-41 Fermented
d/b/a Fermented
50 Old Canton St. #106
Alpharetta, GA 30009

Retail- Beer & Wine

I. Alcoholic Beverage License Application
PH-18-AB-42 Legends Music, LLC
d/b/a Legends Music, LLC 2200
Encore Pkwy
Alpharetta, GA 30009

Consumption on Premises
Beer, Wine, Liquor- Sunday Sales

J. Alcoholic Beverage License Application
PH-18-AB-43 Vin2Go
d/b/a Vin2Go
62 South Main St. Alpharetta,
GA 30009

Retail Beer & Wine

K. Alcoholic Beverage License Application
PH-18-AB-44 Currahee Brewing Co.
d/b/a Currahee Brewing Co. 25
S. Main St.
Alpharetta, GA 30009

Consumption on Premises Beer,
Growlers- Sunday Sales

- *Council Member Binder offered a motion to approve the Consent Agenda*
  - *The motion was seconded by Council Member Merkel*
  - *The motion was approved unanimously 4-0*

VI. OLD BUSINESS

A. Truck Route Ordinance Amendment (Second Reading)

- The current Truck Route Ordinance was adopted in 1974 and is in need of updating. The revised Ordinance is recommended in order to better assist Public Safety with enforcement of the recently approved truck route map.
- First reading of the Ordinance was approved 3/26/2018.
- City Attorney, Sam Thomas, read the Ordinance aloud constituting a second reading.

Public Comment

- Clifford Martin, 700 Anna Lane, Alpharetta, GA came forward to speak on this item

- *Council Member Binder offered a motion to approve the Truck Route Ordinance*
  - *The motion was seconded by Mayor Mitchell*
  - *The motion was approved unanimously 4-0*

## VII. NEW BUSINESS

### A. North Park Shade Structure Replacements (Fields 1 – 4)

- Director of Recreation, Parks and Cultural Services, Morgan Rodgers came forward to introduce this item on behalf of staff
- Staff recommends awarding the replacement of the shade structures at North Park (fields 1-4) to Hasley Recreation Inc. in the amount of $55,993.00 and authorize the Mayor to execute all necessary documents.
- In the Spring of 2016, the City of Alpharetta partnered with the Alpharetta Youth Softball Association (AYSA) to purchase and install eight (8) shade structures over the bleachers at North Park Fields 1-4 at a cost of $27,400. The City and AYSA split the funding (50%/50%). The shade structures were installed in late spring of 2016. Since installation, there have been repeated repairs due to weather conditions. During the winter storm on December 5, 2017, all eight of the structures onsite failed due to snow accumulation and repairs are no longer feasible.
- Due to the repair issues experienced with the original shade structures, the Department has altered the specs from the original design of surface mounted poles to an in-ground mounted design that can handle the weather conditions of open areas such as ball parks.
- Due to the unanticipated failure of the shade structures, coupled with the rapidly approaching summer softball tournament season, staff obtained three (3)_quotes for the eight (8) replacement shade structures in-lieu of a formal procurement process. The shade structures must be ordered and installed in advance of two major national softball tournaments scheduled for June and July. A formal procurement process would likely not leave sufficient lead time for vendors to order the structures and complete installation by tournament time. The quotes are as follows:
  - $55,993.00 Hasley Recreation Inc.
  - $58,435.00Creative Playscapes
  - $75,243.81 Pro Playgrounds
- The quote by Hasley Recreation is the lowest responsive and responsible quote and is the recommended vendor for this project. Hasley Recreation has a strong reputation in the market and is the primary shade structure provider for the City of Roswell. Hasley Recreation has assured staff that they can have the replacement shade structures ordered and installed before the softball tournament season.

**Public Comment**

None

- *Council Member Binder offered a motion to approve awarding the replacement of the shade structures at North Park (fields 1-4) to Hasley Recreation Inc. in an amount not to exceed $55,993.00 and authorize the Mayor to execute all necessary documents.*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

B. Ethics Ordinance (1st reading)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AMEND, RESTATE AND ADOPT A CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS (AS HEREIN DEFINED); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

- City Attorney, Sam Thomas, read the Ordinance title into the record constituting a 1st reading

Public Comment

None

- *Council Member Merkel offered a motion to table*
  - *Motion failed due to a lack of second*

- *Council Member Binder offered a motion to approve an Ordinance of the Mayor and Council of the City of Alpharetta to amend, restate and adopt a Code of Ethics and Conduct for City Officials; to repeal conflicting ordinances; to provide for an effective date; and for other purposes.*
  - *The motion received a second from Council Member Burnett with a friendly amendment to Section 2-144 Conduct, the last words read "staff or public" and proposed removing "or public".*
  - *Amendment accepted*
  - *The motion was approved 3-1; Merkel voting no*

C. Alpha Loop: Memorandum Of Understanding With North Fulton Community Improvement District For Design Contribution

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests approval of a Memorandum of Understanding with the North Fulton Community Improvement District for design work associated with the Alpha Loop between Old Milton Parkway and Northwinds Parkway, and authorize the Mayor to execute all necessary documents.
- The North Fulton Community Improvement District (NFCID) understands the benefits the Alpha Loop will have to the companies and properties in its district. In order to help facilitate the process, the NFCID is contributing $250,000 towards the design of Alpha Loop for the specific section between Old Milton Parkway and North Winds Parkway. The Memorandum of Understanding (MOU) between the City and the NFCID states the City shall be responsible for managing the design.
- The NFCID Board approved funding for the design associated with Alpha Loop several months ago. Though design work has started by the design firms, City Staff has kept the NFCID Team included on progress of the design while the MOU was being developed. Executing the attached MOU will enable the City to be reimbursed by the NFCID for the design work associated with the Alpha Loop Project between Old Milton Parkway and Northwinds Parkway.

Public Comment

None

- *Council Member Burnett offered a motion to approve a Memorandum of Understanding with the North Fulton Community Improvement District for design contribution*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

D. Board And Commission Appointments: Natural Resources Commission

- *Council Member Burnett offered a motion to appoint Sara Colvin as an alternate to the Natural Resource Commission*
  - *The motion received a second from Council Member Binder*
  - *The motion was approved unanimously 4-0*

VIII. WORKSHOP

A. Update on Recreation, Parks and Cultural Services Projects

- Director of Recreation, Parks and Cultural Affairs, Morgan Rodgers, came forward to give an update on various projects throughout the City including the Wills Park Pool, the new Alpharetta Arts Center, the demonstration farm, the Alpharetta- Old Milton County History Museum, and Summer Concert Series

IX. PUBLIC COMMENT

None

X. REPORTS

None

XI. ADJOURNMENT TO EXECUTIVE SESSION

- *Council Member Burnett offered a motion to adjourn to Executive Session*
  - *The motion received a second from Council Member Merkel*
  - *The motion was approved unanimously 4-0*

Respectfully submitted,

Coty Thigpen, City Clerk

# CITY COUNCIL MEETING
# STAFF REPORT

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

---

## I. AGENDA ITEM TITLE: MP-18-02 LIFEHOPE/SIEMENS MASTER PLAN

CITY COUNCIL: APRIL 30, 2018

This item was heard at the April 12, 2018 Planning Commission meeting. Staff recommended approval of the applicant's request. Two members of the public spoke against the request with concerns over interparcel access impacts to development to the south, stormwater runoff onto the property to the south, proximity of driveway off North Point Parkway to driveway for development to the south, impacts of cut-through traffic through the proposed development and traffic congestion on North Point Parkway and Old Milton Parkway. After discussion, the Planning Commission recommended to approve the item, subject to staff recommended conditions. Vote (7-0)

## II. RECOMMENDATION:

Approve MP-18-02 Lifehope/Siemens Master Plan, subject to the following conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by Jericho Architectural Design Group, dated 2/2/2018, including tree save areas as depicted. Site plan approval shall apply to the existing building renovation and Parking Deck 1. Future phases of development shall require site plan approval by DRB.
2. Retail uses shall not exceed more than 25% of the floor area of an office building and shall be service retail incidental to medical office use, restricted to the following uses:
    a. Bakery.
    b. Barber Shop.
    c. Beauty Shop.
    d. Book Store.
    e. Clinic.
    f. Drug Store.
    g. Dry Cleaning Pick-up Station.
    h. Florist, Retail without Greenhouse.
    i. Print Shop.
    j. Restaurant without Drive-through.
3. Development regulations shall be as follows:
    a. Office – Maximum 6 stories, except as stated below. Total office square footage shall be limited to no more than 497,000 square feet, including the existing office building. Building E shall be at least 2 stories and no more than 4 stories in height and shall be placed with least impact to existing trees.
    b. Parking Decks – Maximum 6 levels, except that Parking Deck 1 shall be no more than 4 levels. Parking decks visible from Old Milton Parkway and North Point Parkway shall be treated with comparable materials and finishes as the buildings they serve. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.
4. Specimen trees, tree groupings and trees of quality shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the Tree Protection Ordinance, as approved by Staff.
5. Tree survey and assessment shall be provided with each phase of development at LDP.

6. Applicant shall make an effort to determine if any existing landscaping (ornamental trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.
7. Replace dead, dying or missing landscape material in existing required landscape areas.
8. Detention facilities shall not be visible from a public right-of-way, except as a decorative water feature, with approval by Staff.
9. Project entrances off Old Milton Parkway and North Point Parkway shall be designed to incorporate a water feature, sculpture or similar focal point feature and decorative entrance landscaping, as approved by DRB.
10. Parking decks and retaining walls shall receive architectural façade treatment or be heavily landscaped. Retaining walls visible from developed areas exceeding 16' in height shall be terraced. In areas where the parking decks are visible to the public, the decks will be screened by over-sized landscaping (12" – 15" caliper trees) or materials approved by DRB or other materials as approved by Staff.
11. Developer shall construct and dedicate a permanent easement to the City over the nature trail amenity. Developer shall accommodate nature trail connectivity with the property to the west.
12. Provide one landscape island with shade tree for every 72' of parking length.
13. Provide a sidewalk along at least one side of the internal road providing a pedestrian connection between Old Milton Parkway and North Point Parkway.
14. All buildings shall have connectivity to internal sidewalk system.
15. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters and other street furniture, where appropriate, throughout the development. A bus drop-off area with shelter and dedicated lane shall be incorporated into the plan design along Old Milton Parkway, North Point Parkway or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for employees.
16. Plans for buildings, site, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the DRB.
17. All buildings along Old Milton Parkway and North Point Parkway must face those streets or appear to face those streets, including an entrance and direct sidewalk connection to public sidewalk. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall not be visible from those streets. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
18. Streets within the development shall be private and shall include a planted median with sufficient space for tree plantings.
19. A traffic study to determine the appropriate configuration and traffic control shall be required at time of LDP for the proposed driveway on North Point Parkway. Developer shall bear the responsibility for payment and installation for necessary traffic signals and traffic regulatory devices, decal lanes and other improvements that are necessitated by impact of the proposed development.
20. Zoning conditions carried over from file# MP-01-04/Siemens Real Estate, Inc.:
    a. Incorporate an amenity for office tenants that is accessible to the public from the sidewalk along North Point Parkway such as a walkway to the wet pond and creek, outdoor eating area, gazebo, etc.
    b. Ground mounted signs shall not exceed 10 feet in height. Signs to be located within the project shall be uniform in design. A detailed sign package for the entire development shall be presented and approved by the DRB.
    c. Provide a 20' wide landscape strip along North Point Parkway with a berm and extensive landscaping.
    d. Landscape areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscape area if decorative and will provide an amenity to the public.
    e. The main internal roadway within the site shall incorporate a decorative finish treatment at pedestrian crosswalks.
    f. Provide pedestrian lighting along Old Milton Parkway to match lighting at Brookside.

g. All impervious area runoff "by-passing" the water quality pond shall be treated with a BMP such as vegetative strips to remove water pollutants. Runoff from parking areas shall not enter stream untreated.
h. At the time an LDP is applied for, site must comply with all current City of Alpharetta standards and specifications.

### III. REPORT IN BRIEF:

The applicant, Richmond Honan, is requesting an amendment to the Siemens Master Plan and site plan approval to allow for the construction of a medical office campus on approximately 37 acres. The master plan amendment includes changes to previous conditions of zoning related to site plan modifications. The subject property is located at 3333 Old Milton Parkway on the south side of Old Milton Parkway and west of North Point Parkway.

## DISCUSSION

The submitted request, if approved, will allow a medical office campus on a 37-acre property. The proposed office density of 13,550 square feet per acre is unchanged from the original Siemens Master Plan. The subject property is located at 3333 Old Milton Parkway on the south side of Old Milton Parkway and west of North Point Parkway.

The property is zoned O-I (Office-Institutional). A 5-story, 117,000 square foot office building was constructed on the property in 1986 and was previously owned and occupied by Siemens. Surrounding properties are zoned O-I (Preston Ridge Master Plan) to the north, CUP (Preston Ridge Master Plan) to the east, CUP and O-I (Royal 400 Master Plan) to the south and O-I, CUP and LI (Light Industrial) to the west. The Comprehensive Land Use Plan designation of the property is 'Corporate Office', which allows the proposed medical office use.

The Siemens Master Plan (MP-01-04) was approved on May 21, 2001 to allow for the construction of three (3) buildings, not to exceed 380,000 square feet of office and accessory uses. The 117,000 square foot existing building preceded the Siemens master plan approval. The applicant requests the following changes to the Siemens Master Plan conditions of zoning (Proposed changes reflected in RED):

1. Proposed new development within the Master Plan shall be limited to the following:
    a. ~~Three~~ Six (6) office buildings with accessory uses (not to exceed a total of 380,000 square feet) and ~~a~~ parking decks.
    b. Maximum height shall be ~~8~~ 6 stories, except that Building E shall be no more than 4 stories.
    c. Density shall not exceed 13,550 square feet per acre.

~~5. The submitted Master Plan shall be subject to reconsideration by the Planning Commission and by the City Council if no construction or development occurs on any portion of the site within three (3) years of the date of its approval beginning after the Big Creek sewer moratorium is lifted. Construction shall be deemed as pouring of concrete for any structure.~~

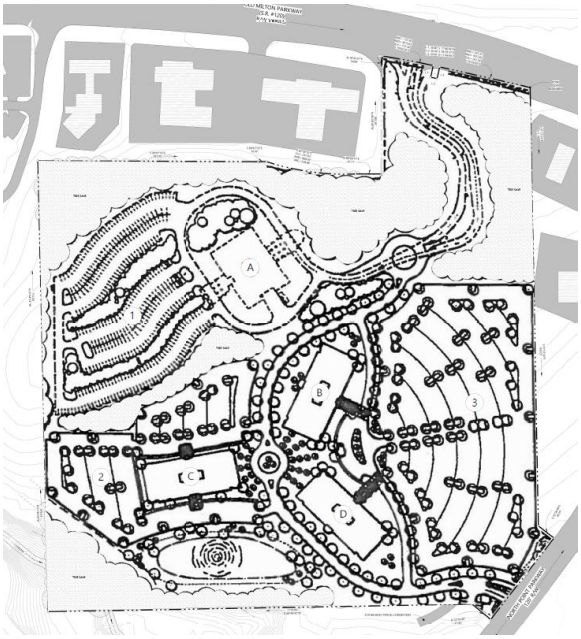
12. Site development plans shall be substantially similar to the site plan submitted (dated ~~March 1, 2001~~ February 2, 2018), including tree save areas as shown.

## SITE PLAN ANALYSIS

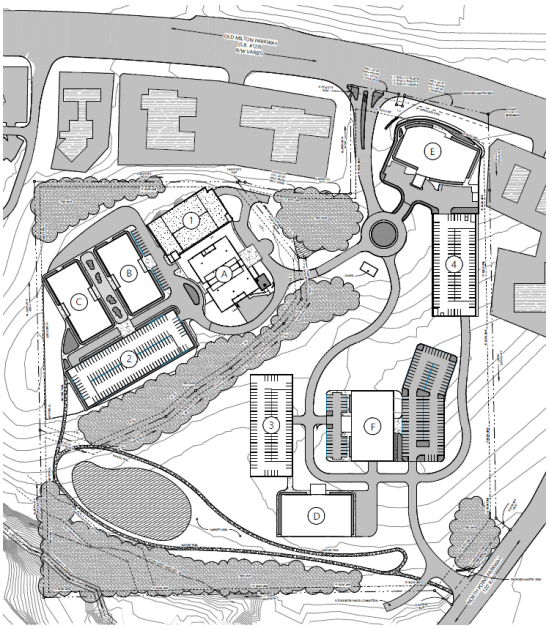
The applicant's site plan represents a change from the previously-approved zoning plan, as shown on the site plans below. The primary difference is that surface parking lots have been replaced with parking decks,

which has significantly reduced the overall impervious area from approximately 22 acres to 14.2 acres. The proposed site plan depicts six (6) medical office buildings served by four (4) parking decks. The applicant proposes to maintain the original master plan office density and to reduce maximum building heights from eight (8) stories to six (6) stories. The table below provides a comparison of the original master plan versus the applicant's proposed plan.

Original Master Plan



Proposed Master Plan



Comparison – Original vs. Proposed Master Plan

| | Original Master Plan | Applicant's Proposal |
|---|---|---|
| Office | 497,000 SF* | 497,000 SF* |
| Use | Professional Office | Medical Office |
| Site Density | 13,550 SF/Acre | 13,550 SF/Acre |
| Max. Building Height | 8 stories | 6 stories |
| Tree Save Area | 7.5 acres | 7.5 acres |
| Impervious Area | 22 acres | 14.2 acres |
| Parking | All Surface Parking | 4 Parking Decks (w/some surface parking) |

*Includes existing 117,000 SF office bldg.

The applicant's site plan depicts the existing 117,000 square foot office building remaining and five (5) new medical office buildings ranging in size from 45,000 – 95,000 square feet for a total of 380,000 square feet. Four (4) parking decks are proposed with a small amount of surface parking. The 1st phase of development includes the renovation of the existing office building (Bldg. A) and 2 – ½ levels in Parking Deck 1. Phase 2 includes the construction of Bldg. E and Parking Deck 4; Phase 3 includes the construction of Bldgs. B & C, Parking Deck 2 and add 2 – ½ levels to Parking Deck 1; and Phase 4 includes the construction of Bldgs. D & F and Parking Deck 3.

Buildings along the south side of Old Milton Parkway in the vicinity of the proposed development have front building setbacks of at least 65', which is consistent with the 65' building setback depicted on the site

plan. Buildings along the same stretch of Old Milton Parkway are 1-story, except that the Extended Stay America hotels are 3-stories. Building E, which is depicted fronting Old Milton Parkway, should be at least two (2) stories and no more than 4 stories in height.

The subject property is heavily wooded. The applicant provided a tree survey and assessment for trees associated with Phase 1 – Existing building renovation and Parking Deck 1. The approved zoning plan depicted approximately 7.5 acres of tree save area on the property, which the applicant has maintained the same amount on the proposed site plan. Future phases of development will require City review of a tree survey and assessment to determine compliance with the City's Tree Protection Ordinance.

## TRAFFIC

The applicant submitted trip generation figures for the proposed project, based on their phasing plan. As shown in the table below, the existing building will generate 209 PM Peak Hour trips, with total buildout generating 635 PM Peak Hour trips.

| Phase | Building | Size (SF) | Weekday Trips | AM Peak Trips | PM Peak Trips |
|---|---|---|---|---|---|
| Existing | A | 117,000 | 1479 | 217 | 209 |
| Phase 1[1] | - | - | - | - | - |
| Phase 2 | E | 95,000 | 1263 | 184 | 185 |
| Phase 3 | B&C | 160,000 | 1877 | 279 | 258 |
| Phase 4 | D&F | 125,000 | 1555 | 229 | 218 |
| Total | | 497,000 | 4441 | 690 | 635 |
| Total (minus existing) | | 380,000 | 3621 | 557 | 504 |

[1] Phase 1 consists only of a parking deck and therefore has no associated trip generation.

## CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and site plan approval. The applicant's proposal is compatible with properties in the vicinity, which are also designated 'Corporate Office' and are developed as office parks, assisted living facility and free-standing commercial uses. The proposed site plan represents a compact, walkable development and would result in nearly eight (8) acres of additional greenspace by replacing surface parking lots with parking decks. If approved, conditions are recommended requiring screening, protection of the tree canopy, walkable infrastructure and architectural standards.

The property is less than ½-mile from the Georgia 400 and Old Milton Parkway interchange and remains viable for office development. The City's vision for this area is reflected in the Old Milton Corridor Character Area description in the City's Comprehensive Land Use Plan, which states:

> "Future development should emphasize connectivity and diversity of land uses, while also expanding the street network and enhancing the pedestrian environment by adding and/or linking sidewalks. Bicycle use should also be encouraged with infrastructure that makes biking safe and convenient. This complete transportation system should link adjacent residential areas to major destinations along the corridor or serve as a safe and convenient throughway to other destinations in the community."

"Old Milton Corridor Character Area stretches east to west through the middle of Alpharetta as shown on the Future Development Map. It is primarily zoned for a mix of residential, office, commercial and mixed use. West of GA-400, the corridor is envisioned to evolve into a mixed use corridor with reduced front setbacks along Old Milton Parkway. East of GA-400, the corridor is envisioned to evolve as an office/commercial corridor, although with a more compact, walkable development pattern."

## CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the applicant received comments from the adjacent property owner to the south, North Point Professional Park, with the following concerns:

1. Do not support future access road to the south.
2. Location of entrance on North Point Parkway is very close to entrance for North Point Professional Park. Request that the entrance on North Point Parkway be moved farther north.
3. North Point Professional Park is experiencing excessive water runoff from the applicant's site. Water is collecting behind some of the office buildings on the adjacent property to the south. Request a stormwater management plan that will remedy this problem.

## IV. ATTACHMENTS:

- Site Plan

# APPLICANT RESPONSE TO PC RECOMMENDED CONDITIONS

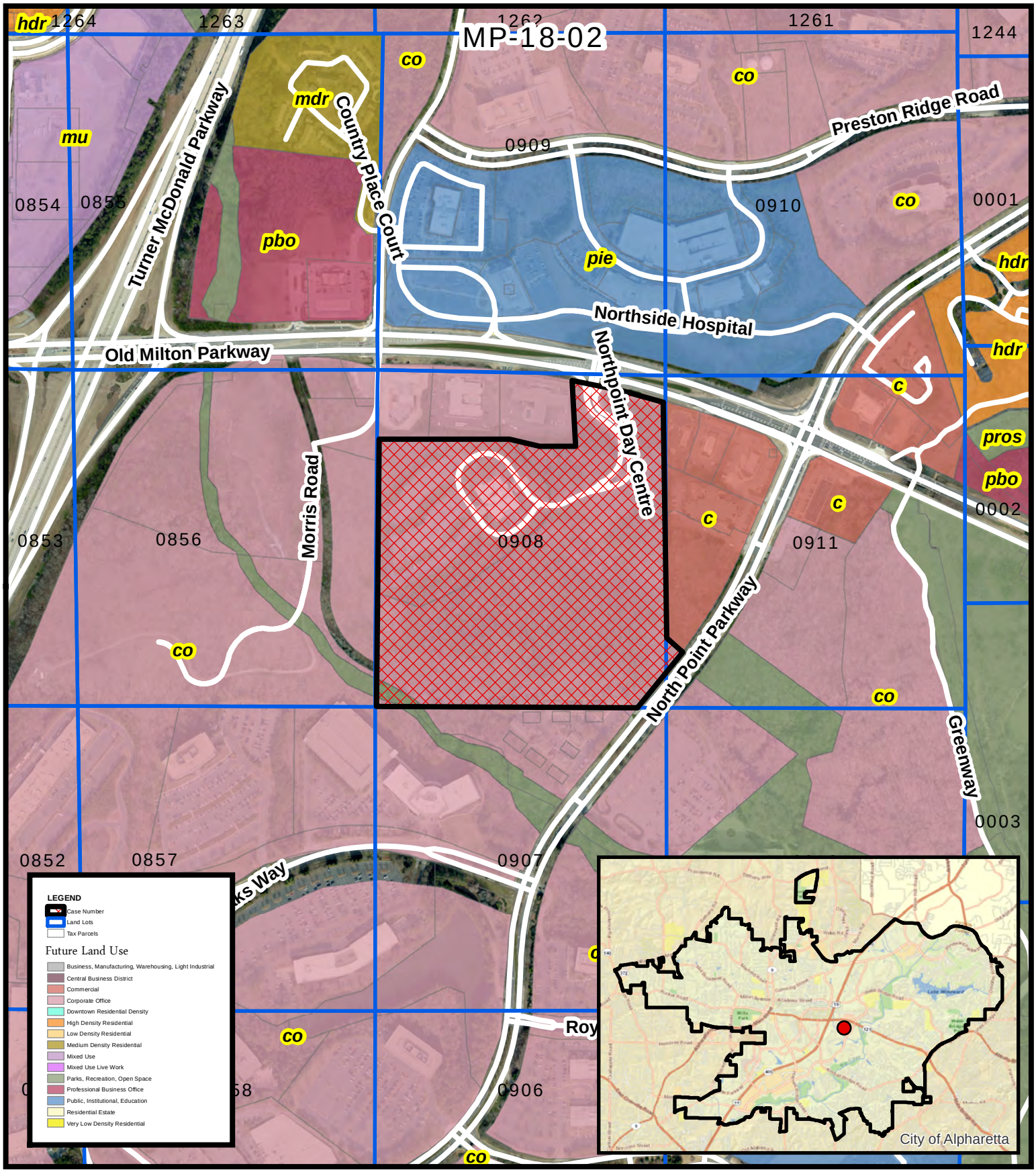
## I. RECOMMENDATION:

Approve MP-18-02 Lifehope/Siemens Master Plan, subject to the following conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by Jericho Architectural Design Group, dated 2/2/2018, including tree save areas as depicted. Site plan approval shall apply to the existing building renovation and Parking Deck 1. Future phases of development shall require site plan approval by DRB.
2. Retail uses shall not exceed more than 25% of the floor area of an office building and shall be service retail incidental to medical office use, restricted to the following uses:
    a. Bakery.
    b. Barber Shop.
    c. Beauty Shop.
    d. Book Store.
    e. Clinic.
    f. Drug Store.
    g. Dry Cleaning Pick-up Station.
    h. Florist, Retail without Greenhouse.
    i. Print Shop.
    j. Restaurant without Drive-through.
3. Development regulations shall be as follows:
    a. Office – Maximum 6 stories, except as stated below. Total office square footage shall be limited to no more than 497,000 square feet, including the existing office building. Building E shall be at least 2 stories and no more than 4 stories in height and shall be placed with least impact to existing trees.
    b. Parking Decks – Maximum 6 levels, except that Parking Deck 1 shall be no more than ~~4 levels~~ 4 and ½ levels. Parking decks visible from Old Milton Parkway and North Point Parkway shall be treated with comparable materials and finishes as the buildings they serve. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.
4. Specimen trees, tree groupings and trees of quality shall be given special consideration and every attempt to incorporate them into the site plan shall be made as stipulated in the Tree Protection Ordinance, as approved by Staff.
5. Tree survey and assessment shall be provided with each phase of development at LDP.
6. Applicant shall make an effort to determine if any existing landscaping (ornamental trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.
7. Replace dead, dying or missing landscape material in existing required landscape areas.
8. Detention facilities shall not be visible from a public right-of-way, except as a decorative water feature, with approval by Staff.
9. Project entrances off Old Milton Parkway and North Point Parkway shall be designed to incorporate a water feature, sculpture or similar focal point feature and decorative entrance landscaping, as approved by DRB.
10. Parking decks and retaining walls shall receive architectural façade treatment or be heavily landscaped. Retaining walls visible from developed areas exceeding 16′ in height shall be terraced. In areas where the parking decks are visible to the public, the decks will be screened by over-sized landscaping (12″ – 15″ caliper trees) or materials approved by DRB or other materials as approved by Staff.

# APPLICANT RESPONSE TO PC RECOMMENDED CONDITIONS

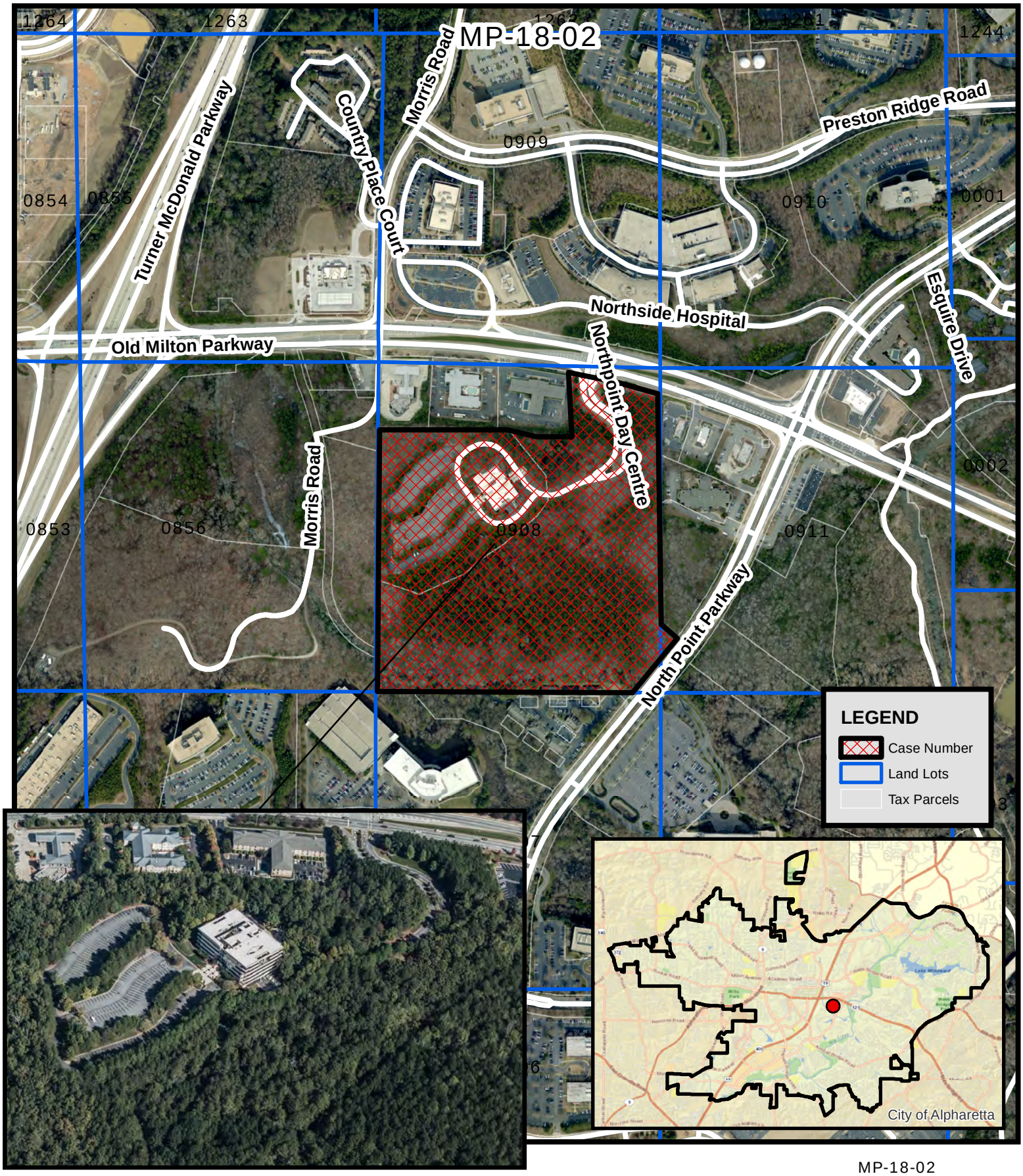
11. Developer shall construct and dedicate a permanent easement to the City over the nature trail amenity. Developer shall accommodate nature trail connectivity with the property to the west.
12. Provide one landscape island with shade tree for every 72' of parking length.
13. Provide a sidewalk along at least one side of the internal road providing a pedestrian connection between Old Milton Parkway and North Point Parkway.
14. All buildings shall have connectivity to internal sidewalk system.
15. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters and other street furniture, where appropriate, throughout the development. A bus drop-off area with shelter and dedicated lane shall be incorporated into the plan design along Old Milton Parkway, North Point Parkway or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for employees.
16. Plans for buildings, site, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the DRB.
17. All buildings along Old Milton Parkway and North Point Parkway must face those streets or appear to face those streets, including an entrance and direct sidewalk connection to public sidewalk. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall not be visible from those streets. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
18. Streets within the development shall be private and shall include a planted median with sufficient space for tree plantings.
19. A traffic study to determine the appropriate configuration and traffic control shall be required at time of LDP for the proposed driveway on North Point Parkway. Developer shall bear the responsibility for payment and installation for necessary traffic signals and traffic regulatory devices, decal lanes and other improvements that are necessitated by impact of the proposed development.
20. Zoning conditions carried over from file# MP-01-04/Siemens Real Estate, Inc.:
    a. Incorporate an amenity for office tenants that is accessible to the public from the sidewalk along North Point Parkway such as a walkway to the wet pond and creek, outdoor eating area, gazebo, etc.
    b. Ground mounted signs shall not exceed 10 feet in height. Signs to be located within the project shall be uniform in design. A detailed sign package for the entire development shall be presented and approved by the DRB.
    c. Provide a 20' wide landscape strip along North Point Parkway with a berm and extensive landscaping.
    d. Landscape areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscape area if decorative and will provide an amenity to the public.
    e. The main internal roadway within the site shall incorporate a decorative finish treatment at pedestrian crosswalks.
    f. Provide pedestrian lighting along Old Milton Parkway to match lighting at Brookside.
    g. All impervious area runoff "by-passing" the water quality pond shall be treated with a BMP such as vegetative strips to remove water pollutants. Runoff from parking areas shall not enter stream untreated.
    h. At the time an LDP is applied for, site must comply with all current City of Alpharetta standards and specifications.




MP-18-02
D/LL: 1/2/908, 911
PC: 4/12/18
CC: 4/30/18

# Future Land Use
# Lifehope/Seimans Master Plan
# 3333 Old Milton Parkway

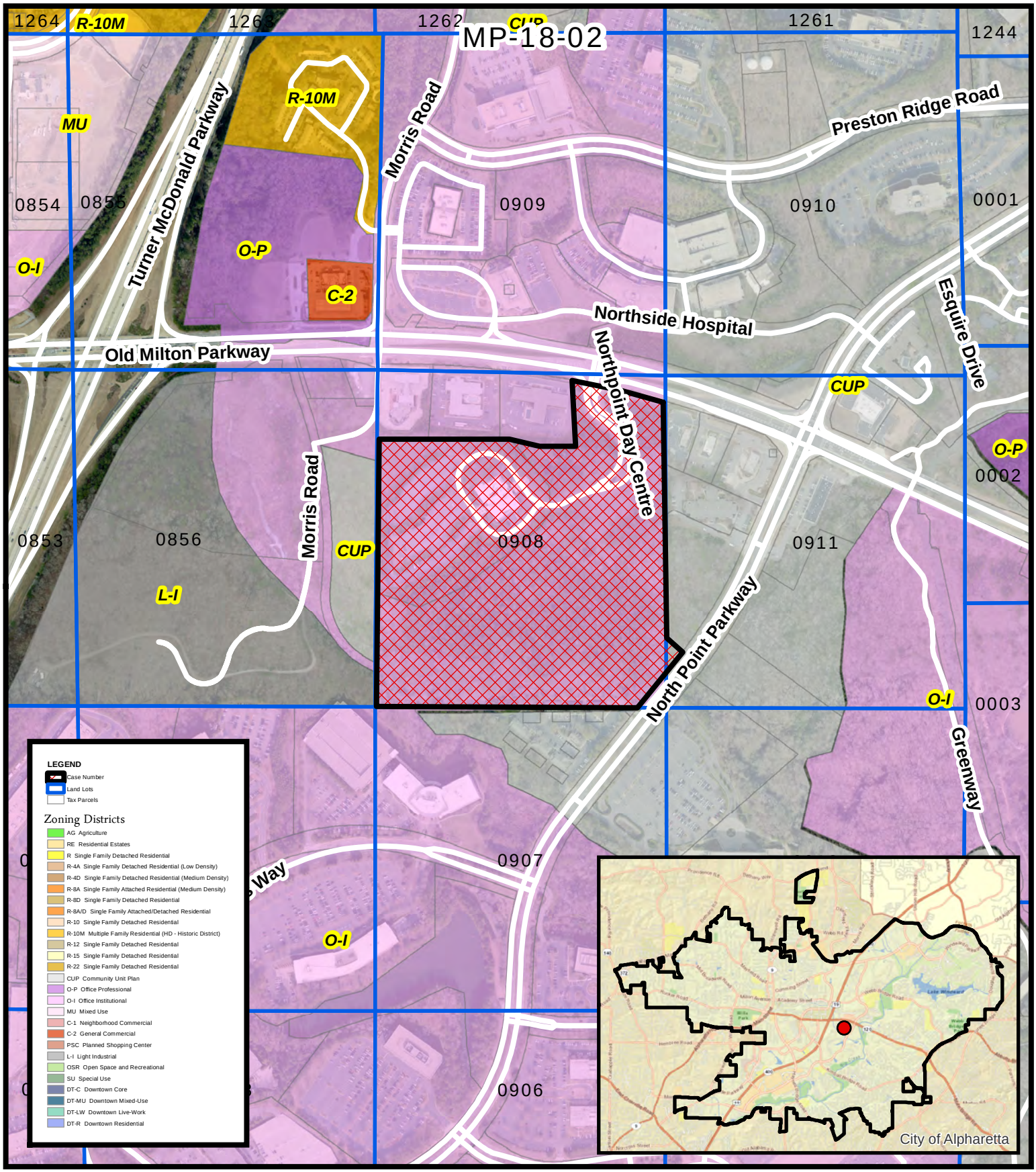
Location Map Provided by:
Community Development - GIS




MP-18-02
D/LL: 1/2/908, 911
PC: 4/12/18
CC: 4/30/18

Aerial Map
Lifehope/Seimans Master Plan
3333 Old Milton Parkway

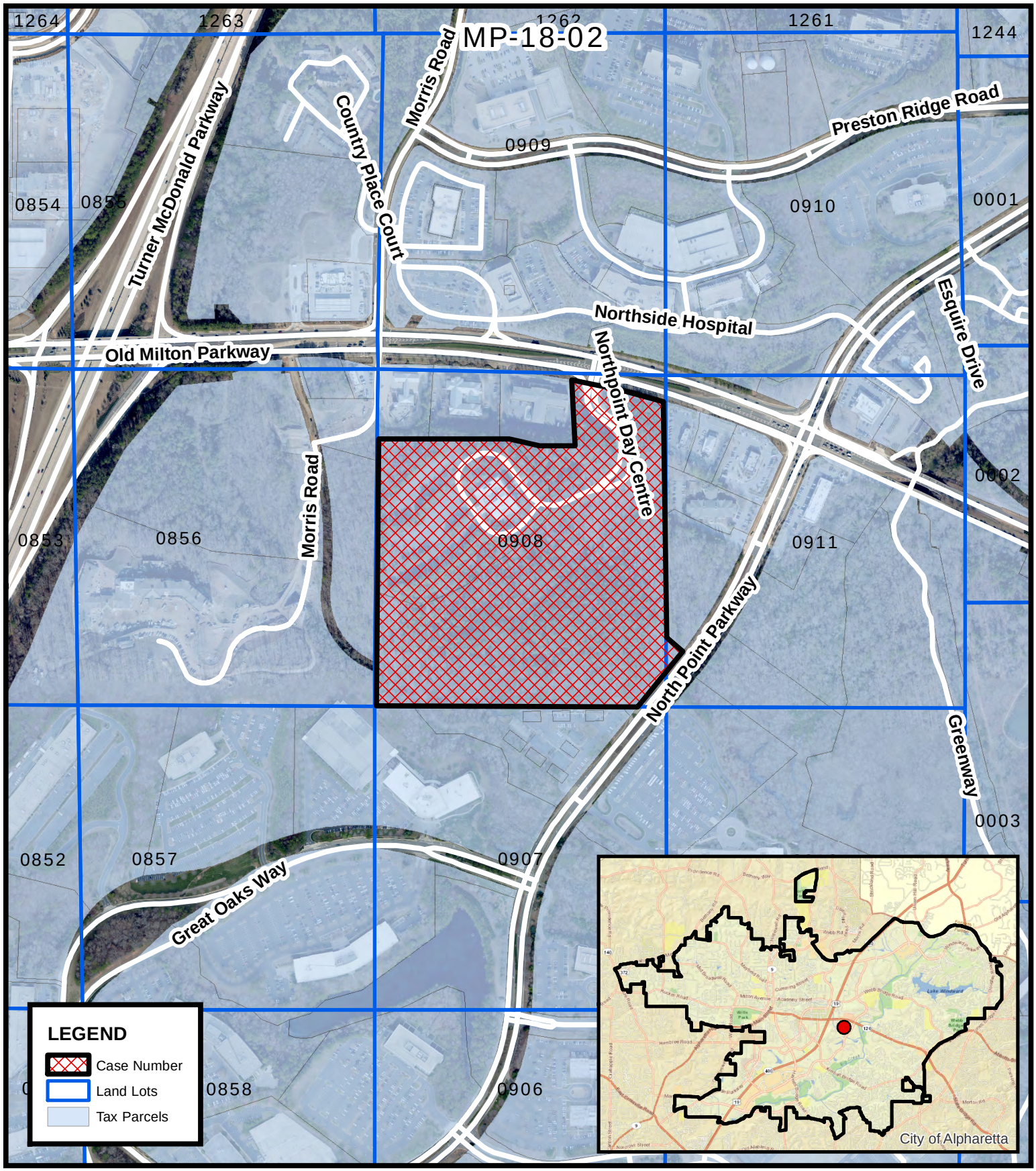
Location Map Provided by:
Community Development - GIS




Zoning Map
Lifehope/Seimans Master Plan
3333 Old Milton Parkway

MP-18-02
D/LL: 1/2/908, 911
PC: 4/12/18
CC: 4/30/18

Location Map Provided by:
Community Development - GIS




Location Map
Lifehope/**Siemens** Master Plan
3333 Old Milton Parkway

MP-18-02
D/LL: 1/2/908, 911
PC: 4/12/18
CC: 4/30/18

Location Map Provided by:
Community Development - GIS

# CITY COUNCIL
# AGENDA ACTION SUMMARY

**Public Hearing Date:** **May 21, 2001**

**Item#:** **Siemens Real Estate Inc. MP-01-04**

Consideration of a request of a master plan approval to allow for 380,000 square feet of office buildings up to eight stories with accessory uses. The property is 36.78-acres in size and located at 3333 Old Milton Parkway and is legally described as being in Land Lots 908, 911, 1st District, 2nd Section, Fulton County, Georgia.

| | |
|---|---|
| **Motion:** | **Approved with Conditions** |
| **Motion:** | **Matoney** |
| **Second:** | **Johnson** |
| **Vote:** | **6 – 1 (Gibson)** |

**Conditions of Approval:**

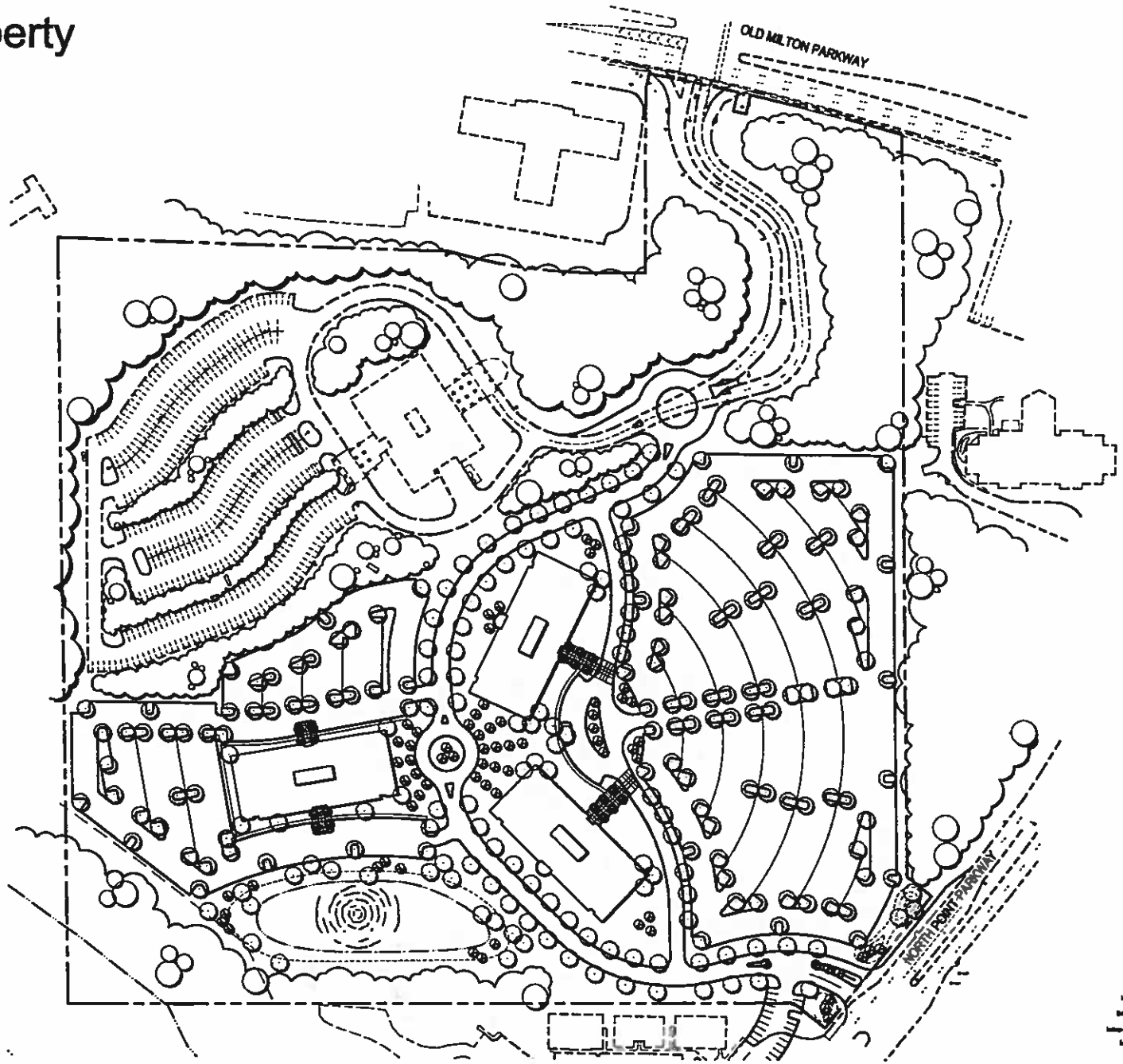
1. **Proposed new development within the Master Plan shall be limited to the following:**
    a. **three office buildings with accessory uses (not to exceed a total of 380,000 square feet) and a parking deck.**
    b. **Maximum height shall be 8 stories.**
    c. **Density shall not exceed 13,550 square feet per acre.**
2. **Incorporate an amenity for office tenants that is accessible to the public from the sidewalk along North Point Parkway such as a walkway to the wet pond and creek, outdoor eating area, gazebo, etc.**
3. **Provide a bus-stop shelter along North Point Parkway or Old Milton Parkway and coordinate with MARTA on the placement and location. The developer shall coordinate with MARTA and the City to ensure that plans are adequate to meet bus service needs.**
4. **Ground mounted signs shall not exceed 10 feet in height. Signs to be located within the project shall be uniform in design. A detailed sign package for the entire development shall be presented and approved by the Design Review Board.**
5. **The submitted Master Plan shall be subject to reconsideration by the Planning Commission and by the City Council if no construction or development occurs on any portion of the site within three (3) years of the date of its approval beginning after the Big Creek sewer moratorium is lifted. Construction shall be deemed as pouring of concrete for any structure.**

6. Specimen trees on the site shall be given special consideration and every attempt to incorporate them into the applicant's site plan shall be made.
7. Provide a traffic impact analysis study including signal warrants for North Point Parkway. The developer shall bear the responsibility for payment and installation for necessary traffic signals and traffic regulatory devices, decel lanes and other improvements that are necessitated by impact of the proposed development.
8. Parking areas and size of parking spaces shall be in accordance with the City's Zoning Ordinance, as amended. Effort shall be made by the developer to minimize the amount of impervious parking surface. Up to 20% of the parking spaces may be compact spaces as well as the spaces that are above the minimum required number of spaces. Space shall be provided for alternative transportation such as bicycle spaces and priority spaces for car pool vehicles.
9. Provide a twenty (20) foot wide landscaping strip along North Point Parkway with a berm and extensive landscaping . Provide one landscape island with shade trees for every run of 20 parking spaces. Ornamental landscaping shall be required in parking lot islands, not grass or mulch alone.
10. Landscaping areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscaping area if decorative and will provide an amenity to the public.
11. The main internal roadway within the site shall incorporate a decorative finish treatment at pedestrian crosswalks.
12. Site development plans shall be substantially similar to the site plan submitted (dated March 1, 2001) including tree save areas as shown.
13. Furnish interparcel access agreement with adjacent property owner on south side of tract.
14. Provide pedestrian lighting along Old Milton Parkway to match lighting at Brookside.
15. All impervious area runoff "by-passing" the water quality pond shall be treated with a Best Management Practice such as vegetative strips to remove water pollutants. Runoff from parking areas shall not enter stream untreated.
16. At the time a Land Disturbance Permit is applied for, site must comply with all current City of Alpharetta standards and specifications.

Preliminary Site Plan for

# Siemens Property

Alpharetta, Georgia




## SITE DATA

EXISTING CONDITIONS
TOTAL AREA- 38.784 AC.
EXISTING USE- OFFICE
EXISTING BUILDINGS- 1
EXISTING SQUARE FOOTAGE- 117,[illegible] S.F.
EXISTING DENSITY- 3,169.73 S.F./AC.

PROPOSED AMENDMENT
PROPOSED USE- OFFICE
ADDITIONAL BUILDINGS- 3
ADDITIONAL SQUARE FOOTAGE- 380,[illegible] S.F.

TOTAL SITE INCLUDING AMENDMENT
PROPOSED USE- OFFICE
TOTAL BUILDINGS- 4
TOTAL SQUARE FOOTAGE- 497,[illegible] S.F.
TOTAL DENSITY- 12,811.31 S.F./AC.

GRAPHIC SCALE

March 1, 2001

AEC

RIGHT LANE
MUST
TURN RIGHT
POPEYES

North Point Pkwy

ONE WAY

Old Milton Pkwy

Google

# ALPHARETTA LIFEHOPE CAMPUS

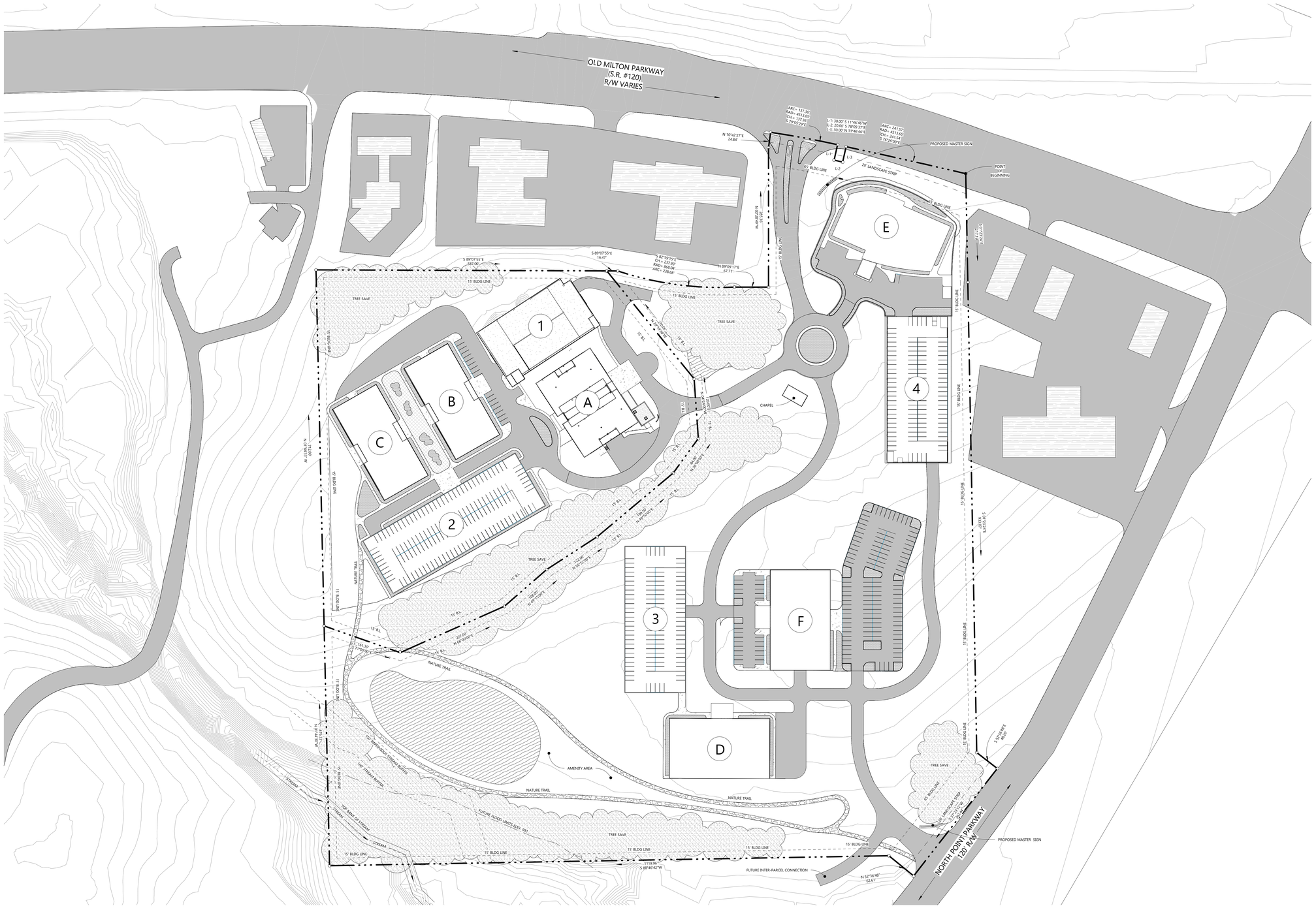
## ALPHARETTA, GA

Richmond Honan

LifeHope

JERICHO

# SITE CONTEXT



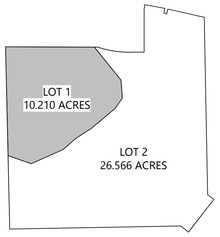

1 Site
1" = 80'-0"

0' 60' 120' 180' 300'

MAGNETIC NORTH

EXISTING GSF: 117,000 SF
PROPOSED GSF: NTE 380,000 SF
MASTER PLAN GSF: NTE 497,000 SF
SITE DENSITY: NTE 13,550 SF/ACRE
MAX BUILDING HEIGHT: NTE 6 STORIES

ACREAGE OF IMPERVIOUS: 14.2
ACREAGE OF TREE SAVE: 7.5
ACREAGE OF ADDITIONAL PERVIOUS: 15.1
TOTAL: 36.8 ACRES (ROUNDED)




GROSS ACREAGE: 36.776

SITE DATA

TOTAL AREA= 36.776 ACRES (1,601,993 SF)
ZONING= O-1 (OFFICE INSTITUTION)

FLOOD NOTES

FLOOD LIMITS PER F.E.M.A. FLOOD MAP 13121C0059F DATED 09/18/2013 AND CITY OF ALPHARETTA
FUTURE FLOOD LIMITS PER CITY OF ALPHARETTA

THE 100' STREAM BUFFER IS MEASURED FROM TOP OF STREAM BANK

THE 150' IMPERVIOUS STREAM BUFFER IS MEASUERD FROM TOP OF STREAM BANK

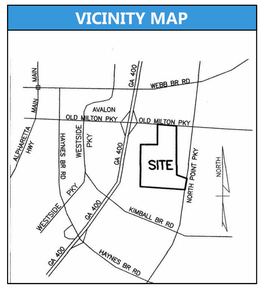
## LEGEND

- TREE SAVE
- VEGETATION
- NATURE TRAIL
- DETENTION POND
- ASPHALT
- CURBING
- PLAZA
- NEIGHBORING BUILDINGS

## BUILDINGS & PARKING

| | NAME | EXISTING / NEW | SF / SPACES | FLOOR |
|---|---|---|---|---|
| A | MOB-A | EXISTING | 117,000 SF | 5 |
| B | MOB-B | NEW | TBD | NTE 6 |
| C | MOB-C | NEW | TBD | NTE 6 |
| D | MOB-D | NEW | TBD | NTE 6 |
| E | WELLNESS MOB-E | NEW | TBD | NTE 4 |
| F | SPECIALTY MOB-F | NEW | TBD | NTE 6 |
| 1 | PARKING DECK 1 | NEW | TBD | - |
| 2 | PARKING DECK 2 | NEW | TBD | - |
| 3 | PARKING DECK 3 | NEW | TBD | - |
| 4 | PARKING DECK 4 | NEW | TBD | - |

## VICINITY MAP




JERICHO
architectural design group
3330 Preston Ridge RD. Suite 380
Alpharetta, GA 30005

# ALPHARETTA LIFEHOPE CAMPUS

MP-18-02
(PROPOSED)
2018

LifeHope
**Life Hope**
3330 Preston Ridge RD |
Suite 380
Alpharetta, GA 30005
www.richmondhonan.com
404.255.6358

Richmond Honan Development and Acquisitions LLC
**Richmond Honan**
3330 Preston Ridge RD |
Suite 380
Alpharetta, GA 30005
www.richmondhonan.com
404.255.6358

3333 Old Milton Parkway
Alpharetta, GA 30005

©2016, Jericho Design Group, LLC. These drawings are protected by the copyright laws of the United States. These drawings or any part thereof may not be used for any purpose or reproduced in any form or by any means without the written consent of Doug Shaw.

**Print Record**

| | |
|---|---|
| XX/XX/XXXX | SCHEMATICS DESIGN |
| XX/XX/XXXX | DESIGN DEVELOPMENT |
| XX/XX/XXXX | CONSTRUCTION DOCUMENTS |

**Revisions**

| No. | DATE | DESCRIPTION |
|---|---|---|

**Drawn By** BTT
**Checked By** DS
**Date** 02/02/2018
**Job No.** 16005

**Sheet Title**
SITE PLAN

**Sheet No.**
A-01

NOT RELEASED FOR CONSTRUCTION

PLOTTED: 3/27/2018 4:17:37 PM
SHEET NAME: SITE PLAN SHEET NUMBER: A-01 PROJECT NAME: ALPHARETTA LIFEHOPE CAMPUS
FILENAME: R:\02-Projects\Jericho Architecture LLC\2016\16005 Siemens Base Building Renovations\0-TENANT\16005-19 3333 Master Project Bldg\Design_Campus\16_v1.rvt

3.27.18

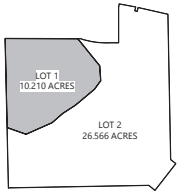
MP-01-04 (Existing)
Site Plan

4 Original Siteplan
1" = 80'-0"

0' 60' 120' 180' 300'

EXISTING GSF: 117,000 SF
PROPOSED GSF: NTE 380,000 SF
MASTER PLAN GSF: NTE 497,000 SF
SITE DENSITY: NTE 13,550 SF/ACRE
MAX BUILDING HEIGHT: NTE 8 STORIES

ACREAGE OF IMPERVIOUS: 22.0
ACREAGE OF TREE SAVE: 7.5
ACREAGE OF ADDITIONAL PERVIOUS: 7.3
TOTAL: 36.8 ACRES (ROUNDED)




SITE DATA

TOTAL AREA= 36.776 ACRES (1,601,993 SF)
ZONING= O-1 (OFFICE INSTITUTION)

FLOOD NOTES

FLOOD LIMITS PER F.E.M.A. FLOOD MAP 13121C0059F DATED 09/18/2013 AND CITY OF ALPHARETTA FUTURE FLOOD LIMITS PER CITY OF ALPHARETTA

THE 100' STREAM BUFFER IS MEASURED FROM TOP OF STREAM BANK

THE 150' IMPERVIOUS STREAM BUFFER IS MEASUERD FROM TOP OF STREAM BANK

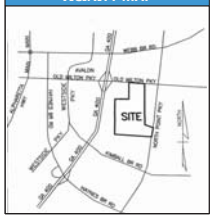
## LEGEND

- TREE SAVE
- VEGETATION
- NATURE TRAIL
- DETENTION POND
- ASPHALT
- CURBING
- PLAZA
- NEIGHBORING BUILDINGS

## BUILDINGS & PARKING

| | NAME | EXISTING / NEW | SF / SPACES | FLOORS |
|---|---|---|---|---|
| A | OB-A | EXISTING | 117,000 SF | 5 |
| B | OB-B | NEW | 127,000 SF | TBD |
| C | OB-C | NEW | 127,000 SF | TBD |
| D | OB-D | NEW | 126,000 SF | TBD |
| 1 | SURFACE PARKING 1 | EXISTING | 405 SPACES | - |
| 2 | SURFACE PARKING 2 | NEW | 380 SPACES | - |
| 3 | SURFACE PARKING 3 | NEW | 560 SPACES | - |
| - | TOTAL SURFACE PARKING | - | 1345 SPACES | - |

## VICINITY MAP




PLOTTED: 3/27/2018 4:30:34 PM

SHEET NAME: ORIGINAL SITE PLAN SHEET NUMBER: A-02 PROJECT NAME: ALPHARETTA LIFE HOPE CAMPUS

FILENAME: R:\02 Projects\Jericho Architecture LLC\01.18\1805 Siemens Base Building Remodeled\STANA\T1\1805-18-3333 Master Plan\Life Hope\Alpharetta_Campus.rvt

JERICHO
architectural design group
3330 Preston Ridge RD. Suite 380
Alpharetta, GA 30005

MP-01-04
(EXISTING)
MAY 21, 2001

SIEMENS REAL ESTATE INC.


Life Hope
3330 Preston Ridge RD |
Suite 380
Alpharetta, GA 30005
www.richmondhonan.com
404.255.6358

Richmond Honan
3330 Preston Ridge RD |
Suite 380
Alpharetta, GA 30005
www.richmondhonan.com
404.255.6358


3333 Old Milton Parkway
Alpharetta, GA 30005


©2016, Jericho Design Group, LLC. These drawings are protected by the copyright laws of the United States. These drawings or any part thereof may not be used for any purpose or reproduced in any form or by any means without the written consent of Doug Shaw.


**Print Record**

| | |
|---|---|
| XX/XX/XXXX | SCHEMATICS DESIGN |
| XX/XX/XXXX | DESIGN DEVELOPMENT |
| XX/XX/XXXX | CONSTRUCTION DOCUMENTS |

**Revisions**

| No. | DATE | DESCRIPTION |
|---|---|---|

| Drawn By | Checked By |
|---|---|
| Author | Checker |
| **Date** | **Job No.** |
| 02/02/2018 | 16005 |

**Sheet Title**

ORIGINAL SITE PLAN

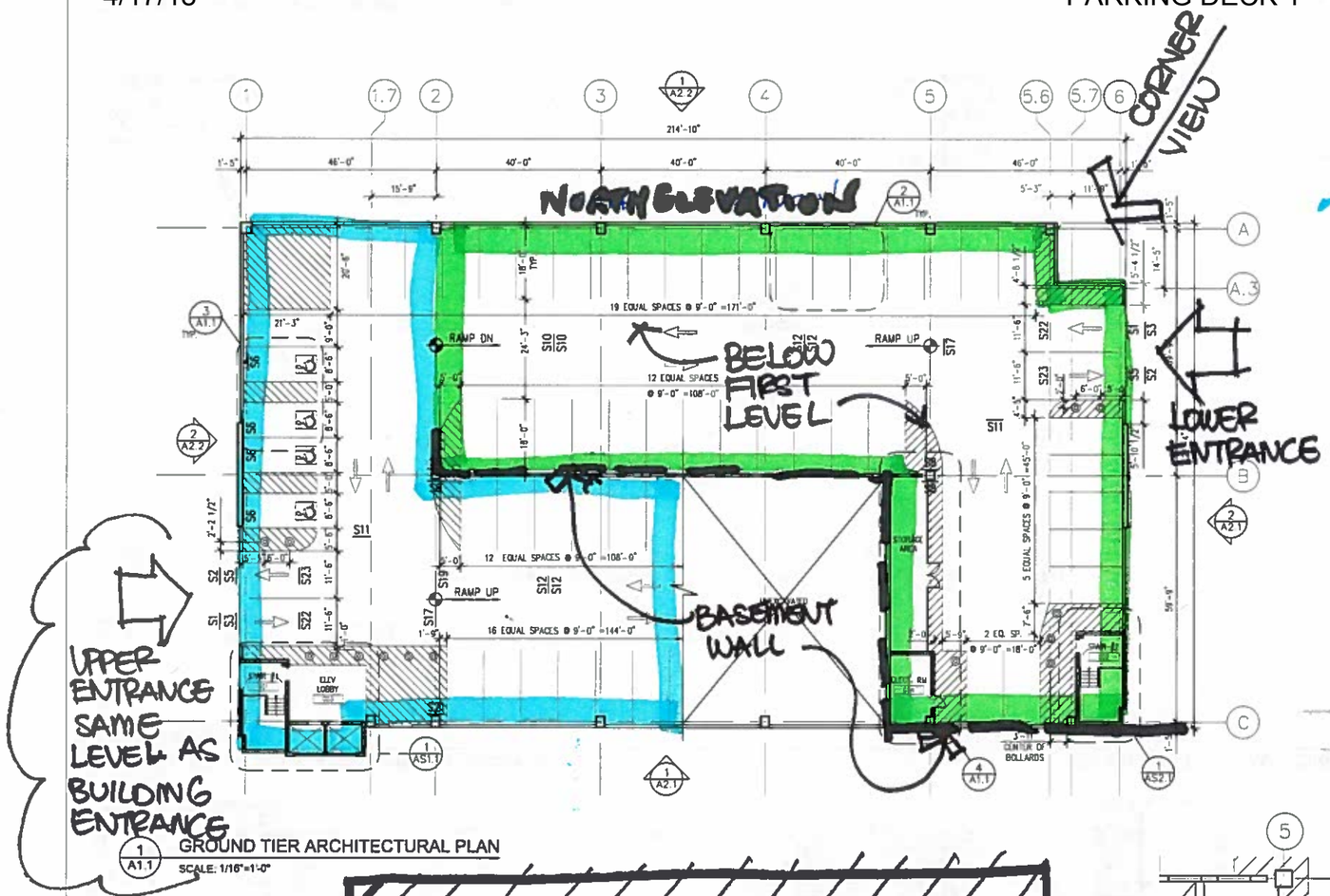
**Sheet No.**

A-02

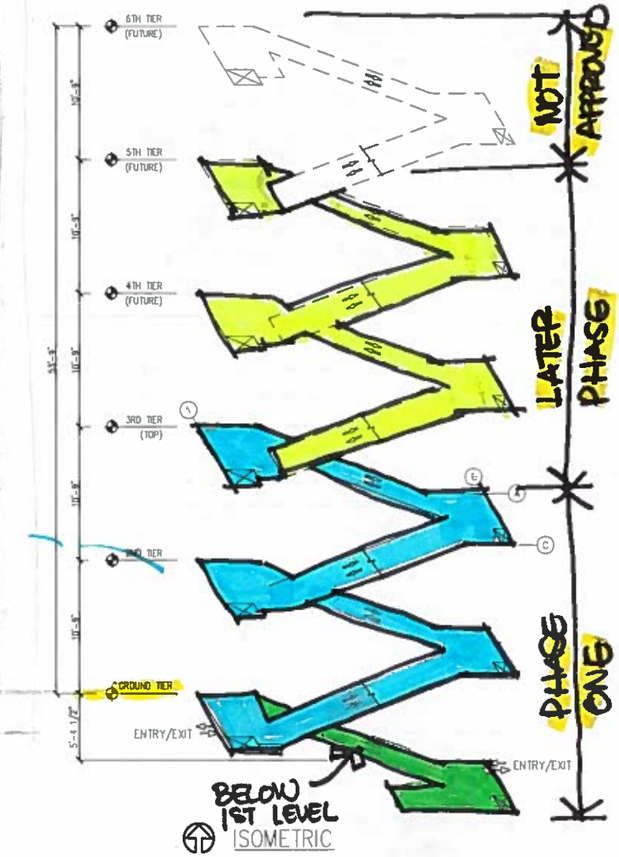
NOT RELEASED FOR CONSTRUCTION

4/17/18

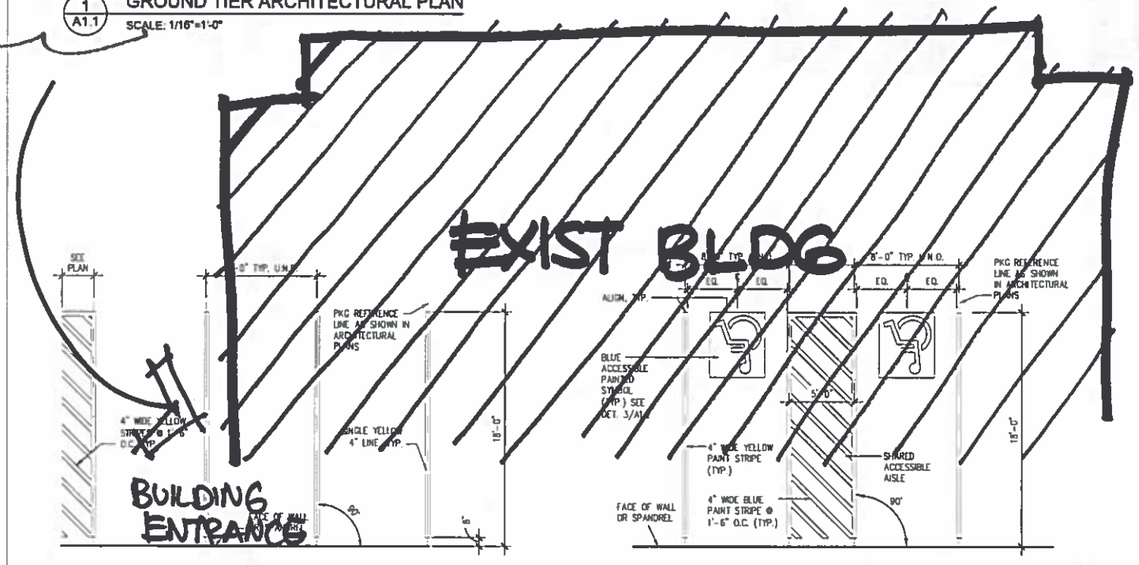
PARKING DECK 1




1 A1.1 GROUND TIER ARCHITECTURAL PLAN
SCALE: 1/16"=1'-0"

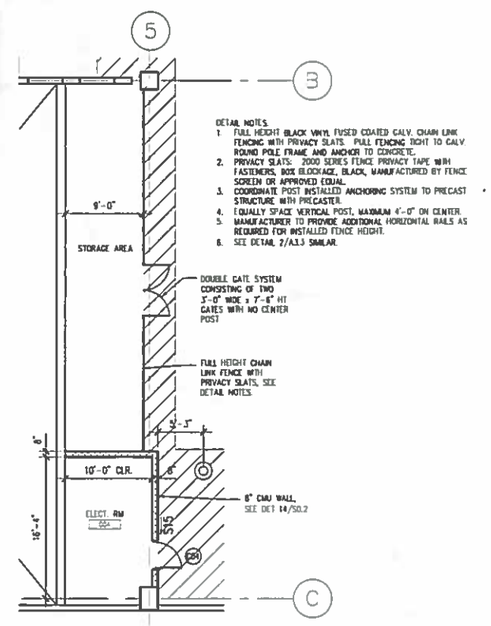



ISOMETRIC




2 A1.1 TYPICAL STRIPING DETAIL
SCALE: N.T.S.

3 A1.1 ACCESSIBLE STALL STRIPING DETAIL
SCALE: N.T.S.




DETAIL NOTES:
1. FULL HEIGHT BLACK VINYL FUSED COATED GALV. CHAIN LINK FENCING WITH PRIVACY SLATS. PULL FENCING TIGHT TO GALV. ROUND POLE FRAME AND ANCHOR TO CONCRETE.
2. PRIVACY SLATS: 2000 SERIES FENCE PRIVACY TAPE WITH FASTENERS, 80% BLOCKAGE, BLACK, MANUFACTURED BY FENCE SCREEN OR APPROVED EQUAL.
3. COORDINATE POST INSTALLED ANCHORING SYSTEM TO PRECAST STRUCTURE WITH PRECASTER.
4. EQUALLY SPACE VERTICAL POST, MAXIMUM 4'-0" ON CENTER.
5. MANUFACTURER TO PROVIDE ADDITIONAL HORIZONTAL RAILS AS REQUIRED FOR INSTALLED FENCE HEIGHT.
6. SEE DETAIL 2/A1.3 SIMILAR.

4 A1.1 ENLARGED ELEC. AND STORAGE ROOM PLAN
SCALE: N.T.S.

CAR TABULATION

| TIER | STANDARD | ACCESSIBLE | VAN | TOTAL |
|---|---|---|---|---|
| GROUND | 51 | 4 | 0 | 55 |
| SECOND | 75 | 2 | 0 | 77 |
| THIRD | 64 | 0 | 0 | 64 |
| TOTAL | 190 | 6 | 0 | 196 |

NOTE: ALL VAN ACCESSIBLE SPACES ARE LOCATED ADJACENT TO BUILDING ENTRANCE. SEE CIVIL DRAWINGS.

PLAN LEGEND

- ST7 — SIGNAGE LOCATION, SEE G1.1 FOR SIGNAGE SCHEDULE
- P/C BOLLARD, SEE DETAIL 2/A1.2
- ACCESSIBLE PARKING SPACE
- 4" WIDE STRIPES PAINTED @ 1'-6" O.C. COLOR: YELLOW PAINT
- PAINTED FLOOR ARROW, SEE DETAIL 4/A1.2 COLOR: YELLOW PAINT
- 101 — DOOR NUMBER, SEE A4.1 FOR DOOR SCHEDULE

SHEET NOTES:
1. PROVIDE FIRE EXTINGUISHERS HOUSED IN CABINETS WITH SIGNS. SEE SHEET A0.2 FOR LOCATIONS. MOUNT FIRE EXTINGUISHERS NO LESS THAN 4 INCHES AND NO GREATER THEN 5'-0" ABOVE FINISHED FLOOR.
2. STRIPING REFERENCE LINES SHOWN FOR CLARITY, SEE STRIPING DETAILS ON SHEET A1.1 FOR ADDITIONAL INFORMATION. (TYPICAL ALL TIERS)
3. REFERENCE SHEETS AS1.1 & AS2.1 FOR ADDITIONAL SIGNAGE.


TimHaahs

Timothy Haahs & Associates, Inc.
12725 Morris Road Extension
Dearfield Point 100, Suite 110
Alpharetta, GA 30004
T 770.850.3086
F 770.850.3088
www.timhaahs.com


PROFESSIONAL SEAL

GEORGIA REGISTERED PROFESSIONAL ARCHITECT NO. 026361 TIMOTHY KEITH HAAHS 12-4-2017

CONSULTANT

PROJECT NO.
ATL17147.00

PROJECT

# 3333 OLD MILTON PKWY PARKING DECK

ALPHARETTA, GA

SUBMISSIONS / REVISIONS

CONSTRUCTION DOCUMENTS
DECEMBER 4, 2017

| NO. | DESCRIPTION | DATE |
|---|---|---|

NORTH

DRAWN: XXX
REVIEWED: MKP
DATE: AUGUST 29, 2017

SHEET TITLE:
GROUND TIER ARCHITECTURAL PLAN

SHEET NO.
A1.1

©2017 TIMOTHY HAAHS & ASSOCIATES, INC

4/17/18

# PARKING DECK 1

PROJECT CRITERIA

NEW 3 TIER OPEN PARKING STRUCTURE WITH A TOTAL 72,450 GSF

APPROXIMATELY 200 PARKING SPACES

CODES AND STANDARDS

INTERNATIONAL BUILDING CODE (IBC), 2012 WITH GA AMENDMENTS 2014, 2015, 2017

NATIONAL ELECTRIC CODE, 2014

INTERNATIONAL MECHANICAL CODE, 2012 WITH GA AMENDMENTS 2014, 2015

INTERNATIONAL PLUMBING CODE, 2012 WITH GA AMENDMENTS 2014, 2015

INTERNATIONAL FIRE CODE, 2012 WITH GA AMENDMENTS 2014

LIFE SAFETY CODE (LSC), 2012 EDITION NFPA 101

GEORGIA ACCESSIBILITY CODE: CHAPTER 120-3-20, RULES AND REGULATIONS OF GEORGIA SAFETY FIRE COMMISSIONER

USE AND OCCUPANCY CLASSIFICATION (LSC)

STORAGE OCCUPANCY, PER LSC SECTION 6.1.13 AND CHAPTER 42

"ORDINARY HAZARD", PER LSC SECTION 6.2.2.2 AND 42.8.1.5

PUBLIC PARKING GARAGE (IBC SECTION 406.4)

PARKING STRUCTURE IS "OPEN" IN ACCORDANCE WITH IBC SECTION 406.5

OPENINGS: SEE OPENNESS CALCULATIONS FOR NATURAL VENTILATION ON THIS SHEET, IN ACCORDANCE WITH IBC SECTION 406.5.2

ALLOWABLE HEIGHT AND BUILDING AREA (IBC SECTION 406.5.4)

AREA AND HEIGHT FOR SINGLE USE PARKING GARAGE SHALL BE PERMITTED TO COMPLY WITH IBC TABLE 406.5.4 IN LIEU OF IBC TABLE 503.

CONSTRUCTION TYPE: II B

| | ALLOWABLE IBC TABLE 406.5.4 | PROVIDED |
|---|---|---|
| HEIGHT (TIERS) (NOT SPRINKLERED) | 5 | 3 |
| AREA (SQ. FT.) | 50,000 / TIER | 23,360 GROUND TIER<br>26,330 SECOND TIER<br>22,760 TOP TIER |

PER IBC SECTION 406.5.4.2 EXCEPTION: THE GRADE-LEVEL TIER IS PERMITTED TO CONTAIN A ROOM HAVING A TOTAL COMBINED AREA OF NOT MORE THAN 1,000 SQUARE FEET. SUCH AREA NEED NOT BE SEPERATED FROM THE OPEN PARKING GARAGE.

FIRE-RESISTANCE RATING REQUIREMENTS (IBC TABLE 601)

CONSTRUCTION TYPE II B

| BUILDING ELEMENT | TYPE II B |
|---|---|
| PRIMARY STRUCTURAL FRAME | 0 HR |
| BEARING WALLS<br>INTERIOR<br>EXTERIOR | <br>0 HR<br>0 HR |
| NON-BEARING WALLS<br>EXTERIOR | <br>0 HR* |
| NON-BEARING WALLS<br>INTERIOR | 0 HR |
| FLOOR CONSTRUCTION | 0 HR |
| ROOF CONSTRUCTION | 0 HR |

*FIRE SEPARATION DISTANCE IS 10 FEET OR GREATER FROM LOT LINE. PER IBC TABLE 602, FOR TYPE II B AND OCCUPANCY S-2, A ZERO HOUR RATING IS REQUIRED.

EXTERIOR WALL OPENINGS (IBC SECTION 705)

ALLOWABLE AREA OF OPENINGS, PER IBC SECTION IBC 705.8.1
FIRE SEPARATION DISTANCE IS 10 FEET OR GREATER FROM IMAGINARY LOT LINE. (REFERENCE IBC SECTION 705.3 FOR BUILDINGS ON THE SAME LOT). PER IBC TABLE 705.8 EXCEPTION G, THE AREA OF OPENINGS IN AN OPEN PARKING STUCTURE WITH A FIRE SEPERATION DISTANCE OF 10 FEET OR GREATER SHALL NOT BE LIMITED.

VERTICAL SEPARATION OF OPENINGS, PER IBC SECTION 705.8.5
VERTICAL SEPARATION OF OPENINGS IS NOT APPLICABLE TO OPEN PARKING GARAGES PER EXCEPTION #3.

VERTICAL OPENINGS (IBC SECTION 712)

VERTICAL OPENINGS FROM AUTOMOBILE RAMPS IN OPEN PARKING GARAGES ARE PERMITTED, PER IBC SECTION 712.1.9

VERTICAL OPENINGS FOR ELEVATOR HOISTWAYS IN OPEN PARKING GARAGES ARE PERMITTED, PER IBC SECTION 712.1.15

VERTICAL FLOOR OPENINGS CREATED BY UNENCLOSED STAIRS OR RAMPS IN ACCORDANCE WITH SECTION 1009.2 AND 1009.3 ARE PERMITTED, PER IBC SECTION 712.1.12

SHAFT ENCLOSURES (IBC SECTION 713)

ENCLOSED ELEVATOR LOBBIES ARE NOT REQUIRED WHERE THE ELEVATOR SERVES ONLY OPEN PARKING GARAGES IN ACCORDANCE WITH SECTION 406.5, PER IBC SECTION 713.14.1, EXCEPTION 7

FIRE-RESISTANT JOINT SYSTEMS (IBC, SECTION 715)

FIRE-RESISTANT JOINT SYSTEM NOT REQUIRED FOR JOINTS IN OPEN PARKING GARAGES PER IBC SECTION 715.1, EXCEPTION #5.

MEANS OF EGRESS (LSC 101, CHAPTER 7)

MINIMUM STAIR WIDTH IS 44 INCHES, PER LSC TABLE 7.2.2.2.1.2(B)

NUMBER OF MEANS OF EGRESS SHALL BE 2 MINIMUM PER FLOOR PER LSC SECTION 7.4.1.1 AND 42.8.2.4.1. TWO MEANS OF EGRESS PER FLOOR ARE PROVIDED.

AREAS ACCESSIBLE TO PEOPLE WITH MOBILITY IMPAIRMENT SHALL HAVE NOT LESS THAN TWO ACCESSIBLE MEANS OF EGRESS, PER LSC SECTION 7.5.4.1.

WHERE OUTSIDE STAIRS THAT ARE NOT SEPARATED FROM THE BUILDING ARE PERMITTED AS REQUIRED EXITS, THE TRAVEL DISTANCE SHALL BE MEASURED FROM THE MOST REMOTE POINT SUBJECT TO OCCUPANCY TO THE LEADING NOSING OF THE STAIR LANDING AT THE FLOOR LEVEL UNDER CONSIDERATION, PER LSC SECTION 7.6.2.

OCCUPANT LOAD (LSC SECTION 7.3.1)

| AREA DESIGNATION | OCCUPANT CAPACITY<br>SQ. FT | SQ. FT./ OCCUPANT* | OCCUPANTS |
|---|---|---|---|
| GROUND TIER | 23,360 | 200 | 117 |
| SECOND TIER | 26,330 | 200 | 132 |
| TOP TIER | 22,760 | 200 | 114 |

*USED 200 SQ FEET PER OCCUPANY PER IBC TABLE 1004.1.2

EGRESS CAPACITY (NFPA, LSC 101, SECTION 7.3.3)

| AREA DESIGNATION | OCCUPANT CAPACITY - STAIRS<br>OCCUPANTS | CAPACITY FACTOR (TABLE 7.3.3.1) | EGRESS WIDTH REQUIRED | EGRESS WIDTH PROVIDED |
|---|---|---|---|---|
| GROUND TIER | 117 | 0.3 | 36" | 147" |
| SECOND TIER | 132 | 0.3 | 40" | 98" |
| TOP TIER | 114 | 0.3 | 35" | 98" |

| AREA DESIGNATION | OCCUPANT CAPACITY - OTHER LEVEL EGRESS COMPONENTS<br>OCCUPANTS | CAPACITY FACTOR (TABLE 7.3.3.1) | EGRESS WIDTH REQUIRED | EGRESS WIDTH PROVIDED |
|---|---|---|---|---|
| GROUND TIER | 117 | 0.2 | 24" | 147" |
| SECOND TIER | 132 | 0.2 | 27" | 81" |
| TOP TIER | 114 | 0.2 | 23" | 81" |

STORAGE OCCUPANCIES (LSC 101, CHAPTER 42)

EACH PARKING LEVEL SHALL HAVE WALL OPENINGS OPEN TO THE ATMOSPHERE FOR AN AREA OF NOT LESS THAN 1.4 SQUARE FEET FOR EACH LINEAR FOOT OF ITS EXTERIOR PERIMETER, PER LSC SECTION 42.8.1.3.1. SEE OPENESS CALCULATIONS ON THIS SHEET.

THE OPENINGS ADDRESSED IN SECTION 42.8.1.3.1 SHALL BE DISTRIBUTED OVER 40 PERCENT OF THE BUILDING PERIMETER OR UNIFORMILY OVER TWO OPPOSING SIDES, PER LSC SECTION 42.8.1.3.2.

INTERIOR WALL LINES AND COLUMN LINES SHALL BE AT LEAST 20 PERCENT OPEN, WITH OPENINGS DISTRIBUTED TO PROVIDE VENTILATION, PER LSC SECTION 42.8.1.3.3.

ORDINARY HAZARD, PER SECTION 42.8.1.5

IN OPEN PARKING STRUCTURES, STAIRS COMPLYING WITH SECTION 7.2.2.5.1 (ENCLOSURES) SHALL NOT BE REQUIRED, PER LSC SECTION 42.8.2.2.3.2.

IN OPEN-AIR PARKING STRUCTURES, THE AREA OF REFUGE REQUIREMENTS OF SECTION 7.2.12.1.2(2) SHALL NOT APPLY, PER LSC SECTION 42.8.2.2.9.2.

NUMBER OF MEANS OF EGRESS IS 2 MINIMUM PER FLOOR, PER LSC SECTION 42.8.2.4.1

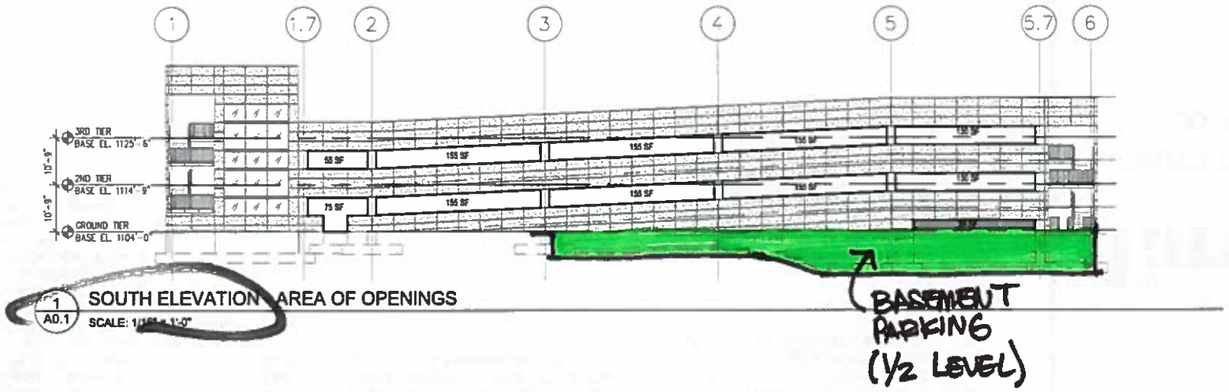
DEAD ENDS SHALL NOT EXCEED 50 FEET, PER LSC SECTION 42.8.2.5.2

MAXIMUM TRAVEL DISTANCE TO EXITS IS 300 FEET, PER LSC TABLE 42.8.2.6.1 FOR AN OPEN PARKING STRUCTURE, NOT SPRINKLERED. SEE SHEET A0.2 FOR TRAVEL DISTANCE CALCULATIONS.

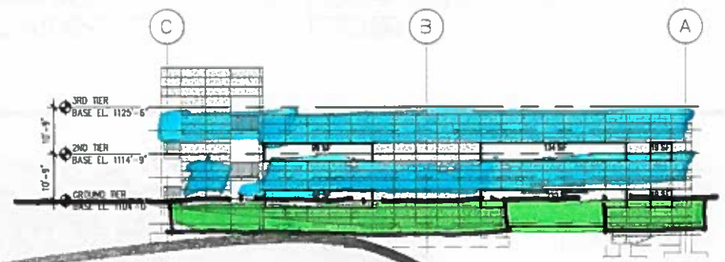
THE TRAVEL DISTANCE TO A STAIR THAT DOES NOT MEET THE PROVISIONS FOR AN EXIT ENCLOSURE SHALL NOT EXCEED THE TRAVEL DISTANCE SPECIFIED IN TABLE 42.8.2.6.1 AND TRAVEL ALONG THE STAIR SHALL NOT BE LIMITED, PER LSC SECTION 42.8.2.6.2.

UNPROTECTED VERTICAL OPENINGS THROUGH FLOORS IN OPEN PARKING STRUCTURES SHALL BE PERMITTED, PER LSC SECTION 42.8.3.1.2.

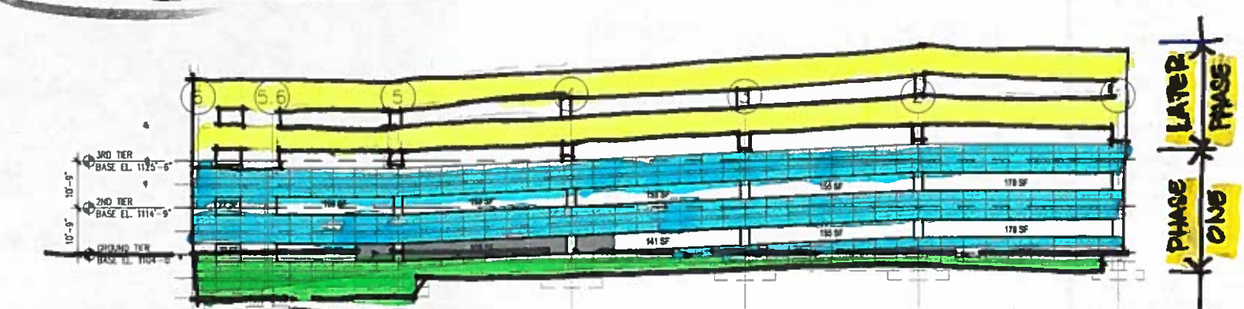
OPEN PARKING STRUCTURES SHALL NOT BE REQUIRED TO HAVE A FIRE ALARM SYSTEM, PER LSC SECTION 42.8.3.4.1.2.



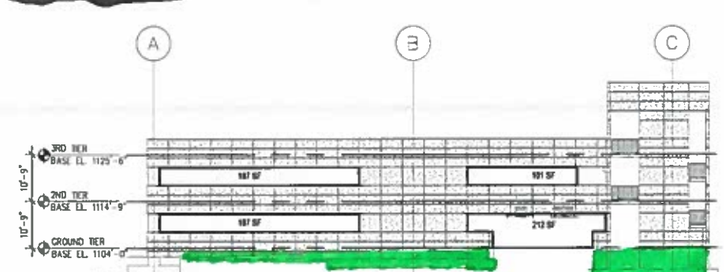

1 A0.1 SOUTH ELEVATION - AREA OF OPENINGS
SCALE: 1/16" = 1'-0"




2 A0.1 EAST ELEVATION - AREA OF OPENINGS
SCALE: 1/16" = 1'-0"




3 A0.1 NORTH ELEVATION - AREA OF OPENINGS
SCALE: 1/16" = 1'-0"




4 A0.1 WEST ELEVATION - AREA OF OPENINGS
SCALE: 1/16" = 1'-0"

AREA OF OPENESS CALCULATIONS

* GROUND TIER
- TOTAL WALL AREA: 2386.5+1316.8+2311.25+1392.1 = 7407 SF
- OPENINGS: 343+345+699+399 = 1786 SF
- OPENNESS REQUIRED: 20.0% MIN.
- OPENNESS PROVIDED: 24.1%
- PROVIDED > REQ'D. = SATISFACTORY

* SECOND TIER
- TOTAL WALL AREA: 2386.5+1316.8+2311.25+1392.1 = 7407 SF
- OPENINGS: 850+249+773+288 = 1960 SF
- OPENNESS REQUIRED: 20.0% MIN.
- OPENNESS PROVIDED: 26.4%
- PROVIDED > REQ'D. = SATISFACTORY

DISTRIBUTION OF OPENESS CALCULATIONS

* GROUND TIER
- TOTAL PERIMETER: 689 LN FT
- LENGTH OPENINGS: 98+824+190+77 = 427 FT
- LENGTH REQUIRED: 40.0% MIN.
- LENGTH PROVIDED: 61.9%
- PROVIDED > REQ'D. = SATISFACTORY

* SECOND TIER
- TOTAL PERIMETER: 689 LN FT
- LENGTH OPENINGS: 160+824+190+71 = 483 FT
- LENGTH REQUIRED: 40.0% MIN.
- LENGTH PROVIDED: 70%
- PROVIDED > REQ'D. = SATISFACTORY


TimHaahs

Timothy Haahs & Associates, Inc.
12725 Morris Road Extension
Deerfield Point 100, Suite 150
Alpharetta, GA 30004
T. 770.850.3066
F. 770.850.3068
www.timhaahs.com


PROFESSIONAL SEAL

GEORGIA NO. 020381 PROFESSIONAL ARCHITECT

12-4-2017

CONSULTANT

PROJECT NO.
ATL.17147.00

PROJECT

# 3333 OLD MILTON PKWY PARKING DECK

ALPHARETTA, GA

SUBMISSIONS / REVISIONS

CONSTRUCTION DOCUMENTS
DECEMBER 4, 2017

| NO | DESCRIPTION | DATE |
|---|---|---|

NORTH

| | |
|---|---|
| DRAWN | XXX |
| REVIEWED | MKP |
| DATE: | AUGUST 29, 2017 |

SHEET TITLE:

CODE ANALYSIS

SHEET NO

A0.1

©2017 TIMOTHY HAAHS & ASSOCIATES, INC.

# LIFEHOPE ALPHARETTA CAMPUS

## ALPHARETTA, GA

Richmond Honan

LifeHope

JERICHO

## ENTRY SIGNAGE

# LIFEHOPE ALPHARETTA CAMPUS

## ALPHARETTA, GA

Richmond Honan

LifeHope®

JERICHO

## ENTRY SIGNAGE

# LIFEHOPE ALPHARETTA CAMPUS

## ALPHARETTA, GA

Richmond Honan

LifeHope®

JERICHO

## ENTRY SIGNAGE

# LIFEHOPE ALPHARETTA CAMPUS

## ALPHARETTA, GA

Richmond Honan

LifeHope®

JERICHO

## ENTRY SIGNAGE

# LIFEHOPE ALPHARETTA CAMPUS

## ALPHARETTA, GA

Richmond Honan

LifeHope

JERICHO

## ENTRY SIGNAGE

3/22/18

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

# Tree Study Report

## 3333 Old Milton Parkway Alpharetta GA

Date of Inspection 3/2/2017 Re-inspection 1/4/2018

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

**Project manager**
Sharon Holcomb
sharonh@richmondhonan.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:

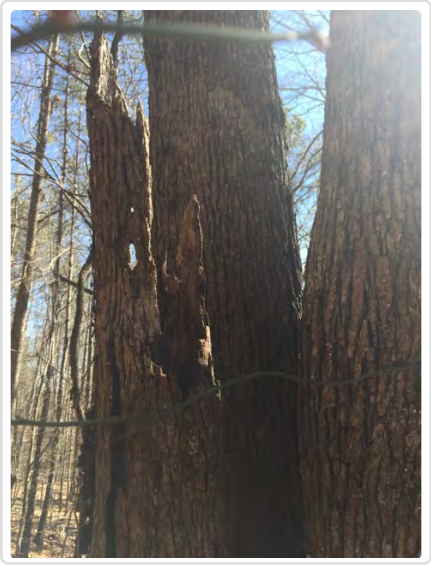
30-inch DBH or larger for trees in the *Pinus* genus
30-inch diameter or larger for trees in the Sweetgum or Tulip poplar genus
20-inch DBH or larger for trees in the *Cedrus*, *Thuja*, or other ecologically similar trees
20-inch diameter or larger for trees in the Beech, *Nyssa*, Persimmon, Sassafras, 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 1

| | | | |
|---|---|---|---|
| Species | 32″ | Oak, post | *Quercus stellata* |
| Status | **Not Specimen** | | |
| Health/Vigor | Poor | | |
| Structure | Multiple trunks | Large cavity at base; root crown is hollow. Multiple stem form is weekly attached | |

Other notes



# Tree 2

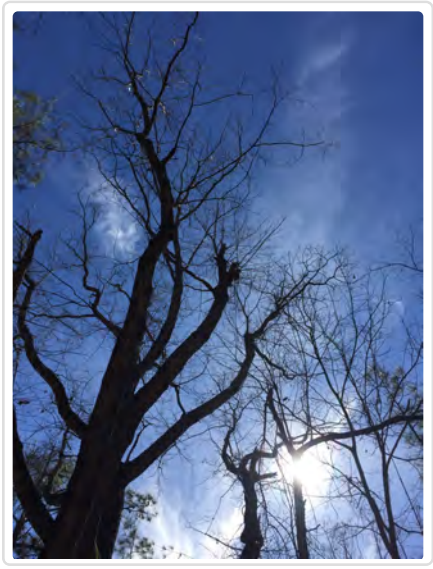
| | | | |
|---|---|---|---|
| Species | 25″ | Oak, post | *Quercus stellata* |
| Status | **Not Specimen** | | |
| Health/Vigor | Poor | Decline; root crown decay | |
| Structure | Single | Broken canopy | |

Other notes

# Tree 3

| | | | |
|---|---|---|---|
| Species | 29″ | Oak, chestnut | *Quercus prinus* |
| Status | **Not Specimen** | | |
| Health/Vigor | Poor | | Phytopthera infection; Decay at base |
| Structure | Single | | Broken limbs ; Central stem at top of canopy is decayed , structurally deficient |

Other notes



# Tree 4

| | | | |
|---|---|---|---|
| Species | 24″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Single | | Trunk is significantly hollow. Resonant when sounded |

Other notes

# Tree 5

| | | | |
|---|---|---|---|
| Species | 25″ | Oak, Southern red | *Quercus falcata* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | Moderate weeping infection at base | |
| Structure | Single | | |
| Other notes | | | |

# Tree 6

| | | | |
|---|---|---|---|
| Species | 24″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | | |
| Other notes | | | |

# Tree 7

| | | | |
|---|---|---|---|
| Species | 27″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | 19" and 20" trunks. Separate trees. No union or common pith | |
| Other notes | Does not meet size criteria | | |

# Tree 8

| | | | |
|---|---|---|---|
| Species | 40″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | Significant bark inclusion, decay detected between; sounding | |
| Other notes | | | |

# Tree 9

| | | | |
|---|---|---|---|
| Species | 25″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Bifurcated | | |
| Other notes | Does not meet size criteria | | |

# Tree 10

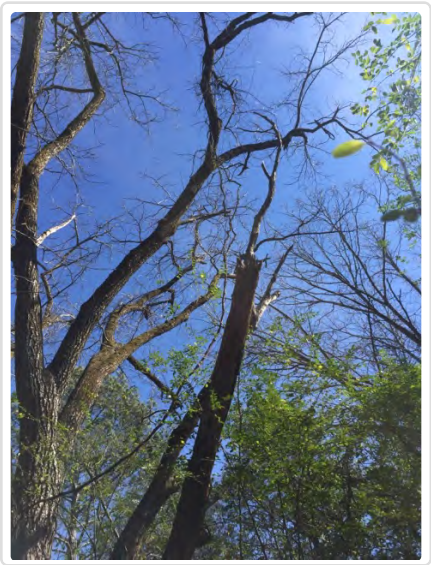
| | | | |
|---|---|---|---|
| Species | 26″ | Oak, Southern red | *Quercus falcata* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Single | Broken lower limb; some asymmetry | |

Other notes

# Tree 11

| | | | |
|---|---|---|---|
| Species | 29″ | Black Walnut | *Juglans nigra* |
| Status | **Not Specimen** | | |
| Health/Vigor | Declining | Significant lower and mid-canopy dieback, large dead scaffold limbs | |
| Structure | Single | | |

Other notes



# Tree 12

| | | | |
|---|---|---|---|
| Species | 11″ | Sourwood | *Oxydendron arborea* |
| Status | **Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Single | | |

Other notes

# Tree 13

| | | | |
|---|---|---|---|
| Species | 26″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Multiple trunks | 18" and 20" trunks | |

Other notes Does not meet size criteria

# Tree 14

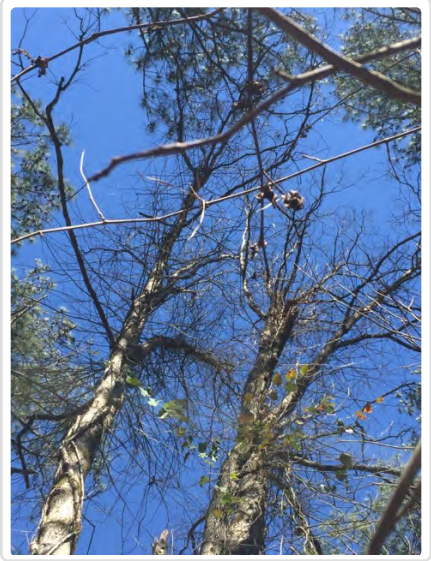
| | | | |
|---|---|---|---|
| Species | 29″ | Oak, red | *Quercus spp.* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | | |

Other notes

# Tree 15

| | | | |
|---|---|---|---|
| Species | 28″ | Oak, post | *Quercus stellata* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | Individual trees; do not share a common pith; seam goes to soil level | |

Other notes



# Tree 16

| | | | |
|---|---|---|---|
| Species | 26″ | Oak, Southern red | *Quercus falcata* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | Some decline, moderate, roots impacted by asphalt pad | |
| Structure | Single | | |

Other notes

# Tree 17

| | | | |
|---|---|---|---|
| Species | 38″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Poor | Some dieback in upper canopy | |
| Structure | Multiple trunks | Central stem is dying; smaller stem contains decay, dead top; all three stems are hollow | |

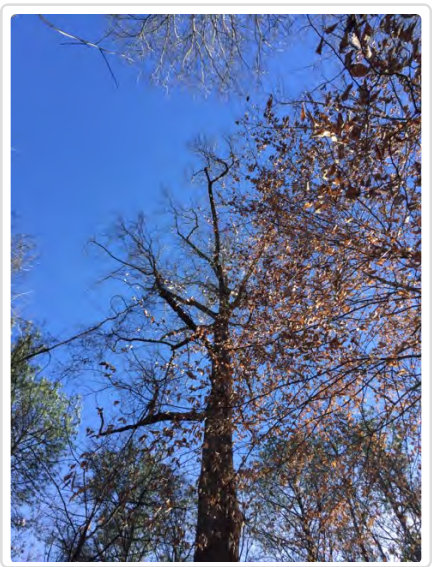
Other notes

# Tree 18

| | | | |
|---|---|---|---|
| Species | 31″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Asymmetric | | |
| Other notes | | | |

# Tree 19

| | | | |
|---|---|---|---|
| Species | 29″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Single | Growing in draw; some erosion at base | |
| Other notes | Does not meet size criteria | | |



# Tree 20

| | | | |
|---|---|---|---|
| Species | 27″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Single | | |
| Other notes | Does not meet size criteria | | |

# Tree 21

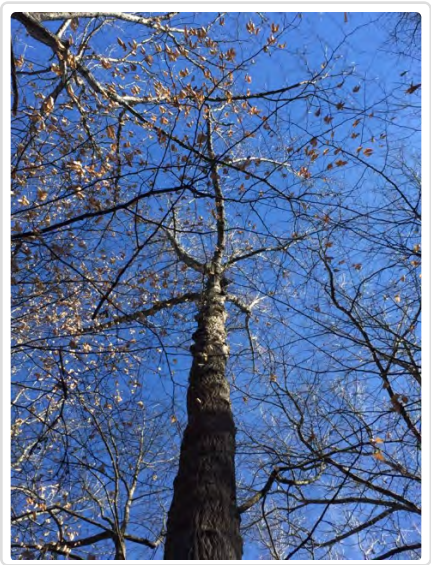
| | | | |
|---|---|---|---|
| Species | 28″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Single | | |
| Other notes | Does not meet size criteria | | |

# Tree 22

| | | | |
|---|---|---|---|
| Species | 12″ | Sourwood | *Oxydendron arborea* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Multiple trunks | Broken limb | |
| Other notes | | | |

# Tree 23

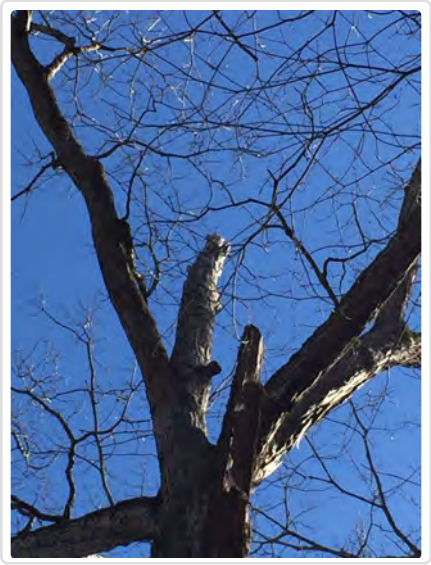
| | | | |
|---|---|---|---|
| Species | 24″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Single | | |
| Other notes | Does not meet size criteria | | |



# Tree 24

| | | | |
|---|---|---|---|
| Species | 35″ | Oak, white | *Quercus alba* |
| Status | **Not Specimen** | | |
| Health/Vigor | Poor | | |
| Structure | Topped | Significant storm damage to canopy top, central leader is broken and missing | |

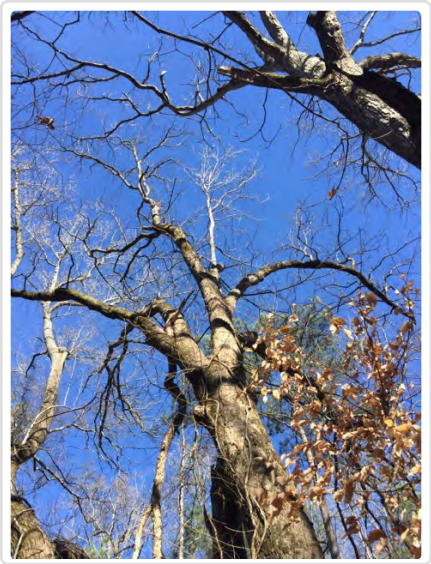
Other notes



# Tree 25

| | | | |
|---|---|---|---|
| Species | 29″ | Oak, post | *Quercus stellata* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Asymmetric | Trunk is significantly hollow; resonant when sounded with a mallet | |

Other notes



# Tree 26

| | | | |
|---|---|---|---|
| Species | 29″ | Tuliptree | *Liriodendron tulipifera* |
| Status | **Not Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Asymmetric | Trunk is moderately hollow; resonant when sounded with a mallet | |
| Other notes | Does not meet size or condition criteria | | |

# Tree 27

| | | | |
|---|---|---|---|
| Species | 11″ | Sourwood | *Oxydendron arborea* |
| Status | **Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Asymmetric | | |
| Other notes | | | |

3/22/18

# Tree 28

| | | | |
|---|---|---|---|
| Species | 26″ | Oak, white | *Quercus alba* |
| Status | **Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Single | | |

Other notes

# Tree 36

| | | | |
|---|---|---|---|
| Species | 14″ | Sourwood | *Oxydendron arborea* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Asymmetric | | |

Other notes

# Tree 230

| | | | |
|---|---|---|---|
| Species | 8″ | Dogwood, flowering | *Cornus florida* |
| Status | **Specimen** | | |
| Health/Vigor | Fair | | |
| Structure | Bifurcated | | |

Other notes

# Tree 231

| | | | |
|---|---|---|---|
| Species | 11″ | Dogwood, flowering | *Cornus florida* |
| Status | **Specimen** | | |
| Health/Vigor | Good | | |
| Structure | Single | | |

Other notes

# Summary

Total specimen trees identified: 12

## Additional Recommendations

The site was also traversed to locate Trees of Character. The site is heavily wooded around the undeveloped portions of the site, and trees smaller than specimen-size tend to be narrow-canopied and and typical of a dense Piedmont forest. A number of landscape and parking lot trees exist around the building envelope and paved areas, and some of them will meet the criteria of "Character Tree." These trees are generally in fair or better condition, and primarily consist of Maple, Crabapple, Crepemyrtle, and dogwood.

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: 3/20/2017

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

MEMBER

3/22/18

SURVEYOR'S CERTIFICATION
STATE OF GEORGIA
COUNTY OF FULTON

TO:

RICHMOND HONAN DEVELOPMENT AND ACQUISITIONS, LLC
a Georgia limited liability company and
FILELITY NATIONAL TITLE INSURANCE COMPANY

This is to certify that this map or plat and the survey on which it was based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1,2,3,4,6(a),6(b),7(a), 7(b)(1),7(c),8,9,10(a),11,13,14,16,17,18,19 and 20 of Table A thereof.

The field work was completed on January 9, 2017.

Date of Plat or Map: January 18, 2017.

By Fred Wilson Long

Fred Wilson Long Ga. RLS #1685
BATES–LONG & ASSOCIATES
11205 Alpharetta Hwy., Suite A–1,
Roswell, Ga. 30076
Ph. 770–442–0282
E–MAIL: bateslong@bellsouth.net

GEORGIA REGISTERED NO. 1685 PROFESSIONAL LAND SURVEYOR FRED WILSON LONG

NOTES:

THERE IS NO VISIBLE EVIDENCE OF EARTH MOVING, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS. (TABLE "A", ITEM 16)

THERE ARE NO CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED BY THE CONTROLLING JURISDICTION. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS. (TABLE "A", ITEM 17)

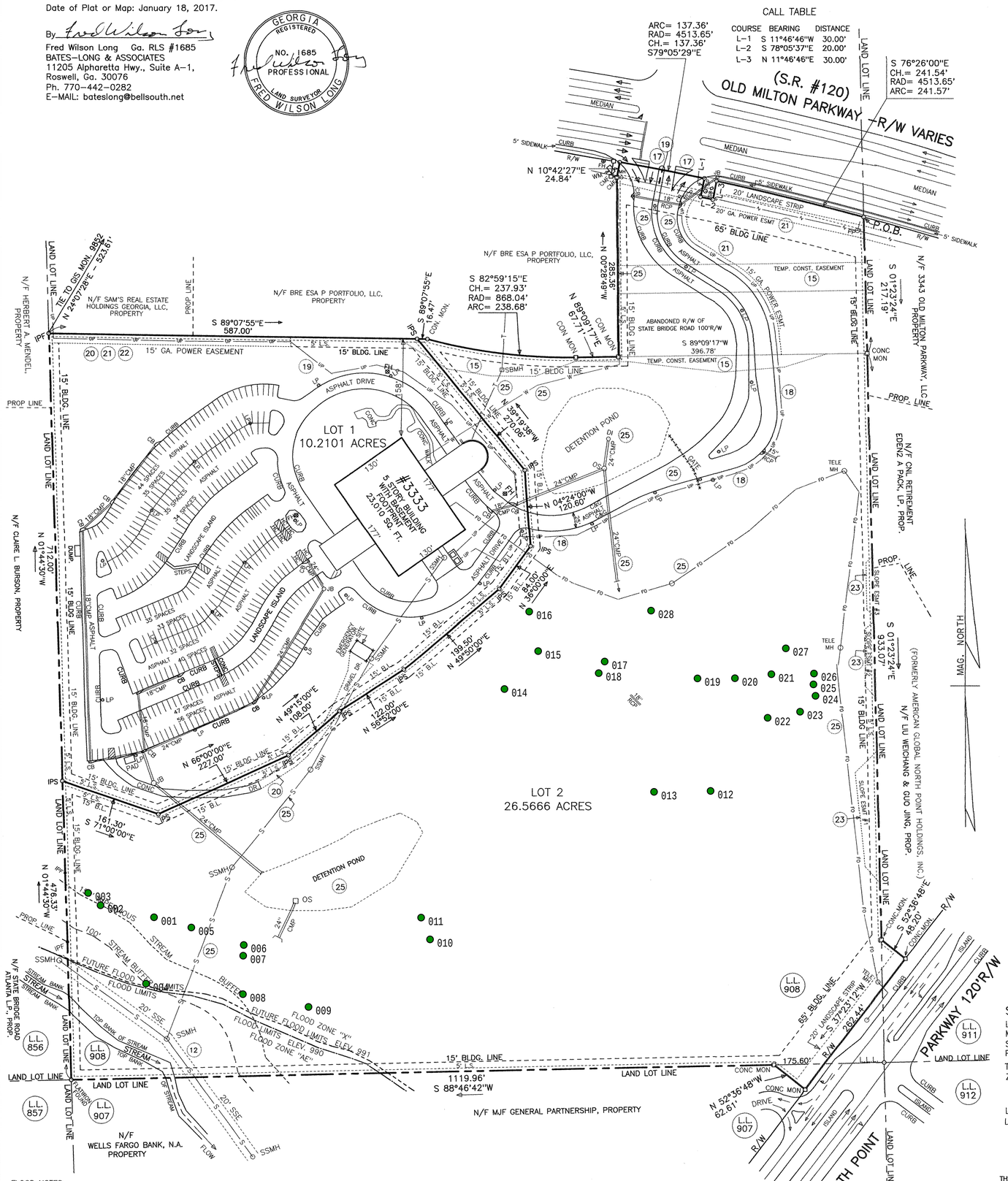
THERE IS NO VISIBLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THERE IS NO "WETLANDS AREA" DELINEATED ON THIS PROPERTY. (TABLE "A", ITEM 18)

THERE ARE NO ENCROACHMENTS.

CALL TABLE

| COURSE | BEARING | DISTANCE |
|---|---|---|
| L–1 | S 11°46'46"W | 30.00' |
| L–2 | S 78°05'37"E | 20.00' |
| L–3 | N 11°46'46"E | 30.00' |




COMMENTS TO TITLE EXCEPTIONS AS NOTED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY ALTA OWNER'S COMMITMENT NUMBER 32413.07
EFFECTIVE DATE: DECEMBER 8, 2016 at 5:00 o'clock p.m.
SCHEDULE B – SECTION 2 – SPECIAL EXCEPTIONS– STARTING AT 11

(11) Right of Way Easement from L.C. Patterson to Sawnee Electric Membership Corporation, dated June 4, 1964, recorded in Deed Book 4256, page 566, Fulton County, Georgia records.
DOES NOT AFFECT THE PROPERTY.

(12) Sewer Easement from Frances Byers to Fulton County, Georgia, dated June 26, 1975, recorded in Deed Book 6314, Page 79, Fulton County, Georgia records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(13) Easements and access rights granted in that certain Declaration of Taking pursuant to that certain Condemnation Action styled Department of Transportation vs 2.388 acres acres of land, et al., Civil Action No. c–39627, dated February 21, 1978, recorded in Deed Book 6923, page 84, aforesaid records.
DOES NOT AFFECT THE PROPERTY.

(14) Easements and access rights granted in that Declaration of Taking pursuant to that certain Condemnation Action styled Department of Transportation vs 0.228 acres, et al,. Civil Action No. C–39628, dated February 21, 1978, recorded in Deed Book 6924, page 439, aforesaid records.
DOES NOT AFFECT THE PROPERTY.

(15) Easements and access rights granted in that certain Declaration of Taking pursuant to that Condemnation Action styled Department of Transportation vs 1.631 acres, et al., Civil Action No. C–39631, dated February 21, 1978, recorded in Deed Book 6926, page 129, aforesaid records; as affected by that certain Order and Judgment dated February 24, 1978, recorded in Deed Book 6926, page 143, aforesaid records; said Order and Judgment re–recorded in Deed Book 9361, page 366, aforesaid records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(16) Permit for Anchors, Guy Poles and Wires from Frances W. Byers to Georgia Power Company, dated November 9, 1977, recorded in Deed Book 7114, page 420, aforesaid records.
DOES NOT AFFECT THE PROPERTY.

(17) Conveyance of Access Rights granted by Siemens–Allis, Inc. to the Department of Transportation, dated June 11, 1985, recorded in Deed Book 9556, page 399, aforesaid records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(18) Unrecorded easement from Siemens–Allis, Inc. to Georgia Power Company dated November 20, 1985 to provide for the installation and maintenance of underground electrical power cables to serve property of Siemens–Allis, Inc.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(19) Indemnity Agreement by and between Siemens Energy & Automation, Inc. and the Georgia Department of Transportation, dated June 20, 1988, recorded in Deed Book 11673, page 125, aforesaid records
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(20) Easement from Siemens Energy & Automation, Inc. to Georgia Power Company, dated May 17, 1994, recorded in Deed Book 18841, page 185, aforesaid records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

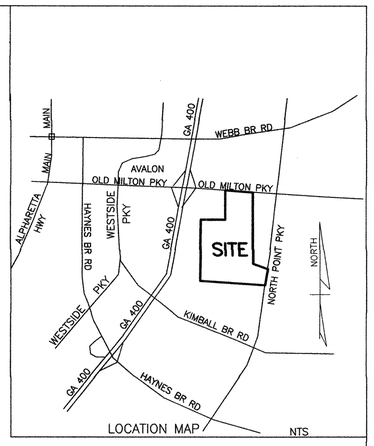
(21) Easement from Siemens Energy & Automation, Inc. to Georgia Power Company, dated August 2, 1994, recorded in Deed Book 20493, Page 317, Fulton County, Georgia records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(22) Easement from Siemens Energy & Automation, Inc. to Georgia Power Company, dated August 2, 1994, recorded in Deed Book 21002, Page 148, Fulton County, Georgia records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(23) Easement Agreement by and between Siemens Energy & Automation, Inc. and American Global North Point Holdings, LLC, date not legible, filed for record May 14, 1999, recorded in Deed Book 26642, page 24, aforesaid records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.

(24) Facts and matters disclosed on Minor Subdivision Plat for Siemens Real Estate, Inc., prepared by Bates–Long & Associates under seal and certification of Fred Wilson Long, GRLS No. 1685, dated December 1, 2015, last revised March 17, 2016, recorded in Plat Book 388, page 98, aforesaid records.
DOES AFFECT THE PROPERTY, BLANKET IN NATURE.

(25) Driveway and Utility Easement Agreement by and between Siemens Corporation and P&L Big Creek, L.P., dated March 31, 2016, recorded in Deed Book 55998, page 113, aforesaid records.
DOES AFFECT THE PROPERTY, AS SHOWN ON SURVEY.




LEGEND:

AC = AIR CONDITIONER
AE = ACCESS EASEMENT
BC = BACK OF CURB
BL = BUILDING LINE
BM = BENCH MARK
BSMH = BELLSOUTH MANHOLE
C = CABLE
CB = CATCH BASIN
CCMP = COATED CORRUGATED METAL PIPE
CH = CHORD
CMF = CONCRETE MONUMENT FOUND
CMP = CORRUGATED METAL PIPE
CT = CRIMP TOP
C/O = CLEAN OUT
C&G = CURB & GUTTER
DE = DRAINAGE EASEMENT
DP = DROP INLET
DIP = DUCTILE IRON PIPE
EB = ELECTRICAL BOX
EC = EDGE OF CONCRETE
EDE = EMERGENCY DRAINAGE EASEMENT
EEC = ENERGY EFFICIENT CAR
EP = EDGE OF PAVEMENT
FH = FIRE HYDRANT
FO = FIBER OPTIC
GM = GAS METER
HC = HANDICAP
HDPE = HIGH DENSITY POLYETHYLENE
HW = HEADWALL
IE = INVERT ELEVATION
IPF = IRON PIN FOUND (RE–BAR)
IPS = IRON PIN SET (RE–BAR)
JB = JUNCTION BOX
LL = LAND LOT
LLL = LAND LOT LINE
LP = LIGHT POLE
MSL = MEAN SEA LEVEL
N/F = NOW OR FORMERLY
OS = OUTLET STRUCTURE
OT = OPEN TOP
PL = PROPERTY LINE
PP = POWER POLE
RAD = RADIUS
RCP = REINFORCED CONCRETE PIPE
R/W = RIGHT–OF–WAY
SSE = SANITARY SEWER EASEMENT
SSMH = SANITARY SEWER MANHOLE
SW = SIDEWALK
TB = TELEPHONE BOX
TBM = TEMPORARY BENCHMARK
TSB = TRAFFIC SIGNAL BOX
TSP = TRAFFIC SIGNAL POLE
VPO = VAN POOL ONLY
WM = WATER METER
WV = WATER VALVE
–G– = GAS LINE
–R– = REUSE RAINWATER
–S– = SANITARY SEWER LINE
–T– = TELEPHONE LINE
–W– = WATER LINE
–X– = FENCE LINE
–⚡– = POWER LINE
–UP– = UNDERGROUND POWER
–UT– = UNDERGROUND TELEPHONE

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 907, 908, and 911 of the 1st District 2nd Section, Fulton County, Georgia, City of Alpharetta and being more particularly described as Lots 1 and 2 on "Minor Subdivision Plat for Siemens Real Estate, Inc.", prepared by Bates–Long & Associates under seal and certification of Fred Wilson Long, Georgia Registered Land Surveyor No. 1685, dated December 1, 2015 and revised March 17, 2016 and recorded in Plat Book 388, Pages 98 and 99 of the real estate records of Fulton County, Georgia.

Said tract containing 36.7767 acres of land and as shown on ALTA/NSPS LAND TITLE SURVEY for RICHMOND HONAN DEVELOPMENT AND ACQUISITIONS, LLC, a Georgia limited liability company and FIDELITY NATIONAL TITLE INSURANCE COMPANY dated MAY 23, 2016 and revised JANUARY 18, 2017 by Bates–Long & Associates under seal and certification of Fred Wilson Long Georgia RLS No 1685.

TOGETHER WITH those easements benefitting the subject property created in Driveway and Utility Easement Agreement by and between Siemens Corporation, a Delaware corporation, and P&L Big Creek, LP, a Georgia limited partnership, dated March 31, 2016 and recorded April 1, 2016 in Deed Book 55998, Page 113, Fulton County, Georgia records.

PLAT CERTIFICATION:
THIS IS TO CERTIFY THAT THIS PLAT IS A RETRACEMENT OF AN EXISTING TRACT AND DOES NOT NEED APPROVAL OF ANY GOVERNING AUTHORITY.

Fred Wilson Long
FRED WILSON LONG,RLS#1685

THE SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180–7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15–6–67.

FLOOD NOTES:
FLOOD LIMITS PER F.E.M.A. FLOOD MAP 13121C0059F DATED 09/18/2013 AND CITY OF ALPHARETTA .
FUTURE FLOOD LIMITS PER CITY OF ALPHARETTA .

THE 100' STREAM BUFFER IS MEASURED FROM TOP OF STREAM BANK.

THE 150' IMPERVIOUS STREAM BUFFER IS MEASURED FROM TOP OF STREAM BANK.

* * * * PLEASE NOTE * * * *

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION HAS BEEN SHOWN BASED ON THE LOCATION OF ABOVE GROUND APPURTENANCES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UNDERGROUND PROTECTION SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON PER GEORGIA LAW. THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

SITE DATA
LOTS 1 & 2
MINOR SUBDIVISION PLAT FOR
SIEMENS REAL ESTATE, INC.
PLAT BOOK 388, PAGES 98 AND 99
TOTAL AREA= 36.7767 ACRES(1,601,993 SQ. FT.)
ZONING= O–1 (OFFICE–INSTITUTION) and SIEMENS REAL ESTATE REAL ESTATE, INC. MP–01–04 MASTER PLAN CONDITIONS.
LOT 1 AREA= 10.2101 ACRES
LOT 2 AREA= 26.5666 ACRES

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 251300 FEET. THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 24520 FEET AND AN ANGULAR ERROR OF 1.0 sec PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE. A TOPCON GPT–2003 WAS USED IN THE PREPARATION OF THIS PLAT.
ALL DISTANCES ARE "GROUND" DISTANCES.

ALTA/ACSM LAND TITLE SURVEY FOR
RICHMOND HONAN DEVELOPMENT AND ACQUISITIONS, LLC,
a Georgia limited liability company and
FIDELITY NATIONAL TITLE INSURANCE COMPANY
LAND LOTS 907, 908 and 911
1st DISTRICT, 2nd SECTION
FULTON COUNTY, GEORGIA
CITY OF ALPHARETTA
SCALE: 1'= 100' DATE: MAY 23, 2016

100 0 100 200 300
GRAPHIC SCALE – FEET

PREPARED BY:
BATES–LONG & ASSOCIATES
11205 ALPHARETTA HWY., SUITE A–1
ROSWELL, GEORGIA 30076
TELEPHONE: 770–442–0282
FAX: 770–663–7764
EMAIL: bateslong@bellsouth.net

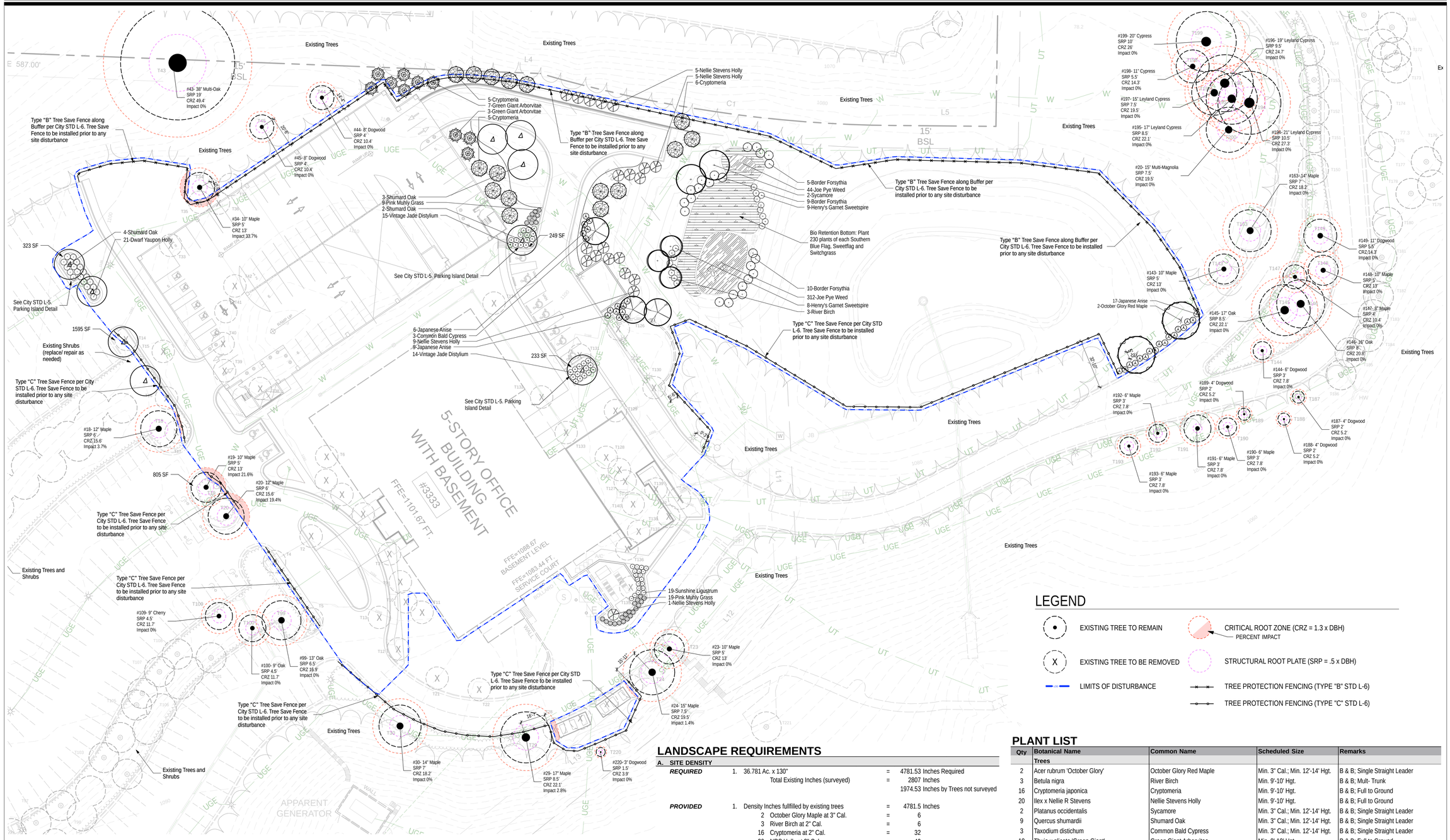
REVISIONS:
JANUARY 18, 2017

FILE: SIEMENS–LAYER 22

1607

Recieved 3.22.18

# Tree Replacement Plan


Existing Trees
Type "B" Tree Save Fence along Buffer per City STD L-6. Tree Save Fence to be installed prior to any site disturbance
#43- 38" Multi-Oak SRP 19' CRZ 49.4' Impact 0%
#44- 8" Dogwood SRP 4' CRZ 10.4' Impact 0%
#45- 8" Dogwood SRP 4' CRZ 10.4' Impact 0%
#34- 10" Maple SRP 5' CRZ 13' Impact 33.7%
4-Shumard Oak
21-Dwarf Yaupon Holly
323 SF
See City STD L-5. Parking Island Detail
1595 SF
Existing Shrubs (replace/ repair as needed)
Type "C" Tree Save Fence per City STD L-6. Tree Save Fence to be installed prior to any site disturbance
#18- 12" Maple SRP 6' CRZ 15.6' Impact 3.7%
#19- 10" Maple SRP 5' CRZ 13' Impact 21.6%
#20- 12" Maple SRP 6' CRZ 15.6' Impact 19.4%
805 SF
Existing Trees and Shrubs
#109- 9" Cherry SRP 4.5' CRZ 11.7' Impact 0%
#100- 9" Oak SRP 4.5' CRZ 11.7' Impact 0%
#99- 13" Oak SRP 6.5' CRZ 16.9' Impact 0%
5-Cryptomeria
7-Green Giant Arborvitae
3-Green Giant Arborvitae
5-Cryptomeria
3-Shumard Oak
9-Pink Muhly Grass
2-Shumard Oak
15-Vintage Jade Distylium
249 SF
6-Japanese Anise
3-Common Bald Cypress
9-Nellie Stevens Holly
9-Japanese Anise
14-Vintage Jade Distylium
233 SF
See City STD L-5. Parking Island Detail
5-Nellie Stevens Holly
5-Nellie Stevens Holly
6-Cryptomeria
5-Border Forsythia
44-Joe Pye Weed
2-Sycamore
9-Border Forsythia
9-Henry's Garnet Sweetspire
Bio Retention Bottom: Plant 230 plants of each Southern Blue Flag, Sweetflag and Switchgrass
10-Border Forsythia
312-Joe Pye Weed
8-Henry's Garnet Sweetspire
3-River Birch
Type "C" Tree Save Fence per City STD L-6. Tree Save Fence to be installed prior to any site disturbance
5'-10"
5'-10"
5'-10"

# 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


March 29, 2018

Ms. Sharon Holcomb
Director of Operations
Richmond Honan Development and Acquisitions, LLC
3330 Preston Ridge Road, Suite 380
Alpharetta, Georgia 30005

**VIA ELECTRONC MAIL:** SHARON@RICHMONDHONAN.COM

RE: Siemens Master Plan MP-18-02

Dear Ms. Holcomb:

I represent North Point Professional Park Owners Association, INC. (NPPPOA) which is the abutting property owner on the southwest boundary of the Siemens tract. The Association is happy to hear that this dormant tract is going to be redeveloped. A medical office campus development with associated office and retail uses is a reasonable use of the property, given that the overall approved density will not increase.

You have been kind enough to furnish me with a preliminary site plan. My client is in the process of hiring a professional land planner to assist in evaluating the impact of the proposed development on our professional park. I will give you some preliminary comments in this correspondence. We will provide a more in depth response once we have the benefit of our land planner's review.

Initially, we have the following concerns:

A) The future shared access road you show on the site plan runs right through the middle of an existing office building in our park. This roadway should be removed. My client has no interest in shared access.
B) The site plan shows an exit from your development exceedingly close to my client's entrance/exit. This location could seriously impede traffic entering and exiting our office park. It is my client's request that this driveway be located farther north along North Point Parkway for public safety and traffic flow reasons.

C) Our buildings along our northeast (common) boundary are encountering some excessive surface water runoff from your site. Water is collecting behind some of those buildings. I am sure this situation can be remedied by the new storm water management plan you will design for your project.

These are just initial comments to establish a basis for further conversations. When we have discussed your plan more fully with our land planner, we will be back in touch.

Thanks in advance for your consideration.

Sincerely,

Donald A. Rolader
Attorney for NPPPOA

cc: Dr. Jeff Jordan

# 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: MP 18-02 / Siemens Master Plan

Contact Name: Sharonn Holcomb Telephone: 404-845-2812

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.

3/8/18 - Phone request for copy of Master Plan by Patrick Plettner of SRS Realty

P3-6-18 - Phone request for copy of Master Plan by Don Rolader on behalf of North Point Office Park

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
- [ ] 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: Sharon Holcomb Date: 3/22/18

Print Form

2.6.18 LifeHope/Siemans Master Plan MP-18-02

# 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: Sharon Holcomb Telephone: 404-845-2612

Address: 3330 Preston Ridge Road Suite: 380

City Alpharetta State: GA Zip: 30005 Fax: 404-255-2114

Mobile Tel: 404-304-9923 Email: sharonh@richmondhonan.com

### Subject Property Information:

Address: 3333 Old Milton Parkway Current Zoning: O-I

District: 1 Section: 2 Land Lot: 907,908,911 Parcel ID: 12311009080348

Proposed Zoning: O-I Current Use: commercial office building

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

☐ Conditional Use

☐ Rezoning

☐ Variance

☐ Comprehensive Plan Amendment

☐ Master Plan Amendment

☒ Master Plan Review

☐ Public Hearing

☒ Other (Specify): Site Plan Update per previous Zoning Condition

# Applicant Request And Intent

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

The property is currently zoned O-I with an approved Master Plan. The proposed use will be a Medical/Office campus.

**Applicant's Request (Please itemize the proposal):**

The zoning approval granted in 2001 required that the Master Plan be resubmitted to Planning Commission and City Council for review if construction had not commenced within 3 years of the expiration of a then-active sewer moratorium in place within the Big Creek sewer basin. The time limit has expired and the Owner would like to amend the configuration of the Master Plan elements.

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

The Owner's intent is to develop a Medical/Office campus in phases. The initial work will include conversion of the existing Siemens building from a specialty-use office building into a medical office building, including a small expansion. The second and third phases will be to construct a parking deck and a second building with associated structured parking, respectively.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: Scott Honan Telephone: 404-255-6358

Address: 3330 Preston Ridge Rid Suite: 380

City Alpharetta State: GA Zip: 30005 -

## 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: 3333 Alpharetta Lifehope 10 Acre Land, LLC Telephone: 404-255-6358

Address: 3330 Preston Ridge Rd Suite: 380

City Alpharetta State: GA Zip: 30005 -

So Sworn and Attested:

Owner Signature: Date: 01.31.2018

Notary:

Notary Signature: Date: 01.31.208

SHARON HOLCOMB STANSBERRY NOTARY My Comm. Expires 3/30/2020 PUBLIC FULTON COUNTY, GEORGIA

# DISCLOSURE FORM

LifeHope/Siemans Master Plan

*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: 3333 Alpharetta Lifehope 10 Acre Land, LLC

Subject Public Hearing Case: _____

## 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: N/A Position: _____

Description of Contribution: _____ Value: _____

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: Shawn Hokeah Date: 2.2.2018

Deed Book 56289 Pg 406

## EXHIBIT A

Legal Description

All that tract or parcel of land lying and being in Land Lots 907, 908 and 911 of the 1st District, 2nd Section, Fulton County, Georgia, City of Alpharetta and being more particularly described as Lot 1 on Minor Subdivision Plat for Siemens Real Estate, Inc., prepared by Bates-Long and Associates under seal and certification of Fred Wilson Long, Georgia Registered Professional Land Surveyor No. 1685, dated December 1, 2015, last revised March 17, 2016, and recorded in Plat Book 388, Page 98 of the real estate records of Fulton County, Georgia.

Said tract containing 10.2101 acres of land.

TOGETHER WITH those easements benefitting the subject property created in Driveway and Utility Easement Agreement by and between Siemens Corporation, a Delaware corporation, and P&L Big Creek, LP, a Georgia limited partnership, dated March 31, 2016 and recorded April 1, 2016 in Deed Book 55998, Page 113, Fulton County, Georgia records.

Richmond Honan
Development and Acquisitions LLC

# LETTER OF INTENT

The applicant requests a Mater Site Review for Land Lots: 907, 908 and 911 to update the Master Site Plan within the currently zoned O-I, Office-Institutional. The 37-acre property is located at 3333 Old Milton Parkway, Alpharetta, GA. It is bordered on the North by various existing commercial business including hotels, restaurants and office buildings.

Lifehope Campus will be a vibrant medical office community in Alpharetta promoting an all-inclusive medical campus. The development will include conversion of the existing Siemens building from a specialty-use office building into a medical office building, including a small expansion. The second and third phases will be to construct a parking deck and second building with associated structured parking, respectively.

Scott Honan

3330 Preston Ridge Road, Suite 380 Alpharetta, GA 30005 404.845.2611
www.richmondhonan.com

# Alpharetta Planning Commission Review Criteria

How will this proposal be compatible with surrounding properties?

Existing development surrounding this project consists of corporate office and medical office campuses. This development will complement and enhance the surrounding properties.

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

The demand exists in the Alpharetta market for additional medical treatment and office facilities. With population growth and three hospitals (North Fulton, Johns Creek and South Forsyth) surrounding and serving the area, the need for such facilities has increased.

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

Yes. The reason for this request is three fold:

1. A previous zoning condition requires the Owner to submit a Site Plan for review after three years of inactivity.
2. The previous site plan did not consider the topography.
3. The market conditions have changed and this plan responds to the demand for medical office and treatment facilities.

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

No increase in population would occur. Traffic generation is similar to corporate office allowed in O-I.

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

No impact to schools would be experienced. Utility capacities for water, power and gas exist within the surrounding systems.

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

The proposal is consistent, as a use change is not being requested.

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

Yes. See responses above.

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.

Deed Book 56289 Pg 406

EXHIBIT A

Legal Description

All that tract or parcel of land lying and being in Land Lots 907, 908 and 911 of the 1st District, 2nd Section, Fulton County, Georgia, City of Alpharetta and being more particularly described as Lot 1 on Minor Subdivision Plat for Siemens Real Estate, Inc., prepared by Bates-Long and Associates under seal and certification of Fred Wilson Long, Georgia Registered Professional Land Surveyor No. 1685, dated December 1, 2015, last revised March 17, 2016, and recorded in Plat Book 388, Page 98 of the real estate records of Fulton County, Georgia.

Said tract containing 10.2101 acres of land.

TOGETHER WITH those easements benefitting the subject property created in Driveway and Utility Easement Agreement by and between Siemens Corporation, a Delaware corporation, and P&L Big Creek, LP, a Georgia limited partnership, dared March 31, 2016 and recorded April 1, 2016 in Deed Book 55998, Page 113, Fulton County, Georgia records.

# LETTER OF INTENT

The applicant requests a Mater Site Review for Land Lots: 907, 908 and 911 to update the Master Site Plan within the currently zoned O-I, Office-Institutional. The 37-acre property is located at 3333 Old Milton Parkway, Alpharetta, GA. It is bordered on the North by various existing commercial business including hotels, restaurants and office buildings.

Lifehope Campus will be a vibrant medical office community in Alpharetta promoting an all-inclusive medical campus. The development will include conversion of the existing Siemens building from a specialty-use office building into a medical office building, including a small expansion. The second and third phases will be to construct a parking deck and second building with associated structured parking, respectively.

Scott Honan

**Lifehope Alpharetta Campus: Trip Generation Analysis**

The Lifehope Alpharetta Campus is a proposed phased office development in the City of Alpharetta. Table 1 below shows the trip generation for the different phases of a proposed phased office development based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition,* land use code 710 (General Office Building), for the weekday, weekday AM peak hour, and weekday PM peak hour periods.

**Table 1: General Office Building Trip Generation**

| Phase | Building(s) | Size (s.f.) | Weekday Trips | AM Peak Trips | PM Peak Trips |
|---|---|---|---|---|---|
| Existing | A | 117,000 | 1479 | 217 | 209 |
| Phase 1[1] | - | - | - | - | - |
| Phase 2 | E | 95,000 | 1263 | 184 | 185 |
| Phase 3 | B&C | 160,000 | 1877 | 279 | 258 |
| Phase 4 | D&F | 125,000 | 1555 | 229 | 218 |
| Total | | 497,000 | 4441 | 690 | 635 |
| Total (minus existing) | | 380,000 | 3621 | 557 | 504 |

[1] Information provided by the Client indicates that Phase 1 consists only of a parking deck, and therefore has no associated trip generation.

# CITIZEN PARTICIPATION FORM - PART A (PAGE 1 of 5)

*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: MP-18-02 / Siemens Master Plan

Contact Name: Sharon Holcomb Telephone: 404-845-2812

***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.***

| | |
|---|---|
| BRE ESA P Portfolio LLC | P.O. Box 40550, Charlotte NC 28277-9550 |
| Sams Real Estate Holdings Georgia LLC | 7935 Council PL, Suite 200, Matthews NC 28105 |
| Waffle House Inc | P. O. Box 6450, Norcrosss, GA 30091-6450 |
| Atlanta Senior Care Services 2 LLC | 8380 Bay Pines Blvd, Floor 3, St. Petersburg FL 33709 |
| MAC Royal Ridge LLC | 100 Crescent Ct., Suite 200, Dallas TX, 75201 |
| Royal Centre LLC | 51 Madison Avenue, 9th Floor, New York, NY 10010 |
| MJF General Partnership | 4205 North Pointe Parkway, Bld B, Alpharetta GA 30005 |

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.

Either By Letter, email or telephone all of which will be in the original letter of notification.

# CITIZEN PARTICIPATION FORM - PART A (PAGE 2 of 5)

*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: MP-18-02 / Siemens Master Plan

Contact Name: Sharon Holcomb Telephone: 404-845-2812

***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.***

| | |
|---|---|
| MAC MASTER GEORGE B | 4205 North Point Parkway, Building C, Alpharetta GA 30022 |
| Jordaan, Jeffrey W | 4205 North Point Parkway, Building B, Alpharetta GA 30022 |
| MV Kirkland Properties LLC | 4205 North Point Parkway, Building A. Alpharetta GA 30022 |
| Coggins, Randall A | 4205 North Point Parkway, Building B, Alpharetta GA 30022 |
| ACFDGA Property LLC | 4205 North Point Parkway, Building D, Alpharetta GA 30022 |
| DRCS Enterprises Limited | 4205 North Point Parkway, Building E, Alpharetta GA 30022 |
| Christian A. and Allison Loetscher | 4205 North Point Parkway, Building F, Alpharetta GA 30022 |

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.

Either By Letter, email or telephone all of which will be in the original letter of notification.

# CITIZEN PARTICIPATION FORM - PART A (PAGE 3 of 5)

*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: MP-18-02 / Siemens Master Plan

Contact Name: Sharon Holcomb Telephone: 404-845-2812

***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.***

| | |
|---|---|
| Claire Lee Burson | P.O. Box 1905, Clayton GA 30525-1905 |
| Home Mission Board of the South | 4200 North Point Parkway, Alpharetta GA 30022-4176 |
| Greenstone Preston Ridge LP | 3301 Windy Ridge Pkwy #320, Atlanta GA 30339 |
| Drew & Co | 3610 Chamblee Tucker Rd, Embry Hills Professional Ctr, Atlant |
| Liu Weichang & Guo Jing | 733 Vinebrook Lane, Suwanee, GA 30024 |
| CNL Retirement Eden2 A Pack LP | P.O Box 847, Carlsbad CA 92018 |
| Federal Investment Property | 2575 Peachtree Road #24E, Atlanta GA 30305 |

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.

Either By Letter, email or telephone all of which will be in the original letter of notification.

# CITIZEN PARTICIPATION FORM - PART A (PAGE 4 of 5)

*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: MP-18-02 / Siemens Master Plan

Contact Name: Sharon Holcomb Telephone: 404-845-2812

***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.***

| | |
|---|---|
| McDonalds USA LLC | 9355 Chandler Bluff, Alpharetta GA 30022-6219 |
| Schlotzsky's Stores LLC | 3520 Piedmont RD, NE Suite 410, Atlanta GA 30305-1512 |
| FC Enterprises, Inc | 2199 Glenmore Lane, Snellville GA 30078 |
| Northside Venture Inc | P.O. Box 92129, Southlake TX 76092 |
| Health Care REIT Inc | P.O. Box 92129, Southlake TX 76092 |
| Hospital Authority of Fulton County | 960 Johnson Ferry RD, NE Suite 335, Atlanta GA 30342 |
| Hospital Authority of Fulton County | P./O. Box 92129, Southlake TX 76092 |

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.

Either By Letter, email or telephone all of which will be in the original letter of notification.

# CITIZEN PARTICIPATION FORM - PART A (PAGE 5 of 5)

*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: MP-18-02 / Siemens Master Plan

Contact Name: Sharon Holcomb

Telephone: 404-845-2812

***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.***

| | |
|---|---|
| Preston Ridge Association Inc | 3330 Cumberland Blvd SE, Ste 475, Atlanta GA 30339-5997 |
| | |
| | |
| | |
| | |
| | |
| | |

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.

Either By Letter, email or telephone all of which will be in the original letter of notification.

# CITY COUNCIL MEETING
# STAFF REPORT

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

---

I. **AGENDA ITEM TITLE:** CU-18-01 V8P BAR/WINDWARD PROMENADE

CITY COUNCIL: APRIL 30, 2018

This item was heard at the April 12, 2018 Planning Commission meeting. Staff recommended approval of the item subject to 6 conditions. No one spoke in favor of or in opposition to the request. After discussion, the Planning Commission recommended to approve the item subject to staff's recommended conditions. Vote (7-0)

II. **RECOMMENDATION:**

Approve CU-18-01 V8P Bar/Windward Promenade, subject to the following conditions:

1. 'Smoke Shop and Tobacco Store' shall be added as a conditional use at 875 North Main Street, Suite 356 and limited to no more than 1,600 square feet.
2. Conditional use approval shall be limited to V8P Bar; no additional 'Smoke Shop and Tobacco Store' businesses or subleasing shall be permitted within the approved space.
3. Hours of operation shall be limited to Monday – Saturday 10:00 AM – 10:00 PM and Sunday 12:00 PM – 6:00 PM.
4. The business shall not sell any tobacco products or drug-related paraphernalia. E-liquid shall be restricted to nicotine products only.
5. Storefront glass shall be clear.
6. Window signage shall not exceed 10% of the total window area. No lighting window trim.

III. **REPORT IN BRIEF:**

The applicant, V8P Bar, is requesting a conditional use permit to allow a retail store that sells vape (tobacco alternative/e-cigarette) products in a 1,600 square foot suite within an existing shopping center. The proposed use is classified as 'Smoke Shop and Tobacco Store', which requires approval of a conditional use at the proposed location. The property is located at 875 North Main Street, Suite 356 in the Windward Promenade retail center.

## DISCUSSION

The submitted request, if approved, will allow the applicant to operate a retail vape store in a 1,600 square foot suite within an existing retail center. The proposed use is classified as 'Smoke Shop and Tobacco Store'. The applicant's business includes retail sales of vapor devices, e-liquid and heating elements for vapor devices. According to the applicant, vaping is a healthier alternative to tobacco/cigarettes. The subject property is located at 875 North Main Street, Suite 356 in the Windward Promenade retail center.

The property is zoned C-1 (Neighborhood Commercial), which allows 'Smoke Shop and Tobacco Store' with approval of a conditional use permit. Surrounding properties are zoned C-1 to the north, east and west and O-I (Office-Institutional) subject to the Oxford Green Master Plan to the south. Lowes, Burger King IHOP and Rite Aid are located to the north, commercial buildings in the Windward Promenade retail center are located to the west, BP Gas Station is located to the east and Costco and Windward Pointe subdivision

are located to the south. The nearest townhome unit in the Windward Pointe subdivision is approximately 470', as measured in a straight line, from the applicant's requested location.

The Windward Promenade retail center consists of three (3) commercial buildings totaling 48,185 square feet and occupied by a mix of retail, restaurant and office uses. The applicant's business is proposed to be located within a 1,600 square foot suite on the 2nd floor of the building nearest Windward Parkway. Other businesses within this building, include Taco Mac, Cold Stone Creamery, Jimmy John's, Healthy Massage and Quick Weight Loss Center, to name a few.

Unified Development Code (UDC) Section 1.4.2 defines 'Smoke Shop and Tobacco Store' as follows:

> "Any premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or tobacco instruments; provided, however, that any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes or tobacco as an ancillary sale shall not be defined as a "smoke shop and tobacco store".

There are no 'Smoke Shop and Tobacco Store' uses located in the Windward Promenade retail center. However, there are similar businesses in the area, including Cutter's Cigar & Spirits located at 4915 Windward Parkway and Big Bang Vape Co. located at 800 North Main Street.

V8P Bar has been in business since 2013, with locations in Buford, Cumming, Duluth and Norcross. The applicant's business is primarily retail sales of vape devices, e-liquid and other vape-related accessories. According to the applicant, V8P Bar will not sell tobacco, pipes, hookah, rolling papers or other products typically associated with head shops or tobacco shops. Hours of operation are Monday – Saturday 10:00 AM – 10:00 PM and Sunday 12:00 PM – 6:00 PM.

## 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: Windward Promenade was developed in compliance with site access development standards for retail shopping centers. The proposed use should not have significant impacts on vehicular and pedestrian access.*

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

*Response: Windward Promenade shopping center is in compliance with regard to refuse areas, loading and service areas, off-street parking, and buffers and screening.*

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 use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated within retail shopping centers.*

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 use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated within retail shopping centers.*

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 use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated within retail shopping centers.*

## CONCURRENCES

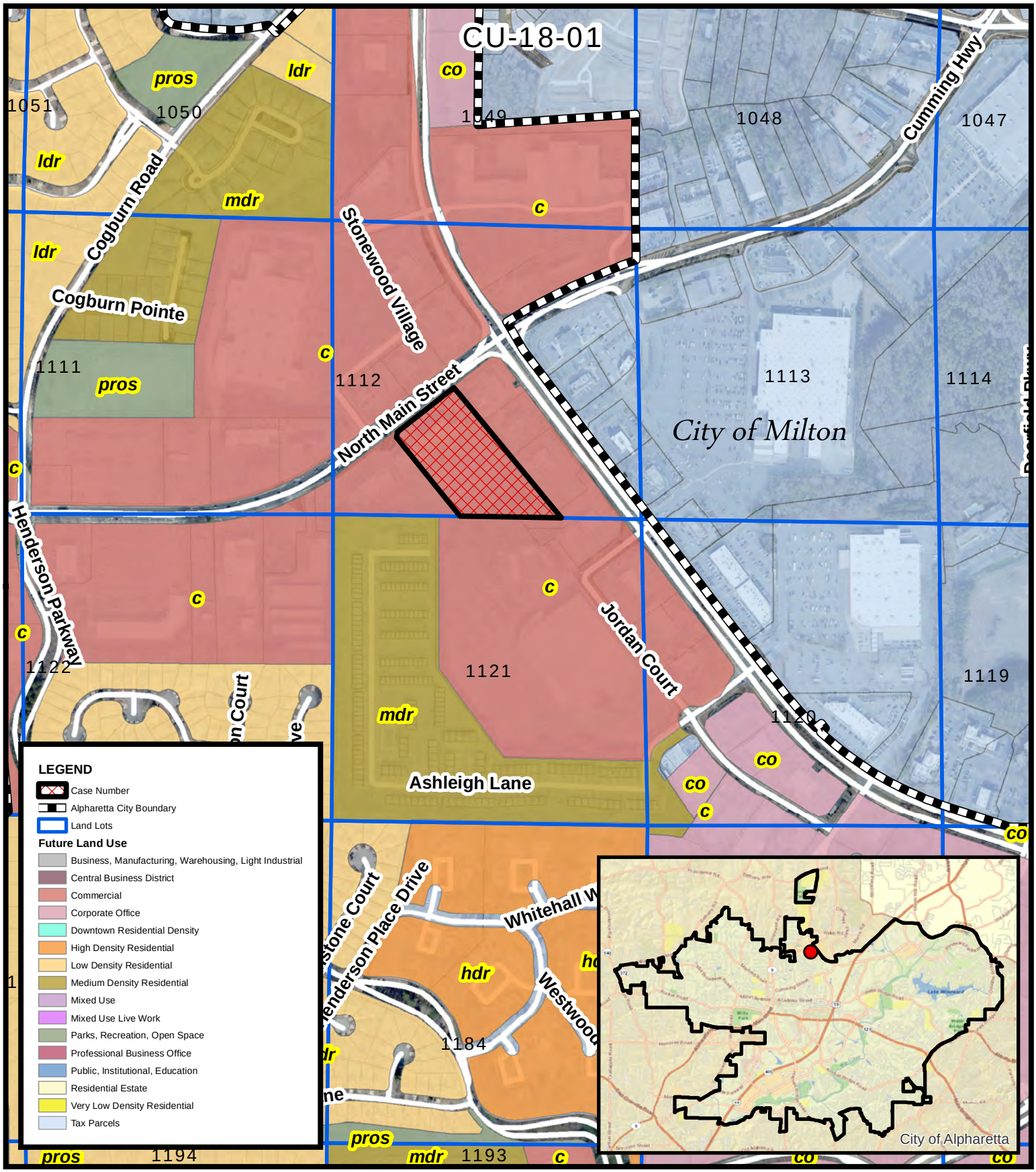
City Staff has reviewed the applicant's proposal and finds that it can generally support the request for conditional use. The request is not in conflict with the established standards. The proposed use would be compatible with the surrounding retail uses and other locations for this business, which are similarly situated within retail shopping centers. However, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the business.

## 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:

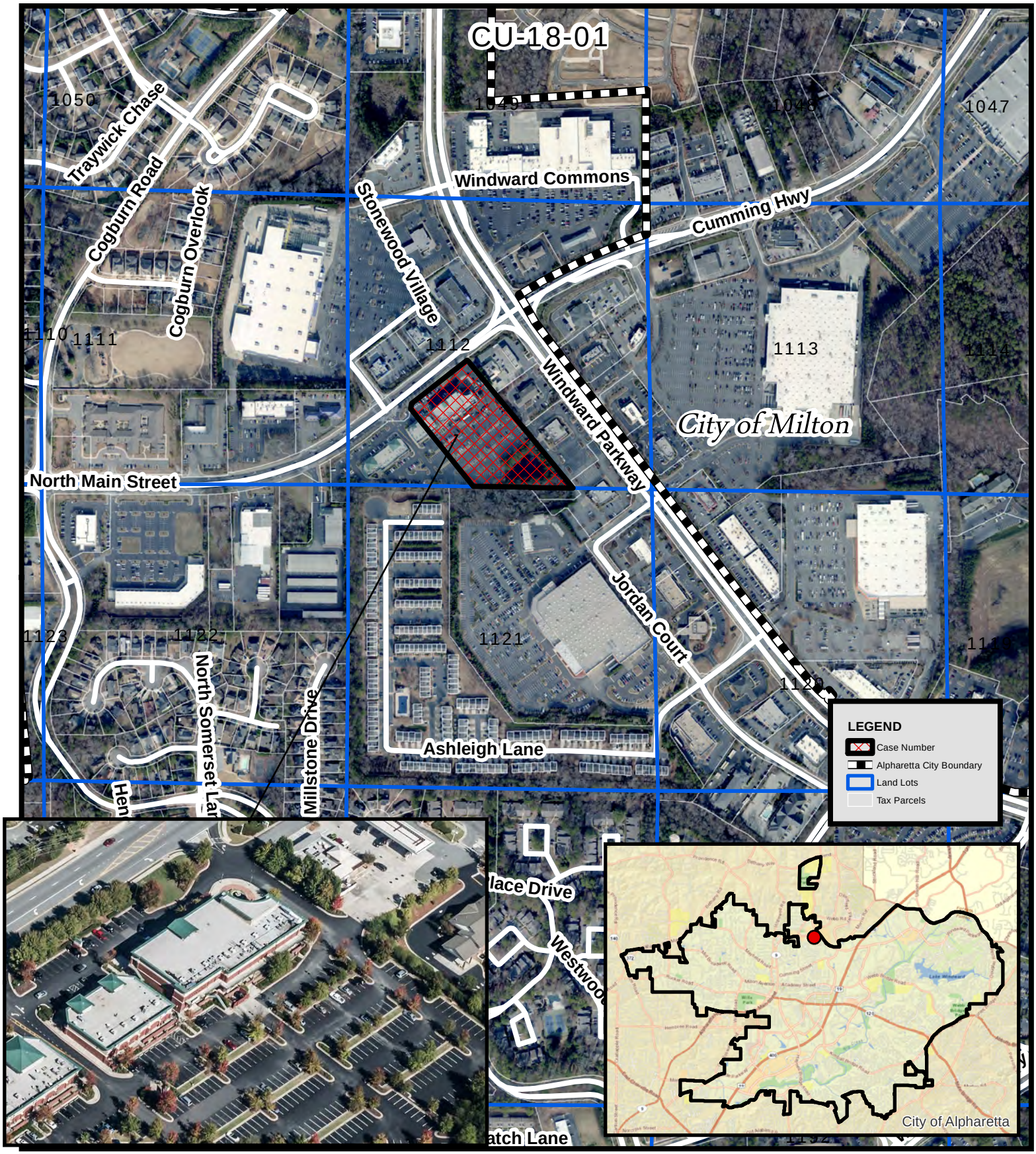
- Site Plan




Future Land Use
Windward Promenade
875 North Main St

CU-18-01
D/LL: 2/2/1112
PC: 4/12/18
CC: 4/30/18

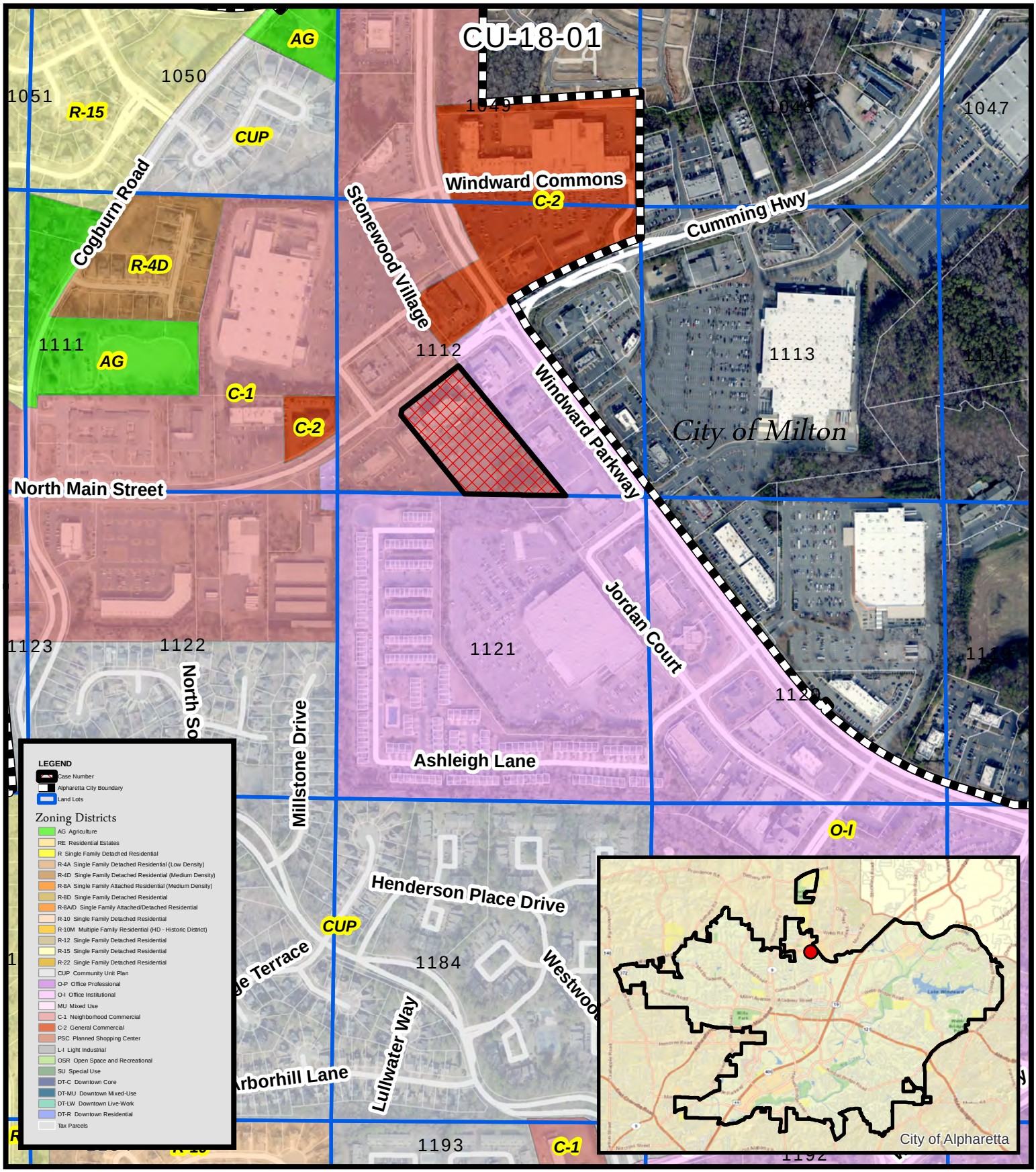
Location Map Provided by:
Community Development - GIS




Aerial Map
Windward Promenade
875 North Main St

CU-18-01
D/LL: 2/2/1112
PC: 4/12/18
CC: 4/30/18

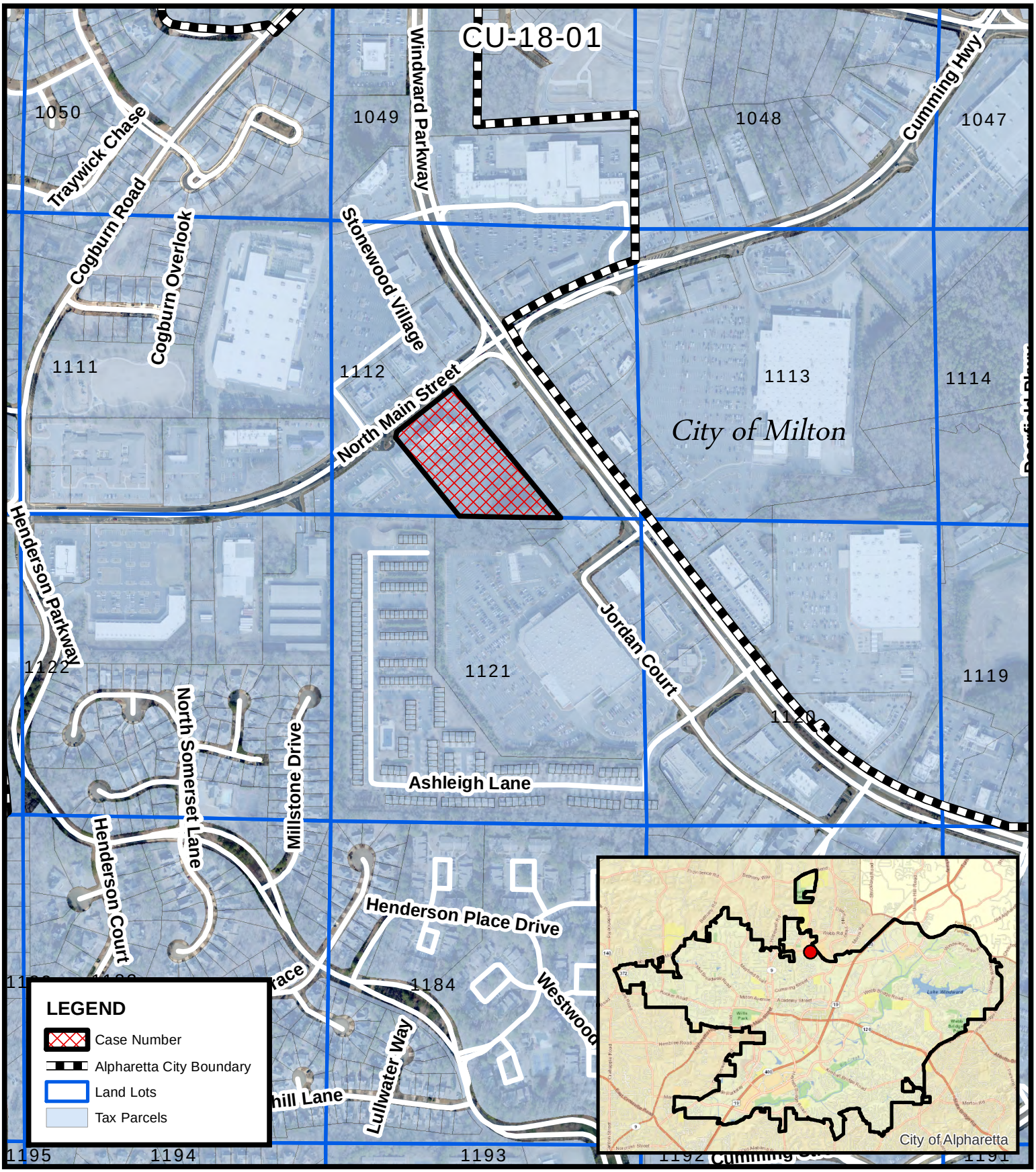
Location Map Provided by:
Community Development - GIS




CU-18-01
D/LL: 2/2/1112
PC: 4/12/18
CC: 4/30/18

# Zoning Map
# Windward Promenade
# 875 North Main St

Location Map Provided by:
Community Development - GIS




Location Map
Windward Promenade
875 North Main St

CU-18-01
D/LL: 2/2/1112
PC: 4/12/18
CC: 4/30/18

Location Map Provided by:
Community Development - GIS

CU-18-01
Vape Bar Windward Promenade

2.1.18

# 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: Sheel Patel Telephone: (678) 994-9663

Address: 326 Andridge CT Suite:

City Suwanee State: Ga Zip: 30024 Fax:

Mobile Tel: (678) 994-9663 Email: vapebaralpharetta@gmail.com

## Subject Property Information:

Address: 875 North Main Street Suite 356 Current Zoning: C-1

District: 2 Section: 2 Land Lot: 1112 Parcel ID:

Proposed Zoning: Current Use: Retail Shopping Center

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

☒ Conditional Use

☐ Rezoning

☐ Variance

☐ Comprehensive Plan Amendment

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other *(Specify)*:

2.1.18

# Applicant Request And Intent

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

A retail vapor shop specifically intended for the cessation of cigarettes, tobacco, and other harmful smoking products. The property will NOT be used to sell products typically sold in head shops or tobacco shops including but not limited to: tobacco, pipes, hookah, rolling papers. Products sold will be vapor devices, e-liquid, and heating elements for the vapor devices. This business works by informing consumers of the alternative nicotine products that drastically reduce the harmful side effects typically associated with cigarettes. A sign will be on the outside of the door (entrance) to the property stating: (No one under 18 allowed), in addition to signs inside stating: (No one under 18 allowed). All persons will be asked for identification upon entering the premises, and any persons under the age of 18 will be asked to leave or escorted out of the property. Our hours of operation will be from 10AM to 10PM Monday-Saturday, 12PM to 6PM Sunday. During the hours of operation, HVAC fans will be running constantly to dissipate any and all vapor within the property, vapor will not be visible or ingestible by anyone outside of the property.

Applicant's Request (Please itemize the proposal):

I request a conditional use permit for the intent of selling E-cigarettes (vapor devices), E-liquid, and E-cigarette heating elements with the understanding that NO tobacco, hookahs, pipes, rolling papers or other products associated with head shops or tobacco shops will be sold.

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

The intent is to provide E-cigarettes, E-liquid, and E-cigarette heating elements as a healthier alternative to tobacco/ smoking products to any persons over the age of 18. There are no outdoor areas attached to suite 365. Lease agreement attached, prohibits sale of paraphenalia typically associated with head shops or tobacco shops, only allowing the sale of E-cigarettes, E-liquid, and E-cigarette heating elements. Lease agreement attached, also states landlord requires gross receipts every quarter for all goods, wares, merchandise sold to make sure no such tobacco/smoking products are sold. Signs will also be placed inside the property encouraging consumers to refrain from using vapor products outside of the property, or in the parking lot. Franchise agreement attached, prohibits the sales of tobacco/smoking products typically associated with tobacco or smoke shops with monthly meetings to check inventory and compliance. This business will not detract from the city of Alpharetta, nor will it burden its citizens but WILL promote their health and well-being.

2.1.18

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: Windward Promenade, LLC Telephone: 770-955-7676

Address: 3350 Riverwood Pkwy Suite: 450

City Atlanta State: GA Zip: 30339 -

## 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: Sheel Patel Telephone: (678) 994-9663

Address: 326 Andridge Ct Suite:

City Suwanee State: GA Zip: 30024 -

So Sworn and Attested:

Owner Signature: Date: 1/30/18

Notary:

Notary Signature: Date: 1/30/18

MARRISSA CHANIN
MY COMMISSION EXPIRES
NOTARY PUBLIC
FEBRUARY 2, 2019
COBB COUNTY, GEORGIA

2.1.18

# 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: Sheel Patel

Subject Public Hearing Case: _____

## 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: NA Position: _____

Description of Contribution: NA Value: _____

Description of Contribution: NA Value: _____

Description of Contribution: NA Value: _____

Description of Contribution: NA Value: _____

Description of Contribution: NA 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: 02/01/18

2.1.18

# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

It is a retail location that is complimentary with the other uses of the retail shopping center. Consumers can eat, shop, and then come to this business to shop for what they need all within the same plaza. The convenience will make the switch from cigarettes to E-cigarettes, and the cessation of all nicotine devices/products over time much easier.

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

There should be no additional impact on the surrounding properties of its use and value. Less cigarette filters will be found littered around the properties as consumers make their switch to E-cigarette devices.

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

NA

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

Minimal if any increase

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

NA

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

NA

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

NA

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.

2.1.18

# 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: _____

Contact Name: Sheel Patel Telephone: (678) 994-9663

***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.***

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
- [x] 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.

Call or text: (678) 994-9663
Email: VapBarAlpharetta@gmail.com
Mail: 326 Andridge CT
Suwanee, GA 30024

# NOTIFIED PROPERTY OWNERS

2.1.18

ALLEN MICHELLE
Or Current Property Owner
2607 ASHLEIGH LANE
ALPHARETTA GA 30004

ANGLADE HERLANDY & ROSEMAY
Or Current Property Owner
435 PINE BOUGH CT
ALPHARETTA GA 30004

APONTE LISA
Or Current Property Owner
2639 ASHLEIGH LN
ALPHARETTA GA 30004

ARC CAFEUSA001 LLC
Or Current Property Owner
2325 E CAMELBACK RD STE 1100
PHOENIX AZ 85016

ARMOUR CHERYL L
Or Current Property Owner
2702 ASHLEIGH LN
ALPHARETTA GA 30004

BANERJEE INDRADEEP
Or Current Property Owner
2625 ASHLEIGH LN
ALPHARETTA GA 30004-6178

BANGWAL HEAMWANT
Or Current Property Owner
2619 ASHLEIGH LANE
ALPHARETTA GA 30004

BATTLE KENDRICK MARCEL
Or Current Property Owner
2611 ASHLEIGH LANE
ALPHARETTA GA 30004

BEKAROGLU NESIM
Or Current Property Owner
2724 ASHLEIGH LN
ALPHARETTA GA 30022

BROWN JOSEPHINE
Or Current Property Owner
2637 ASHLEIGH LN
ALPHARETTA GA 30004

CALDWELL HILARY
Or Current Property Owner
2643 ASHLEIGH LANE
ALPHARETTA GA 30004

CAMPBELL HEATHER
Or Current Property Owner
2669 ASHLEIGH LN
ALPHARETTA GA 30004

CHANG KATHY CHUN ER
Or Current Property Owner
5180 COURTON ST
ALPHARETTA GA 30022

COSTCO WHOLESALE CORPORATION
Or Current Property Owner
999 LAKE DR
ISSAQUAH WA 98027

DENNIS AMANDA S
Or Current Property Owner
2621 ASHLEIGH LANE
ALPHARETTA GA 30004

DIXON STACEYE M
Or Current Property Owner
2698 ASHLEIGH LN
ALPHARETTA GA 30004

DOSTER LARRY
Or Current Property Owner
375 FALLEN LEAF LANE
ROSWELL GA 30075

EXTRA SPACE PROPERTIES 113 LLC
Or Current Property Owner
34405 W 12 MILE RD STE 215
FARMINGTON MI 48331

FIDELITY BANK
Or Current Property Owner
3490 PIEDMONT RD NE STE 1550
ATLANTA GA 30305

FIRST UNION NATIONAL BANK
Or Current Property Owner
P.O. BOX 2609
CARLSBAD CA 92018-2609

FLETCHER KENYON B & FLETCHER ANNA LYN
Or Current Property Owner
2615 ASHLEIGH LANE
ALPHARETTA GA 30004

FURR ALYSIA
Or Current Property Owner
2633 ASHLEIGH LANE
ALPHARETTA GA 30004

GANESHAN VRIDHAGIRI ET AL
Or Current Property Owner
2613 ASHLEIGH LANE
ALPHARETTA GA 30004-6178

GENTRY YVONNE
Or Current Property Owner
2726 ASHLEIGH LN
ALPHARETTA GA 30004

GILLHAM MITCHELL & STACY
Or Current Property Owner
2647 ASHLEIGH LN
ALPHARETTA GA 30004

GUPTA MANU & PRAKASH SHUCHI
Or Current Property Owner
810 RESERVE POINT PL
SUWANEE GA 30024

HANEY CHRISTOPHER M
Or Current Property Owner
2716 ASHLEIGH LN
ALPHARETTA GA 30004

HARRISSON TEODORICO J & BERTHA C
Or Current Property Owner
2601 ASHLEIGH LN
ALPHARETTA GA 30004

HFC REAL ESTATE LLC
Or Current Property Owner
793 N MAIN ST
ALPHARETTA GA 30009

IHOP PROPERTY LLC
Or Current Property Owner
450 NORTH BRAND BLVD
GLENDALE CA 91203

2.1.18

IRREVOCABLE TRUST FOR THE BENEFIT OF CHARLES BIRD THE
Or Current Property Owner
P.O.BOX 813218
SMYRNA GA 30081-3218

IVT WINDWARD COMMONS ALPHARETTA LLC
Or Current Property Owner
P.O. BOX 6035
CHICAGO IL 60606

JACOB JULIA M
Or Current Property Owner
2599 ASHLEIGH LANE
ALPHARETTA GA 30004

JAMES TABATHA & KENNOUTH
Or Current Property Owner
2631 ASHLEIGH LN
ALPHARETTA GA 30004

KANCHERLA KALYAN R
Or Current Property Owner
4365 GAVIRA CT
CUMMING GA 30040

KARNAM ANURADHA
Or Current Property Owner
2635 ASHLEIGH LANE
ALPHARETTA GA 30004

KJM HOLDINGS LLC
Or Current Property Owner
1418 DRESDEN DR STE 220
ATLANTA GA 30319

KMD ALPHARETTA LLC
Or Current Property Owner
2424 N FEDERAL HWY # 454
BOCA RATON FL 33431-7746

KONIKOV DMITRIY & YURIY
Or Current Property Owner
2661 ASHLEIGH LN
ALPHARETTA GA 30004

LEE BARBARA S
Or Current Property Owner
2712 ASHLEIGH LN
ALPHARETTA GA 30004

LOWES HOME CENTERS INC
Or Current Property Owner
1000 LOWE'S BLVD
MOORESVILLE NC 28117

MANSELL ROAD HOLDINGS LLC
Or Current Property Owner
5200 BUFFINGTON RD
ATLANTA GA 30349

MENDOZA LOURDES G
Or Current Property Owner
2645 ASHLEIGH LANE
ALPHARETTA GA 30004

MULLER ASSOCIATES OF MILTON LLC
Or Current Property Owner
885 FOXHOLLOW RUN
ALPHARETTA GA 30004

MULUKALA SHIRISHA
Or Current Property Owner
2629 ASHLEIGH LANE
ALPHARETTA GA 30004

MYERS KATRINA T
Or Current Property Owner
2663 ASHLEIGH LN
ALPHARETTA GA 30004

NAMPERUMAL RAMESH
Or Current Property Owner
12175 LIMERIDGE CT
ALPHARETTA GA 30004

NAVY FEDERAL CREDIT UNION
Or Current Property Owner
P.O. BOX 24526
MERRIFIELD VA 22119-4626

PENG XU & LIU ZHONGYUN
Or Current Property Owner
2718 ASHLEIGH LANE
ALPHARETTA GA 30004

PIERRE CARLA GINA
Or Current Property Owner
2714 ASHLEIGH LN
ALPHARETTA GA 30004

PIONEER REAL ESTATE DEV INC
Or Current Property Owner
P.O. BOX 802206
DALLAS TX 75380-2206

PIONEER REAL ESTATE DEV INC
Or Current Property Owner
3903 BELLAIRE BLVD
HOUSTON TX 77025

PMB WINDWARD LLC
Or Current Property Owner
2000 RIVEREDGE PKWY STE 940
ATLANTA GA 30328

POTINI SUMA L
Or Current Property Owner
2655 ASHLEIGH LANE
ALPHARETTA GA 30004

PRG INVESTMENT EQUITIES LP
Or Current Property Owner
9454 WILSHIRE BLVD SUITE 220
BEVERLY HILLS CA 90212-2903

PROVIDENCE BANK
Or Current Property Owner
4955 WINDWARD PKWY
ALPHARETTA GA 30004

RAMALINGAM PARI & VARADARASSU CHITHRA
Or Current Property Owner
2710 ASHLEIGH LN
ALPHARETTA GA 30004

RIVERA ANGELA & JASON E
Or Current Property Owner
2617 ASHLEIGH LN
ALPHARETTA GA 30004

RIVERA RAUL E
Or Current Property Owner
2627 ASHLEIGH LN
ALPHARETTA GA 30004

ROGERS ANGELA & EDWARD JR
Or Current Property Owner
7775 HEARDSVILLE CIR
CUMMING GA 30040

2.1.18

SABAU VALENTIN J
Or Current Property Owner
2653 ASHLEIGH LN
ALPHARETTA GA 30004

SABERMANESH BORHAN
Or Current Property Owner
2720 ASHLEIGH LANE
ALPHARETTA GA 30004

SAGAR VIDYA
Or Current Property Owner
288 BAKERSTONE LN
SUWANEE GA 30024

SAMPATTI LLC
Or Current Property Owner
172 PROSPECT PL
ALPHARETTA GA 30005

SCOTT H LEE TR
Or Current Property Owner
P.O. BOX 8050 MS-0555
BENTONVILLE AR 72712-8050

SHUBERT & BOOTH WINDWARD 1 LLC
Or Current Property Owner
234 W 44TH ST
NEW YORK NY 10036

SORRELLS DARREN E
Or Current Property Owner
2708 ASHLEIGH LN
ALPHARETTA GA 30004

SURACE KRISTEN A
Or Current Property Owner
2665 ASHLEIGH LN
ALPHARETTA GA 30004

THORPE BEVERLY R
Or Current Property Owner
2700 ASHLEIGH LANE
ALPHARETTA GA 30004

TREZZA DENISE
Or Current Property Owner
6190 POLO CLUB DR
CUMMING GA 30040

VILLALOBOS LYDIA B & LARSON TROY
Or Current Property Owner
2603 ASHLEIGH LN
ALPHARETTA GA 30004

WILLIAMS DENISE
Or Current Property Owner
2659 ASHLEIGH LN
ALPHARETTA GA 30004

WINDWARD POINTE HOMEOWNERS ASSOC. INC
Or Current Property Owner
3350 BRECKINRIDGE BLVD
DULUTH GA 30096

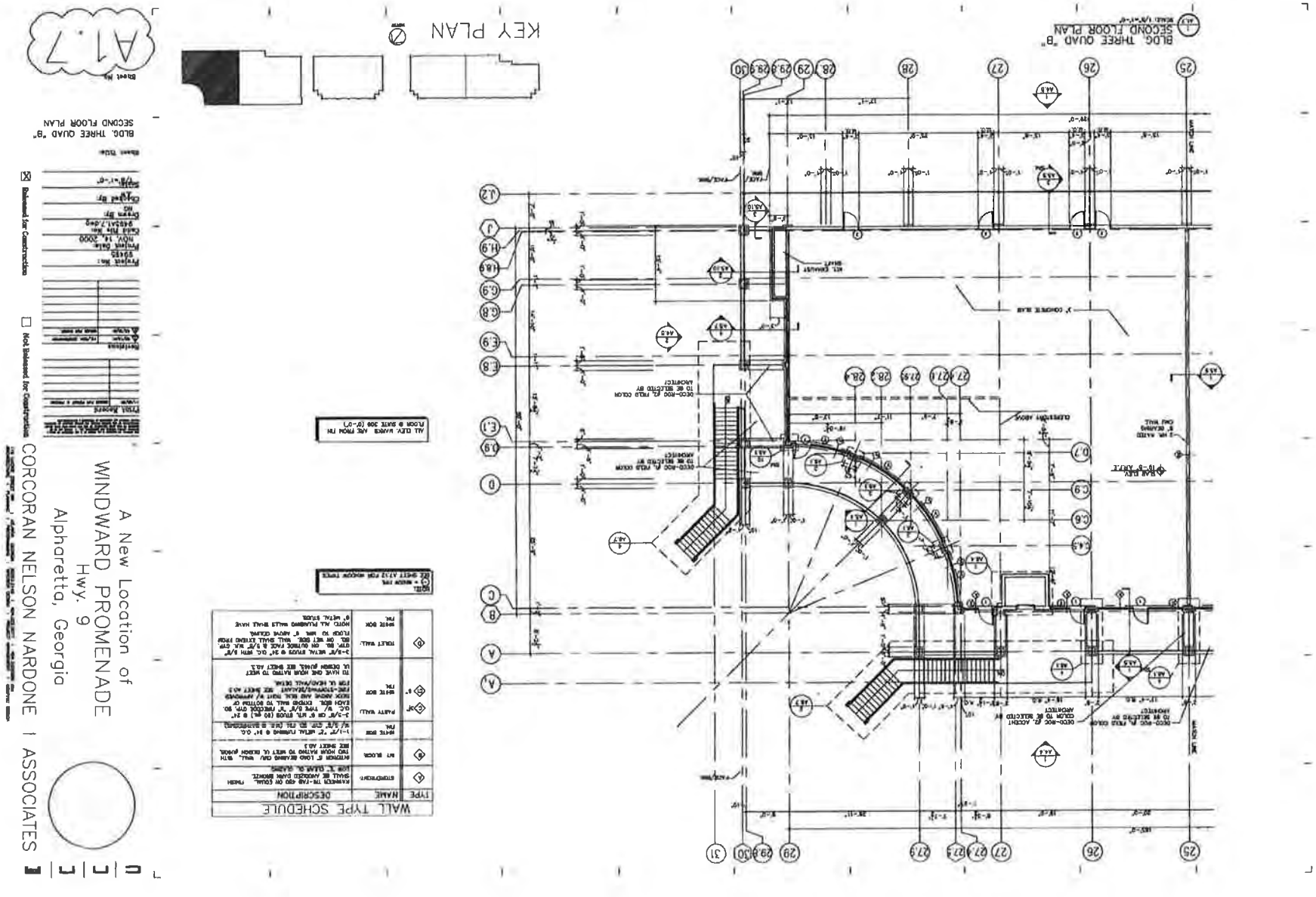
WINDWARD PROMENADE LLC
Or Current Property Owner
3350 RIVERWOOD PKY STE 450
ATLANTA GA 30339

WINDWARD PROMENADE LLC
Or Current Property Owner
210 INTERSTATE NORTH PKWY SE STE 50
ATLANTA GA 30339-2231

ZHANG CHENYAO
Or Current Property Owner
2649 ASHLEIGH LANE
ALPHARETTA GA 30004

2.1.18

FLOOR PLAN



LEASE AGREEMENT

## ARTICLE I

## BASIC LEASE PROVISIONS AND ENUMERATION OF EXHIBITS

**Section 1.01 Basic Lease Provisions.**

| | |
|---|---|
| (A) DATE: | JANUARY ____, 2018 |
| (B) LANDLORD: | WINDWARD PROMENADE, LLC |
| (C) ADDRESS OF LANDLORD: Atlanta, Georgia 30339 | 3350 Riverwood Parkway Suite 450 |
| (D) TENANT: | TBD |
| (E) ADDRESS OF TENANT: Suite 356 Alpharetta, GA 30004 | 865 North Main St. |
| (F) TENANT NOTICE ADDRESS: | 326 Andridge Court, NW. Suwanee, GA 30024 |

(G) PERMITTED USE: The Premises may be used only for the following purpose and for no other purpose: An electronic cigarette shop selling electronic cigarette items. No glass paraphernalia, bongs, or adult novelties will be permitted. Without in any way broadening the scope of its permitted use of the Premises, Tenant hereby agrees not to violate any restrictive covenants or tenant exclusives with respect to the Shopping Center and agrees that its use of the Premises shall be subject to and shall not violate any such covenants and exclusives. Tenant acknowledges that this Lease is a Shopping Center Lease and that Landlord has selected the use of Tenant and the other tenants within the Shopping Center based on the synergy and tenant mix. Therefore, any change in use shall constitute a material default hereof, which will entitle Landlord to any and all rights and remedies provided in this Lease, at law or in equity.

(H) TENANT'S TRADE NAME: **V8p Bar**

(I) SHOPPING CENTER: The term "Shopping Center" means all that certain land and all buildings, improvements, equipment and facilities erected thereon known as **WINDWARD PROMENADE** (which shopping center name may be changed or modified by Landlord at any time in its sole discretion), located in Fulton County, in the State of Georgia, and more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof, as same may be altered, expanded or reduced from time to time at the discretion of Landlord.

(J) PREMISES: That portion of the Shopping Center crosshatched on the Site Plan attached hereto as Exhibit "B" and designated as Space Number **356**; the parties agree that said Premises containing approximately **1,600** square feet of Gross Leasable Area ("GLA") (measured from the outside of any exterior walls and from the center of any common demising walls).

(K) LEASE YEAR: The first Lease Year of the term hereof shall commence upon the Rental Commencement Date. If the Rental Commencement Date, however, shall not fall upon the first day of a calendar month, then the first Lease Year shall be the period of time from said Rental Commencement Date to the end of the month in which said Rental Commencement Date shall occur plus the following twelve (12) calendar months. Each Lease Year thereafter shall be a successive period of twelve (12) calendar months.

(L) LEASE TERM/RENTAL COMMENCEMENT DATE: This Lease shall be binding upon the parties as of the date hereof with the term of the Lease (herein sometimes referred to as the "Lease Term") extending for a period of **Five (5) Years** from the period that is the earlier of Sixty (60) days after the Premises have been turned over to Tenant for Tenant to perform Tenant's Work as provided in Exhibit F or the date Tenant opens for business (said date

FRANCHISE AGREEMENT

## 10. Advertising

The Franchisee shall obtain the Franchisor's prior written approval of all advertising or other marketing or promotional programs published by any method, including print, broadcast and electronic media, regarding the V8P Bar franchise, including, without limitation, "Yellow Pages" advertising, newspaper ads, flyers, brochures, coupons, direct mail pieces, specialty and novelty items, radio, television, and Internet advertising. The Franchisee acknowledges and agrees that the Franchisor may disapprove of any advertising, marketing or promotional programs submitted to the Franchisor for any reason in the Franchisor's sole discretion. The Franchisee shall also obtain the Franchisor's prior written approval of all promotional materials provided by vendors. The proposed written advertising or a description of the marketing or promotional program shall be submitted to the Franchisor before publication, broadcast or use.

## 11. Quality Control

The Franchisee agrees to maintain and operate his V8P Bar franchise strictly in compliance with this Agreement and the standards and specifications contained in the Operations Manual, as the same may be modified from time to time by the Franchisor in accordance with this Agreement. The Franchisee is prohibited from offering or selling any products or services not authorized by Franchisor.

If the Franchisee proposes to offer, conduct or utilize any products, services, materials, forms, items or supplies for use in connection with or sale through V8P Bar which are not previously approved by the Franchisor as meeting its specifications, the Franchisee shall first notify the Franchisor in writing requesting approval. The Franchisor may, in its sole discretion, for any reason whatsoever,

elect to withhold such approval. In order to make such determination, the Franchisor may require submission of specifications, information, or samples of such products, services, materials, forms, items or supplies. The Franchisor will advise the Franchisee within a reasonable time whether such products, services, materials, forms, items or supplies meet its specifications.

The franchisee acknowledges that under no circumstances will goods, wares or merchandise other than e-cigarette and e-cigarette accessories be sold under said V8P Bar franchise. Including but limited to pipes, tobacco, hookah, rolling papers or any other product typically sold within a smoke or tobacco shop. Inventory inspections will be held during monthly franchisee meetings, gross receipts including all goods, wares and merchandise sold will also be turned over to the franchisor once every (30) days to ensure compliance.

**12. Term**

The term of this Agreement begins on the date this Agreement is fully executed and ends 50 years later, unless sooner terminated as provided herein. Either party may terminate upon 30 days notice or as required by law

**13. Default and Termination**

The Franchisor shall have the right, at its option, to terminate this Agreement and all rights granted the Franchisee hereunder, without affording the Franchisee any opportunity to cure any default (subject to any state laws to the contrary, where state law shall prevail), effective upon receipt of notice by the Franchisee, upon the occurrence of any of the following events:

a. Abandonment. If the Franchisee ceases to operate the V8P Bar

2.1.18

CDC GOVERNMENT STUDY

## Nicotine in Air

Table 6 presents the results for the nicotine area air samples. Nicotine was not detected in the air in the lounge area. At the juice bar, airborne nicotine concentrations were detectable, but below the minimum quantifiable concentration.

Table 6. Area air sample results for nicotine (micrograms per cubic meter [μg/m³])

| Location | Day | Sample duration (minutes) | Nicotine* |
|---|---|---|---|
| Juice bar | Day 1 | 344 | [0.69] |
| Juice bar | Day 2 | 494 | [0.80] |
| Lounge area | Day 1 | 435 | ND |
| Lounge area | Day 2 | 478 | ND |

[ ] = Estimated concentration; this concentration was between the minimum detectable and minimum quantifiable concentrations.

*The minimum detectable concentration ranged from 0.3–0.4 μg/m³, while the minimum quantifiable concentration ranged from 0.97–1.4 μg/m³.

## Propylene Glycol in Air

Table 7 presents the results for the propylene glycol area air samples. Concentrations of propylene glycol in the air at the juice bar were low.

Table 7. Area air sample results for propylene glycol (μg/m³)

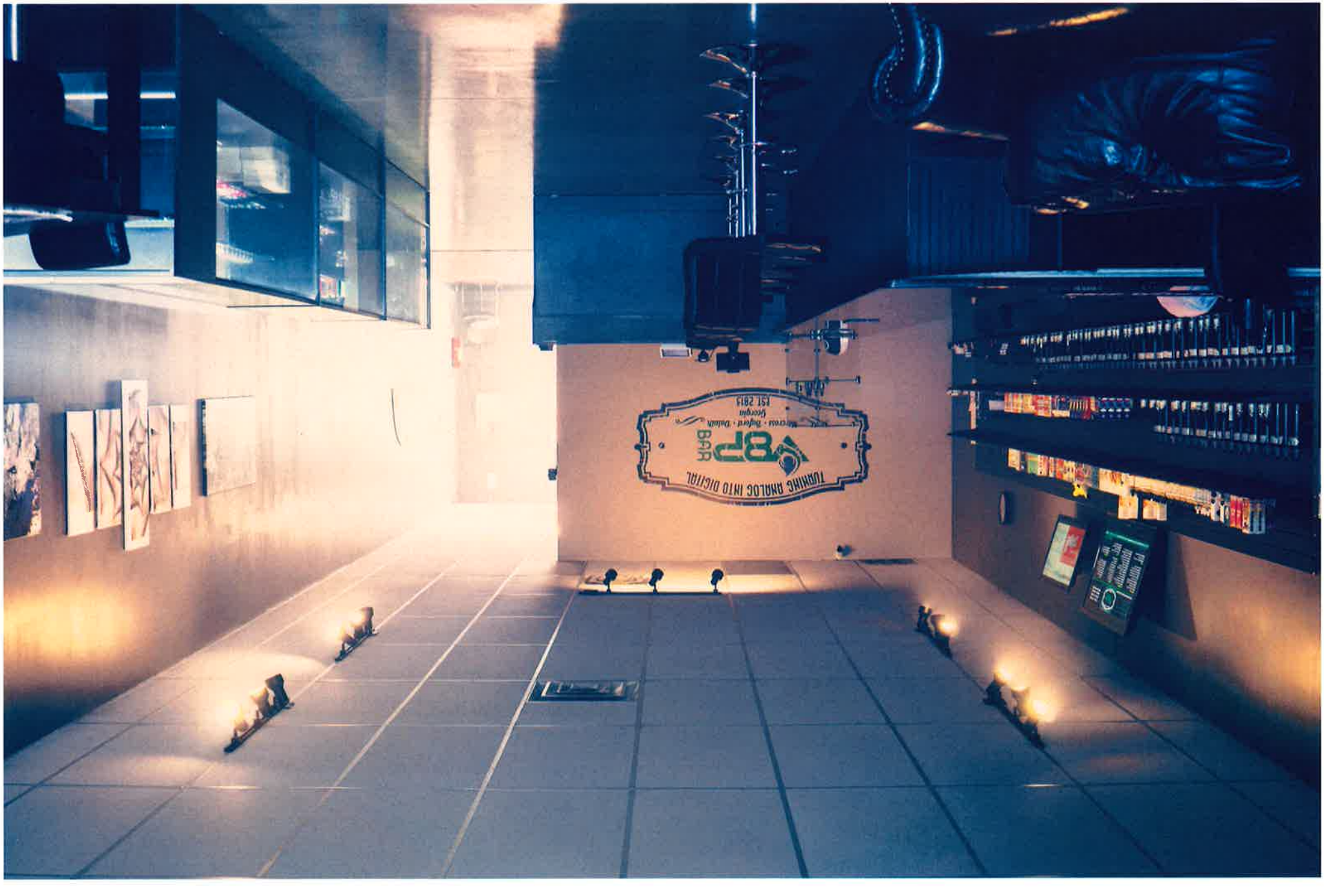
| Location | Day | Sample duration (minutes) | Propylene glycol |
|---|---|---|---|
| Juice bar | Day 1 | 445 | 426 |
| Juice bar | Day 2 | 488 | 389 |

## Volatile Organic Compounds in Air

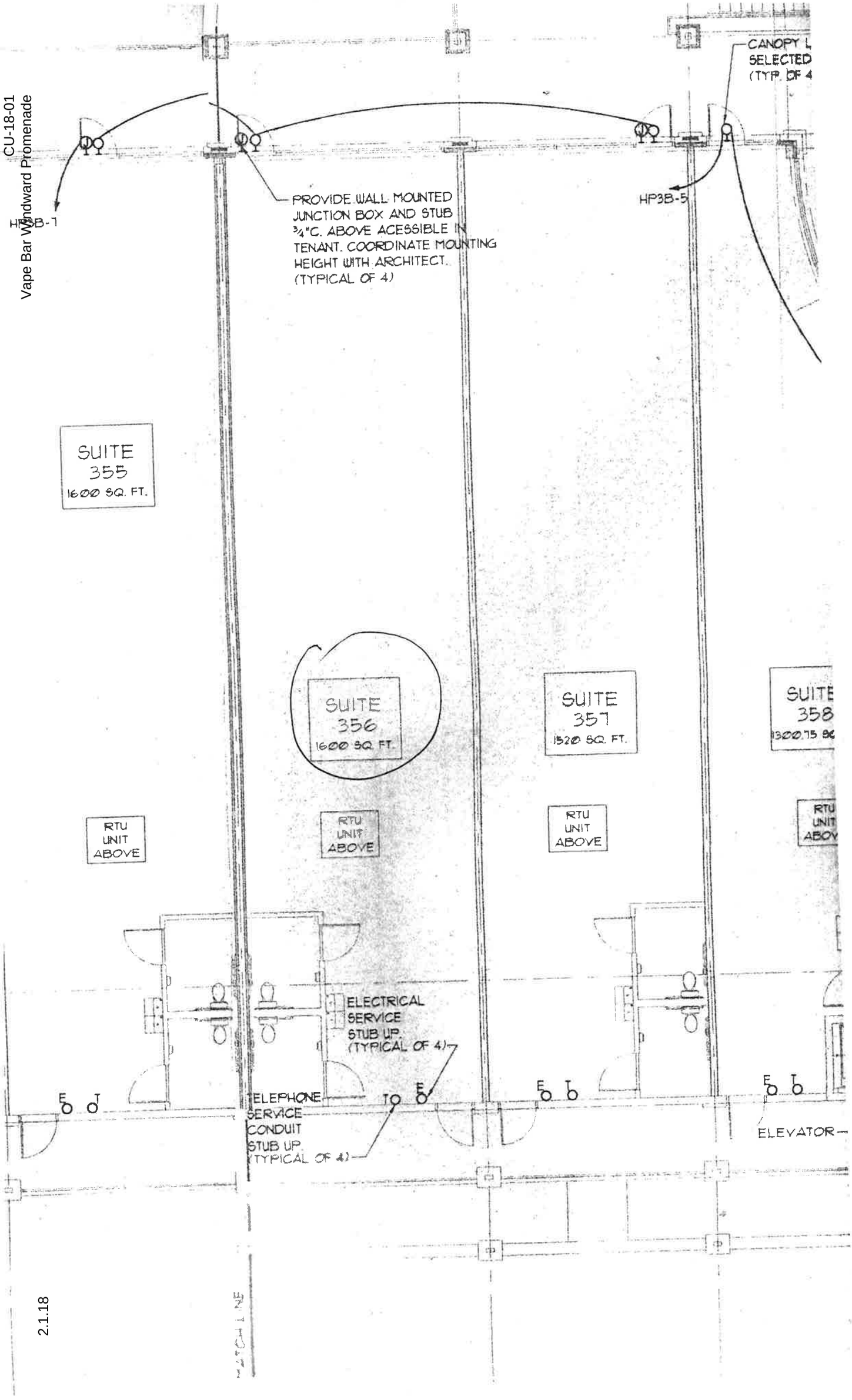
Laboratory analysis of the samples we collected inside the vape shop using thermal desorption tubes indicated the presence of 102 chemicals. Many of the chemicals could be from sources other than vaping such as cleaning products or personal care products. The primary chemicals identified included isopropanol, limonene, and decamethylcyclcopentasiloxane. Other chemicals detected at lower relative concentrations included acetone, ethanol, propylene glycol, toluene, and glycerin. Trace amounts of a variety of flavoring chemicals, including diacetyl, were identified.

2.1.18

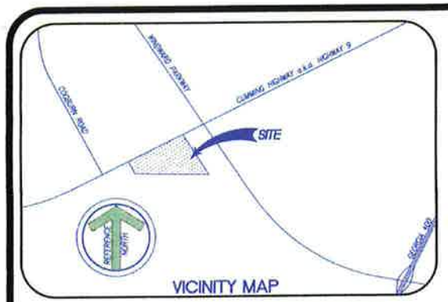
DULUTH FRANCHISE LOCATION



CU-18-01
Vape Bar Windward Promenade




2.1.18




VICINITY MAP

## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lots 1112 of the 2nd. District, 2nd. Section, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a 1" angle iron found at the common corner of Land Lots 1111, 1112, 1121 and 1122;
thence along the westerly line of Land Lot 1112 North 00 degrees 23 minutes 04 seconds West, a distance of 162.10 feet to a 1/2" open top pipe found on the southerly right of way of Cumming Highway a.k.a. State Route 9 (80' right of way);

thence leaving said Land Lot Line along said right of way along a curve to the left, an arc distance of 71.12 feet, said curve having a radius of 1186.30 feet and being subtended by a chord of 71.11 feet, at North 53 degrees 41 minutes 26 seconds East to a point;
thence continuing along said right of way North 51 degrees 56 minutes 42 seconds East, a distance of 601.24 feet to a point;
thence leaving said right of way South 37 degrees 31 minutes 21 seconds East, a distance of 198.01 feet to a point;
thence South 37 degrees 31 minutes 21 seconds East, a distance of 527.72 feet to a 1/2" rebar found;
thence North 89 degrees 57 minutes 17 seconds West, a distance of 971.67 feet to a 1" angle iron found at the common corner of Land Lots 1111, 1112, 1121 and 1122;
said 1" angle iron found being the POINT OF BEGINNING.

Said tract contains 321,993 sf. or 7.39 acres.

## LEGEND

### STANDARD ABBREVIATIONS

| | |
|---|---|
| CMP | CORRUGATED METAL PIPE |
| RCP | REINFORCED CONCRETE PIPE |
| INV | INVERT |
| P.O.B. | POINT OF BEGINNING |
| P.O.C. | POINT OF COMMENCEMENT |
| CT | CRIMPED TOP |
| OT | OPEN TOP |
| GAS | GAS |
| UE | UNDERGROUND ELECTRIC |
| OH | OVERHEAD POWER |
| SS | SANITARY SEWER |
| T | TELEPHONE |
| UT | UNDERGROUND TELEPHONE |
| W | WATER |

### STANDARD SYMBOLS

| | |
|---|---|
| WATER VALVE | DOUBLE WING CATCH BASIN |
| WATER METER | SINGLE WING CATCH BASIN |
| FIRE HYDRANT | DROP INLET |
| SANITARY SEWER | JUNCTION BOX |
| CLEAN OUT | YARD INLET |
| TELEPHONE POLE | CURB INLET |
| SOUTHERN BELL MANHOLE | GAS VALVE |
| FIBER OPTIC MARKER | GAS METER |
| TELEPHONE BOX | UNDERGROUND TANK MANHOLE |
| POWER POLE | GAS VENT |
| ELECTRIC METER | MONITORING WELL |
| LIGHT POLE | GAS FILLER CAP |
| VACUUM/AIR DISPENSER | CONCRETE BOLLARD |
| SIGN | GREASE TRAP |

| PARKING | |
|---|---|
| REGULAR SPACES | 378 |
| HANDICAP SPACES | 10 |
| TOTAL SPACES | 388 |

## GENERAL NOTES

THIS PROPERTY IS NOT SHOWN TO BE LOCATED WITHIN THE LIMITS OF A DESIGNATED 100 YEAR FLOOD HAZARD AREA ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 13121C 0059E DATED JUNE 22, 1998 SUBJECT TRACT LIES IN AN AREA DESIGNATED AS ZONE "X". THIS STATEMENT IS BASED ON GRAPHICALLY LOCATING THIS PROPERTY ON SAID MAP. NO ADDITIONAL FIELD WORK HAS BEEN PERFORMED TO MARK OR VERIFY THIS DETERMINATION.

PURSUANT TO RULE 180-6.09 OF THE GEORGIA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, THE TERM "CERTIFY" OR "CERTIFICATION" RELATING TO LAND SURVEYING SERVICES SHALL MEAN A SIGNED STATEMENT BASED ON FACTS AND KNOWLEDGE KNOWN TO THE LAND SURVEYOR AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

THE FIELD CLOSURE UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 95,382 FEET, AND AN ANGULAR ERROR OF 00 SECONDS PER SETUP, AND WAS NOT ADJUSTED. A TOPCON 313 ELECTRONIC TOTAL STATION WAS USED TO MEASURE ANGLES AND DISTANCES.

THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 511,053 FEET.

THIS SURVEY MEETS THE REQUIREMENTS FOR SURVEY IN THE STATE OF GEORGIA.

THERE ARE NO ABOVEGROUND VISIBLE ENCROACHMENTS ONTO OR OFF THIS PROPERTY EXCEPT AS SHOWN HEREON.

THERE IS PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS TO THIS PROPERTY FROM STATE ROUTE 9 (N. MAIN STREET) A PUBLIC RIGHT OF WAY.

SUBJECT TRACT IS ZONED C-1.
FRONT SETBACK= 50' LOCAL STREET 65' ON MAJOR ARTERIAL
SIDE SETBACK= 15'
REAR SETBACK= 15'
MAXIMUM BUILDING HEIGHT= 35'
MAXIMUM BULK= 45%

INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES IS SHOWN HEREON. THIS INFORMATION HAS BEEN SHOWN BASED ON THE LOCATION OF THE ABOVE GROUND APPURTENANCES, AVAILABLE DESIGN PLANS, AND FLAGS AND PAINT PLACED BY THE UTILITY PROTECTION SERVICE. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES AND STRUCTURES SHOWN HEREON. PER GEORGIA LAW, THE UNDERGROUND UTILITIES PROTECTION SERVICE MUST BE CALLED PRIOR TO THE COMMENCEMENT OF ANY AND ALL EARTH DISTURBING ACTIVITIES.

TO: WINDWARD PROMENADE, LLC, PRINCIPAL COMMERCIAL FUNDING, LLC, its successors and/or assigns AND CHICAGO TITLE INSURANCE COMPANY:

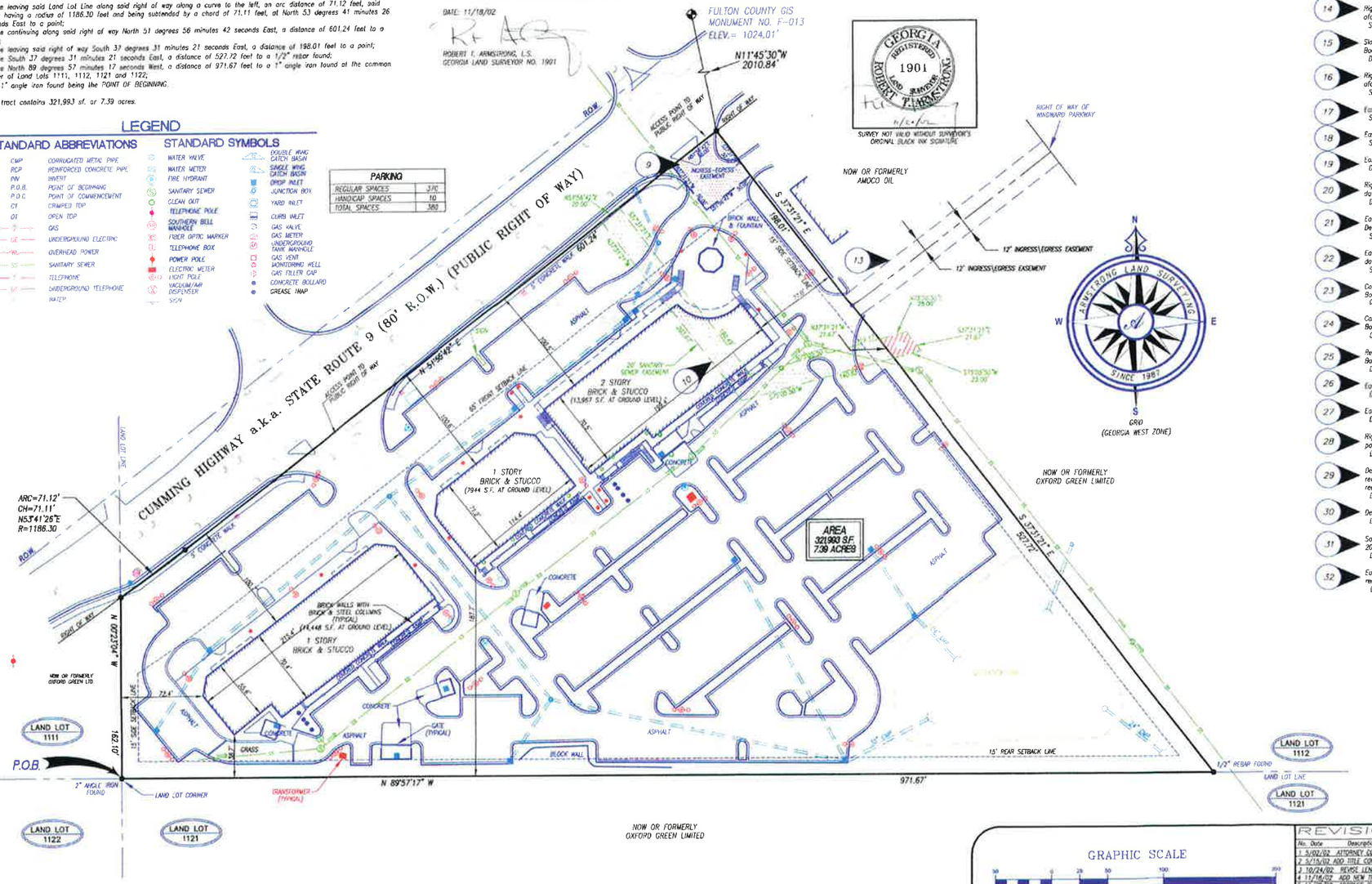
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE (I) IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 1999 AND, INCLUDES ITEMS 1-4, 6, 7(a)-(c), 8,-10, 11(b) AND 13-16 OF TABLE "A" THEREOF (II) PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, ACSM AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION. UNDERSIGNED FURTHER CERTIFIES THAT PROPER FIELD PROCEDURES, INSTRUMENTATION, AND ADEQUATE SURVEY PERSONNEL WERE EMPLOYED IN ORDER TO ACHIEVE RESULTS COMPARABLE TO THOSE OUTLINED IN THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

DATE: 11/18/02

ROBERT T. ARMSTRONG, L.S.
GEORGIA LAND SURVEYOR NO. 1901

GEORGIA REGISTERED 1901 LAND SURVEYOR ROBERT T. ARMSTRONG

SURVEY NOT VALID WITHOUT SURVEYOR'S ORIGINAL BLACK INK SIGNATURE




## TITLE EXCEPTIONS

The Surveyor relied upon Chicago Title Insurance Company, Title Commitment No. 528,195-L, Dated November 12, 2002 in the preparation of this Survey. All Easements or Other Encumbrances, Recorded or Unrecorded, are shown based on that Commitment

6. Easement in favor of Forsyth County Rural Electric Membership Corporation, dated June 29, 1939, unrecorded, referenced in Deed from Federal Life Insurance Company of Chicago to Robert L. Bowen, dated December 1, 1943, recorded at Deed Book 1892, page 120, Records of the Clerk of the Superior Court, Fulton County, Georgia.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

8. Right of Way Easement from Mrs. O. M. Fuller, as Executrix of the Will of Robert Anderson Lee Bowen, to Sawnee Electric Membership Corporation, dated September 15, 1966, recorded at Deed Book 4651, page 353, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

9. Ingress-Egress Easement Agreement by and between Martha J. Stone a/k/a Martha Stone, individually, and Martha James Stone a/k/a/ Martha J. Stone a/k/a Martha Stone, as Trustee of the Trust under the Last Will and Testament of Steven Robert James a/k/a S. R. James (probated in the Probate Court of Forsyth County, Georgia) in behalf and benefit of Mary Christine James, and Cynthia C. Hodge, as Trustee for Cynthia C. Hodge Trust (as to an undivided 25% interest),L. Parker Johnson (as to an undivided 25% interest), Michael J. Franco (as to an undivided 25% interest), William C. Rawson, Sr. (as to an undivided 12.5% interest), and William C. Rawson, Jr. (as to an undivided 12.5% interest), dated November 10, 1997, recorded at Deed Book 23728, page 8, aforesaid records.
DOES AFFECT SUBJECT TRACT AND IS SHOWN HEREON.

10. Sanitary Sewer Easement Agreement by and among Pioneer Real Estate Development, Martha James Stone, Fulton Greens Limited Partnership and Falcon-Fulton Greens, LLC, dated August 18, 1998, recorded at Deed Book 25173, page 258, aforesaid records, as amended by Amendment to Sanitary Sewer Easement Agreement by and between Fulton Greens Limited Partnership and Falcon-Fulton Greens, LLC, dated February 25, 1999, recorded at Deed Book 26187, page 186, aforesaid records, as further amended by Second Amendment to Sanitary Sewer Easement Agreement by and between Fulton Greens Limited Partnership and Falcon-Fulton Greens, LLC, dated May 12, 1999, recorded at Deed Book 26933, page 303, aforesaid records.
ORIGINAL EASEMENT DOES AFFECT SUBJECT TRACT. SUBSEQUENT AMENDMENTS DO NOT AFFECT.

12. Right of Way easement from Windward Properties, LLC, to Sawnee Electric Membership Corporation, dated December 8, 2000, recorded at Deed Book 29967, commencing at page 331, aforesaid records.
DOES AFFECT SUBJECT TRACT, LOCATION NOT SPECIFIED.

13. Terms and conditions of that certain Ingress-Egress Easement Agreement by and among Pioneer Real Estate Development, Inc. and Cynthia C. Hodge, as Trustee for Cynthia C. Hodge Trust, et al, dated November 10, 1997, recorded at Deed Book 23728, Page 19, aforesaid records.
DOES AFFECT SUBJECT TRACT AND IS SHOWN HEREON.

14. Right Of Way Easement from Auton Kirby to Sawnee Electric Membership Corporation, dated May 12, 1969, recorded at Deed Book 5070, page 216, aforesaid records.
SURVEYOR CAN NOT DETERMINE LOCATION OF THE EASEMENT FROM INFORMATION PROVIDED.

15. Slope Easement contained within a Right of Way Deed for Union Hill Road from Auton Kirby to Fulton County, dated March 10, 1955, recorded at Deed Book 2978, page 623, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

16. Right of Way Easement from Auton Kirby to Sawnee Electric Membership Corporation, dated February 5, 1965, recorded at Deed Book 4380, page 293, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

17. Easement in favor of Sawnee Electric Membership Corporation, dated June 21, 1965, recorded at Deed Book 4447, page 111, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

18. Easement in favor of Sawnee Electric Membership Corporation, dated May 18, 1965, recorded at Deed Book 4418, page 253, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED

19. Easement in favor of Fulton County, dated February 28, 1955, recorded in Deed Book 2978, page 621, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

20. Rights of William B. Orkin as owner of the fee title of and party to a Roadway Agreement between Orkin, Oxford Green, Ltd. And Oxford Green II, Ltd., dated October 9, 1986, recorded in Deed Book 10385, page 55, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

21. Easement as contained in that certain Right of Way Deed from Robert L. Bowen to the State Highway Board of Georgia, dated May 12, 1932, recorded in Deed Book 1418, page 103, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

22. Easement as contained in that certain Right of Way Deed from M.B. Roper, F. G. Roper, Robert L. Bowen and Edith R. Ieems to Fulton County, Georgia, dated June 25, 1935, recorded in Deed Book 1569, page 414, aforesaid records.
SURVEYOR UNABLE TO DETERMINE IF SUBJECT TRACT IS AFFECTED BY DOCUMENT PROVIDED.

23. Conveyance of Access Rights from William B. Orkin to the Department of Transportation, State of Georgia, dated September 29, 1986, recorded at Deed Book 10350, page 63, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

24. Conveyance of Access Rights from William B. Orkin to the Department of Transportation, State of Georgia, dated September 29, 1986, recorded at Deed Book 10350, page 64, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

25. Reservation of Easement as contained in that certain Limited Warranty Deed from Oxford Green, Ltd., a Georgia limited partnership, to First Union National Bank of Georgia, a national banking association, dated July 15, 1987, recorded in Deed Book 10949, page 63, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

26. Easement as granted is that certain Dedication Plat recorded in Plat Book 160, page 42, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

27. Easement in favor of Fulton County, dated February 28, 1955, recorded at Deed Book 2978, page 622, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

28. Right of Way Easement from Oxford Green, Ltd. To Southern Bell Telephone and Telegraph Company, dated April 6, 1988, recorded at Deed Book 11486, page 317, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

29. Declaration of Covenants, Conditions and Restrictions for Oxford Green, dated October 24, 1988, recorded at Deed Book 11992, page 267, aforesaid records, as amended by that certain First Amendment to Declaration of Covenants, Conditions and Restrictions for Oxford Green, dated December 13, 1996, recorded at Deed Book 11902, page 229, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

30. Declaration of Restrictive Covenant by Oxford Green Ltd., dated November 18, 1988, recorded at Deed Book 12066, page 130, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

31. Sanitary Sewer Easement Agreement from Pioneer Real Estate Development, Inc. to Picasso's, Ltd., dated February 28, 1996, recorded at Deed Book 20693, page 296, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

32. Easement from Pioneer Real Estate Development, Inc. to Georgia Power Company, dated June 1, 1998, recorded at Deed Book 24847, page 3, aforesaid records.
DOES NOT AFFECT SUBJECT TRACT.

ALTA/ACSM LAND TITLE SURVEY FOR

# WINDWARD PROMENADE, LLC
# PRINCIPAL COMMERCIAL FUNDING, LLC
# CHICAGO TITLE INSURANCE COMPANY

865, 869 & 875 N. MAIN STREET
LAND LOT 1112
2ND DISTRICT ~ 2ND SECTION
FULTON COUNTY, GEORGIA

SCALE: 1" = 50'
FIELD DATE: 12/27/01-01/02/02
PLAT DATE: 01/10/02
FIELD:HBM DRAWN:DAB CHECKED:RTA
DRAWING NAME: 01-354
JOB NUMBER: 01-354

GRAPHIC SCALE
50 0 25 50 100 200
( IN FEET )
1 inch = 50 ft.

REVISIONS

| No. | Date | Description | Initials |
|---|---|---|---|
| 1 | 5/02/02 | ATTORNEY COMMENTS | RA |
| 2 | 5/15/02 | ADD TITLE COMMITMENT ITEM | RA |
| 3 | 10/24/02 | REVISE LENDER | RA |
| 4 | 11/14/02 | ADD NEW TITLE COMMITMENT | JHB |
| 5 | 11/20/02 | ADDRESS CLIENT COMMENTS | JHB |

ARMSTRONG LAND SURVEYING, INC.
POST OFFICE BOX 775
DOUGLASVILLE, GEORGIA 30133
PHONE: (770)577-0077 / FAX: (770)577-0066

© COPYRIGHT ARMSTRONG LAND SURVEYING, INC., 2002

# 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

CITY COUNCIL: APRIL 30, 2018

This item was heard at the December 7, 2017 Planning Commission meeting. No one spoke in favor or against the request. After discussion, the Planning Commission recommended to approve the item. Vote (6-0)

Staff updated the Heritage Design Area regulations to reflect a change to the maximum building height from 42' to 46'. The change is recommended in order to meet the Downtown Code minimum requirement of a 14' first floor height for storefront buildings, as well as to allow for greater 1st floor building heights.

This item was heard at the April 12, 2018 Planning Commission meeting. No one spoke in favor or against the request. After discussion, the Planning Commission recommended to approve this item. Vote (6-0)

II. **RECOMMENDATION:**

Approve text amendments to 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 streetscape standards.

III. **REPORT IN BRIEF:**

Consideration of amendments to 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 the creation of Heritage Design Areas along Roswell Street and along Old Canton Street and Church Street to encourage the protection of contributing historic structures in the area. Development incentives are recommended as it relates to building coverage, building placement, building height, parking requirements for historic structures and gravel parking. A maximum building height of 46' is proposed for buildings in the Heritage Design Areas, which includes a restriction on allowable uses when the height incentive is used.

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

IV. **ATTACHMENTS:**

- UDC Strike Through and Underline Edits

# Table of Contents


## Article 1. General Provisions ..... 1-1~~1-1~~

Sec. 1.1. Title and Purpose ..... 1-1~~1-1~~
1.1.1. Title ..... 1-1~~1-1~~
1.1.2. General Purpose ..... 1-1~~1-1~~

Sec. 1.2. Applicability ..... 1-2
1.2.1. Territorial Application ..... 1-2
1.2.2. Conformance Requirements ..... 1-2
1.2.3. Conflicting Provisions ..... 1-2
1.2.4. Use of Words and Phrases ..... 1-2
1.2.5. Text and Graphics ..... 1-3~~1-3~~

Sec. 1.3. Downtown Zoning Districts ..... 1-3~~1-3~~
1.3.1. Downtown Zoning Districts Established ..... 1-3~~1-3~~
1.3.2. Relationship between Land Use Categories and Downtown Zoning Districts ..... 1-3~~1-3~~
1.3.3. Zoning Changes ..... 1-3~~1-3~~

## Article 2. Downtown Overlay ..... 2-1~~2-1~~

Sec. 2.1. Applicability ..... 2-1~~2-1~~
2.1.1. Applicability ..... 2-1~~2-1~~

Sec. 2.2. Block and Access ..... 2-1~~2-1~~
2.2.1. Intent ..... 2-1~~2-1~~
2.2.2. Blocks ..... 2-1~~2-1~~
2.2.3. Access ..... 2-2
2.2.4. Vehicle Cross-Access ..... 2-3~~2-3~~

Sec. 2.3. Streets ..... 2-4~~2-4~~
2.3.1. Intent ..... 2-4~~2-4~~
2.3.2. Applicability ..... 2-4~~2-4~~
2.3.3. Street Types ..... 2-4~~2-4~~
2.3.4. Existing Streets, Streetscapes ..... 2-14~~2-14~~
2.3.5. Multi-Use Trails ..... 2-16~~2-16~~
2.3.6. Improvements along State Highways ..... 2-16~~2-16~~
2.3.7. Planter ..... 2-16~~2-16~~

Sec. 2.4. Parking and Loading ..... 2-17~~2-17~~
2.4.1. Vehicle Parking ..... 2-17~~2-17~~
2.4.2. Bicycle Parking ..... 2-18~~2-18~~
2.4.3. Driveways ..... 2-19~~2-19~~
2.4.4. Design of Parking Structures ..... 2-19~~2-19~~
2.4.5. Loading ..... 2-19~~2-19~~
2.4.6. Vehicle Access and Parking Locations ..... 2-19~~2-19~~2-20

Sec. 2.5. Landscaping and Screening ..... 2-21~~2-21~~
2.5.1. Applicability ..... 2-21~~2-21~~
2.5.2. Yard Landscaping ..... 2-21~~2-21~~
2.5.3. Parking Lot Landscape Strips ..... 2-21~~2-21~~

2.5.4. Screening ..... 2-22~~2-22~~
2.5.5. Design and Installation ..... 2-23~~2-23~~
2.5.6. Maintenance of Landscaping ..... 2-23~~2-23~~
Sec. 2.6. Neighborhood Compatibility ..... 2-24~~2-24~~
2.6.1. Applicability ..... 2-24~~2-24~~
2.6.2. Buffers ..... 2-24~~2-24~~
2.6.3. Building Setbacks ..... 2-25~~2-25~~
2.6.4. Transitional Height Plane ..... 2-25~~2-25~~
Sec. 2.7. Building Types ..... 2-26~~2-26~~
2.7.1. Descriptions ..... 2-26~~2-26~~
2.7.2. Rules Specific to Building Types ..... 2-29~~2-29~~
Sec. 2.8. Building Design ..... 2-35~~2-35~~
2.8.1. Applicable ..... 2-35~~2-35~~
2.8.2. Fenestration ..... 2-35~~2-35~~
2.8.3. Pedestrian Access ..... 2-35~~2-35~~
2.8.4. Building Elements ..... 2-36~~2-36~~
2.8.5. General Architectural Standards ..... 2-41~~2-41~~
2.8.6. Small Residential Building Standards ..... 2-42~~2-42~~
2.8.7. Architectural Style Requirements ..... 2-43~~2-43~~
2.8.8. Storefront Street Requirements ..... 2-51~~2-51~~
Sec. 2.9. Tree Protection ..... 2-51~~2-51~~
2.9.1. Applicability ..... 2-51~~2-51~~
2.9.2. Minimum Tree Density Requirements ..... 2-51~~2-51~~
Sec. 2.10. Heritage Design Areas ..... 2-52~~2-52~~
2.10.1. Purpose ..... 2-52~~2-52~~
2.10.2. Applicability ..... 2-52~~2-52~~

**Article 3. Downtown Zoning Districts ..... 3-0~~3-0~~**

Sec. 3.1. Applicability ..... 3-0~~3-0~~
Sec. 3.2. Rules of Interpretation ..... 3-0~~3-0~~
3.2.1. Site ..... 3-0~~3-0~~
3.2.2. Lot ..... 3-0~~3-0~~
3.2.3. Residential Density ..... 3-0~~3-0~~
3.2.4. Open Space ..... 3-0~~3-0~~
Sec. 3.3. Building Types Allowed ..... 3-4~~3-4~~
Sec. 3.4. Uses Allowed by District ..... 3-5~~3-5~~
3.4.1. Allowed Use Table ..... 3-5~~3-5~~
3.4.2. Use Table Key ..... 3-5~~3-5~~
3.4.3. Specific Use Standards ..... 3-9~~3-9~~
Sec. 3.5. DT-C: Downtown Core ..... 3-10~~3-10~~
3.5.1. Purpose ..... 3-10~~3-10~~
3.5.2. Building Types Allowed ..... 3-10~~3-10~~
3.5.3. Dimensional Standards ..... 3-10~~3-10~~
3.5.4. Building Placement ..... 3-11~~3-11~~

3.5.5. Bulk and Mass ..... 3-11~~3-11~~
Sec. 3.6. DT-MU: Downtown Mixed-Use ..... 3-12~~3-12~~
3.6.1. Purpose ..... 3-12~~3-12~~
3.6.2. Building Types Allowed ..... 3-12~~3-12~~
3.6.3. Dimensional Standards ..... 3-12~~3-12~~
3.6.4. Building Placement ..... 3-13~~3-13~~
3.6.5. Bulk and Mass ..... 3-13~~3-13~~
Sec. 3.7. DT-LW: Downtown Live-Work ..... 3-14~~3-14~~
3.7.1. Purpose ..... 3-14~~3-14~~
3.7.2. Building Types Allowed ..... 3-14~~3-14~~
3.7.3. Dimensional Standards ..... 3-14~~3-14~~
3.7.4. Building Placement ..... 3-15~~3-15~~
3.7.5. Bulk and Mass ..... 3-15~~3-15~~
3.7.6. Commercial Parking Lot Requirements ..... 3-15~~3-15~~
Sec. 3.8. DT-R: Downtown Residential ..... 3-16~~3-16~~
3.8.1. Purpose ..... 3-16~~3-16~~
3.8.2. Building Types Allowed ..... 3-16~~3-16~~
3.8.3. Dimensional Standards ..... 3-16~~3-16~~
3.8.4. Building Placement ..... 3-17~~3-17~~
3.8.5. Bulk and Mass ..... 3-17~~3-17~~

**Article 4. Definitions ..... 4-1~~4-1~~**

Sec. 4.1. Defined Terms ..... 4-1~~4-1~~

# 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.

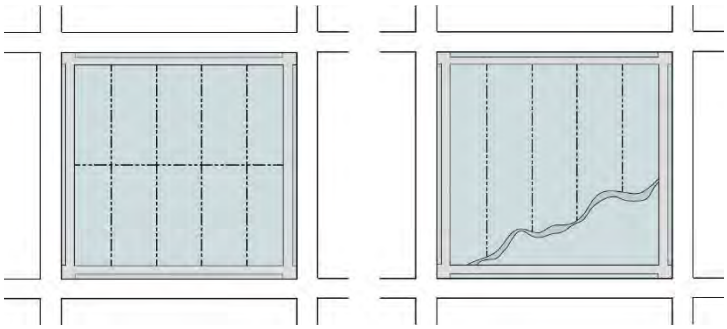
B. The intent of the access standards is to provide safe and convenient vehicular and pedestrian access within developments and between adjacent developments and to lessen traffic congestion and increase connectivity. Pedestrian, bike, and vehicular access should be safe, direct and convenient.

### 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.

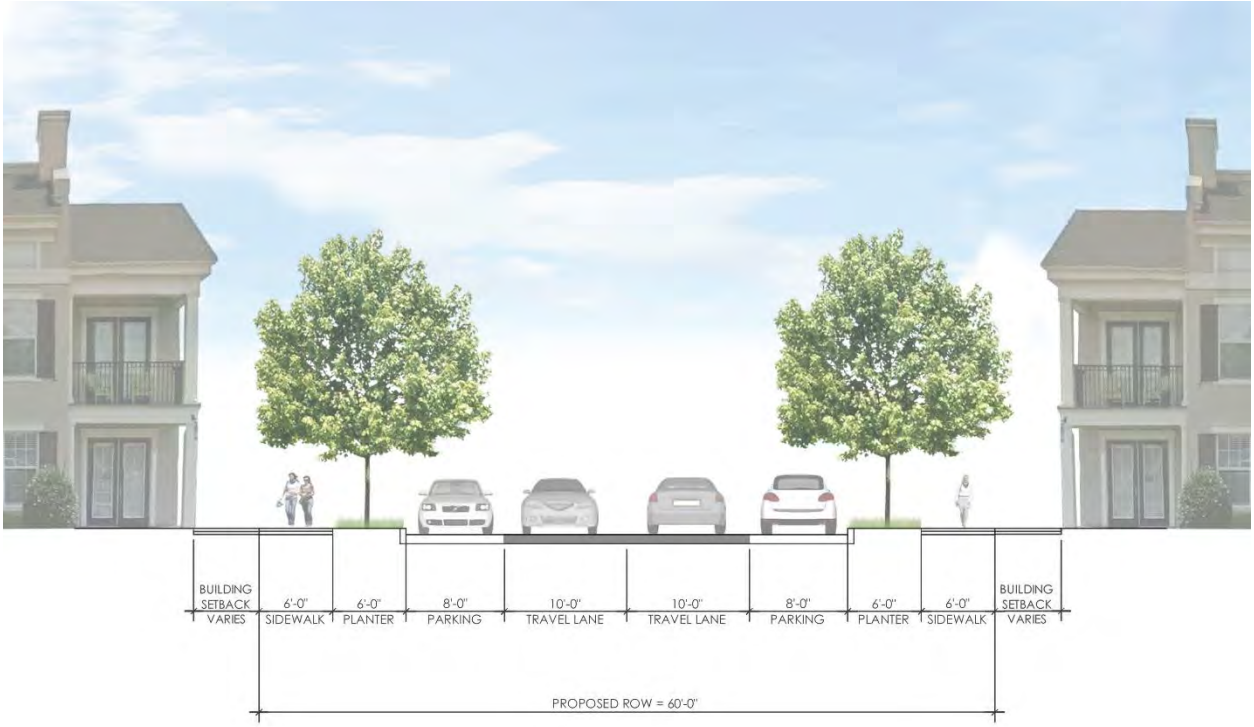
## 2.3.3. Street Types

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;

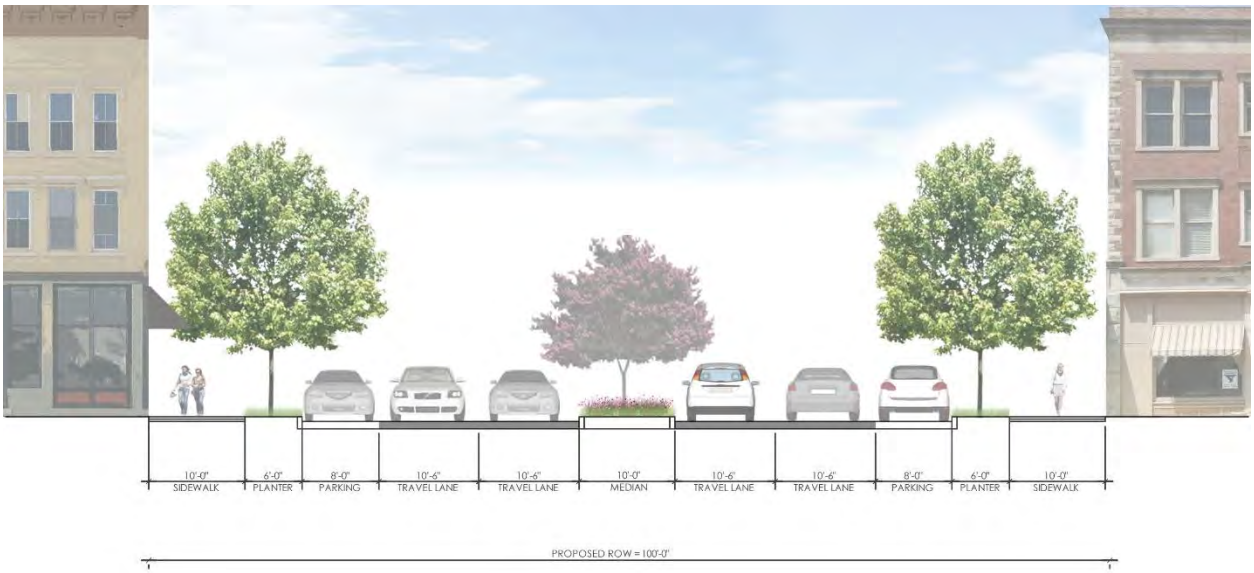
5. To provide hardscape surface in otherwise landscaped planters in order to provide pedestrian access to adjacent on-street parking;
6. To increase or decrease the travel lane width; and
7. To provide traffic calming or pedestrian safety measures.

## 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 |

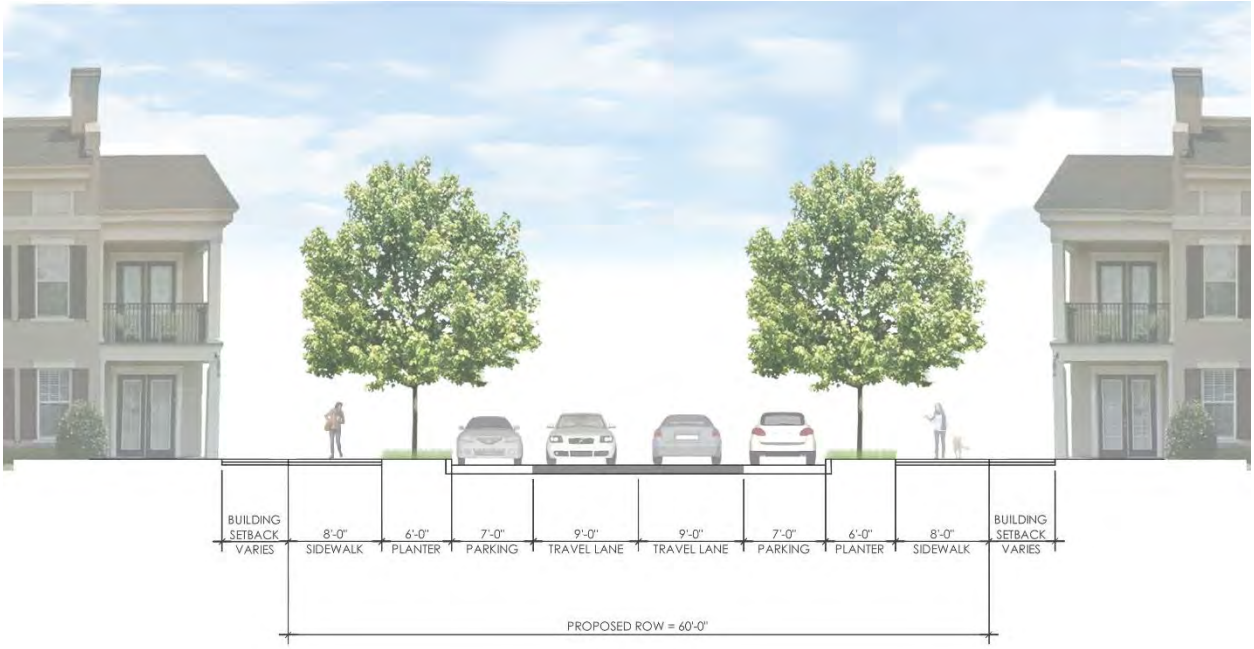
## C. Arterial Street Commercial/Mixed-Use




| 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 |

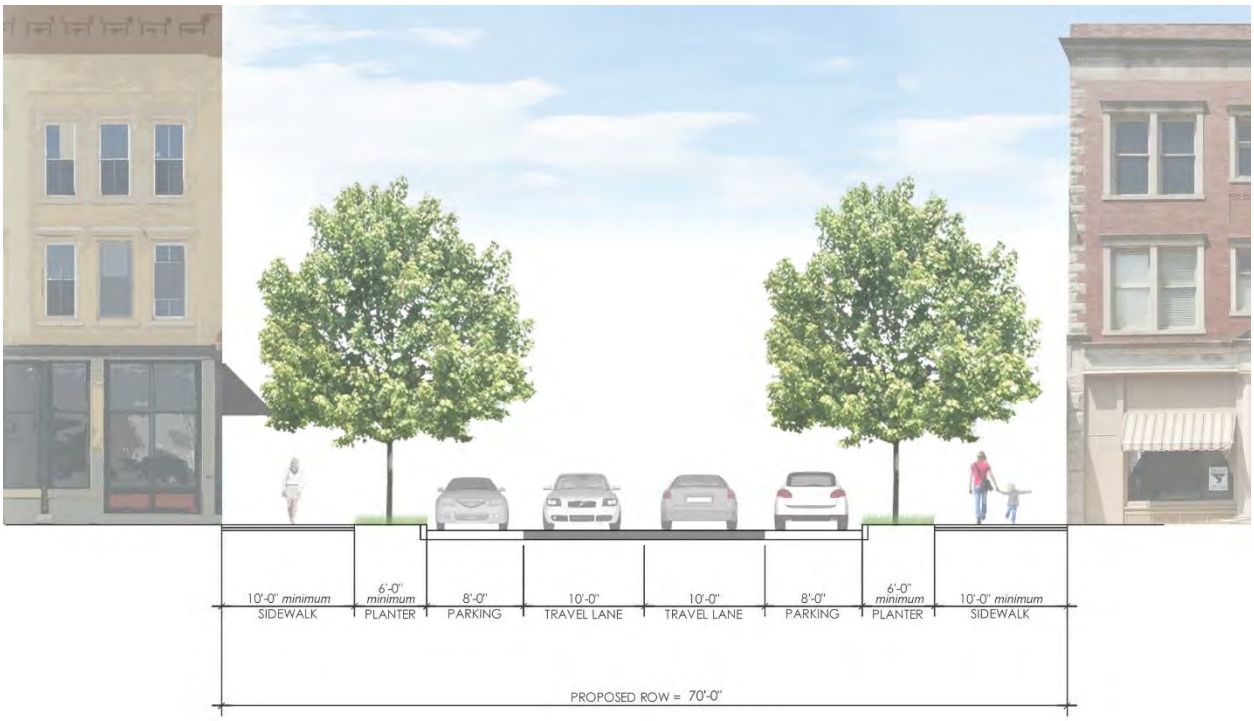
*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

## 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 |

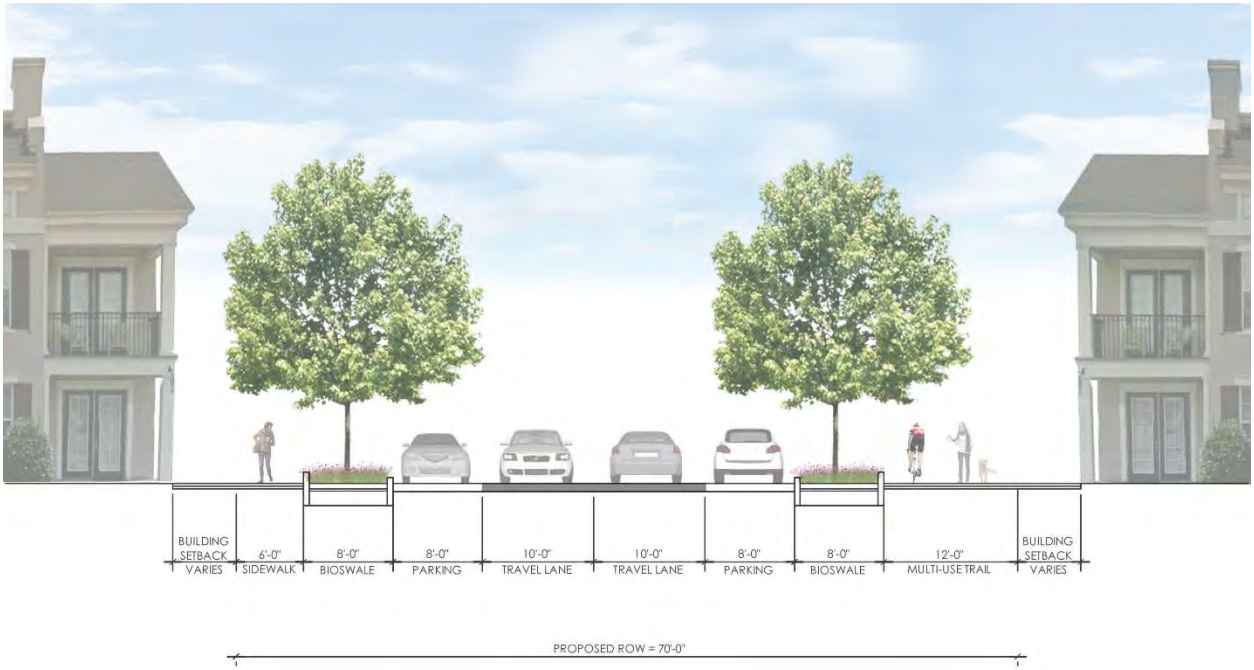
## ~~D.~~E. Collector Street Commercial/Mixed-Use




| | |
|---|---|
| **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



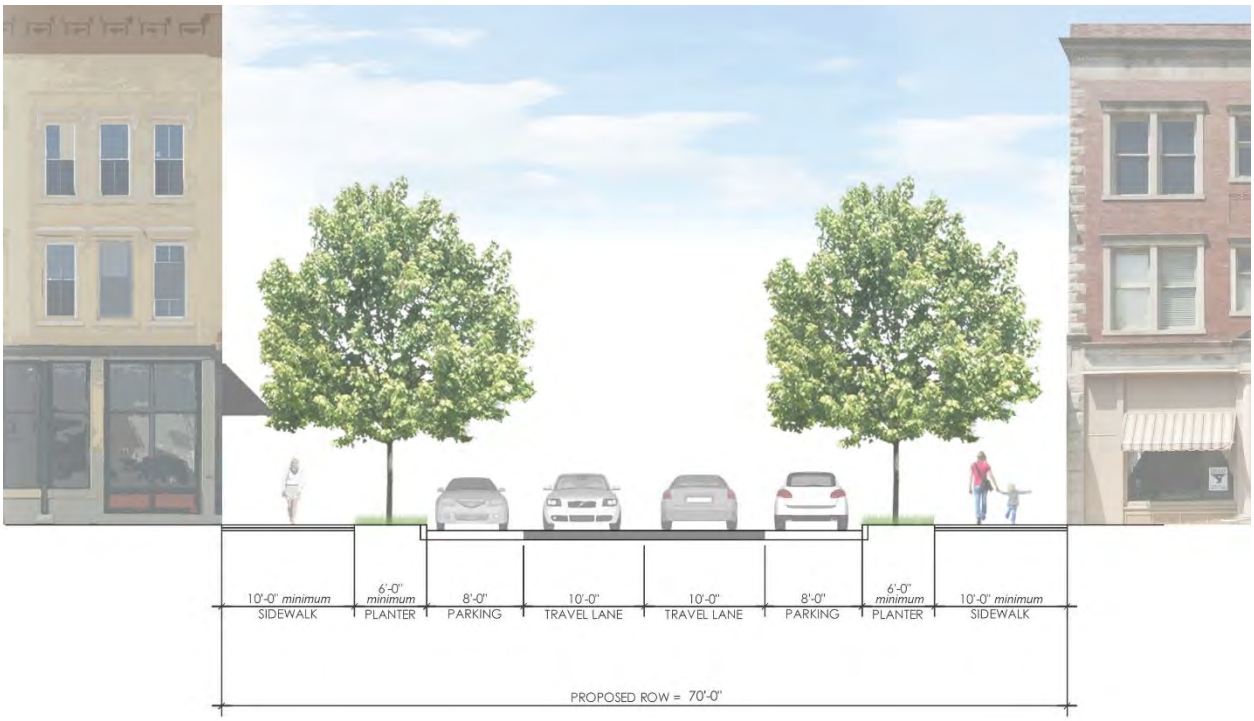

| Width | |
|---|---|
| Right-of-way Width | 70 feet |
| Face of curb to face of curb width | 36 feet |
| **Streetscape** | |
| Sidewalk | 6 feet (one side) (see note 1) |
| Multi-use trail | 12 feet (one side) (see note 1) |
| Planter | 8 feet |
| Planter Tree Spacing (max.) | 40 feet on-center |
| 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 |

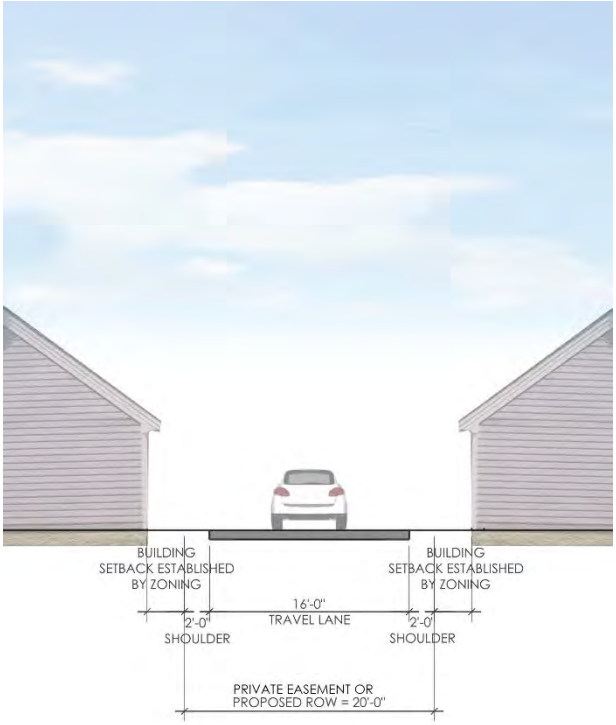
## ~~F.~~H. Local Street Commercial/Mixed-Use




| | |
|---|---|
| **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 |

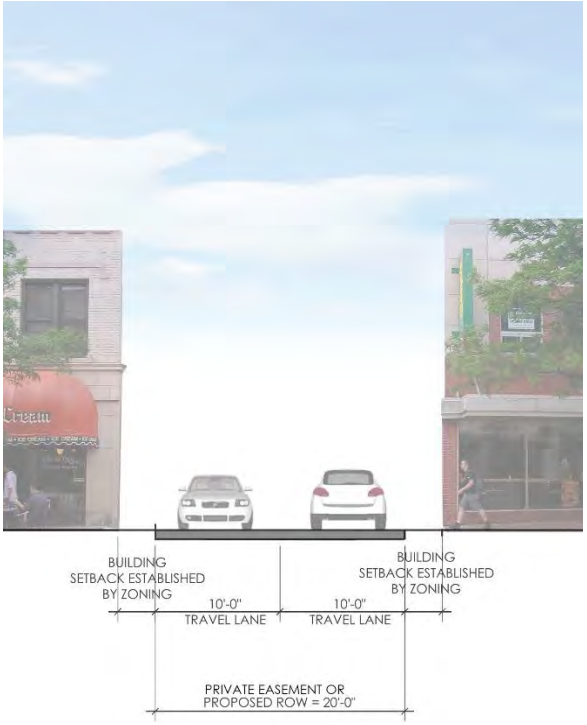
*Planter may be landscaped or hardscaped, but all trees shall be planted in a landscape area with a minimum size of 6 feet by 10 feet.

## ~~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.

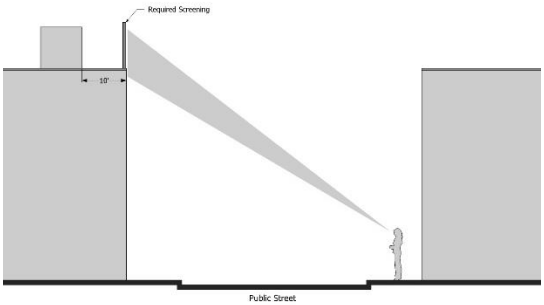
## 2.5.4. Screening

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

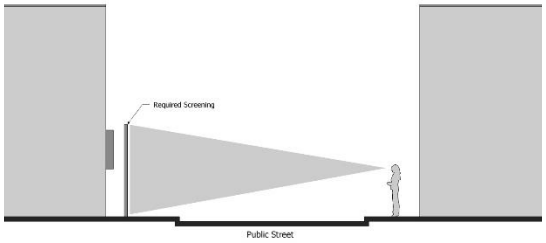
1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from abutting parcel or abutting street (not including an alley).
2. New buildings must provide a parapet wall or other architectural element that is compatible with the principal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

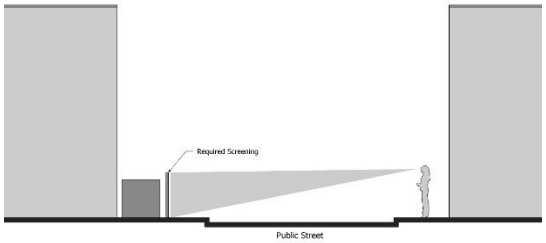
1. Wall-mounted equipment located on any surface that is visible from a street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material, and color.




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

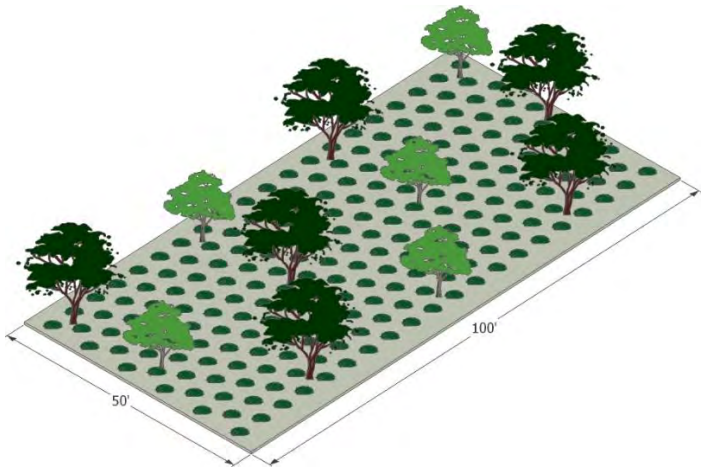
## 2.6.1. Applicability

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.

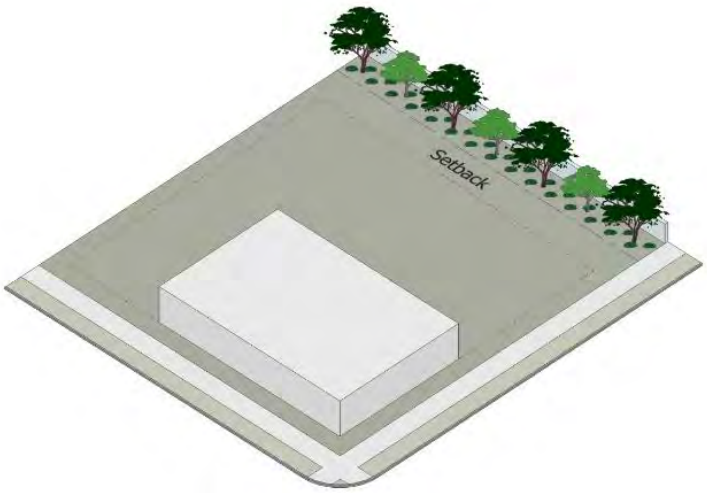
C. Buffers may not contain any surface parking or storm water, detention basins, or any structures except that the Director of Community Development may approve underground facilities within the buffer or the crossing of the buffer for the purpose of extending utilities. The Community Development Director 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.

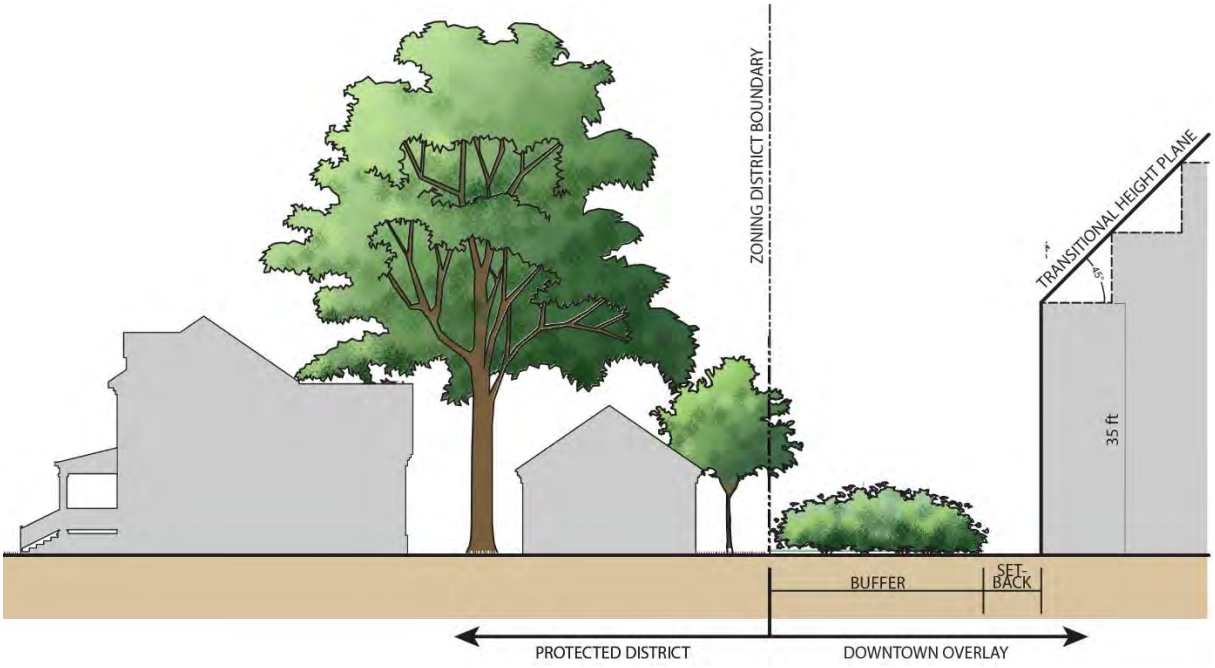
### 2.6.3. Building Setbacks

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

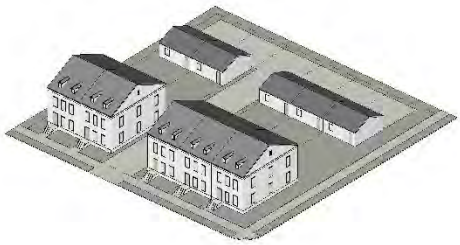
Within the Downtown Overlay building types are used to regulate the design of buildings. Each building type is described below. A building's building type is determined by the Director of Community Development. Within Downtown Zoning District, building types are subject to the additional use requirements 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.

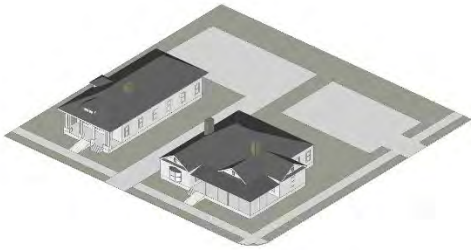
D. **Semi-Detached House.** A building type that accommodates two dwelling units arranged either horizontally or vertically. Not intended for nonresidential uses.



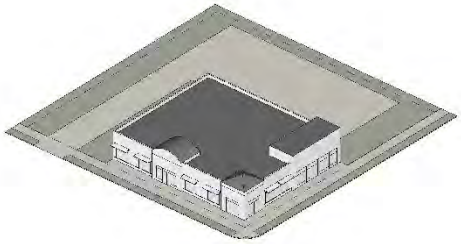
E. **Townhouse.** A building type that accommodates 3 or more dwelling units where each unit is separated by a common side wall. Units cannot be vertically mixed.

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

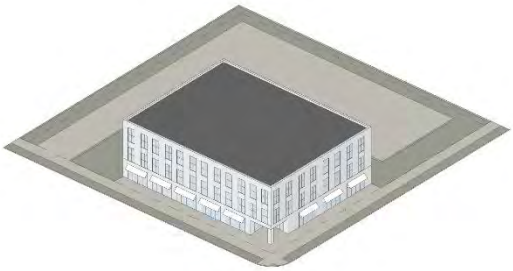
G. **Stacked Flat.** A building type that accommodates 9 or more dwelling units vertically and horizontally integrated.



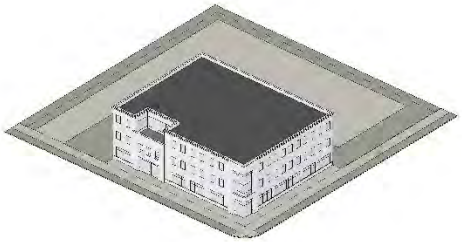
H. **Commercial House.** A building type that accommodates nonresidential uses in a building type that resembles a detached house. Not intended for residential uses.



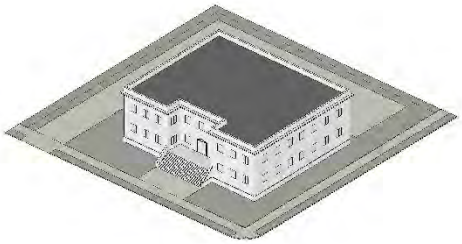
I. **Shopfront.** A single-story building type that typically accommodates single-use retail or commercial activity.



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. |

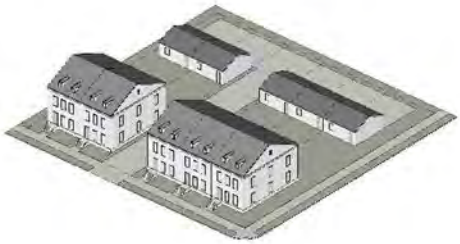
## D. Semi-Detached House

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. | |

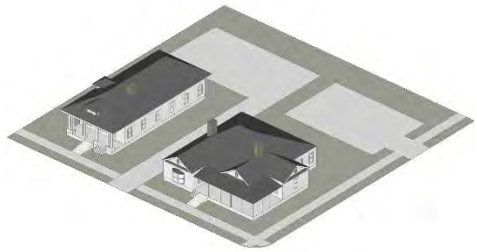
## G. Stacked Flat

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. | |

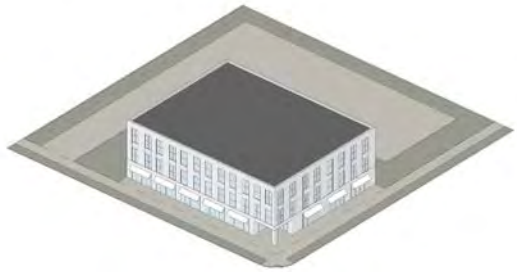
## I. Shopfront

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.

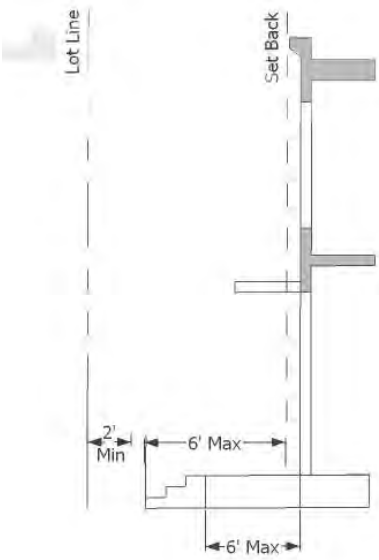
C. Where a lot has frontage on a civic space instead of a street, these requirement apply to and from the civic space.

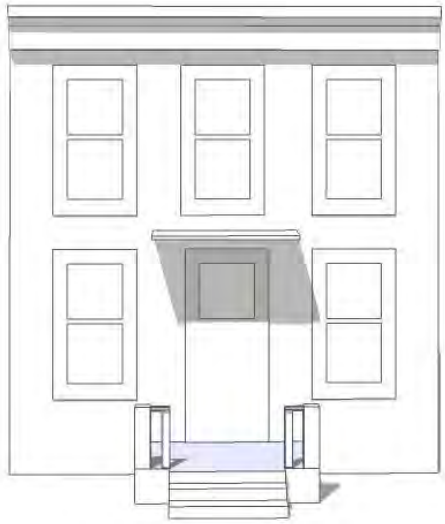
## 2.8.4. Building Elements

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.

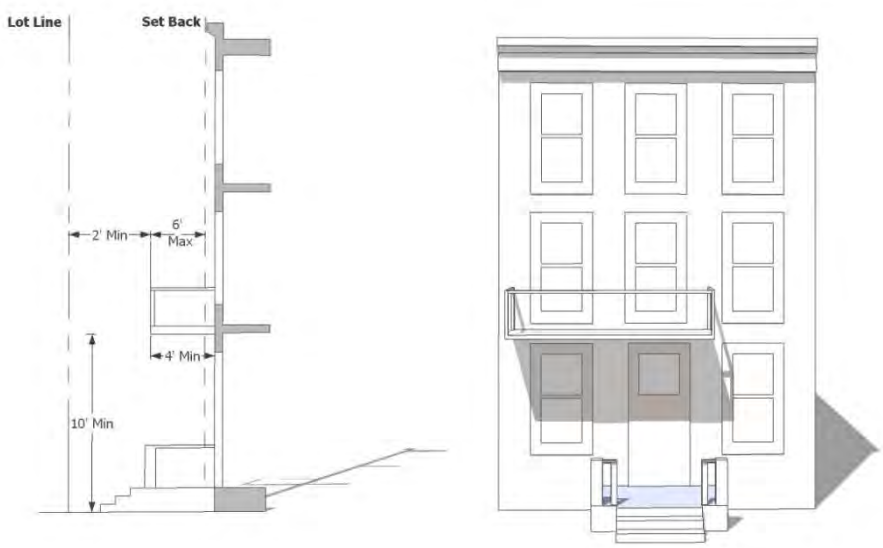
1. A front porch must be at least 6 feet deep (not including the steps).
2. A front porch must be contiguous, with a width not less than 33% of the building facade from which it projects.
3. A front porch must be roofed and may be screened, but cannot be fully enclosed.
4. A front porch may extend up 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.

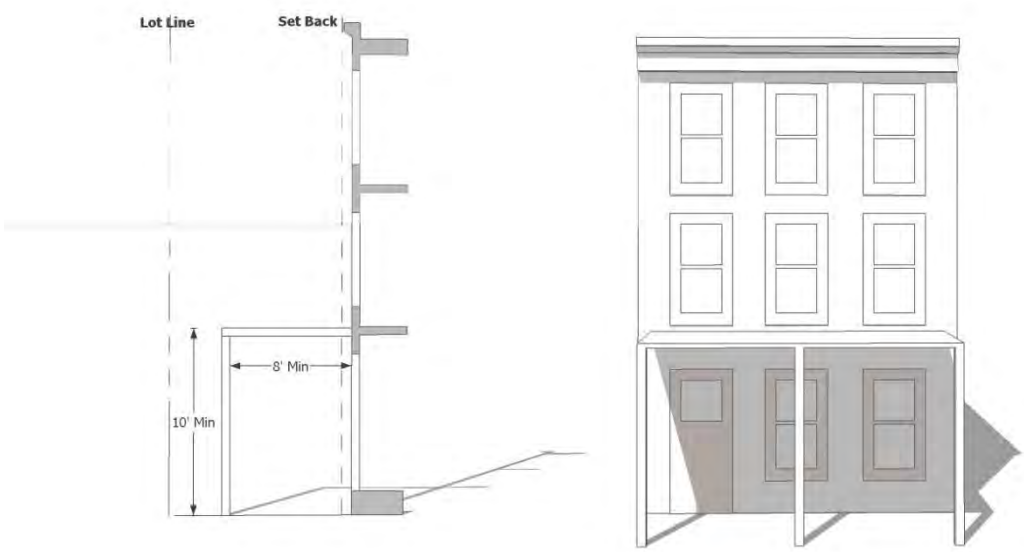



D. **Balcony**. A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

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.

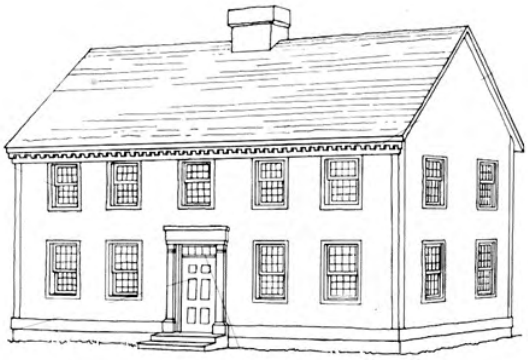
3. This section is further limited to only apply to new construction, modification, addition, alteration, moving, destruction or demolition which would affect the exterior appearance of any structure, building, land, site or other object, as follows:
   a. The demolition of any building, structure or 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:

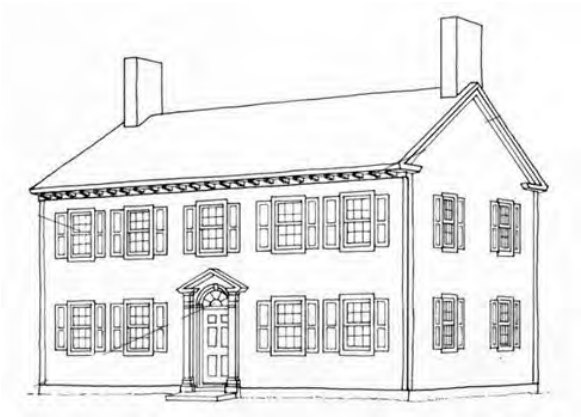


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

| 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:

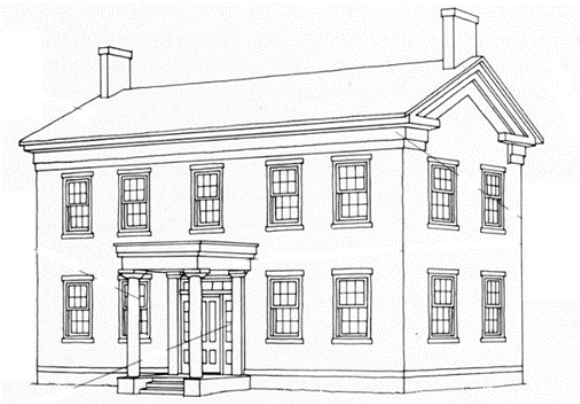


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

| 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:

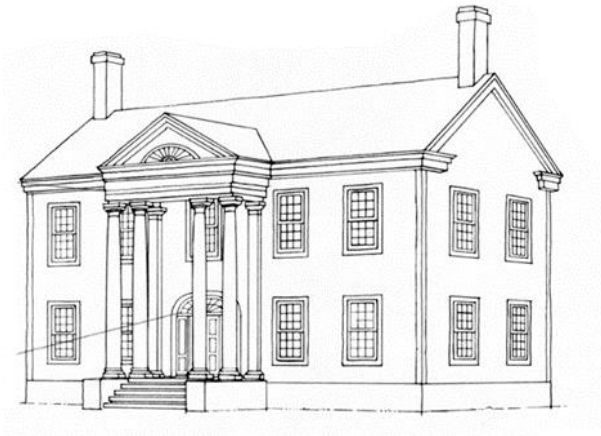


Source: *A Field Guide to American Houses* by Virginia Savage McAlester

| 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

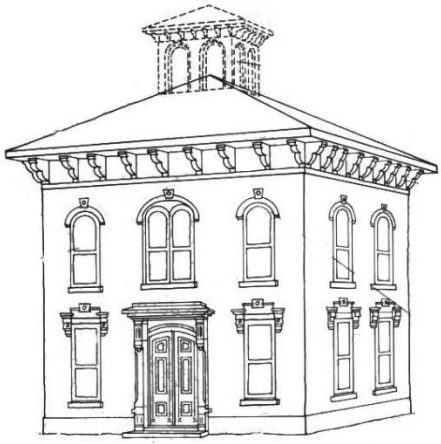
Elements of the Romanesque style are as follows:

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

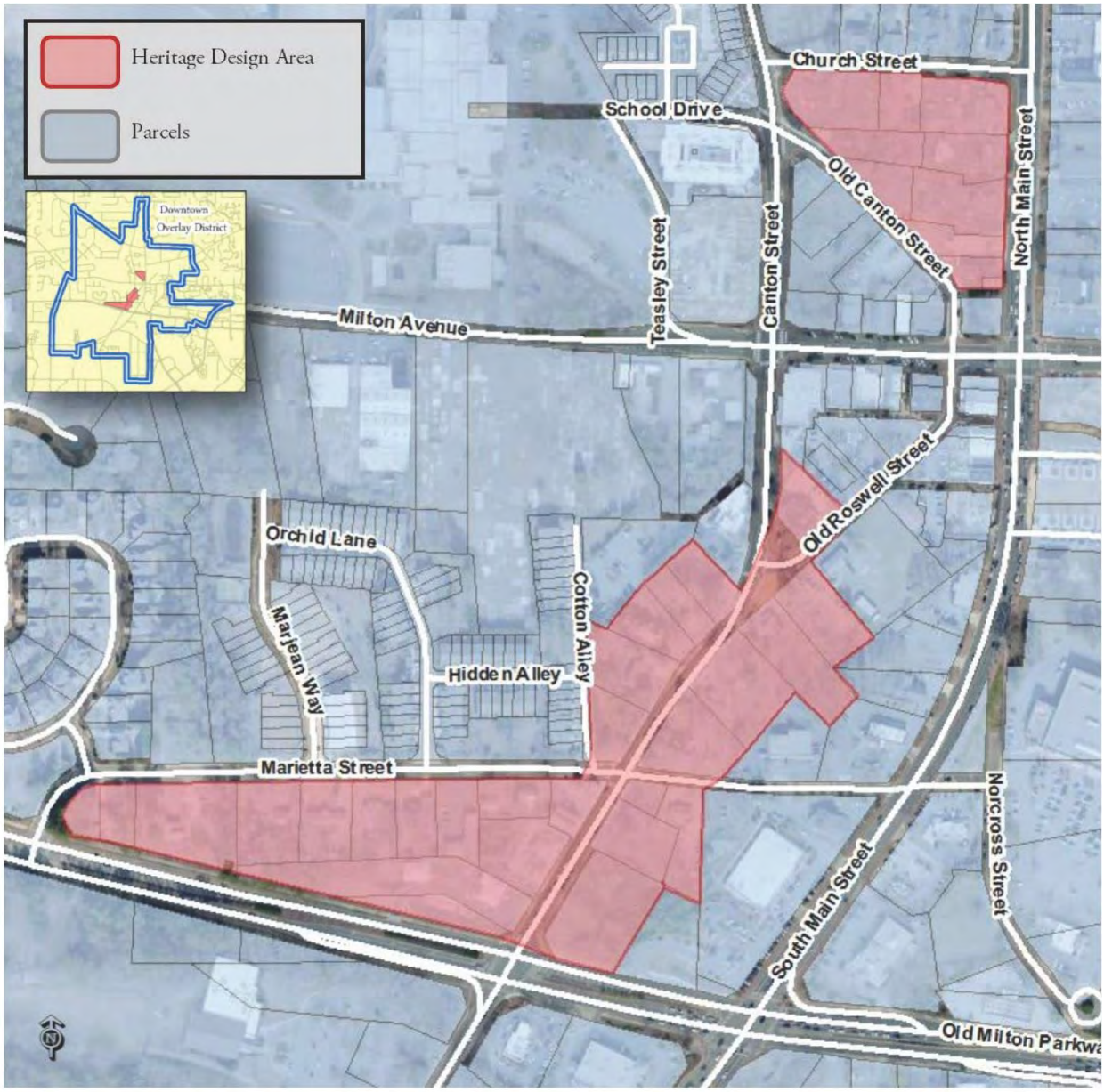
## 2.10.1. Purpose

The purpose of Heritage Design Areas is to protect the unique character of established 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 46 feet. Properties that take advantage of the height incentive shall restrict uses to restaurant with no drive-through, office, non-automotive retail and residential with a conditional use.

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.

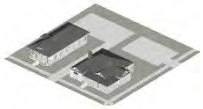
3. The building is deemed fit for human habitation in accordance with Article III of Chapter 5 of The Code of the City of Alpharetta, Georgia; and

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

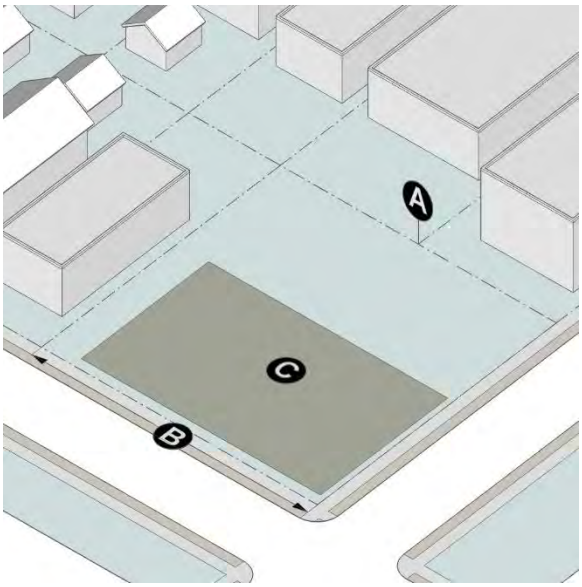
The purpose of this district is to provide for compact development in Alpharetta's core that is compatible with the area's historic character and includes a variety of commercial uses serving the entire city, civic uses, and residential uses.

## 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



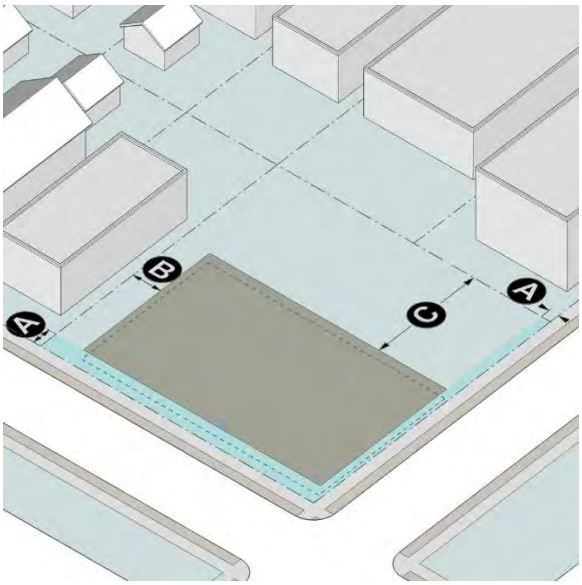

| Site Standards | |
|---|---|
| Residential Density: | No Limit |
| Min. Amenity Space Requirement: | 5% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites over 5 acres) |

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. |

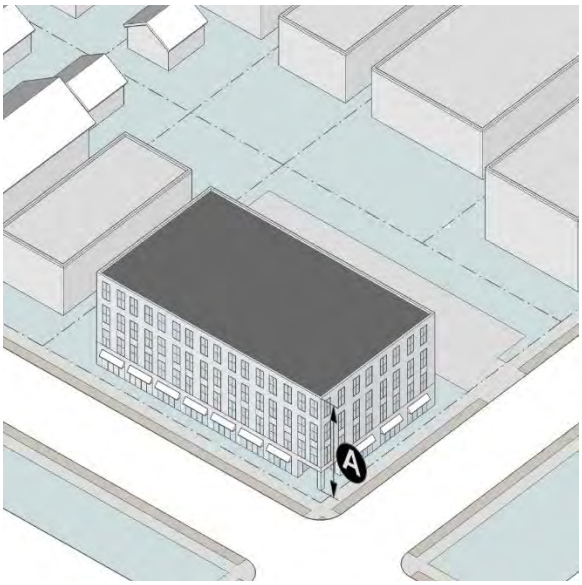
## 3.5.4. Building Placement




| 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: | 20,000 sf |

# Sec. 3.6. DT-MU: Downtown Mixed-Use

## 3.6.1. Purpose

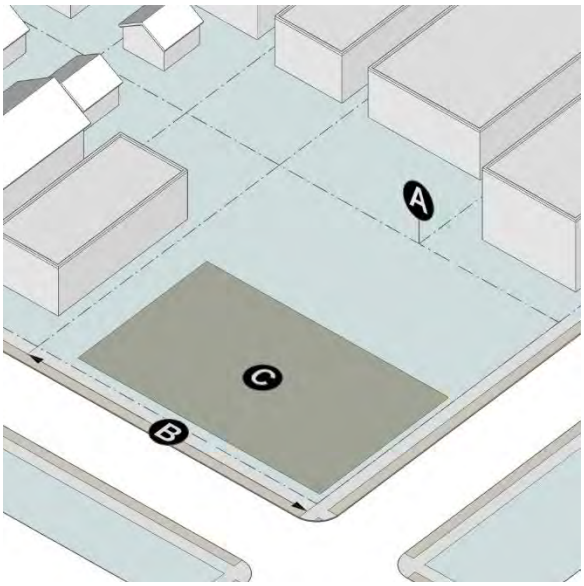
The purpose of this district is to provide for a variety of residential housing, commercial, and civic options along major corridors leading to the Downtown Core.

## 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

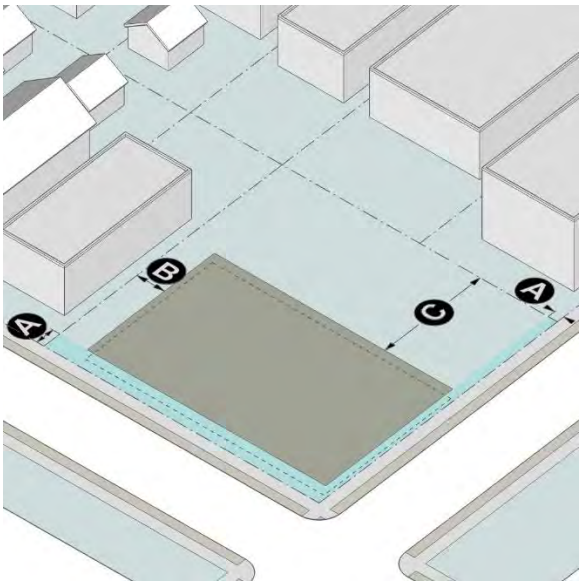



| Site Standards for All Sites | |
|---|---|
| Residential Density (no Conditional Use Permit): | 10 u/a |
| Residential Density (with Conditional Use Permit): | As approved by City Council |
| Min. Amenity Space Requirement: | 10% of site |
| **Additional Standards for Sites Over 5 Acres** | |
| Min. 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. | |

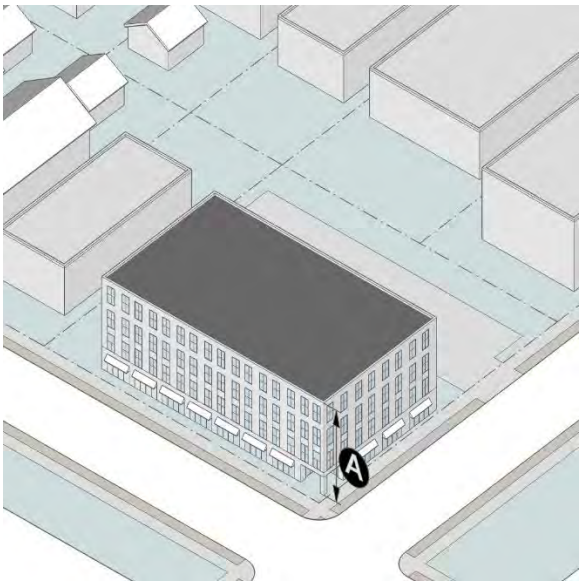
## 3.6.4. Building Placement




| 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

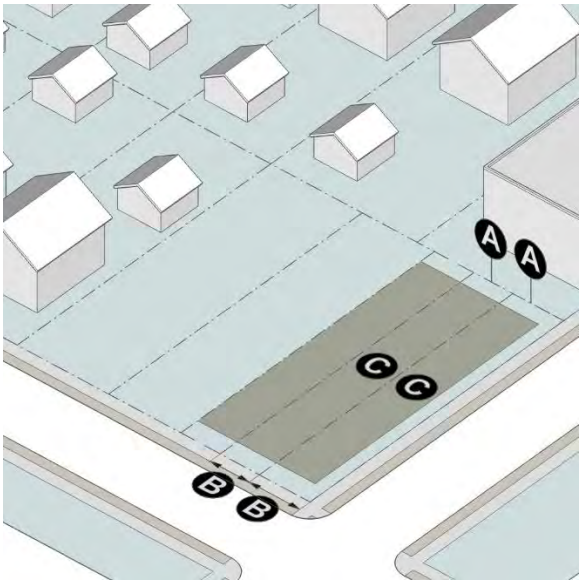
The purpose of this district is to provide for a variety of residential housing options, civic uses, and limited commercial uses and developments that are compatible with residential surroundings.

## 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

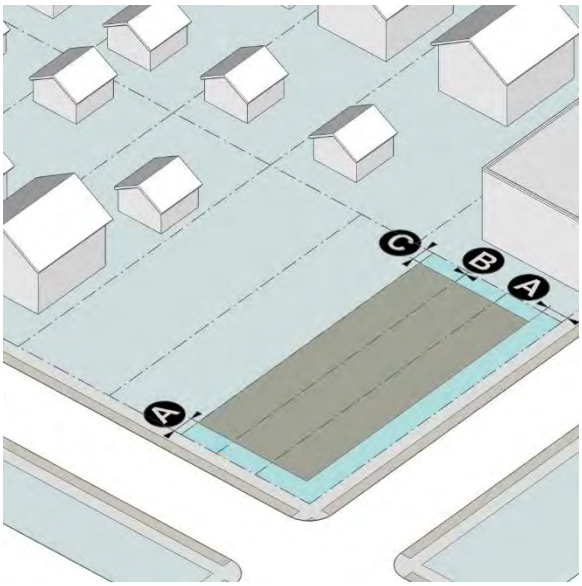



| Site Standards | |
|---|---|
| Residential Density (without Conditional Use Permit): | 8 u/a |
| Residential Density (with Conditional Use Permit): | As approved by City Council |
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites 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. | |

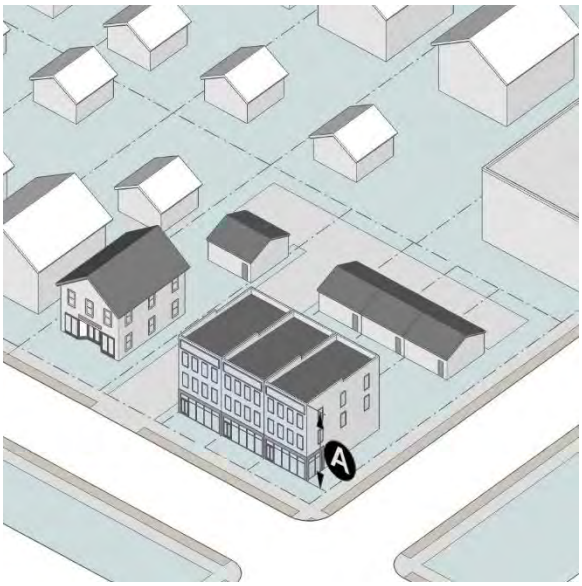
### 3.7.4. Building Placement




| Principal and Accessory Structure Setbacks | |
|---|---|
| Ⓐ Front Yard: | 10 ft. min. |
| Ⓑ Side Yard: | 0 ft. min.<br>(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

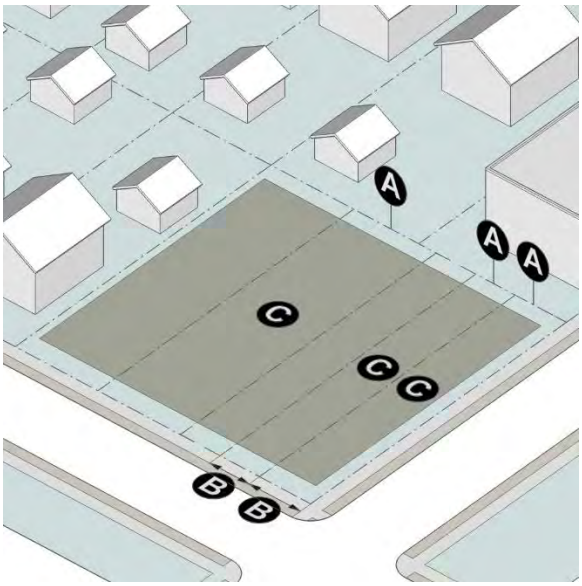
The purpose of this district is to provide for a variety of housing options in a residential setting.

## 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



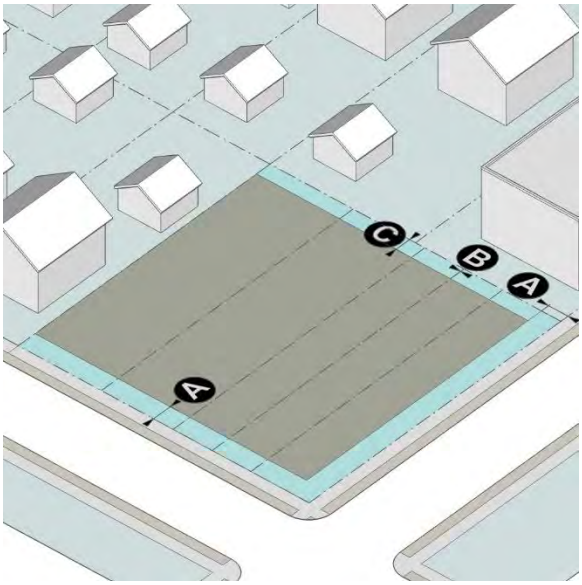

| Site Standards | |
|---|---|
| Residential Density (without Conditional Use Permit): | 8 u/a |
| Residential Density (with Conditional Use Permit): | As approved by City Council |
| Min. Amenity Space Requirement: | 10% of site (all sites) |
| Min. Civic Space Requirements: | 10% of site (only sites 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.<br>(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.

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.

**AN ORDINANCE TO AMEND ARTICLE II AND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO AMEND THE LOCATIONAL CRITERIA FOR RESIDENTIAL PARKING; TO ADD HERITAGE DESIGN AREAS AND ASSOCIATED DEVELOPMENT REGULATIONS; TO AMEND THE STREETSCAPE STANDARDS; TO ADD A MAXIMUM BUILDING FOOTPRINT IN THE DT-C AND DT-MU ZONING DISTRICTS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, on or about May 21, 2001, the City of Alpharetta (the "City") adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the "Unified Development Code"); and

**WHEREAS**, the Mayor and Council of the City of Alpharetta (the "City Council" or "Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

**WHEREAS**, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs; and

**WHEREAS**, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City's operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

**WHEREAS**, the City Council desires to amend Article II and Appendix A: Alpharetta Downtown Code of the Unified Development Code for the foregoing purposes; and

**WHEREAS**, the City Council finds that the following amendment to the Unified Development Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

**NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:**

**Section 1:** **Alpharetta Downtown Code** of Appendix A of the Unified Development Code is hereby amended to read as set forth in Exhibit "A" attached hereto as if fully set forth herein.

**Section 2:** **Subsection 2.5.4(B)** [Locational Criteria for Parking] of Article II of the Unified Development Code is hereby amended to clarify the location of required parking in residential districts.

**Section 3:** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

**<u>Section 4</u>:** This Ordinance shall be effective immediately upon its adoption by the City Council and incorporated into The Unified Development Code of the City of Alpharetta, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____day of _____, 2018.

Approved:

_____
Donald Mitchell, Mayor Pro-Tem

Attest:

_____
Coty Thigpen, City Clerk
(Seal)

Approved as to Form:

_____
C. Sam Thomas, City Attorney

**COUNCILMEMBERS**

_____

_____

_____

_____

_____

**Exhibit A:**

# CITY COUNCIL MEETING
# STAFF REPORT

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

---

I. **AGENDA ITEM TITLE:** PH-18-02 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – DOWNTOWN CODE & DOWNTOWN DESIGN GUIDELINES

CITY COUNCIL: APRIL 30, 2018

This item was heard at the April 12, 2018 Planning Commission meeting. No one from the public spoke for or against the request. After discussion, the Planning Commission recommended to approve this item. Vote (7-0)

II. **RECOMMENDATION:**

Approve text amendments to the Unified Development Code and Alpharetta Downtown Design Guidelines to add four (4) new architectural styles in the Downtown.

III. **REPORT IN BRIEF:**

Consideration of amendments to the Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code, Subsection 2.8.7 Architectural Style Requirements and Alpharetta Downtown Design Guidelines.

<u>Architectural Style Requirements:</u>
Staff proposes adding four (4) new architectural styles in the Downtown Overlay, including:

- French Colonial
- Beaux Arts
- French Eclectic
- French New Traditional

The City's Downtown Consultant recommends adding architectural styles in the Downtown that have a French influence and supports the four (4) architectural styles listed above.

IV. **ATTACHMENTS:**

- UDC Strike Through and Underline Edits

THE CITY OF

ALPHARETTA

GEORGIA

# Alpharetta Downtown Design Guidelines

March 22, 2018

Alpharetta Downtown
Design Guidelines

**Introduction** *3*
Master Plan Goals

**Design Principles** *4-11*
Key Design Principles *4-5*
Key Attributes of Main Streets *6-9*
Discouraged Design Elements *10-11*

**Standards & Recommendations** *12-37*
Block Design *13-19*
Building Location & Orientation
Block/Building Massing
Building Height
Facade Design *20-35*
Facade Organization
Fenestration
Details
Materials
Hierarchy of Detail and Material
Architectural Styles

Landscape/Streetscape 36-*38*

Parking & Service Areas *39-40*
On-Street Parking
Off-Street & Structured Parking
Service & Loading

Screening 41

Lighting *42*

Signage *43*

**Glossary of Terms** **44**

The Alpharetta Downtown Design Guidelines (The Design Guidelines) are an amendment to the Alpharetta Design Review Ordinance and Design Guidelines. These guidelines expand the area subject to the Alpharetta Design Review Ordinance and Design Guidelines to include the "Downtown Core" identified on page 70 of the adopted Alpharetta Downtown Master Plan (The Master Plan). These guidelines also provide additional standards that apply to all non-single family detached buildings, structures, sites and areas and the property on which they are located. Other applicable guidelines, regulations, and ordinances regulating development also apply. Where guidelines stated in this document are in conflict with other governing regulations, unless otherwise noted, the more restrictive shall control. Additionally, sculptures, art, and murals shall require review by the Art Commission.

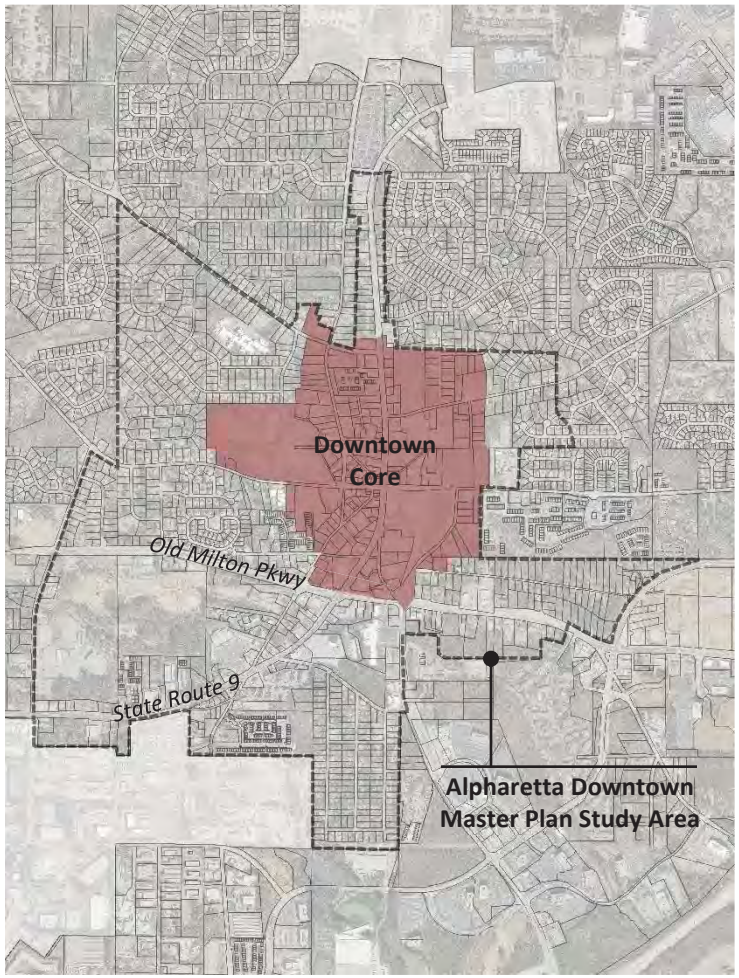
The Design Guidelines are intended to promote new development within Downtown Alpharetta that meets the goals of The Master Plan. These Guidelines include both standards (requirements that must be complied with) and recommendations (suggestions that are strongly encouraged to be complied with). Standards typically use the word "shall", an active verb (i.e. "provide" or "install") and/or a clear directive ("are not permitted", or "are required"). Images and illustrations are provided of many of the issues discussed and are intended to aid developers and City Staff in the design and approval processes.

Finally, some guidelines only apply to specific building types. Definitions of these building types are established in the City of Alpharetta Downtown Overlay, which applies to the entire Downtown Core regulated by these Design Guidelines.

**Master Plan Goals**

Downtown Alpharetta is envisioned as a vibrant live-work-play district featuring shops and restaurants, walkable streets, a range of open spaces, civic uses, new mixed-use development, contextual housing, preserved historic resources, and much more. With its rich sense-of-place and small town scale, Downtown is intended to represent an authentic town center with programming and designs that differentiate it from other business centers in the Alpharetta area and make it a focal point for citizens of Alpharetta and nearby communities.

While the Design Guidelines are not intended to establish a single architectural design direction for Downtown Alpharetta, they do provide guidance and standards for site design, the design of buildings and streetscapes, material selections, exterior lighting, and signage design that are consistent with the design of the traditional Main Street as seen in small to medium sized towns throughout the United States, most of which were built during the 19th century up through the early part of the 20th century. The Design Guidelines are intended to be flexible and fluid in order to take advantage of future development trends, while maintaining a sense of visual cohesiveness within the downtown area.




These guidelines apply to all non-single family detached buildings, structures, sites and areas and the property on which they are located within the Downtown Core of the Alpharetta Downtown Master Plan Study Area.

Alpharetta's Downtown is intended to reinforce its established historic scale, character, and connectivity while embodying the architectural practices commonly found within the commercial centers of traditional towns built prior to World War II - commonly referred to as the traditional "Main Street". Overall planning and building arrangement should promote a compact pedestrian-scaled environment while individual buildings should be designed and detailed to reinforce the pedestrian-oriented character of Downtown.

**Key Design Principles**

The following Key Design Principles establish the foundation of these Design Guidelines whose purpose is to ensure the overall character of this unique environment.

- Buildings shall be located, designed, and programmed to activate open spaces, promote pedestrian activities, provide visual interest, and create an enjoyable, vibrant, and mixed- use environment.
- Building design shall utilize massing, materials, and architectural details and ornament to achieve compatibility with existing buildings within the Historic Business District and nearby areas.
- Compatibility is not meant to be achieved through uniformity or the replication of existing buildings, but through the use of variations in building elements to achieve individual building identity. Traditional Main Street buildings typically employ a variety of architectural styles, sometimes informed by the geographic location or the time period of construction.
- Avoid a pastiche of styles and competing architectural details. Traditional details, when used, should be appropriate to their style.
- Building facades should include appropriate architectural details and ornament to create variety and interest.
- Buildings shall be built to, or close to, the sidewalk with entrances oriented towards the street to promote a consistent and well-defined pedestrian environment.
- Open space that allows for community gatherings and more passive pedestrian activities is a vital component of any successful downtown environment. Rather than create smaller, disconnected spaces on a per development block basis, The Master Plan concentrates open space into larger locations with convenient public access.
- Create a sustainable environment that will be embraced by generations to come.

The historic Milton County Courthouse was built in 1877 and sat at the corner of Main and Academy Streets (razed in 1955).

Buildings and streetscape within Alpharetta's existing downtown.

An illustration of potential development.

## Elements of Main Street Design

Prior to World War II, the traditional Main Street served not only as the community's primary commercial center, but also as an important part of its social life by providing a mix of uses and amenities which together activated streets and open spaces and helped define the towns' individual character. Streets, blocks, lots, and buildings were laid out and designed with both function and aesthetics in mind. Utilizing local materials and building techniques, communities were able to create a built environment that represented their individual character and future aspirations. Over time, as the community grew and evolved, additional streets and blocks were added while existing buildings and spaces were adapted or repurposed to meet current needs. The resultant is a Main Street that embodies the community not just at a single point in history, but as an authentic physical narrative of its evolution.

While one cannot ensure great buildings or places by simply copying the best historic ones, there are a number of common architectural attributes found along the traditional Main Street that, when arranged and properly utilized, will contribute to a well-proportioned, visually pleasing, and economically viable downtown neighborhood. These attributes include the size, scale, level of detail, location, and juxtaposition of buildings and individual facades and their associated architectural details. In order to establish and maintain a consistent character, it is important to be mindful of not only the design of a single building facade and its component parts but also understand how each fits into, and interacts with, neighboring buildings and spaces.

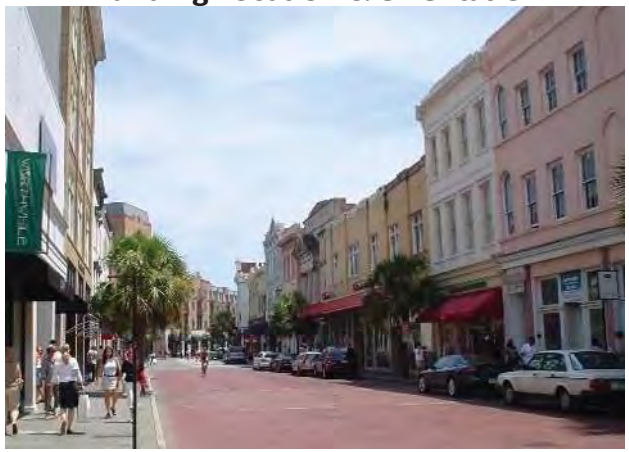
Pages 6-9 identify and illustrate key architectural attributes that characterize Main Street architecture. Alternatively, pages 10 and 11 identify and illustrate attributes of design that detract from the character of a traditional Main Street. Because Downtown Alpharetta includes both traditional Main Street areas and traditional residential streets, it is important to note that the following are intended to apply to the latter. Projects that include the preservation of historic residential buildings over 75 years old or completely consist of new residential buildings should be afforded some relief from the standards on pages 6-11.

King Street is both the commercial and social center of Old Town Alexandria, VA.

Town Green in Athens, GA.

A variety of building massings, styles and uses along with an appropriate amount of open space creates an inviting, human-scaled and viable environment.

## Building Location & Orientation



- Mixed-use and shopfront buildings are built to, or close to, the back of the sidewalk and establish a well-defined street edge that contributes to a greater sense of enclosure and clearly defined path.
- Mixed-use and shopfront buildings are placed close to the sidewalk to increase visibility into ground floor commercial uses.
- Street-level uses and building entries are oriented towards the street.

## Block Massing

- Individual blocks are broken down into a series of buildings each with distinct facade expressions.
- Above illustrates a street that is predominately three stories in height with different roof and parapet treatments on each building used to break up the blocks' mass and provide visual interest. Below illustrates a block with more varied building height.

## Building Massing

- Larger buildings that occupy a greater percentage of the block, utilize massing changes and fenestration rhythms to break down their length and relate them to smaller buildings.
- Traditional Main Street buildings are characterized by simple massing and forms.

## Corner Articulation

- Simple massing and small changes in plane or height are used to emphasize certain intersections and points of interest within Downtown. Variations in massing complement, and do not compete with, other nearby design elements.
- Not all corners require massing articulation and may be treated more simply.

## Building Entrances

- Building entries for upper level uses and pedestrian pass throughs may be identified via a change in massing and architectural elements that distinguish them from storefronts, as shown above. Alternately, they may be more discreetly incorporated into the ground floor fenestration, as shown below.

## Variation of Styles

- While most Main Street buildings were erected prior to World War II, the inclusion of more recent styles is typical of many downtowns and brings both authenticity and a sense that a place has evolved over time.
- Variation in style can be expressed either as an element within a facade or as a facade within a block. In the above, the ground floor storefront and upper floor windows vary in style from the rest of the traditional facade. Below, the circa 1930s center building is a counterpoint to its 19th century neighbors.

## Facade Design

- Ground floors consist of a high percentage of glass in order to provide a high level of visibility into and out of the commercial establishment.
- Traditional Main Street facades are characterized by distinct base, middle, and top (parapet) zones that create an attractive and comfortable human scale to buildings and blocks.
- Ground floors can be expressed as a continuation of the building's upper stories' design expression extending down to the ground (lower left) or with applied storefront elements (lower right).

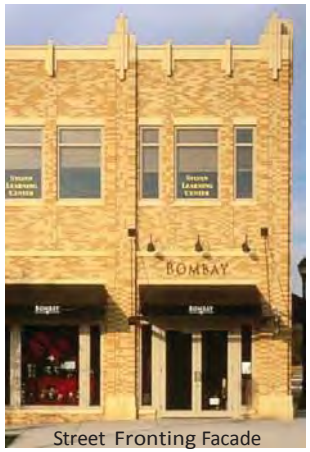
## Detail & Fenestration

- Architectural styles can be varied or more similar. The level of detail often is dependent on the style with some buildings more ornate and others simpler.
- Upper level fenestration is typically characterized by simple rhythms of window openings.
- As shown, buildings of similar size and with similar levels of detail can be distinguished by different storefront designs, second floor fenestration and parapet design.

## Materials & Details

- Main Street buildings are characterized by the use of traditional materials that utilize details appropriate to those materials.
- Well-proportioned architectural elements that have an appropriate level of detail for the style of building they articulate provide a sense of scale and visual interest.
- Detail can be achieved through applied ornament, a change in material, building plane, color and texture.

## Hierarchy of Detail & Materials



Street Fronting Facade

Entrance at Block Interior

- Not all sides of Main Street buildings are treated the same. The highest level of detail and quality of materials are used on the street fronting facades. Facades at the rear of buildings (block interior) or along alleys favor durability and cost efficiency.
- The materials and level of detail of street-facing facades typically return at corners and sides before transitioning to ones that are less detailed and more cost efficient.

## Streetscape

- The streetscape, located between the building face and the curb, is comprised of street trees, accent planting, and street furniture that further promote Main Street's pedestrian activities.
- Sidewalks are sized to an appropriate width to accommodate both pedestrian and commercial uses such as seating and signage.
- Sidewalks built of durable materials and simple patterns are characteristic of traditional Main Streets.

## Signage

- Signage's prime role is to provide commercial identity and branding. Done properly it adds a level of detail and visual interest to the building and the streetscape.
- Below, two examples of signage that complement the style of each building well and are integrated into their architectural elements.

## Building Setback & Materials

- Buildings set back far from the back of the sidewalk degrade the street edge and do not provide the sense of enclosure that traditional Main Streets provide.
- Street facing facades with limited glass area at the ground level detract from, rather than promote, pedestrian activities.
- Buildings that incorporate an excessive number of materials risk creating a streetscape that looks busy and disjointed and are uncharacteristic of traditional Main Streets.

## Massing & Scale

- Building facades composed of architectural elements that are oversized or ill-proportioned disrupt the typically consistent rhythms and proportions found along most Main Streets.
- Overly busy massing in close proximity that compete with each other for attention are uncharacteristic of Main Street.

## Massing & Ground Floor Height

- Contemporary interpretations of traditional architectural styles are best executed when the design maintains the basic principles of the referenced style. In the above, the two top floor balconies create oversized, horizontal openings that erode the facade and are out of character with the building's style.
- Excessively tall ground floor-to-floor heights risk creating buildings with proportions and excessive spandrel zone depths that are not indicative of Main Street buildings.

## Appropriate Details & Articulation

- Overly blank and/or unarticulated walls do little to activate the streets and spaces which they front.
- Windows set flush with the face of the facade are uncharacteristic of traditional Main Street buildings.
- Changes in color without changes in material and/or plane have a cartoonish effect that detracts from the character of Main Street.

## Architectural Style & Context

- Overly thematic designs, particularly when they reference a specific style(s) or time period(s) that is not compatible to the locale, are uncharacteristic of traditional Main Streets.
- Awkward combinations of materials, details and the improper use of architectural style and scale create an inauthentic environment.

## Visibility & Signage

- Ground floors that lack visual connections to the street, either through the lack of glazing, as in the above example, or the covering up of storefront with excessive signage, shown below, is a detriment to the pedestrian nature of main streets.
- Signage that is oversized, over-scaled, or blocks visibility into and out of ground floor businesses clutters the facade and does little to activate the streetscape.

The preceding principles establish the foundation for the architectural design of the future development sites within Downtown. Building upon, and reinforcing these principles, the following standards and recommendations are intended to provide guidance in the design and development of buildings and sites that achieve the City of Alpharetta's vision for its heart.

The Standards & Recommendations are broken down into a series of topics, beginning at the larger scale of the block, and successively addressing design issues at the intermediate and finally the smallest scale. In addition to the design of blocks and buildings, streetscape, landscape, signage, and lighting design are addressed owing to their importance in contributing to the character of a place.

Though not specifically called out, sustainability is an overarching goal for new development within Downtown, aspects of which are implied throughout these standards and recommendations by promoting development that is to be built for longevity and embraced by the community. To the extent practical, sustainability should be a consideration in the design, construction and operation of all buildings and spaces within Downtown.

## Block Design: Location & Orientation

A city block (or simply block) is defined as a parcel or site bounded by public streets. It provides the space within the city's fabric for the placement of buildings and their associated service and support areas. The buildings, through their location relative to the street, overall massing, and height, articulate the edges of the block within which they are arranged and set the tone for the character of the public realm.

In order to create a well defined, pedestrian-oriented environment that promotes street-level activity, buildings within a block shall:

I) Be located at the back edge of the sidewalk.

A. Small setbacks from the building line are generally discouraged and should be reserved for special and limited instances where specific street level uses require additional width at the sidewalk. Setbacks should be limited in both their depth and length along the block so as to maintain a well-defined street edge. Minor setbacks may occur, but with limitations, at corners of a block. *(See Figure 1)*

B. Arcades that project over the sidewalk may be permitted along specific block faces with approval of the Design Review Board (The Board). Columns that support arcades may land within the sidewalk zone provided that a minimum five foot (5') continuous path of travel is maintained. *(See Figures 2A-C.)*

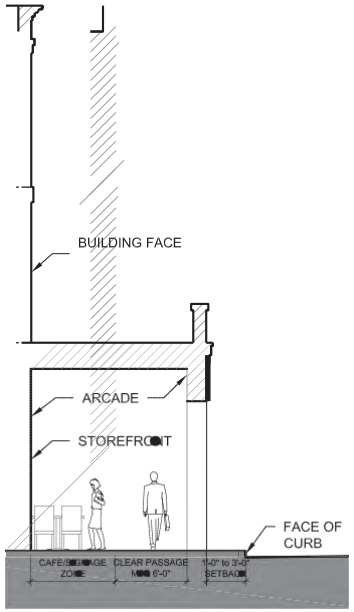



FIGURE 2A: Projecting arcades may be allowed.

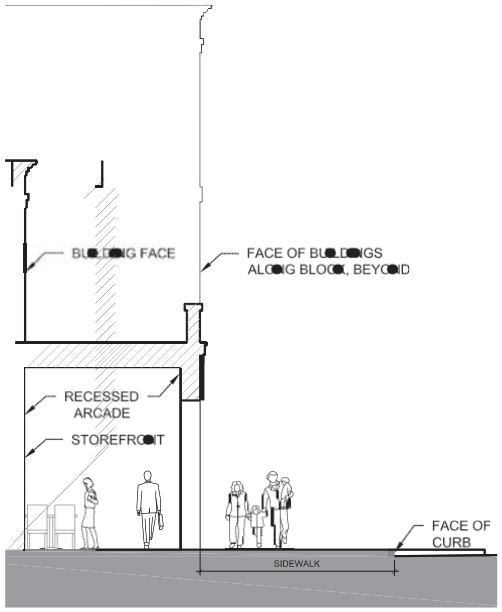



FIGURE 2B: Recessed arcades are generally discouraged.

Buildings built to the back of the sidewalk create a well-defined, pedestrian-oriented environment.

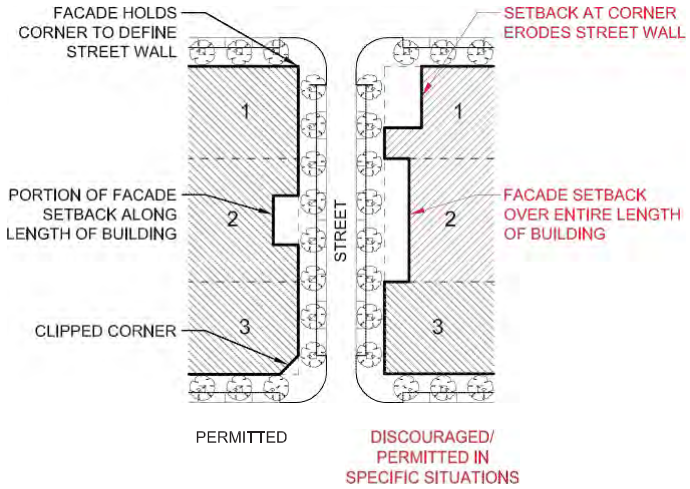



FIGURE 1: Setbacks are generally discouraged.

An arcade that projects over the sidewalk to create a covered seating area while maintaining a clear path for pedestrian travel.

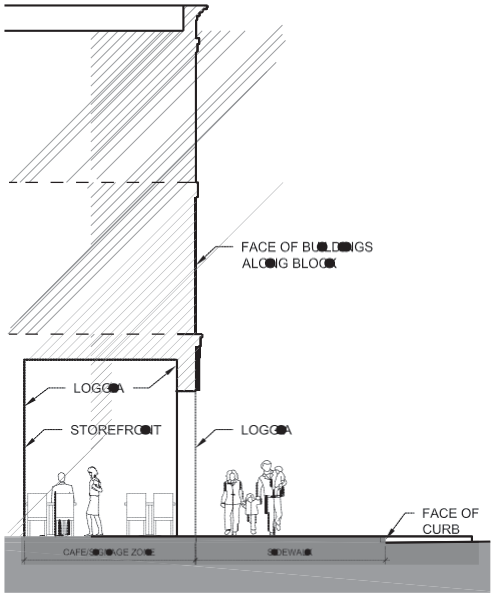



FIGURE 2C: Loggia that are recessed behind the sidewalk are allowed for dining uses only.

C. Minor setbacks at the ground floor alone for entries, vestibules, commercial houses, or residential buildings types are permitted.

D. Parking is not permitted between building and the sidewalk.

E. Landscape or front yards between building and sidewalk is discouraged.

II) Have primary facades and ground floor use entrances that are oriented towards the public street.

A. Secondary entries may be located at the rear or sides of buildings provided they meet the requirements set forth within The Design Guidelines.

B. Entrances to upper floor uses may be located along the street front, side streets, off block breaks, or Block Interior areas.

C. Buildings that front multiple public streets or spaces, such as on corner or through lots, have more than one primary facade and should be designed with architectural emphasis placed on each; either hierarchically, with emphasis on the facade oriented towards the more prominent street or space, or equally with both elevations treated as primary facades.

Minor setbacks for building entrances are permitted.

Areas dedicated for dining along the sidewalk may be recessed within a loggia.

A setback from the building line for restaurant seating. Note, the above building extends back out to sidewalk at the ends of the seating area.

## Block Design: Block Interior

The Block Interior consists of that portion of the block located behind buildings. It can consist of built areas, unbuilt areas, or a combination of both (See Figure 3). On smaller blocks, the building or buildings may occupy the entire block, thus eliminating the Block Interior.

I) Uses that are appropriate to be provided for at the Block Interior include:

A. surface parking

B. service, loading and delivery areas

C. structured parking

D. open space

II) Building facades fronting onto the Block Interior may be simpler in their design than those fronting onto public streets. Though not a requirement, their level of detail may be reduced and/or material palettes may be simplified in favor of durability over cost.

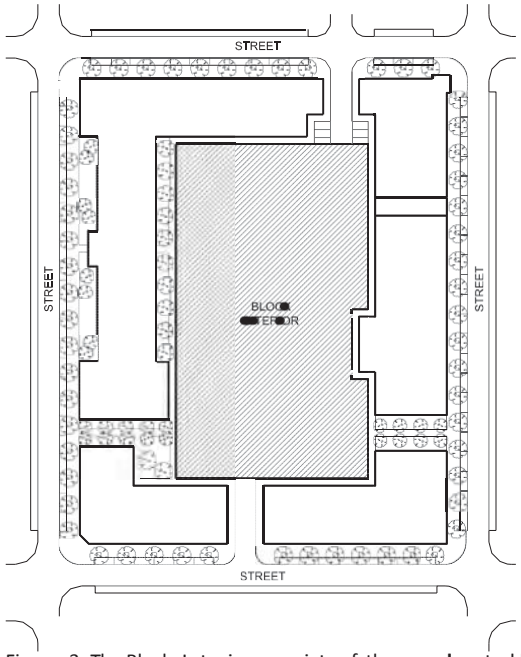
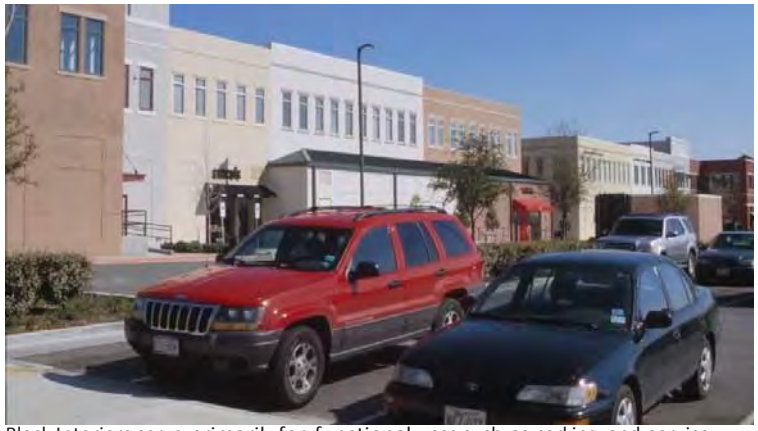



Figure 3: The Block Interior consists of the area located behind buildings.



Block Interiors serve primarily for functional uses such as parking and service. Facades fronting onto block interiors may be much simpler than their street fronting counterparts.

## Block Design: Block Breaks

Block breaks provide connections, both pedestrian and vehicular, between the street and Block Interior and are particularly important in adding a level of porosity to longer blocks *(See Figure 4)*. The number and width of these breaks should be minimized in order to screen views into the Block Interior from the street, maintain a defined street edge, and limit the number of vehicle curb cuts along the sidewalk.

I) Vehicular block breaks:

A. shall be located to provide convenient access to parking and service areas within the Block Interior and facilitate efficient traffic movement across the site.

B. shall not occur along portions of blocks fronting the Town Green or along Street D.

C. should provide an appropriately sized sidewalk on at least one side of the vehicular roadway.

II) Pedestrian block breaks:

A. should be located along key pedestrian routes.

B. are encouraged to have landscape plantings and street furniture.

C. may provide outdoor dining and seating areas for adjacent ground floor uses.

D. should, to the greatest extent possible, be activated by orienting street level openings and building entrances along their length.

III) Portals are intermediate building breaks that occur at the first floor and allow for upper levels of the building to bridge over. Portals maintain the street edge of a block and provide opportunities for special architectural treatments.

A. Vehicular portals provide access for both vehicles and pedestrians to areas at the Block Interior including direct access to surface or structured parking.

i. The roadway and sidewalk zones are to be separated either by grade or with bollards or other physical barrier.

ii. A change in materials or material color between the vehicular and pedestrian path is encouraged.

B. Pedestrian portals provide pedestrian only access to the Block Interior.

i. Edges are encouraged to be activated with building entrances, dining/cafe seating, display windows, streetscape furniture, and accent planting.

C. Lighting of portals should be designed to provide for a safe and inviting path.

IV) A block break used for a drive-up window is subject to Board approval.

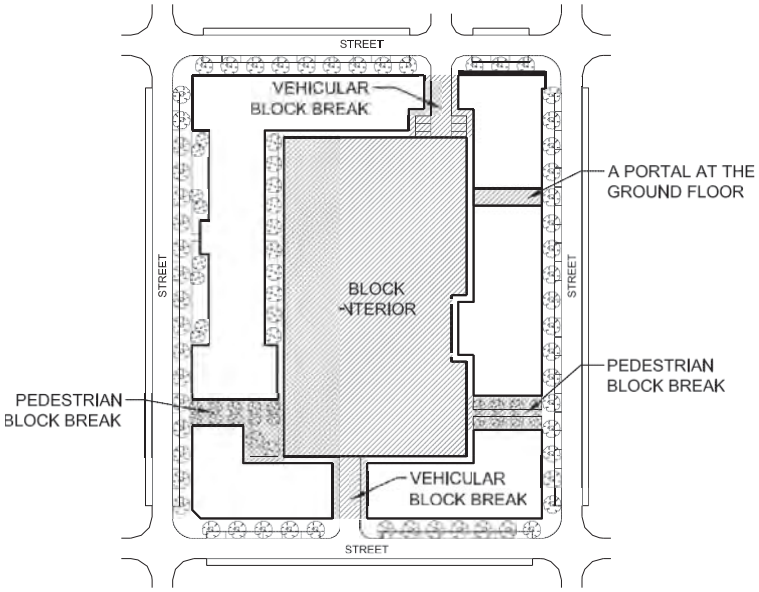



Figure 4 Identifies the access types to the Block Interior.

a Pedestrian Portal connects the street to block interior.

A Vehicular Block Break with an appropriately sized sidewalk.

A Pedestrian Block Break with a covered dining area.

## Block Design: Block/Building Massing

Building massing generally refers to the shape of a building's volume. Traditional Main Street shopfront or mixed-use buildings usually have relatively simple massing; the street facades are relatively planar, have minor, if any, setbacks or projections, and are built straight up to the parapet. Setbacks, when they occur, are often reserved for the uppermost story or at the first floor at an entrance. Projections usually consist of minor facade articulations (e.g., balconies, pilasters, facade folds, and minor bays) except where more significant projections such as bays, oriels, and tower elements are used and are appropriate to the building's stylistic expression and location.

I) A building's massing should relate to its site location, use, and architectural context.

- A. Building massing should reinforce the massing patterns of other Downtown buildings.
- B. Unique massing forms (e.g., towers, domes, and porticos) should be reserved for those buildings located at key points of interest or housing important civic functions.

II) The massing of longer blocks are encouraged to be broken up by:

- A. locating multiple buildings along any given block face. (*See Figure 5*)
- B. utilizing a segmented facade treatment (*see Glossary*) on larger buildings. (*See Figure 5*)
  - i. Changes in segmented facade treatment should be planned to occur at the first floor tenant demising lines. Tenants may take up multiple, whole, segmented facade treatments.
  - ii. The widths of segmented facade treatments are encouraged to be based on a standard module similar to those found along traditional Main Streets.
- C. breaking up of longer buildings with massing articulation.
- D. a combination of A, B, and C above.

III) Variations in the width, height, and rhythm of street-facing facades are encouraged along any block face.

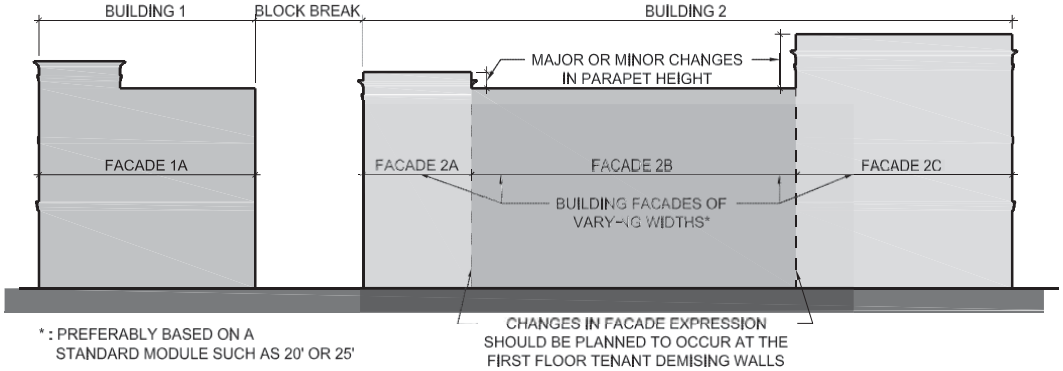



Fig. 5: Diagram of a block broken up by multiple buildings. Building 2's massing is further broken up by segmented facade treatments.

Examples of buildings that use simple massing articulations.

An example of a building that utilizes a segmented facade treatment of varying width facades to break down the perceived length of the block face.

Buildings that take up larger portions of a block, use massing articulations and fenestration rhythms that break down the scale of the block.

## Block Design: Block/Building Massing

IV) Important elements such as building entrances or pedestrian portals may be reinforced with changes in massing or breaks in the predominant rhythm of the block.

V) If the opportunity exists, a building's massing should emphasize and frame or terminate important vistas. Building corners may be articulated in various ways (*see Figure 6*), but should not compete with other, adjacent massing articulations.

VI) Projections

Architectural elements such as balconies, bay projections, show windows, canopies, and awnings should be integrated into the design of street fronting facades to provide an added layer of variety, detail, and interest along the block face.

A. Projections should be designed with regard to the individual building's design as well as the overall length of the block and street in terms of location, scale, rhythm, and relationship to one another.

B. Visually unsupported and unresolved projecting architectural elements are discouraged.

C. Projections at the ground level should be limited in their depth as to not obstruct sight lines into ground level uses. Where projections reduce the width of the sidewalk, a clear pedestrian path of five feet (5') must be maintained along the length of the building.

D. Projections are only required in commercial house building types as appropriate to the style.

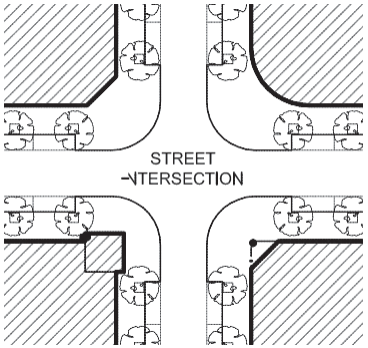



Figure 6: Diagram of building massings that emphasize corners.

Massing articulations at corners should complement plan relationships and not compete with other massing articulations.

Projections of massing or elements within traditional Main Street facades are typically minor.

More significant projections, such as balconies, bays or show windows, may be incorporated into the facade at select locations.

## Block Design: Building Height

The Master Plan identifies recommended ranges for building heights (in floors) ranging in height from 1-4 stories.

I) Buildings shall be designed to accommodate a minimum first floor finished ceiling height of twelve feet (12') to allow for retail commercial uses at the ground floor. Taller ceiling heights are allowed provided:

A. the height of the storefront is increased proportionately.

B. any increase in the height of the spandrel zone (the area between the head of openings on one floor and the sill of the openings on the above adjacent floor) between the ground and second floors is compensated through the use of architectural details that act to subdivide it into smaller areas.

C. a combination of A and B, above.

II) It is encouraged, though not required, that the heights of buildings along the street vary along the length of a block.

III) Adjoining buildings of the same story height should, where practical and not in conflict with their overall architectural expression, have offsets in their adjoining parapet or cornice heights.

A commercial main street with a large variation of facade and building heights along the block.

A street that is predominately three stories in height with different roof and parapet treatments on each building used to break up the blocks' mass and provide visual interest.

## Facade Design: Facade Organization

Facade design addresses the organization, fenestration, detailing, and material composition of the exterior of a building.

I) In order to create an attractive and comfortable human scale for buildings and blocks, the designs for all building facades (except commercial houses) that front onto public streets and spaces should express a distinct base, middle, and top (parapet). (*See Figure 7*)

A. The Base is the lowermost story of a building. It visually anchors the building to the ground. Areas of wall, piers, and pilasters, together with larger windowed areas, typically comprised of storefront and entrances makeup the majority of the Base. Though not a requirement, some type of horizontal band or belt course separates the building Base from the Middle.

B. The Middle is the portion of the facade between the Base and Top and comprises the building's upper floors' openings, and, depending on the building's height and facade organization, may or may not encompass the uppermost floor. On most Main Street buildings, the middle zone of the facade is characterized by simple window rhythms. Depending upon the style, the detail and articulation of openings and wall area can range from simple to ornate.

C. The Top of the facade, which, depending on the overall building height may or may not include the uppermost floor, visually completes the facade as it meets the sky. The Tops of Main Street facades typically consist of the building's cornice and/or parapet.

II) Fenestration is the design and detailing of the openings within a façade. Together with massing, it is one of the primary elements that defines the design character of a building's exterior.

A. The fenestration at the first floor of commercial buildings should be composed of a high percentage of window area in order to promote visibility into retail and dining establishments. Upper stories, which are less likely to be occupied by retail tenants may have a smaller percentage of window opening area.

i. Buildings with first floor commercial uses should have ground floor openings (windows and doors inclusive of framing, dividing, and sub-dividing elements) along street-facing facades that are not less than **50%** of the first floor facade area. Facade area is measured from grade to finished floor at second level.

ii. Upper levels should have openings (windows and doors inclusive of framing, dividing, and sub-dividing elements) not less than **20%** of the upper level facade area. Facade area is measured from the finished floor at the second level to finished roof at the face of the facade.

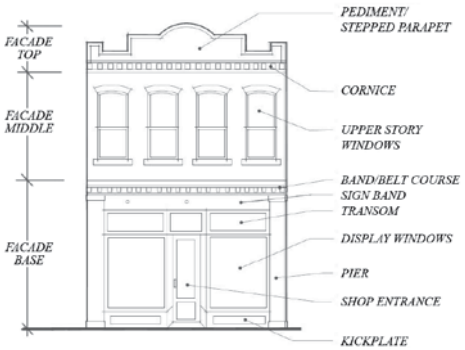



Figure 7: Illustration of a typical mixed-use building facade's organization.

Traditional Main Streets are characterized by a high percentage of glazing at the street with a smaller percentage at sides and upper floors.

An example of a facade that uses both simple fenestration rhythms and level of detail to compose an elegant facade.

iii. Glass used to satisfy the above must be unpainted and have an external reflectance of less than 15%.

B. Fenestration rhythm is the regular recurrence or pattern of upper level window openings along the length of a facade or block.

i. Facades should be composed of simple fenestration rhythms. Complex rhythms and misalignments, relative to other upper level openings as well as ground level fenestration, should be avoided.

ii. Variation in the fenestration rhythms within a block length are encouraged.

iii. For most Main Street architectural styles, upper level window openings should utilize vertical window proportions. Where horizontal proportioned openings are appropriate to the building's style, the use of divisions within the window opening to create more vertically proportioned sub-divisions of the window area are encouraged.

iv. To the extent practicable, the design of fenestration at upper floors should allow for the use of standardized office planning modules in order to provide the greatest flexibility for future tenant leasing.

C. Larger window and door openings should be subdivided using both vertical and horizontal elements (e.g., pilasters, mullions, transoms) of varying dimension. Where appropriate to the building's architectural style, muntin bars may also be used to subdivide the glass area. Fenestrations that utilize large amounts of glass (e.g., continuous glazing systems, ribbon windows) may be permitted if appropriate to a building's architectural style and location within a block.

D. Windows and doors should be recessed within their opening in the exterior wall in order to provide a sense of depth and wall mass.

i. Window and door frames should be recessed to the extent compatible with the building's architectural style, but not less than two and one-half inches (2 1/2") from the exterior wall plane.

ii. The recess depth identified in II.D.i., above, is measured from the predominant exterior wall plane and is exclusive of the depth of any applied trim or surround at the opening.

E. Double hung and casement window types are encouraged within openings above the ground floor. Non-operable windows should have sight lines that resemble the appearance of double-hung or casement window types. Horizontal sliding type windows and doors are not permitted.

Variation in simple fenestration rhythms at the upper level along a block.

An example of two similarly sized facades which are distinguished by two different fenestration rhythm at both the ground and upper level.

Windows recessed from the face of the exterior wall provide a sense of depth to an opening and mass of the building.

F. Storefronts allow visibility into a commercial establishment and allow businesses to display their merchandise to customers.

i. Storefront windows should be predominantly open to the interior so that the interior of the commercial establishment is visible to customers and pedestrians from the outside.

ii. The design of a building's storefront areas can vary within a single building and along the length of the block, but should be consistent for any one tenant. Generally, storefront designs fall into two broad categories: integrated storefronts and applied storefronts.

a. Integrated storefronts are those that allow the architectural expression or style of the building to continue down to the first floor. The tenant's branding of their space is typically limited to the installation of signage and possibly awnings or canopies. The ground floor window and door openings are typically consistent with the design of the upper floor openings, though the tenant may make some modifications of the door and window framing elements within the openings.

b. Applied storefronts are those that apply a distinct architectural treatment at the first floor that is specific to a particular tenant space. In addition to signage, awnings or canopies, applied storefronts typically utilize architectural elements, such as pilasters, panels, frames, lintels and cornice elements that are applied to the building's ground floor façade and express the tenant's identity. Applied storefronts may interrupt or eliminate non-structural wall or pier elements in order to create larger door or window openings. Where a tenant's space ends at a mullion or pilaster "within" an opening, applied storefront is not permitted to be utilized at only the tenant's portion of the opening, and integrated storefront would need to be used at that opening.

iii. The design and detailing of storefront and its component parts are critical to creating attractive and pedestrian scaled ground floors.

a. The following attributes of storefront design are strongly <u>encouraged</u>.

1. Storefronts whose design and details relate to the building's overall style.

2. Storefront designs, when they differ in style from that of the overall building, that are well designed and detailed and do not detract from or compete with the building's design.

3. Storefronts that introduce subdivisions into larger glass areas. These can be in the form of pilasters, mullions, horizontal divisions, and muntin bars. These elements, when appropriate to the building's style,

Variation in the treatment and architectural style of storefront along a block face provides for a visually diverse streetscape.

Integrated storefront expresses the building's overall design and architectural style as it continues down to the first floor.

The above illustrate storefront that is applied as a base element to the facade.

should utilize recessed and/or raised profiles to further break down and articulate their surface areas.

4. Storefronts that introduce depth into the window framing and window subdivision elements. This can be achieved with trim elements that are added onto the window framing system, examples which include brick moulds, panning, and other applied trim at the face of the window frame.

b. Further, the following attributes of storefront design are strongly discouraged.

1. The use of dark or heavily tinted glass.
2. The use of translucent, frosted, or film-backed glass (unless in front of service areas that cannot be located to sides or rear of a building).
3. Aluminum storefront framing systems ("storefront systems") with unarticulated frame faces wider than one and one-half inches (1-1/2"). Systems with frame members whose outer face is wider than one and one-half inches (1-1/2") should employ applied trims and panning extrusions to articulate the face of the frame.

G. The location and design of entrances to both street level and upper floor tenants are important to pedestrian wayfinding and supporting a viable retail environment.

i. All entrances shall be easily identifiable as primary points of access.

ii. To the extent practicable, the design of the building's facade at the ground floor should allow for the flexible location of commercial tenant entrances.

iii. Building entrances for upper floor tenants should be integrated into the design of the overall building facade and should be distinguished from tenant entrances.

iv. Building entrances for upper floor tenants may be defined by an articulation of the building's massing and/or the use of architectural elements that provide emphasis to the entrance (e.g., lintels, pediments, pilasters, columns, porticos, porches, and canopies). The details should be compatible with the building's overall architectural style in terms of scale, materials, colors, signage, and lighting.

v. The number of secondary access doors (e.g., egress, service, etc.) located within a public street-facing facade should be minimized. If their location requires their placement within a public street-facing facade, the design of such entrances should be incorporated into that facade's design.

Examples of storefront that are composed of well-proportioned and detailed pilasters, mullions, and cornice trim.

Larger glass areas are subdivided using elements of various width and amount of projection to provide a level of hierarchy within the opening.

Restaurant Entry

Upper Floor Tenant Entry

Building entries may be identified via a change in massing and architectural details that distinguish them from tenant entrances as shown at left. Alternatively they may be incorporated into the ground floor treatment as illustrated above.

Building facades fronting onto public streets and open spaces should utilize architectural details and ornament that are consistent in their design and scale with each building's style and scale in order to provide visual interest and help to create a human scale. Architectural details include, but are not limited to, such elements as base courses, water tables, pilasters, sills, lintels, band courses, spandrel panels, cornices, and parapets and can be applied to a facade or achieved through a change in materials, plane, color, and texture.

I) Architectural details should be designed to the appropriate scale, proportions, and complexity of detail of a building's architectural style.

II) Architectural details should further articulate a building's massing to provide a sense of scale, texture, and visual interest along the street that is appropriate to each building's architectural style.

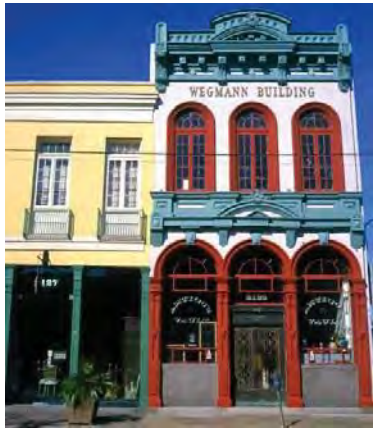
III) Architectural details that reinforce the retail character of the ground floor and help to define the pedestrian environment, such as canopies, awnings, overhangs, and well-detailed storefronts, are encouraged and should be integrated into the architecture of the building.

IV) Oversized architectural details should be avoided.

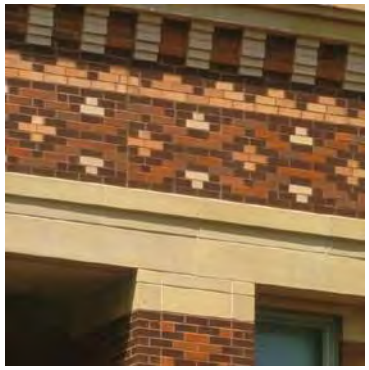
V) All buildings are not required to have the same level of detail. Traditional Main Streets are characterized with buildings of varying levels of detail.

VI) Details that take advantage of the inherent properties of a material are encouraged.

Architectural details that are consistent in their design and scale with the overall facade and adjacent buildings promote a cohesive environment.



Variation in the architectural style and level of detail of facades along a block adds visual interest and provides the sense a place has evolved over time.



Details such as polychrome (left) or corbelled (right) brick patterns take advantage of the inherent properties of brick to cost efficiently add interest and texture.

Exterior building materials should consist of those that have been traditionally used in Main Street architecture. In addition, certain non-traditional materials that emulate traditional materials and provide advantages relative to maintenance, durability, and cost will be permitted as indicated below.

I) Materials should be selected based on their visual characteristics, quality, and durability.

II) The sustainability of a material should be considered in the selection and specification of exterior building materials and finishes.

III) Exterior building materials visible from a street or public open space should be selected from the following:

Brick

Manufactured stone,

Natural stone

Cement-based siding

Hard coat stucco

Fiber reinforced plastic (FRP) – used for exterior details and architectural elements, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim, railings and balustrades, spandrel panels, and similar elements.

Painted steel and aluminum, cast iron, brass, bronze, copper.

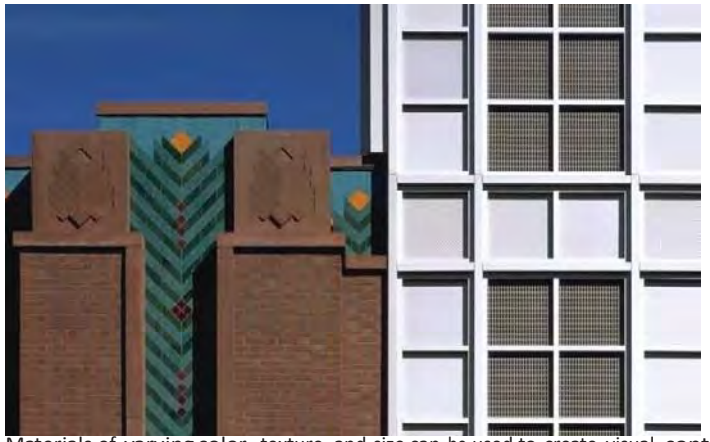
Wood when used as part of a storefront finish or on a residential building or commercial house only. Must be a species recommended for exterior exposure by AWPA (American Wood Protection Association) or equivalent standards.

Roofing materials (visible from any public right of way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles.

Materials other than those discussed above may be appropriate for architectural trim and accent applications including but not limited to: cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings.

Materials should be selected with consideration of durability and aesthetics.

The scale of materials should be appropriate to their location on the facade.



Materials of varying color, texture and size can be used to create visual contrast.

IV) Including the materials listed on the previous page, the following additional materials may be used on facades that are not visible from the street or public open space:

Split face concrete masonry units

Exterior insulation finishing systems (EIFS) with Board approval.

V) Building facades should be constructed of a minimum number of primary materials. Additional materials may be used as trim or accent materials, however, the use of an excessive number of materials risks creating a building that is inconsistent with the intended character for Downtown.

VI) Building materials are permitted to vary from the primary facades not fronting onto a public street, right-of-way, or public open space. On secondary and rear-facing facades (i.e., those facades not fronting onto a public street, right-of-way or public open space) the building materials are permitted to vary from the primary facades.

A. Facades fronting onto alleys, block breaks, and the Block Interior may be designed with additional materials noted above and a reduced level of detail, reflecting the reduced level of importance of the areas they front.

B. Street facing facade materials and details should return at least one architectural bay along an alley or block break before transitioning to additional materials and details.

Street facing facades use the highest level of detail and quality materials.

Facades fronting onto a block interior, parking and service area employing a simplified level of detail.

Street facing facade materials and details return one bay along an alley or block break.

While the preceding standards and recommendations are style-neutral and apply to all buildings, architectural styles are still critical to establishing a strong sense of place in Downtown Alpharetta. The community takes pride in its historic buildings and recognizes the importance of traditional architecture in reinforcing the local identity and civic pride. The new City Hall and Library are but one demonstration of this and seek to set the standard for new private development in the greater Downtown area.

At its simplest, "architectural style" refers to the way that doors, windows, and building details are designed and organization on a façade. It is different from "building type" and can, in fact, be applied to almost any building.

In order to ensure a cohesive and orderly townscape in Alpharetta, all new buildings should be designed in one of the following architectural styles:

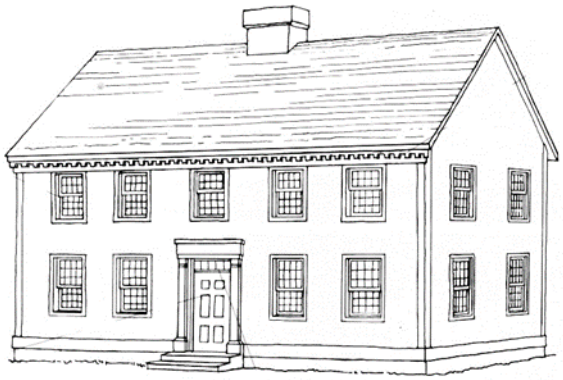
- Georgian
- Neoclassical
- Stick
- Shingle
- Romanesque
- Federal/Adam
- Greek Revival
- Queen Anne
- Folk Victorian
- Italianate
- Tudor Eclectic
- Beaux Arts
- French Colonial
- French Eclectic
- French New Traditional
- Mercantile/Mill

Specific features of these styles are summarized on the following pages. More detail can be found on the in *A Field Guide to American Houses* by Virginia Savage McAlester or *Residential Architectural Styles in Georgia* by the Historic Preservation Division of the Georgia Department of Natural Resources.

The following pages also identify appropriate building types for each style. The application of these styles to individual buildings can and should vary by building type. Smaller residential buildings should reflect the most "pure" interpretation of the style, while shopfront or mixed-use buildings may incorporate the style through the application of architectural details to simple building forms as described on page 34.

On larger buildings, such as shopfront and mixed-use buildings, architectural styles should be achieved through the application of architectural details to simple building masses.

## Georgian



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

Elements of the Georgian style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings are sometimes seven windows wide. There is never an even number of windows across the front façade.
- 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 have double-hung sashes, typically with nine or twelve small panes per sash. Windows are never in adjacent pairs.
- The cornice is usually emphasized with tooth-like dentils or other decorative molding.

Appropriate building types:

- All building types

## Federal/Adam

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

Elements of the Federal/Adam style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings are sometimes seven windows wide. There is never an even number of windows across the front façade.
- 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 have double-hung sashes, typically with six panes per sash. Windows are never in adjacent pairs.
- The cornice is usually emphasized with tooth-like dentils or other decorative molding.

Appropriate building types:

- All building types

## Greek Revival

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

Elements of the Greek Revival style are as follows:

- 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 townhouse or mixed-use building types.
- 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.
- The cornice is emphasized with a wide, divided band of trim.
- The roof is usually gabled or hipped with a low pitch.

Appropriate building types:

- All building types

## Neoclassical

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

Elements of the Neoclassical style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings 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 are paneled, centered, and topped with a semi-circular or elliptical fanlight.
- Windows have double-hung sashes.

Appropriate building types:

- All building types

## Stick

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

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

- 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 are usually steeply pitched, but may be hidden behind a parapet wall on townhouse or mixed-use building types.
- When roof gables are provided they include decorative trusses. Cross gables are common.

Appropriate building types:

- Semi-detached house
- Townhouse
- Walk-up flat and stacked flat
- Commercial house

## Queen Anne

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

Elements of the Queen Anne style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the Queen Anne style is used on a shopfront or mixed-use building types.
- All facades often include textured shingles or other devices to avoid a smooth-walled appearance.
- Front facades include a partial- or full-width porch and extend along one or both side walls.
- Roofs are usually steeply pitched, but may be hidden behind a parapet wall on townhouse or mixed-use building types.

Appropriate building types:

- All building types

## Shingle

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

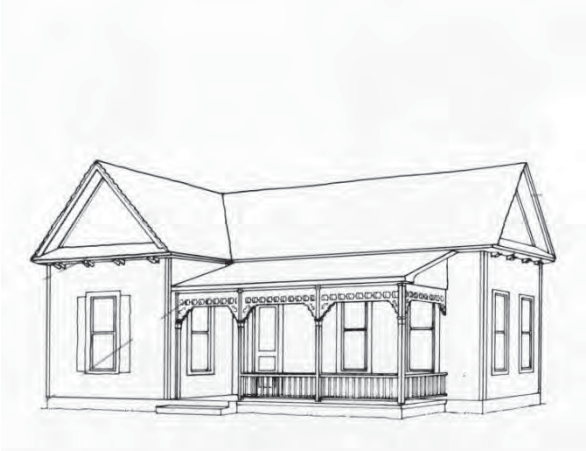
Elements of the Shingle style are as follows:

- Front facades are always asymmetrical.
- Front porches are almost always present.
- Irregular, steeply pitched roof line, usually with cross gables and multi-level eaves.
- Wall cladding and roof of continuous wood shingles.
- Shingled walls without interruption at corners.

Appropriate building types:

- Semi-detached house
- Walk-up flat and stacked flat
- Commercial house

## Folk Victorian



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

Elements of the Folk Victorian style are as follows:

- Front facades are always symmetrical except when a front gable or wing is provided.
- Front porches with spindlework detailing.
- Roofs are usually gabled and with very simple massing.
- Brackets under roof eaves.

Appropriate building types:

- Semi-detached house
- Commercial house

## Romanesque

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

Elements of the Romanesque style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the style is used on shopfront or mixed-use building types.
- Masonry walls.
- Round top arches over windows or entrances.
- Conical roofs on towers, when such are provided.

Appropriate building types:

- Walk-up flat and stacked flat
- Shopfront
- Mixed-use building
- General building
- Civic building

## Italianate

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

Elements of the Italianate style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the style is used on shopfront or mixed-use building types.
- Masonry walls.
- Round top arches over windows or entrances.
- Conical roofs on towers, when such are provided.

Appropriate building types:

- Walk-up flat and stacked flat
- Shopfront
- Mixed-use building
- General building
- Civic building

## Tudor Eclectic

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

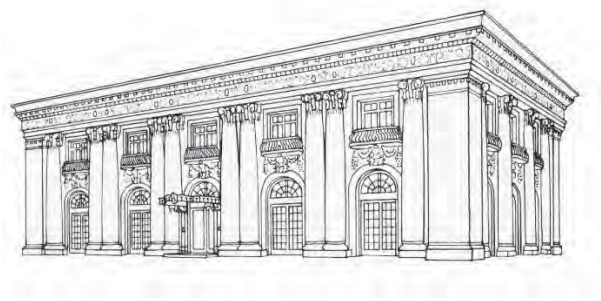
Elements of the Tudor Eclectic Style are as follows:

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

Appropriate building types:

- Semi-detached house
- Walk-up flat and stacked flat
- Commercial house

## Beaux Arts



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

Elements of the Beaux Arts style are as follows:

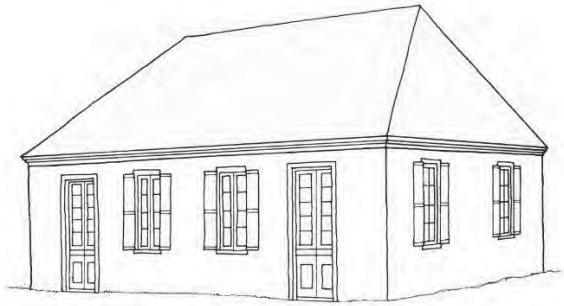
- Front facades are usually symmetrical.
- Masonry walls, usually of light colored stone, with heavy bases of large, rusticated stone blocks.
- Use of Classical columns, cornices, quoins, and pilasters.
- Windows are usually tall and topped with decorative garland, floral patterns, or shield details.
- Flat or symmetrical roof forms.

Appropriate building types:

- All building types

Images of representative Beaux Arts style buildings are shown at top right and middle right.

## French Colonial



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

Elements of the French Colonial Style are as follows:

- Front facades are usually symmetrical.
- Walls are typically faced in true stucco.
- Tall, narrow door and windows openings.
- Door and window sashes are typically divided vertically into pains.
- Steeply pitched roof, either hipped or side gabled.

Appropriate building types:

- Semi-detached house
- Commercial house

An images of a representative French Colonial style building is shown at bottom right.

All images courtesy Wikipedia Commons

## French Eclectic

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

Elements of the French Eclectic style are as follows:

- Front facades are usually symmetrical.
- Segmented arches are commonly found in doors, windows, and dormers.
- Brick, stone, or stucco wall cladding, sometimes with false half timbering.
- Window sashes are typically divided into pains.
- Tall, steeply pitched roofs (occasionally gabled) with no dominant front-facing cross gable.
- Roof eaves that often flair upwards at roof-wall junctions.

Appropriate building types:

- All building types

Images of representative French Eclectic style buildings are shown at top right and middle right.

## French New Traditional

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

The French New Traditional style draws upon the three French styles identified earlier in these guidelines, but is a unique styles due to the way it blends elements from the various French styles. Elements of the French New Traditional Style are as follows:

- Front facades may be symmetrical or asymmetrical.
- Brick, stone, or stucco wall cladding.
- Architectural details that reflect historic precedents but are less intricate and generally mass-produced.
- Tall door and windows openings.
- Moderate to steeply pitched roof.

Appropriate building types:

- All building types.

An images of a representative French New Traditional style building is shown at bottom right.

Top and middle images courtesy Wikipedia Commons. Bottom image courtesy TSW.

## Styles on Shopfront and Mixed-Use Buildings

Several of the architectural styles identified are appropriate for shopfront or mixed-use building types. Traditionally, such buildings were simple and relatively small rectangular or box forms which, when placed side by side, created a “Main Street.” As new “Main Street” style shopfront and mixed-use buildings are constructed in Downtown Alpharetta, architectural styles should be applied to them in a manner consistent with these traditional patterns.

Elements of the appropriate application of architectural styles to shopfront and mixed-use buildings are as follows:

- Front facades of large buildings should be broken up into smaller façade units to create the appearance of several smaller buildings (as established in other parts these guidelines).
- No more than one architectural style may be applied per building, although large facades broken up into several smaller units may incorporate different styles on different units to create the appearance of adjacent buildings.
- Architectural style shall be achieved through the addition of key elements of the style to the building façade. This may include architectural details, cornice treatments, roof shapes, window designs, and similar features.

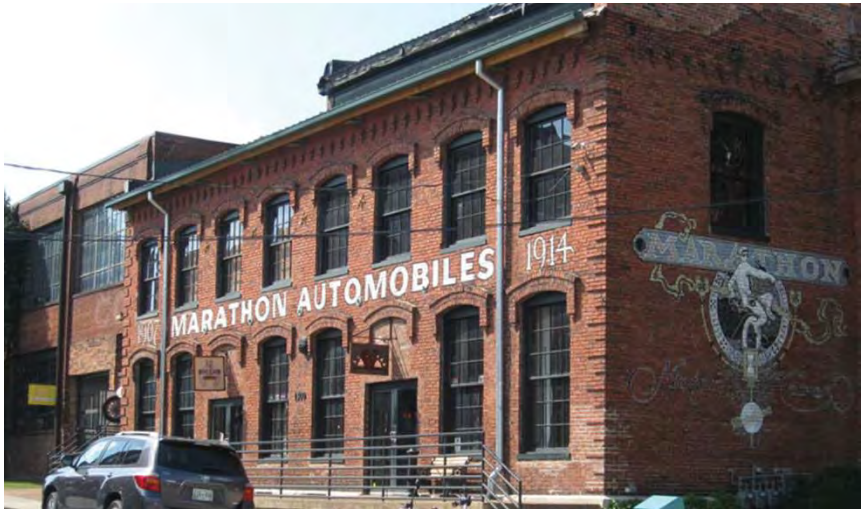
Shopfront and mixed-use buildings may also incorporate sculpture, murals, and additional public art that are not specifically associated or consistent with the building’s architectural style. Traditionally, such features were usually found on the sides and rears of buildings, but not always. These features require review by the Art Commission.

This image shows the application of the Romanesque style to a shopfront building (at left) and the application of the Queen Anne style to a mixed-use building at right.

## Mercantile/Mill
(For specific building types)

To further spawn creativity by developers and architects within the downtown fabric, an additional style is allowed for commercial mixed-use or mercantile type buildings. Nineteenth and early 20th century urban mills and/or warehouses are included in this "style" which is characterized by primarily brick/masonry construction and minimal ornamentation with flat (but not always) roofs. Windows were usually metal and varied in size, depending on the historic use of the facility; and many featured large, storefront window elements at street level. Brick surfaces should vary in color and texture to demonstrate age. Indigenous & vernacular stone details are encouraged and would be appropriate if historic precedent details are presented to DRB.

Although remaining historic (agrarian based) structures of this type may not remain in the area, this "Mercantile" aesthetic is charming, appropriate and desired especially when such structures are redeveloped into modern uses. Elevations are usually multi-storied with stairs/elevators pronounced in tower elements, and former "loading dock" areas are apparent. Overall facades should comply with other restrictions in these Guidelines, and minimize large city block masses...and instead, feature smaller elevation blocks that appear to have been built over longer periods of time by different architects and developers.



The streetscape is comprised of the public space located between opposing blocks and encompasses all portions of the street including pedestrian and vehicular areas. Landscape elements such as street trees, accent planting, and street furniture provide scale, texture, and color to the pedestrian environment. Design and detailing of the streetscape shall accommodate the following elements:

I) Sidewalks

Sidewalks will be the predominant element with which pedestrians will be continuously in contact; they should be well constructed of durable materials to provide a practical and long-lasting surface.

A. Sidewalks along streets are to be provided per the City of Alpharetta Downtown Overlay requirements.

B. Walkways extending along block breaks and at the Block Interior should be built of durable materials that are attractive, maintainable, and comply with all regulatory requirements.

C. Special paving applications should be reserved for seating or landscaped areas located off the primary pedestrian zone or in parks.

D. Elaborate paving patterns should be avoided except where they may be warranted by location (e.g., an interior courtyard, the area surrounding a public fountain)

E. Pedestrian crosswalks shall be clearly designated and provided at all key street intersections.

II) Street Trees

Street trees are to be provided as per the City of Alpharetta Downtown Overlay and any other applicable regulations, ordinances or guidelines.

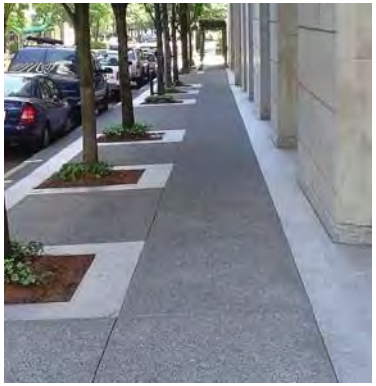
A. To add to the sense of a cohesive environment, trees should have similar characteristics on both sides of the street.

B. Utilities and street furnishings should be located so as to not interfere with the placement and growth of street trees.

III) Accent Planting

Accent planting should be located in such areas as tree wells (if ungrated) or beds near intersections where additional sidewalk area may be available. Decorative pots or more formal raised planters may be appropriate in specific locations (i.e., to facilitate grade differences). A consistent application of accent planting can be used

An example of a well detailed streetscape incorporating durable materials, landscape elements and street furniture.



Durable materials (brick within the left image, brushed and smooth concrete on the right) of simple patterns are characteristic of Main Streets.

Street trees and accent planting provide shade and soften the edges of the streetscape.

to distinguish specific areas, such as important streets, the area surrounding a park or square, or an entire neighborhood.

A. Retail and restaurant tenants may provide supplemental accent planting in the form of planters located within thirty inches (30”) of their storefront.

   i. Planters may be made of terra cotta, cast materials (GFRC, cast stone), metal, or plastics.

   ii. Planters located adjacent to storefront should not exceed a height of twenty-four inches (24”).

B. Along deeper sidewalks, where an outdoor dining cafe is provided, planters may be utilized as part of an outdoor cafe railing, provided the planter(s) does not restrict pedestrian movements along traveled portion of sidewalk.

IV) Street Furniture

Street furniture which includes street lamps, benches, and trash receptacles should be provided for both safety and convenience.

A. Street furnishings shall be located to maintain a continuous minimum 5-foot walking path along the sidewalk and no closer than 30 inches to the curb.

B. Outdoor dining furniture on public sidewalks shall be of quality design and workmanship and made of metal in black or a color approved by the DRB. Decorative items on public sidewalks such as planters or sculpture shall be made of metal, concrete, terra cotta, or other material approved by the DRB. Menu boards may be made of wood; however, all plastic, fiberglass, or resin-type products are prohibited on public sidewalks. All street furnishing designs must complement the surrounding architecture.

C. With the exception of outdoor dining areas, street furnishings should be permanently secured to the paved surface for safety and to avoid vandalism.

D. Bicycle racks are to be provided at various locations along sidewalks or within parking areas behind buildings in order to provide convenient and safe parking for cyclists yet maintain safe separation between pedestrian and cyclist. Locations shall not interfere with pedestrian circulation.

E. Trash receptacles should be provided only at key points or intersections along paths and streets that are easily accessible for both pedestrian use and trash collection. Trash receptacles shall be in accordance the specifications established by the City of Alpharetta.

F. Street lights must be provided as per the City of Alpharetta Downtown Overlay and other applicable regulations, ordinances, or guidelines.

Planters with accent plantings may be used to define a sidewalk dining area.

Accent planting and street furniture, both along streets and within open spaces, contribute to providing a pedestrian-oriented environment.

Street furniture such as benches, trash receptacles and bike racks are located at convenient points outside of the pedestrian path of travel.

G. Benches are encouraged to be provided at locations along the sidewalk and paths and oriented towards interesting features such as storefronts or pedestrians paths. Benches shall be made of painted metal, weather and rot resistant wood species (e.g., redwood, teak) or synthetic wood materials.

H. Seating/Cafes

i. Outdoor dining and seating may occur on any portion of the paved sidewalk provided a minimum path of travel of five feet (5') is maintained.

ii. Table and chairs shall be made of attractive, yet durable materials that are intended for continuous, year-long, outdoor use.

iii. Cafe railings and planters shall be made of attractive, yet durable materials with a weather resistant finish.

V) Open Space

Open space within Downtown should provide a number of amenities for the community and visitors alike.

A. Open green space, when provided, at the Block Interior shall be designed to complement and not compete with the open space provided along the streets or within the public spaces of Downtown. It shall consist of:

i. plantings, including trees, ground cover, lawn area and accent planting, provided at-grade, within wells or raised planters or a combination of each. Plantings that screen or provide a buffer between public and more private uses that are at similar grades are encouraged.

ii. hardscape areas, including paths and walkways, made of durable materials and connect seating and amenity areas to building access points. Access to the public street, if provided, should be via a block break or portal.

iii. seating areas with furniture that is made of attractive, yet durable materials that are intended for continuous, year-long, outdoor use.

iv. lighting with intensities and orientations that avoid excess light spillage and glare directed into buildings and areas that front the open space.

B. Structures, railings, and furniture associated with open space provided at the roof of buildings shall be located or screened to minimize or eliminate their visibility from the adjacent streets or public spaces, or integrated into the building design if visible. (See *Screening - Section I*)

Benches along the pedestrian path provide convenient seating.

The sidewalk may accommodate both pedestrian and dining seating without additional setback of the building face along the block.

The streetscape extends the open space provided within dedicated park areas.

The appropriate location of, and access to, parking and service areas are critical components in creating a successful environment for pedestrians and vehicles alike (*See Figure 8*). Where feasible access to parking and service areas should be through shared circulation routes.

I) On-street parking

As established by The Master Plan, on-street parking provides convenience, enhanced viability for street-level businesses, and a physical buffer between pedestrians and moving vehicles. Parallel and diagonal, on-street parking shall be permitted within Downtown as specified in The Master Plan.

II) Off-street parking

A. Off-street parking shall be located behind buildings, within the Block Interior, and accessed via intermediate block breaks at key points.

B. Structured parking garages shall:

i. respect the build-to line.

ii. have visible facades designed to be compatible with adjacent buildings where parking garage facades abut or portions are visible from a street or public right-of-way. (*See Figure 9*)

iii. not exceed a height of adjacent buildings.

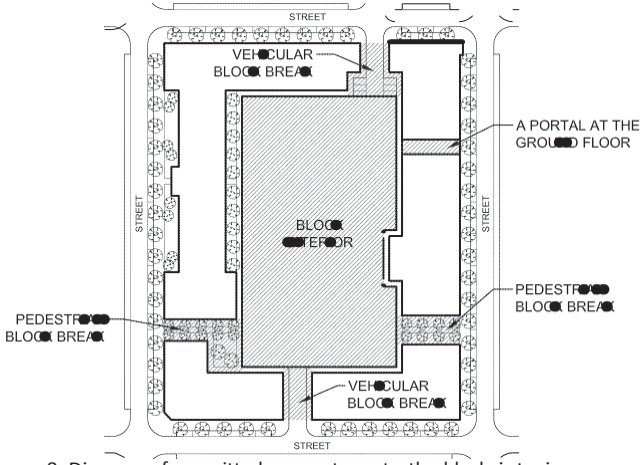



Figure 8: Diagram of permitted access types to the block interior.

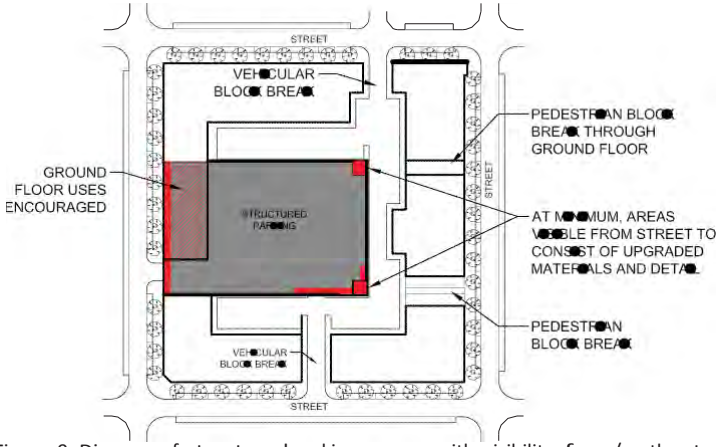



Figure 9: Diagram of structured parking garage with visibility from/on the street.

Example of a parking garage facade that fronts a street that is not permitted.

Garages at rear of buildings, but with portions of facade visible from the street are upgraded in detail and material.

An example of a well-detailed parking structure exposed to the street.

C. Areas of surface parking within the Block Interior should incorporate landscaping in order to provide visual relief from large expanses of pavement.

D. When project phasing requires surface parking lots to be exposed to the street, interim surface lots (*See Figure 10*) may be allowed provided that:

i. wheel stops behind a minimum five feet (5') wide, planted landscape buffer with minimum thirty inch (30") high (at maturity) plantings are provided between the sidewalk and interim parking areas, in order to shield pedestrians from bumpers and glare from headlights.

ii. they do not front onto an open space.

III) Drop-off areas shall be provided either within the off-street parking areas or within the on-street parking lane.

IV) Service & Loading

Service and loading areas, including but not limited to electrical transformers, mechanical equipment, trash collection, and storage and staging areas, are necessary functions for the viability of any development, yet their aesthetics and uses typically do not contribute positively to the pedestrian-oriented nature of the street.

A. Service and loading areas shall be located behind buildings, such that they are not visible from the street, and accessed via block breaks at key points. Access that is shared with those provided for parking areas is strongly encouraged.

B. Where block and building configurations necessitate the location of loading docks with access directly from the street, they may be permitted provided they:

i. are not located along those portions of streets bordering an open space.

ii. may be completely closed off from the pedestrian sidewalk via a door(s) that is compatible in design and color with the facade in which it is located.

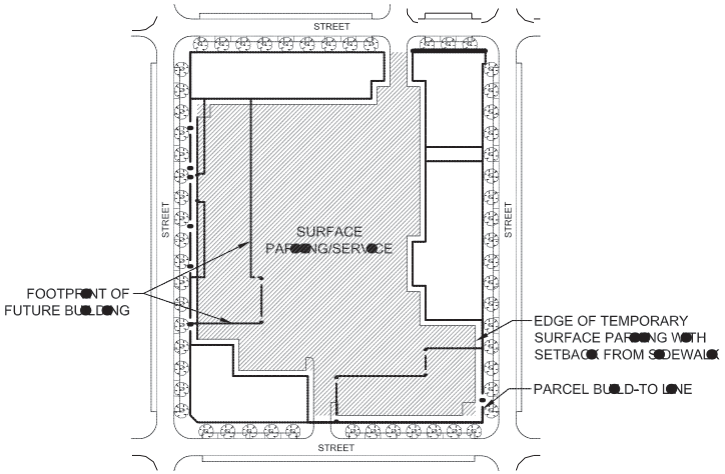



Figure 10: Diagram of permitted interim surfaced parking for phased blocks.

Interim parking along a street is separated from the pedestrian sidewalk by a landscaped buffer of low plantings and trees.

The block interior provides uses for parking, service and loading.

## Screening

While building systems such as HVAC, generators, transformers or solar panels are necessary for the functional viability of a building, their associated service and equipment areas typically do not contribute positively to the aesthetics of the built environment. As such, screening of these types of elements should adhere to the following in order to limit adverse sight lines.

I) Electrical transformers, mechanical equipment, and other building service equipment shall be located on roofs or at the rear of buildings.

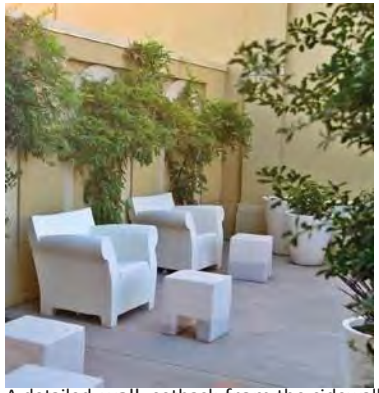
A. When located on roofs, equipment should be setback sufficiently from the street face of the facade in order to eliminate visibility from the adjacent streets or public spaces.

B. In cases where the size or placement of rooftop equipment requires they are visible from adjacent streets or public space, screen walls or equipment screening panels should be provided to a height necessary to shield views of equipment.

C. Where roofs are visible from adjacent developments, roof top equipment should be as unobtrusive as possible. Screening and/or painting to match other roof materials is encouraged.

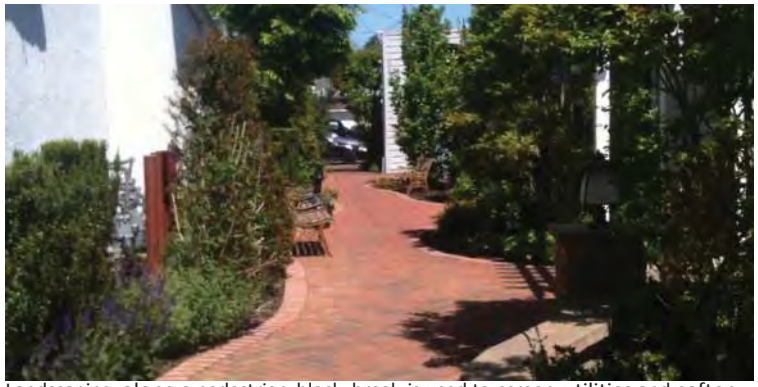
II) Building service areas located within the Block Interior shall be screened from public view through the use of landscaping elements, fencing or a combination of the two.

III) The use of vegetation in combination with screen walls is encouraged in shielding ground mounted equipment from public view.



A detailed wall, setback from the sidewalk, screens a loading area and encloses a landscaped seating zone (Right). Rooftop equipment is set back from the parapet to screen its visibility from the public street (Left).

A tower element is incorporated into the above facade at the building entrance in order to screen the elevator penthouse.



Landscaping along a pedestrian block break is used to screen utilities and soften the less architecturally detailed sides of a building.

Exterior lighting that serves the street and pedestrian or accents a building, facade element, or landscaping feature contributes significantly to the night time character and perception of safety within the downtown environment. Done well, lighting reinforces the architecture of a building or space creating an inviting streetscape.

I) The size, design, and lumen output of outdoor lighting fixtures shall be appropriate to its location.

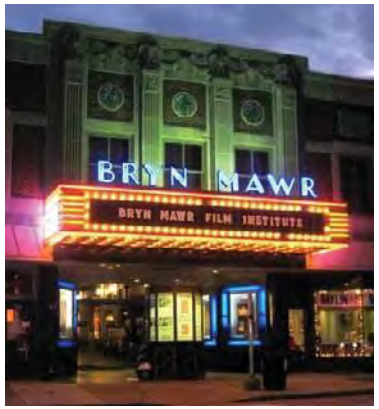
II) Along public streets, street lights should be located toward the curb side of the pedestrian clear path and spaced in coordination with street trees to provide a minimum ambient level of lighting at the sidewalk. The style of street light shall be as specified in the Alpharetta Design Review Board Ordinance and Design Guidelines. Future, additional street lights shall match the style and size of these specified fixtures.

III) Lighting intensities and orientation shall be controlled to ensure that excessive light spillage and glare are not directed toward neighboring areas, motorists or into the night sky. Light levels shall be designed to avoid extreme contrasts between light and shadow.

IV) Supplemental lighting at entrances to lobbies serving upper floor tenants is encouraged.

V) Illumination of a building's architectural features is permitted, however, such building accent lighting should only be used where such illumination does not distract from the overall character of the Downtown.

VI) The design and scale of exterior building lighting fixtures shall be appropriate to the building's architectural style, material, and color.



Lighting that is integrated in the building's architectural style and use.

Pedestrian street lighting provides a minimal ambient level of lighting at the sidewalk as to not overwhelm the light spilling out from shop fronts.

Building accent lighting is used to accentuate the steps within the parapet and the major pilaster divisions along the facade.

Signage's prime role is commercial identity and branding. Well-designed signage will enhance the pedestrian-oriented character of Downtown and contribute to the activity and vitality of the area. The following signage guidelines are intended to compliment regulations set forth within Alpharetta's Unified Development Code (Section 2.6) for development within Downtown. Where the below standards conflict with those stated within the UDC, the following shall prevail.

I) Other than building address or building name identification signage, signs are limited to the portions of buildings containing commercial uses.

A. Commercial tenant signage shall be located no higher on the building than the spandrel zone between the first and second floor openings and shall not be located any closer than eight inches (8") of the window sill at the second floor, except for:

i. the horizontal arm supporting a banner sign may extend above the above described height.

ii. a blade sign may extend above this height.

B. Second floor office tenants may have a stenciled window sign (black, silver, or gold lettering) with a maximum font size of four inches (4") and a maximum area of 15% of the area of glass pane in with it is located.

C. A tenant with awnings above all of their storefront may have additional wall signage mounted below the awning (not a window sign) within the transom area of their storefront, not in excess of a total of 0.4 square feet per lineal foot of tenant frontage.

II) The size of signage shall be appropriate to the downtown location where buildings are close to the street and signs are viewed from shorter distances. The maximum letter height on a sign is eighteen inches (18").

III) Signage should not obscure or conflict with significant architectural details on a building.

IV) Signage should complement the architectural character of the building or façade and not detract from it of the overall character of Downtown.

V) Variety in signage type that is also compatible with the building's architectural style is encouraged including blade signs, wall, awning, window, neon (or similar-looking), and banner signage. Businesses are encouraged to provide individually designed signage that is unique to their establishment.

VI) The following signage is prohibited:

A. Internally lit signs

B. Internally illuminated lettering

Signs should not conflict with, but enhance the architectural details of buildings.

Signage provides both wayfinding and visual interest for day and night use.

Variety in signage that is compatible with a building's architectural style.

## Glossary of Terms

The following terms are used throughout The Design Guidelines and should be construed thus:

*Block*: A parcel or site surrounded by public streets or right-of-ways.

*Block Break*: A separation between two adjacent buildings on the same block that allows for pedestrian or vehicular access to the interior of a block.

*Block Face*: The building facades fronting the street along one side of a Block.

*Block Interior*: The center or middle of a block at the rear of buildings.

*Building Massing*: The exterior volume of a building.

*Facade*: An exterior side of a building.

*Facade Height*: The vertical distance measured from the point of average grade along the face of the facade to the upper most point of its parapet or roof element.

*Fenestration*: Design and detailing of the openings within a building's facade.

*Portals*: Intermediate building breaks that occur only at the ground floor and allow for upper level uses to bridge over.

*Rhythm*: Pattern created by the regular recurrence or alternation of an architectural element (e.g., bays, windows, pilasters, columns, etc.).

*Scale*: The relationship of a building's overall size and architectural elements with adjacent buildings, spaces and people.

*Segmented Facade Treatment*: The breaking up of a building's facade, along any given side of the building, such that it appears as several different buildings.

*Spandrel Zone*: The area between the head of openings on one floor and the sill of the openings of the above, adjacent floor.

*Streetscape*: The public space located between opposing blocks and includes the roadway, sidewalk, street trees, street furniture, and open space.

**AN ORDINANCE TO AMEND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA AND THE ALPHARETTA DOWNTOWN DESIGN GUIDELINES; TO ADD ARCHITECTURAL STYLES IN THE DOWNTOWN; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

**WHEREAS**, on or about May 21, 2001, the City of Alpharetta (the "City") adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the "Unified Development Code"); and

**WHEREAS**, the Mayor and Council of the City of Alpharetta (the "City Council" or "Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

**WHEREAS**, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs; and

**WHEREAS**, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City's operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

**WHEREAS**, the City Council desires to amend Appendix A: Alpharetta Downtown Code of the Unified Development Code and the Alpharetta Downtown Design Guidelines for the foregoing purposes; and

**WHEREAS**, the City Council finds that the following amendment to the Unified Development Code promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

**NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:**

**Section 1:** **Alpharetta Downtown Design Guidelines** are hereby amended by adding "Beaux Arts", "French Colonial", "French Eclectic" and "French New Traditional" as permitted architectural styles.

**Section 2:** **Subsection 2.8.7** [*Architectural Style Requirements*] of Appendix A: Alpharetta Downtown Code of the Unified Development Code is hereby amended by adding "Beaux Arts", "French Colonial", "French Eclectic" and "French New Traditional" as a permitted architectural style in the said subsection.

**Section 3:** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City

Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

**Section 4:** This Ordinance shall be effective immediately upon its adoption by the City Council and incorporated into The Unified Development Code of the City of Alpharetta, Georgia and the Alpharetta Downtown Design Guidelines. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____day of _____, 2018.

Approved:

_____
Donald Mitchell, Mayor Pro-Tem

Attest:

_____
Coty Thigpen, City Clerk
(Seal)

Approved as to Form:

_____
C. Sam Thomas, City Attorney

**COUNCILMEMBERS**

_____

_____

_____

_____

_____

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: Community Development
Submitted By: Eric Graves
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** PH-18-03: CITY OF ALPHARETTA CAPITAL IMPROVEMENT ELEMENT AND ANNUAL REPORT

*CONSIDERATION OF A RESOLUTION AUTHORIZING TRANSMITTAL OF THE 2018 CAPITAL IMPROVEMENT ELEMENT AND ANNUAL REPORT*

**II. RECOMMENDATION:**

Staff seeks approval for a resolution authorizing the transmittal of the 2017-2018 Capital Improvement Element and Annual Report to the Atlanta Regional Commission and the Georgia Department of Community Affairs.

**III. REPORT IN BRIEF:**

The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Capital Improvement Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.

The CIE is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions. The Annual Report details on an annualized basis the collection and use of funds derived from impact fees. Together these documents provide a means of tracking local government performance and serve as a tool for measuring progress with respect to achieving community goals as outlined in the Comprehensive Plan.

The City of Alpharetta is required to transmit its annual update of the Capital Improvement Element to the Atlanta Regional Commission for review prior to Council Adoption.

**IV. ALTERNATIVES:**

Failure to update the Capital Improvement Element in accordance with the Georgia Planning Act of 1989 would result in the loss of Qualified Local Government status, which would make the City ineligible to receive most State funding. Further, failure to submit this annual report would make the City ineligible to collect impact fees on new development.

**V. ATTACHMENTS:**

CIE Transmittal Resolution 2018, 2017-2018 CIE Impact Fee Report, FY17YTD IF Credit Usage

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF ALPHARETTA, GEORGIA FOR TRANSMITTAL OF THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN**

**WHEREAS,** the Georgia Planning Act encourages local governments to keep their comprehensive plans current in order for the plans to be used for policy guidance and as management tools for daily decisions, and

**WHEREAS,** the annual update of the capital improvements element was prepared in accordance with the Development Impact Fee Compliance Requirements and the Minimum Planning Standards and Procedures for Local Comprehensive Planning established by the Georgia Planning Act of 1989, and a Public Hearing was held on April 16, 2018 at 6:30 PM at the City Hall of Alpharetta, Georgia, and

**WHEREAS,** such updates are required to extend status to the City of Alpharetta as a Qualified Local Government,

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Alpharetta hereby approves transmittal of the annual update of the capital improvements element and transmitting these documents to the Atlanta Regional Commission, per the Georgia Planning Act of 1989.

**SO RESOLVED** this 16th day of April, 2018

CITY OF Alpharetta

By: _____
Donald Mitchell, Mayor

COUNCIL MEMBERS

_____

_____

_____

_____

_____

_____

Attest:

_____
City Clerk

# CITY OF ALPHARETTA, GA
# ANNUAL IMPACT FEE FINANCIAL REPORT
## FISCAL YEAR 2017

| | Impact Fee Fund | | | | General Fund | |
|---|---|---|---|---|---|---|
| | **Roads** | **Public Safety** | **Recreation and Parks** | **Total Impact Fee Fund** | **Administrative Costs** | **Total** |
| **Impact Fee Fund Balance on July 1, 2016** | **$ 1,276,165.06** | **$ 451,956.83** | **$ 1,199,142.17** | **$ 2,927,264.06** | **$ -** | **$ 2,927,264.06** |
| **Fiscal Year 2017 Activity** | | | | | | |
| Sources: | | | | | | |
| Impact Fees Collected | $ 324,093.00 | $ 148,384.45 | $ 1,083,910.64 | $ 1,556,388.09 | $ 46,644.29 | $ 1,603,032.38 |
| Impact Fee Refunds | (10,113.04) | (936.17) | (95,861.32) | $ (106,910.53) | (1,985.88) | $ (108,896.41) |
| Accrued Interest | 6,479.48 | 2,442.44 | 8,912.30 | $ 17,834.22 | - | $ 17,834.22 |
| ***Total Sources*** | ***$ 320,459.44*** | ***$ 149,890.72*** | ***$ 996,961.62*** | ***$ 1,467,311.78*** | ***$ 44,658.41*** | ***$ 1,511,970.19*** |
| (Uses): | | | | | | |
| Project Expenditures/Debt Service | $ (42,564.32) | $ (83,598.11) | $ (172,957.36) | $ (299,119.79) | $ - | $ (299,119.79) |
| Administrative Costs | - | - | - | $ - | (44,658.41) | $ (44,658.41) |
| ***Total Uses*** | ***$ (42,564.32)*** | ***$ (83,598.11)*** | ***$ (172,957.36)*** | ***$ (299,119.79)*** | ***$ (44,658.41)*** | ***$ (343,778.20)*** |
| **Impact Fee Fund Balance on June 30, 2017** | **$ 1,554,060.18** | **$ 518,249.44** | **$ 2,023,146.43** | **$ 4,095,456.05** | **$ -** | **$ 4,095,456.05** |
| ***Impact Fees Encumbered at June 30, 2017*** | ***$ -*** | ***$ 169,064.39*** | ***$ 69,742.64*** | ***$ 238,807.03*** | | ***$ 238,807.03*** |

# CITY OF ALPHARETTA, GA
## CAPITAL IMPROVEMENT ELEMENT (FY's 2017-2021)
### Service Area for each Public Facility: Citywide

| Public Facility | Project Description | Project Start Date (Fiscal Year) | Project End Date (Fiscal Year) | Local Cost of Project | Maximum % of Funding from Impact Fees | Maximum Funding from Impact Fees | Impact Fees Expended in FY 2017 | Impact Fees Expended in Previous Years | Total Impact Fees Expended to Date | Impact Fees Encumbered as of the end of FY 2017 | Current Funding Sources | Status/ Comment | Responsible Department |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Roads** | | | | | | | | | | | | | |
| | Impact Fee Ordinance Update | 2014 | 2016 | $ 35,000 | 100.00% | $ 35,000 | $ - | $ 34,999.98 | $ 34,999.98 | $ - | Impact Fees | Completed | Community Development |
| | Rucker Rd Corridor Improvements | 2017 | 2020 | 16,734,570 | 24.10% | 4,033,031 | - | - | - | - | GO Bond; Impact Fees; General Revenues | Design Phase | Public Works |
| | Kimball Bridge Rd Congestion Mitigation (North Point Pkwy to Waters Rd) | 2017 | 2020 | 9,000,000 | 24.10% | 2,169,000 | - | - | - | - | GO Bond | Design Phase | Public Works |
| | Windward Pkwy Corridor Improvements (S.R. 9 to Westside Pkwy) | 2017 | 2020 | 2,000,000 | 24.10% | 482,000 | - | - | - | - | GO Bond | | Public Works |
| | Northwinds Traffic Signal (temporary) | 2017 | 2018 | 90,000 | 75.90% | 68,310 | 42,564.32 | - | 42,564.32 | - | Impact Fees; General Revenue | Construction Phase | Public Works |
| | Teasley Street Extension/Improvements | 2017 | 2019 | 75,000 | 75.90% | 56,925 | - | - | - | - | Impact Fees; General Revenue | Design Phase | Public Works |
| | Kimball Bridge Rd Bicycle/Pedestrian/Operational Improvements | 2017 | 2022 | 4,906,529 | 24.10% | 1,182,473 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Bethany Rd at Mid-Broadwell Rd Intersection Improvements | 2017 | 2021 | 1,280,000 | 24.10% | 308,480 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Bethany Rd at Mayfield Rd Intersection Improvements | 2017 | 2020 | 1,280,000 | 24.10% | 308,480 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Morris Rd Operational Improvements | 2017 | 2020 | 3,200,000 | 24.10% | 771,200 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Old Milton Parkway Capacity Improvements | 2017 | 2023 | 6,000,000 | 24.10% | 1,446,000 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Windward Parkway Business District/Union Hill Rd Capacity Improvements | 2017 | 2023 | 19,225,594 | 24.10% | 4,633,368 | - | - | - | - | TSPLOST | Design Phase | Public Works |
| | Academy St/Webb Bridge Rd Operational and Pedestrian Improvements | 2018 | 2023 | 15,396,029 | 24.10% | 3,710,443 | - | - | - | - | TSPLOST; General Revenue | Design Phase | Public Works |
| | Haynes Bridge Rd Capacity Improvements | 2018 | 2020 | 5,000,000 | 24.10% | 1,205,000 | - | - | - | - | TSPLOST | IGA Phase (City of Johns Creek) | Public Works |
| | McGinnis Ferry Rd Capacity Improvements | 2020 | 2022 | 4,000,000 | 24.10% | 964,000 | - | - | - | - | TSPLOST; GO Bond; General Revenue | | Public Works |
| | Adaptive Traffic Signal/ITS | 2019 | 2020 | 1,322,153 | 24.10% | 318,639 | - | - | - | - | TSPLOST; General Revenue | | Public Works |
| | Canton Street Improvements | 2025 | 2027 | 2,500,000 | 24.10% | 602,500 | - | - | - | - | TBD | | Public Works |
| | Alpharetta Downtown Streets | 2025 | 2027 | 1,500,000 | 24.10% | 361,500 | - | - | - | - | TBD | | Public Works |
| | Major Intersection Improvements | 2019 | 2029 | 2,550,000 | 24.10% | 614,550 | - | - | - | - | TBD | | Public Works |
| | Webb Bridge Rd Bridge over GA 400 (replacement) | 2021 | 2024 | 4,320,809 | 24.10% | 1,041,315 | - | - | - | - | TBD | | Public Works |
| | Kimball Bridge Rd Bridge over GA 400 (replacement) | 2019 | 2023 | 3,000,000 | 24.10% | 723,000 | - | - | - | - | TBD | | Public Works |
| | Davis Road Extension to Westside Parkway | 2019 | 2021 | 500,000 | 75.90% | 379,500 | - | - | - | - | TBD | | Public Works |
| | Connector Rd (North Point Pkwy to Edison Dr) | 2019 | 2022 | 1,080,000 | 75.90% | 819,720 | - | - | - | - | TBD | | Public Works |
| | Pedestrian/Safety Improvements at Marietta St. & SR9 | 2019 | 2020 | 175,000 | 24.10% | 42,175 | - | - | - | - | TBD | | Public Works |
| | Hembree Road Turn Lanes | 2019 | 2021 | 750,000 | 24.10% | 180,750 | - | - | - | - | TBD | | Public Works |
| | Westside/Morrison Parkway Improvements | 2025 | 2028 | 2,780,000 | 24.10% | 669,980 | - | - | - | - | TBD | | Public Works |
| | Marjean Way Extension | 2019 | 2022 | 3,500,000 | 75.90% | 2,656,500 | - | - | - | - | TBD | | Public Works |
| | Wills Road Widenings (Milton Avenue to Old Mitlon Pkwy) | 2019 | 2022 | 850,000 | 24.10% | 204,850 | - | - | - | - | TBD | | Public Works |
| | Waters Rd Traffic Calming | 2019 | 2022 | 2,750,000 | 24.10% | 662,750 | - | - | - | - | TBD | | Public Works |
| | Kimball Bridge Rd Improvements (Waters Rd to Buice Rd) | 2020 | 2023 | 2,400,000 | 24.10% | 578,400 | - | - | - | - | TBD | | Public Works |
| | Streetlighting Conversions/New Installations | 2019 | 2029 | 547,200 | 24.10% | 131,875 | - | - | - | - | TBD | | Public Works |
| | Douglas Rd Traffic Calming (no roundabout) | 2019 | 2020 | 500,000 | 24.10% | 120,500 | - | - | - | - | TBD | | Public Works |
| | Douglas Rd Traffic Calming (roundabout) | 2019 | 2022 | 1,850,000 | 24.10% | 445,850 | - | - | - | - | TBD | | Public Works |
| | Park Plaza Signalization Upgrade | 2019 | 2020 | 300,000 | 24.10% | 72,300 | - | - | - | - | TBD | | Public Works |
| | Mayfield Rd Bike Route (Mayfield Cir to Upshaw Dr) | 2024 | 2026 | 555,000 | 24.10% | 133,755 | - | - | - | - | TBD | | Public Works |
| | | | | $ 121,952,884 | | $ 32,134,120 | $ 42,564.32 | $ 34,999.98 | $ 77,564.30 | $ - | | | |

# CITY OF ALPHARETTA, GA
## CAPITAL IMPROVEMENT ELEMENT (FY's 2017-2021)
### Service Area for each Public Facility: Citywide

| Public Facility | Project Description | Project Start Date (Fiscal Year) | Project End Date (Fiscal Year) | Local Cost of Project | Maximum % of Funding from Impact Fees | Maximum Funding from Impact Fees | Impact Fees Expended in FY 2017 | Impact Fees Expended in Previous Years | Total Impact Fees Expended to Date | Impact Fees Encumbered as of the end of FY 2017 | Current Funding Sources | Status/ Comment | Responsible Department |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **Public Safety** | | | | | | | | | | | | | |
| | Impact Fee Ordinance Update | 2014 | 2016 | $ 15,625 | 100.00% | $ 15,625 | $ - | $ 15,625.01 | $ 15,625.01 | $ - | Impact Fees | Completed | Community Development |
| | Public Safety Headquarters Expansion | 2017 | 2019 | 4,616,134 | 100.00% | 4,616,134 | 83,598.11 | 74,687.50 | 158,285.61 | 169,064.39 | General Revenues; Impact Fees; DEA; E-911 Fees | Design Phase | Public Safety/ Public Works |
| | | | | $ 4,631,759 | | $ 4,631,759 | $ 83,598.11 | $ 90,312.51 | $173,910.62 | $ 169,064.39 | | | |
| **Recreation and Parks** | | | | | | | | | | | | | |
| | Impact Fee Ordinance Update | 2014 | 2016 | $ 11,875 | 100.00% | $ 11,875 | $ - | $ 11,875.01 | $ 11,875.01 | $ - | Impact Fees | Completed | Community Development |
| | Sidewalk Improvements | 2017 | 2029 | 7,594,083 | 24.00% | 1,822,580 | - | - | - | - | GO Bond; General Revenues; TBD | Design Phase | Public Works |
| | Waters Rd Sidewalk Improvements | 2019 | 2020 | 750,000 | 24.00% | 180,000 | - | - | - | - | TBD | | Parks |
| | City Center Walking Trail | 2017 | 2019 | 300,000 | 100.00% | 300,000 | - | - | - | - | Impact Fees | Design Phase | Public Works |
| | Eastside Community Center/YMCA Partnership | 2017 | 2022 | 2,500,000 | 30.96% | 774,000 | - | - | - | - | GO Bond | | Parks |
| | Alpharetta Arts Center Development | 2017 | 2019 | 3,387,244 | 54.17% | 1,834,870 | 172,957.36 | - | 172,957.36 | 69,742.64 | GO Bond; Impact Fees; General Revenues; Hotel/Motel Taxes; | Construction Bidding Phase | Parks/Public Works |
| | Wills Park Pool Renovation/Expansion | 2017 | 2019 | 6,140,453 | 36.12% | 2,217,932 | - | - | - | - | GO Bond; Impact Fees; General Revenues | Construction Bidding Phase | Parks/Public Works |
| | Parkland Acquisition | 2017 | 2019 | 4,000,000 | 100.00% | 4,000,000 | - | - | - | - | GO Bond | Land Acquisition/Demolition Phase | Parks |
| | Cultural Arts/Parkland Acquisition | 2017 | 2022 | 1,600,000 | 100.00% | 1,600,000 | - | - | - | - | GO Bond; Impact Fees | | Parks |
| | Greenway Extension to Forsyth County | 2017 | 2020 | 6,500,000 | 25.63% | 1,665,950 | - | - | - | - | GO Bond | Design Phase | Parks/Public Works |
| | AlphaLoop City Trail | 2017 | 2022 | 10,217,137 | 100.00% | 10,217,137 | - | - | - | - | General Revenues; Developer Contributions; Grants; Impact Fees; TBD | Design Phase | Community Development/ Public Works |
| | Alpharetta Community Ctr Renovation/Expansion | 2020 | 2028 | 6,215,000 | 54.17% | 3,366,666 | - | - | - | - | TBD | | Parks |
| | North Park (Fields 1-4) Concession Building Renovation | 2019 | 2021 | 1,650,000 | 86.16% | 1,421,640 | - | - | - | - | TBD | | Parks |
| | Park Master Plans for newly acquired Park Lands | 2018 | 2020 | 188,000 | 100.00% | 188,000 | - | - | - | - | General Revenue; Impact Fees; TBD | | Parks |
| | Neighborhood Park Renovation/Development | 2019 | 2027 | 3,850,000 | 43.34% | 1,668,590 | - | - | - | - | TBD | | Parks |
| | Wills Park Equestrian Center Improvements | 2019 | 2024 | 1,061,250 | 68.93% | 731,520 | - | - | - | - | TBD | | Parks |
| | North Park Trail System | 2021 | 2022 | 250,000 | 100.00% | 250,000 | - | - | - | - | TBD | | Parks |
| | North Park Field 5 Re-Design | 2021 | 2023 | 485,000 | 69.69% | 337,997 | - | - | - | - | TBD | | Parks |
| | Webb Bridge Park Community Center | 2021 | 2024 | 17,750,000 | 54.17% | 9,615,175 | - | - | - | - | TBD | | Parks |
| | Pocket Park Development | 2019 | 2028 | 1,250,000 | 36.12% | 451,500 | - | - | - | - | TBD | | Parks |
| | Eastside Dog Park | 2022 | 2024 | 300,000 | 39.39% | 118,170 | - | - | - | - | TBD | | Parks |
| | Greenway Linkages | 2021 | 2023 | 500,000 | 25.63% | 128,150 | - | - | - | - | TBD | | Parks/Public Works |
| | Georgia 400 Bicycle Expressway and Greenway | 2020 | 2024 | 16,000,000 | 25.63% | 4,100,800 | - | - | - | - | TBD | | Public Works |
| | | | | $ 92,500,042 | | $ 47,002,550 | $172,957.36 | $ 11,875.01 | $184,832.37 | $ 69,742.64 | | | |
| | Total | | | | | | $299,119.79 | $137,187.50 | $436,307.29 | $ 238,807.03 | | | |

**2017 Impact Fee Credit Usage (YTD)**

| Company Name | Road Impact Fee Credits used In 2017 | Public Safety Impact Fee Credits used In 2017 | Parks Credits used In 2017 |
|---|---|---|---|
| Acadia Homes & Neighbor | $ 4,334.16 | $ - | $ - |
| Archway Custom Homes | 2,889.44 | - | - |
| Ber-Bank, LLC (Northwinds LDP) | 392,633.05 | - | - |
| Evirons, LLC | 10,948.90 | - | - |
| GRBK Academy LLC | 41,896.88 | - | 148,242.49 |
| JHS Building, LLC | 92,362.00 | - | - |
| John Weiland Homes | 13,002.48 | - | 35,782.67 |
| Newhall Land Company | - | - | 25,559.05 |
| Sharp Residential/Northfield Partners, LLC | 31,783.84 | - | - |
| Talon Neighborhoods, LLC | 7,223.60 | - | - |
| Taylor Morrison Homes of GA LLC | 17,336.64 | - | - |
| **GRAND TOTAL** | **$ 614,410.99** | **$ -** | **$ 209,584.21** |

# CITY COUNCIL MEETING
# STAFF REPORT

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

---

I. **AGENDA ITEM TITLE:** V-17-21 55/61 ROSWELL STREET PARKING & HEIGHT VARIANCE

CITY COUNCIL: APRIL 16, 2018

**UPDATE: The applicant has revised the request by reducing the building size and height. The previous request was for a 57' building (4 stories) which has been reduced to 46' (3 stories).**

II. **RECOMMENDATION:**

Approve V-17-21 55/61 Roswell Street Parking & Height Variance subject to the following conditions:

1. Building architecture and site plan shall be substantially similar to plans prepared by D. Tracy Ward, dated 3/28/2018, except for modifications required to comply with the conditions below, final approval by DRB.
2. Applicant shall contribute $138,500 to the Downtown Parking Fund. Half of the payment shall be required prior to receiving a building permit, remainder prior to a Certificate of Occupancy. Applicant shall not receive a building permit for the mixed-use building until the Milton Avenue Parking Deck is substantially complete.
3. Building height shall be limited to no more than 46' and white lights shall be added to the top of the buildings to participate in the City's holiday lighting program.
4. The historic Skelton-Teasley House (61 Roswell Street) shall be restored and protected. Restoration and modifications shall require review and approval by Staff. The use of the structure shall be limited to retail, restaurant or office. The exterior of the structure shall be restored prior to final Certificate of Occupancy. Landscaping shall be designed to complement the time period of the structure. An easement shall be recorded providing for use of the Skelton-Teasley House yard as amenity space. No fencing permitted.
5. Developer shall provide the City with a binding legal agreement providing for the protection and maintenance of the Skelton-Teasley House.
6. Monument sign for Skelton-Teasley House shall not exceed 10 square feet and wall sign shall not exceed 4 square feet, both to be approved by DRB. The structure at 61 Roswell Street will forever be known as the Skelton-Teasley House and will be so designated by a plaque, which will be affixed to the exterior of the structure or as a standalone plaque as approved by DRB.
7. Retail and Restaurant use shall be limited to 8,000 square feet, not including outdoor/rooftop seating areas.
8. First floor uses facing Roswell Street shall be limited to retail and restaurant.
9. Prior to Certificate of Occupancy, the applicant shall be required to enter into an agreement approved by the City for permanent access through the City's Roswell Street parking lot. Permanent access easements shall be recorded prior to issuance of the LDP.
10. Developer shall improve the area between the historic structure and the new mixed-use building with hardscape, landscape, decorative lighting, outdoor furniture and public art.
11. Existing trees shall be preserved as depicted on site plan prepared by D. Tracy Ward, dated 3/28/2017, including tree #503 (31" Water Oak) and tree # 504 (41" Water Oak).
12. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff. Street trees shall be required along Roswell 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.

13. 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.
14. Dumpster(s) shall be contained within the parking level of the proposed building.

### III. REPORT IN BRIEF:

The applicant, Robert Turner on behalf of Park Plaza Partners, LLC, is requesting consideration of a height and parking variance to allow a 3-story, 30,000 square foot mixed-use building with office, retail and restaurant uses within the Downtown Overlay. The historic Skelton-Teasley House is proposed to be saved and restored for use as retail and or restaurant. A one-time contribution to the City's Downtown Parking Fund is proposed by the applicant to offset required parking that is not being accommodated onsite. The subject property is located at 55 and 61 Roswell Street, adjacent to the Roswell Street City parking lot.

## DISCUSSION

The submitted request, if approved, will allow for a 3-story, 30,000 square foot mixed-use building, including office, retail and restaurant uses on 0.66 acres in the Downtown Overlay. The historic Skelton-Teasley House at 61 Roswell Street is proposed to be saved and restored for use as retail and/or restaurant. The applicant proposes a one-time contribution to the City's Downtown Parking Fund to offset required parking that is not being accommodated onsite. The subject property is located at 55 and 61 Roswell Street, adjacent to the Roswell Street City parking lot. The applicant proposes to increase the building height from 40' to 46' and requests a variance from 20 parking spaces in consideration of saving the historic building on the property instead of constructing surface parking.

The subject property is zoned C-2 (General Commercial). The properties are developed with two (2) residential structures, which have been converted to non-residential use. The property is surrounded by C-2 parcels to the northeast, east and south, including Made Kitchen & Cocktails and La Casa Italian Grill to the northeast and 48, 54 and 62 Roswell Street to the east and south. Properties to the northwest and west are zoned R-10M and include the Roswell Street City parking lot and an office building at 65 Roswell Street. The property is located within the Downtown Overlay and has a comprehensive land use plan designation of Central Business District. The applicant proposes to use the existing curb cut located west of the property for access the site in order to limit curb cuts along Roswell Street as well as save the historic home.

The Skelton-Teasley House was built in 1856 for Dr. Skelton. The 1-story home was designed in the Greek Revival architectural style. The applicant proposes to save and restore the home and to use it for retail and/or restaurant. This request is similar to East of Main, where the Ben Manning House was preserved and restored for use as an office.

The City's Alpha Loop project includes an alignment at the rear of properties across Roswell Street from the applicant's property. In an effort to reduce vehicular trips and encourage use of the Alpha Loop, the applicant proposes bicycle facilities in conjunction with the proposed development.

SITE PLAN

The applicant proposes to construct a mixed-use building, consisting of structured parking for 42 cars in the lower level and surface, approximately 8,000 square feet of ground level retail/restaurant and 22,000 of office.

The submitted site plan depicts a 3-story (46′), 30,000 square foot mixed-use building surrounding the historic Skelton-Teasley House on 0.66 acres. The Skelton-Teasley House is approximately 1,244 square feet. The Historic Preservation Ordinance requires that only half of the parking requirements be met for a historic structure. Access to the property is depicted by using a shared entrance drive.

The existing structure to be saved and the proposed mixed-use building meet all setback requirements in the C-2 district. Since the front setback in the C-2 district is conditional, staff requested that the mixed-use building have a similar setback as the historic Skelton-Teasley House, which is approximately 30′. Two (2) specimen trees (31″ Water Oak and 41″ Water Oak) are proposed to be saved on the property and are located at the front of the property along Roswell Street. A courtyard is proposed behind the historic building that will include seating for the restaurant within the new building.

The site plan includes the 30,000 square foot building with first floor restaurant and 42 parking spaces on grade and under the building. If the historic building were removed another 20 spaces could possibly be accommodated on the site, therefore a variance is requested.

Parking required for the site is as follows:

30,000 sf new building:

| | |
|---|---|
| 8,000 sf retail @ 2 per 1,000 = | 16 spaces |
| 22,000 sf office @ 3 per 1,000 = | 66 spaces |
| Historic building (1/2 required) 1,500 sf = | 1.5 spaces |
| Total: | 84 spaces |
| Provided onsite: | 42 spaces |
| Total required offsite or in lieu payment | 42 spaces |
| Consideration of 20 spaces for saving home | 22 spaces require for in-lieu payment |

In lieu adopted fees:

| | |
|---|---|
| 1-5 spaces = $4,500 per space = | $ 22,500 |
| 6-20 spaces = $8,000 per space = | $ 88,000 |
| 21-40 spaces = $14,000 per space = | $ 28,000 |
| Total fee required | $138,500 |

The C-2 zoning district permits building heights up to 40′; however, the Downtown Master Plan recommends building heights up to four (4) stories or 60′. The proposed building is three (3) stories with a height of 46′. Staff is recommending heights up to 46′ within the Heritage area along Roswell Street.

This height allows for the 18′ first floor recommended by the Downtown Code as well as 14′ 2nd and 3rd floors.

Plans are currently under development for a public parking deck at 92 Milton Avenue, which is approximately 125′ from the applicant's property.

ELEVATIONS

The applicant's architect has stated that the new mixed-use building will be compatible with the Skelton-Teasley House, which represents Greek Revival architecture. The new building will emulate the historic structure with respect to materials (brick and cast stone), colors (earth tones) and stylistic details (classical Greek Revival and Federal). The ground level will be cast stone to create a base for the heavier brick material used on upper floors. Windows, shutters and doors will be detailed and fabricated to match historic precedents found in the Southeast. In addition, the applicant will make efforts to bring the Skelton-Teasley House back to its past Greek Revival purity. The proposed building complies with the Alpharetta Downtown Design Guidelines, which outlines specific building style, ornamentation, massing as well as requiring higher ornamentation at the pedestrian level. The applicant does propose roll-up industrial doors at the pedestrian level facing the courtyard for indoor and outdoor dining.

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 subject property is less than an acre and the developer is saving a historic structure and two (2) large specimen trees. The Milton Avenue Parking Deck will be in close proximity to the subject property. The property is within an area designated 'Central Business District', which permits higher building heights than other areas in the Downtown Overlay.*

(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 parking and building height regulations. However, the property is within an area designated 'Central Business District', which permits higher building heights than other areas in the Downtown Overlay. In addition, on-site parking on small downtown parcels would limit needed density and building connectivity along downtown streets. A parking variance would enable the tree save as well as the historic home.*

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

*Response: The subject property is less than an acre and the developer is saving a historic structure and two (2) large specimen trees. The Milton Avenue Parking Deck will be in close proximity to the*

*subject property. The property is within an area designated 'Central Business District', which permits higher building heights than other areas in the Downtown Overlay.*

(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 will not cause substantial detriment to the public good as the historic Skelton-Teasley House will be preserved and parking will be provided on-site and off-site within close proximity.*

## CONCURRENCES

Staff has reviewed the proposal and finds that the variance requests can be supported by recommendations within the Downtown Master Plan. The Downtown Plan states the intent and purpose is for Downtown Alpharetta to be a focal point for high-quality mixed-use development. The property is within an area designated 'Central Business District', which permits higher densities and building heights than other areas in the Downtown Overlay. The historic Skelton-Teasley House is approximately 26' in height; however, buildings of varying heights within downtowns can create a more interesting street frontage as long as the pedestrian level has the highest level of ornamentation and building design standards and styles within a downtown tie the buildings together with a historic theme. Alpharetta Lofts and Teasley Place have been granted height variances to allow up to 60' and Liberty Hall up to 67', with four (4) stories. The applicant is proposing a maximum of 46'. Three stories are already permitted and therefore the height variance doesn't increase density but allows a building with taller floors.

Existing parking in the Downtown requires expansion in order to serve this use and additional growth occurring in the Downtown. It's difficult to provide onsite parking on small downtown parcels as it limits density and in some areas parcels would be purchased and developed solely for the purpose of surface parking. This could be a detriment to building connectivity and needed density along Downtown streets.

The City has budgeted over $7 million to construct additional parking in the Downtown. The previous HDIZ contemplated the parking issue by offering developers the option of contributing to a parking fund in lieu of providing on-site parking, which would be used to build communal parking deck spaces. That document required half of the parking be provided on-site and the applicant could pay $4,500.00 per space into the Downtown Parking Fund to satisfy the remaining parking requirement. In 2007, 44 Milton Avenue paid $157,500.00 into the Parking Fund and in 2013 Alpharetta Lofts paid $66,000.00 for their portion of required parking. CORO paid $36,000.00, in 2014, for their parking variance approval.

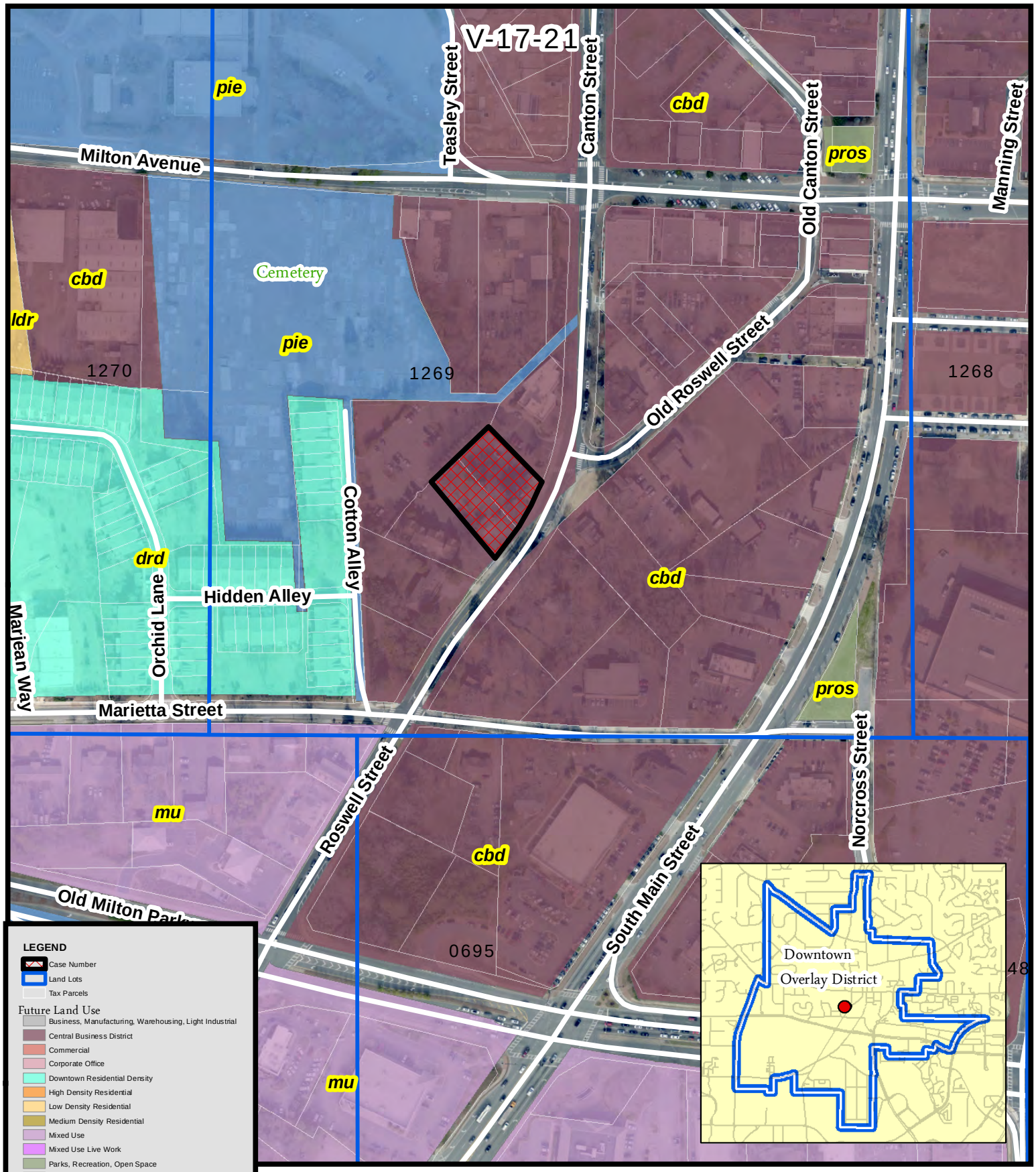
It should be noted that each request for parking variances and contributions to the Parking Fund are based upon the available inventory at the request time, as well as proximity to structured parking.

## CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The applicant stated that no negative comments were received.

## IV. ATTACHMENTS:

- Site Plan
- Architectural Elevations

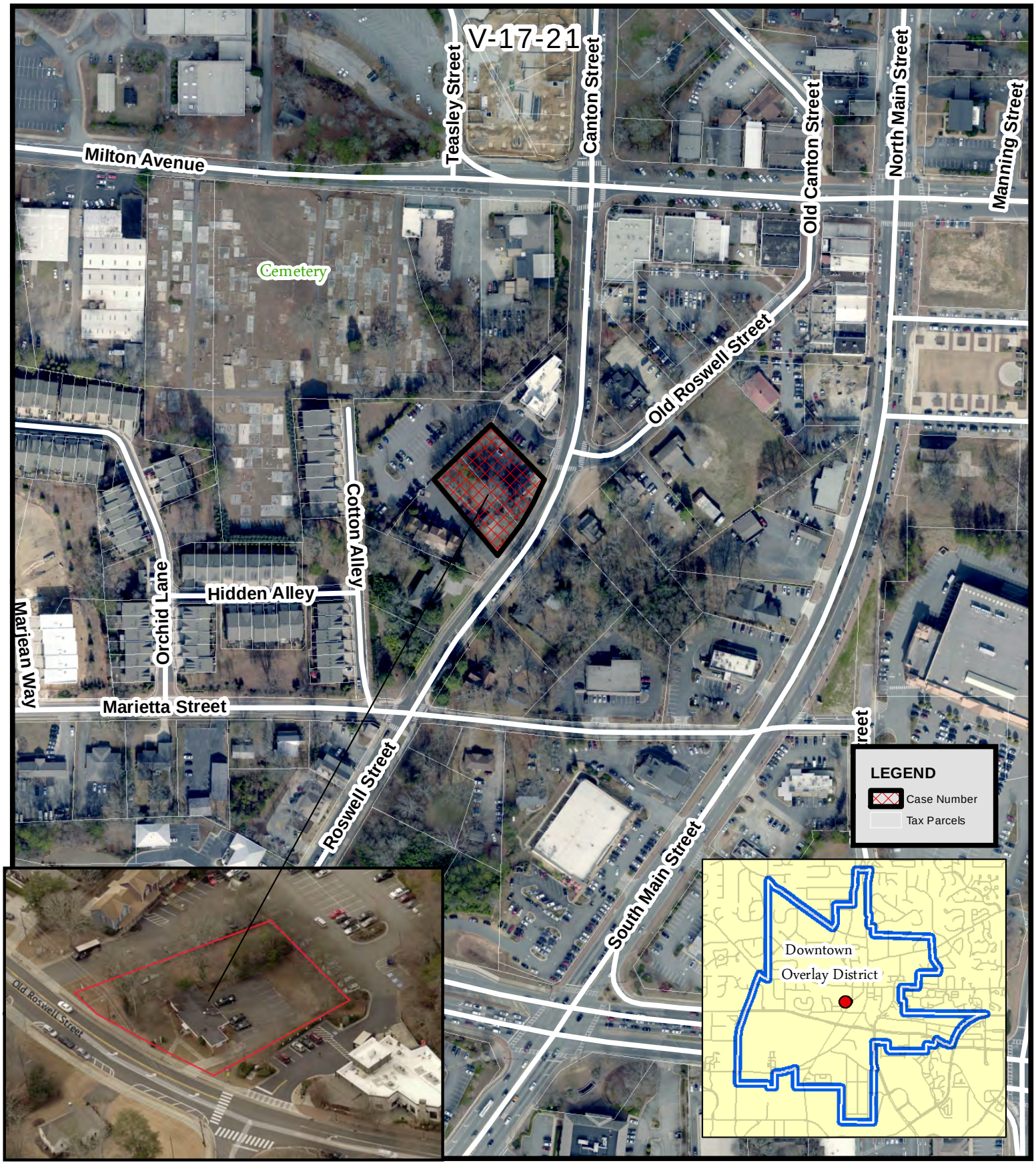



Future Land Use
55 & 61 Roswell Street

V-17-21
D/LL: 2/2/1269
CC Date: **4/16/18**

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS



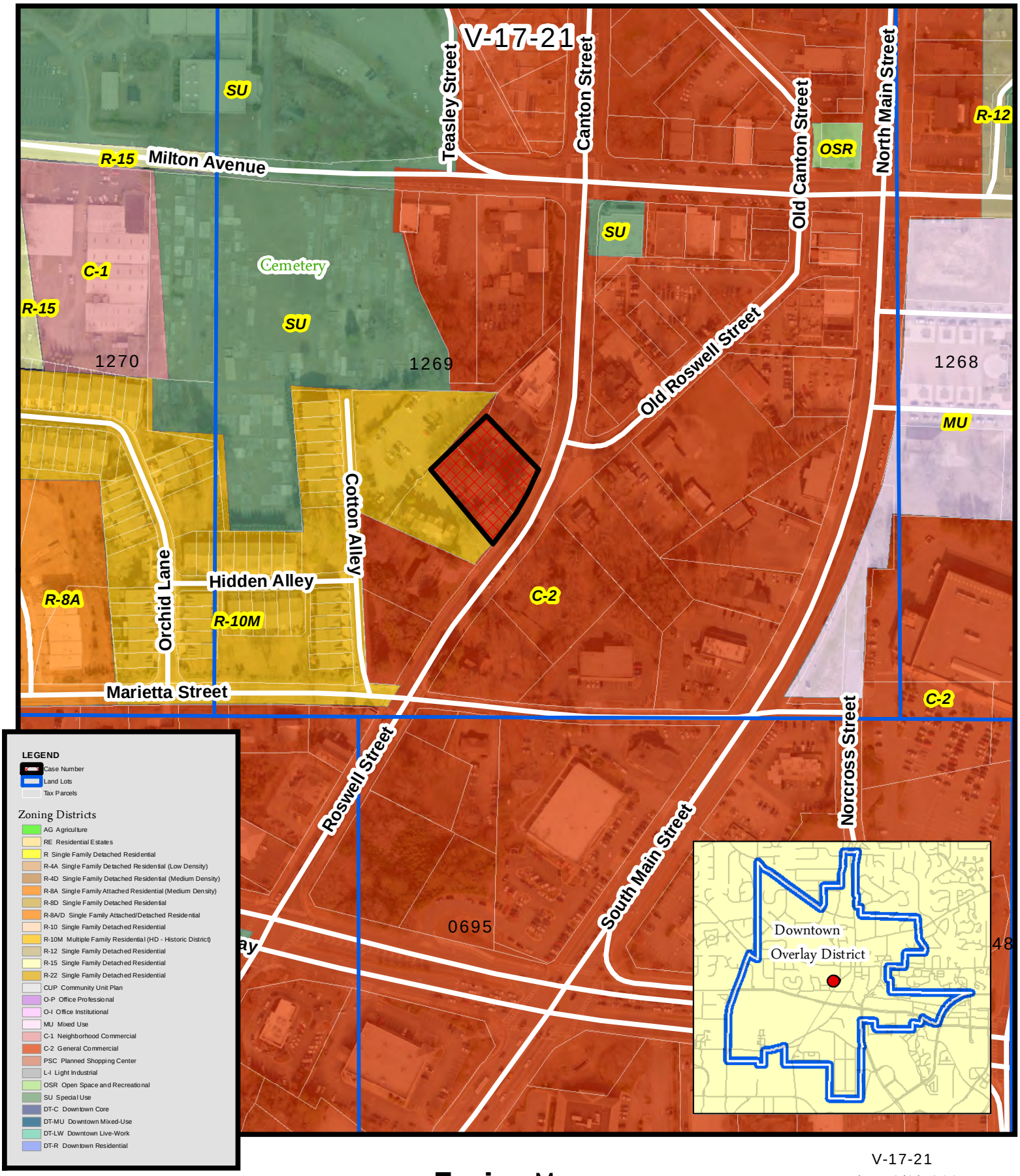

Aerial Map

55 & 61 Roswell Street

V-17-21
D/LL: 2/2/1269
CC Date: **4/16/18**

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS



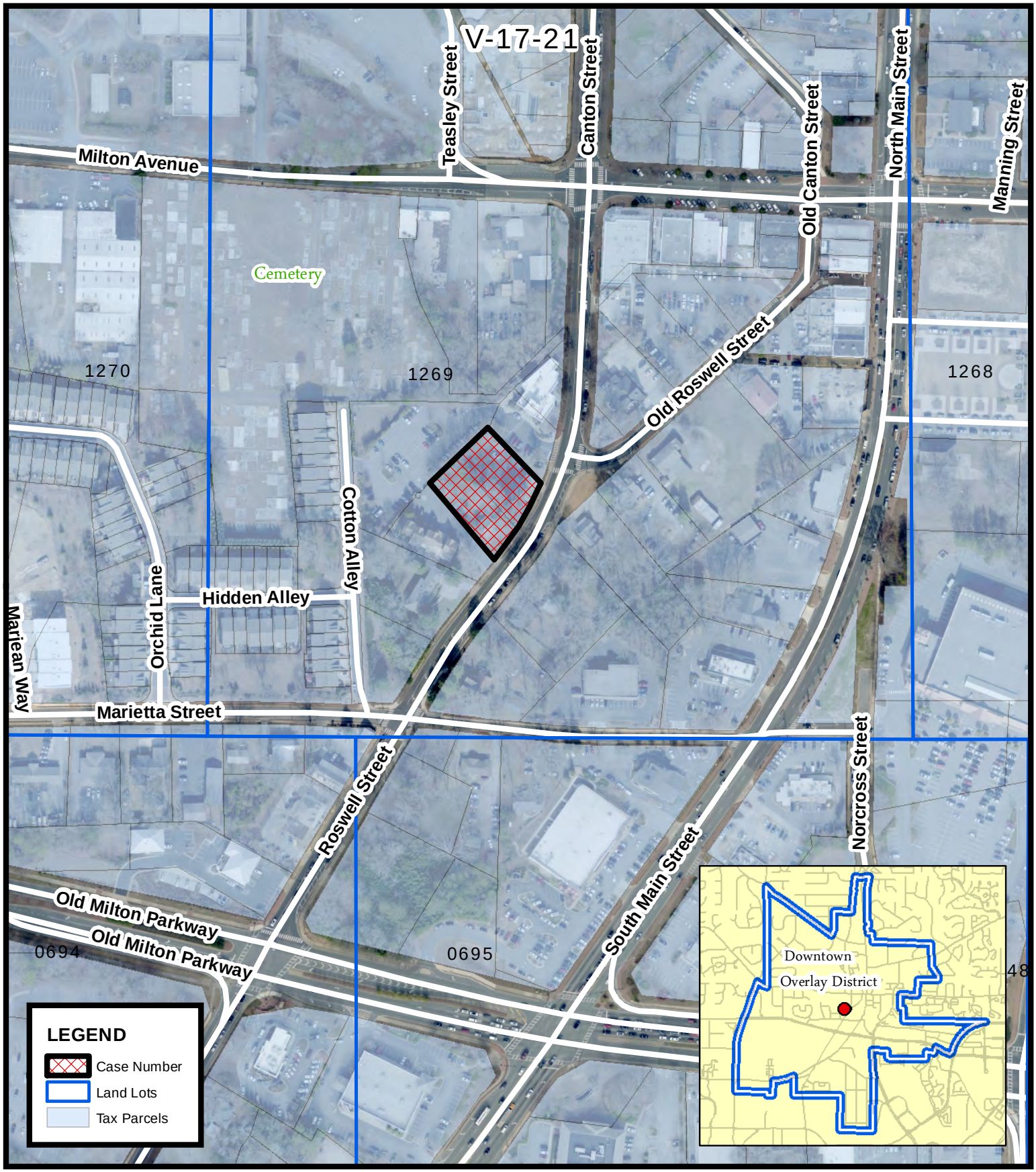

**Zoning** Map

55 & 61 Roswell Street

V-17-21
D/LL: 2/2/1269
CC Date: **4/16/18**

THE CITY OF ALPHARETTA

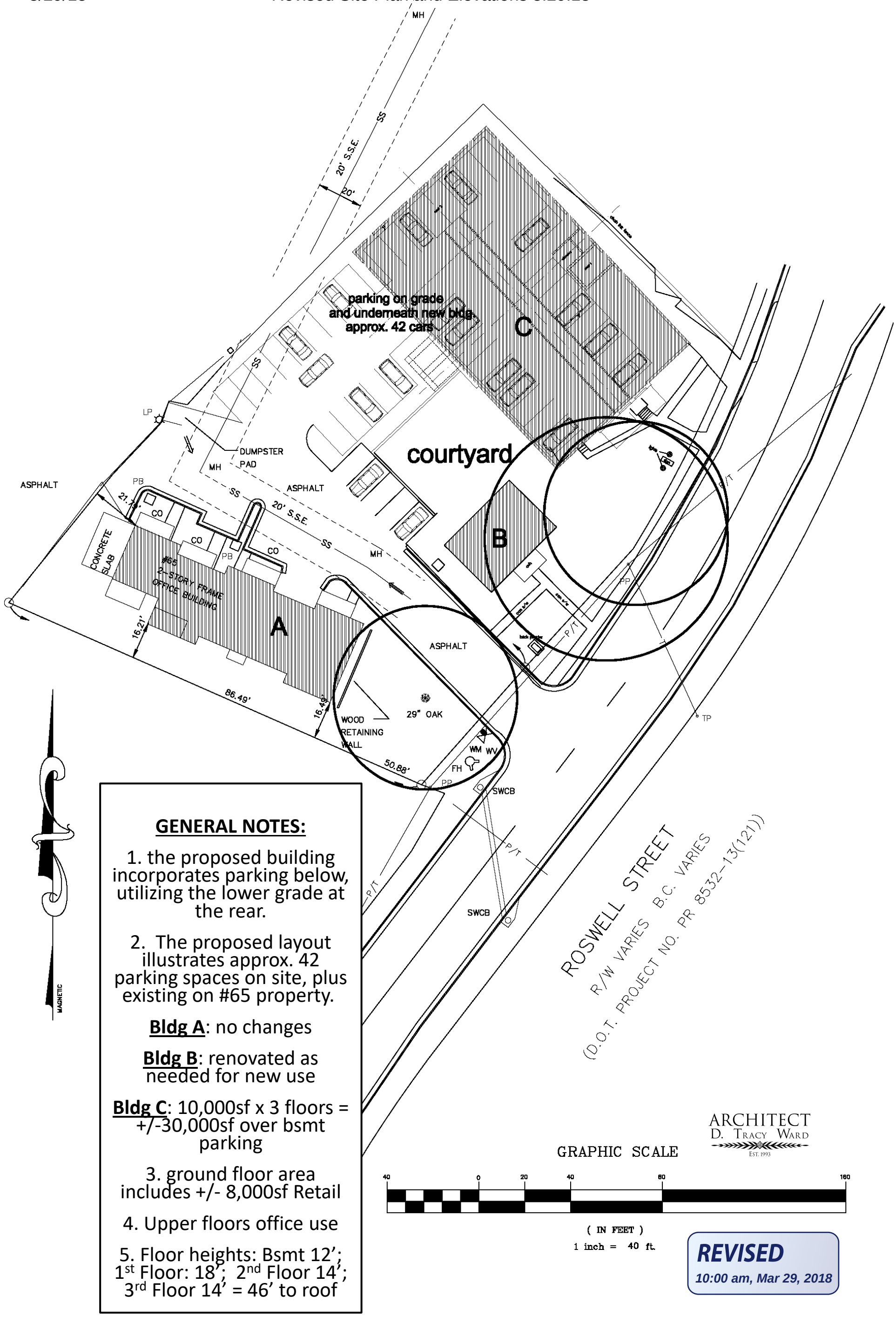
Location Map Provided by:
Community Development - GIS




Location Map
55 & 61 Roswell Street

V-17-21
D/LL: 2/2/1269
CC Date:
**4/16/18**

Location Map Provided by:
Community Development - GIS




**GENERAL NOTES:**

1. the proposed building incorporates parking below, utilizing the lower grade at the rear.

2. The proposed layout illustrates approx. 42 parking spaces on site, plus existing on #65 property.

**Bldg A**: no changes

**Bldg B**: renovated as needed for new use

**Bldg C**: 10,000sf x 3 floors = +/-30,000sf over bsmt parking

3. ground floor area includes +/- 8,000sf Retail

4. Upper floors office use

5. Floor heights: Bsmt 12'; 1st Floor: 18'; 2nd Floor 14'; 3rd Floor 14' = 46' to roof

***REVISED***

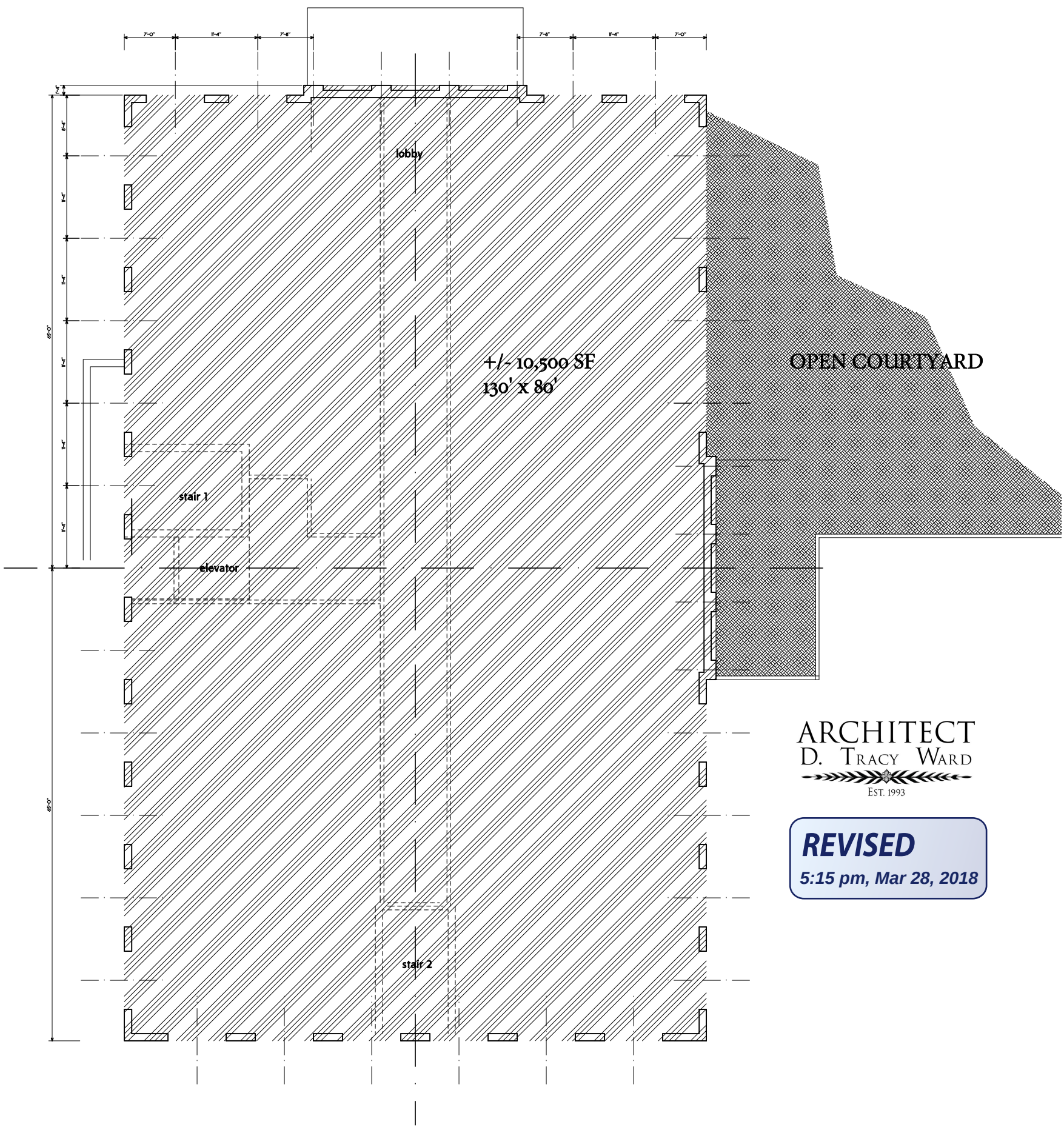
*10:00 am, Mar 29, 2018*

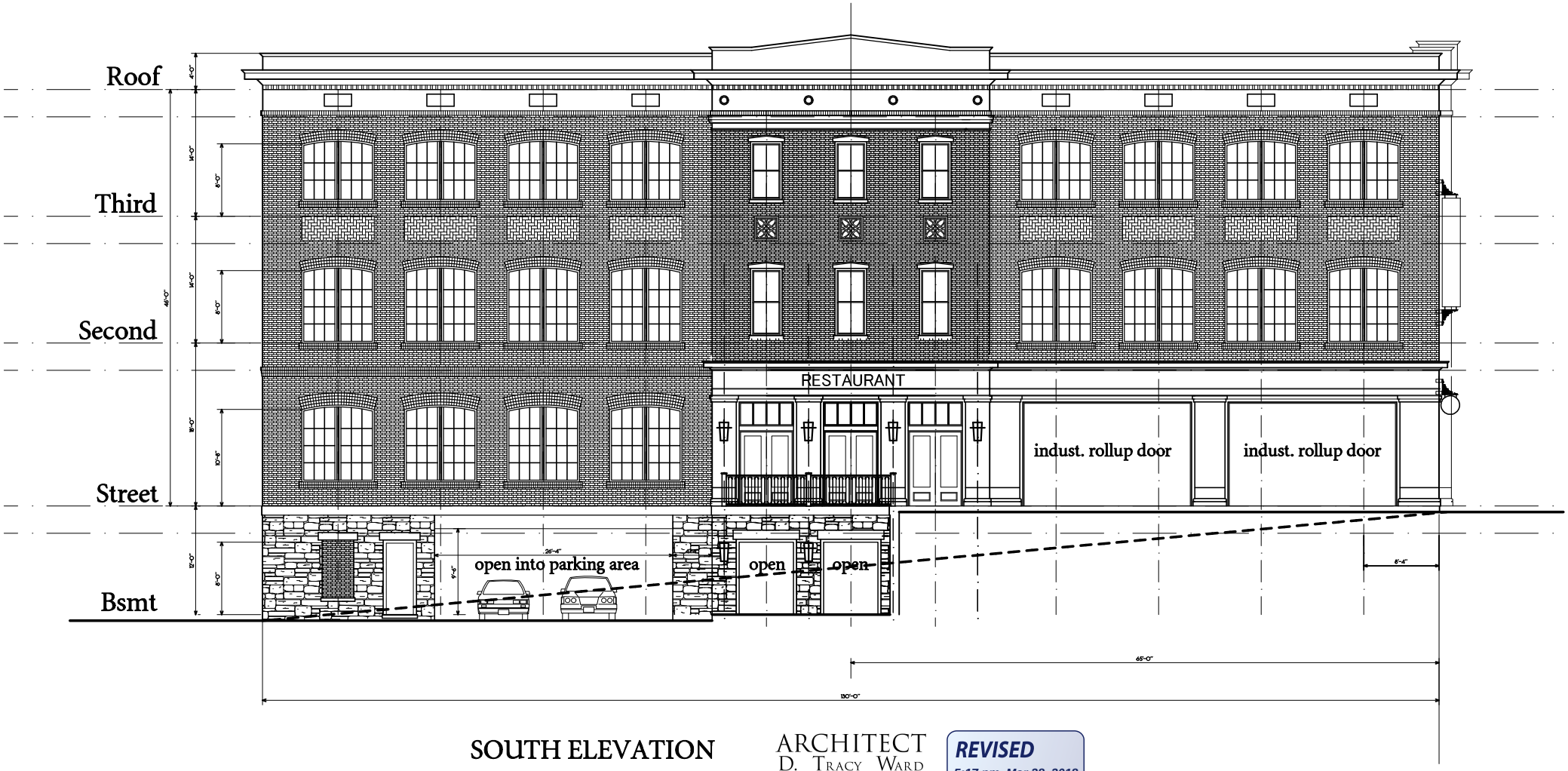
REVISED
5:15 pm, Mar 28, 2018
ARCHITECT
D. TRACY WARD
EST. 1993
stair 1
elevator
stair 2
24'-0"
65'-0"
65'-0"
65'-0"
18'-4"
4'-4"
12'-2"
26'-0"
19'-2"
18'-0"
32'-2"
12'-0"
12'-0"

# Revised Site Plan and Elevations 3.29.18

ARCHITECT
D. TRACY WARD
EST. 1993

**REVISED**
*5:17 pm, Mar 28, 2018*


lobby
+/- 10,500 SF
130' x 80'
OPEN COURTYARD
stair 1
elevator
stair 2
ARCHITECT
D. TRACY WARD
EST. 1993
REVISED
5:15 pm, Mar 28, 2018




SOUTH ELEVATION

ARCHITECT
D. TRACY WARD
EST. 1993

**REVISED**
*5:17 pm, Mar 28, 2018*

# 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: 55 Roswell St & 61 Roswell St - Application for variances from C2 parking/height requirement

Contact Name: InTown Legal (Turner) LLC

Telephone: 404-457-2076

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

No comments have been received to date. Applicant will update the City with feedback as and when ~~the~~ any is received.

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 (example notice letter sent by email to City)

Personal Visits

Telephone

Group Meeting

Email

Other (Please Specify) An in-person meeting is planned for 4/16/2018

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: InTown Legal (Turner) LLC

Date: 3-27-2018

March 26, 2018

Name
Address
City, State Zip

Re: Public Hearing Application PHA170030 - Variance Application by Park Plaza Partners, for 55 Roswell Street and 61 Roswell Street, Alpharetta, Georgia; requesting variance from C-2 Zoning parking requirements (seeking variance for reduction in required number of on-site parking) and height restrictions (seeking variance to exceed height limitations) (collectively, the "Application")

Dear Property Owner:

Park Plaza Partners, LLC (Applicant), is the owner of 55 Roswell Street, and 61 Roswell Street, Alpharetta, Georgia (combined, the two parcels equate to approx. 0.66 acres). Applicant has filed an application with the City of Alpharetta seeking a variance from the C-2 zoning classification for on-site parking and height restrictions in order to raze the existing structure at 55 Roswell Street and construct a new 3-story retail/restaurant/office mixed-use building. Applicant intends to preserve the existing structure on 61 Roswell Street. This application replaces the previous submission and has reduced the height to 46', requiring a 6' variance. The size of the building has also reduced from 56K square foot down to 35K.

The City Council hearing on the Application is scheduled for April 16, 2018, at 6:30pm at City Hall. If you have questions or would like additional information, please contact Rob Turner at 404.457.2076, or via email at Rob@InTownLegal.com, and his address is 2297 Nesbitt Drive, Suite 100, Atlanta, Georgia 30319.

A public participation meeting will be held at 6pm on April 10, 2018 in the rear of 61 Roswell Street. This meeting is not the public hearing. The purpose for this meeting is to provide neighbors and interested parties with the opportunity to meet with Applicant's representatives, ask questions and voice concerns.

A copy of the preliminary site plan is enclosed for your consideration, but please note this is preliminary and there may be minor refinements as the design is finalized.

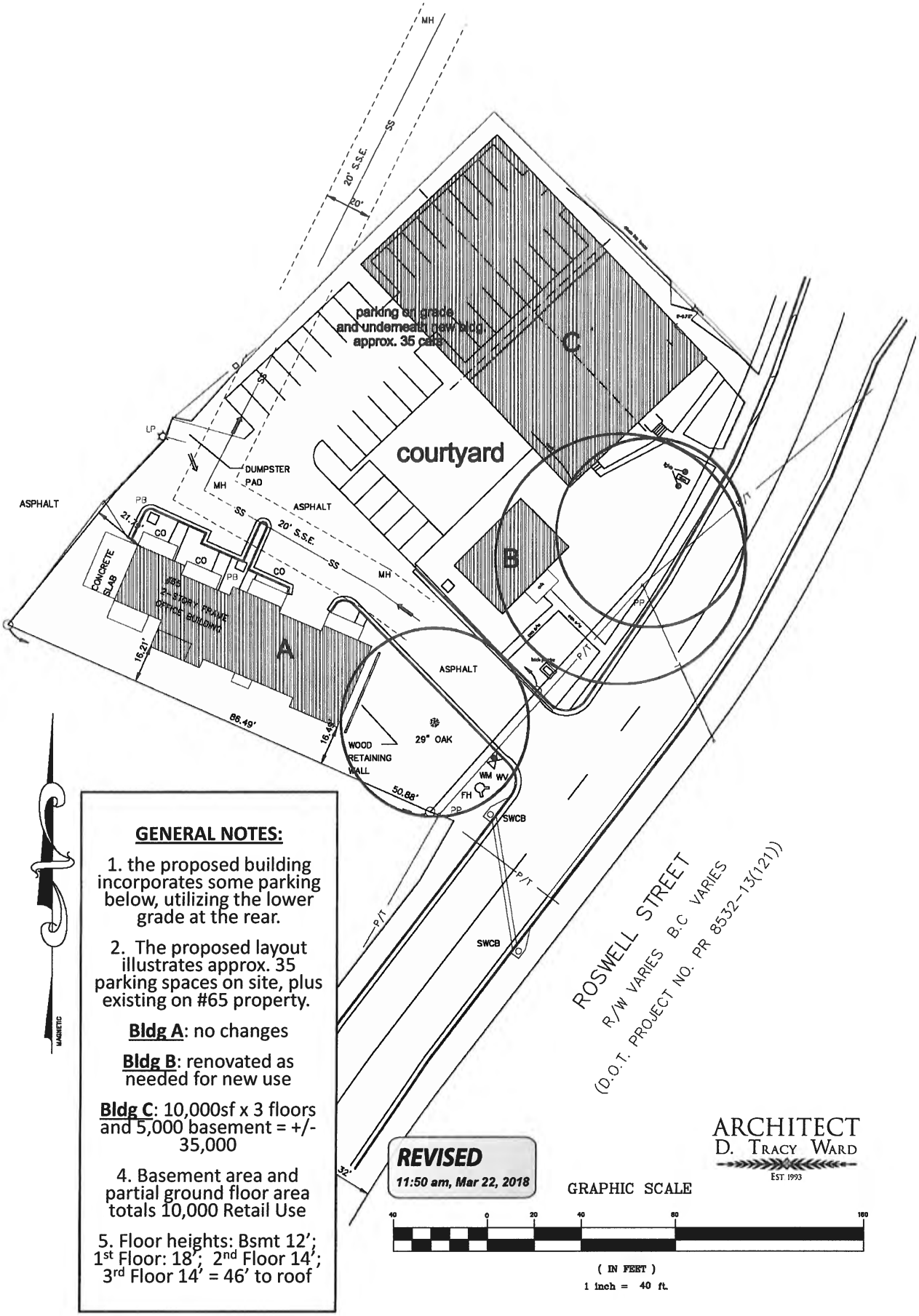
Warm regards,

InTown Legal (Turner) LLC

Robert H. Turner III

Enclosure

Site Plan for Citi Part B 3.26




**GENERAL NOTES:**

1. the proposed building incorporates some parking below, utilizing the lower grade at the rear.

2. The proposed layout illustrates approx. 35 parking spaces on site, plus existing on #65 property.

**Bldg A**: no changes

**Bldg B**: renovated as needed for new use

**Bldg C**: 10,000sf x 3 floors and 5,000 basement = +/- 35,000

4. Basement area and partial ground floor area totals 10,000 Retail Use

5. Floor heights: Bsmt 12'; 1st Floor: 18'; 2nd Floor 14'; 3rd Floor 14' = 46' to roof

Amended Application

# CITY OF ALPHARETTA
# PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case # : V-17-21

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: Robert H. Turner III (Rob) / InTown Legal (Turner) LLC Telephone: 404-457-3076

Address: 2297 Nesbitt Drive Suite: 100

City: Atlanta State: GA Zip: 30319 Fax: N/A

Mobile Tel: same as # listed above Email:Rob@InTownLegal.com

RECEIVED MAR 2019

## Subject Property Information:

Address: 55 Roswell Street AND 61 Roswell Street Current Zoning: C-2

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

Proposed Zoning: C2 Current Use: Single story office (55 Roswell St) & vacant structure (61 Roswell St)

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

Conditional Use Master Plan Amendment

Rezoning Master Plan Review

X Variance Public Hearing

Comprehensive Plan Amendment Other (Specify).

# APPLICANT REQUEST AND INTENT

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

Construction of a Class A Mixed Use three (3) story building, which shall consists of approximately 10,000 sq ft street level retail/restaurant/office, approx 10,000 sq ft second floor office, approx 10,000 sq ft third floor office and approx 5,000 basement/rear retail. (collectively, the new construction on the Subject Property is referred to herein as the "Project").

Applicant's Request (Please itemize the proposal):

A variance from the C-2 Parking requirements to reduce the amount of available parking spaces required for the Project.

A variance to exceed the C-2 height restrictions for construction of the Project. More specifically, a height variance of 6' feet is anticipated, giving a total height of 46' feet as measured from the front (East) facade grade.

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

Applicant intends to preserve the structure at 61 Roswell Street which is the oldest building in downtown Alpharetta. By preserving the 61 Roswell Street structure, Applicant creates a narrow footprint on the Subject Property that is available for constructing the Project. This footprint creates significant and unique physical and economic limitations on Applicant's ability to develop and improve the remainder of the Subject Property, necessitating the requested variances in this Application.

With respect to the current structure situated at 55 Roswell Street, Applicant intends to demolish/remove the existing structure and improvements. A grant of the requested variances from the C2 parking and height requirements will facilitate construction of the Project, bringing to Downtown Alpharetta additional street level retail and office space capacity within walking distance from the City's central business core.

The two parcels (55 and 61 Roswell Street) are small (combined acreage is approximately 0.66 acre) and if we preserve the 61 Roswell Street structure as currently planned, the remaining building envelope on the property will not support redevelopment without the requested variances.

Applicant plans to construct and reserve 35 parking spots on site for the Project. After consideration of the parking reduction for preserving the historical building and for shared usage of tenants, Applicant intends to address any additional parking requirements through the parking in-lieu fee contribution to the City of Alpharetta.

# PROPERTY OWNER AUTHORIZATION

Contact Name: Park Plaza Partners, LLC

Telephone:

Address: 15144 Taylor Road

Suite:

City: Milton

State: GA

Zip: 30004

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 |
| X Variance | Master Plan |
| Land Use Application | Other _____ |

Identify Authorized Applicant:

Name of Authorized Applicant: InTown Legal (Turner) LLC / Robert H. Turner III

Telephone: 404-457-2076

Address: 2297 Nesbitt Drive

Suite: 100

City Atlanta

State: GA

Zip: 30319

Park Plaza Partners, LLC

Owner Signature By: _____

Date: 3/27/2018

Notary: Helen D. Michael.

Notary Signature: _____

Date: 3/27/2018.

HELEN DANIEL MICHAEL
MY COMMISSION EXPIRES
NOTARY
PUBLIC
DECEMBER 14, 2018
GWINNETT COUNTY, GEORGIA

# 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 (36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning 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: Park Plaza Partners, LLC

Subject Public Hearing Case: Variance from C2 Parking & Height Restrictions: 55 Roswell Street and 61 Roswell 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: David Belle Isle Position: Former Mayor

Description of Contribution: Campaign donation for Georgia Secretary of State (May 2017 & 2018) Value: $7,600

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Contribution Information:

I do swear and attest, subject to penalties for false swearing, that the information provided in this Disclosure and accurate and that I have herein any and al/ campaign contributions to an Official of the City of Georgia in accordance with 36-67 A-1.

PARK PLAZA PARTNERS, LLC

Signature: BY: _____ Date: 3-22-2018

# ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The Subject Property is located within Downtown Alpharetta and the proposed Project will be a compatible and complementary use with surrounding properties and businesses.

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

The Project will enhance and complement the usability and value of surrounding properties by increasing commercial traffic, potential consumers and commercial tax base, creating a synergistic increase in commerce for Downtown Alpharetta area businesses.

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

No, the current parking requirements and structural height limitations prescribed by the C2 zoning classification materially limit the ability of Applicant to develop the Subject Property in a manner consistent with the goals of the City's 2030 Comprehensive Land Use Plan.

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

Assuming the Subject Property is developed as contemplated with the Project/ it is not clear whether the expected commercial tenants will be local (and thus no increase to the population) or will be new to the area and require relocation by their employees. A traffic generation report is enclosed with this application and is incorporated herein by reference. This report is based on 60,000 sq feet as originally submitted. The current application is for 35,000 reducing the traffic information by almost half.

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

The proposed use will have no anticipated impact on schools other than, potentially, relocation of employees to the Alpharetta area. With respect to impact on utilities, the impact of the proposed development of the Subject Property and utilities will be in keepinq with projected growth.

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

The proposed use by the Project is consistent with the Comprehensive Plant and the Future Development Map. The Subject Property is located within Downtown Alpharetta and with its planned mix use (retail and office) at the Project and the proposed architectural look/feel, the Project will certainly be reflective of both architectural diversity and will include the walkability that is encouraged by the City.

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

Please see the earlier statement of intent regarding the contemplated preservation of the 61 Roswell Street structure on the Subject Property. With the planned preservation of the building, the Applicant's ability to develop the Subject Property will be significantly limited without the requested variances.

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.

Existing property conditions on the Subject Property include size, location and configuration, all of which are contributing to seeking the requested variances. As stated herein, the foregoing extraordinary conditions are attributable to both the proposed preservation of the structure at 61 Roswell Street, together with the remaining and extremely limited usable envelope for new construction that is caused by preserving the structure. Further, alignment of the Roswell Street curb cut and the topographical slope of the property (downward from Roswell Street toward the rear of the property) all materially limit the available parking and height envelope at the site, thus necessitating the requested variances. Unless the requested variances are approved, the Subject Property cannot be developed in an economically viable manner.

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

Yes. Without the requested parking and height variances, it will extremely difficult to construct a building that maximizes the available office space needed in the Downtown Alpharetta core, that blends with the surrounding environment and that meets the City of Alpharetta's development criteria set forth in the 2030 Comprehensive Land Use Plan.

The Project will further complement the surrounding properties and expected development with materials and scale. Further, the Project will be located along the back side of the sidewalk in keeping with the 'downtown merchant' style that is so prevalent in Downtown Alpharetta. Additionally, the Project is also designed to complement the other new projects in Downtown Alpharetta near City Hall.

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

The Subject Property is a total of approx 0.66 acres that includes the 61 Roswell Street building the City has identified as critical to preserve. With its current contemplated plans to preserve and use the 61 Roswell Street structure, Applicant will be left with a ***severely restricted*** building envelope for constructing the Project. Unless the requested parking and height variances are approved, future development on this Subject Property will be significantly limited.

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.

Applicant anticipates that rather than causing any form of detriment to the public good or impairing the purpose of the Zoning Code, that the Project will improve and further enhance the evolving look/feel of Downtown Alpharetta. More specifically, removing the existing single story office at 55 Roswell Street will improve the value of the surrounding properties, and the Project will almost certainly enhance the aesthetic of Roswell Street, thereby improving the surrounding property values. Taken with the planned preservation of the structure on 61 Roswell Street, the Project supports the City's adopted Comprehensive Plan goals of redevelopment and targeted mixed use areas in Downtown Alpharetta.

# 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: 55 Roswell Street & 61 Roswell Street - Application for variances from C2 parking/height requirements

Contact Name: InTown Legal (Turner), LLC Telephone: 404-457-2076

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.

Owners of properties located w/in 500' of Subject Property – As of 03/26/2018 notice letters have been mailed to the property owners and, for those nearby owners that previously provided comment or who attended our 10/10/2017 informational meeting, they will also be sent updated plans showing the reduced scale and current application submission.

City Officials

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.

INTOWN LEGAL

March 27, 2018

Re: Applicants: 55 Roswell Street, LLC / Information Design Corporation

Subject Property: 55 Roswell Street and 61 Roswell Street, Alpharetta, GA

Current Zoning: C2

Proposed Use: Requested Variance from C2 Parking Requirements and Height Restrictions

To Whom It May Concern:

Pursuant to Section 36-67A-3 of the Official Code of Georgia Annotated, adopted by the Georgia General Assembly, please be advised that InTown Legal (Turner), LLC has given no campaign contributions to local officials of Alpharetta.

This letter constitutes the disclosure of campaign contributions with respect to the above-referenced application.

Sincerely,

InTown Legal (Turner), LLC

Robert H. Turner III, Esq., for the firm

2297 Nesbitt Drive, Suite 100
Atlanta, Georgia 30319
404.457.2076

RHT/ba

INTOWN LEGAL

June 20, 2017

Re: Applicants: 55 Roswell Street, LLC / Information Design Corporation

Subject Property: 55 Roswell Street and 61 Roswell Street, Alpharetta, GA

Current Zoning: C2

Proposed Use: Requested Variance from C2 Parking Requirements and Height Restrictions

This Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the parking and height variance application (including any and all requests stated therein, as same may be amended or updated from time to time) (the "Application") of the Applicant and to provide notice to the City of Alpharetta of Applicant's assertion of its constitutional and legal rights.

The Applicant has filed a timely application, has provided all required information and has submitted the appropriate application fees. The application meets all judicial and statutory requirements for approval. By filing this Reservation, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Applicant and owners respectfully request that this Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Application, and we ask that the City of Alpharetta include this Reservation with the Applicant's other application documents. The Applicant and owners reserve the right to amend and supplement this Reservation at any time.

Sincerely,

InTown Legal (Turner), LLC

Robert H. Turner III, Esq., for the firm

2297 Nesbitt Drive, Suite 100
Atlanta, Georgia 30319
404.457.2076

Sprinkle CONSULTING

Planners • Engineers

May 26, 2017

Brian Burks
Associate Vice President
MBRE Healthcare
1800 Howell Mill Road, Suite 110
Atlanta, GA 30318

RE: **Roswell Street 55 & 61 Development Trip Generation**

Dear Mr. Burks:

The proposed Roswell Street 55 & 61 development is a 60,000-square foot multi-story office building consisting of 56,500 square feet of office use and a 3,500-square foot restaurant/retail use area. The Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition*, was used to estimate the development's trip generation. Following ITE guidance, the two uses were grouped together under Land Use 710 (General Office Building). Specifically, the *Manual* states that "An office building or buildings may contain a mixture of tenants including…a restaurant or cafeteria and service retail facilities." The development's generated daily (weekday), AM peak hour, and PM peak hour trips are shown in Table 1. Furthermore, ITE's *Trip Generation Handbook, Second Edition*, states in its chapter on multi-use developments that "office buildings with support retail or restaurant facilities contained inside the building should be treated as **general office buildings** (Land Use Code 710) because the trip generation rates and equations already reflect such support uses." Accordingly, the development's trip generation is not subject to further multi-use development internal trip capture calculations.

**Table 1 Trip Generation**

| Development (Trip Type) | Size | ITE Code | Daily Trip Ends | AM Peak Hour Trip Ends Enter / Exit (%) / (%) | PM Peak Hour Trip Ends Enter / Exit (%) / (%) |
|---|---|---|---|---|---|
| General Office Building | 60,000 | 710 | 891 | 112 / 15<br>88% / 12% | 25 / 121<br>17% / 83% |

However, given the contextual setting of this development in a livable town center (one of the Atlanta Regional Commission's Livable Centers Initiative communities), *motor vehicle* trip generation will be reduced by the walkable (and future bikeable) nature of the surrounding district, thus shifting a portion of the development's external trips to use active transportation modes. This mode shift reduces the impact of the development on the surrounding transportation network and reduces on-site parking needs.

Sincerely,

Theodore A. Petritsch, P.E., PTOE
Georgia Registration # 032984
May 26, 2017

Sprinkle Consulting, Inc. • 18115 US Highway 41 N, Suite 600 • Lutz, FL 33549
P (813) 949-7449 • F (813) 909-9840 • www.sprinkleconsulting.com

# 16-03-30-01
# 55 Roswell St.
# Arborist Report
# Alpharetta

Reference UDC
Alpharetta, Georgia

Location Map

North

All of the following information is based upon visual field observations and 25 years of practical horticultural experience. No scientific or lab tests have been performed. I certify that all information in this report is true and inclusive to the best of my knowledge and is prepared in good faith.

Outdoor Spaces, LLC

By Scott Hall, Owner

On Site Specimen Evaluation Date: April 1, 2016, April 20, 2017
Report Date: April 1, 2016
Revised Date: April 25, 2017 (Property Addition)

Outdoor Spaces, LLC
Scott Hall, Owner
RLA, Certified Arborist
Certificate Number: SO-5434A
404-328-6561 Cell
678-965-4784 Fax
scottandcyrena@bellsouth.net

Warranty Disclaimer:

No warranties express or implied are made with respect to the report of aforementioned specimen trees. It is understood the OWNER makes use of this report by the ARBORIST at OWNER's sole risk and that the report is provided as best judgment opinion. In no manner does this report guarantee the life or imply any length of life span of the trees that are determined to be specimens.

Arborist Note:

Due to certain species and undesirable traits, some trees shall be considered in poor condition if the following is true. Numerous trees grown in a native setting may appear to grow as multi-trunk; however this is not desirable in most trees. Most trees that have multi-trunks at the base are usually created when two separate trees grow together or the tree branches off at an early age and they become Co-Dominate Leaders. Either scenario is an undesirable condition for most trees because they both create weak crotches, included bark and/or a prime place for debris and water to get trapped that will always cause decay. In this case these trees become a life safety issue and can not be considered specimen trees.

Some trees are an exception to this rule, such as, but not limited to:

Crape Myrtles, Birches, Wax Myrtles, Red Buds, Fringe Trees, Dogwoods, Hollies, Cedars, Sourwoods, Sweet Bay Magnolias, Red Bays and Live Oaks.

These are an exception because they naturally create sucker growth from the roots and/or trunk or do not typically have the life safety issues because they are not large growing trees.

**Reference:** **Sinclair, Wayne A., 1936. Diseases of Trees and Shrubs / Wayne A. Sinclair and Howard H. Lyon.-2nd ed. Published 2005**

# ARTICLE III. LAND DEVELOPMENT ACTIVITIES

## SECTION 3.2 TREE PROTECTION

### 3.2.1 DEFINITIONS

***Caliper.*** A standard of trunk measurement for understory or replacement trees. Caliper inches are measured at the height of 6 inches above the ground for trees up to and including 4 inch caliper and 12 inches above the ground for trees larger than 4 inch caliper.

***Diameter Breast-Height (DBH).*** The standard measure of overstory tree size (for trees existing on a site). The tree trunk is measured at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, measure the trunk at its most narrow point beneath the split.

***Hardwood Tree.*** Any tree that is not coniferous (cone bearing). This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

***Softwood Tree.*** Any coniferous (cone bearing) tree. This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

***Specimen Tree.*** Any tree which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance. See additional requirements for Specimen Trees in Appendix B.

***Tree.*** Any living, self-supporting woody or fibrous plant which normally obtains a diameter breast height of at least three (3) inches, and typically has one (1) main stem or trunk and many branches.

***Understory.*** Those trees that grow beneath the overstory, and will generally reach a mature height of under 40 feet.

**APPENDIX B**

SPECIMEN TREES

Some trees on a site warrant special consideration and encouragement for conservation. These trees are referred to as Specimen Trees.

The following criteria are used by the Director to identify specimen trees.

A Specimen Tree is any tree which qualifies for special consideration for preservation due to its size, type, condition, location, or historical significance and is determined by the City Arborist, prior to development, to be in overall good health without the aid of a specialized care plan according to accepted ISA practices, and which also meets the minimum size criteria set forth below.

Size Criteria

Pine Trees: 30-inch (30") diameter or larger Overstory Trees: 24-inch (24") diameter or larger Understory Trees: 8-inch (8") diameter or larger

In order to encourage the conservation of Specimen Trees and the incorporation of these trees into the design of projects, additional density credit will be given for Specimen Trees, which are successfully saved by a design feature specifically designated for such purpose. Credit for any Specimen Tree thus saved would be two (2) times the assigned unit value shown in Table 3.4. The Critical Root Zone of Specimen Trees will be protected with hog-back/wire-back tree save fencing with metal support poles.

If a Specimen Tree is to be removed, a plan or written document indicating the reason for the removal must be submitted to the Director.

Specimen Trees that cannot be saved (see Section 3.2.13) must be replaced with trees having three (3) times the unit value of the tree removed with a minimum four-inch (4") tree caliper by species with potentials for comparable size and quality.

Any Specimen Tree which is removed without the appropriate review and approval of the Director must be replaced by trees with a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Size alone will determine whether a tree was a specimen quality if the tree is removed without approval and there is no evidence of its condition. Violations will be subject to the applicable penalties as described in Section 3.2.19.

| Appendix A<br>Specimen Analysis | | | | | | |
|---|---|---|---|---|---|---|
| Tree # | Size/ Species | Health Condition | Structural Condition | Specimen | Comments | Photo # (See Attached) |
| 503 | 31" Water Oak | Excellent | Good | Yes | Listed in City of Alpharetta's Historic Downtown Incentive Zoning District Quadrant #3 as a Specimen Tree. Observations are: improper utility limb pruning, appears underground utilities run along the east side of tree. Thanks to the health of the tree; 30% of the tree roots could be impacted with none or minimal impact on tree with a maintenance program in place. (No encroachment to Root Plate should be allowed) | 1 |
| 504 | 41" Water Oak (Off Proprty) | Excellent | Good | Yes | Listed in City of Alpharetta's Historic Downtown Incentive Zoning District Quadrant #3 as a Specimen Tree. Observations are: improper utility limb pruning, Mechanical removal of English and Poison Ivy is recommended, appears underground utilities run along the east side of tree. Thanks to the health of the tree; 30% of the tree roots could be impacted with none or minimal impact on tree with a maintenance program in place. (No encroachment to Root Plate should be allowed) | 2 |
| 505 | 40" Water Oak (Off Proprty) | Excellent | Good | Yes | Listed in City of Alpharetta's Historic Downtown Incentive Zoning District Quadrant #3 as a Specimen Tree. Observations are: Mechanical removal of English Ivy is recommended, Thanks to the health of the tree; 30% of the tree roots could be impacted with none or minimal impact on tree with a maintenance program in place. (No encroachment to Root Plate should be allowed) | |
| 506 | 24" Water Oak (Off Proprty) | Excellent | Poor | No | 3 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. | |
| 507 | 21" Water Oak (Off Proprty) | Excellent | Poor | No | 2 Trees grown together creating Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. | |

**Notes:**
**-All tree locations are approximate and have not been field surveyed. Refer to survey for locations.**
**-All 20" DBH trees within 30' of property line have been identified and specimen size have been evaluated.**

**Specimen**

**Non-Specimen**

**North**

**Not To Scale**

# Specimen Location Plan

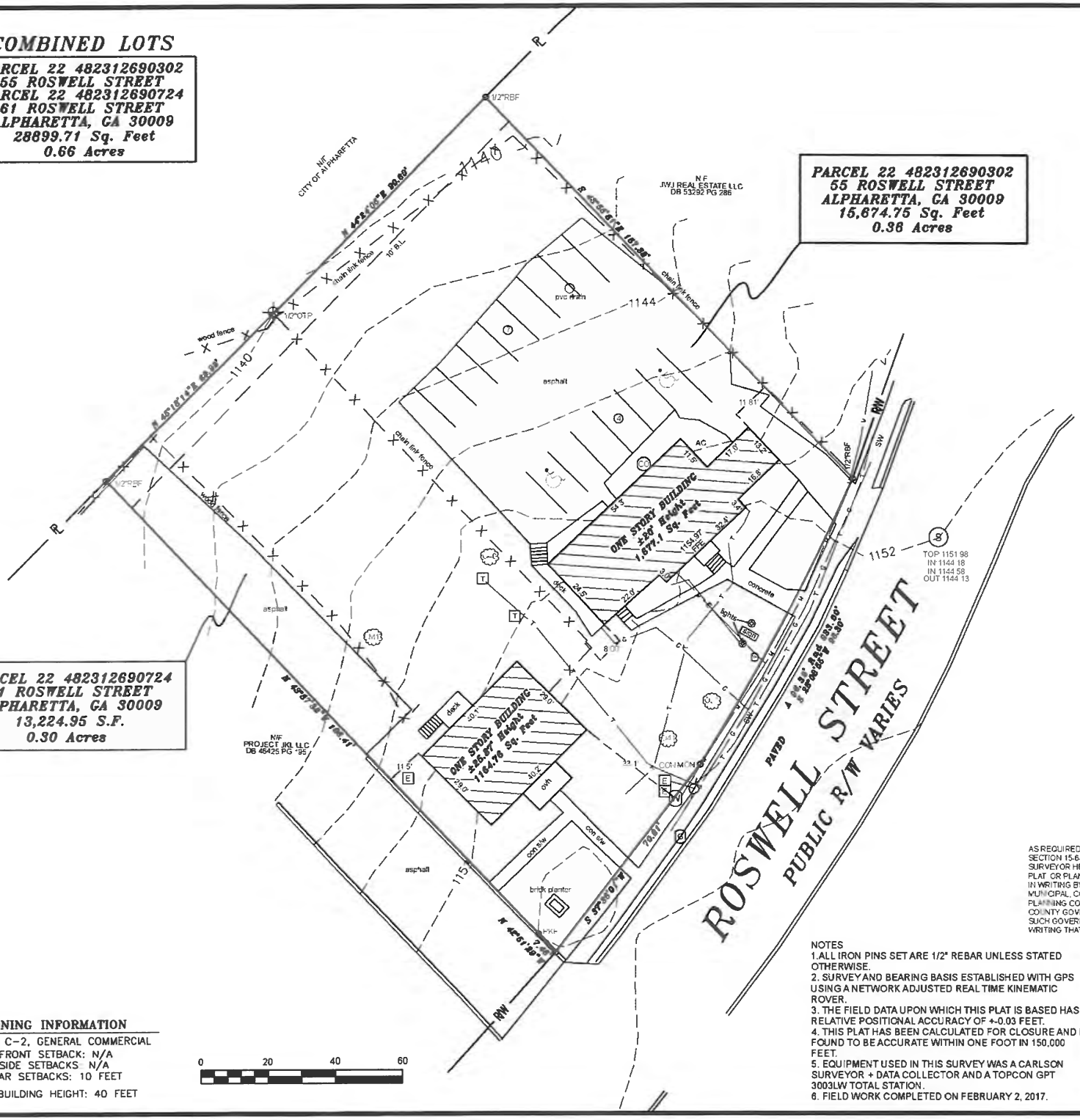
**Revised: 04-25-17**

## COMBINED LOTS

**PARCEL 22 482312690302**
**55 ROSWELL STREET**
**PARCEL 22 482312690724**
**61 ROSWELL STREET**
**ALPHARETTA, GA 30009**
**28899.71 Sq. Feet**
**0.66 Acres**

**PARCEL 22 482312690302**
**55 ROSWELL STREET**
**ALPHARETTA, GA 30009**
**15,674.75 Sq. Feet**
**0.36 Acres**

**PARCEL 22 482312690724**
**61 ROSWELL STREET**
**ALPHARETTA, GA 30009**
**13,224.95 S.F.**
**0.30 Acres**




**LEGEND**

IPS=IRON PIN SET
IPF=IRON PIN FOUND
CL=CENTER LINE
BL=BUILDING LINE
N/F=NOW OR FORMERLY
RBF=REBAR FOUND
D.E.=DRAINAGE EASEMENT
=POWER POLE
=LIGHT POLE
P/L=PROPERTY LINE
=SEWER
=WATER METER
=ELECTRIC BOX
=TELEPHONE BOX
=WATER VALVE
=CATCH BASIN
=OUTLET
=TREE
=DIAMETER
=TYPE
O=OAK
CM=CRAPE MYRTLE

**ZONING INFORMATION**

ZONED. C-2, GENERAL COMMERCIAL
FRONT SETBACK: N/A
SIDE SETBACKS: N/A
REAR SETBACKS: 10 FEET
MAX BUILDING HEIGHT: 40 FEET

0 20 40 60

AS REQUIRED BY SUBSECTION (c) of O.C.G.A. SECTION 15-6-67, THE REGISTERED LAND SURVEYOR HEREBY CERTIFIES THAT THIS MAP, PLAT OR PLAN HAS BEEN APPROVED FOR FILING IN WRITING BY ANY AND ALL APPLICABLE MUNICIPAL, COUNTY, OR MUNICIPAL-COUNTY PLANNING COMMISSIONS OR MUNICIPAL OR COUNTY GOVERNING AUTHORITIES OR THAT SUCH GOVERNMENTAL BODIES HAVE AFFIRMED IN WRITING THAT APPROVAL IS NOT REQUIRED

GEORGIA REGISTERED No. 3230 PROFESSIONAL LAND SURVEYOR ANTHONY P GARMON

NOTES
1. ALL IRON PINS SET ARE 1/2" REBAR UNLESS STATED OTHERWISE.
2. SURVEY AND BEARING BASIS ESTABLISHED WITH GPS USING A NETWORK ADJUSTED REAL TIME KINEMATIC ROVER.
3. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS RELATIVE POSITIONAL ACCURACY OF +-0.03 FEET.
4. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
5. EQUIPMENT USED IN THIS SURVEY WAS A CARLSON SURVEYOR + DATA COLLECTOR AND A TOPCON GPT 3003LW TOTAL STATION.
6. FIELD WORK COMPLETED ON FEBRUARY 2, 2017.

| SURVEY FOR: ROBBIE BRANNON | | |
|---|---|---|
| LAND LOT: 1269 | DATE 4/25/2017 | GARMON Land Surveying |
| DISTRICT: 2 | SCALE | 1920 Railroad Street Statham Ga 30666 |
| SECTION: 2 | 1"=20' | 678-776-3544 - tony@garmonlandsurveying.com |
| COUNTY: FULTON | JOB NO. 2016-86 | DRAWING NAME: 61 ROSWELL ST.dwg |

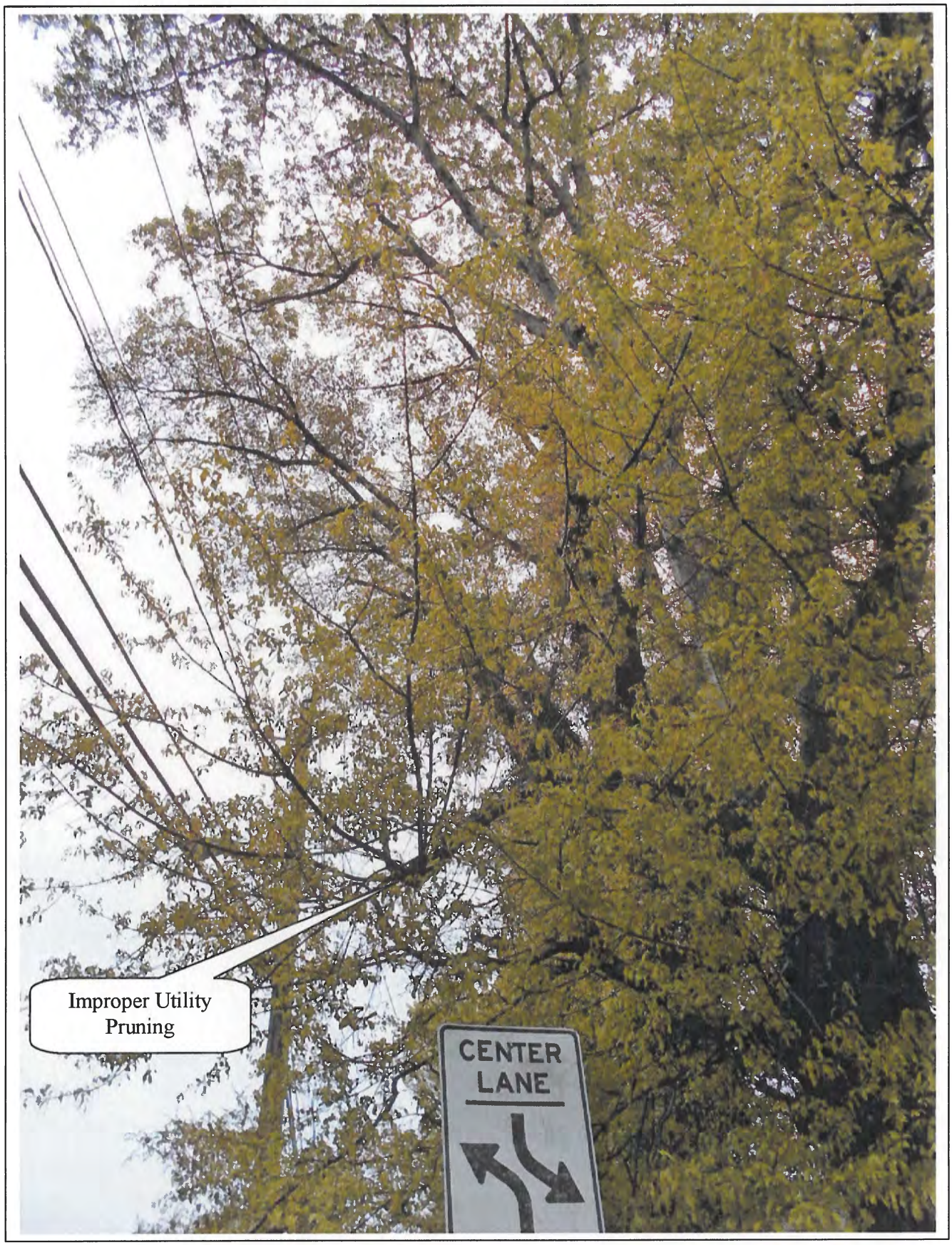



Photo 1

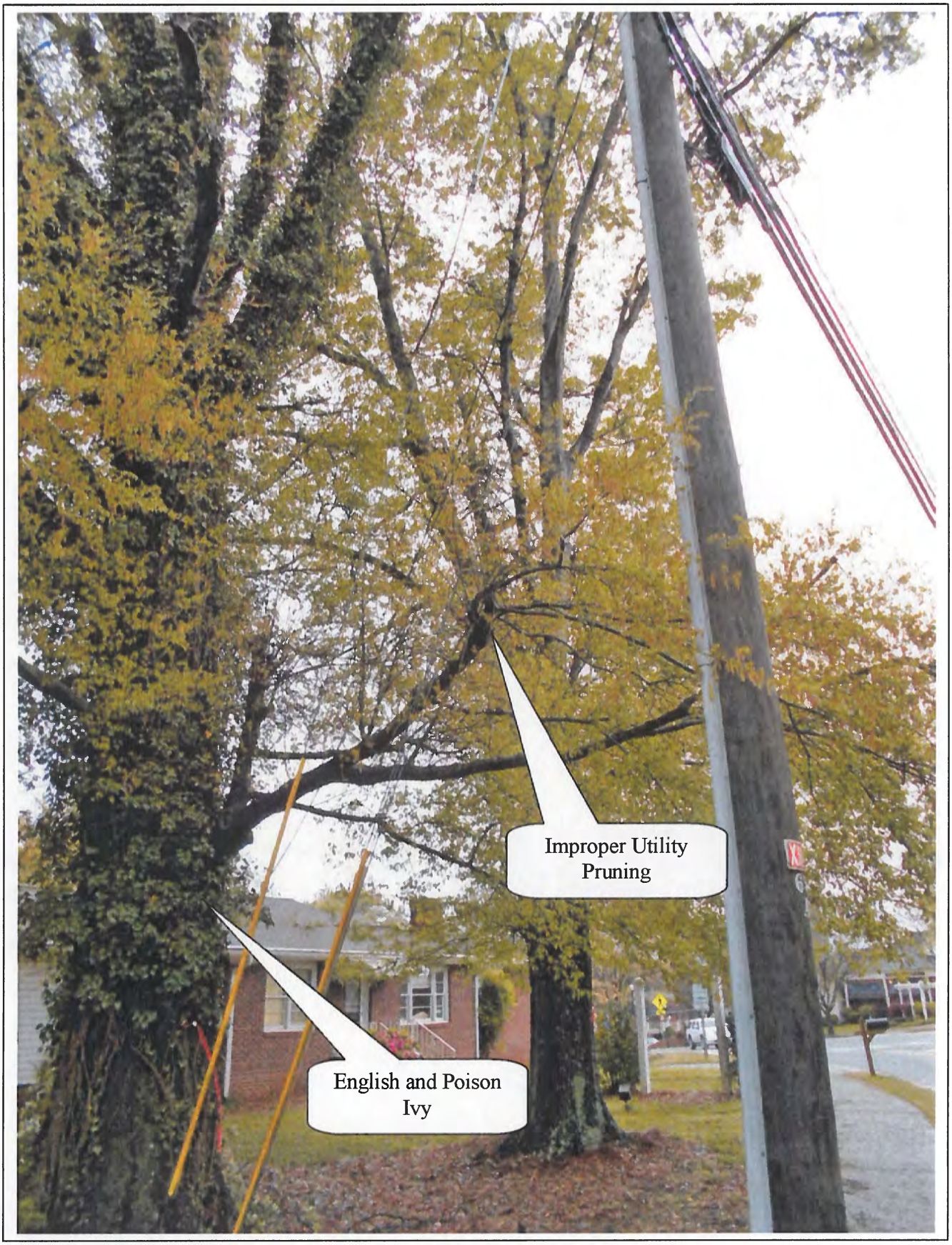



Photo 2

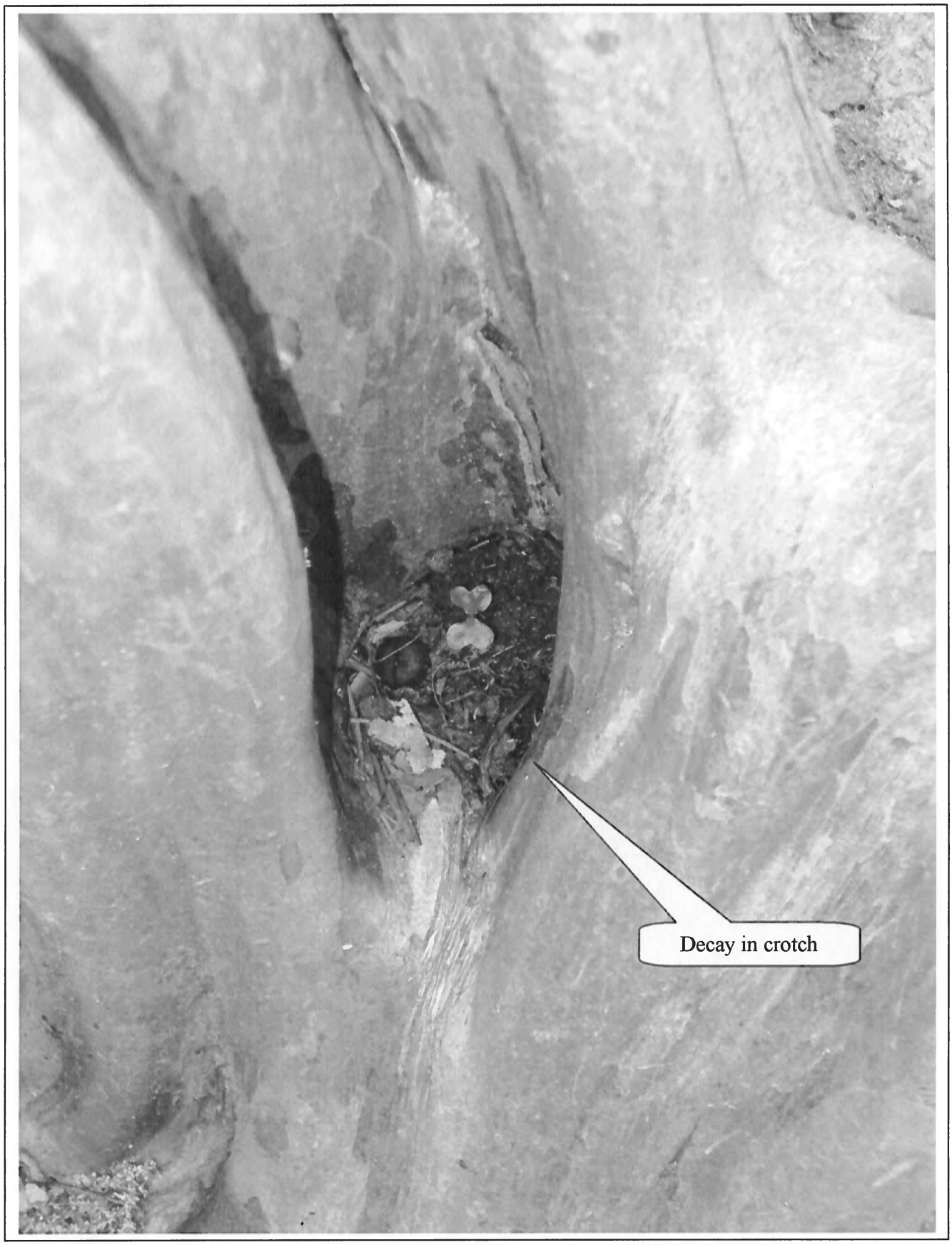



Photo 3

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: Community Development
Submitted By:
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** PH-17-38: SAE HAN CHURCH / 3385 KIMBALL BRIDGE ROAD
THIS ITEM WAS TABLED ON MARCH 5, 2018. IT MUST BE REMOVED FROM THE TABLE FOR CONSIDERATION.
*CONSIDERATION OF A CHANGE TO PREVIOUS CONDITIONS OF ZONING TO ALLOW FOR A DETENTION POND TO BE PLACED UNDERGROUND FOR THE PURPOSE OF PROVIDING MORE PARKING FOR THE EXPANSION OF THE CHURCH. THE PROPERTY IS LOCATED AT 3385 KIMBALL BRIDGE ROAD ON THE SOUTH SIDE OF KIMBALL BRIDGE ROAD AND WEST OF WATERS ROAD AND IS LEGALLY DESCRIBED AS BEING LOCATED IN LAND LOT 916, 1ST DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA.*

**II. RECOMMENDATION:**

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO
FISCAL IMPACT: NO
INCLUDED IN CURRENT FY CPTL BUDGET: NO
INCLUDED IN CURRENT FY OPRT. BUDGET: NO
TOTAL PROJECT COST:
APPROPRIATIONS:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

EXTERNAL FUNDING SOURCES:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| | |

**IV. REPORT IN BRIEF:**

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

Sae Han Church CC Staff Report 043018, Future Land Use Map, Aerial Map, Zoning Map, Location Map, Site Plan 2.6.18, Part B Citizen Participation Form, Downstream Improvements, Application

# CITY COUNCIL MEETING
# STAFF REPORT

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

---

## I. AGENDA ITEM TITLE: PH-17-38 SAE HAN PRESBYTERIAN CHURCH

CITY COUNCIL: APRIL 30, 2018

This item was considered at the March 5, 2018 City Council meeting. Residents voiced concerns that they had not received notification from the applicant and that they did not have a full understanding of what was being proposed. After discussion, City Council tabled the item to provide the applicant with an opportunity to address unresolved issues with surrounding property owners.

The applicant met with the adjacent property owner to the west and reached out to affected property owners in Hampton Hall to address any concerns. In response, the applicant proposes 1) Supplement buffers with a row of evergreen plantings adjacent to newly disturbed areas, 2) Reduce the west buffer from 100' to 50' only for the portion adjacent to the proposed parking and playground area, 3) Review area along south buffer to accommodate placement of additional landscape screening material, and 4) Acknowledgement by the applicant that the recommended condition restricting building height to 35' may limit the future building addition to 2-stories, which would reduce the floor area of the future addition from 45,000 SF to 35,000 SF.

## II. RECOMMENDATION:

Approve PH-17-38 Sae Han Presbyterian Church, subject to the following conditions:

1. The property shall be developed substantially similar to plans by Kimley-Horn & Associates, dated 2/6/2018, 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 applicant shall maintain the 100' undisturbed buffer to the south. The buffers to the east and west shall be 50' with no building/habitable space to be located in the former 100' side yard buffers. The west buffer shall be 50' only for the portion needed to provide the proposed parking and playground/greenspace area. The buffers to the south, east and west shall be supplemented with a row of evergreen trees, to provide additional screening, along any newly disturbed areas and behind the existing gym, education building and sanctuary, as determined to be feasible by Staff.
3. Parking may consist of up to 300 parking spaces. Parking areas shall be limited to the site plan prepared by Kimley-Horn & Associates, dated 2/6/2018. As offered by the property owner, the proposed parking area adjacent to Kimball Bridge Rd shall be open to the public as a shared parking lot for the future City park to the east. Parking area adjacent to Kimball Bridge Rd shall include heavy landscape screening, as approved by Staff. Property owner shall dedicate a permanent easement providing a pedestrian connection between the parking lot and the future City park.
4. Pond shall be permitted to be removed with the installation of an approved stormwater detention vault and maintenance schedule by the property owner that is permanent and binding, as approved by Staff. Design shall comply with the City of Alpharetta stormwater ordinance. In order to mitigate impacts to stream and buffer, developer shall comply with the following:
    a. Address erosive conditions at two existing outfalls on either side of remaining stream.
    b. Provide 25% additional runoff reduction or water quality volume above the standard city requirements.

c. Provide buffer enhancement on the remaining stream buffer downstream of the church entrance driveway. These can include, removing fallen trees from inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.
d. Obtain all necessary state and federal approvals for the stream and buffer impacts.
e. Or alternative mitigation measures, as approved by Staff.

5. Previous conditions of zoning shall remain in effect, except as modified by these conditions.
6. The maximum seats for services shall not exceed 600 for all proposed phases as represented in the application.
7. Following construction of the proposed church expansion, an officer shall be utilized for services in order to manage and direct traffic.
8. As required by current City ordinance, applicant shall provide evidence of a professional landscape maintenance contract.
9. Site impervious area shall not exceed 40%.
10. The maximum building height shall be 35 feet and church expansion shall be limited to no more than 35,000 square feet.
11. Any new habitable buildings shall be primarily brick on all sides and compatible with the residential character of the area as determined by the Design Review Board.

REPORT IN BRIEF:
The applicant, Sae Han Presbyterian Church, requests changes to previous conditions of zoning and site plan approval. The requested changes would allow for a 45,000 square foot future expansion of the church. The applicant proposes a reduction to the side yard (east and west) undisturbed buffers from 100' to 50', placing the undisturbed pond underground and adding surface parking. The subject property is located at 3385 Kimball Bridge Road on the south side of Kimball Bridge Road, just west of Waters Road.

## DISCUSSION

The submitted request, if approved, will allow for changes to previous conditions of zoning and site plan approval related to Sae Han Presbyterian Church. The proposed changes would allow for a 45,000 square foot future expansion of the church. The applicant proposes a reduction to the side yard (east and west) undisturbed buffers from 100' to 50', removal of the pond and installation of a vault with surface parking above. The subject property is located at 3385 Kimball Bridge Road on the south side of Kimball Bridge Road, just west of Waters Road.

The 10-acre property is zoned SU (Special Use). Surrounding properties are zoned CUP to the south and east, AG to the west and R-10M and CUP to the north. Hampton Hall subdivision is located to the south, a future City Park to the east, 5-acre single-family parcel to the west and Collingwood and Laurel Pond subdivisions to the north.

The subject property was rezoned in 1997 and received site plan approval from Council later that same year. In 2002, the property received site plan approval to add 100 parking spaces. The applicant proposes the following changes to previous conditions of zoning related to file PH-01-11 Sae Han Presbyterian Church (~~Strike through~~ = Delete, Underline = Add):

1. The applicant shall maintain the 100' undisturbed buffer, except the 2 side yard buffers shall be 50' with no building/habitable space to be located in the former 100' side yard buffers.

2. Parking may consist of up to ~~100~~ 375 parking spaces. (Refer to approved site plan dated ~~2-18-02~~ 2-6-18 which limits areas for allowed parking)
6. ~~Pond shall remain undisturbed per existing zoning condition.~~ Pond shall be permitted to be removed with the installation of an approved stormwater detention vault and maintenance schedule by the property owner that is permanent and binding. ~~Existing flumes in violation of the condition shall be removed as instructed by the Engineering Department.~~ Design shall comply with the City of Alpharetta stormwater ordinance.

## SITE PLAN ANALYSIS

The submitted site plan depicts the existing 29,200 square foot Sae Han Presbyterian Church and a new 3-story, 45,000 square foot addition proposed within an existing surface parking area in front of the existing buildings. There are three (3), 1-story buildings on the property, including a sanctuary, education building and gymnasium. According to the applicant, the primary assembly space of the church at final build-out would accommodate a congregation of up to 600 people.

The site plan depicts three (3) new surface parking areas, including surface parking over a stormwater vault. Additional parking is proposed adjacent to Kimball Bridge Road and on the west side of the property. Currently, the site has 190 surface parking spaces. If the site plan is approved, the applicant intends to increase the number of surface parking spaces to 300 spaces at final build-out. A total of 375 parking spaces are proposed in the phased development; however, the final phase removes 75 parking spaces for the 45,000 square foot future addition. The Unified Development Code (UDC) requires one (1) parking space for every two (2) seats in the principal assembly room. Based on a maximum seating capacity of 600 people, the site plan complies with the City's parking requirements.

The applicant proposes removal of the existing stormwater pond and replacement with a concrete stormwater vault with surface parking above. The City has determined that the existing pond and associated stream are Waters of the State. In an effort to mitigate impacts from vaulting the existing pond, the applicant proposes to 1) remove fallen trees from streambed to allow for unimpeded flow, 2) plant eroded or unvegetated areas of the stream banks with shade tolerant landscape material, 3) plant unvegetated areas of the buffer with shade tolerant mid-story trees, and 4) remove invasive vines from canopy trees. If approved, Staff recommends alternative mitigation measures.

The property is heavily wooded, predominately hardwood forest with a canopy of Loblolly Pines, Sweet Gum and Red Maple. The applicant provided a tree survey and assessment for specimen trees within areas of the site proposed to be disturbed. Two (2) specimen trees are proposed to be removed, just south of the existing stormwater pond.

Staff prepared Table 1 below in order to compare this proposal to the existing, similarly situated religious facilities in the City.

| Table 1: Sample of Religious Facilities Located in Residential Areas | | | | |
|---|---|---|---|---|
| Religious Facility | Size of Property | Zoning | Building Square Footage | # of Parking Spaces |
| Islamic Center of North Fulton | 4.23 acres | AG | 240 seat capacity/Worship building total square footage = 7,900 SF | 120 spaces |
| Sae Han Presbyterian Church/Kimball Bridge Road | 9.96 acres (7.2 acres buildable) | SU | 345 seats/Building total square footage = 20,000SF (current) | 204 spaces |
| Church of God/Mid Broadwell Road | 3.52 acres | SU | 276 seats/Building total square footage = 10,000 SF(2nd story floor of 10,000 SF not currently built) | 63 parking spaces |
| St. Thomas Aquinas Rucker Road | 17 acres | AG | 750 seats/Building 49,609 SF | 620 parking spaces |
| North Fulton Jewish Center/Kimball Bridge Road | 1.87 acres | R-12 | 250 seat sanctuary(2850 square foot) Building 26,500 SF | 112 parking spaces required (reduction for shared spaces given) 61spaces on site |
| St. James United Methodist Webb Bridge Road | 14.9 acres incl. stream buffers / 3.6 acres developed | O-I | 720 seat sanctuary / 27,673 SF building | 369 spaces |

## TRAFFIC

The applicant's trip generation report indicates that individual church services average 80 cars with a peak of 150 cars. The church currently holds six (6) services on Sundays between the hours of 9:00 AM and 2:30 PM. The church averages 470 persons per Sunday with a peak of 800. Sae Han has an informal agreement with Philadelphia Church on Spruell Circle for overflow parking, when needed. The church operates a shuttle between the 2 sites. The report states that the church does not have a noticeable impact during the AM and PM Peak Hour times for traffic along Kimball Bridge Road.

## CONCURRENCES

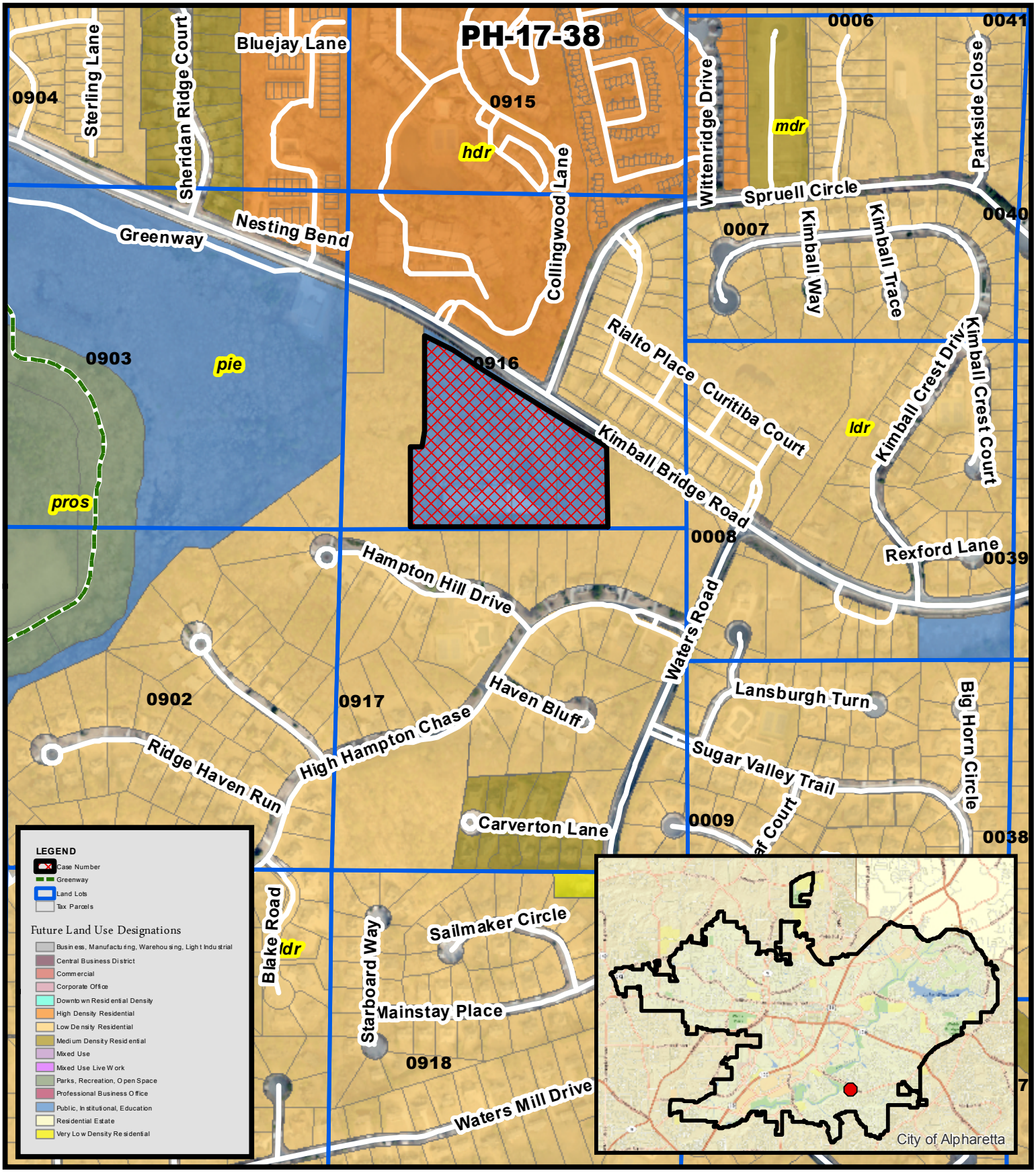
City Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for changes to previous conditions of zoning. The proposed expansion of the church would have little impact during peak hours for traffic on Kimball Bridge Road and impacts to the undisturbed buffers have been minimized. If approved, the applicant would be subject to the necessary federal and state approvals for impacts to State Waters. Staff also recommends conditions restricting the amount and location of surface parking, as well as mitigation measures to address impacts to the on-site stream.

## CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 1,000' were contacted regarding the applicant's intent and to notifying them of a Community Meeting on February 5, 2018. The applicant also met with board members of the Hampton Hall HOA on January 15, 2018. The report indicates that Hampton Hall had no objections to the applicant's proposal, if the 100' buffer to the south remained in its current state.

## III. ATTACHMENTS:

- Site Plan




**PH-17-38**
**D/LL: 1/2/916**
**CC Date: 2/26/18**

**Future Land Use**
**Sae Han Church**
**3385 Kimball Bridge Road**

THE CITY OF ALPHARETTA GEORGIA

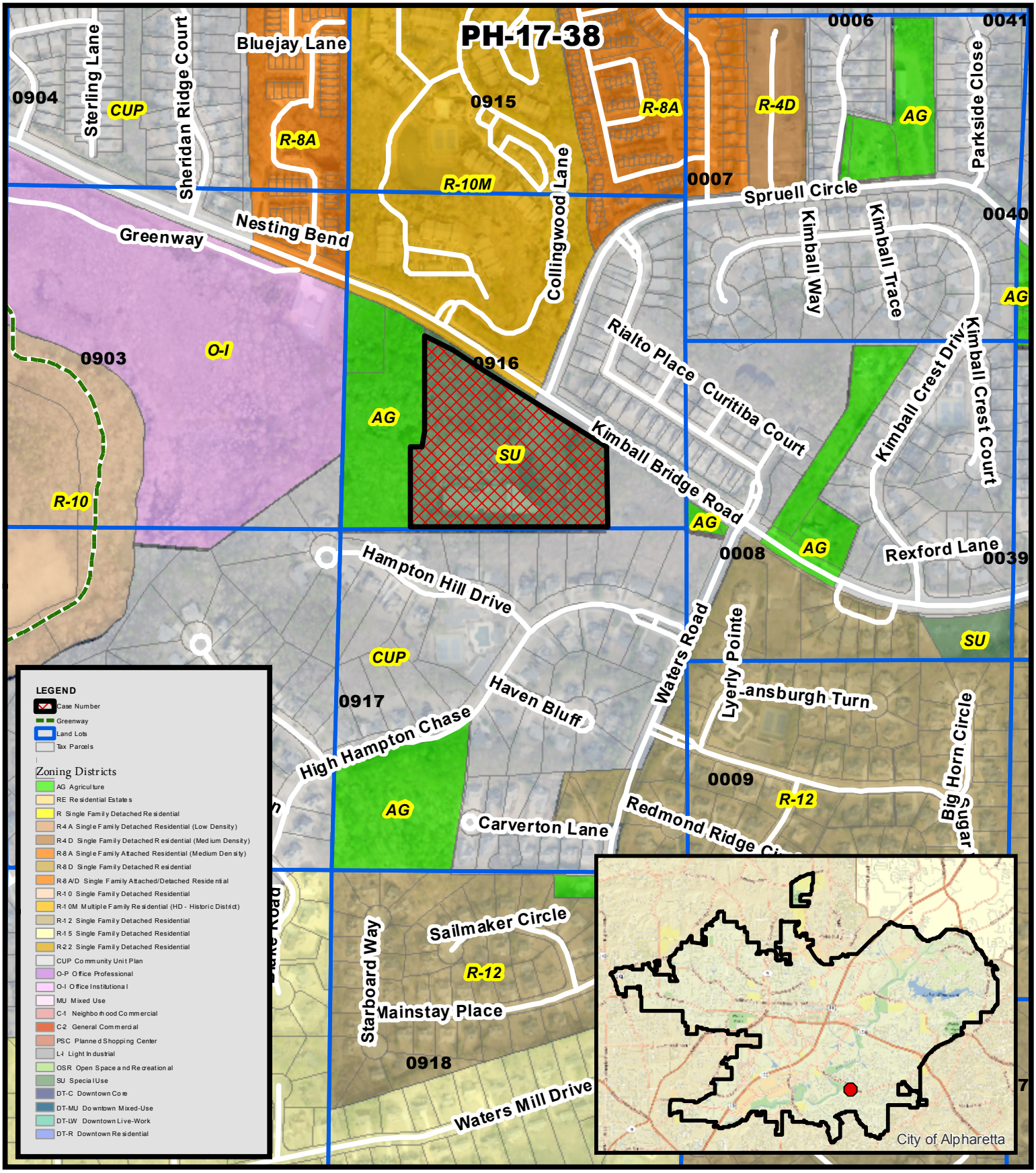
**Location Map Provided by:**
**Community Development - GIS**

**PH-17-38**
**D/LL: 1/2/916**
**CC Date: 2/26/18**

**Aerial Map**
**Sae Han Church**
**3385 Kimball Bridge Road**

THE CITY OF ALPHARETTA GEORGIA

**Location Map Provided by:**
**Community Development - GIS**

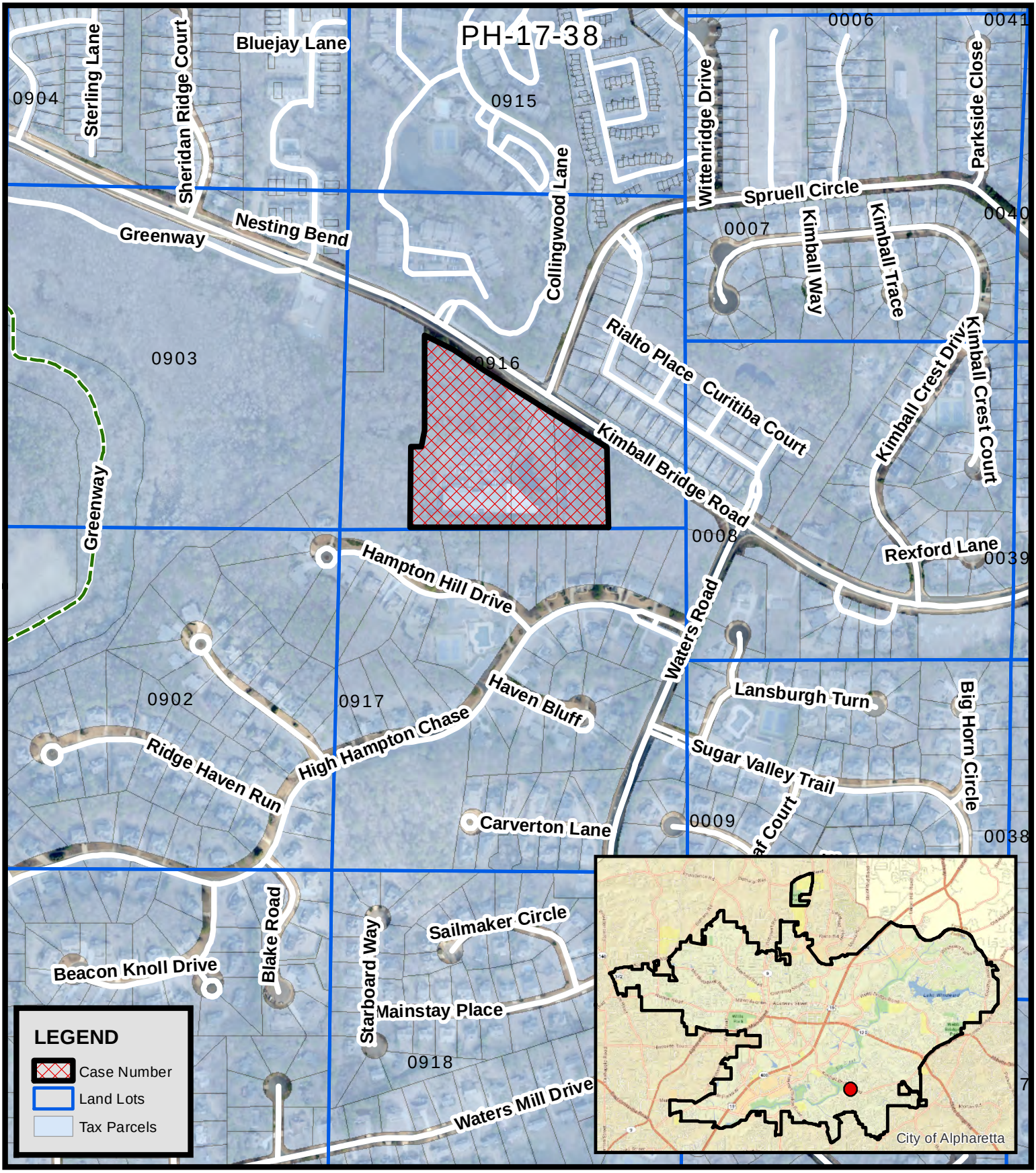



**PH-17-38**
**D/LL: 1/2/916**
**CC Date: 2/26/18**

**Zoning Map**
**Sae Han Church**
**3385 Kimball Bridge Road**

THE CITY OF ALPHARETTA GEORGIA

**Location Map Provided by:**
**Community Development - GIS**




PH-17-38
D/LL: 1/2/916 CC
Date: **3/05**/18

Location Map
Sae Han Church
3385 Kimball Bridge Road

THE CITY OF ALPHARETTA GEORGIA

Location Map Provided by:
Community Development - GIS

Received 2.13.18

# Sae Han Presbyterian
## SITE MASTER PLAN

Feburary 06, 2018

Kimley»Horn

**SITE PROGRAM**

Parking:

190 Spaces (Existing)
375 Spaces (Phase 2A)
300 Spaces (Phase 2B)

**Pond placed in vault**

**Square Footage Retained:**

| | |
|---|---|
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Eductation Building | 8,700 SF |
| Total Retained SF | 29,200 SF |

**Square Footage Added:**

| | |
|---|---|
| 1st Floor: | 25,000 SF |
| 2nd Floor: | 10,000 SF |
| 3rd Floor: | 10,000 SF |
| Total Added SF | 45,000 SF |

**Total Square Footage: 74,200 SF**

N SCALE= 1"=40'
0' 40' 80' 160'

PLAN IS INTENDED AS AN ILLUSTRATIVE CONCEPT MASTER PLAN, CONSTRUCTION DRAWINGS WILL ADDRESS APPLICABLE PARKING LOTS AND LANDSCAPING STANDARDS PER THE CITY OF ALPHARETTA.

12/1/17

# 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: Sae Han Presbyterian Church

Contact Name: Eric Bosman- Kimley Horn Telephone: 404-201-6135

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.

The extent of comments we have heard from the community rests on the undisturbed buffer between the church and the Hampton Hall subdivision. The HOA leaders at Hampton Hall had no objections to the plan if the buffer continued to remain at 100' as it is today.

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)* 2/05/18 Hosted Community Meeting

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: 2/6/18

Print Form

Sae Han Presbyterian Church

Citizen Participation Form- Part “B”

Sae Han Presbyterian Church reached out to the Hampton Hall Homeowner’s Association including board members Jimmy Cotty, Tom Lewis, and Sean Richards about scheduling a meeting to discuss the zoning application. The church and Kimley-Horn staff met with Mr. Cotty and Mr. Lewis on January 15, 2018 at 3:00pm to discuss the project. This meeting covered the churches zoning modification requests and the overall site master plan. The feedback from the meeting was positive and the HOA supported the project noting that the rear buffer between the neighborhood and church is expected to stay in place at 100’ The HOA leaders agreed to discuss their findings and opinions at the HOA meeting later that month.

The church also hosted a community open house on Feburary 5th, 2018 at 6:00pm. Letters were sent out to properties within 1000’ from the church’s property boundaries two weeks in advance. Each letter included a short description (Attachment A), a map of the zoning changes (Attachment B), and the proposed site plan (Attachment C). No community members attended the meeting or provided any feedback through the means of communication provided in the letter. The names and addresses are included with this packet (Attachment D).

ATTACHMENT A

***Dear Neighbors,***

Sae Han Presbyterian Church (3385 Kimball Bridge Rd) has made application to the City of Alpharetta to modify several of the 2002 zoning conditions applied to the site and is hosting an informational meeting on Monday, February 5th at 6 PM at the church.

Due to current and projected parking demands the church would like to expand its onsite parking in areas of low impact to the community.

This church's application requests the following changes to its zoning conditions (see included plan graphic):

1. Reduce the undisturbed buffer on the east and west sides of the site to 50' - while retaining the 100' buffer along the south property line adjacent to the Hampton Hall neighborhood.

2. Replace the onsite pond with an underground stormwater storage vault to build parking over the stormwater facility.

If either of these issues concern you or you would like additional information please join Sae Han Presbyterian Church Leadership and its consultants (Kimley Horn) on ***Monday, February 05 at 6:00pm at Sae Han Presbyterian Church, 3385 Kimball Bridge Road*.**

You may also contact the project coordinator, Ben Miskelly of Kimley-Horn with any questions at ben.miskelly@kimley-horn.com.

***Thank You,***

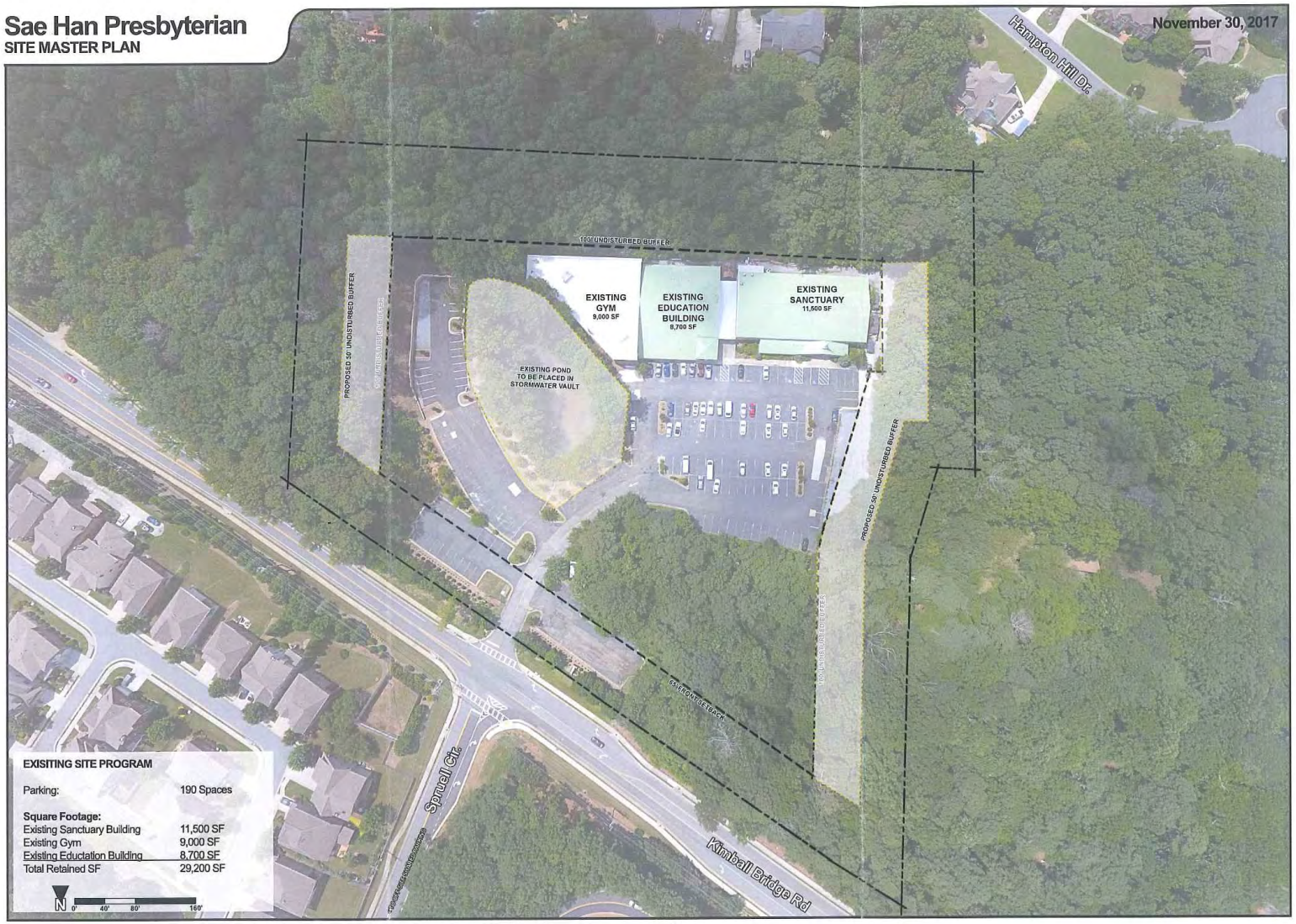
***Sae Han Presbyterian Church***

***Kimley-Horn***

ATTACHMENT B:

# Sae Han Presbyterian
## SITE MASTER PLAN

November 30, 2017



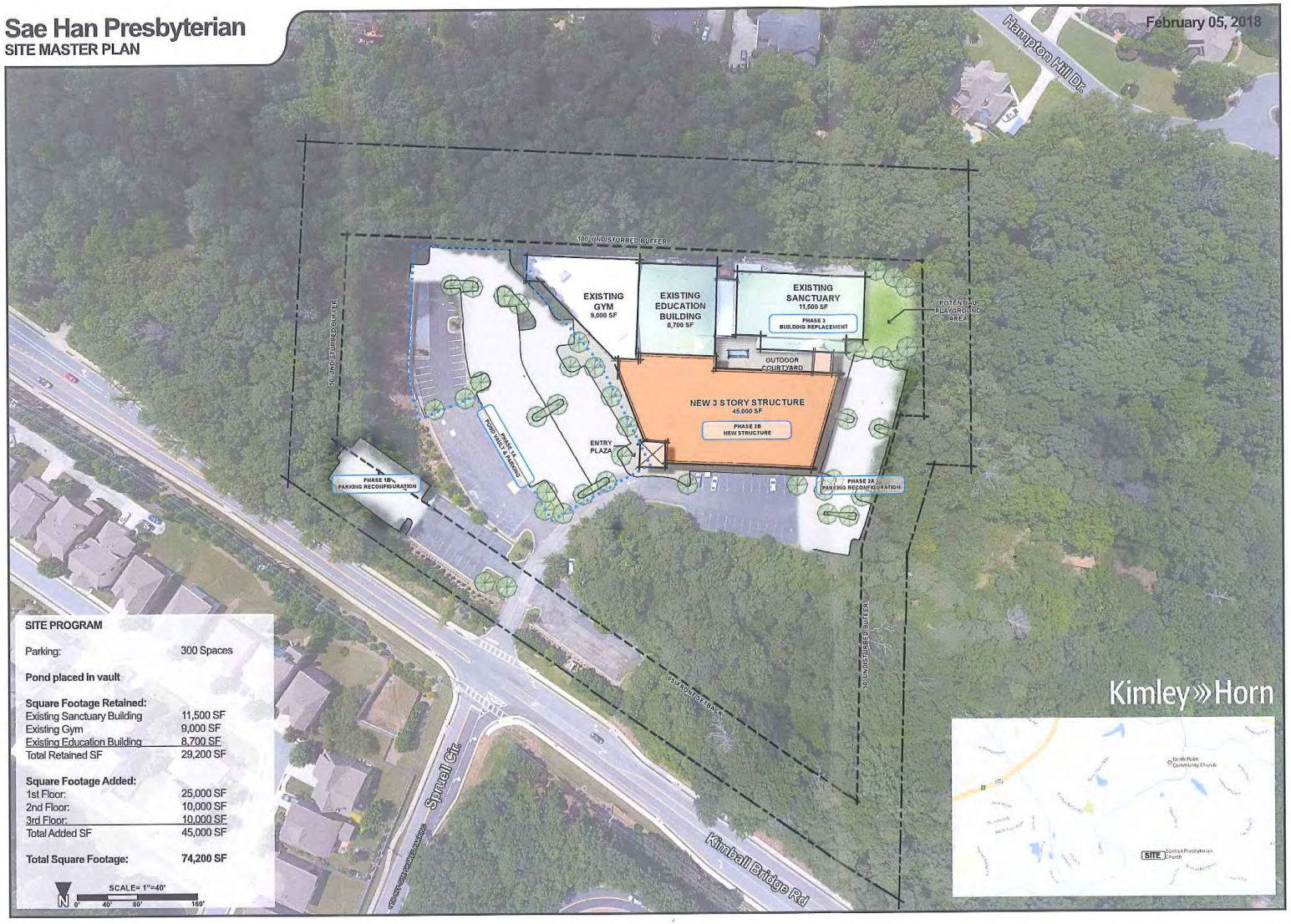

**EXISITING SITE PROGRAM**

| | |
|---|---|
| Parking: | 190 Spaces |
| **Square Footage:** | |
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Eductation Building | 8,700 SF |
| Total Retained SF | 29,200 SF |

ATTACHMENT C:

# Sae Han Presbyterian
## SITE MASTER PLAN

February 05, 2018




**SITE PROGRAM**

| | |
|---|---|
| Parking: | 300 Spaces |
| **Pond placed in vault** | |
| **Square Footage Retained:** | |
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Education Building | 8,700 SF |
| Total Retained SF | 29,200 SF |
| **Square Footage Added:** | |
| 1st Floor: | 25,000 SF |
| 2nd Floor: | 10,000 SF |
| 3rd Floor: | 10,000 SF |
| Total Added SF | 45,000 SF |
| **Total Square Footage:** | **74,200 SF** |

N SCALE= 1"=40' 0' 40' 80' 160'

ATTACHMENT D:

Deborah and David Gates
11049 Grey Owl Rd
Alpharetta,GA 30022

Mary Beth Wegener
11053 Grey Owl Rd
Alpharetta,GA 30022

Neal and Tara Horstmeyer
11057 Gray Owl Rd
Alpharetta,GA 30022

Eric Muller
11061 Grey Owl Rd
Alpharetta,GA 30022

John Stroud
11065 Gray Owl Rd
Alpharetta,GA 30022

Anjeanette Taylor
11069 Gray Owl Rd
Alpharetta,GA 30022

Adam Maurer
11073 Gray Owl Rd
Alpharetta,GA 30022

Roger and Carol Davis
3298 Nesting Bend
Alpharetta,GA 30022

Hortense Chin
3294 Nesting Bend
Alpharetta,GA 30022

Alison and Thurlian Burden
3290 Nesting Bend
Alpharetta,GA 30022

Marlene and Eldred Sinkoe
3286 Nesting Bend
Alpharetta,GA 30022

Craig Jarrow
3282 Nesting Bend
Alpharetta,GA 30022

Glenmoor Property Owners Assoc
0 Grey Owl Rd
Alpharetta,GA 30022

Chang Ho Lee
11077 Grey Owl Rd
Alpharetta,GA 30022

Kofi Sarpong
11081 Gray Owl Rd
Alpharetta,GA 30022

Justin McDonald
11085 Gray Owl Rd
Alpharetta,GA 30022

Patricia Bork
11112 Gray Owl Rd
Alpharetta,GA 30022

Randolph and Janet Johnson
11108 Gray Owl Rd
Alpharetta,GA 30022

Naveen Chandrababu
11104 Gray Owl Rd
Alpharetta,GA 30022

Elvyn Leonard
11100 Gray Owl Rd
Alpharetta,GA 30022

Sunil Ithappiri
11096 Gray Owl Rd
Alpharetta,GA 30022

ATTACHMENT D:

Collingwood Property LLC

3400 Kimball Bridge Rd

Alpharetta,GA 30022

Preserve at Northpointe HOA

0 Wittenridge Dr

Alpharetta,GA 30022

Hollie Mejia and Beverly Manring

10900 Wittenridge Drive #C6

Alpharetta,GA 30022

Nicholas Domingo

10900 Wittenridge Drive #C7

Alpharetta,GA 30022

Laurie Cloud

10900 Wittenridge Drive #C1

Alpharetta,GA 30022

Natalie Cross

10900 Wittenridge Drive #C2

Alpharetta,GA 30022

Pavlina Petrova and Nikolay Popov

10900 Wittenridge Drive #C3

Alpharetta,GA 30022

Monica and Mario Lizaso

10900 Wittenridge Drive #C4

Alpharetta,GA 30022

Barbara Gunning

10900 Wittenridge Drive #C5

Alpharetta,GA 30022

Jonathan and Julie Rachel

3395 Kimball Bridge Rd

Alpharetta,GA 30022

Minjane Jan and Li Fen Hsieh

3325 Kimball Bridge Rd

Alpharetta,GA 30022

Vijay Shinde

10936 Waters Rd

Alpharetta,GA 30022

Radha Krishna Nimmalapudi

10940 Waters Rd

Alpharetta,GA 30022

Donna Persigehl

10948 Waters Rd

Alpharetta,GA 30022

Zhuobei Zhou and James Lee

10956 Waters Rd

Alpharetta,GA 30022

Patricia Martin

10960 Waters Rd

Alpharetta,GA 30022

Sreedhar Pedakanti

10964 Waters Rd

Alpharetta,GA 30022

Moovala Parthasarathy

10968 Waters Rd

Alpharetta,GA 30022

Lauren and Marc Bober

10976 Waters Rd

Alpharetta,GA 30022

Kai Yatming

10980 Waters Rd

Alpharetta,GA 30022

Nair Anish Balachandran

10988 Waters Rd

Alpharetta,GA 30022

ATTACHMENT D:

Timothy and Suzanne Halloran

10981 Waters Rd

Alpharetta,GA 30022

Karroll Payne

10969 Waters Rd

Alpharetta,GA 30022

Richard and Victoria Brand

10957 Waters Rd

Alpharetta,GA 30022

Kathleen and Reed Acrey

3440 Rialto Pl

Alpharetta,GA 30022

Laurel Pond HOA

0 Waters Rd

Alpharetta,GA 30022

Barbara and Jack Polish

11155 Kimball Crest Dr

Alpharetta,GA 30022

Richard and Patrice Wilson

11165 Kimball Crest Dr

Alpharetta,GA 30022

William Silva

11175 Kimball Crest Dr

Alpharetta,GA 30022

Allan and Tabitha Moss

11185 Kimball Crest Dr

Alpharetta,GA 30022

Christopher and Catherine Brehm

11100 Kimball Crest Dr

Alpharetta,GA 30022

Saranga Dhanwa Kumar

11090 Kimball Crest Dr

Alpharetta,GA 30022

Anurita Ahlawat

10900 Waters Rd

Alpharetta,GA 30022

Rajesh Shivakumar

10904 Waters Rd

Alpharetta,GA 30022

Jin and Meehwa Rhee

10908 Waters Rd

Alpharetta,GA 30022

Susan Holleman

10912 Waters Rd

Alpharetta,GA 30022

Mamta Basnet and Pujan Roka

10916 Waters Rd

Alpharetta,GA 30022

Tammye Caldwell

10920 Waters Rd

Alpharetta,GA 30022

Lewis C Chappelle III and Lucinda Bollinger

10924 Waters Rd

Alpharetta,GA 30022

Craig and Amber Mahek

10928 Waters Rd

Alpharetta,GA 30022

10932 Waters Rd

Alpharetta,GA 30022

Andres Rubio and Gabriela Urdaneta

10997 Waters Rd

Alpharetta,GA 30022

ATTACHMENT D:

Ken Chen

10993 Waters Rd

Alpharetta,GA 30022

Joseph and Janice Cox

10989 Waters Rd

Alpharetta,GA 30022

Lawrence and Cristina Clifford

10985 Waters Rd

Alpharetta,GA 30022

Heather and Wesley Terry

3430 Rialto Pl

Alpharetta,GA 30022

Valerie Wolff

3425 Rialto Pl

Alpharetta,GA 30022

Jitendra and Deepali Raghuwanshi

3435 Rialto Pl

Alpharetta,GA 30022

Ramakrishna Vajrala and Sirisha Venkata

3445 Rialto Pl

Alpharetta,GA 30022

Punyapriya and Anisha Patel

3450 Curitiba Ct

Alpharetta,GA 30022

Gregory and Dana Heath

3460 Curitiba Ct

Alpharetta,GA 30022

Alyssa and Matthew Siegel

3470 Curitiba Ct

Alpharetta,GA 30022

Hemalatha Manickavinayaham

3465 Curitiba Ct

Alpharetta,GA 30022

Rishab and Lavina Punjabi

3455 Curitiba Ct

Alpharetta,GA 30022

Phillip and Tammy Hanson

3525 Curitiba Ct

Alpharetta,GA 30022

Melinda Laake

3515 Curitiba Ct

Alpharetta,GA 30022

Daniel and Nicole Moskowitz

11070 Kimball Crest Dr

Alpharetta,GA 30022

Every and Andrienne Ware

3500 Curitiba Ct

Alpharetta,GA 30022

Hongsheng Zhang

3510 Curitiba Ct

Alpharetta,GA 30022

Hal and Dawn Peterson

3460 Kimball Bridge Rd

Alpharetta,GA 30022

Darren and Lea Flowers

3500 Kimball Bridge Rd

Alpharetta,GA 30022

The Moore Revocable Trust

100 Lansburgh Turn

Alpharetta,GA 30022

Mubashair Khan

415 Lyerly Pointe

Alpharetta,GA 30022

ATTACHMENT D:

Shelley and Matthew Hogarth

110 Lansburgh Turn

Alpharetta,GA 30022

Karen and Michael Gottschalk

8150 High Hampton Chase

Alpharetta, GA 30022

Jacqueline and John Green

8180 High Hampton Chase

Alpharetta, GA 30022

Benjamin and Jill Sams

8170 High Hampton Chase

Alpharetta, GA 30022

Lisa and Timothy Davey

115 Haven Bluff

Alpharetta, GA 30022

Shabina and Aditya Uppal

125 Haven Bluff

Alpharetta, GA 30022

Susan and Malcom McCollum

130 Haven Bluff

Alpharetta, GA 30022

Shu Dong and Pan Ling

120 Haven Bluff

Alpharetta, GA 30022

Terri and Jonathan Evans

110 Haven Bluff

Alpharetta, GA 30022

Jacqueline Jenna and Daniel Ruane

1445 Hampton Hill Dr

Alpharetta, GA 30022

Elizabeth and Bryan Jacob

1455 Hampton Hill Dr

Alpharetta, GA 30022

Xiaoji Tang and Yidong Liu

1450 Hampton Hill Dr

Alpharetta, GA 30022

Kathy and Jody Hall

1440 Hampton Hill Dr

Alpharetta, GA 30022

Leanne and Steven Wood

1430 Hampton Hill Dr

Alpharetta, GA 30022

Tracy and James Eick

1515 Highview Pines Pass

Alpharetta, GA 30022

Kathryn and Matthew Curry

1525 Highview Pines Pass

Alpharetta, GA 30022

Lenard and Robin Silverman

1535 Highview Pines Pass

Alpharetta, GA 30022

Tracy Krebs

8105 High Hampton Chase

Alpharetta, GA 30022

Kellie Murphy

8115 High Hampton Chase

Alpharetta, GA 30022

Vishali and Bhushan Karnik

8125 High Hampton Chase

Alpharetta, GA 30022

Qin Lin

8135 High Hampton Chase

Alpharetta, GA 30022

ATTACHMENT D:

David Merbaum and Michele Merbaum Weiner

8145 High Hampton Chase

Alpharetta, GA 30022

Victor and Jill Williams

8175 High Hampton Chase

Alpharetta, GA 30022

Lisa and Eric Drake

8185 High Hampton Chase

Alpharetta, GA 30022

Natascha and David Mariner

8195 High Hampton Chase

Alpharetta, GA 30022

Kara and Danny Hall

8205 High Hampton Chase

Alpharetta, GA 30022

Melinda and Robert Ellis

8140 High Hampton Chase

Alpharetta, GA 30022

Christopher Caffrey

8130 High Hampton Chase

Alpharetta, GA 30022

John Bullock and Martha Stallworth

8120 High Hampton Chase

Alpharetta, GA 30022

Wenting Sun and Yinghan Zhang

8110 High Hampton Chase

Alpharetta, GA 30022

Janet Akigbogun

8100 High Hampton Chase

Alpharetta, GA 30022

Hampton Hall Community Association INC

1400 High Hampton Chase

Alpharetta, GA 30022

Joshua and Robyn Salkin

1405 Hampton Hill Dr

Alpharetta, GA 30022

Cynthia and Paul Kenward

1415 Hampton Hill Dr

Alpharetta, GA 30022

Roben and Joel Turry

1425 Hampton Hill Dr

Alpharetta, GA 30022

Steven Daryl Katz

1435 Hampton Hill Dr

Alpharetta, GA 30022

Pamela and Richard Carson

1420 Hampton Hill Dr

Alpharetta, GA 30022

Roger and Karin Lee

1410 Hampton Hill Dr

Alpharetta, GA 30022

Cristin and Dennis Kallaher

1545 Highview Pines Pass

Alpharetta, GA 30022

Kathleen and Michael Deighton

1555 Highview Pines Pass

Alpharetta, GA 30022

Michael Sykes

1565 Highview Pines Pass

Alpharetta, GA 30022

Debra and Andrew Deerfield

1575 Highview Pines Pass

Alpharetta, GA 30022

ATTACHMENT D:

Laurel and Robert Monusky

1560 Highview Pines Pass

Alpharetta, GA 30022

Robert and Leslie Capps

1550 Highview Pines Pass

Alpharetta, GA 30022

Leslie and Walter Jones

1540 Highview Pines Pass

Alpharetta, GA 30022

Svetlana and Michael Braiman

1530 Highview Pines Pass

Alpharetta, GA 30022

Michael and Leslie Ann Fletcher

1520 Highview Pines Pass

Alpharetta, GA 30022

Sonja and Tyrone Mayo

1510 Highview Pines Pass

Alpharetta, GA 30022

2/13/18 Downstream Improvements

The stream and riparian corridor to the west/downstream of the church driveway entrance is a predominately hardwood forest with a canopy of loblolly pine, sweet gum, and red maple. The understory of the riparian forest is very sparsely vegetated with some birch species on steep banks and very little vegetation on flatter floodplain benches. There are points of banking erosion along the stream, specifically in areas where trees have fallen and debris is impeding the ability of the stream to flow.

There are also two outfalls, one on either side of the stream, that are discharging stormwater into the buffer as concentrated flow. The lack of energy dissipation at these outfalls allows for concentrated flows to create erosive conditions in the buffer.

In an effort to enhance the condition and health of this riparian forest, we propose to:

1. Cut up and move the fallen trees from inside the streambed so that the stream can flow unimpeded. The cut up pieces of timber can be strategically placed throughout the buffer to promote stability and wildlife habitat.
2. Plant eroded or unvegetated areas of the stream banks with shade tolerant live stakes such as silky dogwood and elderberry.
3. Plant the unvegetated and flatter areas of the buffer with shade tolerant mid story trees including (not limited to) eastern redbud, flowering dogwood, hophornbeam, and fringe tree. Also shade tolerant shrubs, including cherry laurel, Cleyera, Aralia, spicebush and viburnum
4. Remove invasive vines that may be a threat to canopy trees.

PH-17-38

12/1/17

SAE HAN CHURCH

# 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: Brent Yang Telephone: 770-680-2097

Address: 3495 Buford Highway Suite:

City Duluth State: GA Zip: 30096 Fax:

Mobile Tel: Email: info@bccdllc.com

### Subject Property Information:

Address: 3385 Kimball Bridge Rd Current Zoning: SU

District: 1 Section: 2 Land Lot: 916 Parcel ID: 12 314009160441

Proposed Zoning: SU Current Use: Church/Religious

### 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?

No change in use- Property will continue to be used as a church.

Applicant's Request (Please itemize the proposal):

Request for changes to conditions from the 2002 zoning request by Sae Han Presbyterian Church. The applicant would like to:

A. Update the site's approved master plan

B. Amend condition #2 by removing the restriction on the total number of parking spaces and amend the location of parking according to the updated site plan.

C. Amend condition #6 to read: "Pond shall be permitted to be removed with the installation of an approved stormwater detention vault and maintenance schedule by the property owner that is permanent and binding."

D. Amend condition #1 to: Reduce the side yard buffers from 100' to 50' with no building/habitable space to be located in the former 100' buffer area.

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

A. With the growth of the church since 2002 more space is needed to provide additional parking and allow room for church activities. The church is currently sharing parking off site on Spruell Circle but would like to reduce the amount of parking off site by accommodating more parking on-site an allow room for future additions. This site plan illustrates the church's goal to provide additional parking on-site and allow potential to expand in the future with minimal impact to the site's topography and tree canopy.

B. The church would like to remove the parking count restriction to accommodate more parking on-site. This will take a burden off traffic on Kimball Bridge and Spruell Circle during peak-use times. More surface area for parking will be available with the installation of a stormwater vault in place of the existing pond.

C. A large portion of the site is covered by the existing stormwater pond. The church would like to remove this pond and replace it with a concrete stormwater vault that will provide more surface area for parking and an altogether safer and cleaner site for children and visitors. This change would be accompanied with a maintenance schedule that will be followed by the property owner for the life of the vault. OR The owner will maintain the vault according to an agreed upon maintenance schedule.

D. The large 100' bufferyard on the rear property line serves a community benefit by maintaining a natural transition from the rear of the site to the adjacent residential community. The other bufferyards could be reduced to 50' with little to no impact on adjacent sites due to the preserved tree canopy and the topographic changes across the site and surrounding area.

# PROPERTY OWNER AUTHORIZATION

## Property Owner Information:

Contact Name: Sae Han Presbyterian Church Telephone: 404-509-3250

Address: 3385 Kimball Bridge Rd Suite:

City Alpharetta State: GA Zip: 30096 -

## 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 Public Hearing Application and related filings

## Identify Authorized Applicant:

Name of Authorized Applicant: Brett Yang or Kimley-Horn Telephone: 770-680-2097

Address: 3495 Buford Highway Suite:

City Duluth State: GA Zip: 30308 -

## So Sworn and Attested:

Owner Signature: Date:

## Notary:

Notary Signature: Date:

12/1/17

# DISCLOSURE FORM

SAE HAN CHURCH

*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: Sae Han Presbyterian Church

Subject Public Hearing Case: Sae Han Presbyterian Church Public Hearing

## 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: _____ Position: _____

Description of Contribution: _____ Value: _____

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: _____

# Alpharetta Planning Commission Review Criteria

How will this proposal be compatible with surrounding properties?

The use does not change and will remain compatible with the surrounding properties. Vaulting the pond will accommodate runoff from adjacent properties that flow into the church site and make the site safer for this and adjacent properties.

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

This proposal will allieviate some traffic demand along Kimball Bridge and Spruell Circle during peak hours (Wednesday evenings and Sundays) by reducing some of the need for users to access off-site parking lot. This project will have no adverse affect on values of surrounding properties.

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

Conditions on the current plan do not allow for sufficient parking to accommodate the growing needs of the church. The need and desire to maintain the site's tree canopy and minimize changes to the site's topographic features makes vaulting the pond the only reasonable approach to providing more parking. By providing a parking area above the vault, the updated master plan provides potential for a future addition to be placed on the existing parking lot, reducing the amount of disturbance on site.

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

This proposal would have no significant effect on daily traffic or population.

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

This zoning amendment would have no effect on utilities or schools.

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

There is no change in use from the existing conditions on site.

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

The site has a large amount of topography and tree canopy coverage which limit the developable 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.

# 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: Sae Han Presbyterian Church Master Plan Amendment

Contact Name: Brent Yang Telephone: 770-680-2097

*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.*

| | |
|---|---|
| Jan Minjane & Hsieh Li Fen | Vishali and Bhushan Karnik |
| Steven Katz | Sreeleela Kandra and Krishna Nimmalapudi |
| Roben and Joel Turry | Donna Persigehl |
| Cynthia and Paul Kenward | Sumathi and Rajan Harihar |
| Robyn and Joshua Salkin | Collingwood Property LLC |
| Michele and David Merbaum | Laurel Pond Homeowners Association |
| Qin Lin | Hampton Hall Homeowners Association |

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.*

- ☒ 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.

They can respond via email, phone call, or comment at group meeting.

12/1/17

# CITIZEN PARTICIPATION FORM - PART B

SAE HAN CHURCH

*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: _____

Contact Name: _____ Telephone: _____

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.

_____

_____

_____

_____

_____

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

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

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

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

Signature of Authorized Agent: _____ Date: _____

Print Form

## NOTES:

1. NO PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE "A", AREAS OF 100 YEAR FLOOD, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR FULTON COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13121C0067F, WITH AN EFFECTIVE DATE OF SEPTEMBER 18,2013.

2. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS.THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

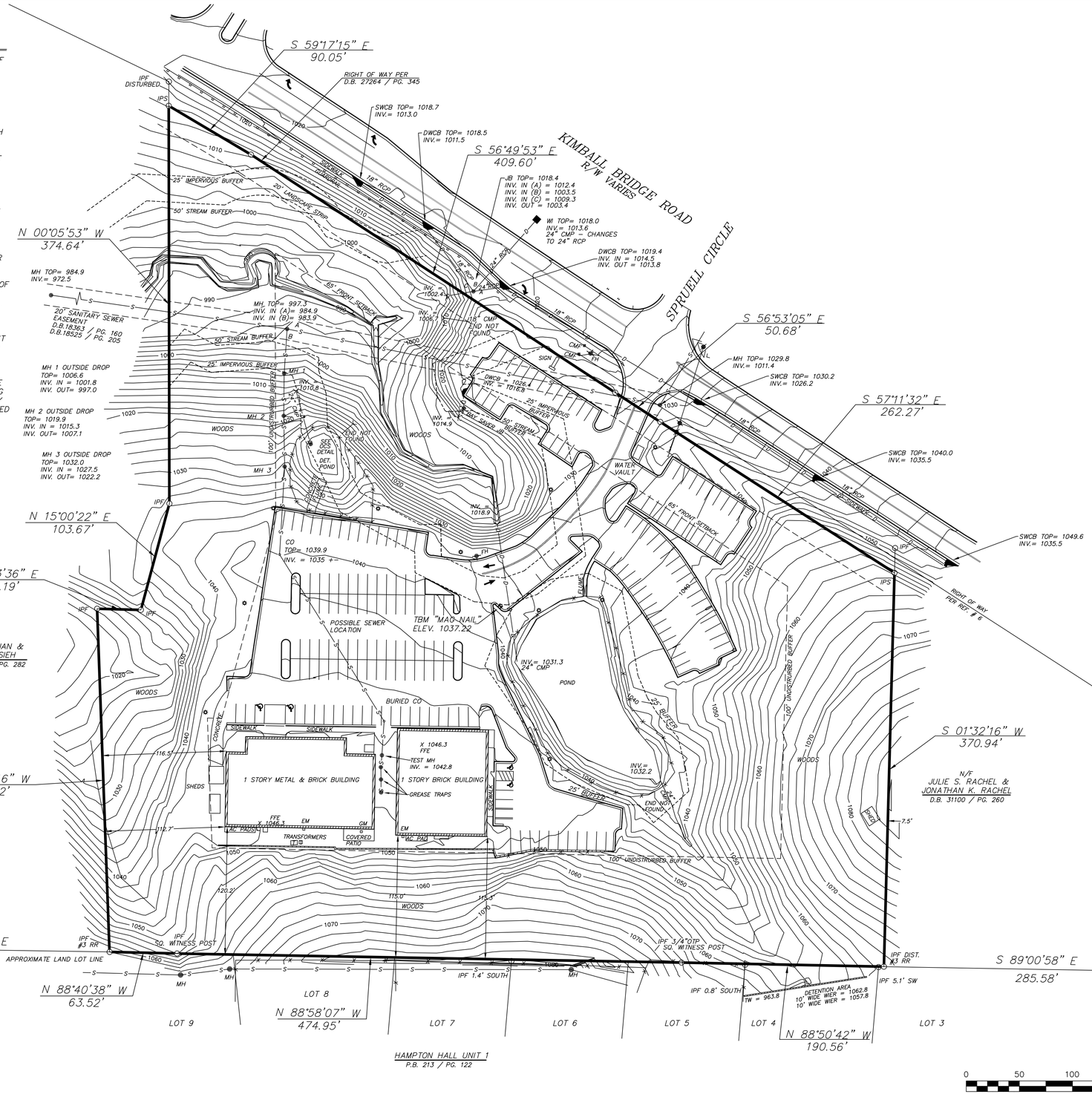
3. THE HORIZONTAL AND VERTICAL DATUM IS BASED ON REAL TIME KINEMATIC GLOBAL POSITIONING, USING A CHAMPION TKO DUAL FREQUENCY RECEIVER AND ADJUSTED TO THE EGPS NETWORK. THE EGPS NETWORK IS NAD83 (2011) HORIZONTAL DATUM AND NAVD 88 VERTICAL DATUM (GEOID 2012A).

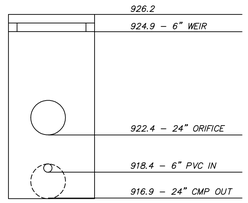
4. A SOKKIA CX105 TOTAL STATION WAS WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

5.THE FIELD DATA WHICH THE PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,973 FEET AND AN AN ANGULAR ERROR OF 1" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES ADJUSTMENT RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,013,004 FEET.

6. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE ABSTRACT, EASEMENTS AND ENCUMBRANCES MAY EXIST THAT COULD BURDEN OR BENEFIT THE PROPERTY.

7. PER THE CITY OF ALPHARETTA ZONING MAP THE PROPERTY IS ZONED SPECIAL USE WHICH HAS A 65 FOOT FRONT SETBACK AND A 10 FOOT SIDE AND REAR SETBACK. THE 100 FOOT UNDISTURBED SETBACKS SHOWN ALONG THE SIDES AND REAR ARE BASED ON REFERENCE # 4 AND APPROVED CITY COUNCIL CONDITIONS FOR PH-01-11 SAE HAN PRESBYTERIAN CHURCH DATED 2/18/2002.




EXITING DETENTION POND OCS DETAIL

## LEGEND

IPS = IRON PIN SET
IPF = IRON PIN FOUND
OTP = OPEN TOP PIPE
CTP = CRIMP TOP PIPE
C/L = CENTERLINE
P/L = PROPERTY LINE
BOC = BACK OF CURB
EP = EDGE OF PAVEMENT
GM = GAS METER
GV = GAS VALVE
MH = MANHOLE
JB = JUNCTION BOX
CI = CURB INLET
DI = DROP INLET
WI = WEIR INLET
HW = HEADWALL
SWCB = SINGLE WING CATCH BASIN
DWCB = DOUBLE WING CATCH BASIN
FH = FIRE HYDRANT
WV = WATER VALVE
—W— = WATER LINE
—S— = SANITARY SEWER LINE
—SD— = STORM DRAIN LINE
—X— = FENCE LINE
N/F = NOW OR FORMERLY
D.B./PG.= DEED BOOK AND PAGE
P.B./PG.= PLAT BOOK AND PAGE
FFE = FINISH FLOOR ELEVATION
A.E. = ACCESS EASEMENT
D.E. = DRAINAGE EASEMENT

GRID NORTH - GEORGIA WEST ZONE

## REFERENCES

1. ASBUILT SURVEY FOR SAE HAN PRESBYTERIAN CHURCH, PCA., BY WOOLLEY & ASSOCIATES, INC., DATED APRIL 27, 1999.

2. BOUNDARY SURVEY FOR JULIE & JONATHAN RACHEL BY ATLANTA ENGINEERING SERVICES, INC., DATED MARCH 12, 2015.

3. FINAL PLAT OF HAMPTON HALL, UNIT 1 BY SOUTHERN CIVIL ENGINEERS, INC., DATED JANUARY 20, 1993, LAST REVISED SEPTEMBER 10, 1999, RECORDED IN PLAT BOOK 213, PAGE 122 FULTON COUNTY RECORDS.

4. SITE LAYOUT PLAN FOR SAE HAN PRESBYTERIAN, BY AEC, INC., DATED AUGUST 14, 2001, LAST REVISED FEBRUARY 13, 2002.

5. UTILITIES AND LANDSCAPING PLAN BY WOLFORD & ASSOCIATES, DATED DECEMBER 8, 2000.

6. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, PROJECT HPP-0003(769), DATED 9/20/2006, SHEET 2 OF 10.

TOTAL AREA
9.627 ACRES

This survey and its findings does not constitute a title or legal opinion by Cornerstone Surveying Services, LLC. All information used in the preparation of this survey was obtained from public records, file data, the client, or other sources as referenced. Other documents or conditions may exist that would affect this property. As a unique pictorial and graphic professional work, this survey is subject to the Copyright laws of the United States. The latest date of field survey work is the date applicable to provisions of O.C.G.A. 9-3-30.2. This survey has been prepared for the exclusive use of the person or entities named hereon. No certification or liability is extended to any party not named hereon.

IF YOU DIG GEORGIA... CALL US FIRST! 1800227411 UTILITIES PROTECTION CENTER IT'S THE LAW

GEORGIA REGISTERED LAND SURVEYOR NO. 2489 WILLIAM H. KELLY JR.

SIGNATURE IS VALID ONLY IF ORIGINAL AND IN A CONTRASTING COLOR OF INK.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH ON THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

REVISION

| | | |
|---|---|---|
| 2 | 10/13/15 | ADDED 2 LIGHT POLES NEAR POND & TBM |
| 1 | 7/22/15 | ADDED OCS DETAIL |

CORNERSTONE SURVEYING SERVICES, LLC
269 SOMERSET ROSE LANE
SUGAR HILL, GEORGIA 30518
678-644-7705 C.O.A. # LSF001166

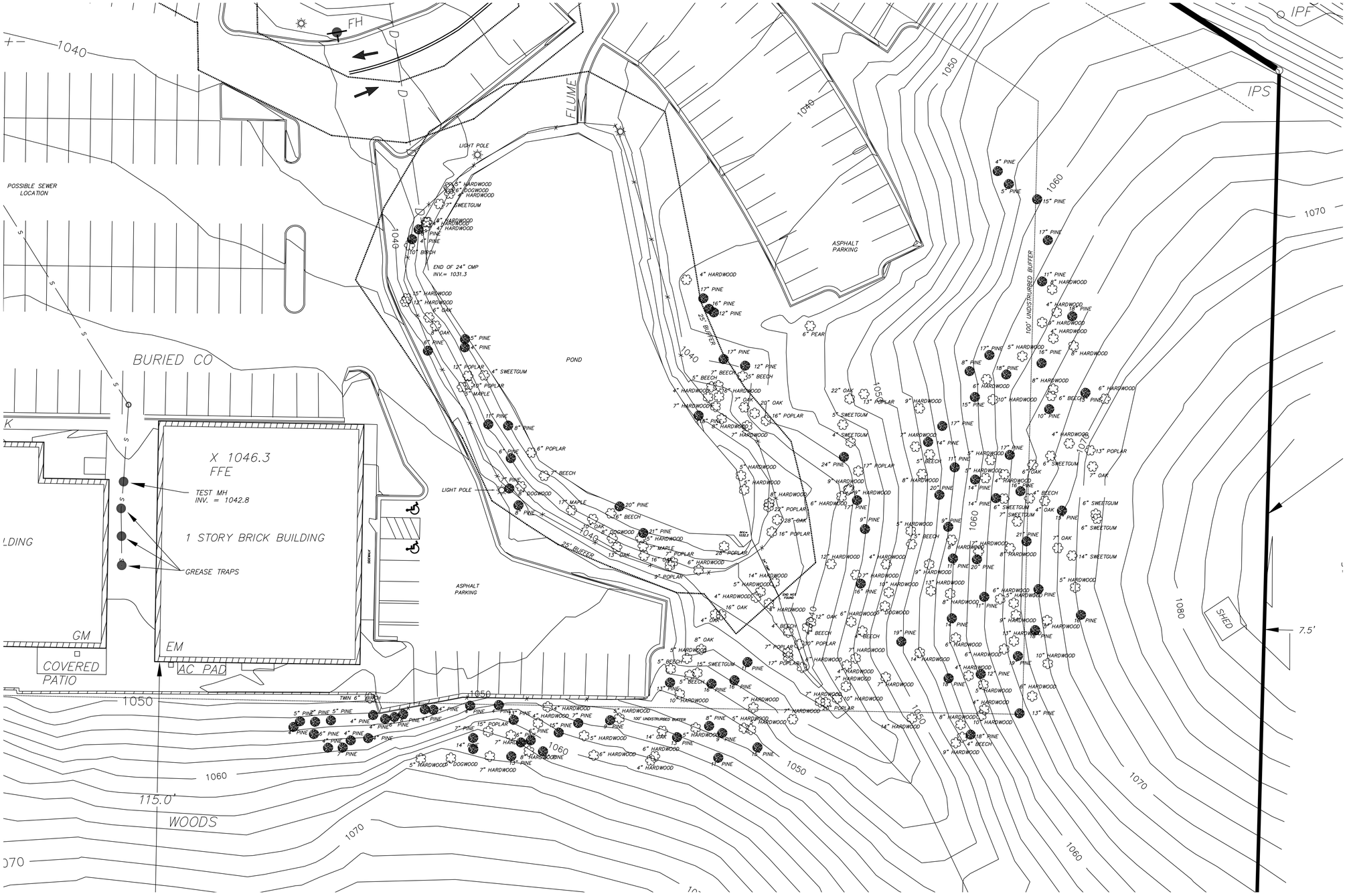
FOR

# SAE HAN PRESBYTERIAN CHURCH, INC.

LAND LOT: 916 1ST DISTRICT 2ND SECTION CITY OF ALPHARETTA FULTON COUNTY GEORGIA

## BOUNDARY & TOPOGRAPHIC SURVEY

DRAWN BY: WHK
DATE: 7/15/15
SCALE: 1"= 50'
JOB NUMBER: 15049.00




## LEGEND

| | |
|---|---|
| IPS | = IRON PIN SET |
| IPF | = IRON PIN FOUND |
| OTP | = OPEN TOP PIPE |
| CTP | = CRIMP TOP PIPE |
| C/L | = CENTERLINE |
| P/L | = PROPERTY LINE |
| BOC | = BACK OF CURB |
| EP | = EDGE OF PAVEMENT |
| GM | = GAS METER |
| GV | = GAS VALVE |
| MH | = MANHOLE |
| JB | = JUNCTION BOX |
| CI | = CURB INLET |
| DI | = DROP INLET |
| WI | = WEIR INLET |
| HW | = HEADWALL |
| SWCB | = SINGLE WING CATCH BASIN |
| DWCB | = DOUBLE WING CATCH BASIN |
| FH | = FIRE HYDRANT |
| WV | = WATER VALVE |
| —W— | = WATER LINE |
| —S— | = SANITARY SEWER LINE |
| —SD— | = STORM DRAIN LINE |
| —X— | = FENCE LINE |
| N/F | = NOW OR FORMERLY |
| D.B./PG. | = DEED BOOK AND PAGE |
| P.B./PG. | = PLAT BOOK AND PAGE |
| FFE | = FINISH FLOOR ELEVATION |
| A.E. | = ACCESS EASEMENT |
| D.E. | = DRAINAGE EASEMENT |

GRID NORTH – GEORGIA WEST ZONE

GEORGIA REGISTERED NO. 2489 LAND SURVEYOR WILLIAM H. KELLY JR.

IF YOU DIG GEORGIA... CALL US FIRST! 1800282-7411 UTILITIES PROTECTION CENTER IT'S THE LAW

0 20 40 60

REVISION

| | | |
|---|---|---|
| | | |
| | | |
| 2 | 12/21/15 | REMOVED DUPLICATE LANDSCAPE TREES |
| 1 | 10/12/15 | EXPANDED TREE LOCATION AREA, ADDED LIGHT POLE |

CORNERSTONE SURVEYING SERVICES, LLC
269 SOMERSET ROSE LANE
SUGAR HILL, GEORGIA 30518
678-644-7705 C.O.A. # LSF001166

FOR

# SAE HAN PRESBYTERIAN CHURCH, INC.

LAND LOT: 916 1ST DISTRICT 2ND SECTION CITY OF ALPHARETTA FULTON COUNTY GEORGIA

# LIMITED TREE SURVEY

DRAWN BY: WHK
DATE: 9/11/15
SCALE: 1"= 20'
JOB NUMBER: 15049.00

## NOTES:

1. NO PORTION OF THIS PROPERTY LIES WITHIN FLOOD ZONE "A", AREAS OF 100 YEAR FLOOD, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP FOR FULTON COUNTY, GEORGIA, COMMUNITY PANEL NUMBER 13121C0067F, WITH AN EFFECTIVE DATE OF SEPTEMBER 18,2013.

2. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS.THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

3. THE HORIZONTAL AND VERTICAL DATUM IS BASED ON REAL TIME KINEMATIC GLOBAL POSITIONING, USING A CHAMPION TKO DUAL FREQUENCY RECEIVER AND ADJUSTED TO THE EGPS NETWORK. THE EGPS NETWORK IS NAD83 (2011) HORIZONTAL DATUM AND NAVD 88 VERTICAL DATUM (GEOID 2012A).

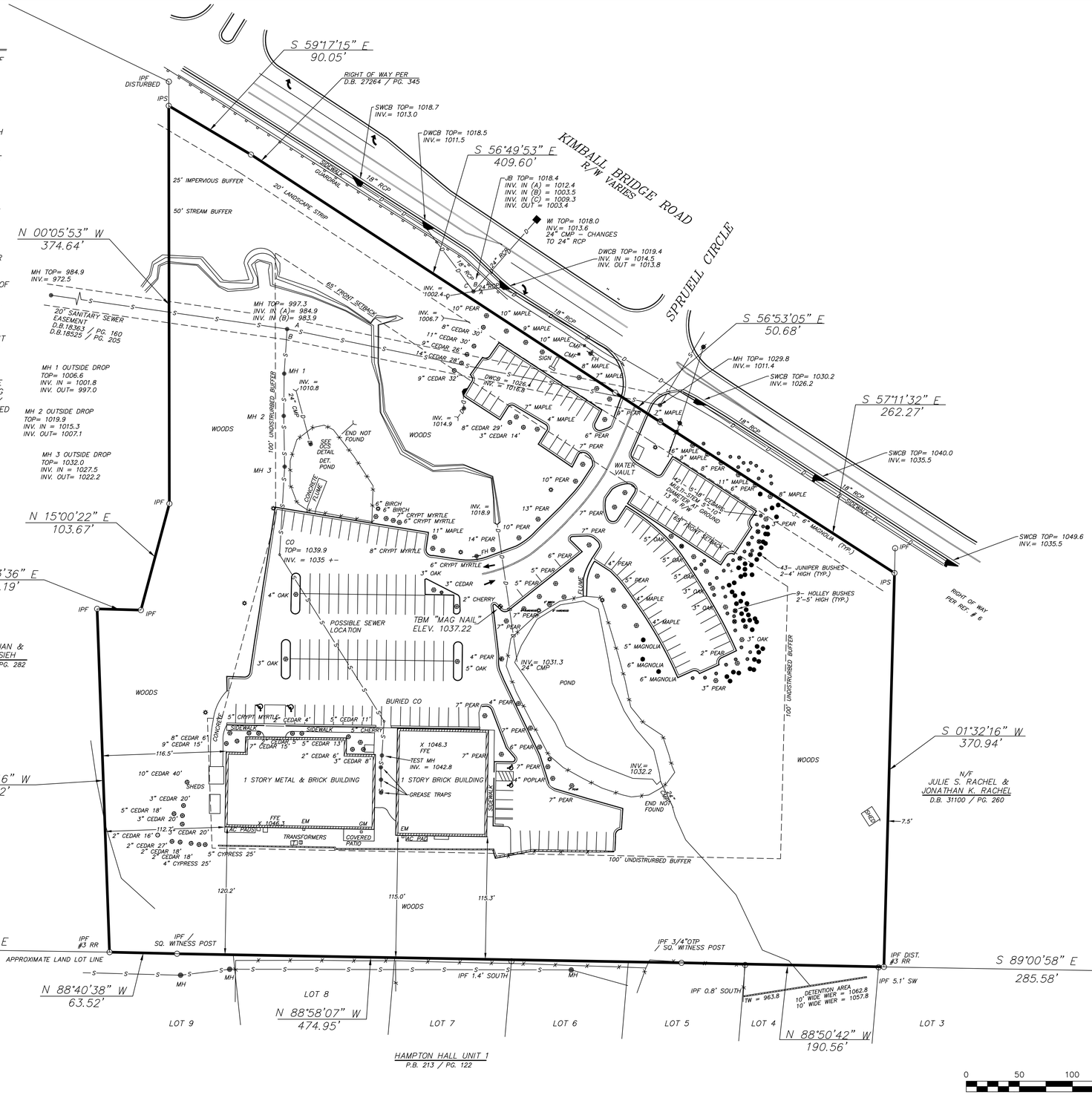
4. A SOKKIA CX105 TOTAL STATION WAS WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

5.THE FIELD DATA WHICH THE PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 27,973 FEET AND AN AN ANGULAR ERROR OF 1" PER ANGLE POINT, AND WAS ADJUSTED USING THE LEAST SQUARES ADJUSTMENT RULE. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 2,013,004 FEET.

6. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE ABSTRACT, EASEMENTS AND ENCUMBRANCES MAY EXIST THAT COULD BURDEN OR BENEFIT THE PROPERTY.

7. PER THE CITY OF ALPHARETTA ZONING MAP THE PROPERTY IS ZONED SPECIAL USE WHICH HAS A 65 FOOT FRONT SETBACK AND A 10 FOOT SIDE AND REAR SETBACK. THE 100 FOOT UNDISTURBED SETBACKS SHOWN ALONG THE SIDES AND REAR ARE BASED ON REFERENCE # 4 AND APPROVED CITY COUNCIL CONDITIONS FOR PH-01-11 SAE HAN PRESBYTERIAN CHURCH DATED 2/18/2002.

8. THE HEIGHT OF THE TREES SHOWN ARE APPROXIMATE.




## LEGEND

| | |
|---|---|
| IPS | = IRON PIN SET |
| IPF | = IRON PIN FOUND |
| OTP | = OPEN TOP PIPE |
| CTP | = CRIMP TOP PIPE |
| C/L | = CENTERLINE |
| P/L | = PROPERTY LINE |
| BOC | = BACK OF CURB |
| EP | = EDGE OF PAVEMENT |
| GM | = GAS METER |
| GV | = GAS VALVE |
| MH | = MANHOLE |
| JB | = JUNCTION BOX |
| CI | = CURB INLET |
| DI | = DROP INLET |
| WI | = WEIR INLET |
| HW | = HEADWALL |
| SWCB | = SINGLE WING CATCH BASIN |
| DWCB | = DOUBLE WING CATCH BASIN |
| FH | = FIRE HYDRANT |
| WV | = WATER VALVE |
| —W— | = WATER LINE |
| —S— | = SANITARY SEWER LINE |
| —SD— | = STORM DRAIN LINE |
| —X— | = FENCE LINE |
| N/F | = NOW OR FORMERLY |
| D.B./PG. | = DEED BOOK AND PAGE |
| P.B./PG. | = PLAT BOOK AND PAGE |
| FFE | = FINISH FLOOR ELEVATION |
| A.E. | = ACCESS EASEMENT |
| D.E. | = DRAINAGE EASEMENT |

GRID NORTH - GEORGIA WEST ZONE

## REFERENCES

1. ASBUILT SURVEY FOR SAE HAN PRESBYTERIAN CHURCH, PCA., BY WOOLLEY & ASSOCIATES, INC., DATED APRIL 27, 1999.

2. BOUNDARY SURVEY FOR JULIE & JONATHAN RACHEL BY ATLANTA ENGINEERING SERVICES, INC., DATED MARCH 12, 2015.

3. FINAL PLAT OF HAMPTON HALL, UNIT 1 BY SOUTHERN CIVIL ENGINEERS, INC., DATED JANUARY 20, 1993, LAST REVISED SEPTEMBER 10, 1999, RECORDED IN PLAT BOOK 213, PAGE 122 FULTON COUNTY RECORDS.

4. SITE LAYOUT PLAN FOR SAE HAN PRESBYTERIAN, BY AEC, INC., DATED AUGUST 14, 2001, LAST REVISED FEBRUARY 13, 2002.

5. UTILITIES AND LANDSCAPING PLAN BY WOLFORD & ASSOCIATES, DATED DECEMBER 8, 2000.

6. DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, PROJECT HPP-0003(769), DATED 9/20/2006, SHEET 2 OF 10.

TOTAL AREA
9.627 ACRES

This survey and its findings does not constitute a title or legal opinion by Cornerstone Surveying Services, LLC. All information used in the preparation of this survey was obtained from public records, file data, the client, or other sources as referenced. Other documents or conditions may exist that would affect this property. As a unique pictorial and graphic professional work, this survey is subject to the Copyright laws of the United States. The latest date of field survey work is the date applicable to provisions of O.C.G.A. 9-3-30.2. This survey has been prepared for the exclusive use of the person or entities named hereon. No certification or liability is extended to any party not named hereon.

IF YOU DIG GEORGIA... CALL US FIRST! 1-800-282-7411 UTILITIES PROTECTION CENTER ITS THE LAW

GEORGIA REGISTERED LAND SURVEYOR NO. 2489 WILLIAM H. KELLY JR.

SIGNATURE IS VALID ONLY IF ORIGINAL AND IN A CONTRASTING COLOR OF INK.

THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH ON THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

REVISION

CORNERSTONE SURVEYING SERVICES, LLC
269 SOMERSET ROSE LANE
SUGAR HILL, GEORGIA 30518
678-644-7705 C.O.A. # LSF001166

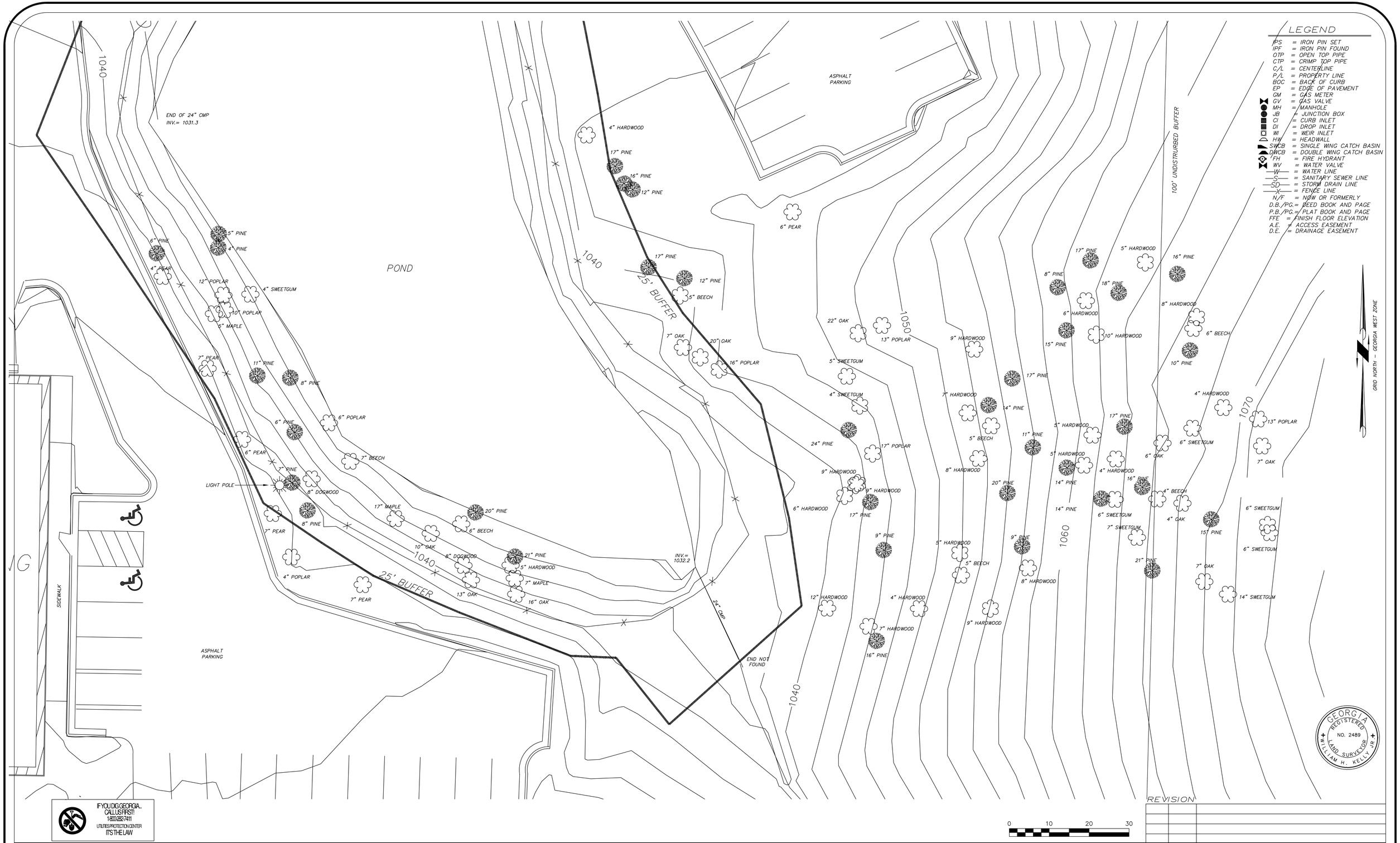
FOR

# SAE HAN PRESBYTERIAN CHURCH, INC.

LAND LOT: 916 1ST DISTRICT 2ND SECTION CITY OF ALPHARETTA FULTON COUNTY GEORGIA

## EXISTING LANDSCAPE TREE SURVEY

DRAWN BY: WHK
DATE: 12/03/15
SCALE: 1"= 50'
JOB NUMBER: 15049.00




CORNERSTONE SURVEYING SERVICES, LLC
269 SOMERSET ROSE LANE
SUGAR HILL, GEORGIA 30518
678-644-7705 C.O.A. # LSF001166

FOR

SAE HAN PRESBYTERIAN CHURCH, INC.

LAND LOT: 916 1ST DISTRICT 2ND SECTION CITY OF ALPHARETTA FULTON COUNTY GEORGIA

LIMITED TREE SURVEY

DRAWN BY: WHK
DATE: 9/11/15
SCALE: 1"= 10'
JOB NUMBER: 15049.00

# Sae Han Presbyterian
## SITE MASTER PLAN

November 30, 2017

Kimley»Horn

**SITE PROGRAM**

| | |
|---|---|
| Parking: | 275 Spaces |

**Pond placed in vault**

| **Square Footage Retained:** | |
|---|---|
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Eductation Building | 8,700 SF |
| Total Retained SF | 29,200 SF |

| **Square Footage Added:** | |
|---|---|
| 1st Floor: | 25,000 SF |
| 2nd Floor: | 10,000 SF |
| 3rd Floor: | 10,000 SF |
| Total Added SF | 45,000 SF |

| | |
|---|---|
| **Total Square Footage:** | **74,200 SF** |

N

SCALE= 1"=40'

0' 40' 80' 160'

Sae Han Presbyterian Church

Trip Generation Report

Today the church typically runs 6 services on Sunday morning. These services start at 9:00 am and run until 2:30 pm. Currently the church averages 350 adults and 120 youth/kids per Sunday with a peak of 800 guest total on Sundays. At peak the church averages 133 per service time. Induvial services averages 80 cars with a peak of 150 cars per service. Due to parking demands, with some services overlapping, Sae Han has an informal agreement with Philadelphia Church on Spruell Circle. When overflow parking is needed the Sae Han runs shuttles between the two campuses for the six services. (See Below)

The proposed plan increases the church's parking count in Phase 1 to ease the burden on Spurell Circle and Kimball Bridge from attendees and shuttles having to travel between the two lots. The increased parking will not impact service times or travel into the site, but it will alleviate most of the travel to and from Spruell Circle to Sae Han.

Phase 2 will include additional square footage for the church and will increase the demand of the site slightly on Sunday Mornings, however the Church's plan is to consolidate some services to reduce the need for cars continuously entering the site form 9:00 am to 2:30 pm.

The church does not have a noticeable impact during rush hour peak times for traffic along Kimball Bridge as most of the site's programing falls out of that timeframe.

12/1/17

THE CITY OF
ALPHARETTA
GEORGIA

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

May 25, 2015

Mr. Brent (Byung Lim) Yang
BC Construction for Saehan Church
3385 Kimball Bridge Road
Alpharetta, GA 30022
Via email: info@bccdllc.com

Dear Brent:

This letter is to codify the findings of the stream determination done at your request on May 18, 2015 at the site of the Saehan Church at 3385 Kimball Bridge Road, Alpharetta, GA 30022.

The City finds that the onsite pond and associate downstream drainage feature (stream) are Waters of the State. The pond has a 25-foot undisturbed State Waters buffer. This stream (delineated at the discharge point of the outfall pipe under the parking lot drive aisle carries a 25-foot State Waters Undisturbed Buffer measured from the edge of wrested vegetation. Additionally, this stream carries City imposed buffers. The City of Alpharetta ordinance defines a 50-foot undisturbed buffer measured from the edge of wrested vegetation. There is also a 25-foot non-impervious setback measured from the edge of the City's Undisturbed Buffer. No other buffered drainage features were apparent on this site visit.

If you or your clients have any follow up questions regarding this stream determination, please feel free to contact me.

Respectfully,

Robert Stachler, PE
Development Services Engineer – Stormwater

MAYOR
DAVID BELLE ISLE

COUNCIL MEMBERS
D.C. AIKEN
MICHAEL CROSS
JIM GILVIN
MIKE KENNEDY
DONALD F. MITCHELL
CHRIS OWENS

CITY ADMINISTRATOR
ROBERT J. REGUS

Kimley»Horn

# MEMORANDUM

To: Mr. Eric Graves, P.E.
City of Alpharetta

From: Mr. Rob Ross, P.E.
Kimley-Horn and Associates Inc.

Date: February 2, 2018

**RE:** ***Sae Han Presbyterian Church***

---

Kimley-Horn has performed an assessment of the site access for the existing Sae Han Presbyterian Church and its potential expansion. Sae Han Presbyterian Church is located south of Kimball Bridge Road at its intersection with Spruill Circle in the City of Alpharetta.

## PROJECT OVERVIEW

Sae Han Presbyterian Church is located at 3385 Kimball Bridge Road on an approximately 9.6 acre site. The Church currently includes an 11,500 square foot sanctuary, an 8,700 square foot education building, and a 9,000 square foot gymnasium. The Church desires to add parking spaces to the current site and allow for future expansion of the Church with a new facility up to 45,000 square feet in size.

The intent of this traffic memorandum is to determine the need for a left turn lane entering the site.

## EXISTING TRAFFIC CONDITIONS

The roadway within the study network have the following characteristics:

Kimball Bridge Road is a two lane roadway with designated turn lanes at significant intersections. The February 2016 Kimball Bridge Road Improvements Corridor Study prepared by AECOM for the City of Alpharetta indicates a 2015 Average Daily Traffic (ADT) of approximately 21,000 vehicles per day west of Waters Road. Approximately 11,000 of these daily trips occur in the eastbound direction, while 10,000 travel westbound.

Spruill Circle is a two lane roadway providing access to residential neighborhoods north of Kimball Bridge Road. The intersection of Kimball Bridge Road and Spruill Circle consists of a single approach lane in the westbound and northbound directions (northbound is the Church exit), a designated right-turn lane and shared through/left-turn lane for the southbound approach, and designated left, through, and right-turn lanes in the eastbound directions.

## SITE ACCESS REVIEW

Site access will be provided at the existing driveway that ties into the intersection of Kimball Bridge Road and Spruill Court. Turning movement counts were collected at the intersection between 10:45 and 1:45 on Sunday, January 28, 2018. This timeframe includes the peak exiting traffic from the service running from 10:30 AM to 12:00 PM and the entering traffic for the service from 12:30 PM to 2:30 PM.

The observed peak inbound traffic included 23 eastbound right-turns, 82 westbound left-turns and 2 southbound throughs for a total of 107 inbound trips. The observed peak outbound traffic included 17 northbound left-turns and 51 northbound right-turns for a total of 68 outbound trips. With the expansion of the Church, these volumes could be expected to as much as triple. These volumes will meet the warrant for a designated westbound left-turn lane on Kimball Bridge Road for traffic entering the site.

## PLANNED OFF-SITE IMPROVEMENTS

The City of Alpharetta's Kimball Bridge Road Congestion Mitigation project (Project ID C1702) involves roadway improvements along Kimball Bridge Road between North Point Parkway and Waters Road. Existing eastbound right-turn lanes along Kimball Bridge Road will be expanded and repurposed to provide a second through lane in the eastbound direction. At the Sae Han Presbyterian Church driveway, a westbound left-turn lane will also be constructed. This construction will fulfill the need for a designated left-turn lane to serve the expansion of the Church.

I hope this information is helpful. Please contact me at (404) 201-6146 should you have any questions.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.

Rob Ross, P.E.
Vice President

Attachments:

- Turning Movement Count

**Project ID: 18-9052-001**
**Location: Chruch Dwy/Spruill Cir & Kimball Bridge Rd**
**City: Alpharetta**

**Day: Sunday**
**Date: 01/28/2018**

**Groups Printed - Cars, PU, Vans - Heavy Trucks**

| | Church Dwy/Spruill Cir Northbound | | | | | | Church Dwy/Spruill Cir Southbound | | | | | | Kimball Bridge Rd Eastbound | | | | | | Kimball Bridge Rd Westbound | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Start Time | Left | Thru | Rgt | Uturn | Peds | App. Total | Left | Thru | Rgt | Uturn | Peds | App. Total | Left | Thru | Rgt | Uturn | Peds | App. Total | Left | Thru | Rgt | Uturn | Peds | App. Total | Int. Total |
| 10:45 AM | 1 | 0 | 7 | 0 | 1 | 8 | 3 | 0 | 7 | 0 | 0 | 10 | 8 | 79 | 3 | 0 | 0 | 90 | 10 | 159 | 2 | 0 | 0 | 171 | 279 |
| Total | 1 | 0 | 7 | 0 | 1 | 8 | 3 | 0 | 7 | 0 | 0 | 10 | 8 | 79 | 3 | 0 | 0 | 90 | 10 | 159 | 2 | 0 | 0 | 171 | 279 |
| 11:00 AM | 5 | 0 | 8 | 0 | 0 | 13 | 5 | 1 | 8 | 0 | 0 | 14 | 9 | 68 | 1 | 0 | 0 | 78 | 19 | 116 | 6 | 0 | 0 | 141 | 246 |
| 11:15 AM | 0 | 0 | 10 | 0 | 1 | 10 | 6 | 1 | 5 | 0 | 0 | 12 | 3 | 69 | 8 | 0 | 0 | 80 | 35 | 107 | 5 | 0 | 0 | 147 | 249 |
| 11:30 AM | 3 | 0 | 5 | 0 | 1 | 8 | 5 | 0 | 11 | 0 | 0 | 16 | 4 | 76 | 11 | 0 | 0 | 91 | 18 | 133 | 4 | 0 | 0 | 155 | 270 |
| 11:45 AM | 5 | 0 | 10 | 0 | 0 | 15 | 3 | 1 | 13 | 0 | 1 | 17 | 8 | 96 | 2 | 0 | 0 | 106 | 4 | 127 | 4 | 0 | 0 | 135 | 273 |
| Total | 13 | 0 | 33 | 0 | 2 | 46 | 19 | 3 | 37 | 0 | 1 | 59 | 24 | 309 | 22 | 0 | 0 | 355 | 76 | 483 | 19 | 0 | 0 | 578 | 1038 |
| 12:00 PM | 2 | 0 | 7 | 0 | 0 | 9 | 4 | 0 | 9 | 0 | 0 | 13 | 2 | 100 | 0 | 0 | 0 | 102 | 0 | 161 | 6 | 0 | 0 | 167 | 291 |
| 12:15 PM | 2 | 0 | 7 | 0 | 0 | 9 | 4 | 0 | 12 | 0 | 0 | 16 | 6 | 215 | 1 | 0 | 0 | 222 | 0 | 138 | 7 | 0 | 0 | 145 | 392 |
| 12:30 PM | 0 | 0 | 5 | 0 | 0 | 5 | 8 | 0 | 13 | 0 | 1 | 21 | 5 | 159 | 3 | 0 | 0 | 167 | 4 | 160 | 6 | 0 | 0 | 170 | 363 |
| 12:45 PM | 3 | 0 | 8 | 0 | 0 | 11 | 4 | 0 | 9 | 0 | 0 | 13 | 7 | 197 | 2 | 0 | 0 | 206 | 11 | 170 | 4 | 0 | 0 | 185 | 415 |
| Total | 7 | 0 | 27 | 0 | 0 | 34 | 20 | 0 | 43 | 0 | 1 | 63 | 20 | 671 | 6 | 0 | 0 | 697 | 15 | 629 | 23 | 0 | 0 | 667 | 1461 |
| 1:00 PM | 5 | 0 | 18 | 0 | 0 | 23 | 5 | 0 | 10 | 0 | 0 | 15 | 5 | 174 | 2 | 0 | 0 | 181 | 4 | 141 | 3 | 0 | 0 | 148 | 367 |
| 1:15 PM | 1 | 0 | 11 | 0 | 0 | 12 | 2 | 0 | 11 | 0 | 0 | 13 | 10 | 182 | 2 | 0 | 0 | 194 | 3 | 155 | 7 | 0 | 0 | 165 | 384 |
| 1:30 PM | 8 | 0 | 14 | 0 | 0 | 22 | 2 | 0 | 7 | 0 | 0 | 9 | 8 | 149 | 8 | 0 | 0 | 165 | 16 | 129 | 5 | 0 | 0 | 150 | 346 |
| Total | 14 | 0 | 43 | 0 | 0 | 57 | 9 | 0 | 28 | 0 | 0 | 37 | 23 | 505 | 12 | 0 | 0 | 540 | 23 | 425 | 15 | 0 | 0 | 463 | 1097 |
| Grand Total | 35 | 0 | 110 | 0 | 3 | 145 | 51 | 3 | 115 | 0 | 2 | 169 | 75 | 1564 | 43 | 0 | 0 | 1682 | 124 | 1696 | 59 | 0 | 0 | 1879 | 3875 |
| Apprch % | 24.1 | 0.0 | 75.9 | 0.0 | 2.1 | | 30.2 | 1.8 | 68.0 | 0.0 | 1.2 | | 4.5 | 93.0 | 2.6 | 0.0 | 0.0 | | 6.6 | 90.3 | 3.1 | 0.0 | 0.0 | | |
| Total % | 0.9 | 0.0 | 2.8 | 0.0 | 0.1 | 3.7 | 1.3 | 0.1 | 3.0 | 0.0 | 0.1 | 4.4 | 1.9 | 40.4 | 1.1 | 0.0 | 0.0 | 43.4 | 3.2 | 43.8 | 1.5 | 0.0 | 0.0 | 48.5 | |
| Cars, PU, Vans | 35 | 0 | 110 | 0 | 3 | 145 | 51 | 3 | 115 | | 2 | 169 | 75 | 1563 | 43 | 0 | | 1681 | 124 | 1696 | 59 | | 0 | 1879 | 3874 |
| % Cars, PU, Vans | 100.0 | 0.0 | 100.0 | 0.0 | 100.0 | 100.0 | 100.0 | 100.0 | 100.0 | 0.0 | 100.0 | 100.0 | 100.0 | 99.9 | 100.0 | 0.0 | 0.0 | 99.9 | 100.0 | 100.0 | 100.0 | 0.0 | 0.0 | 100.0 | 100.0 |
| Heavy Trucks | 0 | 0 | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | | 0 | 0 | 1 | 0 | 0 | | 1 | 0 | 0 | 0 | 0 | | 0 | 1 |
| %Heavy Trucks | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.1 | 0.0 | 0.0 | 0.0 | 0.1 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

The stream and riparian corridor to the west/downstream of the church driveway entrance is a predominately hardwood forest with a canopy of loblolly pine, sweet gum, and red maple. The understory of the riparian forest is very sparsely vegetated with some birch species on steep banks and very little vegetation on flatter floodplain benches. There are points of banking erosion along the stream, specifically in areas where trees have fallen and debris is impeding the ability of the stream to flow.

There are also two outfalls, one on either side of the stream, that are discharging stormwater into the buffer as concentrated flow. The lack of energy dissipation at these outfalls allows for concentrated flows to create erosive conditions in the buffer.

In an effort to enhance the condition and health of this riparian forest, we propose to:

1. Cut up and move the fallen trees from inside the streambed so that the stream can flow unimpeded. The cut up pieces of timber can be strategically placed throughout the buffer to promote stability and wildlife habitat.
2. Plant eroded or unvegetated areas of the stream banks with shade tolerant live stakes such as silky dogwood and elderberry.
3. Plant the unvegetated and flatter areas of the buffer with shade tolerant mid story trees including (not limited to) eastern redbud, flowering dogwood, hophornbeam, and fringe tree. Also shade tolerant shrubs, including cherry laurel, Cleyera, Aralia, spicebush and viburnum
4. Remove invasive vines that may be a threat to canopy trees.

12/1/17

# 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: Sae Han Presbyterian Church

Contact Name: Eric Bosman- Kimley Horn Telephone: 404-201-6135

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.

The extent of comments we have heard from the community rests on the undisturbed buffer between the church and the Hampton Hall subdivision. The HOA leaders at Hampton Hall had no objections to the plan if the buffer continued to remain at 100' as it is today.

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)* 2/05/18 Hosted Community Meeting

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: 2/6/18

Print Form

Sae Han Presbyterian Church

Citizen Participation Form- Part “B”

Sae Han Presbyterian Church reached out to the Hampton Hall Homeowner’s Association including board members Jimmy Cotty, Tom Lewis, and Sean Richards about scheduling a meeting to discuss the zoning application. The church and Kimley-Horn staff met with Mr. Cotty and Mr. Lewis on January 15, 2018 at 3:00pm to discuss the project. This meeting covered the churches zoning modification requests and the overall site master plan. The feedback from the meeting was positive and the HOA supported the project noting that the rear buffer between the neighborhood and church is expected to stay in place at 100’ The HOA leaders agreed to discuss their findings and opinions at the HOA meeting later that month.

The church also hosted a community open house on Feburary 5th, 2018 at 6:00pm. Letters were sent out to properties within 1000’ from the church’s property boundaries two weeks in advance. Each letter included a short description (Attachment A), a map of the zoning changes (Attachment B), and the proposed site plan (Attachment C). No community members attended the meeting or provided any feedback through the means of communication provided in the letter. The names and addresses are included with this packet (Attachment D).

ATTACHMENT A

***Dear Neighbors,***

Sae Han Presbyterian Church (3385 Kimball Bridge Rd) has made application to the City of Alpharetta to modify several of the 2002 zoning conditions applied to the site and is hosting an informational meeting on Monday, February 5th at 6 PM at the church.

Due to current and projected parking demands the church would like to expand its onsite parking in areas of low impact to the community.

This church's application requests the following changes to its zoning conditions (see included plan graphic):

1. Reduce the undisturbed buffer on the east and west sides of the site to 50' - while retaining the 100' buffer along the south property line adjacent to the Hampton Hall neighborhood.

2. Replace the onsite pond with an underground stormwater storage vault to build parking over the stormwater facility.

If either of these issues concern you or you would like additional information please join Sae Han Presbyterian Church Leadership and its consultants (Kimley Horn) on ***Monday, February 05 at 6:00pm at Sae Han Presbyterian Church, 3385 Kimball Bridge Road*.**

You may also contact the project coordinator, Ben Miskelly of Kimley-Horn with any questions at ben.miskelly@kimley-horn.com.

***Thank You,***

***Sae Han Presbyterian Church***

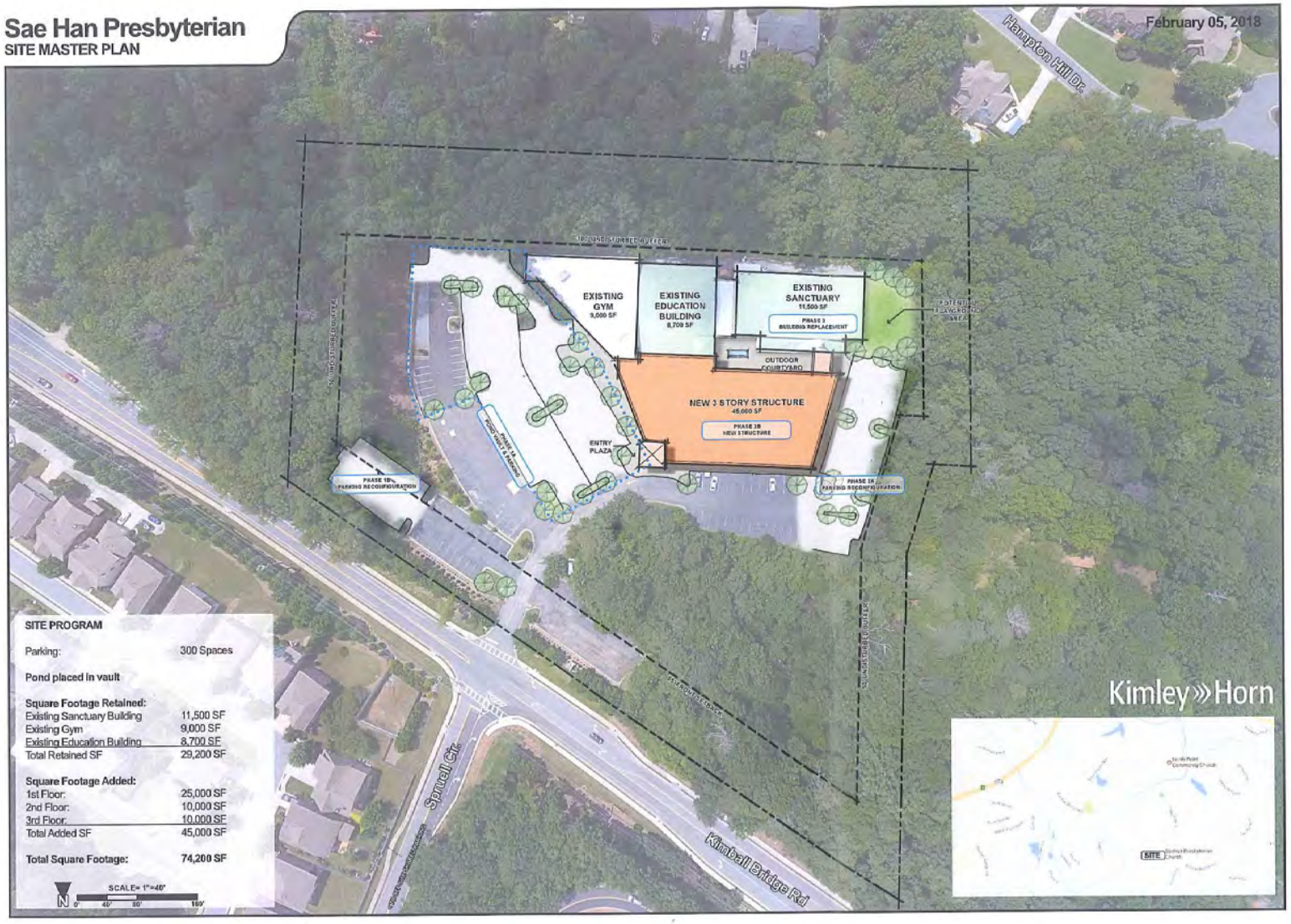
***Kimley-Horn***

ATTACHMENT B:

ATTACHMENT C:

# Sae Han Presbyterian
## SITE MASTER PLAN

February 05, 2018




**SITE PROGRAM**

| | |
|---|---|
| Parking: | 300 Spaces |
| **Pond placed in vault** | |
| **Square Footage Retained:** | |
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Education Building | 8,700 SF |
| Total Retained SF | 29,200 SF |
| **Square Footage Added:** | |
| 1st Floor: | 25,000 SF |
| 2nd Floor: | 10,000 SF |
| 3rd Floor: | 10,000 SF |
| Total Added SF | 45,000 SF |
| **Total Square Footage:** | **74,200 SF** |

N SCALE= 1"=40' 0' 40' 80' 160'

ATTACHMENT D:

Deborah and David Gates
11049 Grey Owl Rd
Alpharetta,GA 30022

Mary Beth Wegener
11053 Grey Owl Rd
Alpharetta,GA 30022

Neal and Tara Horstmeyer
11057 Gray Owl Rd
Alpharetta,GA 30022

Eric Muller
11061 Grey Owl Rd
Alpharetta,GA 30022

John Stroud
11065 Gray Owl Rd
Alpharetta,GA 30022

Anjeanette Taylor
11069 Gray Owl Rd
Alpharetta,GA 30022

Adam Maurer
11073 Gray Owl Rd
Alpharetta,GA 30022

Roger and Carol Davis
3298 Nesting Bend
Alpharetta,GA 30022

Hortense Chin
3294 Nesting Bend
Alpharetta,GA 30022

Alison and Thurlian Burden
3290 Nesting Bend
Alpharetta,GA 30022

Marlene and Eldred Sinkoe
3286 Nesting Bend
Alpharetta,GA 30022

Craig Jarrow
3282 Nesting Bend
Alpharetta,GA 30022

Glenmoor Property Owners Assoc
0 Grey Owl Rd
Alpharetta,GA 30022

Chang Ho Lee
11077 Grey Owl Rd
Alpharetta,GA 30022

Kofi Sarpong
11081 Gray Owl Rd
Alpharetta,GA 30022

Justin McDonald
11085 Gray Owl Rd
Alpharetta,GA 30022

Patricia Bork
11112 Gray Owl Rd
Alpharetta,GA 30022

Randolph and Janet Johnson
11108 Gray Owl Rd
Alpharetta,GA 30022

Naveen Chandrababu
11104 Gray Owl Rd
Alpharetta,GA 30022

Elvyn Leonard
11100 Gray Owl Rd
Alpharetta,GA 30022

Sunil Ithappiri
11096 Gray Owl Rd
Alpharetta,GA 30022

ATTACHMENT D:

Collingwood Property LLC

3400 Kimball Bridge Rd

Alpharetta,GA 30022

Preserve at Northpointe HOA

0 Wittenridge Dr

Alpharetta,GA 30022

Hollie Mejia and Beverly Manring

10900 Wittenridge Drive #C6

Alpharetta,GA 30022

Nicholas Domingo

10900 Wittenridge Drive #C7

Alpharetta,GA 30022

Laurie Cloud

10900 Wittenridge Drive #C1

Alpharetta,GA 30022

Natalie Cross

10900 Wittenridge Drive #C2

Alpharetta,GA 30022

Pavlina Petrova and Nikolay Popov

10900 Wittenridge Drive #C3

Alpharetta,GA 30022

Monica and Mario Lizaso

10900 Wittenridge Drive #C4

Alpharetta,GA 30022

Barbara Gunning

10900 Wittenridge Drive #C5

Alpharetta,GA 30022

Jonathan and Julie Rachel

3395 Kimball Bridge Rd

Alpharetta,GA 30022

Minjane Jan and Li Fen Hsieh

3325 Kimball Bridge Rd

Alpharetta,GA 30022

Vijay Shinde

10936 Waters Rd

Alpharetta,GA 30022

Radha Krishna Nimmalapudi

10940 Waters Rd

Alpharetta,GA 30022

Donna Persigehl

10948 Waters Rd

Alpharetta,GA 30022

Zhuobei Zhou and James Lee

10956 Waters Rd

Alpharetta,GA 30022

Patricia Martin

10960 Waters Rd

Alpharetta,GA 30022

Sreedhar Pedakanti

10964 Waters Rd

Alpharetta,GA 30022

Moovala Parthasarathy

10968 Waters Rd

Alpharetta,GA 30022

Lauren and Marc Bober

10976 Waters Rd

Alpharetta,GA 30022

Kai Yatming

10980 Waters Rd

Alpharetta,GA 30022

Nair Anish Balachandran

10988 Waters Rd

Alpharetta,GA 30022

ATTACHMENT D:

Timothy and Suzanne Halloran

10981 Waters Rd

Alpharetta,GA 30022

Karroll Payne

10969 Waters Rd

Alpharetta,GA 30022

Richard and Victoria Brand

10957 Waters Rd

Alpharetta,GA 30022

Kathleen and Reed Acrey

3440 Rialto Pl

Alpharetta,GA 30022

Laurel Pond HOA

0 Waters Rd

Alpharetta,GA 30022

Barbara and Jack Polish

11155 Kimball Crest Dr

Alpharetta,GA 30022

Richard and Patrice Wilson

11165 Kimball Crest Dr

Alpharetta,GA 30022

William Silva

11175 Kimball Crest Dr

Alpharetta,GA 30022

Allan and Tabitha Moss

11185 Kimball Crest Dr

Alpharetta,GA 30022

Christopher and Catherine Brehm

11100 Kimball Crest Dr

Alpharetta,GA 30022

Saranga Dhanwa Kumar

11090 Kimball Crest Dr

Alpharetta,GA 30022

Anurita Ahlawat

10900 Waters Rd

Alpharetta,GA 30022

Rajesh Shivakumar

10904 Waters Rd

Alpharetta,GA 30022

Jin and Meehwa Rhee

10908 Waters Rd

Alpharetta,GA 30022

Susan Holleman

10912 Waters Rd

Alpharetta,GA 30022

Mamta Basnet and Pujan Roka

10916 Waters Rd

Alpharetta,GA 30022

Tammye Caldwell

10920 Waters Rd

Alpharetta,GA 30022

Lewis C Chappelle III and Lucinda Bollinger

10924 Waters Rd

Alpharetta,GA 30022

Craig and Amber Mahek

10928 Waters Rd

Alpharetta,GA 30022

10932 Waters Rd

Alpharetta,GA 30022

Andres Rubio and Gabriela Urdaneta

10997 Waters Rd

Alpharetta,GA 30022

ATTACHMENT D:

Ken Chen

10993 Waters Rd

Alpharetta,GA 30022

Joseph and Janice Cox

10989 Waters Rd

Alpharetta,GA 30022

Lawrence and Cristina Clifford

10985 Waters Rd

Alpharetta,GA 30022

Heather and Wesley Terry

3430 Rialto Pl

Alpharetta,GA 30022

Valerie Wolff

3425 Rialto Pl

Alpharetta,GA 30022

Jitendra and Deepali Raghuwanshi

3435 Rialto Pl

Alpharetta,GA 30022

Ramakrishna Vajrala and Sirisha Venkata

3445 Rialto Pl

Alpharetta,GA 30022

Punyapriya and Anisha Patel

3450 Curitiba Ct

Alpharetta,GA 30022

Gregory and Dana Heath

3460 Curitiba Ct

Alpharetta,GA 30022

Alyssa and Matthew Siegel

3470 Curitiba Ct

Alpharetta,GA 30022

Hemalatha Manickavinayaham

3465 Curitiba Ct

Alpharetta,GA 30022

Rishab and Lavina Punjabi

3455 Curitiba Ct

Alpharetta,GA 30022

Phillip and Tammy Hanson

3525 Curitiba Ct

Alpharetta,GA 30022

Melinda Laake

3515 Curitiba Ct

Alpharetta,GA 30022

Daniel and Nicole Moskowitz

11070 Kimball Crest Dr

Alpharetta,GA 30022

Every and Andrienne Ware

3500 Curitiba Ct

Alpharetta,GA 30022

Hongsheng Zhang

3510 Curitiba Ct

Alpharetta,GA 30022

Hal and Dawn Peterson

3460 Kimball Bridge Rd

Alpharetta,GA 30022

Darren and Lea Flowers

3500 Kimball Bridge Rd

Alpharetta,GA 30022

The Moore Revocable Trust

100 Lansburgh Turn

Alpharetta,GA 30022

Mubashair Khan

415 Lyerly Pointe

Alpharetta,GA 30022

ATTACHMENT D:

Shelley and Matthew Hogarth

110 Lansburgh Turn

Alpharetta,GA 30022

Karen and Michael Gottschalk

8150 High Hampton Chase

Alpharetta, GA 30022

Jacqueline and John Green

8180 High Hampton Chase

Alpharetta, GA 30022

Benjamin and Jill Sams

8170 High Hampton Chase

Alpharetta, GA 30022

Lisa and Timothy Davey

115 Haven Bluff

Alpharetta, GA 30022

Shabina and Aditya Uppal

125 Haven Bluff

Alpharetta, GA 30022

Susan and Malcom McCollum

130 Haven Bluff

Alpharetta, GA 30022

Shu Dong and Pan Ling

120 Haven Bluff

Alpharetta, GA 30022

Terri and Jonathan Evans

110 Haven Bluff

Alpharetta, GA 30022

Jacqueline Jenna and Daniel Ruane

1445 Hampton Hill Dr

Alpharetta, GA 30022

Elizabeth and Bryan Jacob

1455 Hampton Hill Dr

Alpharetta, GA 30022

Xiaoji Tang and Yidong Liu

1450 Hampton Hill Dr

Alpharetta, GA 30022

Kathy and Jody Hall

1440 Hampton Hill Dr

Alpharetta, GA 30022

Leanne and Steven Wood

1430 Hampton Hill Dr

Alpharetta, GA 30022

Tracy and James Eick

1515 Highview Pines Pass

Alpharetta, GA 30022

Kathryn and Matthew Curry

1525 Highview Pines Pass

Alpharetta, GA 30022

Lenard and Robin Silverman

1535 Highview Pines Pass

Alpharetta, GA 30022

Tracy Krebs

8105 High Hampton Chase

Alpharetta, GA 30022

Kellie Murphy

8115 High Hampton Chase

Alpharetta, GA 30022

Vishali and Bhushan Karnik

8125 High Hampton Chase

Alpharetta, GA 30022

Qin Lin

8135 High Hampton Chase

Alpharetta, GA 30022

ATTACHMENT D:

David Merbaum and Michele Merbaum Weiner

8145 High Hampton Chase

Alpharetta, GA 30022

Victor and Jill Williams

8175 High Hampton Chase

Alpharetta, GA 30022

Lisa and Eric Drake

8185 High Hampton Chase

Alpharetta, GA 30022

Natascha and David Mariner

8195 High Hampton Chase

Alpharetta, GA 30022

Kara and Danny Hall

8205 High Hampton Chase

Alpharetta, GA 30022

Melinda and Robert Ellis

8140 High Hampton Chase

Alpharetta, GA 30022

Christopher Caffrey

8130 High Hampton Chase

Alpharetta, GA 30022

John Bullock and Martha Stallworth

8120 High Hampton Chase

Alpharetta, GA 30022

Wenting Sun and Yinghan Zhang

8110 High Hampton Chase

Alpharetta, GA 30022

Janet Akigbogun

8100 High Hampton Chase

Alpharetta, GA 30022

Hampton Hall Community Association INC

1400 High Hampton Chase

Alpharetta, GA 30022

Joshua and Robyn Salkin

1405 Hampton Hill Dr

Alpharetta, GA 30022

Cynthia and Paul Kenward

1415 Hampton Hill Dr

Alpharetta, GA 30022

Roben and Joel Turry

1425 Hampton Hill Dr

Alpharetta, GA 30022

Steven Daryl Katz

1435 Hampton Hill Dr

Alpharetta, GA 30022

Pamela and Richard Carson

1420 Hampton Hill Dr

Alpharetta, GA 30022

Roger and Karin Lee

1410 Hampton Hill Dr

Alpharetta, GA 30022

Cristin and Dennis Kallaher

1545 Highview Pines Pass

Alpharetta, GA 30022

Kathleen and Michael Deighton

1555 Highview Pines Pass

Alpharetta, GA 30022

Michael Sykes

1565 Highview Pines Pass

Alpharetta, GA 30022

Debra and Andrew Deerfield

1575 Highview Pines Pass

Alpharetta, GA 30022

ATTACHMENT D:

Laurel and Robert Monusky

1560 Highview Pines Pass

Alpharetta, GA 30022

Robert and Leslie Capps

1550 Highview Pines Pass

Alpharetta, GA 30022

Leslie and Walter Jones

1540 Highview Pines Pass

Alpharetta, GA 30022

Svetlana and Michael Braiman

1530 Highview Pines Pass

Alpharetta, GA 30022

Michael and Leslie Ann Fletcher

1520 Highview Pines Pass

Alpharetta, GA 30022

Sonja and Tyrone Mayo

1510 Highview Pines Pass

Alpharetta, GA 30022

# Sae Han Presbyterian
## SITE MASTER PLAN

Feburary 06, 2018

Kimley»Horn

**SITE PROGRAM**

Parking:

190 Spaces (Existing)
375 Spaces (Phase 2A)
300 Spaces (Phase 2B)

**Pond placed in vault**

**Square Footage Retained:**

| | |
|---|---|
| Existing Sanctuary Building | 11,500 SF |
| Existing Gym | 9,000 SF |
| Existing Eductation Building | 8,700 SF |
| Total Retained SF | 29,200 SF |

**Square Footage Added:**

| | |
|---|---|
| 1st Floor: | 25,000 SF |
| 2nd Floor: | 10,000 SF |
| 3rd Floor: | 10,000 SF |
| Total Added SF | 45,000 SF |

**Total Square Footage: 74,200 SF**

N

SCALE= 1"=40'

0' 40' 80' 160'

PLAN IS INTENDED AS AN ILLUSTRATIVE CONCEPT MASTER PLAN, CONSTRUCTION DRAWINGS WILL ADDRESS APPLICABLE PARKING LOTS AND LANDSCAPING STANDARDS PER THE CITY OF ALPHARETTA.

**Specimen Tree Removal**

Sae Han Presbyterian Church's tree removal plan includes three tree removal areas.

**Area 1: Front Parking Lot Expansion**

Predominantly intermediately sized pines and smaller understory trees/shrubs.

**Area 2: Rear Parking Lot Expansion**

Predominantly edge understory trees, some intermediately sized hardwoods- bordered by compacted gravel used for overflow parking

**Area 3: Pond Removal and Vault Installation**

Mixture of intermediately sized hardwoods, pines under 30", understory trees/shrubs, and loose brush

Upon completing our research of the three areas only Area 3 contains specimen trees seen as being removed at this point.

**Tree 1: 28" Oak**

Located along the upstream upper bank of the pond

**Tree 2: 30" Popular**

Located in the upstream channel of the pond

Consistent with City of Alpharetta regulations, Sae Han Presbyterian Church will provide a limited tree survey and assessment report for Areas 1 and 2 with the application for disturbance permits.

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AMEND, RESTATE AND ADOPT A CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS (AS HEREIN DEFINED); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the citizens and businesses of Alpharetta are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity; and

**WHEREAS**, the City of Alpharetta's strong desire to fulfill this mission therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility; and

**WHEREAS**, in order to accomplish this purpose, the Mayor and Council wish to adopt a Code of Ethics and Conduct for City Officials to assure public confidence in the integrity of local government and its effective and fair operation;

**WHEREAS**, on or about May 1, 2006, the Mayor and Council adopted an Ordinance establishing a Code of Ethics, and was subsequently designated a Certified City of Ethics by the Georgia Municipal Association; and

**WHEREAS**, on or about May 21, 2012, the Mayor and Council adopted an amended and restated Code of Ethics; and

**WHEREAS**, by the adoption of this Ordinance, the Mayor and Council wish to reaffirm their commitment to ethics and to retain status as a Certified City of Ethics.

**NOW, THEREFORE**, the Mayor and Council ordain as follows:

Section 1. Chapter 2, Article V, Sections 2-141 through 2-158 are hereby deleted in their entirety, and the following Sections are substituted in lieu thereof:

“Sec. 2-141. Purpose

Recognizing that stewardship of the public interest must be their primary concern, City Officials will work for the common good of the people of Alpharetta and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the City Council, Boards and Commissions.

The purpose of this Code of Ethics is to:

(a) Encourage high ethical standards in official conduct by City Officials;

(b) Establish guidelines for ethical standards of conduct for all such Officials by setting forth those acts or actions that are incompatible with the interest of the City;

(c) Require disclosure by such officials of private financial or other interest in matters affecting the City; and

(d) Serve as a basis for disciplining those who refuse to abide by its terms.

Sec. 2-142. Scope

The provisions of this Code of Ethics shall be applicable to all elected or appointed City Officials. Notwithstanding anything herein to the contrary, state law and the Charter of the City shall be controlling in the event of an actual conflict with the provisions of this Code of Ethics. This Ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the Charter. These laws include, but are not limited to: the United States and Georgia Constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

Sec. 2-143. Definitions

Solely for the purpose of this Code of Ethics:

(a) City Official or Official, unless otherwise expressly defined does not include city employees but does mean the Mayor and members of the City Council. The term “City Official” also includes all individuals, including city employees, appointed by the Mayor and/or City Council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the Mayor and/or City Council.

(b) Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the City Council or other City board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.

(c) Employee means any person who is a full-time or part-time employee of the City.

(d) Financial Interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the official, other than the duly authorized salary or compensation for the official's services to the City, or to any person employing or retaining the services of the official or to a person or entity in which the Official has a Substantial Interest.

(e) Immediate Family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City Official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

(f) Incidental Interest means an interest in a person, entity or property which is not a Substantial Interest as defined herein and which has insignificant value.

(g) Reasonably Foreseeable means a result or event that can be reasonably anticipated or expected, and is more than hypothetical or theoretical.

(h) Remote Interest means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, the interest of an Official in the property tax rate, general City fees, City utility charges or a comprehensive zoning ordinance or similar matters is deemed remote to the extent that the Official would be affected in common with the general public.

(i) Substantial Interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:

(1) the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of $5,000.00 or more of the equity or market value of the entity; or

(2) the funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) $5,000.00 in salary, bonuses, commissions or professional fees, or $5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;

(3) the person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or

(4) the person is a creditor, debtor, or guarantor of the other person or entity in an amount of $5,000.00 or more.

Sec. 2-144. Conduct

(a) Conduct of City Officials: The professional and personal conduct of City Officials must be above reproach and avoid even the appearance of impropriety. City Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of council, boards and commissions, or the staff.

(b) Respect for Process: City officials shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

(c) Conduct of Public Meetings: City Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the

business of the body, or otherwise interfering with the orderly conduct of meetings.

(d) Decisions Based on Merit: City Officials shall base their decisions on the merits and substance of the matter at hand.

(e) Communication: City Officials shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions which they may have received from sources outside the public decision-making process.

(f) Policy Roles of City Officials: City Officials shall respect and adhere to the structure of government of Alpharetta as outlined in the City Charter and policies and procedures. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, and city staff.

(g) Liaison Responsibility: City Officials serving as liaisons to City departments shall serve to facilitate communications and information from those departments to City Council, but shall not direct the activities of the department directors. City Officials shall not interfere with the day-to-day administrative functions of the City or the professional duties of city staff; nor shall they impair the ability of staff to implement council policy decisions.

(h) Independence of Boards and Commissions: Because of the value of the independent advice of boards and commissions to the public decision-making process, City Officials of Council shall refrain from using their position to influence unduly the deliberations or outcomes of board and commission proceedings.

(i) Positive Work Place Environment: City officials shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. City Officials shall recognize their special role in dealings with city employees and refrain from creating the perception of inappropriate direction to staff.

Sec. 2-145. <u>Prohibitions</u>

(a) No City Official shall use such position to secure special privileges or exemptions for himself or herself or

others, or to secure confidential information for any purpose other than official duties on behalf of the City.

(b) No City Official, in any matter before the Council or other city body, relating to a person or entity in which the Official has a Substantial Interest, or where it is reasonably foreseeable to a reasonable person that the decision will have a financial effect to a person or entity in which the official has a Substantial Interest unless it can be demonstrated that the financial effect is indistinguishable from the effect on the public generally, shall fail to disclose for the record the Substantial Interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

(c) Where the Substantial Interest of a City Official has not been disclosed as required by Subsection (b) of Section 2-145 by reason of a City Official's absence from the meeting referred to therein, the City Official shall disclose the interest and otherwise comply with Subsection (b) of Section 2-145 at the first meeting of the Council, board or commission, as the case may be, attended by the City Official after the meeting referred to in Subsection (b) of section 2-145.

(d) No City Official shall act as an agent or attorney for another in any matter before the City Council or other city body.

(e) No City Official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.

(f) No City Official shall enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law. All public funds shall be used for the general welfare of the people and not for personal economic gain.

(g) Public property shall be disposed of in accordance with state law.

(h) No City Official shall solicit or accept other employment to be performed, or compensation to be received, while still a City Official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.

(i) If a City Official accepts or is soliciting a promise of future employment from any person or entity who has a Substantial Interest in a person, entity or property which would be affected by any decision upon which the Official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the City Council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.

(j) No City Official shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k) No City Official shall utilize the City's name or logo for the purpose of endorsing any business.

(l) No City Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

(m) A City Official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

(n) A City Official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such Official or persons within the Official’s immediate family, or those with whom the Official has business or financial ties amounting to a Substantial Interest.

(o) A City Official shall not order any goods and services for the City without prior official authorization for such expenditure. No City Official shall attempt to obligate the City nor give the impression of obligating the City without proper prior authorization

(p) No City Official shall draw travel funds or per diem from the City for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the City therefore.

(q) A City Official shall represent the official policies or positions of the City Council, board and commission to the

best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City Officials shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

(r) In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board or commission, or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

Sec. 2-146. Conflict of Interest

(a) A City Official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a Substantial Interest.

(b) A City Official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the Mayor and Council prior to participating in a vote or decision regarding funding of the entity by or through the City.

(c) Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City official may participate in the vote or decision and need not disclose the interest.

Sec. 2-147. Board of Ethics

(a) The Board of Ethics of the City (the “Board”) shall be composed of five (5) residents of the City to be appointed as follows: the Mayor and Councilmembers shall each designate two (2) qualified citizens to provide a pool of fourteen (14) individuals who have consented to serve as a member of such Board and who will be available for a period of two (2) years to be called upon to serve in the event a Board is appointed. The City Clerk shall maintain a listing of these qualified citizens. Upon receipt of a properly verified complaint and timely forwarding of that complaint to the City Official charged in the complaint, the Mayor and Council, at the next regularly scheduled public meeting or at a specially called public

meeting, shall draw names randomly from the listing of qualified citizens until five (5) members of the Board have been appointed. Such Board will elect one of its members to serve as chair.

(b) All members of the Board shall be residents of the City for at least one (1) year immediately preceding the date of taking office and shall remain a resident while serving on the Board.

(c) The selected members of the Board shall serve until the complaint is resolved, at which time the selected members shall no longer be in the pool of fourteen (14). The Mayor and Councilmembers who originally designated the departing members shall designate their replacements.

(d) No person shall serve as a member of the Board if the person has, or has had within the preceding one (1) year period, any interest in any contract or contracting opportunity with the City or has been employed by the City.

(e) Members of the Board with any permit or rezoning application pending before the City, or any pending or potential litigation against the City or any City Official charged in the complaint shall be disqualified from serving on the Board for that complaint. An alternate member of the Board shall be selected in the same manner as the disqualified individual.

(f) The members of the Board shall serve without compensation. The City Council shall provide meeting space for the Board and, subject to budgetary procedures and requirements of the City, such supplies and equipment as may be reasonably necessary for the Board to perform its duties and responsibilities.

(g) No person shall serve on the Board who has been convicted of a felony involving moral turpitude in this state or any other state, unless such person’s civil rights have been restored and at least ten (10) years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude

(h) No person shall serve on the Board who is less than twenty-one (21) years of age, who holds a public elective office, who is physically or mentally unable to discharge the duties of a member of the Board, or who is not qualified to be a registered voter in the City of Alpharetta.

(i) Upon appointment, members of the Board of Ethics shall sign an affidavit attesting to their qualification to serve as a member of the Board.

(j) Members of the Board may be removed with or without cause by majority vote of the city governing authority.

(k) The City Attorney shall be available to provide legal advice to the Board and shall attend all meetings and hearings of the Board to insure that all proceedings are conducted properly and in accordance with applicable law. The proceedings of the Board shall, to the extent authorized by law, remain confidential and not be disclosed to third parties. All meetings or public hearings where evidence is taken shall be open. Deliberations may be conducted in executive sessions. Any final report or recommendation to the Mayor and Council shall be conducted in an open meeting. The Mayor and Council shall be the body to take final action as provided in Section 2-151.

Sec. 2-148. Receipt of Complaints; Initial Review

(a) All complaints against City Officials shall be filed with the City Clerk. All complaints shall be submitted in writing and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this Ordinance. Upon receipt of a complaint in proper form, the City Clerk or the Clerk's designee shall forward a copy of the complaint to the Mayor and Council and City Official or Officials charged in the complaint within no more than seven (7) calendar days. The charged official may, but is not required, to file a response to the Board. If a response is provided, it shall be filed not later than ten (10) calendar days after receipt of the complaint. The response shall be submitted in writing and signed under oath and shall address why the complaint is invalid on its face. All determinations under this Section shall be made not later than thirty (30) days after the filing of the complaint.

(b) Upon receipt of a complaint in proper form, the Board shall conduct an initial review to determine whether the complaint on its face is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Board is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state

facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Board shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the City Official. The Board shall report in writing to the City Council any complaint dismissed under this Section. For complaints that are not dismissed or adjudicated within the deadline under this Section, the Board shall proceed as set forth in Section 2-149.

(c) The Board is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.

Sec. 2-149. Further Proceedings on Complaints

(a) If the Board does not dismiss the complaint pursuant to Section 2-148 or if no action is taken within the deadline stated in this Section, the City Clerk or Board shall cause the complaint to be formally served on the City Official charged as soon as practicable but in no event later than seven (7) calendar days after the determination of the Board. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. The Official shall, within twenty (20) days of service submit a response to the Board addressing the charges. Such response shall be in writing, and under oath. A hearing shall be held within sixty (60) calendar days after filing of the complaint. The Board is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint. The Board shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the Board shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Board, the City Official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The City Official subject to the inquiry shall also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect

the power or jurisdiction of the Board or the City Council to act upon any complaint.

Sec. 2-150. Right to Appeal

(a) Any City Official or complainant adversely affected by the findings or recommendations of the Board may obtain judicial review of such decision as provided in this Section.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior Court of Fulton County within thirty (30) days after the decision of the Board. The filing of such application shall act as supersedeas.

Sec. 2-151. Penalty

Any person violating any provision of this Article is subject to:

(a) Public reprimand or censure by the City Council; or

(b) Request for resignation by the vote of City Council.

Sec. 2-152. Implementation

Ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the city code of ethics and conduct.

Sec. 2-153 - 158. Reserved”

Section 2. Severability. If any section, subsection, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3. Effective Date. This Ordinance shall become effective immediately upon adoption.

Section 4. Provisions Supplementary. This Ordinance shall be deemed to supplement, and not repeal, current Ordinances and Charter provisions regarding official misconduct, including Charter provisions pertaining to removal.

**SO ORDAINED** this _____ day of _____, 2018.

CITY OF ALPHARETTA, GEORGIA

By:_____
Donald Mitchell, Mayor

COUNCIL MEMBERS

_____
Jason Binder

_____
Ben Burnett

_____
Dan Merkel

(SEAL)

Attest:

_____
Clerk

First Reading_____

Second Reading_____

2798961

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA TO AMEND, RESTATE AND ADOPT A CODE OF ETHICS AND CONDUCT FOR CITY OFFICIALS (AS HEREIN DEFINED); TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES**

**WHEREAS**, the citizens and businesses of Alpharetta are entitled to have fair, ethical and accountable local government which has earned the public's full confidence for integrity; and

**WHEREAS**, the City of Alpharetta's strong desire to fulfill this mission therefore requires that:

- public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government;
- public officials be independent, impartial and fair in their judgment and actions;
- public office be used for the public good, not for personal gain; and
- public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility; and

**WHEREAS**, in order to accomplish this purpose, the Mayor and Council wish to adopt a Code of Ethics and Conduct for City Officials to assure public confidence in the integrity of local government and its effective and fair operation;

**WHEREAS**, on or about May 1, 2006, the Mayor and Council adopted an Ordinance establishing a Code of Ethics, and was subsequently designated a Certified City of Ethics by the Georgia Municipal Association; and

**WHEREAS**, on or about May 21, 2012, the Mayor and Council adopted an amended and restated Code of Ethics; and

**WHEREAS**, by the adoption of this Ordinance, the Mayor and Council wish to reaffirm their commitment to ethics and to retain status as a Certified City of Ethics.

**NOW, THEREFORE**, the Mayor and Council ordain as follows:

Section 1. Chapter 2, Article V, Sections 2-141 through 2-158 are hereby deleted in their entirety, and the following Sections are substituted in lieu thereof:

“Sec. 2-141. Purpose

Recognizing that stewardship of the public interest must be their primary concern, City Officials will work for the common good of the people of Alpharetta and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the City Council, Boards and Commissions.

The purpose of this Code of Ethics is to:

(a) Encourage high ethical standards in official conduct by City Officials;

(b) Establish guidelines for ethical standards of conduct for all such Officials by setting forth those acts or actions that are incompatible with the interest of the City;

(c) Require disclosure by such officials of private financial or other interest in matters affecting the City; and

(d) Serve as a basis for disciplining those who refuse to abide by its terms.

Sec. 2-142. Scope

The provisions of this Code of Ethics shall be applicable to all elected or appointed City Officials. Notwithstanding anything herein to the contrary, state law and the Charter of the City shall be controlling in the event of an actual conflict with the provisions of this Code of Ethics. This Ordinance shall be interpreted to supplement, and not replace, said provisions of state law and the Charter. These laws include, but are not limited to: the United States and Georgia Constitutions; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and City ordinances and policies.

Sec. 2-143. Definitions

Solely for the purpose of this Code of Ethics:

(a) City Official or Official, unless otherwise expressly defined does not include city employees but does mean the Mayor and members of the City Council. The term “City Official” also includes all individuals, including city employees, appointed by the Mayor and/or City Council as appropriate to city authorities, commissions, committees, boards, task forces, or other bodies which can or may vote or take formal action or make official recommendations to the Mayor and/or City Council.

(b) Decision means any ordinance, resolution, contract, franchise, formal action or other matter voted on by the City Council or other City board or commission, as well as the discussions or deliberations of the council, board, or commission which can or may lead to a vote or formal action by that body.

(c) Employee means any person who is a full-time or part-time employee of the City.

(d) Financial Interest means any interest which shall yield, directly or indirectly, a monetary or other material benefit to the official, other than the duly authorized salary or compensation for the official's services to the City, or to any person employing or retaining the services of the official or to a person or entity in which the Official has a Substantial Interest.

(e) Immediate Family means the spouse, mother, father, grandparent, brother, sister, son or daughter of any City Official related by blood, adoption or marriage. The relationship by marriage shall include in-laws.

(f) Incidental Interest means an interest in a person, entity or property which is not a Substantial Interest as defined herein and which has insignificant value.

(g) Reasonably Foreseeable means a result or event that can be reasonably anticipated or expected, and is more than hypothetical or theoretical.

(h) Remote Interest means an interest of a person or entity, including a City Official, which would be affected in the same way as the general public. For example, the interest of an Official in the property tax rate, general City fees, City utility charges or a comprehensive zoning ordinance or similar matters is deemed remote to the extent that the Official would be affected in common with the general public.

(i) Substantial Interest means an interest, either directly or through a member of the immediate family, in another person or entity, where:

(1) the interest is ownership of five percent or more of the voting stock, shares or equity of the entity or ownership of $5,000.00 or more of the equity or market value of the entity; or

(2) the funds received by the person from the other person or entity during the previous 12 months either equal or exceed (a) $5,000.00 in salary, bonuses, commissions or professional fees, or $5,000.00 in payment for goods, products or services, or (b) ten percent of the recipient's gross income during that period, whichever is less;

(3) the person serves as a corporate officer or member of the board of directors or other governing board of a for-profit entity other than a corporate entity owned or created by the City Council; or

(4) the person is a creditor, debtor, or guarantor of the other person or entity in an amount of $5,000.00 or more.

Sec. 2-144. Conduct

(a) Conduct of City Officials: The professional and personal conduct of City Officials must be above reproach and avoid even the appearance of impropriety. City Officials shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of council, boards and commissions, or the staff.

(b) Respect for Process: City officials shall perform their duties in accordance with the processes and rules of order established by the City Council and boards and commissions governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

(c) Conduct of Public Meetings: City Officials shall prepare themselves for public issues; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers, making personal comments not germane to the

business of the body, or otherwise interfering with the orderly conduct of meetings.

(d) Decisions Based on Merit: City Officials shall base their decisions on the merits and substance of the matter at hand.

(e) Communication: City Officials shall publicly share substantive information that is relevant to a matter under consideration by the Council or boards and commissions which they may have received from sources outside the public decision-making process.

(f) Policy Roles of City Officials: City Officials shall respect and adhere to the structure of government of Alpharetta as outlined in the City Charter and policies and procedures. In this structure, the City Council determines the policies of the City with the advice, information and analysis provided by the public, boards, commissions, and city staff.

(g) Liaison Responsibility: City Officials serving as liaisons to City departments shall serve to facilitate communications and information from those departments to City Council, but shall not direct the activities of the department directors. City Officials shall not interfere with the day-to-day administrative functions of the City or the professional duties of city staff; nor shall they impair the ability of staff to implement council policy decisions.

(h) Independence of Boards and Commissions: Because of the value of the independent advice of boards and commissions to the public decision-making process, City Officials of Council shall refrain from using their position to influence unduly the deliberations or outcomes of board and commission proceedings.

(i) Positive Work Place Environment: City officials shall support the maintenance of a positive and constructive work place environment for City employees and for citizens and businesses dealing with the City. City Officials shall recognize their special role in dealings with city employees and refrain from creating the perception of inappropriate direction to staff.

Sec. 2-145. <u>Prohibitions</u>

(a) No City Official shall use such position to secure special privileges or exemptions for himself or herself or

others, or to secure confidential information for any purpose other than official duties on behalf of the City.

(b) No City Official, in any matter before the Council or other city body, relating to a person or entity in which the Official has a Substantial Interest, or where it is reasonably foreseeable to a reasonable person that the decision will have a financial effect to a person or entity in which the official has a Substantial Interest unless it can be demonstrated that the financial effect is indistinguishable from the effect on the public generally, shall fail to disclose for the record the Substantial Interest prior to any discussion or vote or fail to recuse himself/herself from such discussion or vote as applicable.

(c) Where the Substantial Interest of a City Official has not been disclosed as required by Subsection (b) of Section 2-145 by reason of a City Official's absence from the meeting referred to therein, the City Official shall disclose the interest and otherwise comply with Subsection (b) of Section 2-145 at the first meeting of the Council, board or commission, as the case may be, attended by the City Official after the meeting referred to in Subsection (b) of section 2-145.

(d) No City Official shall act as an agent or attorney for another in any matter before the City Council or other city body.

(e) No City Official shall directly or indirectly receive, or agree to receive, any compensation, gift, reward, or gratuity in any matter or proceeding connected with, or related to, the duties of his office except as may be provided by law.

(f) No City Official shall enter into any contract with, or have any interest in, either directly or indirectly, the City except as authorized by state law. All public funds shall be used for the general welfare of the people and not for personal economic gain.

(g) Public property shall be disposed of in accordance with state law.

(h) No City Official shall solicit or accept other employment to be performed, or compensation to be received, while still a City Official if the employment or compensation could reasonably be expected to impair such official's judgment or performance of city duties.

(i) If a City Official accepts or is soliciting a promise of future employment from any person or entity who has a Substantial Interest in a person, entity or property which would be affected by any decision upon which the Official might reasonably be expected to act, investigate, advise, or make a recommendation, the official shall disclose the fact to the City Council and shall recuse himself/herself and take no further action on matters regarding the potential future employer.

(j) No City Official shall use City facilities, personnel, equipment or supplies for private purposes, except to the extent such are lawfully available to the public.

(k) No City Official shall utilize the City's name or logo for the purpose of endorsing any business.

(l) No City Official shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which it is the general practice to grant or make available to the public at large.

(m) A City Official shall not directly or indirectly make use of, or permit others to make use of, official information not made available to the general public for the purpose of furthering a private interest.

(n) A City Official shall not use his or her position in any way to coerce, or give the appearance of coercing, another person to provide any financial benefit to such Official or persons within the Official’s immediate family, or those with whom the Official has business or financial ties amounting to a Substantial Interest.

(o) A City Official shall not order any goods and services for the City without prior official authorization for such expenditure. No City Official shall attempt to obligate the City nor give the impression of obligating the City without proper prior authorization

(p) No City Official shall draw travel funds or per diem from the City for attendance at meetings, seminars, training or other educational events and fail to attend such events without promptly reimbursing the City therefore.

(q) A City Official shall represent the official policies or positions of the City Council, board and commission to the

best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, City Officials shall explicitly state they do not represent their body or the City, nor will they allow the inference that they do.

(r) In keeping with their role as stewards of the public interest, members of Council shall not appear on behalf of the private interests of third parties before the Council or any board or commission, or proceeding of the City, nor shall members of boards and commissions appear before their own bodies or before the Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies.

Sec. 2-146. Conflict of Interest

(a) A City Official may not participate in a vote or decision on a matter affecting an immediate family member or any person, entity, or property in which the official has a Substantial Interest.

(b) A City Official who serves as a corporate officer or member of the board of directors of a nonprofit entity must disclose their interest in said entity to the Mayor and Council prior to participating in a vote or decision regarding funding of the entity by or through the City.

(c) Where the interest of a City Official in the subject matter of a vote or decision is remote or incidental, the City official may participate in the vote or decision and need not disclose the interest.

Sec. 2-147. Board of Ethics

(a) The Board of Ethics of the City (the "Board") shall be composed of five (5) residents of the City to be appointed as follows: the Mayor and Councilmembers shall each designate two (2) qualified citizens to provide a pool of fourteen (14) individuals who have consented to serve as a member of such Board ~~of Ethics~~ and who will be available for a period of two (2) years to be called upon to serve in the event a Board ~~of Ethics~~ is appointed. The City Clerk shall maintain a listing of these qualified citizens. Upon receipt of a properly verified complaint and timely forwarding of that complaint to the City Official charged in the complaint, the Mayor and Council, at the next regularly scheduled public meeting or at a specially called

public meeting, shall draw names randomly from the listing of qualified citizens until five (5) members of the Board ~~of Ethics~~ have been appointed. Such Board will elect one of its members to serve as chair.

(b) All members of the Board ~~of Ethics~~ shall be residents of the City for at least one (1) year immediately preceding the date of taking office and shall remain a resident while serving on the Board.

(c) The selected members of the Board ~~of Ethics~~ shall serve until the complaint is resolved, at which time the selected members shall no longer be in the pool of fourteen (14). The Mayor and Councilmembers who originally designated the departing members shall designate their replacements.

(d) No person shall serve as a member of the Board ~~of Ethics~~ if the person has, or has had within the preceding one (1) year period, any interest in any contract or contracting opportunity with the City or has been employed by the City.

(e) Members of the Board ~~of Ethics~~ with any permit or rezoning application pending before the City, or any pending or potential litigation against the City or any City Official charged in the complaint shall be disqualified from serving on the Board ~~of Ethics~~ for that complaint. An alternate member of the Board ~~of Ethics~~ shall be selected in the same manner as the disqualified individual.

(f) The members of the Board ~~of Ethics~~ shall serve without compensation. The City Council shall provide meeting space for the Board ~~of Ethics~~ and, subject to budgetary procedures and requirements of the City, such supplies and equipment as may be reasonably necessary for the Board to perform its duties and responsibilities.

(g) No person shall serve on the Board ~~of Ethics~~ who has been convicted of a felony involving moral turpitude in this state or any other state, unless such person’s civil rights have been restored and at least ten (10) years have elapsed from the date of the completion of the sentence without a subsequent conviction of another felony involving moral turpitude

(h) No person shall serve on the Board ~~of Ethics~~ who is less than twenty-one (21) years of age, who holds a public elective office, who is physically or mentally unable to discharge the duties of a member of the Board ~~of Ethics~~, or who

is not qualified to be a registered voter in the City of Alpharetta.

(i) Upon appointment, members of the Board of Ethics shall sign an affidavit attesting to their qualification to serve as a member of the Board ~~of Ethics~~.

(j) Members of the Board ~~of Ethics~~ may be removed with or without cause by majority vote of the city governing authority.

(k) The City Attorney shall be available to provide legal advice to the Board and shall attend all meetings and hearings of the Board to insure that all proceedings are conducted properly and in accordance with applicable law. The proceedings of the Board shall, to the extent authorized by law, remain confidential and not be disclosed to third parties. All meetings or public hearings where evidence is taken shall be open. Deliberations may be conducted in executive sessions. Any final report or recommendation to the Mayor and Council shall be conducted in an open meeting. The Mayor and Council shall be the body to take final action as provided in Section 2-151.

Sec. 2-148. Receipt of Complaints; Initial Review

(a) All complaints against City Officials shall be filed with the City Clerk~~, who will give it to the Mayor and Council. The Mayor and Council shall require that oral complaints, and complaints illegibly or informally drawn, be reduced to a memorandum of complaint in such form as may be prescribed by the City Council~~. All complaints shall be submitted in writing and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this Ordinance. Upon receipt of a complaint in proper form, the City Clerk or the Clerk's designee shall forward a copy of the complaint to the Mayor and Council and City Official or Officials charged in the complaint within no more than seven (7) calendar days. The charged official may, but is not required, to file a response to the Board. If a response is provided, it shall be filed not later than ten (10) calendar days after receipt of the complaint. The response shall be submitted in writing and signed under oath and shall address why the complaint is invalid on its face. All determinations under this Section shall be made not later than thirty (30) days after the filing of the complaint.

~~(b) All complaints shall be submitted and signed under oath, shall be legibly drawn and shall clearly address matters within the scope of this Ordinance.~~

(~~c~~b) Upon receipt of a complaint in proper form, the Board shall conduct an initial review ~~it~~ to determine whether the complaint on its face is unjustified, frivolous, patently unfounded or fails to state facts sufficient to invoke the disciplinary jurisdiction of the City Council. The Board ~~of Ethics~~ is empowered to dismiss in writing complaints that it determines are unjustified, frivolous, patently unfounded or fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Board ~~of Ethics~~ shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the City Official. The Board shall report in writing to the City Council any complaint dismissed under this Section. For complaints that are not dismissed or adjudicated within the deadline under this Section, the Board ~~of Ethics is empowered to collect evidence and information concerning any complaint and add the findings and results of its investigations to the file containing such complaint~~shall proceed as set forth in Section 2-149.

~~(d) Upon completion of its investigation of a complaint, the Board of Ethics is empowered to dismiss in writing those complaints which it determines are unjustified, frivolous, patently unfounded or which fail to state facts sufficient to invoke the disciplinary jurisdiction of the City Council; provided, however, that a rejection of such complaint by the Board of Ethics shall not deprive the complaining party of any action such party might otherwise have at law or in equity against the City Official.~~

~~(e) The Board of Ethics is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint.~~

(~~f~~c) The Board ~~of Ethics~~ is empowered to adopt forms for formal complaints, notices, and any other necessary or desirable documents within its jurisdiction where the city council has not prescribed such forms.

~~(g) Findings of the Board of Ethics shall be submitted to the City Council for action.~~

Sec. 2-149. ~~Service of Complaint~~Further Proceedings on Complaints

(a) If the Board does not dismiss the complaint pursuant to Section 2-148 or if no action is taken within the deadline stated in this Section, ~~T~~the City Clerk or Board ~~of Ethics as appointed herein set forth~~ shall cause the complaint to be formally served on the City Official charged as soon as practicable but in no event later than seven (7) calendar days after ~~receipt of a proper, verified complaint~~the determination of the Board. Service may be by personal service, by certified mail, return receipt requested or by statutory overnight delivery. The Official shall, within twenty (20) days of service submit a response to the Board addressing the charges. Such response shall be in writing, and under oath. A hearing shall be held within sixty (60) calendar days after filing of the complaint. The Board is empowered to conduct investigations, to take evidence, and to hold hearings to address the subject matter of a complaint. The Board ~~of Ethics~~ shall conduct hearings in accordance with the procedures and regulations it establishes but, in all circumstances, at least one hearing shall include the taking of testimony and the cross-examination of available witnesses. The decision of the Board ~~of Ethics~~ shall be rendered to Mayor and Council within seven (7) calendar days after completion of the final hearing. At any hearing held by the Board~~ of Ethics~~, the City Official who is the subject of inquiry shall have the right to written notice of the hearing and the allegations at least seven (7) calendar days before the first hearing, to be represented by counsel, to hear and examine the evidence and witnesses and, to oppose or try to mitigate the allegations. The City Official subject to the inquiry shall also have the right but not the obligation of submitting evidence and calling witnesses. Failure to comply with any of time deadlines in this section of the ordinance shall not invalidate any otherwise valid complaint or in any way affect the power or jurisdiction of the Board ~~of Ethics~~ or the City Council to act upon any complaint.

Sec. 2-150. Right to Appeal

(a) Any City Official or complainant adversely affected by the findings or recommendations of the Board ~~of Ethics~~ may obtain judicial review of such decision as provided in this Section.

(b) An action for judicial review may be commenced by filing an application for a writ of certiorari in the Superior

Court of Fulton County within thirty (30) days after the decision of the Board~~ of Ethics~~. The filing of such application shall act as supersedeas.

Sec. 2-151. Penalty

Any person violating any provision of this Article is subject to:

(a) Public reprimand or censure by the City Council; or

(b) Request for resignation by the vote of City Council.

Sec. 2-152. Implementation

Ethical standards shall be included in the regular orientations for candidates for City Council, applicants to boards and commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the city code of ethics and conduct.

Sec. 2-153 - 158. Reserved”

Section 2. Severability. If any section, subsection, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 3. Effective Date. This Ordinance shall become effective immediately upon adoption.

Section 4. Provisions Supplementary. This Ordinance shall be deemed to supplement, and not repeal, current Ordinances and Charter provisions regarding official misconduct, including Charter provisions pertaining to removal.

**SO ORDAINED** this _____ day of _____, 2018.

CITY OF ALPHARETTA, GEORGIA

By:_____
Donald Mitchell, Mayor

COUNCIL MEMBERS

_____
Jason Binder

_____
Ben Burnett

_____
Dan Merkel

(SEAL)

Attest:

_____
Clerk

First Reading_____

Second Reading_____

~~2789813~~2798787

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: Public Works
Submitted By: John Maloney
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** AMENDMENT TO SPEED ZONE ORDINANCE (2ND READING)

**II. RECOMMENDATION:**

Amend the existing speed zone ordinance in order to incorporate added residential zones and changes to existing speed limits for the purpose of public safety. Authorize the Mayor to execute all necessary documents.

**III. REPORT IN BRIEF:**

This item was 1st read at the March 19th Council Meeting.

The City of Alpharetta's Speed Zone Ordinance was last amended November 2012. Additional streets and changes to roadway limits, since the last amendment, require that changes be made to address speed complaints to ensure safety.

Per Georgia Uniform Traffic Code, all speed limits enforced by municipal law enforcement agencies using speed detection devices must be:
a) submitted to the Georgia Department of Transportation for approval;
b) approved by the municipality; and
c) approved by the Georgia Department of Public Safety.

The Georgia Department of Transportation has approved the List of Roadways satisfying (a) above.

This Council Agenda Item, and thus the Ordinance Amendment, fulfills (b) above.

**IV. ALTERNATIVES:**

There is no direct fiscal impact associated with amending this ordinance.

**V. ATTACHMENTS:**

2018 Speed Ordinance Modification Summary, Speed Detection Device Permit List of Roadways for Approval

**ORDINANCE SUMMARY**

**AN ORDINANCE TO AMEND THE CITY OF ALPHARETTA SPEED ZONE ORDINANCE**

**WHEREAS,** the City has heretofore adopted a Speed Zone Ordinance; and

**WHEREAS,** the Mayor and Council deem it appropriate to amend the Speed Zone Ordinance based on an engineering and traffic investigation as prescribed by law.

**NOW, THEREFORE,** the Mayor and Council of the City hereby do ordain as follows:

Amendment. SR 9, from Upper Hembree Road (N. Roswell City Limits) (S. Alpharetta City Limits) to 280 feet south of Devore Road, is amended by changing roadway limits.

Amendment. SR 9, from 280 feet south of Devore Road to 50 feet north of Marietta Street, amended by changing roadway limits.

Amendment. SR 9, from 50 feet north of Marietta Street to 160 feet north of Academy Street, amended by changing roadway limits and change to speed limit (35 mph to 30 mph).

Amendment SR 9, from 160 feet north of Academy Street to 0.05 miles north of Cumming Street, amended by changing roadway limits.

Amendment SR 140, from 50 feet south of SR 372 / Crabapple Road to 0.06 miles north of Rucker Road, is amended by addition to the Ordinance (35 mph).

Amendment SR 372, form SR 140 to 40 feet south of Green Road, amended by addition to the Ordinance (35 mph).

Amendment Burnett Way, from Wills road to Cul-de-sac, amended by addition to the Ordinance (25 mph).

Amendment Canton Street, from Milton Ave to 50 feet north of Church Street, amended by changing roadway limits and change to speed limit (30 mph to 25 mph).

Amendment Cricket Lane, form Academy Street to Cumming Street, amended by addition to the Ordinance (25 mph).

Amendment Edison Drive, from Dead End to Cul-de-sac, amended by addition to the Ordinance (30 mph).

Amendment Fanfare Way, from Encore Parkway to Maxwell Road, amended by addition to Ordinance (30 mph).

Amendment Haynes Bridge Road, from Academy Street to SR 120, amended by change to speed limit (35 mph to 25 mph).

Amendment Manning Drive, from Cumming Street to Dead End, amended by addition to Ordinance (25 mph).

Amendment Nathan Circle, from Milton Ave to Wills Drive, amended by addition to Ordinance (25 mph).

Amendment Roswell Street, from SR 9 to Milton Ave, amended by change to roadway limits and change to speed limit (35 mph to 25 mph).

Amendment Wills Lane, from Wills Road to Dead End, amended by addition to Ordinance (25 mph).

This Ordinance shall become effective immediately upon its adoption, and shall repeal any ordinances or parts of ordinances in conflict therewith. This ordinance shall become part of the Code of the City of Alpharetta.

**LIST NUMBER 01-2018-01**

The City Council of the City of Alpharetta is hereby requesting that the following roadways be approved for the use of speed detection devices:

# LIST OF ROADWAYS
for
## CITY OF ALPHARETTA

## ON-SYSTEM

| STATE ROUTE | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | MILE POINT | TO | MILE POINT | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|---|---|
| 9 | **ALPHARETTA** | Upper Hembree Road (N. Roswell City Limits) (S. Alpharetta City Limits) | 23.37 | 280 feet south of Devore Road | 24.46 | 1.09 | 45 |
| 9 | **ALPHARETTA** | 280 feet south of Devore Road | 24.46 | 50 feet north of Marietta Street | 24.90 | 0.44 | 35 |
| 9 | **ALPHARETTA** | 50 feet north of Marietta Street | 24.90 | 160 feet north of Academy Street | 25.12 | 0.22 | 30 |
| 9 | **ALPHARETTA** | 160 feet north of Academy Street | 25.12 | 0.05 miles north of Cumming Street | 25.34 | 0.22 | 35 |
| 9 | **ALPHARETTA** | 0.05 mi. north of Cumming Street | 25.34 | Windward Pkwy. (N. Alpharetta City Limits) | 27.04 | 1.70 | 45 |
| 120 | **ALPHARETTA** | ***State Route 120 runs common with State Route 9 from M.P. 6.71 to M.P. 8.08.*** | | | | | |
| 120 | **ALPHARETTA** | SR 9 | 8.08 | 0.37 mi. west of Webb Bridge Road (E. Alpharetta City Limits) | 12.52 | 4.44 | 45 |
| 140 | **ALPHARETTA** | 50 feet south of SR 372/Crabapple Road | 3.26 | 0.06 mi. north of Rucker Road | 3.50 | 0.24 | 35 |
| 372 | **ALPHARETTA** | SR 140 | 0.00 | 40 feet south of Green Road | 0.50 | 0.50 | 35 |
| 400 | **ALPHARETTA** | Big Creek bridge (N. Roswell City Limits) (S. Alpharetta City Limits) | 15.92 | Forsyth County line | 22.47 | 6.55 | 65 |

## OFF-SYSTEM

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| Academy Street | **ALPHARETTA** | SR 9 | Haynes Bridge Road | 0.20 | 30 |
| Academy Street | **ALPHARETTA** | Haynes Bridge Road | Wedgewood Drive | 0.79 | 35 |
| Alderman Drive | **ALPHARETTA** | Windward Parkway | Windward Concourse | 1.00 | 35 |
| Alexander Drive | **ALPHARETTA** | Brookside Parkway | Old Milton Parkway | 0.38 | 30 |
| Andover Road | **ALPHARETTA** | Hopewell Road | Surrey Point | 0.39 | 25 |
| Ash Rill Drive | **ALPHARETTA** | Berkshire Manor Drive | Birch Rill Drive | 0.37 | 25 |
| Barnesley Lane | **ALPHARETTA** | Grey Abbey Drive | Cul-de-sac | 0.78 | 25 |
| Berkshire Manor Drive | **ALPHARETTA** | Haynes Bridge Road | Alvin Road | 0.27 | 25 |
| Bethany Road | **ALPHARETTA** | MidBroadwell Road | Mayfield Road | 0.60 | 35 |
| Big Creek Overlook | **ALPHARETTA** | Webb Bridge Road | Cul-de-sac | 0.59 | 25 |
| Birch Rill Drive | **ALPHARETTA** | Berkshire Manor Drive | Cul-de-sac | 0.78 | 25 |
| Briars Bend | **ALPHARETTA** | Brierfield Road | Briars Bend | 0.91 | 25 |
| Brierfield Road | **ALPHARETTA** | MidBroadwell Road | Dead end | 0.25 | 25 |
| Briers Chute | **ALPHARETTA** | Briers Creek Drive | Dead end | 0.34 | 25 |
| Briers Creek Drive | **ALPHARETTA** | Briars Bend | Dead end | 0.26 | 25 |
| Broadwell Road | **ALPHARETTA** | Rucker Road | 580 feet north of Cathedral Drive | 0.40 | 35 |
| Brookside Parkway | **ALPHARETTA** | Old Milton Parkway | Old Milton Parkway | 0.70 | 35 |
| Burnett Way | **ALPHARETTA** | Wills Road | Cul-de-sac | 0.21 | 25 |
| Caney Creek Landing | **ALPHARETTA** | Newport Bay Passage | Cul-de-sec | 0.19 | 25 |
| Canton Street | **ALPHARETTA** | Milton Avenue | 50 feet north of Church Street | 0.14 | 25 |
| Canton Street | **ALPHARETTA** | 50 feet north of Church Street | Mayfield Road | 0.26 | 30 |
| Canton Street *** **SCHOOL ZONE** *** | **ALPHARETTA** *Independence High School* | 95 feet south of Milton Avenue | 50 feet north of Trailer Street | 0.22 | 25 |
| Canton Street | **ALPHARETTA** | Mayfield Road | 300 feet north of Pebble Trail | 0.32 | 35 |
| Cape York Trace | **ALPHARETTA** | Grey Abbey Drive | Cul-de-sac | 0.62 | 25 |
| Carybell Lane | **ALPHARETTA** | North Farm Drive | North Farm Drive | 0.58 | 25 |
| Chantilly Drive | **ALPHARETTA** | Bethany Road | Mayfield Road | 0.39 | 25 |
| Charlotte Drive | **ALPHARETTA** | MidBroadwell Road | Rucker Road | 0.82 | 35 |
| Chasewood Trail | **ALPHARETTA** | Chasewood Landing | Cul-de-sec | 0.40 | 25 |
| Clairbourne Drive | **ALPHARETTA** | Clairmonte Ave. | Clairview Street | 0.20 | 25 |
| Clairmonte Ave. | **ALPHARETTA** | Cumming Street | Clairmonte Ave. | 0.35 | 25 |

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| Clairview Street | **ALPHARETTA** | Clairbourne Drive | Cul-de-sec | 0.40 | 25 |
| Clipper Bay Drive | **ALPHARETTA** | Lake Windward Drive | Southlake Drive | 0.57 | 25 |
| Cogburn Road | **ALPHARETTA** | SR 9 | Hopewell Road (City Limits) | 0.46 | 35 |
| Colony Drive | **ALPHARETTA** | Mayfield Road | Cul-de-sac | 0.19 | 25 |
| Compass Pointe Crossing | **ALPHARETTA** | Windward Parkway | Cul-de-sac | 0.33 | 25 |
| Clubhouse Drive | **ALPHARETTA** | Lake Windward Drive | Douglas Road | 1.30 | 30 |
| Crabapple Chase Drive | **ALPHARETTA** | Rucker Road | Crabapple Road | 0.80 | 25 |
| Crabapple Trace | **ALPHARETTA** | Chantilly Drive | Chantilly Drive | 0.23 | 25 |
| Cricket Lane | **ALPHARETTA** | Academy Street | Cumming Street | 0.25 | 25 |
| Cumming Street | **ALPHARETTA** | SR 9 | Westside Parkway | 1.31 | 35 |
| Cumming Street *** **SCHOOL ZONE** *** | **ALPHARETTA** *Manning Oaks Elementary School* | 1360 feet west of Henderson Parkway | 985 feet east of Henderson Parkway | 0.40 | 25 |
| Devore Road | **ALPHARETTA** | Haynes Bridge Road | SR 9 | 0.40 | 35 |
| Douglas Road | **ALPHARETTA** | McGinnis Ferry Road | Highland Glen Drive | 1.25 | 35 |
| Dover Avenue | **ALPHARETTA** | Oakmere Drive | Lantern Ridge Court | 0.42 | 25 |
| Edison Drive | **ALPHARETTA** | Dead End | Cul-de-sac | 0.75 | 30 |
| Encore Parkway | **ALPHARETTA** | Westside Parkway | North Point Parkway | 0.42 | 35 |
| Eversedge Drive | **ALPHARETTA** | Cul-de-sac | Cul-de-sac | 0.83 | 25 |
| Fanfare Way | **ALPHERETTA** | Encore Parkway | Maxwell Road | 0.45 | 30 |
| Georgia Lane | **ALPHARETTA** | Haynes Bridge Road | North Point Parkway | 0.25 | 25 |
| Golf Club Drive | **ALPHARETTA** | Windward Parkway | Privet Drive | 0.18 | 25 |
| Greenmont Walk | **ALPHARETTA** | Rucker Road | 0.70 mi. north of Rucker Road | 0.70 | 25 |
| Grenadier Lane | **ALPHARETTA** | South Kimball Bridge Crossing | Tuxford Drive | 0.18 | 25 |
| Grey Abbey Drive | **ALPHARETTA** | Cul-de-sac | Cul-de-sac | 0.89 | 25 |
| Harrington Drive | **ALPHARETTA** | Mayfield Road | Eversedge Drive | 0.40 | 25 |
| Harris Road | **ALPHARETTA** | Upper Hembree Road | Rucker Road | 0.50 | 35 |
| Haynes Bridge Road | **ALPHARETTA** | Academy Street | SR 120 | 0.30 | 25 |
| Haynes Bridge Road | **ALPHARETTA** | SR 120 | 495 feet north of Wentworth Terrace (Alpharetta City Limits) | 3.10 | 45 |
| Haynes Bridge Road *** **SCHOOL ZONE** *** | **ALPHARETTA** *Haynes Bridge Middle School* | 1190 feet south of Blackwatch Lane | 845 feet north of Blackwatch Lane | 0.39 | 25 |
| Hembree Road | **ALPHARETTA** | 288 feet east of Old Roswell Road | Westside Parkway | 0.53 | 35 |
| Henderson Parkway | **ALPHARETTA** | Cumming Street | SR 9 | 0.91 | 25 |

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| High Hampton Chase | **ALPHARETTA** | Waters Road | Cul-de-sac | 1.08 | 25 |
| Hillcrest Heights | **ALPHARETTA** | Wynridge Crossing | Cul-de-sac | 0.21 | 25 |
| Hook Road | **ALPHARETTA** | Mayfield Road | Shady Grove Lane | 0.18 | 25 |
| Hopewell Plantation Drive | **ALPHARETTA** | Cogburn Road | Penn Oak Court | 0.58 | 25 |
| Hopewell Road | **ALPHARETTA** | 300 feet north of Pebble Trail | Vaughan Drive (City Limits) | 0.34 | 35 |
| Jayne Ellen Way | **ALPHARETTA** | Cumming Street | Denna Drive | 0.60 | 25 |
| Jon Scott Drive | **ALPHARETTA** | Devore Road | Dead end | 0.37 | 25 |
| Karen Drive | **ALPHARETTA** | Devore Road | Dead end | 0.48 | 25 |
| Kenneth Drive | **ALPHARETTA** | Mayfield Circle | Meadow Drive | 0.19 | 25 |
| Kimball Bridge Road | **ALPHARETTA** | Westside Parkway | 320 feet east of Pinehigh Drive (Alpharetta City Limits) | 3.80 | 35 |
| Kimball Bridge Road *** **SCHOOL ZONE** *** | **ALPHARETTA** *New Prospect Elementary* | 2612 feet east of North Point Parkway | 950 feet east of North Point Parkway | 0.31 | 25 |
| Lakeview Parkway | **ALPHARETTA** | Haynes Bridge Road | Morrison Parkway | 0.35 | 35 |
| Lake Windward Drive | **ALPHARETTA** | Webb Bridge Road | Clubhouse Drive | 1.29 | 25 |
| Lantern Ridge Court | **ALPHARETTA** | Dover Avenue | Cul-de-sac | 0.37 | 25 |
| Manning Drive | **ALPHARETTA** | Cumming Street | Dead End | 0.19 | 25 |
| Maid Marion Close | **ALPHARETTA** | Webb Bridge | Cul-de-sac | 0.64 | 25 |
| Mansell Road | **ALPHARETTA** | Old Roswell Road/ Westside Parkway | Big Creek Bridge (Roswell City Limits) | 1.31 | 40 |
| Marconi Drive | **ALPHARETTA** | Windward Parkway | Cul-de-sac | 0.59 | 30 |
| Market Place | **ALPHARETTA** | Windward Parkway | Cul-de-sac | 0.25 | 30 |
| Marietta Street | **ALPHARETTA** | SR 9 | Old Milton Parkway | 0.41 | 30 |
| Maxwell Road | **ALPHARETTA** | Hembree Road | Westside Parkway | 0.48 | 35 |
| Maxwell Road | **ALPHARETTA** | SR 9 | 900 feet south of Brady Place | 0.24 | 40 |
| May Apple Drive | **ALPHARETTA** | Water Lilly Drive | Cul-de-sac | 0.34 | 25 |
| Mayfield Circle | **ALPHARETTA** | Mayfield Road | Cul-de-sac | 0.46 | 25 |
| Mayfield Manor Drive | **ALPHARETTA** | Mayfield Road | Cul-de-sac | 0.67 | 25 |
| Mayfield Road | **ALPHARETTA** | SR 9 | Freemanville Road | 2.43 | 35 |
| Mayfield Road *** **SCHOOL ZONE** *** | **ALPHARETTA** *Alpharetta Elementary School* | 1090 feet west of Hook Road | 105 feet east of Hook Road | 0.23 | 25 |
| Meadow Drive | **ALPHARETTA** | Upshaw Drive | Cul-de-sac | 0.42 | 25 |
| Michael Drive | **ALPHARETTA** | Devore Road | Allyson Circle | 0.39 | 25 |
| Mid Broadwell Road | **ALPHARETTA** | Wills Road | Charlotte Drive | 2.00 | 40 |

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| Mill Creek Avenue | **ALPHARETTA** | North Point Parkway | Society Street | 0.52 | 25 |
| Milton Avenue | **ALPHARETTA** | SR 9 | 0.29 miles west of Roswell Street/ Canton Street | 0.40 | 25 |
| Milton Avenue | **ALPHARETTA** | 0.29 miles west of Roswell Street / Canton Street | Wills Road | 0.43 | 35 |
| Morris Road | **ALPHARETTA** | SR 120 | Morris Road | 1.00 | 30 |
| Nathan Circle | **ALPHARETTA** | Milton Ave | Wills Drive | 0.21 | 25 |
| Newcastle Drive | **ALPHARETTA** | Eversedge Drive | Sulling Way | 0.41 | 25 |
| Newport Bay Drive | **ALPHARETTA** | Newport Bay Passage | Newport Bay Passage | 0.90 | 25 |
| Newport Bay Passage | **ALPHARETTA** | Clubhouse Drive | Douglas Road | 0.45 | 25 |
| North Creek Circle | **ALPHARETTA** | Pine Grove Drive | Pine Grove Drive | 0.55 | 25 |
| North Farm Drive | **ALPHARETTA** | Houze Road/SR 140 | Carybell Lane | 0.53 | 25 |
| North Point Drive | **ALPHARETTA** | North Point Circle | North Point Parkway | 0.63 | 35 |
| North Point Parkway | **ALPHARETTA** | Mansell Road | Haynes Bridge Road | 1.30 | 35 |
| North Point Parkway | **ALPHARETTA** | Haynes Bridge Road | Windward Parkway | 3.80 | 40 |
| North Point Parkway *** **SCHOOL ZONE** *** | **ALPHARETTA** *Alpharetta High School* | 772 feet south of Webb Bridge Road | 1910 feet south of Webb Bridge Road | 0.21 | 25 |
| North Trace | **ALPHARETTA** | Hopewell Road | Cul-de-sac | 0.27 | 25 |
| Northwinds Parkway | **ALPHARETTA** | Haynes Bridge Road | SR 120 | 1.14 | 35 |
| Oakmere Drive | **ALPHARETTA** | Andover Road | Cul-de-sac | 0.21 | 25 |
| Old Alabama Road Connector | **ALPHARETTA** | Mansell Road | 0.50 mi. south of Mansell Road | 0.50 | 45 |
| Old Milton Parkway | **ALPHARETTA** | SR 9 | Wills Road | 0.80 | 35 |
| Old Roswell Road | **ALPHARETTA** | Mansell Road | Warsaw Road | 0.40 | 35 |
| Park Bridge Parkway | **ALPHARETTA** | Webb Bridge Road | 400 feet south of Autumn Sage Drive | 0.54 | 30 |
| Park Bridge Parkway | **ALPHARETTA** | 400 feet south of Autumn Sage Drive | SR 120 | 0.49 | 35 |
| Park Brooke Drive | **ALPHARETTA** | Kimball Bridge Road | Park Brooke Trace | 0.40 | 25 |
| Park Brooke Trace | **ALPHARETTA** | Cul-de-sac | Cul-de-sac | 1.03 | 25 |
| Park Creek Drive | **ALPHARETTA** | Park Bridge Parkway | Cul- de-sac | 0.42 | 25 |
| Parkmont Drive | **ALPHARETTA** | Warsaw Road | Dead End | 0.20 | 25 |
| Pebble Trail | **ALPHARETTA** | Canton Street | Cul-de-sac | 0.42 | 25 |
| Pine Grove Drive | **ALPHARETTA** | SR 9 | Cul-de-sac | 0.58 | 25 |
| Pinehigh Drive | **ALPHARETTA** | Kimball Bridge Road | Pineset Drive | 0.50 | 25 |

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| Pineset Drive | **ALPHARETTA** | Buice Road | Pinehigh Drive | 0.47 | 25 |
| Pinewalk Drive | **ALPHARETTA** | Buice Road | Pineset Drive | 0.30 | 25 |
| Pinewalk Forest Circle | **ALPHARETTA** | Pinewalk Forest Circle | Cul-de-sac | 0.66 | 25 |
| Preston Ridge Road | **ALPHARETTA** | North Point Parkway | Morris Road | 0.61 | 30 |
| Providence Road | **ALPHARETTA** | Mayfield Road | 160 feet south Providence Oaks Street (Alpharetta City Limits) | 0.85 | 35 |
| Roswell Street | **ALPHARETTA** | SR 9 | Milton Avenue | 0.31 | 25 |
| Rucker Road | **ALPHARETTA** | Wills Road | Spring Place Lane | 2.21 | 35 |
| Salem Drive | **ALPHARETTA** | Colony Drive | Cul-de-sac | 0.31 | 25 |
| Sandridge Court | **ALPHARETTA** | Tuxford Drive | Cul-de-sac | 0.27 | 25 |
| Seale Drive | **ALPHARETTA** | Rock Mill Road | Seale Drive | 0.72 | 25 |
| Shady Grove Lane | **ALPHARETTA** | Canton Street | Pebble Trail | 0.42 | 25 |
| South Kimball Bridge Crossing | **ALPHARETTA** | Kimball Bridge Road | Kimball Bridge Road | 0.47 | 25 |
| Southlake Drive | **ALPHARETTA** | Webb Bridge Road | Douglas Road | 1.50 | 30 |
| Stanyan Street | **ALPHARETTA** | Thornberry Drive | Cul-de-sac | 0.21 | 25 |
| Sugar Valley Trail | **ALPHARETTA** | Waters Road | Cul-de-sac | 0.33 | 25 |
| Traywick Chase | **ALPHARETTA** | Cogburn Road | Traywick Chase | 0.92 | 25 |
| Thompson Street | **ALPHARETTA** | Haynes Bridge Road | Westside Parkway | 0.63 | 25 |
| Thornberry Drive | **ALPHARETTA** | Haynes Bridge Road | Cul-de-sac | 0.31 | 25 |
| Tuxford Drive | **ALPHARETTA** | Kimball Bridge Road | Cul-de-sac | 1.00 | 25 |
| Union Hill Road | **ALPHARETTA** | Windward Parkway | McGinnis Ferry Road | 0.33 | 30 |
| Upper Hembree Road | **ALPHARETTA** | 100 feet west of SR 9 | 118 feet west of Taylor Oaks Drive | 0.70 | 35 |
| Upshaw Drive | **ALPHARETTA** | Mayfield Road | Dead End | 0.17 | 25 |
| Walnut Creek Crossing | **ALPHARETTA** | Windward Parkway | Cul-de-sac | 0.16 | 25 |
| Walnut Creek Drive | **ALPHARETTA** | Walnut Creek Trail | Cul-de-sac | 0.17 | 25 |
| Warsaw Road | **ALPHARETTA** | Old Roswell Road | Mansell Road | 0.25 | 35 |
| Waters Road | **ALPHARETTA** | Kimball Bridge Road | Jones Bridge Road | 1.35 | 35 |
| Webb Bridge Road | **ALPHARETTA** | Wedgewood Drive | SR 400 | 0.46 | 35 |
| Webb Bridge Road | **ALPHARETTA** | SR 400 | Webb Bridge Way | 2.90 | 40 |
| Webb Bridge Road *** **SCHOOL ZONE** *** | **ALPHARETTA** *Webb Bridge Middle School* | 1100 feet west of Park Glenn Drive | 1880 feet east of Park Glenn Drive | 0.56 | 25 |
| Webb Bridge Road *** **SCHOOL** | **ALPHARETTA** *Creek View Elementary School* | 1350 feet west of Lake Windward Drive | 1000 feet east of Lake Windward Drive | 0.45 | 25 |

| ROAD NAME | WITHIN THE CITY / TOWN LIMITS OF and/or *School Name* | FROM | TO | LENGTH IN MILES | SPEED LIMIT |
|---|---|---|---|---|---|
| **ZONE** *** | | | | | |
| Webb Bridge Road *** **SCHOOL ZONE** *** | **ALPHARETTA** *Alpharetta High School* | 1967 feet east of North Point Parkway | 1052 feet east of North Point Parkway | 0.17 | 25 |
| Webb Bridge Road | **ALPHARETTA** | Webb Bridge Way | Cul-de-sac | 0.30 | 30 |
| Webb Bridge Way | **ALPHARETTA** | Webb Bridge Road | Kimball Bridge Road | 0.27 | 30 |
| Westside Parkway | **ALPHARETTA** | Mansell Road | Windward Parkway | 5.50 | 40 |
| Wills Drive | **ALPHARETTA** | Milton Avenue | Old Milton Parkway | 0.25 | 25 |
| Wills Lane | **ALPHARETTA** | Wills Road | Dead End | 0.25 | 25 |
| Wills Road | **ALPHARETTA** | SR 9 | MidBroadwell Road | 0.80 | 35 |
| Windward Concourse | **ALPHARETTA** | Windward Parkway | McGinnis Ferry Road | 0.47 | 35 |
| Windward Parkway | **ALPHARETTA** | Cogburn Road | North Point Parkway | 1.80 | 35 |
| Windward Parkway | **ALPHARETTA** | North Point Parkway | McGinnis Ferry Road | 3.32 | 40 |
| Windward Plaza | **ALPHARETTA** | Windward Parkway | Windward Parkway | 0.36 | 30 |
| Wynridge Crossing | **ALPHARETTA** | Windward Parkway | Cul-de-sac | 0.38 | 25 |

******SCHOOL ZONE HOURS EFFECTIVE******

*A.M. from 45 minutes prior to commencement time to 15 minutes after commencement time -*
***SCHOOL DAYS ONLY.***

*P.M. from 15 minutes prior to dismissal time to 45 minutes after dismissal time –*
***SCHOOL DAYS ONLY.***

ALL LISTS AND PARTS OF LISTS IN CONFLICT WITH THIS LIST ARE HEREBY REPEALED.

_____
MAYOR

_____
COUNCIL MEMBER

_____
COUNCIL MEMBER

_____
COUNCIL MEMBER

_____
COUNCIL MEMBER

_____
COUNCIL MEMBER

_____
COUNCIL MEMBER

ATTEST: _____
CITY CLERK

FIRST READING: _____

SECOND READING: _____

ADOPTED: _____

# City Council Meeting and Public Hearing
# STAFF REPORT

Submitting Department: Recreation and Parks
Submitted By: Morgan Rodgers
Meeting Date: April 30, 2018

---

**I. AGENDA ITEM TITLE:** CONTRACT FOR PLANNING SERVICES: WILLS PARK AND EQUESTRIAN CENTER MASTER PLANS

**II. RECOMMENDATION:**

Staff recommends approval of a contract with Jacobs, Inc. in an amount not to exceed $129,863.00 for the completion of a Master Plan for Wills Park and Wills Park Equestrian Center and authorization of the Mayor to execute all necessary documents.

**III. BUDGET IMPLICATIONS:**

BUDGETED ITEM: NO

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: THE TOTAL COST OF THIS ENGAGEMENT WILL NOT EXCEED $129,863.00.

APPROPRIATIONS:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| Wills Park Master Plan (30161150-541500-C1641) | $129,863.00 |

EXTERNAL FUNDING SOURCES:

| ACCOUNT TITLE/NUMBER | DOLLAR AMOUNT |
|---|---|
| 0 | $0.00 |

**IV. REPORT IN BRIEF:**

An update for the Master Plan of Recreation and Parks for the City of Alpharetta was completed in early 2018. Two of the major recommendations from this Plan were the need for a Master Plan for Wills Park and Wills Park Equestrian Center. Both Wills Park and the Equestrian Center are in need of updates and improvements. These plans will provide the City with priorities and cost estimates for the needed improvements.

Both the 2014 Parks Master Plan (PMP) and the 2018 update to the PMP were performed by Jacobs, Inc. Because of the technical skills and experience of Jacobs, Inc. and the institutional knowledge the firm gained during these previous planning engagements, Staff maintains that the firm is uniquely qualified to develop the master plans for both Wills Park and the Equestrian Center. The firm's institutional knowledge will also allow them to complete the engagement in less time and at a lower cost due to the information they already possess that would require other firms to conduct additional surveys and community engagement beyond what will be necessary from Jacobs, Inc.

As such, Staff is requesting the award of a single-source contract to Jacobs, Inc. in an amount not to exceed $129,863.

The contract calls for a very aggressive time frame, with the final plans due by the end of August, 2018.

**V. ALTERNATIVES:**

**VI. ATTACHMENTS:**

Wills Park - Equestrian Center Scope

**CITY OF ALPHARETTA**
**WILLS PARK AND EQUESTRIAN CENTER MASTER PLAN**
**Project Understanding and Proposed Scope of Work**

## PROJECT UNDERSTANDING AND APPROACH

Building from the momentum of the recently adopted Recreation and Parks Master Plan, the City of Alpharetta will be developing a master plan for Wills Park and the Equestrian Center. The goal of the project is two-fold: to unite the many different components of the park into a single, celebrated space, and also to better connect the park to Downtown.

Our approach is rooted in realistic expectations for future funding—the master plan will not be an exercise that "wipes clean" what is already in place. Instead, it will preserve most of the existing facilities but identify the best ways to improve connectivity, expand key facilities, activate underused space, and unify the park into a cohesive space that develops a fan following.

Ultimately the goal is to produce a master plan that will chart the path for the next parks bond referendum. It is essential that this plan not just be about an end project; it must also engage Alpharetta's citizens and stakeholders at a new level, and begin building the foundation of consistent public support for major investments to Wills Park.

## PROPOSED SCOPE OF WORK

The below scope of work references two project teams: the core team, and the charrette team. The **core team** will consist of 4-5 members of the Jacobs team, and 2-3 City staff/stakeholders. The members from the Jacobs team will be the project manager, the equestrian center lead, a landscape architect, and a planner. The **charrette team** will include all members of the core project team, plus an extended group of project staff (approximately 7-10 members total), including multiple levels of designers, planner, and facility strategists. It is expected that City will also have an increased number of participants on the charrette project team. The charrette team will essentially be composed of two planning and design teams: one focused on the Equestrian Center, and another focused on Wills Park as a whole.

### PHASE I: PROJECT FOUNDATIONS

**1.1 Project Management.** Jacobs will manage the project in coordination with an appointed representative of the City of Alpharetta. A bi-weekly project call will be established throughout the life of the project to ensure close coordination between Jacobs and City staff. Jacobs will provide monthly invoices and status updates.

**1.2 Base Map Preparation**. The City will provide Jacobs in digital and/or hardcopy format all available existing city maps, exhibits, etc. of Wills Park and the Equestrian Center including, but not limited to the following: boundary surveys, property limits, topographic surveys, easements and right-of-ways, adjacent private development plans, buildings and structures, water and sewer maps, site drainage information, capital improvement programs, etc. The following GIS layers, if available, will also be provided:

- Contours
- Streams
- Building footprints
- Sidewalks/paths
- Roadways
- Parcel lines
- Water/sewer infrastructure
- Right-of-way
- Vegetation/trees
- Streams
- Floodplain

From this information, Jacobs will develop a project basemap.

**1.3 Project Kick-Off Meeting**. Within two weeks of the Notice to Proceed, Jacobs will facilitate a project kick-off meeting at Wills Park and Equestrian Center for members of the core project team.

**1.4 Introductory Site Visit.** On the same day of the project kick-off meeting, Jacobs core team members will conduct a walk-through of Wills Park and the Equestrian Center with the Parks Department and City representatives.

**1.5 Plan Review**
The City will provide Jacobs will all documents pertinent to the development of Wills Park and the Equestrian Center. This includes previous plans for the park, facility designs/plans, stormwater and erosion management plans, and any other document that provides information about the site. Additionally, the City will provide Jacobs with information regarding recreation programs and events that currently use Wills Park, including the most recent equestrian center calendar.

*Phase I Jacobs Deliverables:*
- *Project kick-off meeting minutes*
- *Project basemap*

*Phase I City Responsibilities:*
- *Coordination with Jacobs project manager*
- *Provide requested mapping data*
- *Host project kick-off meeting*
- *Lead introductive site visit*
- *Provide existing plans and document*

**PHASE 2. ENGAGEMENT AND CONCEPTUAL DESIGN**

**2.1 Online Survey**
Jacobs will begin reaching out to community members through online surveys to better understand how Wills Park and the Equestrian Center function today and the community's aspirations for it in the future.

> ***Interactive Map Input***. An interactive map input platform, such as Esri Crowdsource Reporter, will be used to solicit input about issues or ideas related to specific locations

within the park. Participants will be able place pins on a digital map and add comments about issues with existing facilities, recommended facilities improvements, and recommended neighborhood connections.

***Standard Survey Questions.*** In addition to the interactive map input, a standard online survey will be conducted. Questions may address issues with the existing park, desired amenities, visual preferences for architectural and landscape styles, investment priorities, and preferred event programming. Special attention will be paid to the Equestrian Center, and understanding how residents and other stakeholders perceive the facility and how to expand its base of supporters and users.

Surveys will be launched at the beginning of the planning process and promoted online, as well as through signs displayed in the park. The City will post about the surveys on social media, the City website, and existing mailing lists. The Jacobs team will distribute a press release to local media outlets introducing the project and promoting the survey and other upcoming engagement activities. Stakeholder organizations, such as the Alpharetta Youth Baseball Association, will also be contacted directly and asked to share the surveys and project information with their members.

**2.2 Special Event**
The Jacobs team will host a booth at a one-day special park event, such as the Splash-tacular or an equestrian event, to capitalize on high attendance. The booth will provide information about the master plan project, solicit input about user experiences and preferences, and promote the upcoming charrette workshops.

**2.3 Design Charrette**
The Design Charrette will be an intensive four-day process in which the charrette project team is completely immersed in the Wills Park and Equestrian Center Master Plan. Not all members of the charrette project team will participate in every task; instead, multiple tasks will be running concurrently and staffed by the most appropriate team members.

The intent is that we will open a temporary “studio” somewhere in Wills Park for the duration of the entire charrette. Although there will be ongoing collaboration among all team members, the charrette will be primarily composed of two design and planning teams: one focused on the Equestrian Center, and the other focused on Wills Park at large.

***Equestrian Center Team***
Although the Design Charrette will encompass all of Wills Park, part of the team will be dedicated exclusively to planning and designing the Equestrian Center.

Populous will provide an experienced team familiar with this facility type will conduct an on-site assessment of the existing facilities. Existing site and building drawings will be acquired from the Owner at least one week prior to the on-site assessment. This assessment will cover all primary operation and experience aspects of the facilities including the following:

- Site plan efficiency including access, sense of arrival, parking and signage/wayfinding
- Individual venue sense of arrival, signage/wayfinding and exterior/interior appearance
- Visitor services and experience items such as seating, concessions, toilets, information systems, comfort, etc.

- Exhibitor services and experience items such as load in/out areas and efficiency, horse and livestock stalling areas, equestrian/livestock arenas, trailer parking, RV parking, waste management, exhibitor utility services, show offices, etc.
- Visual observation of exterior and interior building conditions and critical building systems such as lighting and mechanical systems
- Benchmarking of the existing facilities against our national profile of peer facilities

Populous will also conduct interactive input and planning workshops with the key members of the management and staff, key stakeholders, and community groups. The general intent is to understand the facility's physical attributes through on-site analysis, to determine opportunities and constraints related to existing conditions, examine options for the site master plan and facilities, and to examine opportunities for future growth and development, including coordination with the larger context of Wills Park, the community and region.

The workshop will include up to (2) Populous representatives and will be an interactive process in which we explore ideas with real-time site plan overlays, concept sketches and order of magnitude cost/benefit projections within the groups. The following is an overview of the workshop tasks:

- Meet with the board, key staff and stakeholder/community groups
- Review the latest Master Plan and proposed projects, completed projects, and incomplete projects.
- Update the facility goals and develop a program of proposed projects as per input from the board, staff, and stakeholder/community groups.
- Analyze the existing site/facilities and develop conceptual site plan alternatives showing site and facility additions and improvements to support the facility goals. This will be an interactive process with management and stakeholders.
- Discuss and prioritize proposed improvements based on management and stakeholder input.
- Discuss preliminary order of magnitude costs/benefits and alternatives.

***Wills Park Team***

Outlined below are the major tasks for the team that will look at Wills Park at a whole. It is important to note that ***the Equestrian Center will also be considered as part of each of these tasks***, with findings and recommendations from Populous incorporated into each at every step in the process.

***Charrette Team Site Visit***. The charrette will begin with an in-depth site visit around the park. The charrette team will spend the morning at the site with City staff and other stakeholders, to be determined by the City.

***Public Kick-Off Workshop***. Jacobs will facilitate a public meeting to obtain input from surrounding neighborhood residents, businesses, adjacent property owners, user groups and organizations, and other interested persons regarding development goals and program items for the Wills Park Master Plan. During this meeting, Jacobs team members will document potential program needs and desires for the park. The City will be responsible for advertising and recruiting the invitees to the workshop.

***Wills Park Stakeholder Interviews/Focus Groups***. Jacobs will facilitate up to six 1-hour focus groups/stakeholder interviews with specific interest groups. The City will be

responsible for identifying members of these groups and scheduling the meetings. Potential focus groups include baseball leagues, recreation center users, tennis groups, environmental advocates, aquatics groups, Arts Alpharetta, representatives from the American Legion, and other recreation program providers.

***Staff Visioning Workshop***. Early in the charrette, the Jacobs team will facilitate a two-hour workshop for City staff and other invited stakeholders. This workshop will focus on big-picture goals and a vision for Wills Park that will guide the Master Plan direction.

***Councilperson Interviews***. Jacobs will interview each member of City Council and the Mayor to discuss their vision for Wills Park, answer questions about the project, and gather additional input.

***Concept Development***. Over the course of the four-day charrette, the project team will develop up to three (3) concepts for the future Wills Park and Equestrian Center. These concepts will be based on input gathered from the multiple public engagement tasks, staff input, and best practices in landscape architecture and equestrian facility planning. They will be sketch plans as opposed to fully rendered diagrams.

The program of facilities and design elements for Wills Park will largely be determined through the engagement activities, staff input, and Jacobs' design experience, but a preliminary list of program elements include:

- Retention of existing diamond fields, the covered equestrian arena, tennis courts, aquatics facility, and the Community Center
- Relocation of maintenance shed
- Consideration of a show ring, schooling ring, and lunging ring
- Replacement of horse barns
- Spectator-friendly areas at the equestrian center
- Direct connection to Alpha Loop
- Improved circulation, including a primary/perimeter trail
- Wayfinding and signage
- Streambank protection
- Relocation of disc golf course
- Expansion/relocation of the community garden
- Cricket pitch
- Trails through wooded areas
- Large pavilion (to hold parties of up to 50 people)
- Challenge course/outdoor exercise equipment
- Restroom expansion
- Expansion of the Community Center
- Locations for art
- Connections to recreation facilities adjacent to Wills Park
- RV and trailer parking improvements
- Consideration of a second covered show ring
- Improved foodservice and restroom facilities at the equestrian center
- Improved footing in the equestrian rings

***Public Drop-In Hours***. During specific charrette team work sessions, the "studio" will have posted drop-in hours for informal opportunities of engagement. Residents, workers,

and other stakeholders will be welcome to come and see the design process in action, speak to team members, ask questions, and provide input.

***Closing Presentation***. The charrette will conclude with a presentation of the three potential concepts. At the presentation, attendees will have the opportunity to provide input on each of the three concepts, and "vote" on a preferred concept—or select aspects of the three concepts—to a single concept that moves forward.

*Preliminary Charrette Schedule:*

| | **Monday** | **Tuesday** | **Wednesday** | **Thursday** |
|---|---|---|---|---|
| Morning (9am-noon) | Charrette Team Site Visit | Staff Visioning Workshop | Concept Development | Public Drop-In Hours; Concept Development |
| Lunch/Break (noon-1pm) | | | | |
| Afternoon (1pm-5pm) | Stakeholder Interviews/Focus Groups; Councilperson Interviews | Stakeholder Interviews/Focus Groups; Councilperson Interviews | Public Drop-In Hours; Concept Development | Concept Development/ Presentation Prep |
| Dinner/Break (5pm-6pm) | | | | |
| Evening (6pm-8pm) | Public Kick-Off Workshop | | Public Drop-In Hours; Concept Development | Closing Presentation |

**2.4 Engagement Summary**. Within one week of the charrette's conclusion, Jacobs will provide the City with an engagement summary that outlines findings from each of the engagement techniques; details the charrette process and findings; describes development of the three concepts; and documents the selection of the preferred concept. This summary will later be folded into the Draft Wills Park Master Plan Report (task 3.5).

*Phase 2 Jacobs Deliverables:*

- *Draft and final online survey*
- *Staff/Recreation and Parks Commission Visioning Workshop Presentation*
- *Public Workshop Presentation*
- *Up to three park concepts*
- *Closing presentation*
- *Engagement Summary*

*Phase 2 City Responsibilities:*

- *Advertise online survey*

- *Coordinate with Jacobs on the special event input opportunity, including providing table and tent if needed*
- *Book charrette location*
- *Advertise and attend charrette public engagement opportunities*
- *Identify and schedule participants for stakeholder interviews/focus groups*
- *Participate in Staff Visioning Workshop*
- *Schedule City Council interviews*
- *Review Engagement Summary*

**PHASE 3. MASTER PLAN**

**3.1 Draft Illustrative Wills Park and Equestrian Center Plan**. Based on the preferred concept and staff input, Jacobs will prepare one (1) Draft Illustrative Wills Park Plan depicting the proposed park improvements. The Draft Illustrative Plan will be a large, color illustrative plan of the Park for the City to use in public presentations and generating community support of the plan.

**3.2 Master Plan-Level Order of Magnitude Estimate**. As a companion to the Draft Illustrative Wills Park Plan, the Jacobs team will develop a master plan-level order of magnitude estimate organized by park component.

**3.3 Review Meeting**. Within three weeks of the charrette, the project team will meet with City staff to discuss the Draft Illustrative Wills Park Plan and the Preliminary Construction Cost Estimate. Input from this meeting will be incorporated prior to the Presentation to City Council Task 3.4).

**3.4 Presentation to City Council**. Jacobs will present the draft Wills Park Master Plan and the Master Plan-Level Order of Magnitude Estimate to City Council for input prior to developing the full Wills Park Master Plan Report.

**3.5 Draft Wills Park and Equestrian Center Master Plan Report**. Once input from City Council and staff has been incorporated into the Illustrative Wills Park Plan and Preliminary Construction Cost Estimate, Jacobs will pull together an engaging, high-level report that summarizes the design and planning process. This report will include background information on the park and its history, the Engagement Summary from Phase 2, a discussion of the three charrette concepts and their evolution into the final Illustrative Plan, a construction cost estimate, and a phased implementation plan. Jacobs will submit a complete draft plan to City staff for comment.

**3.6 Final Wills Park and Equestrian Center Master Plan Report**. Jacobs will revise the Draft Wills Park Master Plan Report one (1) time according to the City comments.

*Phase 3 Jacobs deliverables:*

- *Draft Illustrative Wills Park and Equestrian Center Plan*
- *Preliminary Construction Cost Estimate*
- *Presentation to City Council*
- *Draft Wills Park and Equestrian Center Master Plan Report*
- *Final Wills Park and Equestrian Center Master Plan Report*

*Phase 3 City Responsibilities:*

- *Review Draft Illustrative Wills Park and Equestrian Center Master Plan*
- *Host Review Meeting*
- *Review and provide a single set of comments on Draft Wills Park and Equestrian Center Master Plan*

**FEE ESTIMATE**

The lump sum fee for the above scope of work is $129,863. This is the total fee for both Jacobs and Populous.

THE CITY OF
ALPHARETTA
GEORGIA

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

April 13, 2018

July 2017 Council awarded building four level deck on Milton Avenue site to The Christman Company in the amount of $6,778,184.

Since that time Council has held five executive sessions regarding permanent required from Dr. Hines, owner of the Alpharetta Anima Hospital (see ~~first attachment~~)(email)

The next three attachments are documents handed out in last week's executive session.

1. My handwritten analysis equating the purchase of Milton Avenue property for the parking deck to the property improvements requested by Dr. Hines.

2. Parking deck general contractor's cost estimate of requested improvements.

3. Site plan of requested improvements.

The final two documents are the settlement agreement and release and the legal description of the easement.

MAYOR PRO TEM
DONALD F. MITCHELL

COUNCIL MEMBERS
JASON BINDER
BEN BURNETT
DAN MERKEL

CITY ADMINISTRATOR
ROBERT J. REGUS

JUNE 2014 Paid $1 million for almost an acre - parking deck property.

Animal Hospital Property 1.34 acres or 58,370 sq.ft.

Our permanent easement needs - driveway 8,055 sq ft.
Sidewalk Parking 3,080
11,135

1 Acre = 43,560 Sq. ft.

11,135 ÷ 43,560 = .255 of an acre.

11,135 ÷ 58,370 = .19 % of the property

Milton Ave Hospital Parking Lot Cost Estimate

| Item/Description | Cost |
|---|---|
| Demolition | $ 7,000.00 |
| | |
| Earthwork | $ 75,000.00 |
| | |
| Signage | $ 5,000.00 |
| | |
| Paving and Sidewalk | $ 50,000.00 |
| | |
| Utilities | $ 35,000.00 |
| | |
| Erosion Control | $ 3,000.00 |
| | |
| Landscaping | $ 15,000.00 |
| | |
| Design | $ 15,000.00 |
| | |
| General Conditions | $ 45,000.00 |
| | |
| **Total** | **$ 250,000.00** |

4/6/2018

Return Recorded Document to:

**ACCESS EASEMENT**

**STATE OF GEORGIA**

**COUNTY OF FULTON**

**KNOW ALL MEN BY THESE PRESENTS**, that as of the _____ day of _____, 2018, **JCH PROPERTIES, LLC, a Georgia limited liability company ("JCH")** (the "Grantor"), **and consented to by Grantor's tenant ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation** ("AAH"), for and in consideration of TEN DOLLARS ($10.00) in hand paid to the Grantor, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto **THE CITY OF ALPHARETTA, GEORGIA**, a Georgia municipality (the "Grantee"), and Grantee's agents, successors, assigns, and successors-in-title, tenants, employees, invitees, agents, and independent contractors, the following easements for the benefit of certain real property lying and being in Land Lot 1269 of the 2nd District, 2nd Section of Fulton County, Georgia (the "Beneficiary Property"), more fully described in **Exhibit "A,"** attached hereto and incorporated herein by this reference, and burdening certain real property lying and being in Land Lot 1269 of the 2nd District, 2nd Section of Fulton County, Georgia (the "Burdened Property"), more fully described in **Exhibit "B"**.

Grantor hereby grants, declares, creates, imposes, establishes and conveys unto the Grantee, and Grantee's respective successors, succesors-in-title and assigns, invitees, guests, tenants, agents, employees, contractors, officers and directors, as the context requires, as a benefit to the Beneficiary Property and as a burden upon a portion of the Burdened Property (herein called the "Easement Area"), being more particularly described and depicted in **Exhibit "C,"** attached hereto and incorporated herein by this reference, a non-exclusive, perpetual right and easement (the "Easement") on, over, across, to, under and through the Easement Area for the public purpose of providing pedestrian and vehicular access, ingress and egress to and from a publicly owned parking facility that will be located in its entirety upon the Beneficiary Property, and for the purpose of installing and maintaining any utility lines that

are, or may be, located within the Easement Area. This easement includes the right of Grantee to execute certain construction on, over, upon, across, through and under the Easement Area to support and accommodate any improvements to the Easement Area consistent with the foregoing purposes when such improvements are desired or deemed necessary in the reasonable discretion of Grantee, including, without limitation, the construction and installation of a driveway, sidewalk and other related improvements by Grantee (the "City Improvements").

Grantor hereby further grants to Grantee a perpetual, non-exclusive easement on, over, upon, across, through and under the Burdened Property as necessary for the maintenance, repair, and restoration from time to time of the Easement Area and the City Improvements located on, under, within or upon the Easement Area (the "Maintenance Easement"); provided, however, that Grantee shall provide reasonable advance notice to Grantor of any work to be performed pursuant to the Maintenance Easement, and shall use reasonable efforts to minimize the disruption of Grantor's or its tenant's business operating on the Burdened Property.

Grantor hereby grants to Grantee a temporary, non-excusive easement on, over, upon, across, through and under the Burdened Property as necessary for the purpose of constructing, at Grantee's cost and expense, the City Improvements (the "Temporary Construction Easement"); provided, however, that Grantee shall provide reasonable advance notice to Grantor of any work to be performed pursuant to the Temporary Construction Easement, and shall use reasonable efforts to minimize the disruption of Grantor's or its tenant's business operating on the Burdened Property. The Temporary Construction Easement shall terminate upon Grantee's completion of the City Improvements or at the expiration of eighteen (18) months following the commencement of construction of same, whichever is first to occur. Prior to the termination of the Temporary Construction Easement, Grantee agrees to cause the area of the Temporary Construction Easement to be returned to substantially the same condition as existed immediately prior to Grantee's exercise of the rights granted herein.

By the acceptance hereof, the Grantee hereby agrees with Grantor, its successors, assigns, and successors-in-title, that the Easement, Maintenance Easement and Temporary Construction Easement shall be exercised on the following terms and conditions:

1. Grantee shall be responsible for all costs incurred in exercising its easement rights hereunder.

2. Grantee shall maintain the Easement Area, including without limitation the driveway area and sidewalk, in a safe and clean condition.

3. All work to be performed hereunder by the respective parties shall be completed promptly after commencement of such work in a good and workmanlike manner with as little inconvenience as possible to the other party, and the landscaping and property affected by such work shall be restored to the same condition and, as applicable, slope, as existed prior to the commencement thereof. All work shall be constructed and installed in accordance with all applicable governmental rules, regulations, ordinances and codes then in effect, with a minimum of inconvenience to Grantor, its successors and assigns, and without attachment of any liens against any portion of the Burdened Property of the Easement Area as a result of work performed or materials or services provided in connection therewith.

4. To the fullest extent permitted by law, and with the exception of the sole negligence of Grantor, Grantee shall indemnify and hold Grantor, its successors, and assigns, harmless from and against any and all fines, penalties, liabilities, damages, costs, and losses, including foreseeable and unforeseeable consequential damages, directly or indirectly and in whole or in part arising out of or attributable to any alleged or actual damages or claims for damages caused by or resulting from exercise of the easements granted and conveyed herein to the Grantee and the performance of the obligations delegated to the Grantee hereunder, including without limitation claims of mechanics and materialmen filing lien or other claims, and also including without limitation the claims of any party for death, injury, damages, or loss suffered on or about the Easement Area.

5. Grantor represents and warrants that it has full power and authority to grant and convey the Easement to the Grantee.

The terms and conditions hereof shall be binding upon, and inure to the benefit of the successors, successors-in-title and assigns of the respective parties hereto. When not inconsistent with the context, words used in the singular number shall include the plural and those in the plural number shall include the singular.

TO HAVE AND TO HOLD said easements perpetually unto Grantee, its successors and assigns, and successors-in-title, the rights, powers and interests herein granted, which shall be a covenant running with the title to the land, but subject always to the covenants herein set forth.

**All rights conveyed by this instrument shall remain separate and run with title to the respective properties described herein, and shall not merge with title to the respective properties.**

**[Signatures Appear on Following Page]**

**IN WITNESS WHEREOF,** the parties have signed and sealed this instrument as of the date first referenced above.

**GRANTOR:**

**JCH PROPERTIES, LLC, a Georgia limited liability company**

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

By:
_____[SEAL]

Print Name: _____

Title: _____

[COMPANY SEAL]

**CONSENTED TO BY:**

**ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation**

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

By: _____[SEAL]

Print Name: _____

Title: _____

[CORPORATE SEAL]

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

**GRANTEE:**

**CITY OF ALPHARETTA, GEORGIA, a Georgia municipality**

By: _____[SEAL]

Print Name: _____

Title: _____

[MUNICIPAL SEAL]

**Exhibit "A"**

**Legal Description of the Beneficiary Property**

All that tract or parcel of land lying and being in Land Lot 1269 of the 2nd District, 2nd Section of City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the west right-of-way of Roswell Street with the south right-of-way of Milton Avenue as it is shown on Fulton County project PR8532-13(121.); thence 149.47 feet along the south right-of-way of Milton Avenue to an iron pin found (pk nail in asphalt) and the True Point of Beginning for the parcel herein described.

Thence leaving the right-of-way of Milton Avenue, South 00 degrees 49 minutes 47 seconds West for a distance of 378.62 feet along the property of Jan C. Hines to an iron pin found (1/2"rebar);

Thence North 85 degrees 55 minutes 03 seconds West for a distance of 46.03 feet along the property of the City of Alpharetta to an iron pin found (1"open top pipe);

Thence North 01 degree 08 minutes 56 seconds West for a distance of 61.53 feet along the property of the Rest Haven Cemetery to an iron pin found (1/2"rebar);

Thence North 25 degrees 48 minutes 12 seconds West for a distance of 159.87 feet along the property of the Rest Haven Cemetery to an iron pin found (3/4"open top pipe);

Thence North 08 degrees 48 minutes 06 seconds West for a distance of 91.09 feet along the property of the Rest Haven Cemetery to an iron pin found (3/8"rebar in a block wall);

Thence North 85 degrees 56 minutes 04 seconds West for a distance of 19.97 feet along the property of the Rest Haven Cemetery to an iron pin found (3/8"rebar in asphalt pavement);

Thence North 04 degrees 05 minutes 52 seconds East for a distance of 87.08 feet along the property of the Rest Haven Cemetery to an iron pin found (1"open top pipe) on the south right-of-way of Milton Avenue;

Thence South 86 degrees 46 minutes 50 seconds East for a distance of 150.08 feet along the south right-of-way of Milton Avenue to an iron pin found (pk nail) and The Point of Beginning.

Said parcel contains 0.903 acres according to a survey for The City of Alpharetta by Moreland Altobelli and Associates dated 8-31-2016 and being job number 12G210. Said survey is incorporated by specific reference for a more complete and accurate description.

g:\data\survey\12g210\Fredenburg.docx

Exhibit "B"

Legal Description of the Burdened Property

All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia, being a tract of 1.185 acres as shown on Plat of Survey for Dr. Jan C. Hines by Brumbelow-Reese and Associates, Inc. (Rodney H. Reese, R.L.S.), dated March 9, 1984, as revised May 29, 1984, and being more particularly described as follows:

BEGINNING at an iron pin set located on the south side of a nine (9) foot sidewalk on the south side of Milton Avenue, which iron pin is located 482.7 feet west of the intersection formed by the south side of said sidewalk with the west curbline of Roswell Street as measured along the south side of said sidewalk; running thence south 00 degrees 35 minutes 39 seconds west a distance of 283.90 feet to an iron pin found; running thence south 50 degrees 42 minutes 39 seconds west a distance of 140.77 feet to an iron pin set; running thence north 86 degrees 54 minutes 28 seconds west a distance of 42.18 feet to an iron pin set; running thence north 00 degrees 40 minutes 08 seconds east a distance of 378.60 feet to an iron pin set located on the south side of Milton Avenue; running thence south 87 degrees 08 minutes 23 seconds east along the south side of said Milton Avenue and along the south side of the said sidewalk a distance of 149.80 feet to an iron pin and being the point of beginning.

Being improved property with a building located thereon known as 80 Milton Avenue, under the present system of numbering streets within the City of Alpharetta, Fulton County, Georgia.

## TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT TRACT or parcel of land lying and being in Land Lot 1269 of the 2nd District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the projected east right-of-way line of the relocated Roswell Street (R/W Varies) and the projected south right-of-way line of Milton Avenue (R/W Varies); THENCE South 62 degrees 07 minutes 27 seconds West, 77.98 feet to a right-of-way monument found on the westerly right-of-way of Roswell Street (R/W Varies), said point being the POINT OF BEGINNING; THENCE along said westerly right-of-way South 02 degrees 31 minutes 42 seconds West, 264.25 feet to a #4 rebar found; THENCE leaving said westerly right-of-way North 41 degrees 20 minutes 27 seconds West, 27.96 feet to a #4 rebar found; THENCE North 00 degrees 40 minutes 57 seconds East, 277.88 feet to a right-of-way monument found; THENCE South 37 degrees 34 minutes 24 seconds East, 43.97 feet to a right-of-way monument found; said point being the POINT OF BEGINNING;

Said tract or parcel contains 0.15 acres (6,343 square feet) more or less. Said property being shown as Site 3 on the ALTA/ACSM Land Title Survey for JMJ Real Estate, LLC, Stewart Title Guaranty Company and Partnership Title Company, LLC by Gaskins Engineering & Surveying Company, dated October 16, 2013, by Dean C. Olson, Georgia Registered Land Surveyor No. 2806.

**Exhibit "C"**

# PERMANENT ACCESS AND UTILITY EASEMENT
# LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the westerly row of Roswell Street, having a variable right-of-way width, and the southerly row of Milton Avenue, having a variable right-of-way width, said point being the POINT OF COMMENCEMENT.

THENCE, along said row line of Milton Avenue North 86 degrees 51 minutes 55.6 seconds West for a distance of 122.38 feet to a point, said point being the POINT OF BEGINNING.

THENCE, leaving said row line of Milton Avenue South 00 degrees 49 minutes 47.5 seconds West for a distance of 350.77 feet to a point, thence North 86 degrees 51 minutes 55.6 seconds West for a distance of 27.08 feet to a point, thence North 00 degrees 49 minutes 47.5 seconds East for a distance of 350.77 feet to a point on the southerly row of Milton Avenue (IPF PK Nail); thence along said row of Milton Avenue South 86 degrees 51 minutes 55.6 seconds East for a distance of 27.08 feet to a point, said point being the POINT OF BEGINNING.

Said property contains 0.22 acres (9,492 square feet) of land more or less.

# SETTLEMENT AGREEMENT AND RELEASE

This Settlement Agreement and Release ("Agreement") is made and entered into as of the 26th day of December, 2017 (the "Effective Date"), by and between **THE CITY OF ALPHARETTA, GEORGIA**, a Georgia municipality (the "City") and **JCH PROPERTIES, LLC, a Georgia limited liability company ("JCH"), and consented to by ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation** ("AAH") a (The City, JCH and AAH being sometimes collectively referred to hereinafter as "the Parties").

## Statement of Facts

**WHEREAS**, JCH is the owner of property commonly known as 80 Milton Avenue, Alpharetta, GA, Fulton County Tax Parcels: 22 482312690625 and 22 482312690658 (collectively, the "AAH Property"), which is more fully described and depicted in **Exhibit A**, attached and incorporated by reference.

**WHEREAS**, AAH is a tenant of JCH and operates a veterinary clinic upon the AAH Property.

**WHEREAS**, the City is the owner of property commonly known as 92 Milton Avenue, Alpharetta, GA, Fulton County Tax Parcel: 22482312690682 (the "City Property"), which is more fully described and depicted in **Exhibit A**, attached and incorporated by reference.

**WHEREAS**, the City seeks to acquire an easement (the "Easement") over a portion of the AAH Property (the "Easement Area"), which is more fully described and depicted in **Exhibit B**, attached and incorporated by reference, for the public purpose of providing access to a publicly owned parking facility that will be located in its entirety upon the City Property.

**WHEREAS**, in lieu of condemnation, and to adequately and fully compensate JCH and AAH for the Easement, the Parties have negotiated a settlement agreement in which the City will perform certain improvements to the AAH Property, agree to specific design characteristics of the building to be constructed upon the City Property, and acknowledge certain vested rights of JCH and AAH to develop upon the AAH Property.

**NOW, THEREFORE**, in consideration of the promises and covenants contained herein, the Parties hereby agree as follows:

1. **Incorporation of Recitals.** The Parties agree upon the accuracy of the Recitals set forth above, and the Recitals are incorporated herein by reference.

2. **Access Easement.** JCH shall execute and deliver to the City, and AAH shall consent to and acknowledge, an easement instrument in form and tenor as **Exhibit "C,"** hereto and incorporated herein, for the public purpose of providing utility, pedestrian and vehicular access to a publicly owned parking facility that will be located in its entirety upon the City Property. The City will execute and record this fully executed easement instrument in the real estate records of Fulton County, Georgia.

3. **Consideration to AAH.**

a. **Parking Facility Design.** In consideration of the covenants herein, the City shall construct the parking facility upon the City Property with a pedestrian access from the parking deck to the Easement Area at the location depicted in the elevation drawing attached and incorporated as **Exhibit D.**

b. **Improvements to the AAH Property.** In further consideration of the covenants herein, the City agrees to perform, construct and install upon the AAH Property the following improvements (the "AAH Improvements"), which are depicted upon the site plan (the "Site Plan") attached and incorporated as **Exhibit E.**

i. Grade and pave all parking areas located on the AAH Property, as depicted on the Site Plan.

ii. Install a planted hedge around the portion of the parking area located on the AAH Property and to the south of the existing AAH building.

iii. Install landscaping materials and plantings as depicted on the Site Plan.

iv. Install raised planters along the west side of the existing AAH building, as depicted on the Site Plan.

v. Relocate an exterior storage unit to the area designated on the Site Plan.

vi. Maintain for the exclusive use of JCH and AAH during business hours, no less than nine (9) 90-degree parking stalls and the loading area along Milton Avenue, as depicted on the Site Plan.

vii. Sidewalk along Milton Avenue, as depicted on the Site Plan.

viii. Designate with appropriate signage loading areas for delivery vehicles, as depicted on the Site Plan.

ix. Install any other improvements depicted on the Site Plan.

c. **Gate.** If, after two (2) calendar years following the Effective Date, JCH or AAH has during the previous 6 months towed 6 or more non-customer's vehicles from the parking area located behind the existing AAH building, the City shall install and convey to JCH an electronic keypad-operated gate upon the AAH Property for the purpose of controlling access to the parking area located behind the existing AAH building. Upon conveyance of the gate, maintenance of the gate will be the responsibility of JCH.

d. **Generator Screen.** The City may stain or paint the existing cedar fence surrounding the generator serving the AAH buildings.

e. **Exterior Storage Units.** The Parties acknowledge the existence of 3 metal exterior storage units on the AAH Property as of the Effective Date. JCH shall identify and may maintain one such storage unit on the AAH Property in the area designated on the Site Plan. Prior to commencement of construction by the City upon the AAH Property, JCH may remove, salvage, sell or otherwise dispose of the other 2 storage units at JCH's sole discretion. Upon commencement of construction by the City upon the AAH Property, these two containers will become the property of the City, which may then remove, salvage, sell or otherwise dispose of them at the City's sole discretion.

f. **License for Work; Indemnity.** In order to complete the necessary work to complete the items listed in Sections 2 and 3, above, JCH and AAH hereby grant a license over, under, across, and through the AAH Property for the purpose of designing, installing and constructing the AAH Improvements and performing any other obligation pursuant to this Agreement. The AAH Improvements and all other work by the City shall be performed in a good and workmanlike manner and may not unreasonably interfere with the normal business operations of JCH or AAH upon the AAH Property. This license will automatically expire upon completion of the work and acceptance by JCH and AAH of the AAH Improvements and other work performed by the City.

As a material part of the consideration for this Agreement, to the fullest extent permitted by law, the City hereby agrees to release, indemnify, defend, protect and hold harmless JCH and AAH, and JCH's and AAH's respective owners, agents, contractors, servants, employees, successors and assigns, from and

against any and all claims, liabilities, demands for payment, suits, causes of action, losses, damages, costs and expenses of any kind of nature whatsoever suffered, made against, incurred, or sustained by JCH or AAH as a result of, by reason of, or in connection with: (i) the exercise, use and enjoyment of the license to perform its obligations under this Agreement; (ii) the entry of the City and any of the City's agents upon the AAH Property; (iii) any liens or claims of liens as a result of the work performed by or for the City pursuant to this Agreement; or (iv) the City's failure to perform fully and completely any of its duties or obligations hereunder; except to the extent resulting from the sole negligent or willful acts of JCH or AAH.

4. **Acknowledgement of Land Use and Expansion.** The City acknowledges and affirms the AAH Property is currently zoned C-2 (Commercial District) within the City of Alpharetta, GA, and that offices and clinics are permitted uses on the AAH Property. In this regard, the City further acknowledges and affirms JCH and AAH may add up to an additional 1,000 square feet of office space and medical examination rooms upon the portion of the AAH Parcel located between the eastern side of the existing AAH building and Roswell Street; *provided* this provision does not authorize the expansion of any indoor or outdoor kennels or runs anywhere upon the AAH Property.

5. **Miscellaneous.** This is the sole and entire agreement between the parties. Any modification hereof will not be binding except when reduced to writing and executed by the parties. This Agreement shall inure to the benefit of and be binding upon each of the parties and their respective heirs, legal representatives, successors and permitted assigns.

The Headings and Subheadings of this Agreement are intended for the reader's benefit, and will not be used for the interpretation of the parties' intent.

All of the terms, representations, warranties, and other provisions of this Agreement, including, without limitation, any recitals, have been relied upon to induce the parties to enter into this Agreement and shall survive and remain in effect after the consummation of the transactions contemplated herein. Any obligation that by its nature is due after this Agreement expires, shall survive the termination of this Agreement.

All exhibits and attachments attached hereto are incorporated herein by this reference.

No failure of any party hereto to exercise any power given hereunder or to insist upon strict compliance with the terms hereof and no custom or practice at variance with the terms hereof shall constitute a waiver of any party's right to demand exact compliance with the terms hereof. The provisions of this Agreement are intended to be cumulative with other rights available under the law and under any agreement, whether express or implied, and shall not be considered in restriction thereof, and such provisions are intended to be performed in accordance with, and to the fullest extent permitted by applicable laws, ordinances, rules and regulations. If any provision or any part of any provision of this Agreement or the application thereof to any person or circumstances shall, for any reason and to any extent, be invalid or unenforceable, the remainder of this Agreement or of such provision, as well as the application of such provision or part of such provision to other persons or circumstances, shall not be affected thereby but rather shall remain in force and effect to the fullest extent permitted by law.

Time is of the essence in complying with the terms, conditions and agreements of this Agreement.

This Agreement may be executed in two or more counterparts, each of which will be deemed to be an original but all of which will together constitute one and the same instrument, and may, pursuant to the provisions of the Georgia Uniform Electronic Transactions Act, O.C.G.A. §10-12-1 et seq., be signed and delivered by fax or any other electronic or digital method by any one or more of the undersigned with the same force and effect as the manually executed original thereof. In that regard, each of the undersigned accepts and agrees to be bound by an electronic record of this instrument executed or adopted with an electronic signature.

The parties agree that this Agreement has been jointly prepared by the parties hereto, reviewed and approved, if approval is required, by appropriate persons, and the parties each hereby represent and agree with the other parties that this Agreement is given and executed voluntarily. This Agreement shall be governed by and construed in accordance with the laws of the State of Georgia.

**[Signatures Appear on Following Page]**

**IN WITNESS WHEREOF**, Grantee and Grantors, intending to be legally bound, have duly executed this Agreement as of the Effective Date.

**JCH PROPERTIES, LLC, a Georgia limited liability company**

Signed, sealed and delivered in the presence of:

By: _____[SEAL]

_____
Notary Public

Print Name: _____

Title: _____

[Notary Stamp]

My Commission Expires: _____

[COMPANY SEAL]

**ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation**

Signed, sealed and delivered in the presence of:

By: _____[SEAL]

_____
Notary Public

Print Name: _____

Title: _____

[Notary Stamp]

[CORPORATE SEAL]

My Commission Expires: _____

**CITY OF ALPHARETTA, GEORGIA, a Georgia municipality**

Signed, sealed and delivered in the presence of:

By: _____[SEAL]

_____
Notary Public

Print Name: _____

[Notary Stamp]

Title: _____

My Commission Expires: _____

[MUNICIPAL SEAL]

# Alpharetta Animal Hospital - Aerial Map

November 13, 2017

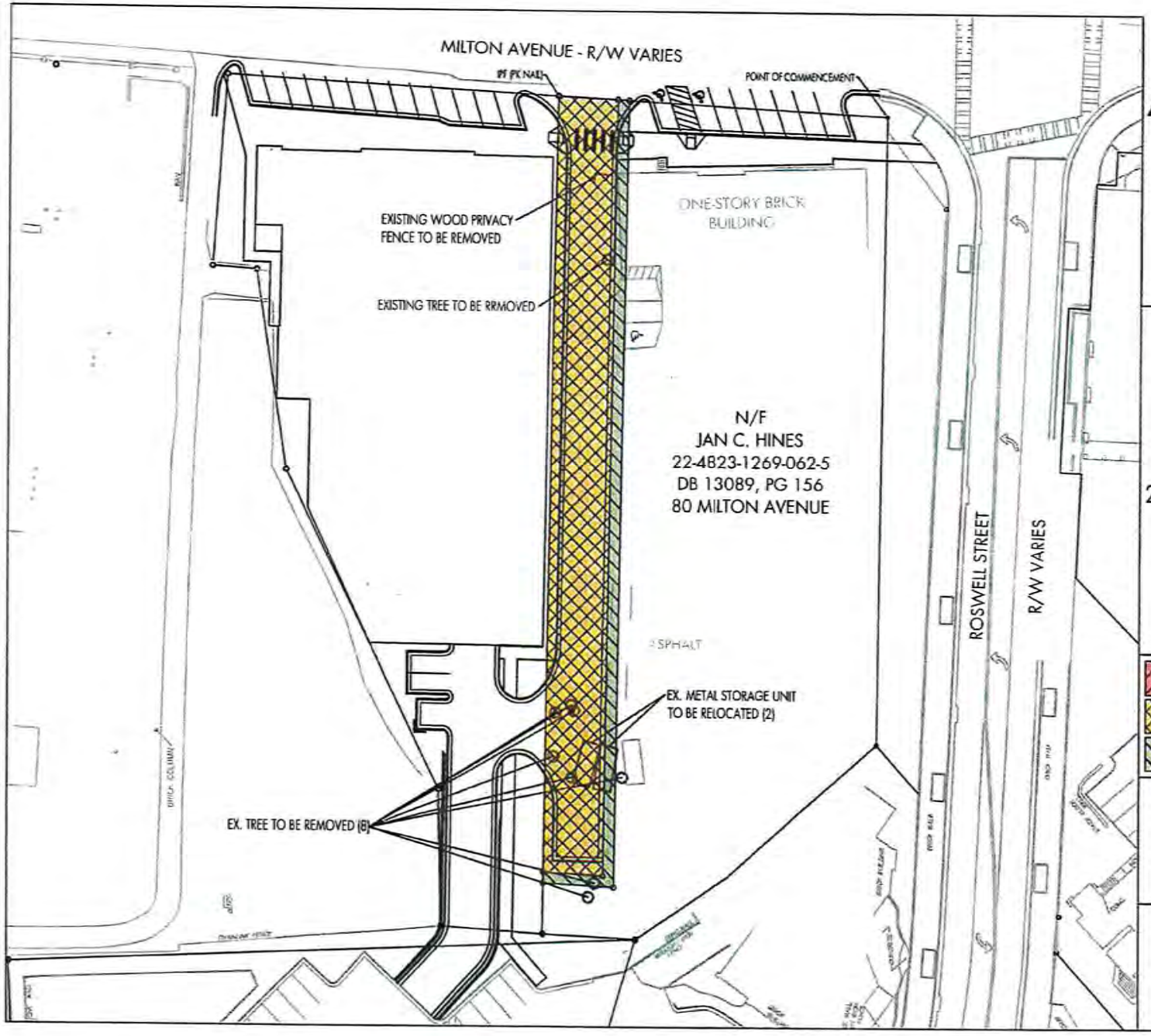
1:1,128

0 0.0075 0.015 0.03 mi

0 0.015 0.03 0.06 km

City of Alpharetta, City of Roswell, City of Milton, City of Johns Creek, City of Sandy Springs, and Forsyth County

City of Alpharetta Georgia
copyright 2017




THE CITY OF
ALPHARETTA
PUBLIC WORKS

1790 Hembree Road
Alpharetta, Georgia 30009

Phone: 678-297-6200
Fax: 678-297-6201

EASEMENT EXHIBIT FOR
80 MILTON AVENUE

LAND LOT 1269
2ND DISTRICT, 2ND SECTION
CITY OF ALPHARETTA,
FULTON COUNTY,
GEORGIA

DATE: OCTOBER 3, 2017

REQUIRED RIGHT OF WAY
PERMANENT EASEMENT
TEMPORARY CONSTRUCTION EASEMENT

NORTH

0' 60' 120'

EXHIBIT "C"
SHEET 1 OF 2

## PERMANENT ACCESS AND UTILITY EASEMENT
## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the westerly row of Roswell Street, having a variable right-of-way width, and the southerly row of Milton Avenue, having a variable right-of-way width, said point being the POINT OF COMMENCEMENT.

THENCE, along said row line of Milton Avenue North 86 degrees 51 minutes 55.6 seconds West for a distance of 122.38 feet to a point, said point being the POINT OF BEGINNING.

THENCE, leaving said row line of Milton Avenue South 00 degrees 49 minutes 47.5 seconds West for a distance of 350.77 feet to a point, thence North 86 degrees 51 minutes 55.6 seconds West for a distance of 27.08 feet to a point, thence North 00 degrees 49 minutes 47.5 seconds East for a distance of 350.77 feet to a point on the southerly row of Milton Avenue (IPF PK Nail); thence along said row of Milton Avenue South 86 degrees 51 minutes 55.6 seconds East for a distance of 27.08 feet to a point, said point being the POINT OF BEGINNING.

Said property contains 0.22 acres (9,492 square feet) of land more or less.

## TEMPORARY CONSTRUCTION EASEMENT
## LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the westerly row of Roswell Street, having a variable right-of-way width, and the southerly row of Milton Avenue, having a variable right-of-way width, said point being the POINT OF COMMENCEMENT.

THENCE, along said row line of Milton Avenue North 86 degrees 51 minutes 55.6 seconds West for a distance of 117.38 feet to a point, said point being the POINT OF BEGINNING.

THENCE, leaving said row line of Milton Avenue South 00 degrees 49 minutes 47.5 seconds West for a distance of 355.77 feet to a point; thence North 86 degrees 51 minutes 29.6 seconds West for a distance of 32.09 feet to a point; thence North 00 degrees 49 minutes 47.5 seconds East for a distance of 5.00 feet to a point; thence South 86 degrees 51 minutes 55.6 seconds East for a distance of 27.08 feet to a point; thence North 00 degrees 49 minutes 47.5 seconds East for a distance of 350.77 feet to a point on the southerly row of Milton Avenue; thence along said row of Milton Avenue South 86 degrees 51 minutes 55.6 seconds East for a distance of 5.00 feet to a point, said point being the POINT OF BEGINNING.

Said property contains 0.04 acres (1,914 square feet) of land more or less.

THE CITY OF
ALPHARETTA
PUBLIC WORKS

1790 Hembree Road
Alpharetta, Georgia 30009

Phone: 678-297-6200
Fax: 678-297-6201

EASEMENT EXHIBIT FOR
80 MILTON AVENUE

LAND LOT 1269
2ND DISTRICT, 2ND SECTION
CITY OF ALPHARETTA,
FULTON COUNTY,
GEORGIA

DATE: OCTOBER 3, 2017

EXHIBIT "C"
SHEET 2 OF 2

Return Recorded Document to:

**ACCESS EASEMENT**

**STATE OF GEORGIA**

**COUNTY OF FULTON**

**KNOW ALL MEN BY THESE PRESENTS**, that as of the _____ day of _____, 2018, **JCH PROPERTIES, LLC, a Georgia limited liability company ("JCH")** (the "Grantor"), **and consented to by Grantor's tenant ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation** ("AAH"), for and in consideration of TEN DOLLARS ($10.00) in hand paid to the Grantor, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant unto **THE CITY OF ALPHARETTA, GEORGIA**, a Georgia municipality (the "Grantee"), and Grantee's agents, successors, assigns, and successors-in-title, tenants, employees, invitees, agents, and independent contractors, the following easements for the benefit of certain real property lying and being in Land Lot 1269 of the 2nd District, 2nd Section of Fulton County, Georgia (the "Beneficiary Property"), more fully described in **Exhibit "A,"** attached hereto and incorporated herein by this reference, and burdening certain real property lying and being in Land Lot 1269 of the 2nd District, 2nd Section of Fulton County, Georgia (the "Burdened Property"), more fully described in **Exhibit "B"**.

Grantor hereby grants, declares, creates, imposes, establishes and conveys unto the Grantee, and Grantee's respective successors, succesors-in-title and assigns, invitees, guests, tenants, agents, employees, contractors, officers and directors, as the context requires, as a benefit to the Beneficiary Property and as a burden upon a portion of the Burdened Property (herein called the "Easement Area"), being more particularly described and depicted in **Exhibit "C,"** attached hereto and incorporated herein by this reference, a non-exclusive, perpetual right and easement (the "Easement") on, over, across, to, under and through the Easement Area for the public purpose of providing pedestrian and vehicular access, ingress and egress to and from a publicly owned parking facility that will be located in its entirety upon the Beneficiary Property, and for the purpose of installing and maintaining any utility lines that

are, or may be, located within the Easement Area. This easement includes the right of Grantee to execute certain construction on, over, upon, across, through and under the Easement Area to support and accommodate any improvements to the Easement Area consistent with the foregoing purposes when such improvements are desired or deemed necessary in the reasonable discretion of Grantee, including, without limitation, the construction and installation of a driveway, sidewalk and other related improvements by Grantee (the "City Improvements").

Grantor hereby further grants to Grantee a perpetual, non-exclusive easement on, over, upon, across, through and under the Burdened Property as necessary for the maintenance, repair, and restoration from time to time of the Easement Area and the City Improvements located on, under, within or upon the Easement Area (the "Maintenance Easement"); provided, however, that Grantee shall provide reasonable advance notice to Grantor of any work to be performed pursuant to the Maintenance Easement, and shall use reasonable efforts to minimize the disruption of Grantor's or its tenant's business operating on the Burdened Property.

Grantor hereby grants to Grantee a temporary, non-excusive easement on, over, upon, across, through and under the Burdened Property as necessary for the purpose of constructing, at Grantee's cost and expense, the City Improvements (the "Temporary Construction Easement"); provided, however, that Grantee shall provide reasonable advance notice to Grantor of any work to be performed pursuant to the Temporary Construction Easement, and shall use reasonable efforts to minimize the disruption of Grantor's or its tenant's business operating on the Burdened Property. The Temporary Construction Easement shall terminate upon Grantee's completion of the City Improvements or at the expiration of eighteen (18) months following the commencement of construction of same, whichever is first to occur. Prior to the termination of the Temporary Construction Easement, Grantee agrees to cause the area of the Temporary Construction Easement to be returned to substantially the same condition as existed immediately prior to Grantee's exercise of the rights granted herein.

By the acceptance hereof, the Grantee hereby agrees with Grantor, its successors, assigns, and successors-in-title, that the Easement, Maintenance Easement and Temporary Construction Easement shall be exercised on the following terms and conditions:

1. Grantee shall be responsible for all costs incurred in exercising its easement rights hereunder.

2. Grantee shall maintain the Easement Area, including without limitation the driveway area and sidewalk, in a safe and clean condition.

3. All work to be performed hereunder by the respective parties shall be completed promptly after commencement of such work in a good and workmanlike manner with as little inconvenience as possible to the other party, and the landscaping and property affected by such work shall be restored to the same condition and, as applicable, slope, as existed prior to the commencement thereof. All work shall be constructed and installed in accordance with all applicable governmental rules, regulations, ordinances and codes then in effect, with a minimum of inconvenience to Grantor, its successors and assigns, and without attachment of any liens against any portion of the Burdened Property of the Easement Area as a result of work performed or materials or services provided in connection therewith.

**IN WITNESS WHEREOF,** the parties have signed and sealed this instrument as of the date first referenced above.

**GRANTOR:**

**JCH PROPERTIES, LLC, a Georgia limited liability company**

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

By:
_____[SEAL]

Print Name: _____

Title: _____

[COMPANY SEAL]

**CONSENTED TO BY:**

**ALPHARETTA ANIMAL HOSPITAL, P.C., a Georgia professional corporation**

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

By: _____[SEAL]

Print Name: _____

Title: _____

[CORPORATE SEAL]

Signed, sealed and delivered
in the presence of:

_____
Unofficial Witness

_____
Notary Public

[NOTARIAL SEAL]

My Commission Expires: _____

**GRANTEE:**

**CITY OF ALPHARETTA, GEORGIA, a Georgia municipality**

By: _____[SEAL]

Print Name: _____

Title: _____

[MUNICIPAL SEAL]

**Exhibit "A"**

**Legal Description of the Beneficiary Property**

All that tract or parcel of land lying and being in Land Lot 1269 of the 2nd District, 2nd Section of City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the west right-of-way of Roswell Street with the south right-of-way of Milton Avenue as it is shown on Fulton County project PR8532-13(121.); thence 149.47 feet along the south right-of-way of Milton Avenue to an iron pin found (pk nail in asphalt) and the True Point of Beginning for the parcel herein described.

Thence leaving the right-of-way of Milton Avenue, South 00 degrees 49 minutes 47 seconds West for a distance of 378.62 feet along the property of Jan C. Hines to an iron pin found (1/2"rebar);

Thence North 85 degrees 55 minutes 03 seconds West for a distance of 46.03 feet along the property of the City of Alpharetta to an iron pin found (1"open top pipe);

Thence North 01 degree 08 minutes 56 seconds West for a distance of 61.53 feet along the property of the Rest Haven Cemetery to an iron pin found (1/2"rebar);

Thence North 25 degrees 48 minutes 12 seconds West for a distance of 159.87 feet along the property of the Rest Haven Cemetery to an iron pin found (3/4"open top pipe);

Thence North 08 degrees 48 minutes 06 seconds West for a distance of 91.09 feet along the property of the Rest Haven Cemetery to an iron pin found (3/8"rebar in a block wall);

Thence North 85 degrees 56 minutes 04 seconds West for a distance of 19.97 feet along the property of the Rest Haven Cemetery to an iron pin found (3/8"rebar in asphalt pavement);

Thence North 04 degrees 05 minutes 52 seconds East for a distance of 87.08 feet along the property of the Rest Haven Cemetery to an iron pin found (1"open top pipe) on the south right-of-way of Milton Avenue;

Thence South 86 degrees 46 minutes 50 seconds East for a distance of 150.08 feet along the south right-of-way of Milton Avenue to an iron pin found (pk nail) and The Point of Beginning.

Said parcel contains 0.903 acres according to a survey for The City of Alpharetta by Moreland Altobelli and Associates dated 8-31-2016 and being job number 12G210. Said survey is incorporated by specific reference for a more complete and accurate description.

g:\data\survey\12g210\Fredenburg.docx

Exhibit "B"

Legal Description of the Burdened Property

All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia, being a tract of 1.185 acres as shown on Plat of Survey for Dr. Jan C. Hines by Brumbelow-Reese and Associates, Inc. (Rodney H. Reese, R.L.S.), dated March 9, 1984, as revised May 29, 1984, and being more particularly described as follows:

BEGINNING at an iron pin set located on the south side of a nine (9) foot sidewalk on the south side of Milton Avenue, which iron pin is located 482.7 feet west of the intersection formed by the south side of said sidewalk with the west curbline of Roswell Street as measured along the south side of said sidewalk; running thence south 00 degrees 35 minutes 39 seconds west a distance of 283.90 feet to an iron pin found; running thence south 50 degrees 42 minutes 39 seconds west a distance of 140.77 feet to an iron pin set; running thence north 86 degrees 54 minutes 28 seconds west a distance of 42.18 feet to an iron pin set; running thence north 00 degrees 40 minutes 08 seconds east a distance of 378.60 feet to an iron pin set located on the south side of Milton Avenue; running thence south 87 degrees 08 minutes 23 seconds east along the south side of said Milton Avenue and along the south side of the said sidewalk a distance of 149.80 feet to an iron pin and being the point of beginning.

Being improved property with a building located thereon known as 80 Milton Avenue, under the present system of numbering streets within the City of Alpharetta, Fulton County, Georgia.

## TOGETHER WITH THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT TRACT or parcel of land lying and being in Land Lot 1269 of the 2nd District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the projected east right-of-way line of the relocated Roswell Street (R/W Varies) and the projected south right-of-way line of Milton Avenue (R/W Varies); THENCE South 62 degrees 07 minutes 27 seconds West, 77.98 feet to a right-of-way monument found on the westerly right-of-way of Roswell Street (R/W Varies), said point being the POINT OF BEGINNING; THENCE along said westerly right-of-way South 02 degrees 31 minutes 42 seconds West, 264.25 feet to a #4 rebar found; THENCE leaving said westerly right-of-way North 41 degrees 20 minutes 27 seconds West, 27.96 feet to a #4 rebar found; THENCE North 00 degrees 40 minutes 57 seconds East, 277.88 feet to a right-of-way monument found; THENCE South 37 degrees 34 minutes 24 seconds East, 43.97 feet to a right-of-way monument found; said point being the POINT OF BEGINNING;

Said tract or parcel contains 0.15 acres (6,343 square feet) more or less. Said property being shown as Site 3 on the ALTA/ACSM Land Title Survey for JMJ Real Estate, LLC, Stewart Title Guaranty Company and Partnership Title Company, LLC by Gaskins Engineering & Surveying Company, dated October 16, 2013, by Dean C. Olson, Georgia Registered Land Surveyor No. 2806.

**Exhibit "C"**

# PERMANENT ACCESS AND UTILITY EASEMENT
# LEGAL DESCRIPTION

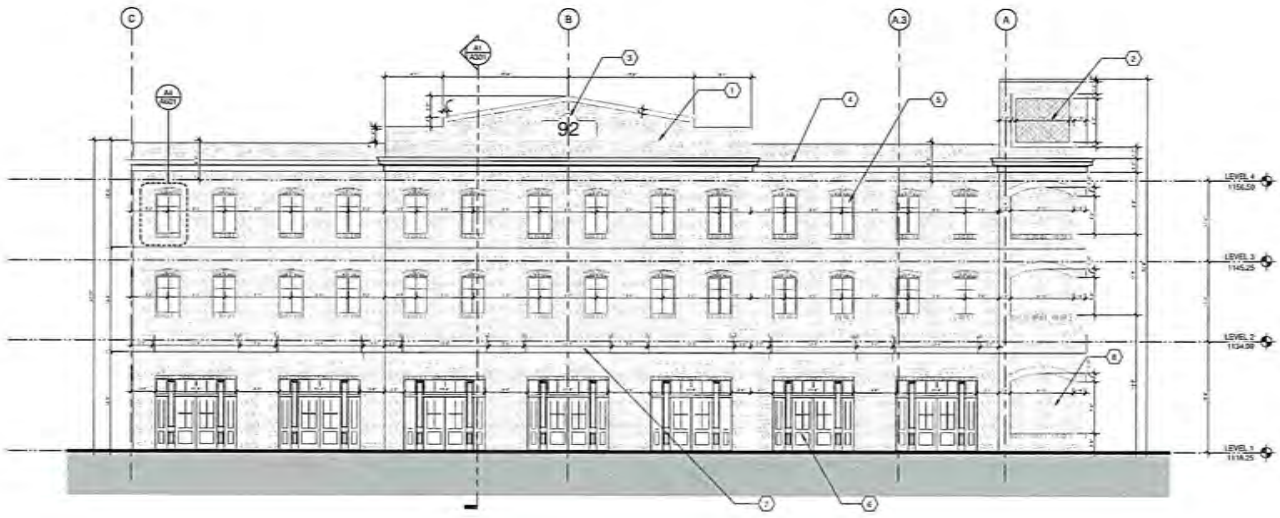
All that tract or parcel of land lying and being in Land Lot 1269, 2nd District, 2nd Section of the City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

Commencing at the intersection of the westerly row of Roswell Street, having a variable right-of-way width, and the southerly row of Milton Avenue, having a variable right-of-way width, said point being the POINT OF COMMENCEMENT.

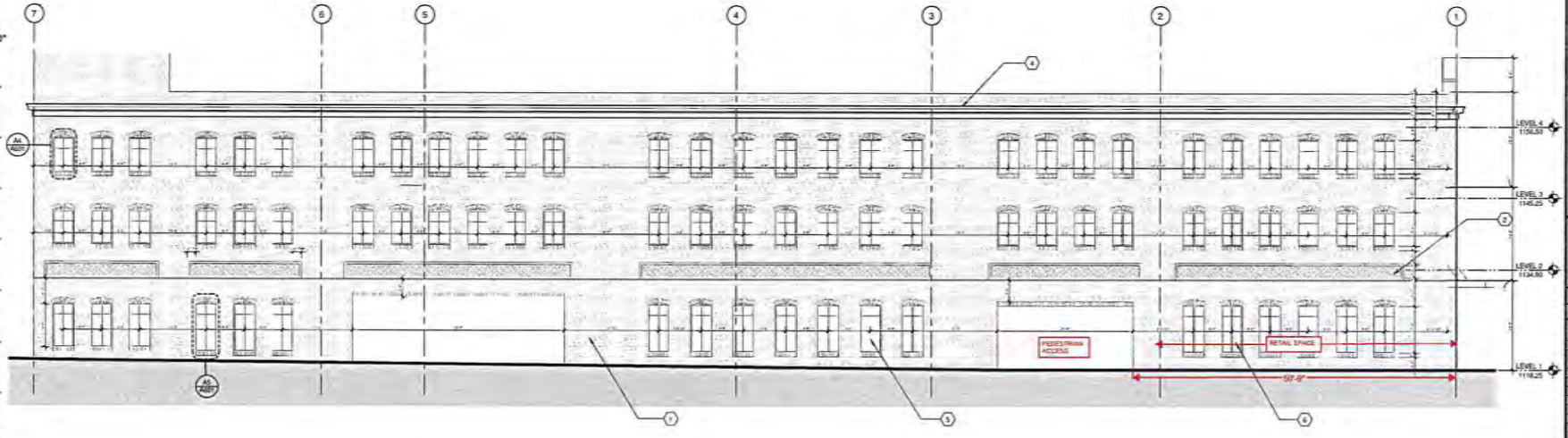
THENCE, along said row line of Milton Avenue North 86 degrees 51 minutes 55.6 seconds West for a distance of 122.38 feet to a point, said point being the POINT OF BEGINNING.

THENCE, leaving said row line of Milton Avenue South 00 degrees 49 minutes 47.5 seconds West for a distance of 350.77 feet to a point, thence North 86 degrees 51 minutes 55.6 seconds West for a distance of 27.08 feet to a point, thence North 00 degrees 49 minutes 47.5 seconds East for a distance of 350.77 feet to a point on the southerly row of Milton Avenue (IPF PK Nail); thence along said row of Milton Avenue South 86 degrees 51 minutes 55.6 seconds East for a distance of 27.08 feet to a point, said point being the POINT OF BEGINNING.

Said property contains 0.22 acres (9,492 square feet) of land more or less.




NORTH ELEVATION B1




EAST ELEVATION A1

**ELEVATION NOTES**

1. PRECAST CONCRETE PANEL W/ INSET THIN BRICK
2. RECESSED HERRINGBONE BRICK PATTERN
3. PRECAST CONCRETE SIGNAGE
4. PRECAST CONCRETE EYEBROW DETAIL
5. OPEN FAUX WINDOW
6. STOREFRONT SYSTEM
7. PREFABRICATED CANOPY
8. RECESSED BRICK

Note:

TREANORHL

1510 Ellsworth Industrial Blvd NW, Suite #200
Atlanta, GA 30318
Phone: 678.843.7638
Fax: 678.843.7638
www.TreanorHL.com

PROGRESS PRINTS

CITY OF ALPHARETTA
MILTON AVE. GARAGE
92 Milton Avenue
Alpharetta, GA 30004

ALPHARETTA

© 2017 TreanorHL

Issued For: DESIGN REVIEW

Date: 2/2/18

REVISIONS

| NO | DESCRIPTION | DATE |
|---|---|---|
| | | |

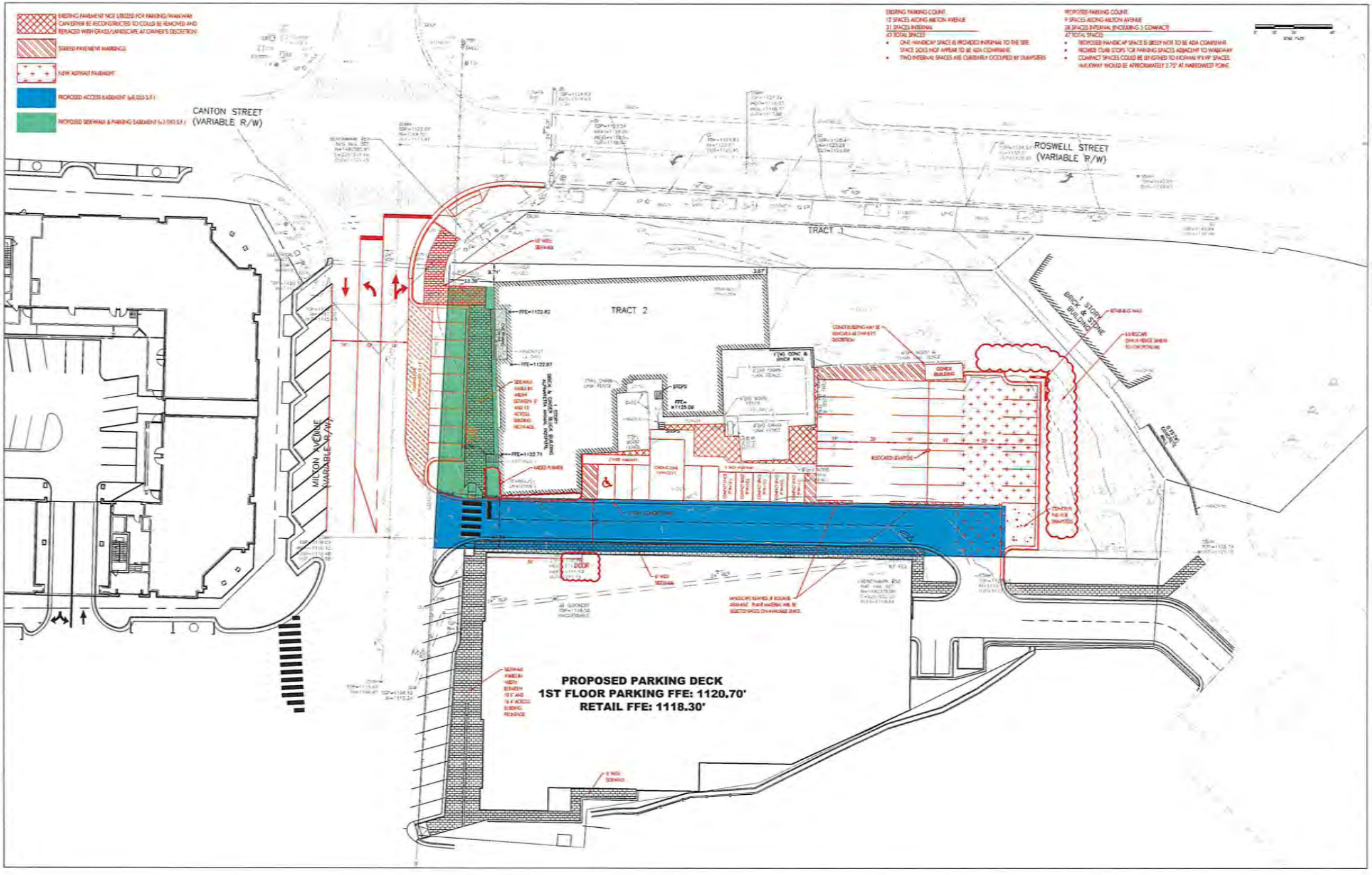
A200

ELEVATIONS

TreanorHL NO. J5620.000.00

2/2/2018 11:01:52 AM

C:\Autodesk\City of Alpharetta Milton Parking Deck_Abovat@treanorhl.com.rvt


EXISTING PAVEMENT NOT UTILIZED FOR PARKING/WALKWAY CAN EITHER BE RECONSTRUCTED TO COULD BE REMOVED AND REPLACED WITH GRASS/LANDSCAPE AT OWNER'S DISCRETION
STRIPED PAVEMENT MARKINGS
NEW ASPHALT PAVEMENT
PROPOSED ACCESS EASEMENT (±8,033 S.F.)
PROPOSED SIDEWALK & PARKING EASEMENT (±3,080 S.F.)
EXISTING PARKING COUNT:
12 SPACES ALONG MILTON AVENUE
31 SPACES INTERNAL
43 TOTAL SPACES
ONE HANDICAP SPACE IS PROVIDED INTERNAL TO THE SITE. SPACE DOES NOT APPEAR TO BE ADA COMPLIANT.
TWO INTERNAL SPACES ARE CURRENTLY OCCUPIED BY DUMPSTERS
PROPOSED PARKING COUNT:
9 SPACES ALONG MILTON AVENUE
38 SPACES INTERNAL (INCLUDING 5 COMPACT)
47 TOTAL SPACES
PROPOSED HANDICAP SPACE IS LIKELY NOT TO BE ADA COMPLIANT.
PROVIDE CURB STOPS FOR PARKING SPACES ADJACENT TO WALKWAY
COMPACT SPACES COULD BE LENGTHED TO NORMAL 9'X19' SPACES. WALKWAY WOULD BE APPROXIMATELY 2.75' AT NARROWEST POINT.
CANTON STREET
(VARIABLE R/W)
ROSWELL STREET
(VARIABLE R/W)
TRACT 1
TRACT 2
MILTON AVENUE
(VARIABLE R/W)
1 STORY BRICK & STONE BUILDING
CONEX BUILDING
PROPOSED PARKING DECK
1ST FLOOR PARKING FFE: 1120.70'
RETAIL FFE: 1118.30'

EXISTING PAVEMENT NOT UTILIZED FOR PARKING/WALKWAY. CAN EITHER BE RECONSTRUCTED TO COULD BE REMOVED AND REPLACED WITH GRASS/LANDSCAPE AT OWNER'S DISCRETION.

STRIPED PAVEMENT MARKINGS

NEW ASPHALT PAVEMENT

PROPOSED ACCESS EASEMENT (±8,055 S.F.)

PROPOSED SIDEWALK & PARKING EASEMENT (±3,080 S.F.)

EXISTING PARKING COUNT
12 SPACES ALONG MILTON AVENUE
31 SPACES INTERNAL
43 TOTAL SPACES
- ONE HANDICAP SPACE IS PROVIDED INTERNAL TO THE SITE. SPACE DOES NOT APPEAR TO BE ADA COMPLIANT.
- TWO INTERNAL SPACES ARE CURRENTLY OCCUPIED BY DUMPSTERS

PROPOSED PARKING COUNT
9 SPACES ALONG MILTON AVENUE
38 SPACES INTERNAL (INCLUDING 5 COMPACT)
47 TOTAL SPACES
- PROPOSED HANDICAP SPACE IS LIKELY NOT TO BE ADA COMPLIANT.
- PROVIDE CURB STOPS FOR PARKING SPACES ADJACENT TO WALKWAY
- COMPACT SPACES COULD BE LENGTHED TO NORMAL 9'X19' SPACES. WALKWAY WOULD BE APPROXIMATELY 2.75' AT NARROWEST POINT.

SCALE 1"=20'

CANTON STREET (VARIABLE R/W)

ROSWELL STREET (VARIABLE R/W)

MILTON AVENUE (VARIABLE R/W)

TRACT 1

TRACT 2

10' WIDE SIDEWALK

FFE=1122.82

FFE=1122.87

FFE=1122.71

FFE= ±1125.09

SIDEWALK VARIES IN WIDTH BETWEEN 8' AND 15' ACROSS BUILDING FRONTAGE

RAISED PLANTER

1 STORY BRICK & CINDER BLOCK BUILDING ALPHARETTA ANIMAL HOSPITAL

1 STORY BRICK & STONE BUILDING

CONEX BUILDING MAY BE REMOVED AT OWNER'S DISCRETION

CONEX BUILDING

RETAINING WALL

LANDSCAPE (SHRUB HEDGE SIMILAR TO LORIOPETALUM)

RELOCATED LIGHTPOLE

CONCRETE PAD FOR DUMPSTERS

6' WIDE SIDEWALK

5' WIDE SIDEWALK

SIDEWALK VARIES IN WIDTH BETWEEN 10.8' AND 18.4' ACROSS BUILDING FRONTAGE

**PROPOSED PARKING DECK**
**1ST FLOOR PARKING FFE: 1120.70'**
**RETAIL FFE: 1118.30'**

THE CITY OF
ALPHARETTA
GEORGIA

2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

April 24, 2018

Mayor and Council,

Attached is the Intergovernmental Agreement (IGA) between the City and Forsyth County regarding the widening of McGinnis Ferry Road. Of the total anticipated cost of $36,000,000, the amount of our obligation is $4,000,000 and covers our full fiscal responsibility on the project. The sources of funding our $4,000,000 are TSPLOST funds at $2,400,000, 2016 General Obligation Bonds at $1,500,000 and Capital Improvement Funds at $100,000.

The project in our City limits runs along McGinnis Ferry Road from our eastern border with Johns Creek to the intersection of McGinnis Ferry Road and Ronald Reagan Parkway.

Any questions please let me know.

Bob Regus

MAYOR PRO TEM
DONALD F. MITCHELL

COUNCIL MEMBERS
JASON BINDER
BEN BURNETT
DAN MERKEL

CITY ADMINISTRATOR
ROBERT J. REGUS

# INTERGOVERNMENTAL AGREEMENT REGARDING THE DESIGN, ENGINEERING, RIGHT OF WAY ACQUISITION, UTILITY RELOCATION AND CONSTRUCTION RELATED TO THE WIDENING OF A PORTION OF MCGINNIS FERRY ROAD

THIS INTERGOVERNMENTAL AGREEMENT ("IGA"), by and between the City of Alpharetta, Georgia ("City") and Forsyth County, Georgia ("County") (collectively referred to herein as the "Parties") is entered into as of the "Effective Date" defined herein.

WHEREAS, Forsyth County, Georgia is a constitutionally created political subdivision of the State of Georgia; and

WHEREAS, the City of Alpharetta is a municipal corporation created and existing under the laws of the State of Georgia; and

WHEREAS, the City and the County anticipate the initiation of DOT Project No. 0004634, STP00-0004-00 (634)1 FN - 233A, PEW08 regarding the widening of McGinnis Ferry Road from Sargent Road to Union Hill Road (the "Project") as set forth in that preliminary concept drawing attached hereto and incorporated herein by reference as Exhibit "A"; and

WHEREAS, the Parties share a common boundary for a portion of the Project from Douglas Road to Georgia 400 (the "City Project Portion"); and

WHEREAS, the Parties recognize the need to further define the rights, responsibilities and obligations of each in regard to the funding of the design of the Project, including the City Project Portion; and

WHEREAS, the Parties agree and acknowledge that the Project will be of value to its respective citizens and businesses; and

WHEREAS, the City desires to make a contribution toward the funding of the design and engineering of the City Project Portion; and

WHEREAS, the Parties are authorized to enter into this IGA pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 regarding intergovernmental contracts; and

WHEREAS, the Parties are further authorized to enter into Intergovernmental Agreements related to work on public roads in accord with O.C.G.A. §32-4-62.

NOW THEREFORE, in consideration of the following mutual obligations, the Parties agree as follows:

ARTICLE 1

OBLIGATIONS OF THE PARTIES

A. The City agrees:

1. To contribute $500,000.00 exclusively toward funding the design and engineering costs directly related to the City Project Portion. The funds shall be payable in increments consistent with the percentages and payment schedule established in the County's contract with the design/engineering firm engaged by the County. Any portion of the $500,000.00 not so expended shall be used for the purpose authorized in Paragraph A.3 below;

2. To cooperate and work in good faith with the County to advance the Project, to include the potential joint submittal of application for permits, grant(s) or funding requests and/or regulatory approvals; and

3. That once the design and engineering plans for the City Project Portion are approved, to provide, at no cost to the County, access to City-owned right-of-way and easements within the City Project Portion, including temporary and permanent construction easements. The City shall also contribute $3,500,000.00 exclusively toward the funding of right-of-way acquisition, utility relocation and construction within the City Project Portion.

B. The County agrees:

1. To manage the design, engineering, utility relocations, right-of-way acquisitions, and construction for the Project;

2. To promptly provide the City with all documentation and back-up necessary to demonstrate the costs being funded by the City under this IGA; and

3. That the City shall have the right to participate in and have input into Project meetings in conjunction with the County. Input shall include the right to participate in the determination of the alignment of that portion of McGinnis Ferry Road that serves as the jurisdictional boundary between the County and City. The City agrees, however, that the primary, but not sole, consideration in establishing and approving the alignment is the minimization of Project costs.

## ARTICLE 2

## AUTHORIZATION TO ACT IN THE CITY

Once the design and engineering plans for the City Project Portion are approved, the County shall have the requisite authorization under the GA. Constitution, Article 9, Section 2, Paragraph III (a)(4) to undertake any and all necessary activities within the jurisdictional boundaries of the City in furtherance of the Project, to include, but not be limited to, land acquisition, land disturbance, permitting, and all other related and necessary activities, including eminent domain; provided that no such eminent domain proceedings shall be undertaken sooner than fifteen (15) days after consultation with the City. Any property acquired by the County pursuant to this Article within City limits shall, following such acquisition, be conveyed to the City with a deed restriction that the property may only be used for the purposes of the Project.

## ARTICLE 3

## REMEDY

A Party's sole remedy in the event of non-performance by the other Party shall be an action to compel specific performance. The prevailing party in any such action shall be entitled to reasonable attorney's fees and costs.

## ARTICLE 4

## GOVERNING LAW AND VENUE

This IGA shall be governed by the laws of the State of Georgia, and proper venue for any actions arising out of this IGA shall be in the Superior Court of Fulton or Forsyth County, such venue to be determined by the domicile of the defendant in the action.

## ARTICLE 5

## IMMIGRATION AND TITLE VI COMPLIANCE

The Parties agree to comply, to the extent applicable, with all obligations of O.C.G.A. §13-10-91, et seq. and Title VI of the Civil Rights Act.

## ARTICLE 6

## MISCELLANEOUS

6.1 NON-WAIVER. Any Party's failure to seek redress for a violation or to insist upon strict performance of any IGA provision will not prevent a subsequent act, which would originally have constituted a violation, from having the effect of an original violation.

6.2 COUNTERPARTS. This IGA may be executed in any number of counterparts with the same effect as if all Parties hereto had all signed the same document. All counterparts will be construed together and will constitute one (1) agreement.

6.3 GENDER AND NUMBER. Unless the context requires otherwise, the use of a masculine pronoun includes the feminine and the neuter, and vice versa, and the use of the singular includes the plural, and vice versa.

6.4 COMPLETE AGREEMENT. This IGA constitutes the complete and exclusive statement of the agreement between the Parties. It supersedes all prior written and oral statements, including any prior representation, statement, condition or warranty. Except as expressly provided otherwise herein, this IGA may not be amended without the written consent of all the Parties.

6.5 TIME OF ESSENCE. Time is of the essence of this IGA.

6.6 NON-ASSIGNABILITY. Neither Party shall assign any of the obligations or benefits of this IGA.

6.7 AUTHORITY TO CONTRACT. Each Party declares that it has obtained all necessary approvals of its governing authority to execute and bind the Party to the terms of this IGA. Ratification of the IGA by a majority of the governing authority shall be authority for the chairman or mayor (as applicable) to

execute on behalf of the governing authority but shall not preclude execution by the full board or council (as applicable).

6.8 NO THIRD PARTY RIGHTS. This IGA shall be exclusively for the benefit of the Parties and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action or other right.

6.9 EFFECTIVE DATE. This IGA shall become a binding contract when signed by both parties, the latter date of which shall be the "Effective Date". This IGA may be executed in two or more counterpart copies, all of which together constitute one and the same instrument. Delivery of executed copies of this IGA by facsimile or e-mail transmission to the other party hereto shall constitute good and valid execution and delivery by the Parties for all purposes, with the same effect as if such party had received an original counterpart signed by the other party.

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO INTERGOVERNMENTAL AGREEMENT REGARDING THE DESIGN, ENGINEERING, RIGHT OF WAY ACQUISITION, UTILITY RELOCATION AND CONSTRUCTION RELATED TO THE WIDENING OF A PORTION OF MCGINNIS FERRY ROAD]

IN WITNESS WHEREOF, the City and County have executed this IGA by and through their duly authorized officers.

CITY OF ALPHARETTA, GEORGIA

By:_____
Donald Mitchell, Mayor

Execution Date:_____

ATTEST:

_____
Coty Thigpen, City Clerk

APPROVED AS TO FORM:

_____
C. Sam Thomas, City Attorney

FORSYTH COUNTY, GEORGIA

By:_____
Chair, Forsyth County
Board of Commissioners

Execution Date:_____

ATTEST:

_____
Clerk, Forsyth County
Board of Commissions

APPROVED AS TO FORM:

_____
Ken Jarrard, County Attorney

2791939

Exhibit “A”