PLANNING COMMISSION MEETING
SEPTEMBER 6, 2018

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

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES

a. August 2, 2018 Planning Commission Minutes

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. MP-17-06/CLUP-17-07/Z-17-20/CU-17-18/V-17-44 Greenstone Parkway 400, LLP

Consideration of a request to rezone approximately 16.64 acres from O-I (Office-Institutional) to C-2 (General Commercial) in order to develop a mixed-use development consisting of 325 'For-Rent' residential units, 18,000 SF of supportive office/retail uses, 450,000 square feet of office, 10,000 square foot Variety Playhouse Theatre, 6,000 square foot retail/restaurant and ancillary retail/restaurant uses. A master plan amendment to the Parkway 400 Master Plan Pod C is requested to add 'Dwelling, 'For-Rent' to the list of permitted uses and changes to development standards. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'Commercial'. A conditional use permit is requested in order to allow 'For-Rent' residential use. Variances are requested to reduce multi-family and office parking requirements, reduce bicycle parking requirements and reduce requirements for electric vehicle charging stations. The property is located at the end of Amber Park Drive and is legally described as being located in Land Lot 804, 1st District, 2nd Section, Fulton County, Georgia.

b. Z-18-08/CU-18-07/V-18-13/E-18-06 The Porch Special Events Facility/Matilda's Outdoor Music Venue
Consideration of a request to rezone approximately 1.87 acres from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed-Use) to allow for 'Recreation Facilities, Indoor & Outdoor' for an event facility for The Porch and an 'Amphitheatre' for an outdoor music venue for Matilda's. A conditional use is requested to allow both uses. A parking exception is requested to allow off-site parking and a variance is requested to allow parking on grassed areas. The property is located at 531 South Main Street and is legally described as being located in Land Lot 645, 1st District, 2nd Section, Fulton County, Georgia.

c. Z-18-05/E-18-07 Kairos Old Milton LLC/DT-LW
Consideration of a request to rezone approximately 2.16 acres from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work) to allow for a 30,000 square foot office building and a 28,500 square foot office building wrapping a parking deck. An exception is requested to increase the maximum building height of the 30,000 square foot office building from 3 stories and 40' to 3 stories and 48'. An exception is requested to increase the maximum building height of the 28,500 square foot office building from 3 stories and 40' to 4 stories and 56' to allow for a 3,500 square foot covered, open air restaurant use. The property is located at 2260, 2270 & 2300 Old Milton Parkway and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

VII. ADJOURNMENT

PLANNING COMMISSION MEETING
AUGUST 2, 2018

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

I. CALL TO ORDER

a. Presentation of Service Award to Rob Partee

Mayor Gilvin presented the Award.

II. ROLL CALL

Members Present

- Francis Kung'u (Chair)
- Larry Attig
- Jamie Bendall
- William Perkins
- Steve Usry
- Candy Waylock
- Martine Zurinskas

Members Absent

- John Goss

III. APPROVAL OF MEETING MINUTES

a. July 12, 2018 Meeting Minutes

- ❖ Commissioner Perkins offered a motion approve the meeting minutes
- Commissioner Waylock seconded the motion
- The motion was approved (7-0)

DRAFT

IV. PUBLIC HEARING

a. MP-18-06 Starbucks/Windward

Michael Woodman presented consideration of a request to amend the Windward Master Plan to add 'Restaurant with Drive-thru Window' in Pod 4 for the purpose of converting an existing bank with drive-thru to a Starbucks with drive-thru. The property is located at 6197 Windward Parkway and is legally described as being located in Land Lots 1106 & 1107, 2nd District, 1st Section, Fulton County, Georgia.

There was discussion on:

- Precedent for a drive-thru within the Master Plan
- "Compelling" reason for CLUP
- Streetscape/Landscape strip location
- Elevations
- Restrictions on amendments

The Applicant presented.

There was discussion:

- Interior LEED Certified Project
- Elevation –design planned for this particular project
- Relocation of existing Starbucks
- Necessity for a drive'thru
- Vehicle Count
- Stacking
- Sufficient Capacity
- Configuration for 8 cars
- Traffic
- Peak Hour definition
- Drive-Thru vs. Total Trips
- Intent on Use
- Floor Plan
- Passer By Traffic Use
- "Loop" connection

DRAFT

- Pedestrian and bike access
- Potential consequences/precedent if approved
- Traffic was not studied for this particular location
- Quing option if needed
- WCSA has no issues with the Application

There was no Public Comment

- Commissioner Usry offered a motion approve with Staff recommended conditions:

1. Property shall be developed substantially in accordance with submitted plan prepared by GPD Group, dated 6/28/2018, except for modifications required to comply with the conditions below.
2. Add 'Restaurant with Drive-thru Window' as a permitted use in Windward Master Plan Pod 4 at 6197 Windward Parkway for Starbucks. Approval shall be limited to a coffee shop only.
3. Drive-thru facilities shall not be visible from the public right-of-way. Decorative landscape material shall be used to screen the drive-thru, as approved by the DRB.
4. Replace dead, dying or missing landscape material in existing required landscape areas.
5. Developer shall provide the required bicycle racks.
6. Building, site and landscape plans shall be subject to review and approval by the DRB.

- Commissioner Waylock seconded the motion
- The motion was approved (6-1) (Kung'u)

b. PH-18-05 Unified Development Code Text Amendments/Fire Pit & Clearing and Grading Regulations

Consideration of text amendments to Unified Development Code, Article III to address clearing and grading activities and Article IV to add Fire Pit regulations.
This item was tabled by the Planning Commission on July 12, 2018. It was not removed from the table for this meeting.

DRAFT

V. ITEMS FROM STAFF

a. North Point LCI Update

Kathi Cook, Director of Community Development presented update.

b. Introduction of Community Zoning Information Meeting

Elle Taylor, Planning and Zoning Coordinator explained new monthly meeting to allow resident's ability to view and comment on upcoming cases prior to Public Hearings.

VI. ITEMS FROM BOARD MEMBERS

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 8:20 p.m.

DRAFT

CITY COUNCIL MEETING
STAFF REPORT

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

I. **AGENDA ITEM TITLE:** CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/V-17-44 GREENSTONE/PARKWAY 400

PLANNING COMMISSION: SEPTEMBER 6, 2018

CITY COUNCIL: SEPTEMBER 24, 2018

II. **RECOMMENDATION:**

Deny CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/V-17-44 Greenstone/Parkway 400 request for comprehensive land use plan amendment, master plan amendment, rezoning, conditional use and variances.

If approval is considered, the following conditions are recommended:

Conditions ending with GRTA are conditions recommended by the Georgia Regional Transportation Authority and incorporated into a document, dated April 17, 2018, RE: DRI 2778 – Greenstone Parkway 400.

1. The 16.64-acre property shall be zoned C-2 and the site shall be developed substantially similar to the plan by AEC, dated 12/29/2017, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the property shall be 'Commercial'.
3. Bicycle parking spaces shall be provided at a rate of 1 space per 3 dwelling units and a 25% reduction in the number of spaces required for retail/office uses.
4. Electric vehicle charging stations shall be provided at a rate of 1 charging station per 40 dwelling units and installation of conduit to provide the ability to add up to an additional 8 charging stations and 1 charging station for every 200 required vehicle spaces for retail/office uses and installation of conduit for additional charging stations for every 200 required vehicle parking spaces.
5. Architectural style shall be representative of a traditional style common to Alpharetta and material shall be primarily masonry, with final approval by DRB.
6. Development regulations shall be as follows:
    a. Office – 450,000 square foot maximum. Building heights shall be limited as depicted on the site plan prepared by AEC, dated 12/29/2017.
    b. Residential – If rentals are considered, 325 'For-Rent' units shall be permitted a Certificate of Occupancy (CO), after January 1, 2021, in accordance with UDC 'For-Rent' requirements. Maximum building height shall be 7 stories and 85'. No more than 40% of the units may be 2-bedroom units and no 3-bedroom units shall be allowed. 'For-Rent' units shall be constructed concurrently with service retail and minimum 125,000 square feet of office space. A CO shall not be issued for rental units until 125,000 square feet of office is under construction. The units shall be part of a mixed-use project containing 16.64 acres and incorporating office, retail, restaurant, neighborhood grocery and music venue. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure gated parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. The vesting of the density granted in this condition is contingent upon the applicant building an additional 125,000 square feet (minimum) of office space. If construction does not commence by September 24, 2020, uses shall revert to the previous approval.
    c. Retail – Max. 24,000 square feet, of which no more than 6,000 square feet shall be located in a free-standing building. Remaining retail shall be service retail incidental to and located within an office building. Free-standing retail building shall be limited to restaurant and neighborhood grocery and shall have a building height of 2 stories or 20'. Restaurants shall have outdoor dining areas.
    d. Theatre/Music Venue – Maximum 10,000 square feet, with building height of 2 stories or 50'.
    e. Parking Decks – Maximum 4 levels, as depicted on the site plan prepared by AEC, dated 12/29/2017. Parking decks visible from Amber Park Drive and Northwinds Parkway shall be treated with comparable materials and finishes as the buildings they serve. Screening of parking decks with evergreen landscaping of sufficient size shall be required, as approved by Staff. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.
7. Parkway 400 Pod C shall be limited to the following uses and further restricted by conditions of zoning:
    a. Office
    b. Service Retail Incidental to Office
    c. Free-standing Restaurant (no drive thru)
    d. Theatre/Music Venue
8. Service retail uses shall be those customarily accessory to or amenities for office use, restricted to the following:
    a. Bakery

b. Barber Shop/Beauty Shop
c. Book Store
d. Brewery
e. Computer Supply Store
f. Copy Center/Print Shop
g. Drug Store (not to exceed 2,000 SF)
h. Dry Cleaning Pick-up Station
i. Fitness Studio
j. Florist, Retail without Greenhouse
k. Neighborhood Grocery (min. 3,000 SF)
l. Office Supply Store (not to exceed 2,000 SF)
m. Package Shipping Store
n. Restaurant (no drive-thru)
o. Retail Services Establishment
p. School, Commercial

9. Building setbacks shall be 50' on Amber Park Drive and 25' on Northwinds Parkway. Side and rear setbacks shall be 10' and shall be in addition to required buffers. Building setbacks along internal streets shall be 0' for the first 60' of building height. Above 60' in height, a 10' setback shall be provided from back of curb.
10. Sidewalks and street trees shall be incorporated throughout the development.
11. Pedestrian bridges, stairs, elevators and escalators may encroach over and into public spaces provided that they don't impede pedestrian circulation or safety.
12. Encroachment into 2.56-acre natural tree save area shall be kept to a minimum for construction of a parking deck, as shown on the site plan dated 8/1/2013, through the use of retaining walls as necessary and as approved by Staff.
13. Specimen trees, tree groupings and trees of quality shall be given special design consideration to incorporate them into the site plan shall be made as stipulated in the Tree Protection Ord, as approved by Staff.
14. Existing landscape trees, determined to be in good condition and depicted to be removed, shall be spaded and relocated on-site, as approved by Staff.
15. Minimum 6.58 acres of greenspace and a 1.83-acre tree save area/passive park shall be provided.
16. Developer shall provide a connection to the Alpha Loop with a multi-use crossing across Northwinds Parkway and shall be designed and constructed as approved by Staff. A trail gateway feature or arch, wayfinding signage and a bike share station shall be provided, as approved by Staff.
17. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and recreational facilities within the development and across Northwinds Parkway. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products as approved by Staff. Bicycle facilities shall be provided throughout the development, including a bicycle-share station.
18. Detention facilities shall not be visible from a public right-of-way, except as a decorative water feature approved by Staff.
19. Main entrances off Northwinds Parkway and Amber Park Drive shall include minimum 2,500 square foot green spaces and shall incorporate a water feature, sculpture or similar focal point feature, as approved by Staff and installed prior to 1st CO.
20. 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 (18' – 20' trees) or materials approved by DRB or other materials as approved by Staff.
21. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks 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 Northwinds Parkway, if approved by

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.

22. Prior to LDP, the applicant shall submit for approval a document to be entitled 'Greenstone Parkway 400 Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, fountains, bicycle racks, bus shelter, signage, landscaping themes, entrance treatments, and focal point features and shall be substantially similar to the renderings filed with the 2018 application, as amended. Design standards will be presented to Staff and the DRB for review and approval.
23. Plans for buildings, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the DRB.
24. 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.
25. At least 1 roof-top amenity shall be required within the development. Restaurant use shall include an outdoor dining area, which will not count against the 24,000 SF of retail/restaurant use.
26. Streets within the development shall be private and shall include a planted median, at the main entrances off Amber Park Drive and Northwinds Parkway, with sufficient space for tree plantings. Developer shall be responsible for the maintenance of medians within the development site. Planting and maintenance shall be in accordance with a plan approved by Staff.
27. Prior to the first LDP, applicant shall submit a revised master plan for the entire parcel to the City, which shall incorporate the approved conditions, as well as the following:
    a. Approved specifications and standards identified for each use within the total development.
    b. Pedestrian/bicycle network.
    c. Overall planned green space areas.
28. Every plan submitted for an LDP shall include an on-going density, open space and acreage tabulation.
29. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing regarding case CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/V-17-44 Greenstone Parkway 400"
30. A 20' landscape strip with trees and shrubs shall be provided along Northwinds Parkway and a 10' landscape strip with trees and shrubs shall be provided along Amber Park Drive. All new utilities shall be located underground.
31. Landscaping areas shall not contain any parking, water detention area, buildings or utilities, or portion thereof, except that a detention pond or ponds may be located within the landscaping area if decorative and will provide an amenity.
32. Provide detailed street planting for Northwinds Parkway, Amber Park Drive and new private road. Landscape plan shall be approved prior to issuance of a LDP and shall retain the current mature street trees, except at curb cuts along Northwinds Parkway and Amber Park Drive with final approval by Staff.
33. Parking lot islands shall be planted with trees, shrubs and ground covers. Provide sufficient green space to screen parking decks. Investigate, as directed by Staff, the possibility of adding shade structures on the top floor of parking decks to cover a minimum 15% of this surface.

<u>GRTA Condition:</u>

34. SR 120 (Old Milton Parkway) @ Northwinds Parkway/2nd Street
    a. Install a second westbound left turn lane with protected signal phasing on SR 120 (Old Milton Parkway), as approved by GDOT.

III. REPORT IN BRIEF:

The applicant, Greenstone Parkway 400 LLLP, is requesting a master plan amendment to the Parkway 400 Master Plan Pod C to modify permitted uses to allow 450,000 square feet of office, 10,000 square foot Variety Playhouse Theatre, 6,000 square foot free-standing retail building and 325 'For-Rent' units with 18,000 square feet of accessory retail/office use on 16.64 acres. A rezoning is requested from O-I (Office-Institutional) to C-2 (General Commercial), as well as a comprehensive land use plan amendment from 'Corporate Office' to 'Commercial'. A

conditional use is requested to allow 'For-Rent' residential use and variances are requested to reduce parking requirements for 'For-Rent' and office uses and to reduce requirements for bicycle parking and electric vehicle charging stations. The property is located at the south end of Amber Park Drive and west of Northwinds Parkway.

DISCUSSION

The submitted request, if approved, would allow for the construction of a mixed-use development consisting of 450,000 square feet of office, 10,000 square foot Variety Playhouse Theatre, 6,000 square foot free-standing retail/restaurant building and 325 'For-Rent' units with 18,000 square feet of accessory retail/office use on a 16.64-acre site. Residential density is proposed to be 19.53 dwelling units/acre, or 7.29 dwelling units/acre over the 44.61-acre Parkway 400 Master Plan. The property is located at the south end of Amber Park Drive and west of Northwinds Parkway.

The undeveloped property is zoned O-I (Office-Institutional) and is subject to the Parkway 400 Master Plan, Pod C. The property was previously cleared and graded, except for a natural tree save area in the northwest corner of the property. Surrounding properties are zoned O-I to the east, north and west and R-8A/D to the south. A two (2) story office building is located to the north, a six (6) story office building to the west, Braeden subdivision to the south and Gwinnett Tech Alpharetta Campus to the east. Northwinds Parkway abuts the property to the east. The property and surrounding properties, except for Braeden subdivision, have a comprehensive land use plan designation of 'Corporate Office'.

Parkway 400 Master Plan was approved in 1998 as an office development with retail incidental to office use. A master plan amendment (MP-13-05/V-13-14) was approved for Pod C in 2013 allowing 630,000 square feet of office in three (3) buildings up to eight (8) stories or 125' and two (2) parking decks with a maximum four (4) levels above grade. A variance was granted to reduce the 50' undisturbed buffer along the southern property line to a 10' planted buffer. Council placed several conditions on the master plan amendment approval, including a condition to limit encroachment upon a 1.83-acre natural tree save area/passive park at the northwest corner of the site. It is also noted in Condition #8 that the tree save/open space areas on the 2013 plan were used to meet requirements for existing Parkway 400 development and cannot be reduced from areas and quantities provided and designated on the Master Plan.

The applicant requests a master plan amendment to the Parkway 400 Master Plan to add residential and commercial uses and to amend development standards in Pod C. The table below provides a comparison between the applicant's zoning proposal, the Parkway 400 Master Plan and the remaining entitlement.

Applicant's Proposal vs Current Master Plan – Pod C				
Use	**Applicant's Proposal**	**Current Master Plan**	**Remaining Entitlement**	**Remaining Entitlement, incl. Applicant's Proposal**
Residential	325 'For-Rent' Units	Use Not Permitted	N/A	+325 'For-Rent' Units
Office	450,000 SF	630,000 SF	630,000 SF	180,000 SF
Retail	24,000 SF (18,000 SF Accessory + 6,000 SF free-standing)	Free-standing Retail Not Permitted, 10% Service Retail Incidental to Office (w/in Office Bldg.)	10% Service Retail Incidental to Office (w/in Office Bldg.)	+6,000 SF Free-standing +18,000 SF Accessory to 'For-Rent'
Theatre	10,000 SF	Use Not Permitted	N/A	+10,000 SF
Greenspace	6.27 acres (37.7%)	6.58 acres (37%)	N/A	N/A

A rezoning is requested for 16.64 acres from O-I to C-2 and a comprehensive land use plan amendment from 'Corporate Office' to 'Commercial'. A conditional use is requested to allow 'Dwelling, 'For-Rent' Residential' use. The applicant also requests the following variances:

1. Reduce 'For-Rent' parking from 666 to 455 spaces, or 1.4 spaces/unit. The applicant provided a Portfolio Parking Summary for Trammel Crow Residential (TCR) properties, which identifies three (3) properties in the Southeast with parking ratios ranging from 1.17 to 1.35 spaces per unit.
2. Reduce Office parking by 20%. The 2013 master plan amendment was approved assuming a 20% reduction in required office parking. Therefore, the requested parking variance is not required.
3. Reduce the number of required bicycle parking spaces. 240 bicycle parking spaces would be required for the proposed development. The applicant requests one (1) bicycle parking space for every three (3) dwelling units and a 25% reduction in the bicycle parking spaces for the retail/office uses. The UDC requires one (1) bicycle parking space for every two (2) dwelling units and one (1) bicycle space for every 25 required vehicle parking spaces for retail/office uses.
4. Reduce the number of required electric vehicle charging stations. A total of 104 electric vehicle charging stations would be required for the proposed development. The applicant requests one (1) charging station per 40 dwelling units for a total of eight (8) charging stations and installation of conduit to provide ability to add up to an additional eight (8) charging stations. For the office-retail uses, the applicant proposes one (1) charging station for every 200 required vehicle parking spaces and installation for an additional charging stations for 200 required parking spaces.

As shown in the table below, the applicant's proposed density of 19.53 dwelling units per acre exceeds densities approved in the vicinity. It should be noted that the applicant's proposed density is 7.29 dwelling units/acre when calculated over the 44.61-acre Parkway 400 Master Plan. The proposed 'For-Rent' density is nearly double that of any 'For-Rent' developments approved in the City.

Old Milton Parkway/Georgia 400 Interchange – Residential Densities

Development Name	Unit Number/Type	Acres	Density
Greenstone Parkway 400	325 FR	16.64 acres	19.53 units/acre*
Country Place	72 C	8.4 acres	8.6 units/acre
Avalon	101 SFD, 526 FR	86 acres	7.3 units/acre
Braeden	69 SFD, 62 TH	26.7 acres	4.9 units/acre
Kimball Bridge Walk	36 SFD	7.7 acres	4.7 units/acre
AMLI Northwinds	800 FR	75 acres	10.66 units/acre
Old Milton Holdings/Notting Hill	25 SFD, 89 TH, 42 C	23.89 acres	6.5 units/acre

SFD = Single Family Detached, TH = Townhome, C = Condominium, FR = 'For-Rent'

* The applicant's proposed density is 7.29 dwelling units/acre when calculated over the 44.61-acre Parkway 400 Master Plan. The applicant's request is related to a 16.64-acre property.

SITE PLAN

The submitted site plan depicts 325 'For-Rent' units in a multi-story building with first-floor accessory uses and parking deck. First-floor 'For-Rent' units are depicted along the west side of the building and 18,000 square feet of accessory retail/office space is depicted on the first-floor of the north side of the building along the new Storefront Street. Access to the 455-space parking deck is proposed from the south and west sides of the building. According to the applicant, the luxury apartments will include a swimming pool, fitness center, business center, dog wash, clubroom and pet park. A minimum 3,000 square foot

neighborhood grocery is required in conjunction with 'For-Rent' use and the applicant has indicated that they would comply with this requirement.

Two (2) – 8-story, 225,000 square foot office buildings are depicted on the site plan. One (1) building is depicted adjacent to Northwinds Parkway, while the other is interior to the property and south of Amber Park Drive. 24,000 square feet of retail/restaurant use is depicted in free-standing and mixed-use buildings. The applicant proposes 18,000 square feet of first-floor support retail/office space in the 'For-Rent' building and a one (1) story, 6,000 square feet free-standing retail/restaurant building situated in front of a three (3) level parking deck. Parkway 400 Pod C does not allow free-standing retail uses and limits service retail incidental to office to no more than 10% and provided within an office building. If approved, service retail uses should be incidental to office use.

Access to the site is depicted from a driveway on Amber Park Drive and three (3) driveways on Northwinds Parkway. Sidewalks are depicted along public roadways and interior to the site. Building setbacks are appropriately depicted to be 25' along Northwinds Parkway, 50' along Amber Park Drive and 10' on the side and rear. A total of 2,237 parking spaces are provided on the site, of which 13 spaces are on-street and the remainder are provided in three (3) parking decks. The UDC has the following parking requirements for the proposed development:

Greenstone Parkway 400 – Required vs. Provided Parking

Use	UDC Parking Rate	Required
Office	1/250 SF (Previous 20% variance)	1,440 spaces
For-Rent	2/unit + 1/20 units for guests	666 spaces*
Theatre/Music Venue	1/4 seats + 1/10 seats for employees	385 spaces**
Retail/Restaurant	1/200 SF	120 spaces
Total Required		**2,611 spaces**
Total Provided		**2,237 spaces**

*Applicant requests a parking variance to reduce For-Rent parking from 666 to 455, or 1.4 spaces/unit.
**Applicant proposes shared parking for the Theatre/Music Venue with the Office use.

The applicant's site plan calls out 6.27 acres (37.7%) of open space. However, open space cannot include required buffers, building setbacks or landscape strips. Therefore, the applicant's site plan is generally depicting greenspace, not open space. The 2013 master plan amendment site plan depicted 6.58 acres (37%) greenspace, of which a 1.83-acre natural tree save area is called out to be improved as a passive park. Previous conditions of zoning protect the tree save/open space areas provided on the 2013 zoning plan, because they were used to meet requirements for existing Parkway 400 development. The C-2 district does not include an open space requirement, but does require a minimum 10% pervious (green) area.

The City's Alpha Loop project has an alignment in the vicinity of the applicant's development, on the east side of Northwinds Parkway. Connections to the Alpha Loop are not depicted on the applicant's site plan. A multi-use crossing is recommended between the proposed development and the Alpha Loop at the project's main entrance on Northwinds Parkway.

The property was previously cleared and graded, except that a 1.83-acre natural tree save area/passive park was set aside at the northwest corner of the site near Amber Park Drive. The applicant's site plan depicts significant impacts to the tree save area from a proposed 900-space parking deck. Previous

conditions of zoning require protection of the natural tree save area, due to this area being used to meet open space requirements for existing development in Parkway 400. If approved, staff recommends a condition protecting the natural tree save area/passive park.

The applicant submitted renderings of the office and 'For-Rent' buildings. Building materials are primarily glass and brick on the office buildings and a combination of materials (brick, stone, stucco, EIFS, etc.) on the 'For-Rent' building. The applicant did not provide a phasing plan and it is unclear when the various uses on the site would be constructed.

'FOR-RENT' RESIDENTIAL

Careful consideration should be given to maintaining a balance between 'For-Rent' versus 'For-Sale' product in the City. The 2035 Comprehensive Land Use Plan identifies the following housing policy as it relates to maintaining a balance between owner-occupied and renter-occupied housing in the City:

> Housing Policy 2: Maintain a balance between 'owner-occupied' and 'renter-occupied' in Alpharetta such that at least 68% of the housing stock is 'owner-occupied'.

The City commissioned a Rental Housing Study in 2015, including an update prepared in 2017. The Study shows that the City currently exceeds Housing Policy 2. In addition, the most recent US Census estimates (2012 – 2017) indicate that the City is at 63.5% owner-occupied housing. 416 'For-Rent' units, including Northwinds Summit (140 units) and 360 Tech Village (276 units), have been approved since 2017. Since the City had not achieved Housing Policy 2, conditions were placed on 360 Tech Village and Northwinds Summit limiting the Certificates of Occupancy for 'For-Rent' product until 2018 and 2020, respectively.

There are additional factors that should be considered with requests for 'For-Rent' product, such as mix of uses, design, long-term viability, impacts to City facilities and services, as well as traffic and school impacts. The Comprehensive Land Use Plan is also used to determine areas appropriate for high density residential use. This area is identified for 'Corporate Office'.

TRAFFIC

The proposed development triggered regional re-review under the Georgia Planning Act as a Development of Regional Influence (DRI). A traffic study was prepared following guidelines established by the Atlanta Regional Commission (ARC) and the Georgia Regional Transportation Authority (GRTA). Based on the uses proposed, the development is expected to generate nearly 1,095 vehicle trips during the PM Peak Hour, which represents an increase of 156 trips from the current approval on the property. The total vehicle trip generation for the existing approval and proposed development is presented in the tables below.

Existing Zoning Approval

Use	Program	AM Peak Factor	AM Peak	PM Peak Factor	PM Peak	Total Trips Per Day Factor	Total Trips Per Day
Office	630,000 SF	1.56	983	1.49	939	11.01	6936
TOTALS			**983**		**939**		**6936**

Proposed Project Program

Use	Program	AM Peak Factor	AM Peak	PM Peak Factor	PM Peak	Total Trips Per Day Factor	Total Trips Per Day
Retail	6,000 SF	1.03	6	3.74	22	24.92	258
Office	450,000 SF	1.56	702	1.49	671	11.01	4955
Residential (Multi-Family)	325 Units	0.51	166	0.62	202	6.65	2161
Live Theater	10,000 SF	0	0	0.02	200	0.02	200
TOTALS			**874**		**1095**		**7574**

SCHOOLS

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

FULTON COUNTY SCHOOLS – 325 'For-Rent' Units

School	Estimated # New FCS Students Generated
Manning Oaks Elementary School	20 – 84
Northwestern Middle School	4 – 38
Milton High School	21 – 86
Total	45 – 208

Based on the total figure for all school levels, it can be assumed that the proposed development could house approximately 45 – 208 school age children. All three (3) schools are shown to be over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Applicant Response: The proposed rezoning to C-2 is compatible with surrounding properties, which are zoned O-I, C-2, MU, R-12, R-8A/D, AG, CUP, and SU, and will positively impact the surrounding community. Recent development in the area and the policies established by the CLUP render the existing O-I (Office-Institutional) zoning unsuitable and inconsistent with the surrounding area, which has been redeveloped primarily for mixed use projects. The addition of residential into this area will promote a more vibrant mix of uses and provide a greater variety of housing options within the City. The property's proximity to Highway 400, Avalon, and the new Alpha Loop trail make it ideally situated for the proposed mixed use project.

Staff Response: The proposal to allow a mixed-use development, including residential use, is inconsistent with the Comprehensive Land Use Plan designation of the property, which is 'Corporate Office'.

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

Applicant Response: The proposed rezoning to C-2 will have no adverse impact on the use or value of surrounding properties. On the contrary, the proposed office, residential, commercial, theatre and open space uses will complement and enhance the value of surrounding uses.

Staff Response: The subject property is zoned for non-residential use, which is consistent with the development pattern along this stretch of Old Milton Parkway. Staff is concerned that the applicant's proposal is contrary to the City's policy of at least 68% owner-occupied housing units without support from the City's Comprehensive Plan to change the designation.

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

Applicant Response: No response.

Staff Response: The applicant's site plan depicts significant impacts to a 1.83-acre natural tree save area/passive park that was required open space for existing development in the Parkway 400 Master Plan. Previous conditions of zoning related to the 2013 master plan amendment on the subject property required protection of the natural tree save area.

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

Applicant Response: The Property has no reasonable economic use as currently zoned. The current O-I zoning is no longer consistent with development patterns in the surrounding area and along the Old Milton corridor, which are predominantly mixed-use in character. The property has been zoned for significant office density for years and remains vacant and undeveloped.

Staff Response: The property is zoned O-I and subject to the Parkway 400 Master Plan Pod C, which has a remaining entitlement of 630,000 square feet of office with accessory retail use. The property is approximately ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains a viable office parcel.

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

Applicant Response: The proposed development will have a nominal impact upon the population and traffic in the area. Any increase in population as a result of the residential apartments is consistent with residential development in the surrounding area. Approximately 65% of the 325 "For Rent" dwelling units are designed as one bedroom units, therein substantially limiting the number of overall residents, including children. The remaining apartment units will be 2-bedroom units. There are no 3-bedroom units proposed.

With regard to traffic, the Applicant has submitted a trip generation report with the application. The number of peak AM trips actually decreases with the Applicant's proposed conversion of office density to residential density. Additionally, the City's current infrastructure is equipped to provide adequate access and handle any traffic associated with the proposed mixed-use development. The Applicant will work with the City if infrastructure upgrades are determined to be necessary.

Although a nominal amount of students may be generated by the residential apartments in the mixed-use village, the primary demographic targeted for the "For Rent" dwellings are young professionals and empty-nesters, hence the fact that there are no 3-bedroom units proposed. Because the target market is primarily young professions without dependents or empty nesters looking for a low-maintenance alternative to a single-family home, the Applicant anticipates little, if any, impact on schools. As a point of comparison, we understand the apartments at Avalon have only 3 school-age children.

Public services and public facilities, including water and sewer, are currently available for the Property and are sufficient to accommodate the proposed development. While the Applicant is not aware of any burden on public services or public facilities related to the proposed development, the Applicant is willing to address any issues that may arise with the City and appropriate service providers.

Staff Response: The purpose of a mixed-use development is to reduce impacts on public facilities and services by providing a place to live, work and play. The applicant's proposal would result in an increased demand on parks and recreational programs, fire and police and school facilities. In addition, the proposed development would generate more vehicular trips than the existing approval on the property.

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

Applicant Response: Changed and changing conditions in the area support the proposed rezoning and mixed-use project. The Old Milton corridor is transitioning from an area of primarily low-density residential development to higher-density, mixed-use development and is envisioned as one of the gateways into Alpharetta. The proposed rezoning will facilitate this transition and the vision for the area contained in the CLUP. This request is consistent with the land use policies and design standards established in the CLUP.

Staff Response: Not applicable.

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

Applicant Response: No response.

Staff Response: The zoning proposal does not reflect a reasonable balance as the property is located ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains viable for non-residential development. In addition, the applicant proposes a residential density that is nearly double that of any other 'For-Rent' development approved in the City and the development would represent an increase in vehicular trips.

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

Applicant Response: The Property has no reasonable economic use as currently zoned. The current O-I zoning is no longer consistent with development patterns in the surrounding area and along the Old Milton corridor, which are predominantly mixed-use in character. The property has been zoned for significant office density for years and remains vacant and undeveloped.

Staff Response: The property is zoned O-I and subject to the Parkway 400 Master Plan Pod C, which has a remaining entitlement of 630,000 square feet of office with accessory service retail. The property is approximately ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains a viable office parcel.

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

Applicant Response: Currently, the Alpharetta CLUP and Future Land Use Map designate the Property as Corporate Office within the Old Milton Corridor. The Applicant is requesting to amend the comprehensive plan designation for the Property to support the C-2 zoning classification. The proposed C-2 zoning classification is consistent with the requested Commercial land use designation. Although the Applicant seeks to change the land use designation, the proposed 450,000 square feet of office within the mixed use project accomplishes the City's goal of seeing additional office development within this corridor and higher-density node.

Staff Response: The zoning proposal is not consistent with the Comprehensive Land Use Plan designation of the subject property, which is 'Corporate Office'.

COMPREHENSIVE LAND USE PLAN

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

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

Applicant Response: The area surrounding the Property has experienced significant development and transition over the last decade. Over the last ten years, Avalon, Liberty Park, and the redevelopment of downtown Alpharetta have created a strong demand for mixed use redevelopment along within the Old Milton Corridor. The Property is currently designated as Corporate Office and is located within the Old Milton Corridor. This restrictive designation is no longer appropriate for the Property in light of the mixed use designations and developments along Old Milton Parkway. The proposed 450,000 square feet of office within the mixed use project accomplishes the City's goals of office development on this property, but balances the office density with a complementary mix of uses called for in the Old Milton Corridor. The Applicant's proposed mix of uses on the site reflects what today's office tenants desire—walkable amenities in a mixed use environment.

Staff Response: Office remains a viable use with several office buildings under development in the area.

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

Applicant Response: The proposed CLUP amendment to Commercial complies with the policies of the CLUP. The Old Milton corridor is designated as a commercial and office corridor, with opportunities for additional mixed use, commercial, office, and medium to high density residential development (CLUP, p.46-47). Further, the proposed CLUP amendment aligns with the goals and strategies for future development in Alpharetta, by allowing Applicant's mixed-used project to promote pedestrian-oriented, mixed-use development along a highway corridor that supports the creation of employment centers and community-based open space (CLUP, p. 13-15).

Moreover, this Property's proximity to Georgia 400, Old Milton Parkway, Northwinds Parkway and its location within the Tier 2 Development Node makes it ideal for more intense residential and non-residential development. Properties within the Tier 2 Development Node are slated for more intense development relative properties outside of these nodes. By concentrating density within designated development nodes near major transportation infrastructure, the City is able to accommodate additional growth without putting pressure or strain on low-density, established neighborhoods within the City. That is, by directing growth to identified nodes where density is appropriate, the City can continue to attract new residents while preserving established, single-family neighborhoods. Moreover, the mix of residential and non-residential uses means that people have the opportunity to live close to where they work (and not be so dependent on an automobile to commute).

Staff Response: The proposed comprehensive land use plan amendment is inconsistent with the following goals and policies of the City's Comprehensive Plan:

LU Policy 6: Support the success and expansion of employment centers.

- *LU Strategy 6.2: Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate business environment (as described in Part 2: Character-Area Focus for individual Character Areas).*

H Policy 2: Maintain a balance between 'owner-occupied and 'renter–occupied' in Alpharetta such that at least 68% of the housing stock is 'owner-occupied'.

- *H Strategy 2.1: Use Census Data to track the number of 'owner-occupied' and 'renter-occupied' units located in Alpharetta.*

H Policy 5: Design quality and long-term value into residential development to maintain appearance and property values.

- *H Strategy 5.1: Ensure that at the very beginning of the design process, consideration is given to the natural environment (i.e. topography, tree preservation, creek flows) and accommodations are made for amenities (i.e. sidewalks, lighting, open spaces), in order to support a high quality residential product.*

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

Applicant Response: The proposed CLUP amendment to Commercial would not require any changes to public facilities. Public services and public facilities, including water and sewer, are currently available for the Property and sufficient to accommodate the proposed land use designation. The Applicant will work with the City if infrastructure upgrades are determined to be necessary.

Staff Response: The proposal would have impacts on public facilities and services as it would result in an increase in vehicular trips, as well as increased demand on parks and recreation programs, fire and police. In addition, the proposed residential use would generate 45 – 208 school-aged children. All schools in the associated district are shown to be over capacity.

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

Applicant Response: The proposed CLUP amendment would promote the public health, safety, morals, and welfare as it would add a variety of uses envisioned for the Old Milton Corridor in the Comprehensive Plan. The proposed project will also complement surrounding land uses by providing opportunities for new and existing residents to live, work, and play.

Staff Response: The property is approximately ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains a viable office parcel.

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

Applicant Response: The CLUP encourages the creation of additional land use opportunities along the Old Milton corridor for mixed-use, commercial, office, and medium to high density residential developments. (CLUP p. 46). The Applicant's project includes young professional housing, offices, accessory retail, a neighborhood grocery store, a theatre, and a large community greenspace. The Applicant requires no additional land in order to develop the Property as proposed, and requests this CLUP amendment in order to accomplish these development objectives.

Staff Response: Staff is concerned that the applicant's proposal is contrary to the City's housing policy of at least 68% owner-occupied housing units.

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

Applicant Response: As demonstrated by the CLUP, Old Milton Parkway has developed as a predominantly mixed-use corridor, making it appropriate for a mixture of commercial and offices uses in harmony with higher-density residential. The proposed CLUP amendment to Commercial would allow this pattern of mixed-use to flourish. The Property has been zoned for significant office density for several years and has remained vacant.

Staff Response: Not applicable.

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;

Applicant Response: Applicant's proposed mixed-use project provides several points of ingress and egress for both vehicular and pedestrian traffic. The primary access point to the site is from Northwinds Parkway, although the site can also be accessed from Amber Park Drive. There are also roadways throughout the development that are patterned to control traffic flow. Additionally, the residential apartments and mixed-use development as a whole provide excellent walkability and access to Avalon. Service drives have been positioned so as to keep service vehicles off of the main drive through the project.

Staff Response: Access to the site appears to be sufficient, with three (3) driveways proposed on Northwinds Parkway and one (1) driveway on Amber Park Drive.

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

Applicant Response: Refuse areas, loading and service areas are provided on site. Adequate parking has been provided on site for all of the uses. Finally, the Applicant will install buffers and screening to enhance the aesthetics of the site and mitigate the development's impact on any surrounding neighbors.

Staff Response: The proposed 'For-Rent' use requires 666 parking spaces, of which the applicant is only providing 455 spaces. Staff does not support the applicant's variance request to reduce residential parking requirements as the City is suburban in character with a heavy reliance on vehicles. Variances were previously approved on the property to reduce office parking requirements by 20% and to reduce the required 50' undisturbed buffer to a 10' planted buffer. The applicant is also proposing shared parking between the theatre/music venue and office.

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;

Applicant Response: The "For Rent" dwellings will not be injurious to the use or enjoyment of any surrounding properties, nor will the residential units diminish surrounding property values. On the contrary, the requested residential apartments will benefit the use and value of surrounding properties. Because the surrounding mixed-use developments are comprised primarily of commercial and retail uses, the addition of high-quality, pedestrian-oriented residential development will benefit surrounding properties with an influx of residents seeking access goods, services, and entertainment.

Staff Response: The proposed development would have significant impacts on the natural environment. The applicant's site plan depicts significant impacts to a 1.83-acre natural tree save

area/passive park that was required open space for existing development in the Parkway 400 Master Plan. 2013 conditions of zoning on the subject property required protection of the natural tree save area.

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

Applicant Response: Neither local nor state expenditures will be increased beyond current projections in order to maintain and service the proposed residential apartments. The proposed mixed-use project is consistent with the development patterns in the surrounding area.

Staff 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

Applicant Response: Development of the requested residential apartments within the proposed mixed-use project will not impede normal development in the surrounding area. Applicant's proposal is consistent with surrounding mixture of development and land uses.

Staff Response: The property is approximately ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains a viable office parcel. Staff has concerns that the applicant's proposal is contrary to the comprehensive land use plan designation of the property and to the City's housing policy of at least 68% owner-occupied housing units.

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.

Applicant Response: The requested residential apartments and proposed mixed-use project is consistent with the desired pattern of mixed-use, pedestrian-oriented growth demonstrated in the CLUP and surrounding mixed-use developments (p. 14-15, 46-47).

Staff Response: The property is approximately ¼-mile from the interchange at Old Milton Parkway and Georgia 400 and remains a viable office parcel. Staff has concerns that the applicant's proposal is contrary to the comprehensive land use plan designation of the property and to the City's housing policy of at least 68% owner-occupied housing units.

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

Applicant Response: Yes, there are extraordinary conditions pertaining to the Property because of its size relative to its current zoning entitlements. If a fifty-foot transitional buffer was imposed, a large portion of the Property would be rendered unusable, thereby significantly limiting the economic viability and usability of the site. Moreover, this property has already been granted a rear yard transitional buffer reduction to a 10 feet so there is precedent on this site for the reduction. There is no harm to adjacent owners in reducing this transitional buffer. Moreover, the Property is currently entitled for 3 office buildings up to 8 stories/125 feet. The proposed height of 8 stories/125 feet is consistent with existing entitlements.

The parking ratios shown on the Applicant's enclose site plan are sufficient. The parking ratios for the office and residential uses were calculated based on extensive development experience and specialized knowledge of prevailing market conditions. If the UDC's parking requirements were followed, the site would be significantly over-parked.

Finally, while bicycle parking and the electric vehicle charging stations will be provided on site, both ratios far exceed market demand. Hence, a reduction is requested.

Staff Response: There are not extraordinary or exceptional conditions pertaining to the subject property because of its size, shape or topography. The site was previously cleared and graded and utilities installed.

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

Applicant Response: Yes, the literal interpretation and strict application of the Zoning Code standards will cause undue and unnecessary hardship to the Property. Denial of the requested variances will render development of the Property economically unfeasible. The southern portion of the site would lose significant developable area if the 50-foot transitional buffer applied or height was limited to 40 feet. Moreover, denial of the variances would also deprive the owner of existing entitlements, including an existing reduction of the rear yard transitional buffer to 10 feet (as requested in this application) and an existing height entitlement of 8 stories/125 feet.

As noted previously, the strict application of the Code's parking requirements would result in all uses being significantly over-parked.

Staff Response: The applicant could develop the subject property in compliance with the UDC regulations. A hardship was not been provided for the requested variances. Due to the City's suburban character, residential parking variances are uncommon.

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

Applicant Response: Yes, there are conditions that are peculiar to the subject property. If a fifty-foot transitional buffer was imposed, a large section of the Property would be rendered unusable, thereby significantly limiting its economic viability and usability. There is no harm to adjacent owners in reducing this transitional buffer.

Additionally, there is no harm for surrounding properties in allowing an increase to the residential building height. The increased height of the residential apartment building is consistent with the existing height entitlements for the office buildings (i.e. 8 stories/125 feet). The variance is simply requested to maintain existing height entitlements. Strict application of the transitional buffer and residential building height restrictions will deprive the Property of significant property rights in light of current entitlements.

Staff Response: Not applicable.

(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.

Applicant Response: No, relief from the strict application and literal interpretation of the Alpharetta UDC would not cause substantial detriment to the public good or impair the purpose of the Zoning Code. On the contrary, approval of the requested variances will allow the Applicant to develop a truly unique mixed use project for Alpharetta.

In granting the variances, there will be no harm to adjacent owners at the rear of the site or in the surrounding area. On the contrary, residents in the surrounding area will benefit from the addition of a new music venue, restaurants, a neighborhood grocery, and retail shops on the south side of Old Milton Parkway. The proposed variances will allow a currently underutilized property to develop into a high quality mixed use project that will benefit surrounding owners and the Alpharetta community.

Staff Response: The requested relief could cause a substantial detriment to the public good. A hardship was not been provided for the requested variances. Due to the City's suburban character, residential parking variances are uncommon.

CONCURRENCES

Staff has reviewed the application and does not support the applicant's request for comprehensive land use plan amendment, master plan amendment, rezoning, conditional use and variances. The proposed residential use is inconsistent with the future land use designation of the property and surrounding properties, which is 'Corporate Office'. In addition, the proposed residential density is nearly double that of any other 'For-Rent' development existing or approved in the City, significant impacts are proposed to a 1.83-acre natural tree save area/passive park and a hardship has not been provided for the requested variances.

The 2035 Comprehensive Land Use Plan includes a housing policy to maintain at least 68% owner-occupied housing units in the City. The City's Rental Housing Study shows that Alpharetta currently exceeds this housing policy and the most recent US Census estimates (2012 – 2017) indicate that the City is at 63.5% owner-occupied housing. In addition, 416 'For-Rent' units, including Northwinds Summit (140 units) and 360 Tech Village (276 units), have been approved since 2017. Staff has concerns that the proposed 'For-Rent' use is inconsistent with the housing policy in the City's Comprehensive Plan. In addition, approval of 'For-Rent' product at this location could be detrimental to the City's redevelopment efforts in the North Point area.

Viable office parcels typically have good access to the highway system, which is the case with the subject property given its proximity within ¼-mile of the interchange at Old Milton Parkway and Georgia 400. Office demand in the City remains high as evidenced by the low office vacancy rate and increasing number of office projects under construction in the City. The City's office vacant available (for lease) rate has been steadily declining since 2013, except for a slight increase over the last two (2) years as new office space comes online. The City's vacant available office was at its lowest in 2015 at 9.1%. As of the 1st quarter of 2018, the City's vacant available office has risen to 11.9%. According to the development community, spec office is typically developed when office vacant available rates drop below 10%. As shown in the table below, over 1.5 million square feet of office is currently under review or construction in the City, of which over 820,000 square feet of office development is coming out of the ground.

Office Development

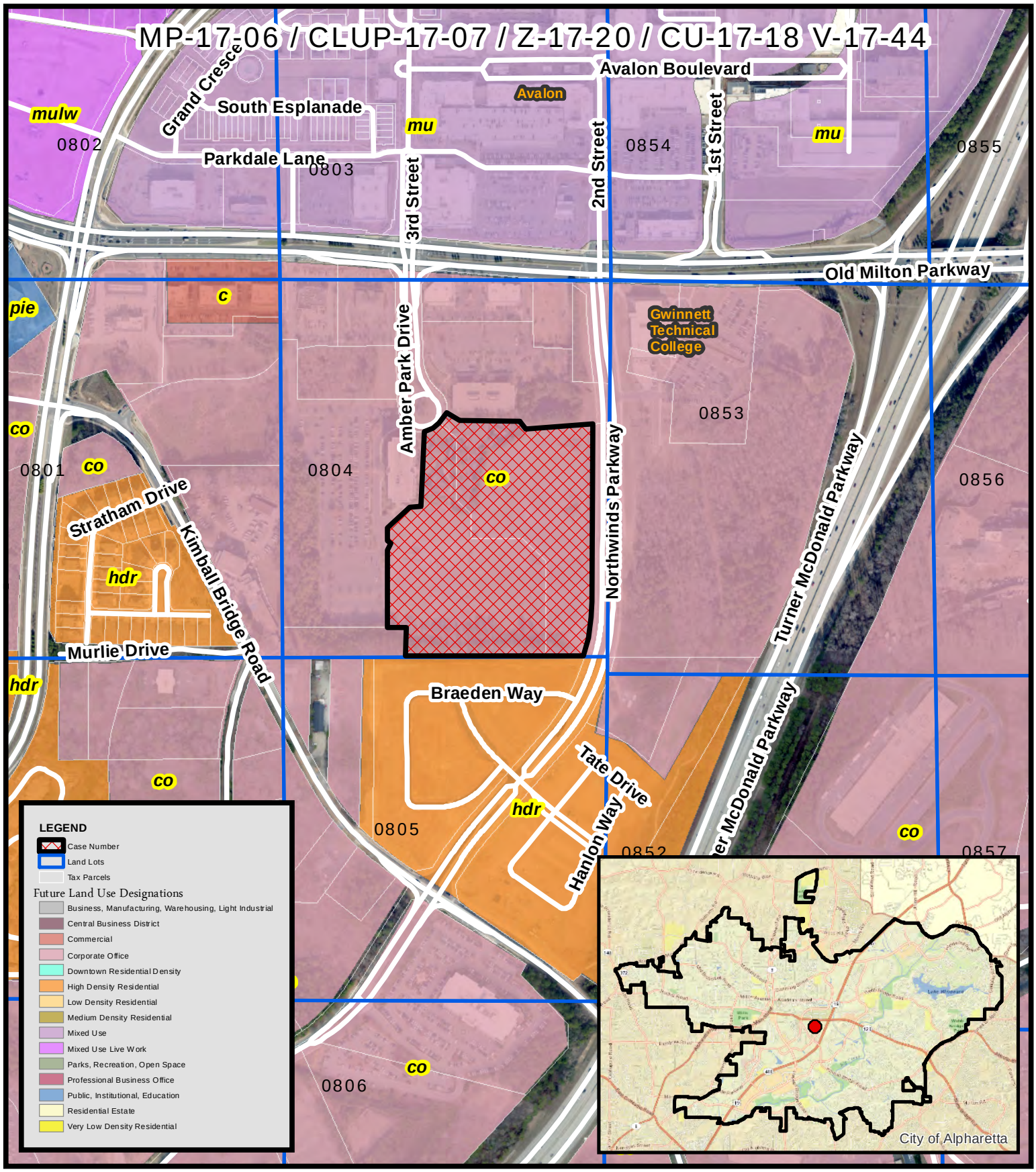
Project Name	Location	Building Area (SF)	Status
Jackson Healthcare	2655 Northwinds Pkwy	294,200 SF	Under Construction
Triad Alpharetta Medical Center	Old Milton Pkwy & Morris Rd	104,000 SF	Under Review
AdvancED	Westside Pkwy	40,000 SF	Under Construction
Alpharetta Beach House	Old Milton Pkwy	6,480 SF	Under Construction
Wellstar Office Bldg.	Old Milton Pkwy & Park St	40,000 SF	Under Construction
Peak 10 Data Center	Edison Dr	50,000 SF	Under Construction
Verizon Data Center	Old Alabama Connector	20,000 SF	Under Construction
Lifehope Medical Campus	Old Milton Pkwy	12,000 SF	Under Construction
Avalon 10000 Bldg.	Old Milton Pkwy & 1st St	252,000 SF	Under Construction
Mayfair @ Webb & Morris	Webb Bridge Rd & Morris Rd	48,000 SF	Under Construction
East Village	Old Milton Pkwy & Westside Pkwy	18,000 SF	Under Construction
Liberty Hall	33 South Main St	13,536 SF	Under Construction
Providence Group Office	2425 Old Milton Pkwy	30,000 SF	Under Construction
Equinox Corporate Campus	McGinnis Ferry Rd @ Windward Concourse and Alderman Dr	600,000 SF	Under Review
TOTAL Under Construction		824,216 SF	
TOTAL Under Review		704,000 SF	
TOTAL		1,528,216 SF	

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 report states that no comments were received.

IV. ATTACHMENTS:

- Site Plan



THE CITY OF ALPHARETTA GEORGIA

Future Land Use

Greenstone

Parkway 400

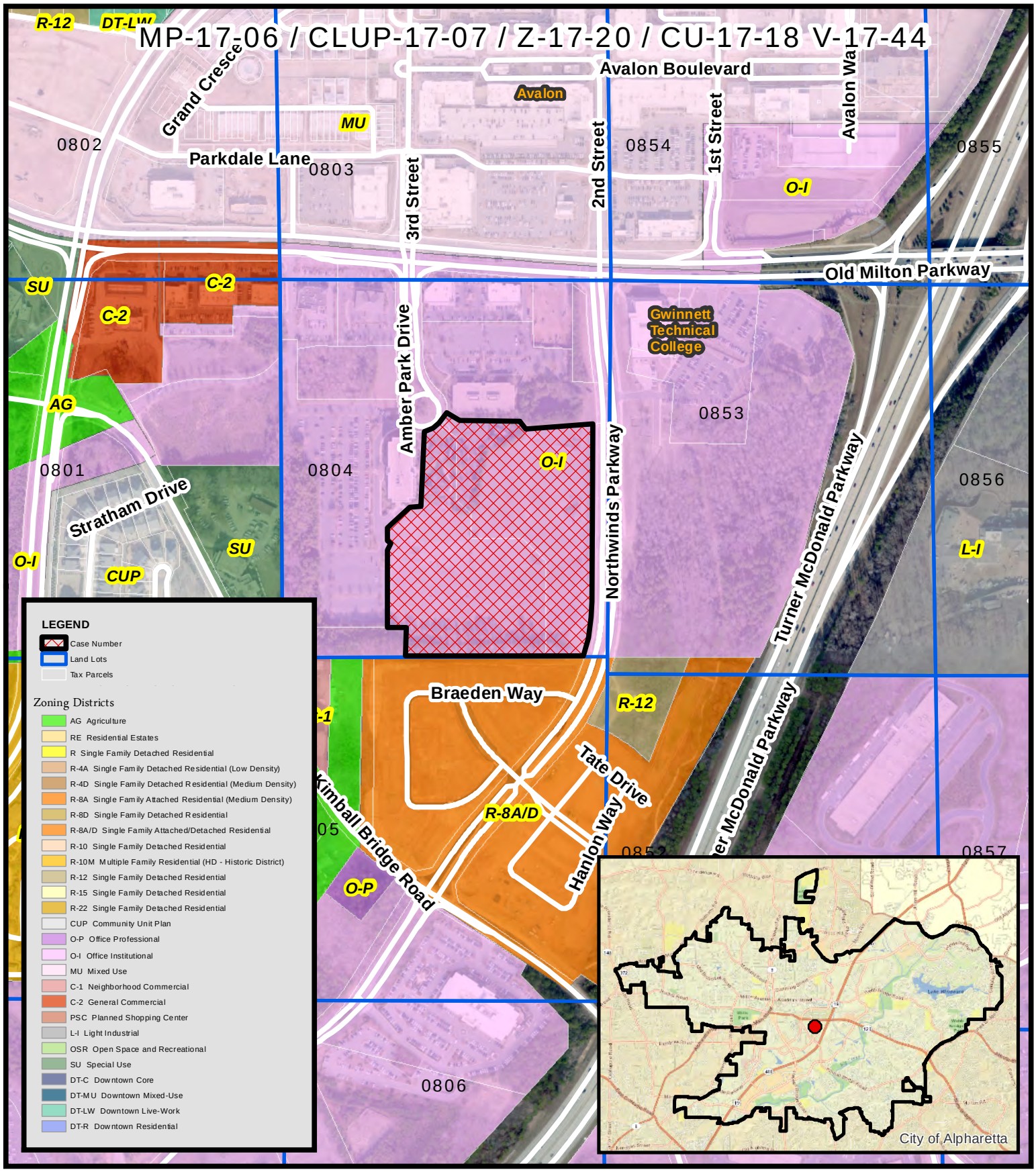
MP-17-06 / CLUP-17-07 /
Z-17-20 / CU-17-18 V-17-44
D/LL: 1/2/804
PC: **9**/**06**/18
CC: **9**/**24**/18

Location Map Provided by:
Community Development - GIS

Aerial Map
Greenstone
Parkway 400

MP-17-06 / CLUP-17-07 /
Z-17-20 / CU-17-18 V-17-44
D/LL: 1/2/804
PC: **9/06/**18
CC: **9/24/**18

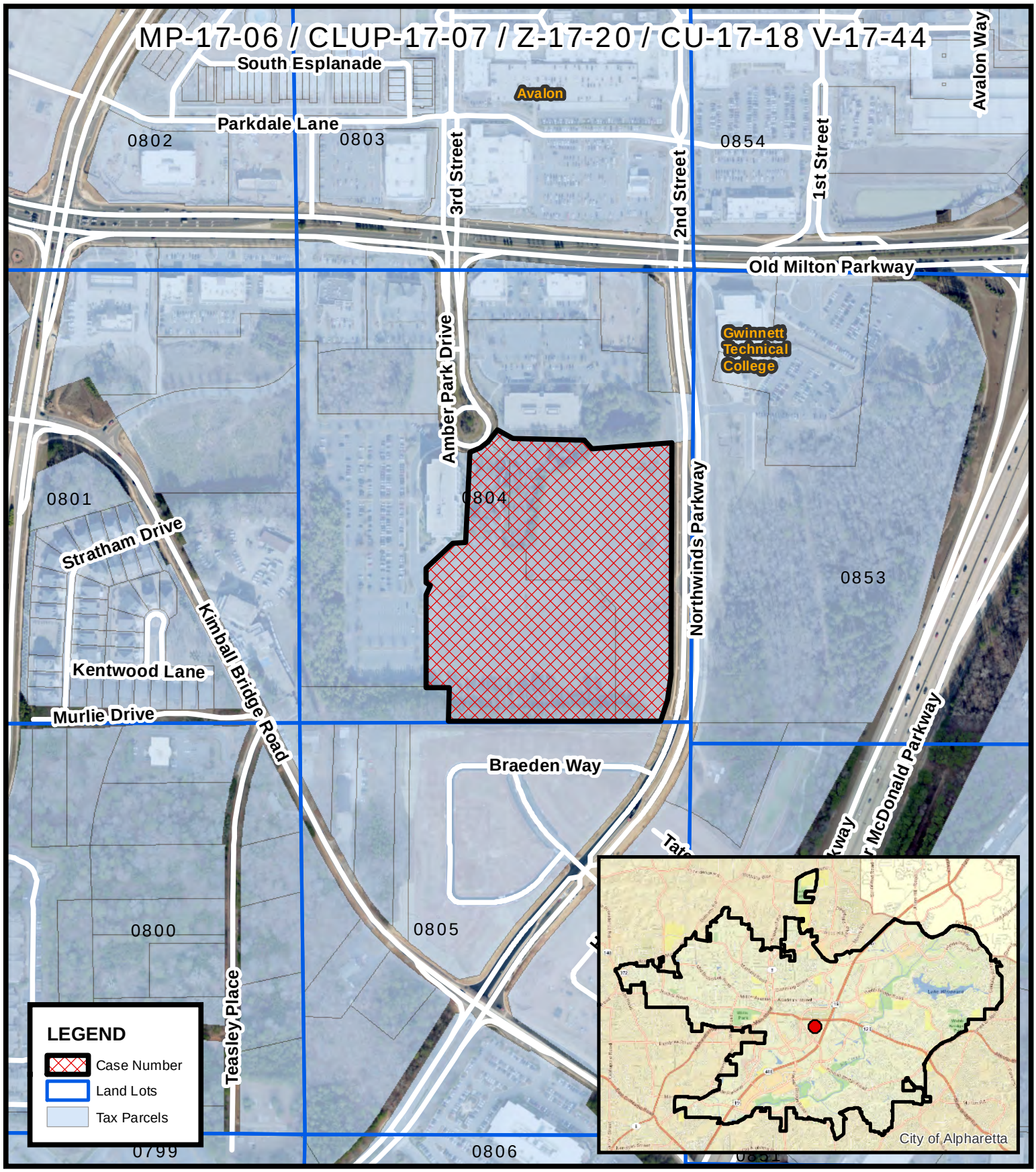
Location Map Provided by:
Community Development - GIS



Zoning Map
Greenstone
Parkway 400

MP-17-06 / CLUP-17-07 /
Z-17-20 / CU-17-18 V-17-44
D/LL: 1/2/804
PC: **9**/**6**/18
CC: **9**/**24**/18

Location Map Provided by:
Community Development - GIS



Location Map
Greenstone
Parkway 400

MP-17-06 / CLUP-17-07 /
Z-17-20 / CU-17-18 V-17-44
D/LL: 1/2/804
PC: **9**/**6**/18
CC: **9**/**24**/18

Location Map Provided by:
Community Development - GIS

Noell Consulting Group

Marketunistic Real Estate Advice

City of Alpharetta
Parkway 400 Rezoning

EXECUTIVE SUMMARY

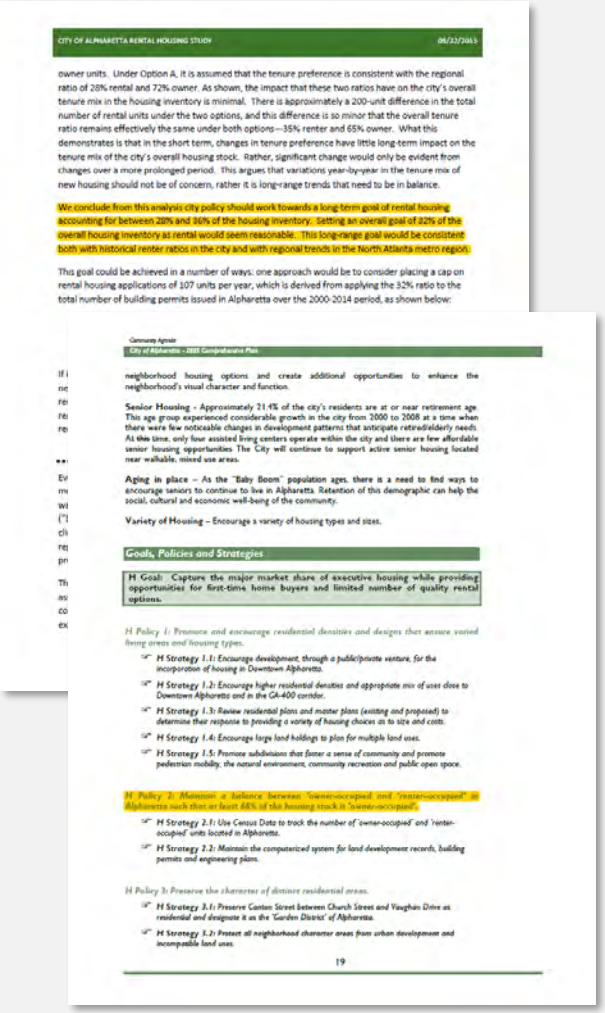
- The City of Alpharetta's 37% renter-occupied to owner-occupied housing ratio is in-line with local, regional, and national averages. *(See Slide 7)*
- When we account for current projects under-construction and approved and then add Parkway 400's 325 Class A units, the renter-occupied to owner-occupied housing ratio drops to 36.2%. *(See Slide 8)*
  - Based on historic growth of owner-occupied housing by 2020 this ratio would drop to 32.9% *(See Slide 8)*
- Not all rental units are the same
  - Rentals units can be found in single-family homes, duplexes & quadplexes, older apartment complexes, and Class A apartments
  - Understanding the profile of renter at each type of rental product is different, should Class A product be lumped into the same category as a household renting a single family home?
  - The Class A apartment resident is primarily a mix of affluent young & mature professionals as well as empty-nester / retiree down-sizers who are "choice" renters seeking amenitized properties in walkable, lifestyle-drive areas with job proximity
  - Only 26.9% of rental units in Alpharetta represent 'Class A' units and only 10.6% are true 'Class A' product located in mixed-use, walkable areas *(See Slide 23)*
- Class A residents are a highly desirable demographic
  - They attract employers (companies increasingly want to locate in areas with high concentrations of this demographic)
  - Positive fiscal impact for local businesses as Class A renters have high disposable incomes and patronize local stores and restaurants
  - Minimal impact on schools (typically singles and couples without children)
  - Positive fiscal impact for city (tax revenues exceed services provided)
- Alpharetta's jobs to housing ratio is one of the highest in metro Atlanta *(See Slide 25)*
  - Providing supply to meet the demand for this product type will reduce traffic, as most future Alpharetta Class A renters already work here, but live elsewhere.
- There is high demand for Class A units in Alpharetta, however limited existing supply and limited future sites

OVERVIEW

- City of Alpharetta Rental Housing Study – Bleakly Advisory Group, May 2015
  - Overview
  - Update
  - Regional Issues
  - Updated Regional Comparisons
  - Future renter permit allowances
- Today's Renter
  - Household types are changing
  - Home ownership trends are changing
  - Overview
  - Renter Profiles
  - Haven at Avalon's Demographics vs City of Alpharetta
- Alpharetta's Current Rental Stock
  - Types of Rentals
  - Make-up of Alpharetta's Rentals
- Why Apartments in Alpharetta
  - Jobs to housing ratio
  - Inflow / outflow analysis
  - Employer preference
  - Apartment construction cyclical
  - Apartments & mixed-use create value through walkability
- Why Apartments at Parkway 400
  - Apartment economics
  - Where Apartments Best Succeed
  - Locational Attributes of Alpharetta
  - How multifamily on Parkway 400 meets Alpharetta's goals
- Conclusions

EXAMINING CITY OF ALPHARETTA HOUSING STUDY

CITY OF ALPHARETTA RENTAL HOUSING STUDY



CITY OF ALPHARETTA RENTAL HOUSING STUDY 06/22/2015

owner units. Under Option A, it is assumed that the tenure preference is consistent with the regional ratio of 28% rental and 72% owner. As shown, the impact that these two ratios have on the city's overall tenure mix in the housing inventory is minimal. There is approximately a 200-unit difference in the total number of rental units under the two options, and this difference is so minor that the overall tenure ratio remains effectively the same under both options—35% renter and 65% owner. What this demonstrates is that in the short term, changes in tenure preference have little long-term impact on the tenure mix of the city's overall housing stock. Rather, significant change would only be evident from changes over a more prolonged period. This argues that variations year-by-year in the tenure mix of new housing should not be of concern, rather it is long-range trends that need to be in balance.

We conclude from this analysis city policy should work towards a long-term goal of rental housing accounting for between 28% and 36% of the housing inventory. Setting an overall goal of 32% of the overall housing inventory as rental would seem reasonable. This long-range goal would be consistent both with historical renter ratios in the city and with regional trends in the North Atlanta metro region.

This goal could be achieved in a number of ways: one approach would be to consider placing a cap on rental housing applications of 107 units per year, which is derived from applying the 32% ratio to the total number of building permits issued in Alpharetta over the 2000-2014 period, as shown below:

Community Agenda
City of Alpharetta – 2035 Comprehensive Plan

neighborhood housing options and create additional opportunities to enhance the neighborhood's visual character and function.

Senior Housing - Approximately 21.4% of the city's residents are at or near retirement age. This age group experienced considerable growth in the city from 2000 to 2008 at a time when there were few noticeable changes in development patterns that anticipate retired/elderly needs. At this time, only four assisted living centers operate within the city and there are few affordable senior housing opportunities. The City will continue to support active senior housing located near walkable, mixed use areas.

Aging in place – As the "Baby Boom" population ages, there is a need to find ways to encourage seniors to continue to live in Alpharetta. Retention of this demographic can help the social, cultural and economic well-being of the community.

Variety of Housing – Encourage a variety of housing types and sizes.

Goals, Policies and Strategies

H Goal: Capture the major market share of executive housing while providing opportunities for first-time home buyers and limited number of quality rental options.

H Policy 1: Promote and encourage residential densities and designs that ensure varied living areas and housing types.

- *H Strategy 1.1: Encourage development, through a public/private venture, for the incorporation of housing in Downtown Alpharetta.*
- *H Strategy 1.2: Encourage higher residential densities and appropriate mix of uses close to Downtown Alpharetta and in the GA-400 corridor.*
- *H Strategy 1.3: Review residential plans and master plans (existing and proposed) to determine their response to providing a variety of housing choices as to size and costs.*
- *H Strategy 1.4: Encourage large land holdings to plan for multiple land uses.*
- *H Strategy 1.5: Promote subdivisions that foster a sense of community and promote pedestrian mobility, the natural environment, community recreation and public open space.*

H Policy 2: Maintain a balance between "owner-occupied and "renter-occupied" in Alpharetta such that at least 68% of the housing stock is "owner-occupied".

- *H Strategy 2.1: Use Census Data to track the number of 'owner-occupied' and 'renter-occupied' units located in Alpharetta.*
- *H Strategy 2.2: Maintain the computerized system for land development records, building permits and engineering plans.*

H Policy 3: Preserve the character of distinct residential areas.

- *H Strategy 3.1: Preserve Canton Street between Church Street and Vaughan Drive as residential and designate it as the 'Garden District' of Alpharetta.*
- *H Strategy 3.2: Protect all neighborhood character areas from urban development and incompatible land uses.*

19

- In 2015 Bleakly Advisory Group (BAG) conducted a rental housing study that examined the appropriate mix of renter and owner households in Alpharetta. This study examined historic household tenure trends at local and regional levels and concluded that a targeted goal of 32% of overall housing inventory as rental would seem reasonable.
- This figure was further used in the City of Alpharetta's 2035 Comprehensive Plan as the targeted balance between owner-occupied and renter-occupied in Alpharetta. When reviewing this goal of 32% various issues arise:
    - Regions used in the analysis are not analogous to the City of Alpharetta
    - Settling on a ratio today and using that figure from development patterns into 2035 ignores changes in housing preferences and demographics shifts and hinders the city's ability to respond to market demands
    - Focusing on building permits ignores the reality that significant portion of the rental housing stock is located in single family product that could easily move to for-sale

RENTAL HOUSING STUDY ISSUES

Disregarding the method used in the rental housing study, two issues arise with the select geographies used as comparable regions used to determine the appropriate mix of owner to renter occupied housing:

1. The North Fulton region in the original study did not include the cities of Milton and Sandy Springs
    - This shifts renter occupied housing mix (as of 2013) from 29% to 36% if Milton and Sandy Springs is included
2. The "North Metro" region includes Cherokee and Forsyth County, which are not analogous to the city of Alpharetta.
    - These counties are exurban, bedroom communities, whose developmental patterns are decades behind Alpharetta and should not be used to dictate future policy.
    - Alpharetta is over 2x as dense as Forsyth and 4x as dense as Cherokee County.
    - Alpharetta has more jobs than either of these counties have total jobs.
    - The only county that is analogous in terms of density and level of development is Cobb County, which has 36% renter occupied housing, in-line with the City of Alpharetta.

Region	Population	Population / Sq. Mile	Median HH Income	Total Primary Jobs (2015)	Primary Jobs $40k+ (2015)	Renter Occ. %
Alpharetta	65,338	2,429	$95,919	85,685	54,459	37%
Cherokee	247,573	588	$77,950	50,328	17,967	23%
Cobb	755,754	2,225	$70,947	340,251	165,254	36%
Forsyth	227,967	1,017	$100,909	73,354	31,569	16%

UPDATED REGIONAL COMPARISONS

To better understand Alpharetta's renter vs owner occupied housing position we've provided the following comparison areas:

- North Fulton (which includes the cities of Milton, Mountain Park, Johns Creek, Roswell, and Sandy Springs),
- The Atlanta Metropolitan Statistical Area (MSA)
- The State of Georgia
- The United States.

In all of these geographies renter occupied housing accounts for **36% - 38%** of all housing types and by shifting toward a 32% target the City of Alpharetta would be removing itself from the norm and fighting against broader demographic trends.

Region	Total Households	Owner Households	Renter Households	Renter Occ. %
Alpharetta	22,938	14,558	8,380	37%
North Fulton	141,195	87,657	53,538	38%
Atlanta MSA	1,994,730	1,256,742	737,988	37%
Georgia	3,611,706	2,266,411	1,345,295	37%
United States	117,716,237	74,881,068	42,835,169	36%

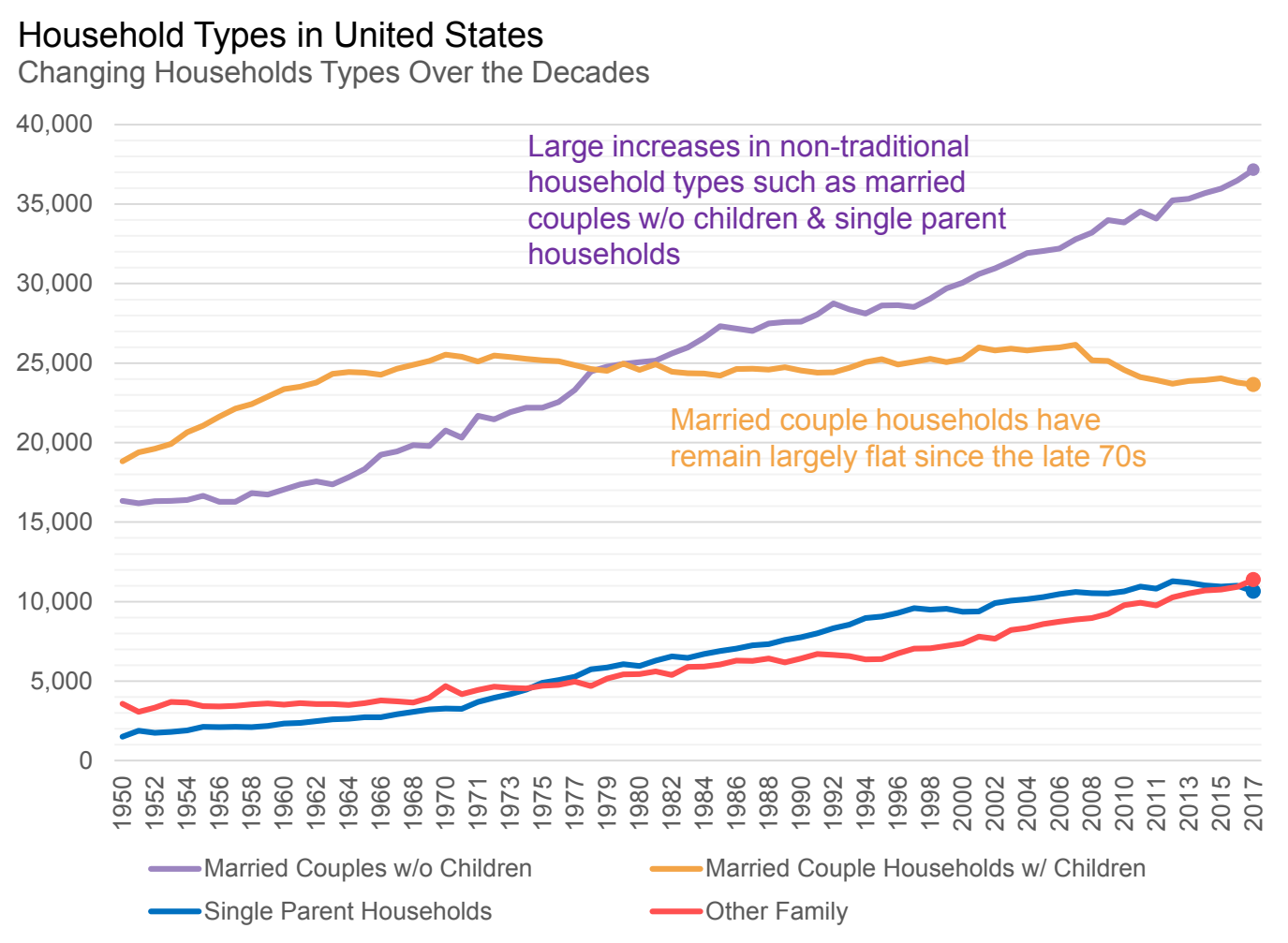
FUTURE RENTER PERMIT ALLOWANCES

- Below is the listed pipeline for owner and renter units listed by the city of Alpharetta
- Currently only 23.1% of all units under construction are rental units.
    - When Parkway 400's 325 units are added to the current pipeline, the share of rental climbs to 33.0%.
- However, we need to account that the rental units at Parkway 400 will deliver in 2 years from now which will include additional for-sale units that have not been approved yet and are not accounted for in the pipeline.
    - From 2009 to 2016 the City of Alpharetta has been adding 395 for-sale housing units yearly per census data.
    - Assuming this trend continues, that would indicate that only 25.1% of all housing units are rental units are planned for the future.
- Additionally, we have shown how the supply for renter and for-sale affect the city's renter / owner household ratio overall.
    - Current for-sale and for-rent pipeline would push renter / owner ratio to 35.3%. When we include the 325 units at Parkway 400 and account for historic 2-year growth of for-sale units, that ratio decreases to 32.9%

Unit Type	Under Construction	Approved	Total	With Parkway 400 Units	Parkway 400 Future (2020)
For-Sale Units	1,235	490	1,725	1,725	2,514
For-Rent Units	168	350	518	843	843
Share Rental (%)	12.0%	41.7%	23.1%	33.0%	25.1%
City of Alpharetta Total Renter / Owner Household Ratio:			35.3%	36.2%	32.9%

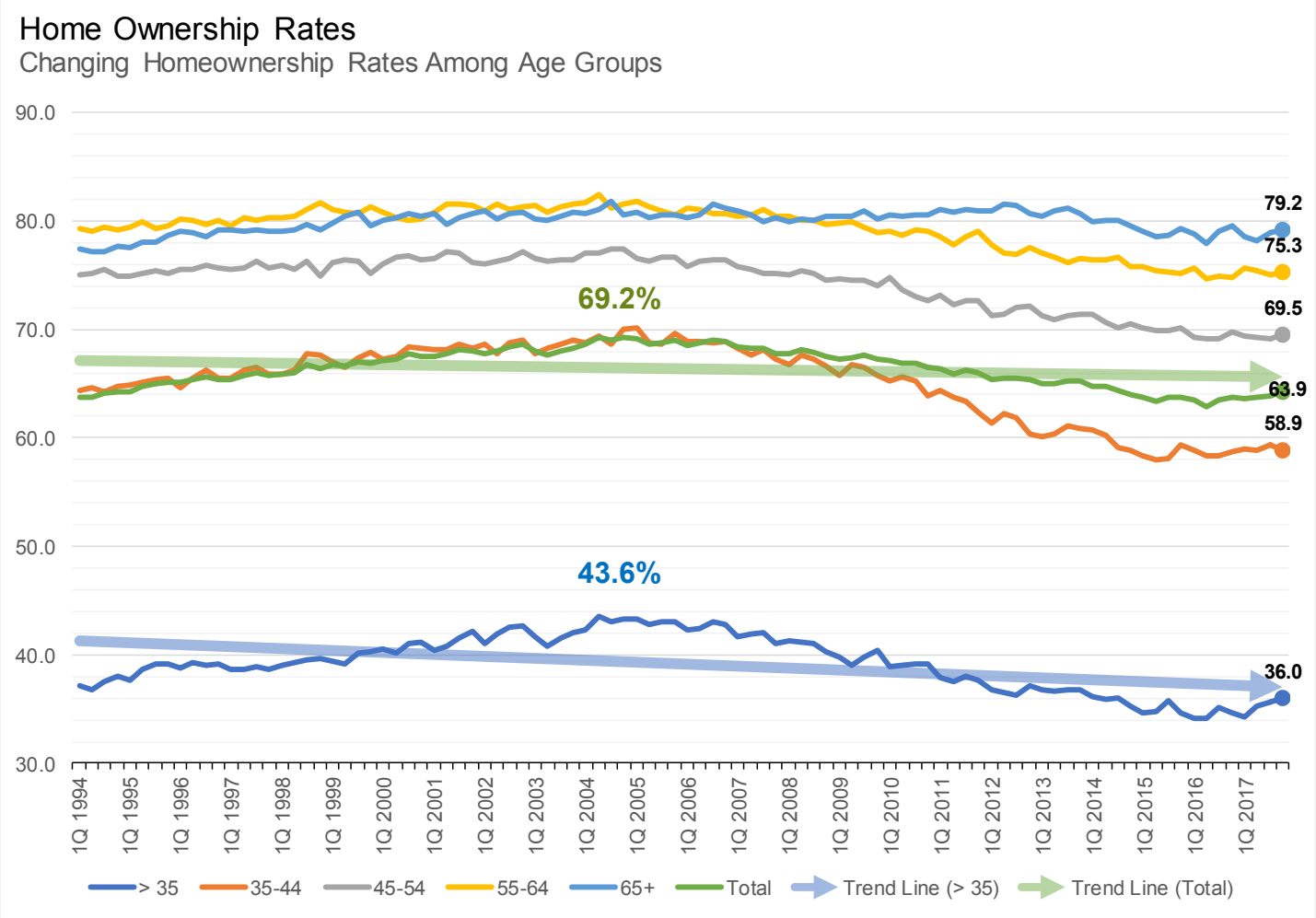
TODAY'S RENTER

HOUSEHOLDS TYPES ARE CHANGING DEMAND FOR HOUSING



- American family structure has changed dramatically over the decades.
- Many more are living alone, are single parents, or are unmarried couples. This changes how and where people want to live.
- Non-traditional household types are less likely to want or need a large single family home w/ a yard. This creates more demand for apartment living (as well as townhomes and small-lot single family homes).
- These changes also mean that existing home inventory and renter / owner ratios are mismatched for today's households.

CHANGE IN HOME OWNERSHIP



- Home ownership is down among age groups, having peaked in 2004-2005.
- Limiting rentals to 32% would severely limit ability to attract households under 44 whose renter households rates range from 41% to 64%.
- These groups are driving where businesses choose to locate (want to be near workers)
- Not providing appropriate and varied housing types will limit ability to attract future educated workers and in turn desirable employers

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

NCG's experience working in the North Fulton and North Metro Atlanta market has given us insight into the audiences fueling demand for and found in Class A apartments. These audiences encompass a broad age range, are largely affluent, and seek many of the same attributes when decided where to rent. While each individual is unique, we've come across specific renter buckets which will be elaborated on further in the following slides.

	Young Professionals	Mature Singles	Single Parents	Professional Couples	Empty Nesters	Professional Roommates
Age Range	22 - 34	35 - 54	35 - 54	25 - 44	45 - 64	22 - 34
Typical Incomes	$40,000 - $100,000	$50,000 - $150,000	$50,000 - $150,000	$100,000+ (Combined)	$150,000+ (Combined)	< $150,000 (Combined)
Typical Rents	$1,000 - $2,000	$1,250 - $3,000	$1,250 - $2,500	$2,000+	$2,500+	< $3,000
Market Mix	10%	20%	5%	45%	15%	5%

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Young Professionals

Age Range	22 - 34
Typical Incomes	$40,000 - $100,000
Typical Rents	$1,000 - $2,000
Market Mix	10%

Description

- Young professional single men and women in their 20s and some in early 30s working along GA-400 in North Fulton or other North Metro Atlanta job cores.
- 50% work within 10 miles of where they live, Perimeter Center and Buckhead other key destinations.
- These renters seek proximity to employment and entertainment and are attracted to walkable areas with strong lifestyle offerings.

Community Benefits

- Disposable incomes support local retail and food & beverage
- Attracts employers
- Tend to live and work in community, also greatest users of ride-share, leading to less congestion
- Do not impact schools
- Future home buyers
- Often children of existing Alpharetta families

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Mature Singles

Age Range	35 - 54
Typical Incomes	$50,000 - $150,000
Typical Rents	$1,250 - $3,000
Market Mix	20%

Description

- Singles over 35 that is heavily driven by convenience to work and/or highly desirable / established lifestyle areas. Many are renting because they have recently relocated to the area for work and are renting before buying, although increasing share of “lifestyle” renters.
- As with young professionals most work along GA-400 with roughly 50% working within 10 miles of their home.

Community Benefits

- High disposable income, supports local retail and food & beverage
- Attracts employers
- Work and live in the community, creates less congestion
- Future home buyers
- Do not impact schools

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Single Parent

Age Range	35 - 54
Typical Incomes	$50,000 - $150,000
Typical Rents	$1,250 - $2,500
Market Mix	5%

Description

- Single parents are primarily recent divorcees seeking proximity to employment / previous home to remain near job and children. Many choose to live in the area because of the quality of schools.
- This audience is limited in Class A properties, as they're typically limited by higher rents and/or seek home rentals.

Community Benefits

- Keeps families in community
- Most children are too young for school or kids already enrolled in school

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Professional Couples

Age Range	25 - 44
Typical Incomes	$100,000+ (Combined)
Typical Rents	$2,000+
Market Mix	45%

Description

- Professional couples are mostly in their 30s with some in their late 20s and early 40s.
- Mix of recently married and dating who have chosen this location because of a job relocation, a move to the suburb before purchasing a home, or in between homes.

Community Benefits

- Attracts employers
- Future home owners / residents
- High disposable income, support local retail and food & beverage
- While some have children, those that do are mostly between homes and do not burden schools further

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Empty Nester

Age Range	45 - 64
Typical Incomes	$150,000+ (Combined)
Typical Rents	$2,500+
Market Mix	15%

Description

- The empty nester / retiree group is one of the leading audiences driving multifamily development in high lifestyle locations.
- Preference for high lifestyle locations with a strong amenity base and a “lock and leave it” lifestyle has driven much of the apartment growth, especially in strong walkable suburban locations (53% of the renters at Haven are over the age of 46).
- For renters in this category, many use the apartment as a 2nd home or they’re between homes. Coming out of the recession, many chose to sell their home once prices recovered and are waiting a few years before deciding to purchase their “final home” where they’ll retire.

Community Benefits

- High disposable income that supports local retail and food & beverage
- No children, no impact on schools
- Keeps locals in community
- Heavy civic involvement

DEMOGRAPHICS OF CLASS A RENTER IN ALPHARETTA

Roommates

Age Range	22 - 34
Typical Incomes	< $150,000 (Combined)
Typical Rents	< $3,000
Market Mix	5%

Description

- Roommates are typically young professionals, specifically recent graduates roommating out of financial necessity. Most work in the North Fulton job market or along GA-400 in key job cores such as Perimeter Center and Buckhead.
- This group tends to be limited in Class A product in general due to income restraints and when found, they need to be concentrated in more urban locations. However, we expect this group to grow with additions to Alpharetta and other suburban locations that are creating more compelling locations for this audience.

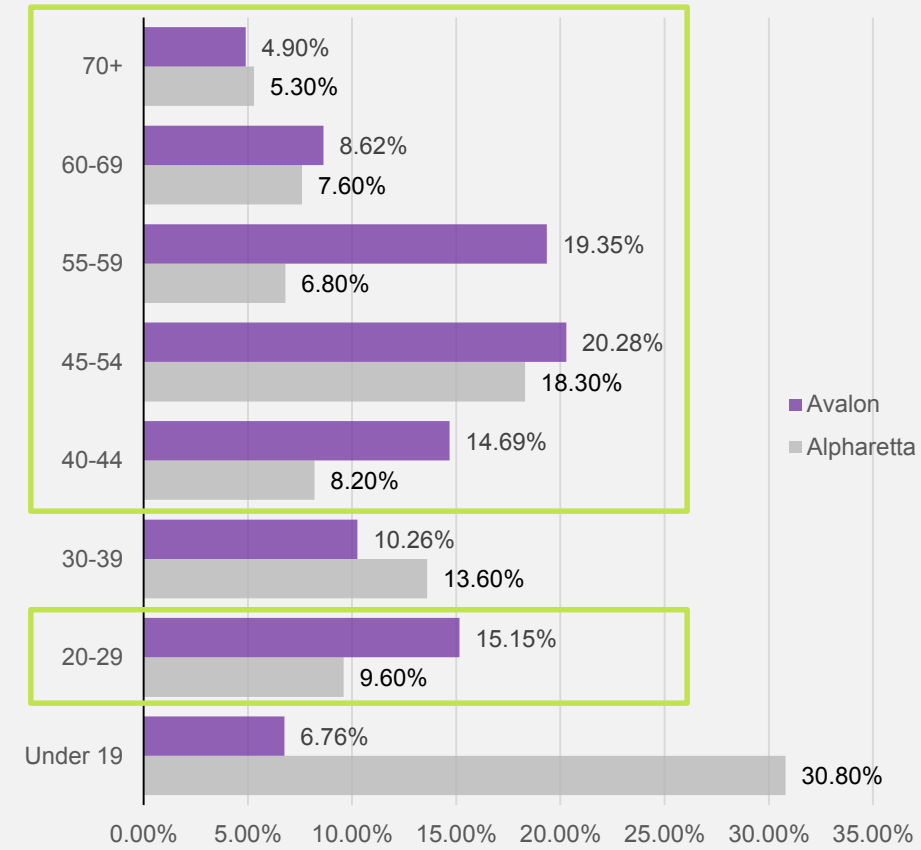
Community Benefits

- Supports local retail and food & beverage
- Often service industry employees, work in community
- No impact on schools
- Attracts employers
- Future home owners
- Avoids “living in basement” phenomenon

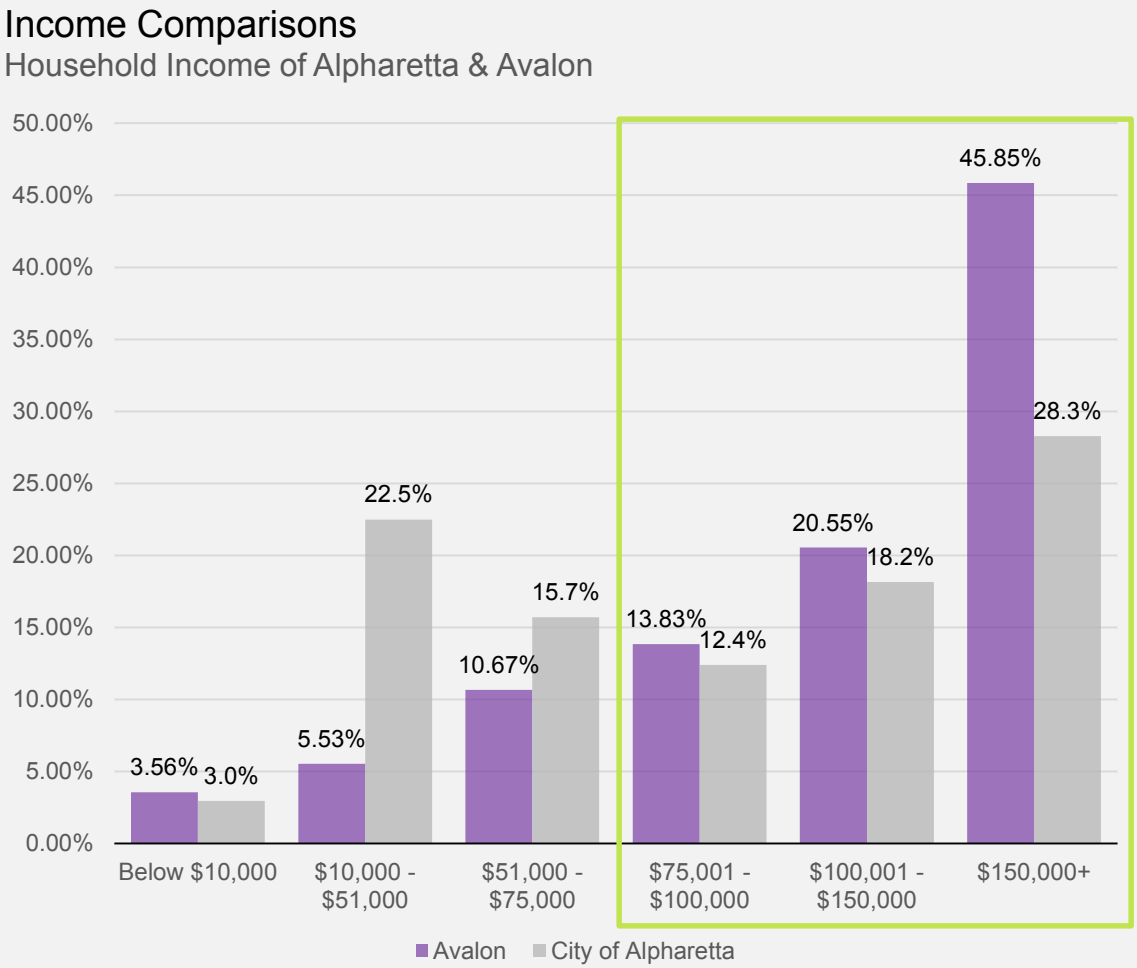
AVALON DEMOGRAPHICS AND COMPARISON TO CITY OF ALPHARETTA

To better understand who lives in Class A apartments we've compiled demographic data from apartments in Avalon and used this to compare to the City of Alpharetta.

- Residents at Avalon are largely older
  - ~68% of Avalon's residents are over the age of 38 compared to ~46% over 40 in Alpharetta.
- Minimal people under 18 in Avalon, primarily non-school age children of couples between homes
- Avalon attracts a higher percentage of Millennials
  - ~15% young professional aged residents as opposed to 9.6% in Alpharetta; demographic increasingly key in attracting employers



AVALON DEMOGRAPHICS AND COMPARISON TO CITY OF ALPHARETTA



As seen in the previous exhibit, new multifamily projects help diversify housing options in the city and keep existing residents local as they downsize while attracting new, affluent residents that support local businesses and attract high paying employers.

- Over 66% of Avalon residents have household income over $100,000.
- Greater concentration of high income earners ($75,000+) in Avalon than in the City of Alpharetta.

CURRENT ALPHARETTA RENTAL STOCK

CURRENT ALPHARETTA RENTAL STOCK

- When looking at rental housing units in the City of Alpharetta it is important to understand that not all renter housing types are equal and that current stock might not meet the demands of today's renters.

Product Type	Picture	Description
Single Family Attached & Detached		Traditional single family homes and townhomes being rented out by owners, primarily to families seeking space at a value in safe communities with good school districts in "traditional" family-housing format.
Duplexes & Quadplexes		Two and four-unit complexes, typically older, primarily used as rentals that target families and others seeking value and space.
Class B & C Apartment Communities		Professionally managed apartment communities, 10-30 years old. Garden communities, middle-class tenant base, mix of renters by choice and necessity. In Alpharetta, location historically based on value as opposed to proximity to high lifestyle areas.
Class A Apartment Communities		Newer professionally communities with affluent tenant base who usually are choice renters. Locations based on proximity to high lifestyle areas and jobs.

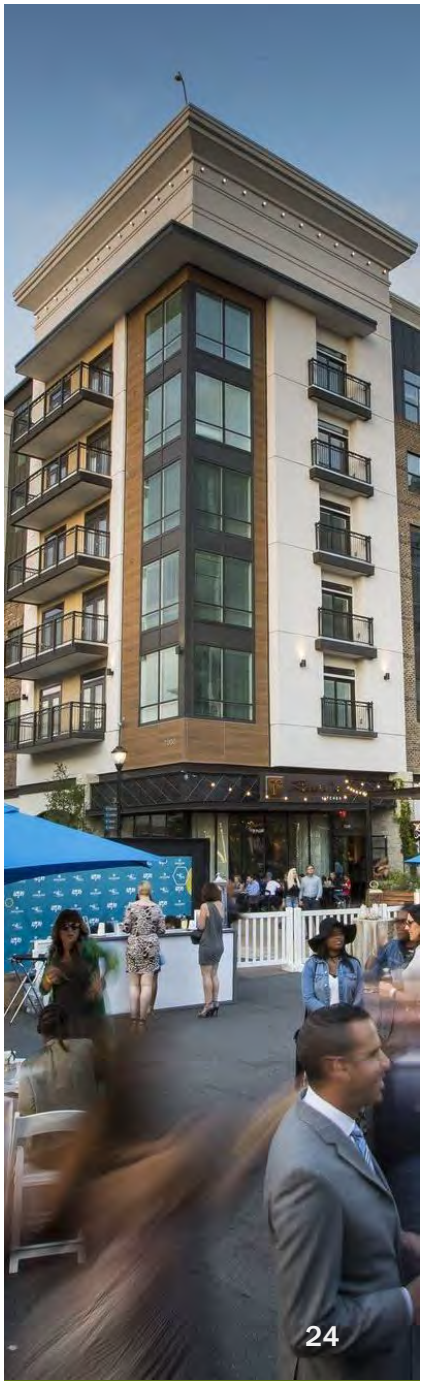
CURRENT ALPHARETTA RENTAL STOCK

- NCG estimates that Alpharetta currently has around 22% of all renter housing in single family attached & detached product. Additionally, another 6% is located in duplexes and quadplexes.
- 45.2% of rental units are located in Class B & C product, typically garden product in car-oriented formats that do not attract today's "Class A" renter
- 26.9% of rental units are found in "Class A" product as defined by CoStar.
    - Of these units only 987 units (Veranda & Haven at Avalon, Lakeside at Milton Park) are found in walkable, mixed-use environments. This accounts for only 10.6% of all rental units in Alpharetta
- A lack of desirable housing for today's Class A renter will limit Alpharetta's ability to capture a younger, affluent demographic, and hinder the area's ability to recruit employers who increasingly seek to co-locate near this demographic

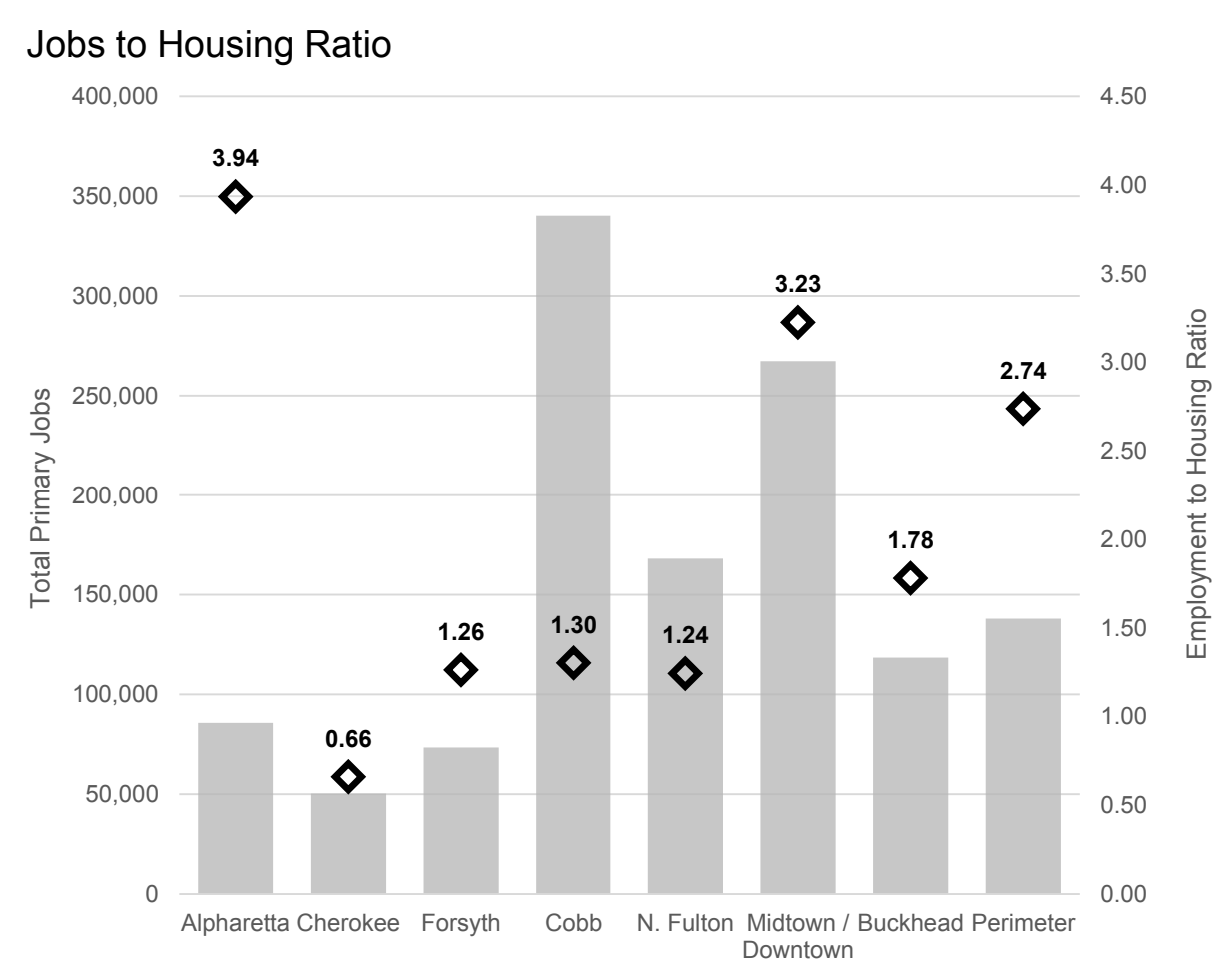
Product Type	Unit Count	Percentage of Rental Housing
Single Family Attached & Detached	2,007	21.6%
Duplexes & Quadplexes	580	6.2%
Class B & C	4,199	45.2%
Class A	1,515	16.3%
Class A in Mixed-Use	987	10.6%
Total	**9,288**	**100%**

*Above data is a combination of US Census data & CoStar data, a leading provider of commercial real estate information

WHY APARTMENTS IN ALPHARETTA



JOBS TO HOUSING RATIO



- Alpharetta currently has a 3.94 employment to housing ratio.
- An employment ratio of 0.75 to 1.5 is considered beneficial for reducing vehicle miles traveled.
- Ratios higher than 1.5 indicate high worker commuting into the area and indicates there might be a lack of housing for nearby jobs.
- An imbalance leads to long commutes, congestion, and poor air quality.
- Increasingly, a lack of workforce housing will lead employers to locate elsewhere to be near where employers can live, work, and play.
- Reducing this ratio to Midtown / Downtown levels of 3.23 would indicate a need for an additional 4,753 housing units.
- Those additional households would eliminate 9,506 to 19,012 commuter trips daily assuming 1 to 2 working adults per household

WALKABILITY AND MIXED-USE ATTRACTS EMPLOYERS

- Increasingly companies are seeking to locate in walkable areas in order to attract and retain talent.
  - As of 2015, the Millennial cohort makes up 34% of all workers, more than Gen Xers or Baby Boomers.
- High costs of new construction and new office product in both suburban and urban locations limits the value proposition of traditional suburban office format
  - If tenants are going to pay top dollar for new product, they seek in dynamic locations that offer more than just access to executive housing

StateFarm™

- State Farm decided to build a national operations center in Perimeter Center while selling property in Johns Creek, which had housed 2,000 employees.
- The company had looked at several sites along Georgia 400 before decided on the Perimeter Center location for its access to transit and workforce housing.

NCR

- NCR moved its headquarters from Gwinnett County to Midtown Atlanta in order to be close and attract top talent.
- NCR had planned to maintain a suburban presence with an office near Avalon, but chose to expand their Midtown location with a Phase 2.

athenahealth

- Instead of expanding offices in Alpharetta, in 2013 athenahealth chose to locate in Atlanta. The chairmain and CEO cited the location offered them the ability to attract the best talent. In 2018, the company doubled it's footprint.

APARTMENTS & MIXED-USE DEVELOPMENT IMPROVES WALKABILITY

In addition to changes in the types of households and home ownership trends, mixed-use development and multifamily rental products contribute to walkability.

Why focus on rental vs for-sale multifamily (condo)?

- Multifamily rental is more accessible to key target demographics (Millennials) and follows household trends
- Condos are difficult to finance at a large-scale
- Price point of new construction limits condo owners typically to older, extremely affluent audience

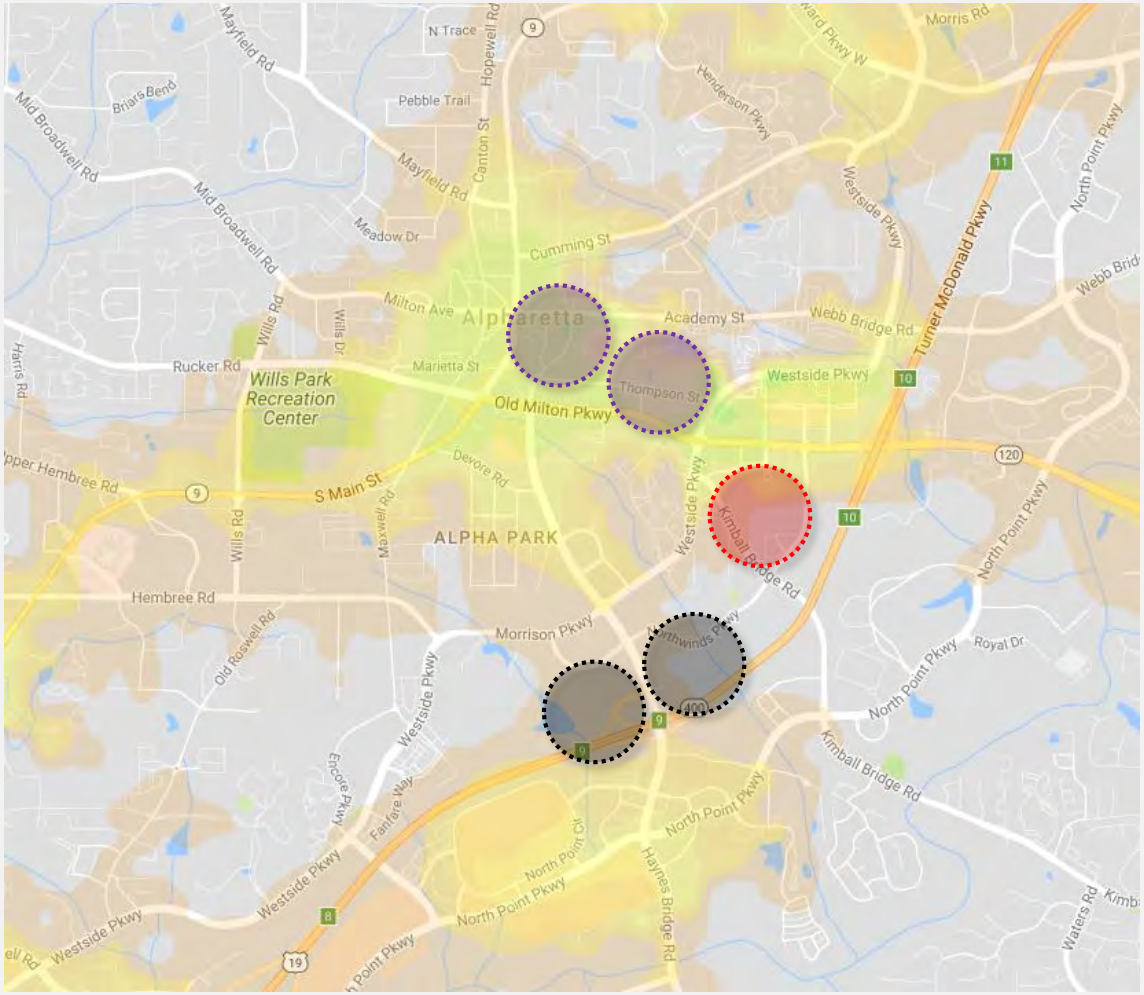
Why Walkable Environments?

- Walkable environments are key to economic competitiveness and creating healthy communities, all while increasing property tax value per acre
- Increasingly, Millennials and seniors are looking for walkable environments.
    - 80% of 18-34 years want to live in walkable neighborhoods
    - 60% of those over 50 want to live within one mile of daily goods & services per AARP surveys
- Office, retail, and rental housing in walkable places achieve 30%, 144%, and 12% premiums respectively over drivable suburban counterparts
- Premiums for home prices in walkable areas show demand for walkable environments in Atlanta.
- Increasingly companies are seeking to locate in walkable areas in order to attract and retain talent.
    - As of 2015, the Millennial cohort makes up 34% of all workers, more than Gen Xers or Baby Boomers.

BENEFITS TO WALKABILITY

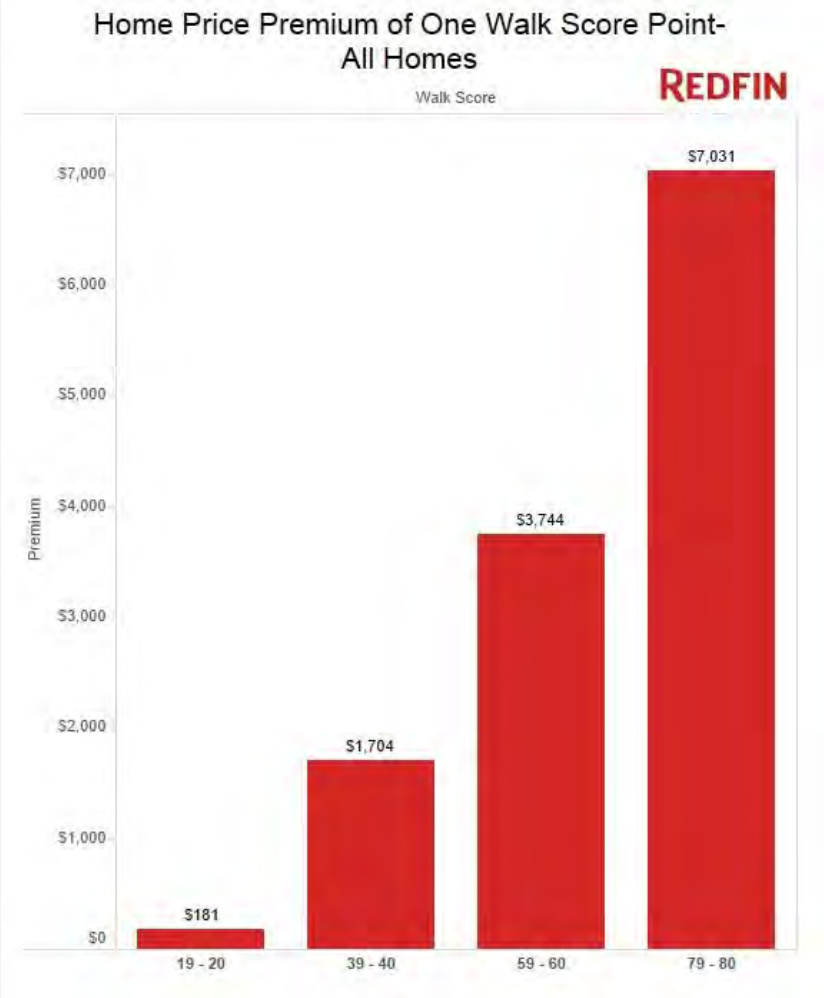
- **Health**
  - The average resident of a walkable neighborhood weights 6-10 pounds less than someone who does not
  - Cities & areas with public transit and walkable neighborhoods with access to amenities promotes happiness
- **Environment**
  - Reducing the number of car trips people take reduces CO2 emissions
- **Finances**
  - Cars are the 2nd largest household expense in the US; reducing the need can allow a reduction in maintenance and/or the eliminate of the car entirely
  - Walkability premiums increase value of resident's properties
  - Increase property values increase city's tax digest allowing them to increase valuable services such as safety, schools, and parks
- **Communities**
  - Walkability is associated w/ higher levels of arts organizations, creativity, and civic engagement
- **Popular Cities**
  - People are attracted to walkable places; Avalon has proved this

WHERE ALPHARETTA IS IN WALKABILITY



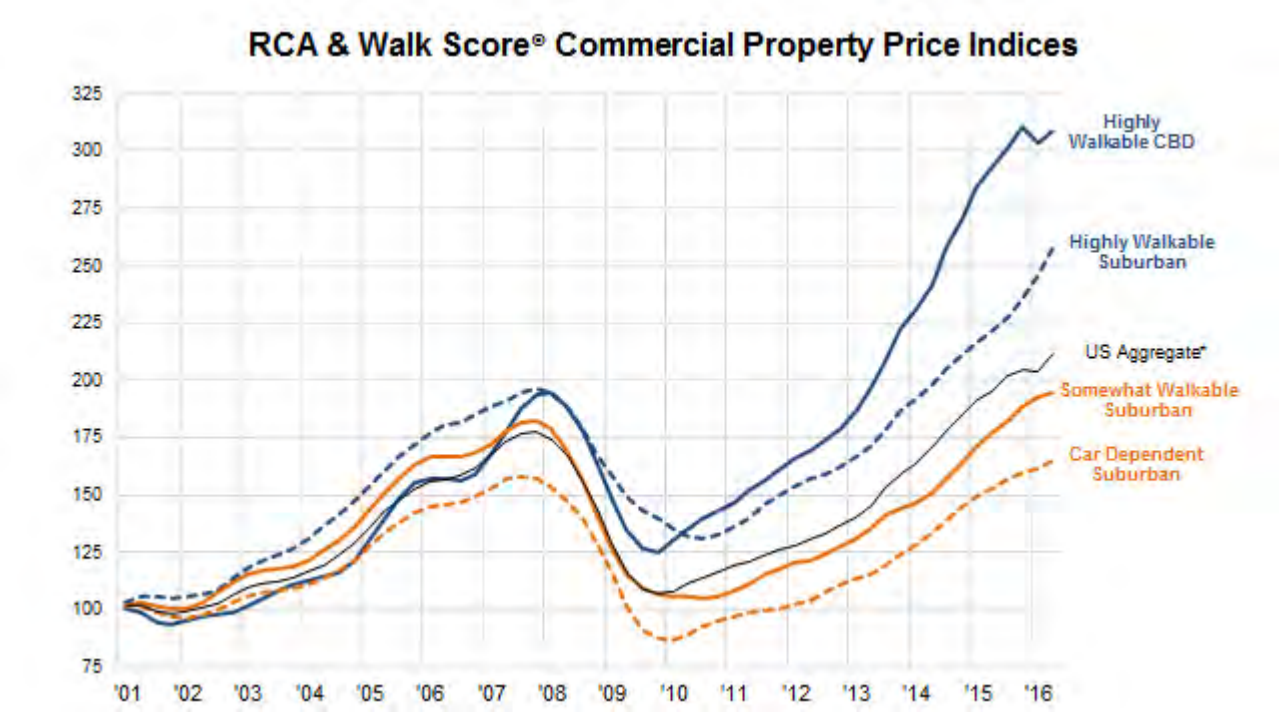
- The city of Alpharetta has done a lot to improve walkability and encourage development to make the area attractive to a multi-generational audience
- Active projects (in purple) such as Alpharetta Town Center and the development occurring between Avalon and Downtown Alpharetta are doing wonders to connect walkable nodes
- Additionally, proposed projects to the south are creating mixed-use environments in areas historically void of walkability
- BUT – there needs to be more focus on connecting these cores and creating a critical mass that will reduce vehicle miles traveled, support local retail, promote alternative modes of transportation, and attract large employers
- The proposed mixed-use project at Parkway 400 would contribute to that critical mass while connecting multiple cores of walkability

WALKABILITY INCREASES VALUE EXPONENTIALLY



- Increases in walkability increase value to nearby land uses, particularly residential, exponentially.
- For example, in a national study of 14 key metros (including Atlanta), an increase of walk score from 19 to 20 resulted in an average home increase of $181. However, moving from a walk score of 79 to 80 resulted in a premium of $7,031.
- Giving a real world example, the addition of a fast-food restaurant to a car-oriented area with little walkability might increase the area's amenity based, and walk score, slightly, but it isn't going to drive value. However, adding retail, food and beverage, office, and putting more households, both rental and owner, in the area, will create a critical mass of highly valued amenities that will drive desirability and the premiums people are willing to pay (for all land uses) in the area.

WALKABILITY PREMIUMS NOT JUST FOR RESIDENTIAL

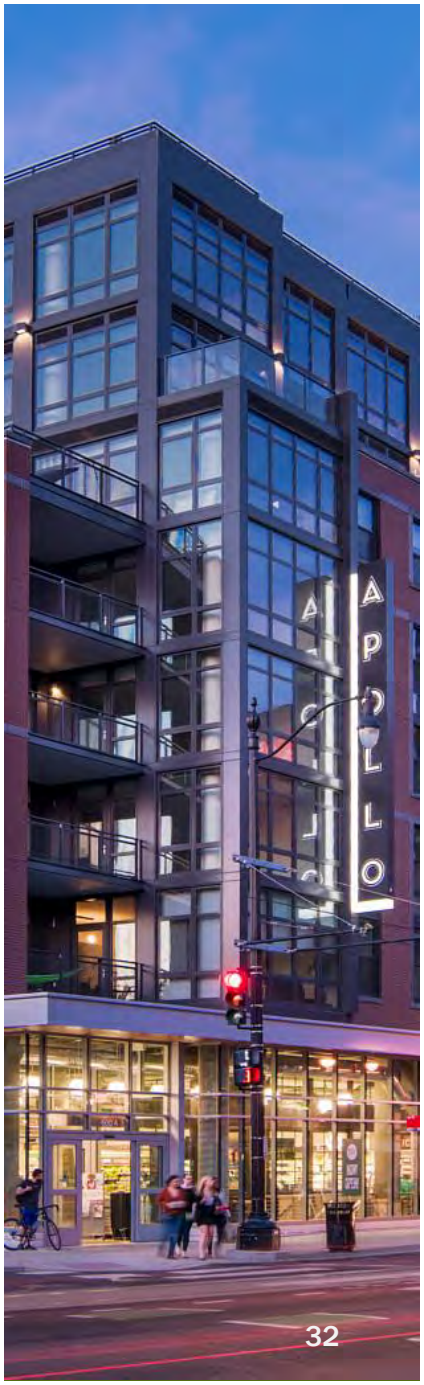


Walkability premiums are not just for residential. Commercial property found in walkable business districts and suburban locations have far out perform their non-walkable counterparts.

Adding residential rooftops to the plan subject site will add value to nearby commercial properties and make it easier to attract commercial tenants who are increasingly seeking to be in walkable, mixed-use environments.

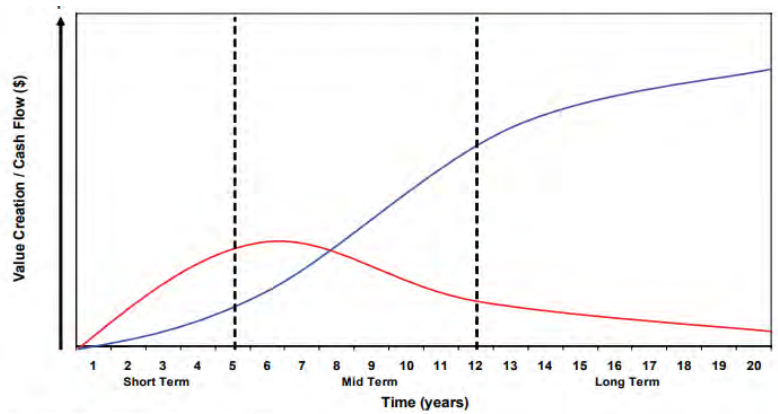
Additionally, these employers seek to be located near their younger force and in areas where their workforce want to live.

WHY APARTMENTS AT PARKWAY 400

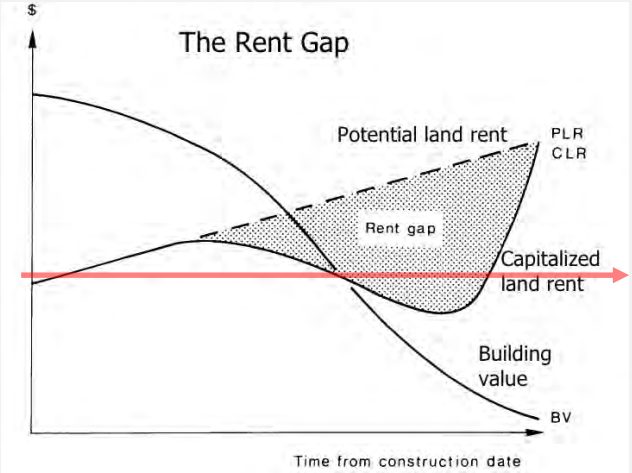


APARTMENT ECONOMICS

Financial Characteristics of Walkable (Blue) Versus Drivable Suburban (Red) Development



Source: Christopher B. Leinberger



- Where development occurs (walkable vs traditional drivable suburban) is important when seeking long term value
- There are large increases in value as the critical mass of walkable areas are achieved and enhanced
- This increases rents and sale prices resulting in land and building values going up
- When values go down (see red) there is less incentive to invest in the property
    - These properties often see minimal reinvestment until entire property is redeveloped into higher and better land use

- The chart to the left shows potential land rent ("value") and building value. The red line indicates land value that does not increase over time
- Building value naturally decreases over time through depreciation
- If land rent / land value does not increase over time, there is little incentive to reinvest
- Mixed-use, walkable communities contribute to higher land values, which encourages reinvestment in buildings

WELL LOCATED APARTMENTS HOLD VALUE

- Communities built in walkable areas near jobs and proximity that contribute to a “sense-of-place” will hold value long-term and continue to see reinvestment from owners.
    - This reinvestment prevents communities from going into disrepair and targeting less affluent renters.
- Veranda at Avalon sold at a 31% premium to ECHO on a per unit basis, both built in 2017, due to Veranda’s mixed-use location. This high price indicates long-term faith in value among investors.
- Lakeside at Milton Park, built in 2002, was an early attempt at mixed-use in Alpharetta.
    - On a per unit basis, Milton Park sold for a 30% premium to nearby Avana, a traditional, car-oriented garden product and a 45% premium to IMT Stoneleigh, another car-oriented traditional garden product that lacks walkability

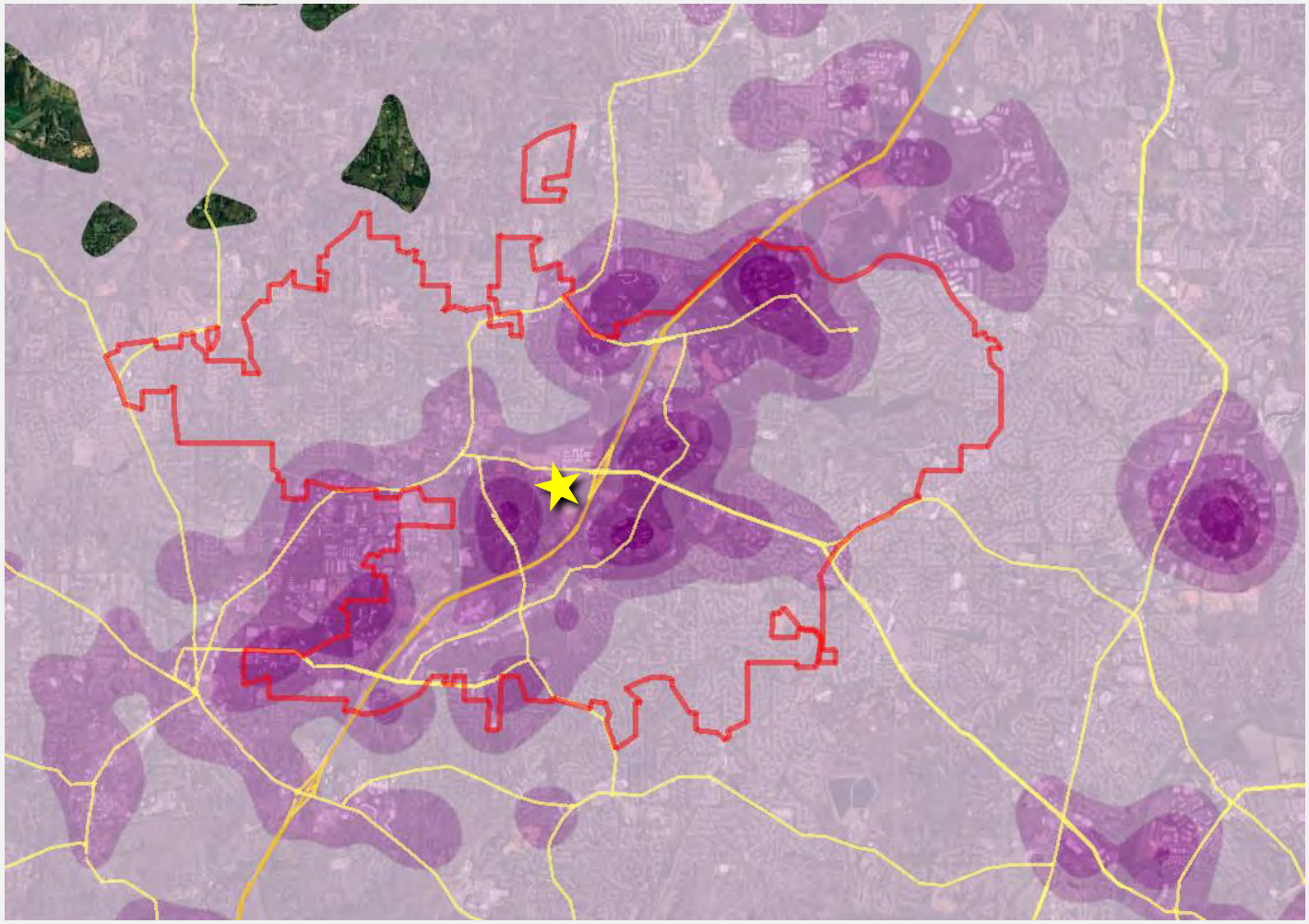
Project Name	Year Built	Sold Price	Units	$ / Unit
ECHO at North Point Center	2017	$26,100,000	111	$235,135
Veranda at Avalon	2017	$85,000,000	276	$307,971
Lakeside at Milton Park	2002	$98,250,000	461	$213,124
Avana North Point	1998	$48,073,205	264	$182,095
IMT Stoneleigh at Deerfield	2003	$60,750,000	372	$163,306

WHERE APARTMENTS BEST SUCCEED

- When evaluating achievable rents for new apartment construction NCG scores prospective deals on multiple characteristics.
- 42.5% of the “rent value” is based on locational characteristics
- Good locational attributes allow communities to hold their value even as their finish levels might become outdated
- Among the most important locational characteristics are access to jobs and access to entertainment, food & beverage, retail, and full-service grocery

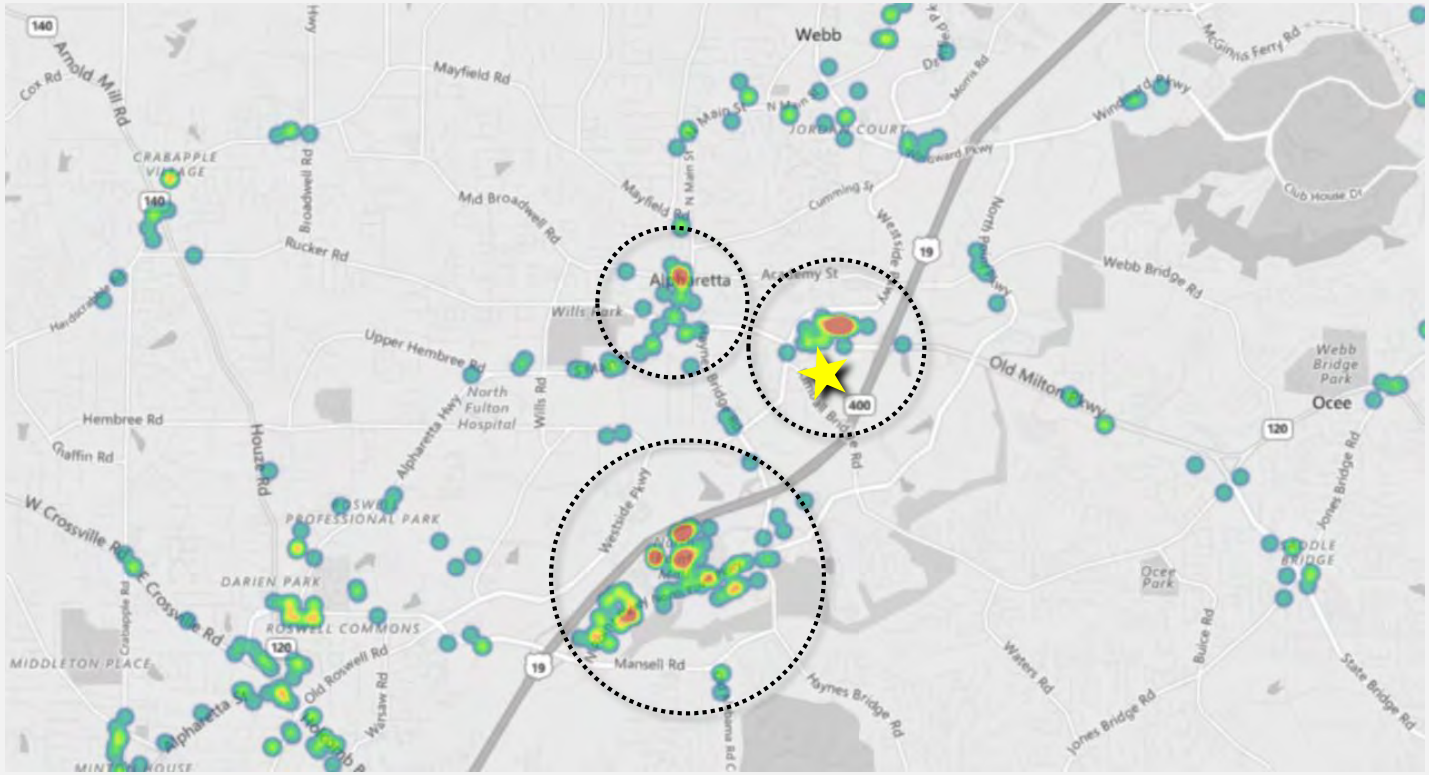
Characteristic	Weight	Veranda at Avalon	Haven at Avalon	AMLI North Point	Juncture	Roswell City Walk	Echo at North Point	Market Average	Market Average Desc.
Community Amenities	20.0%	4.5	3.5	3.0	3.5	3.5	3.0	3.5	Full offering, pool, courtyard, clubroom
Premium Finishes	17.5%	4.5	4.0	3.5	3.5	3.0	3.5	3.7	Granite/quartz counters, plank flooring, SS App.
Unit Size	12.5%	3.0	3.0	3.5	4.0	2.0	2.0	2.9	Avg. size 805 SF.
Access to Entertainment/Retail	12.5%	5.0	5.0	3.5	2.0	4.0	3.0	3.8	Mixed, some walkable
Highway/Employment Access	12.5%	4.0	4.0	3.0	3.0	1.5	2.5	3.0	Most have strong highway access
Neighborhood Perception	10.0%	5.0	5.0	3.0	2.0	3.5	3.0	3.6	Generally strong - some areas not established
Access to Greenspace/Trails	2.5%	2.0	2.0	4.0	2.0	3.0	2.5	2.6	Limited - some in walking distance
View/Floor Premium	5.0%	4.5	4.0	3.0	3.0	2.5	2.5	3.3	Some with town center views, nature
Access to Grocery/Brand	5.0%	5.0	5.0	3.0	3.5	2.5	3.0	3.7	Some walkable to brand
Concessions (Inverse Rel.)	2.5%	3.0	3.0	3.0	5.0	3.0	3.0	3.3	None offering concessions
Weighted Average Score		4.3	4.0	3.2	3.1	2.9	2.9	3.4	Market Avg. Rent $1,544
Estimated Premium/Discount:		26.0%	16.8%	-4.8%	-7.8%	-14.4%	-15.9%	0.0%	Communities ranked on a 1 - 5 scale, with 1 being poor and 5 being strong, relative to all projects in the market.
Estimated Rent:		$1,892	$1,769	$1,479	$1,440	$1,351	$1,331	$1,544	
One Bedroom Actual Average Rents:		$1,896	$1,765	$1,477	$1,442	$1,357	$1,326	$1,544	
Margin of Error:		0%	0%	0%	0%	0%	0%	0%	

WHERE ALPHARETTA'S JOBS ARE



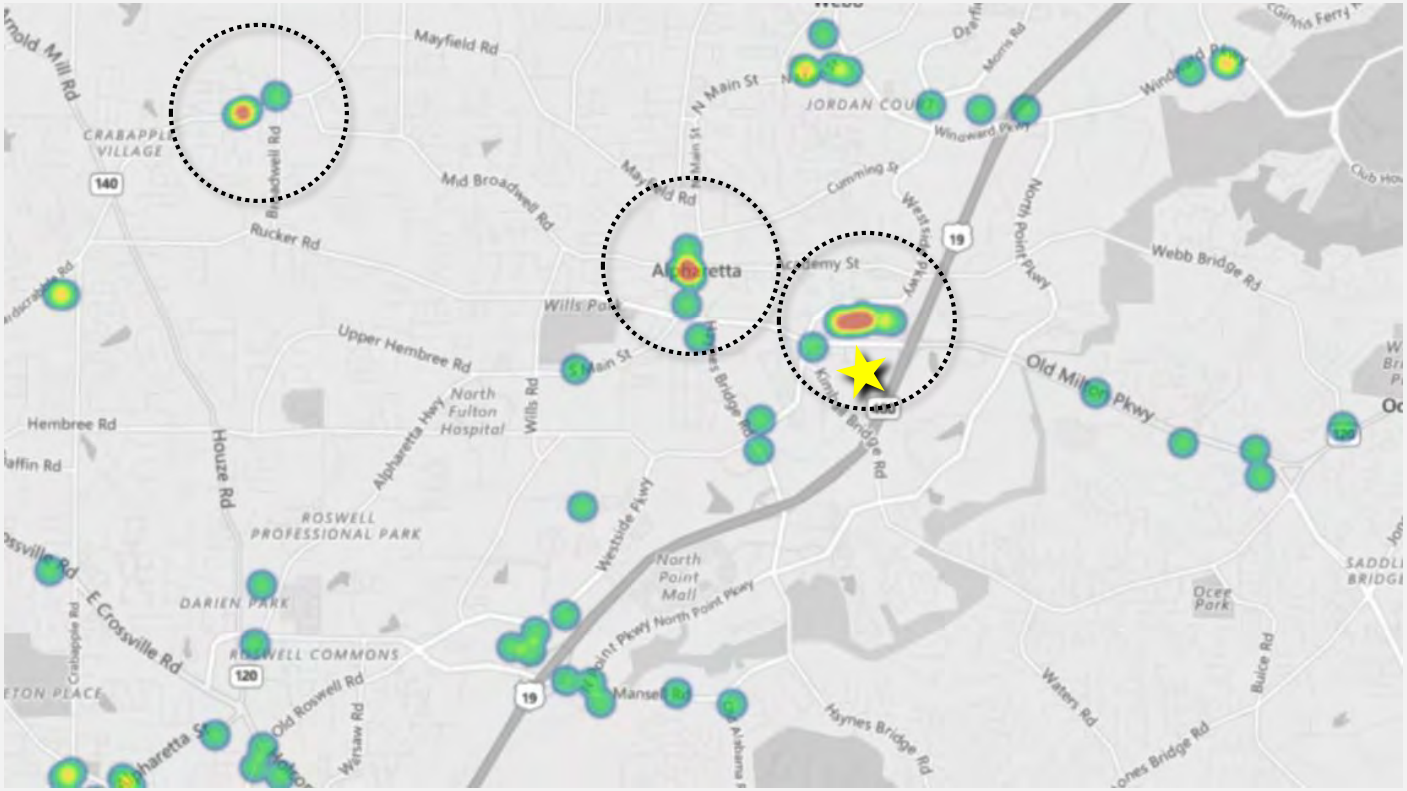
- Job proximity is an important locational attribute for apartments
- Jobs in Alpharetta are concentrated along Georgia 400, with the focal point being along Old Milton parkway.
- Job proximity reduces vehicles miles traveled
- Workers and employers are attracted to mixed-use environments

RETAIL



- Proximity to retail is a key factor in where people choose to live / rent.
- These convenience amenities are increasingly important as people want to spend less time in their car.
- Local retail is primarily located in Avalon and the North Point Mall area
- North Point Mall retail trends to be in more traditional suburban format
- The increasingly more popular and dynamic town-center retail are located close to the subject site

FOOD & BEVERAGE

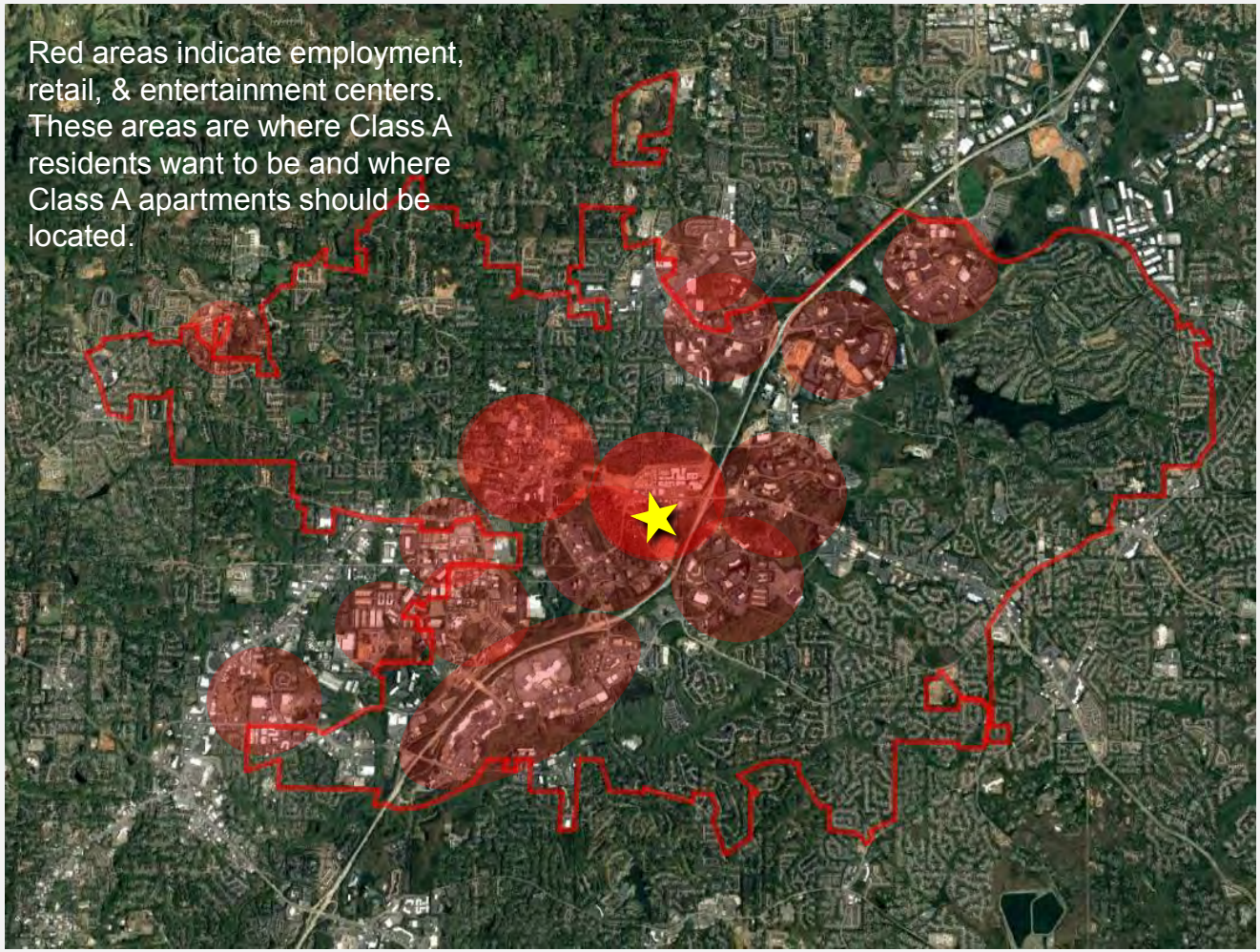


- Proximity to food & beverage and nightlife plays an important role in where people choose to live.
- Apartments near these areas get significant rent premiums and hold their value long term
- Downtown Alpharetta and Avalon are currently, and increasingly, key social hubs.

TRAILS

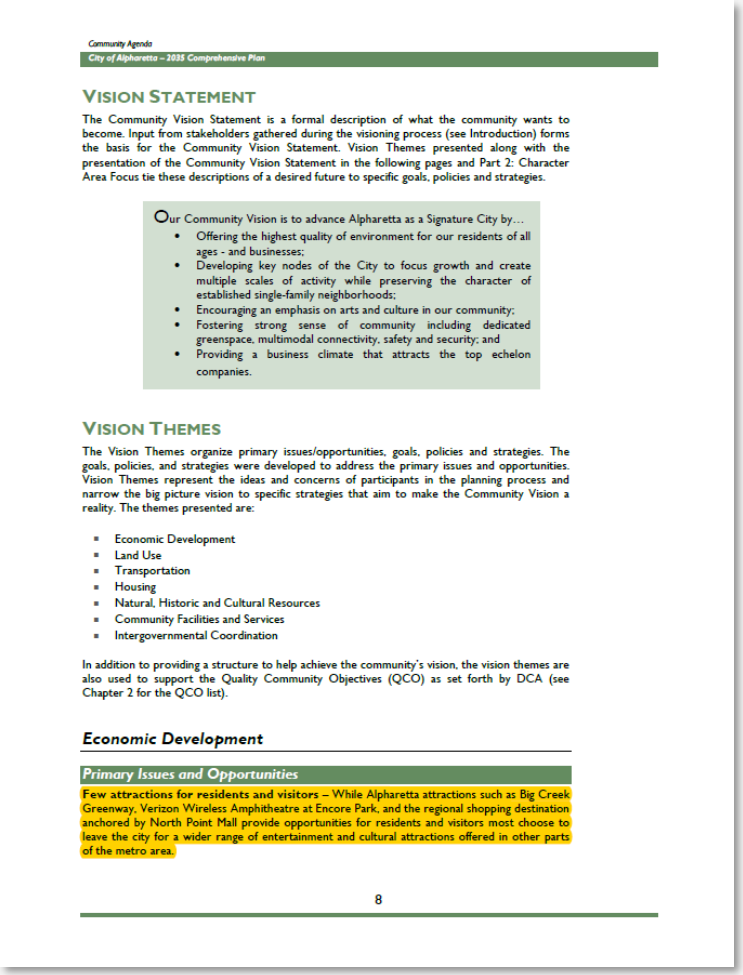
- Proximity to trails and parks is an important factor for many renters.
- Not only can they be used for health and wellness, but they can increase walkability and connect vital nodes.
- The Alpha Loop, a network of multi-use trails that will connect key activity nodes and parks, within the Alpharetta core is mapped in this exhibit.
- The trail passes through Parkway 400 site and connects the site with key activity centers in the area.

KEY AREAS FOR APARTMENT DEVELOPMENT



- Nearby existing land uses within the Parkway development (office) and in Avalon (retail, food and beverage) make this site very attractive to apartment development.
- Continued investment in the area coupled with the transformation of Downtown Alpharetta and Avalon as a walkable, suburban core will allow the property to hold long term value
- The residential will make nearby sites more attractive to office users, retailers, and other residential as a critical mass creates appealing place making opportunities

HOW MULTIFAMILY AT PARKWAY 400 MEETS CITY'S GOALS



Community Agenda

City of Alpharetta – 2035 Comprehensive Plan

Vision Statement

The Community Vision Statement is a formal description of what the community wants to become. Input from stakeholders gathered during the visioning process (see Introduction) forms the basis for the Community Vision Statement. Vision Themes presented along with the presentation of the Community Vision Statement in the following pages and Part 2: Character Area Focus tie these descriptions of a desired future to specific goals, policies and strategies.

Our Community Vision is to advance Alpharetta as a Signature City by…

- Offering the highest quality of environment for our residents of all ages - and businesses;
- Developing key nodes of the City to focus growth and create multiple scales of activity while preserving the character of established single-family neighborhoods;
- Encouraging an emphasis on arts and culture in our community;
- Fostering strong sense of community including dedicated greenspace, multimodal connectivity, safety and security; and
- Providing a business climate that attracts the top echelon companies.

Vision Themes

The Vision Themes organize primary issues/opportunities, goals, policies and strategies. The goals, policies, and strategies were developed to address the primary issues and opportunities. Vision Themes represent the ideas and concerns of participants in the planning process and narrow the big picture vision to specific strategies that aim to make the Community Vision a reality. The themes presented are:

- Economic Development
- Land Use
- Transportation
- Housing
- Natural, Historic and Cultural Resources
- Community Facilities and Services
- Intergovernmental Coordination

In addition to providing a structure to help achieve the community's vision, the vision themes are also used to support the Quality Community Objectives (QCO) as set forth by DCA (see Chapter 2 for the QCO list).

Economic Development

Primary Issues and Opportunities

Few attractions for residents and visitors – While Alpharetta attractions such as Big Creek Greenway, Verizon Wireless Amphitheatre at Encore Park, and the regional shopping destination anchored by North Point Mall provide opportunities for residents and visitors most choose to leave the city for a wider range of entertainment and cultural attractions offered in other parts of the metro area.

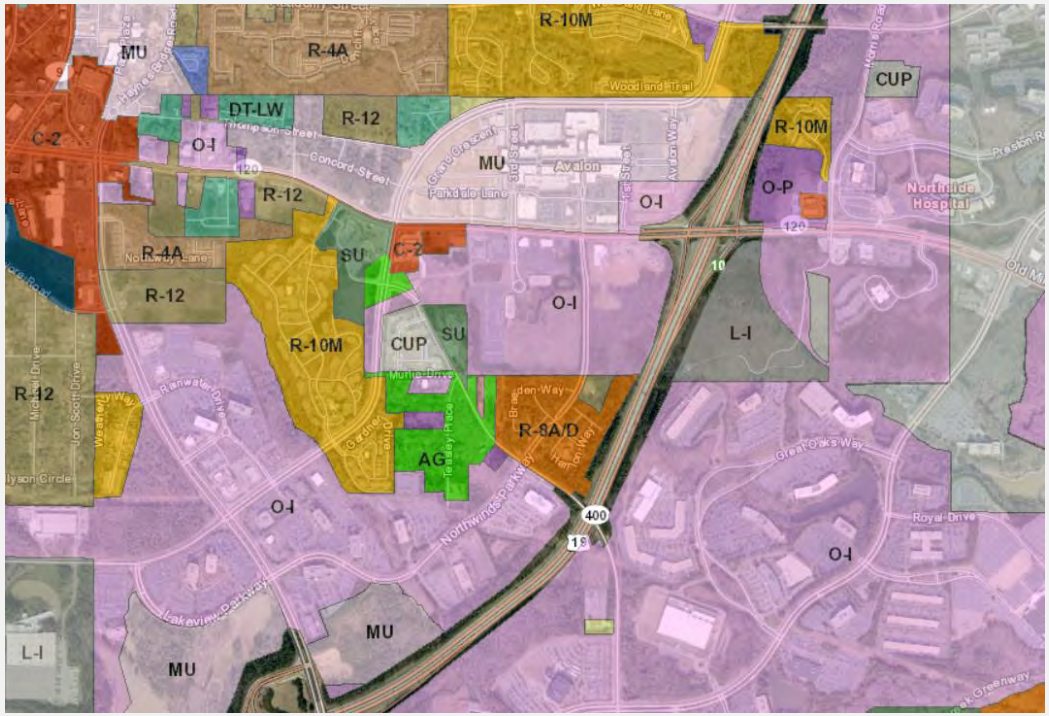
8

- The City of Alpharetta completed a 2035 Comprehensive Plan that was adopted in 2016.
  - Multifamily at Parkway 400 would meet many of the City of Alpharetta's goals, policies, and strategies within the 2035 Comprehensive Plan, particularly as it relates to Economic Development, Land Use, Transportation, and Housing (*See Addendum #1*)
  - Additionally, mixed-use development at Parkway 400, including multifamily, will particularly help attract targeted demographics, maintain high standard for quality of life, and contribute to Alpharetta's position as a regional corporate office leader
- Not only does multifamily at Parkway 400 meet many of the City of Alpharetta's goals, policies, and strategies outlined in the 2035 Comprehensive Plan, but there is excess rental unit capacity within city in the near and long term

CONCLUSIONS FOR PARKWAY 400

- **Locational Attributes Excellent for Class A Apartments at Parkway 400**
    - The site enjoys proximity to jobs, retail, entertainment, and future trails
    - The site will be mixed-use in nature, helping create a vibrant, walkable near an already established core
    - The site is located near Georgia 400
- **Residential Units at Site Will Help City**
    - Positive fiscal impact for city (tax revenues less than services provided)
    - Residents will patronize local businesses
    - Mixed-use environment will help retain and attract high-income jobs
    - Quality mixed-use development will increase walkability and local property values
- **The Number of Rental Units at the Site is In-line w/ Alpharetta's Renter to Owner-Housing Ratio**

CONCLUSIONS FOR CITY



The above map highlights the limited areas where multifamily can currently be located as well as shows the opportunity within the office zoning classification to incorporate a mix of units that will make it easier for owners / developers to attract future employers / tenants and create dynamic mixed-use environments that will keep the city competitive in the future and attract households among all generations

- **Don't focus on the percent of renter households, focus on:**
  - Demographics trends
  - Real estate cycles
  - Underlying land value
- **Understand the community benefits of today's Class A renter**
  - Don't "other" this resident
    - These are local workers and future home owners who participate in the community and support local businesses
- **Realize Class A rental housing is a driver of:**
  - Corporate office locations
  - Walkability
  - Decreasing traffic congestion
- **Don't pass up the few remaining sites to capitalize on the above points**

ADDENDUM #1

Outlined in this addendum is all the goals, policies, and strategies that mixed-use development at Parkway 400 would contribute to as outlined in the City of Alpharetta's 2035 Comprehensive Plan.

Economic Development (ED)

- ED Goal: Strength and sustain the economic base of Alpharetta
  - ED Policy 1: Maintain a highly viable, growing, and attractive downtown.
  - ED Policy 2: Attract highly-skilled and professional-level employment to corporate and industrial development areas while focusing efforts to retain and grow existing quality businesses.
  - ED Policy 3: Continue to attract quality retailers for commercial areas throughout the city.
  - ED Policy 4: Maintain a high aesthetic standard and enhance architectural quality.

Land Use (LU)

- LU Goal: Development a land use pattern and structure that fully complements the vision of Alpharetta as a signature community in the region
  - LU Policy 3: Promote establishment of a compact urban area and assure the availability of utilities concurrent with development.
  - LU Policy 5: Require subdivision design that fosters a sense of community and promotes pedestrian mobility, community recreation, and an abundance of public open space.
  - LU Policy 7: Ensure context-sensitive infill and redevelopment.
  - LU Policy 8: Support mixed-use neighborhood and community centers.
  - LU Policy 9: Promote redevelopment of highway corridors into pedestrian-friendly, mixed-use environments.

ADDENDUM #1 (CONTINUED)

Transportation (T)

- T Goal: Provide a transportation system that continues to keep pace with grow and integrates various modes of travel in order to allow mobility options.
  - T Policy 1: Increase transportation accessibility and mobility
  - T Policy 2: Provide multi-modal transportation options.
  - T Policy 3: Improve transportation safety and neighborhood livability.
  - T Policy 4: Improve the environment and air quality.
  - T Policy 6: Development a network of interconnected streets to provide more access routes and less dependence on the arterial and major collector system.

Housing (H)

- H Goal: Capture the major market share of executive housing while providing opportunities for first-time home buyers and limited number of quality rental options.
  - H Policy 1: Promote and encourage residential densities and designs that ensure varied living areas and housing types.
  - H Policy 2: Maintain a balance between ‘owner-occupied’ and ‘renter-occupied’ in Alpharetta such that at least 68% of the housing stock is ‘owner-occupied’
  - H Policy 5: Design quality and long-term value into residential development to maintain appearance and property values.
  - H Policy 6: Assure that people who work in Alpharetta have the opportunity to live in Alpharetta by maintaining a housing-to-jobs balance.
  - H Policy 7: Promote opportunities for “aging in place”.

TCR Parking Summary 4.4.18

	A	B	C	D	E	F	G	H	I	J	K
	Row Labels	# of Units	Parking Ratio	# Cars	# Cars / Occ Unit	# Cars/Unit (Studio)	# Cars/Unit (1 BR)	# Cars/Unit (2 BR)			
	GC	378	1.38	361	1.31	1.06	1.25	1.61		**NorthWinds**	
	GC	354	1.49	364	1.06	0.90	1.05	1.21		MF Units	325.00
	GC	307	1.61	276	0.95	1.00	0.87	1.38		Parking Spaces	455.00
	GC	312	1.41	298	1.00	0.79	0.94	1.38		Ratio	1.4
	GC	346	1.47	417	1.27	N/A	1.17	1.54			
	GC	397	1.35	147	1.25	1.07	1.34	1.54			
	GC	340	1.34	337	1.50	1.11	1.43	1.72			
0	GC	270	1.65	78	1.81	1.00	1.58	2.44			
1	Mid Atlantic	310	1.38	321	1.28	1.00	1.35	1.71			
2	NTX	307	1.53	404	1.41	N/A	1.33	1.73			
3	NTX	340	1.47	423	1.39	1.12	1.29	1.90			
4	NTX	321	1.02	205	1.44	1.00	1.19	1.87			
5	NTX	309	1.51	350	1.29	0.94	1.02	2.03			
6	NTX	351	1.30	219	1.18	1.14	1.09	1.70			
7	NTX	354	1.62	17	1.13	0.75	1.22	1.50			
8	SoCal	323	2.00	436	1.63	1.00	1.26	2.12			
9	SoCal	313	1.13	28	1.04	0.57	1.00	2.00			
0	SoCal	166	1.28	134	1.13	1.00	1.00	1.75			
1	SE	167	1.35	156	1.02	0.91	0.94	1.32			
2	SE	222	1.21	190	0.95	0.81	0.87	1.17			
3	SE	120	1.17	132	1.17	1.00	0.98	1.69			
4	MTN	314	1.63	414	1.41	1.11	1.38	1.76			
5	MTN	322	1.17	34	0.74	0.71	0.83	1.00			
6	MTN	372	1.09	197	0.92	0.87	0.91	1.04			
7											
8		304.79	1.40	247.42	1.22	0.95	1.14	1.63			
9											

REVISED PROPOSED SITE PLAN 7 27 18

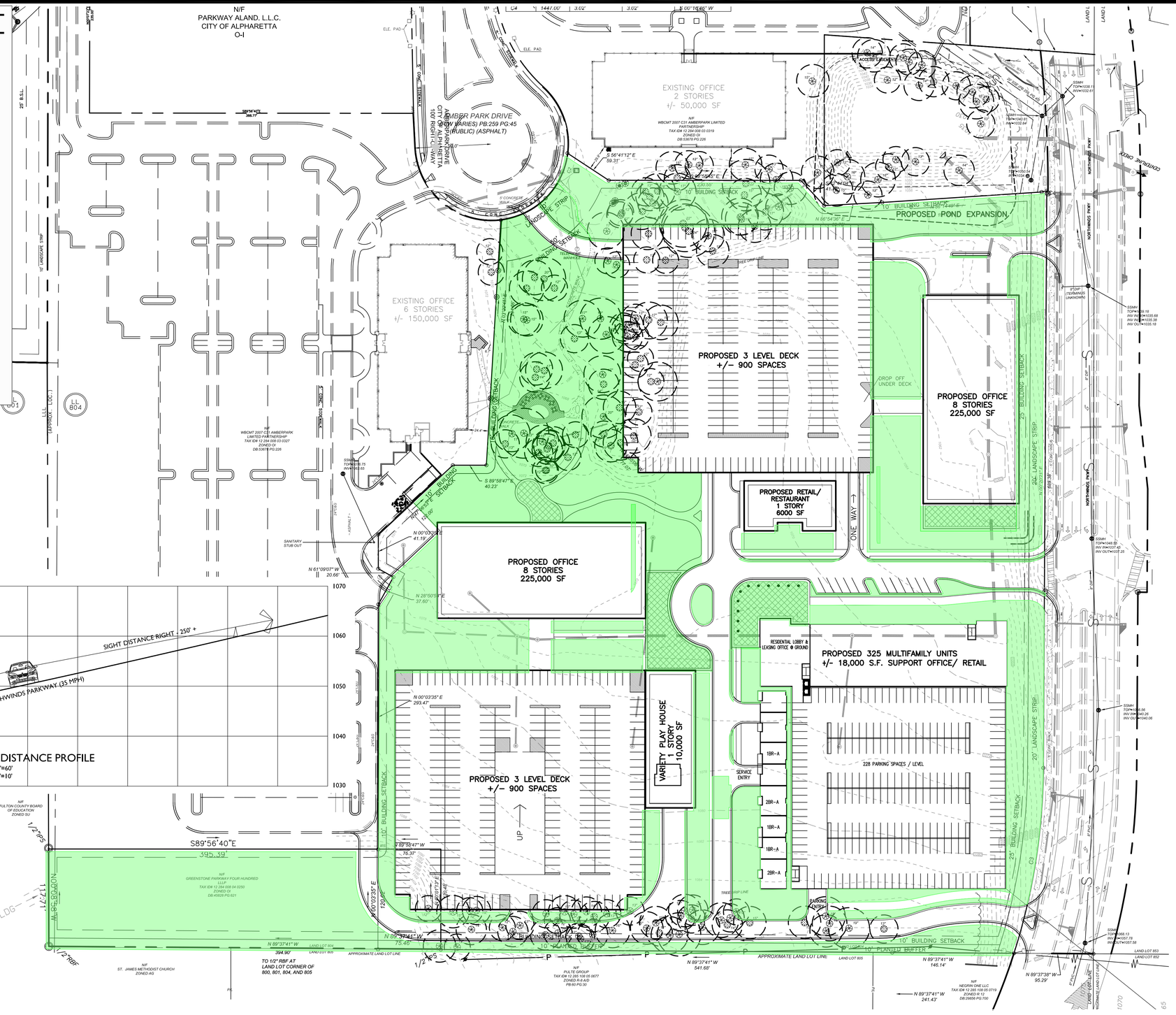
Site Plan Check List

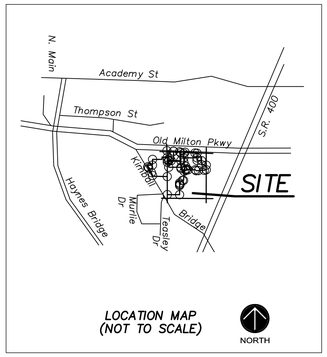
This document is provided as a resource for the applicant to assist in the preparation of site plans to be submitted in support of applications for public hearing. The items listed below reflect the minimum information that must be included on all site plans submitted as part of the public hearing process.

Site plans submitted as part of a public hearing application must be drawn to scale, and the scale must be displayed in the lower left corner of the plan page. The maximum page size for original full-size plan documents is 30" x 42". Plan copies submitted as part of the completed application packets may be a maximum of 11" x 17", must be folded to a size of 8.5" x 11", and must be attached to each submittal packet set.

Applications that include site plan documents that do not meet these requirements will not be accepted.

☒	Element Description
X	Key and/or legend and site location map with North arrow
X	Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning.
X	Acreage of the subject property.
X	Location of land lot lines and identification of land lots.
X	Existing, proposed, new dedicated, and future reserved rights-of-way of all streets, roads, and rail lines adjacent to and on the subject property.
X	Proposed streets on the subject site.
X	Current zoning of the subject site and adjoining properties.
X	Existing buildings (with square footages, heights, and stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
X	Location of proposed buildings with square footages, heights, and stories.
N/A	Layout and minimum lot size of proposed single-family residential lots.
X	Topography of subject site.
X	Required and proposed setbacks.
X	100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
X	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
X	Tree lines, woodlands, significant trees with critical root zones (1.3 x trunk diameter), and open fields on subject site.
X	Required and proposed parking spaces, loading, and unloading facilities.
X	Lakes, streams, and other waters on the site and associated buffers. Wetlands shown on GIS maps or survey.
X	Proposed stormwater management facilities.
X	Entrance distance profile assuming the driver's eye at a height of 3.5 feet.
X	Existing driveways located within 150 feet of the subject property on adjacent or nearby parcels (including those parcels on the opposite side of a public street).
X	Proposed access driveways and the available intersection sight distance (according to AASHTO Green Book).





SITE DATA:

TOTAL ACREAGE:	724,620 SF / 16.635 AC
LOCATION:	LL 804 1st DIST, 2nd SECT CITY OF ALPHARETTA FULTON COUNTY, GA
EXISTING ZONING:	O & I CONDITIONAL
PROPOSED ZONING:	C-2
MAXIMUM BUILDING HEIGHT:	8 STORIES (125')
SETBACKS:	
- FRONT:	CONDITIONAL
- SIDE:	CONDITIONAL
- REAR:	10'
PROPOSED USE:	MIXED USE DEVELOPMENT
- OFFICE *:	450,000 S.F.
- MULTI-FAMILY RESIDENTIAL:	325 UNITS
- RETAIL / RESTAURANT:	6,000 S.F.
- PLAYHOUSE:	10,000 S.F.
*	UP TO 10% OF THE OFFICE DENSITY CAN BE CONVERTED TO RETAIL/ RESTAURANT USES.
SITE DENSITY	
- NON-RESIDENTIAL:	28,014 SF/ AC.
- RESIDENTIAL:	19.53 UNITS PER ACRE
OPEN SPACE:	6.27 AC+/- or 37.7%
REQUIRED PARKING:	
- OFFICE (3.2:1000 SF) =	1440
- MULTIFAMILY (2 PER UNIT + 1 PER 20 UITS)=	667 (455 REQUESTED)
- RETAIL (5: 1000 SF) =	30
- PLAYHOUSE (1 PER 4 SEATS + 1 PER 10 SEATS) =	385 (SHARED WITH OFFICE)
TOTAL REQUIRED:	2,188 SPACES
PROVIDED PARKING:	2,237 SPACES
- OFFICE DECKS:	1,800 SPACES
- MULTI-FAMILY DECK:	455 SPACES
- ON STREET:	13 SPACES
TOTAL PARKING PROVIDED:	2,268 SPACES
IMPERVIOUS COVERAGE:	499,454 S.F. (69.0%)
PERVIOUS COVERAGE:	225,166 S.F. (31.0%)

VARIANCES REQUESTED:

1. REDUCE MULTIFAMILY REQUIRED PARKING FROM 718 TO 455.
2. 20% REDUCTION IN REQUIRED OFFICE PARKING
3. UP TO 20% COMPACT PARKING SPACES
4. RAISE MAXIMUM HEIGHT TO 8 STORIES
5. REDUCE THE BUFFER AGAINST RESIDENTIAL FROM 50' TO A 10' PLANTED LANDSCAPE STRIP.
6. REDUCE THE NUMBER OF BICYCLE PARKING SPACES.
7. REDUCE THE NUMBER OF ELECTRIC VEHICLE CHARGING STATIONS

NOTE:

1. There is no FEMA Flood Plain located on the site.
2. Storm water for the site will be handled within the common detention pond adjacent to the property. The pond may need to be modified to meet the requirements of the current storm water ordinance.

AEC
CIVIL ENGINEERING · PLANNING · LANDSCAPE ARCHITECTURE
50 Warm Springs Circle
Roswell · Georgia · 30075
(770) 641-1942 · www.aecatl.com

NORTH

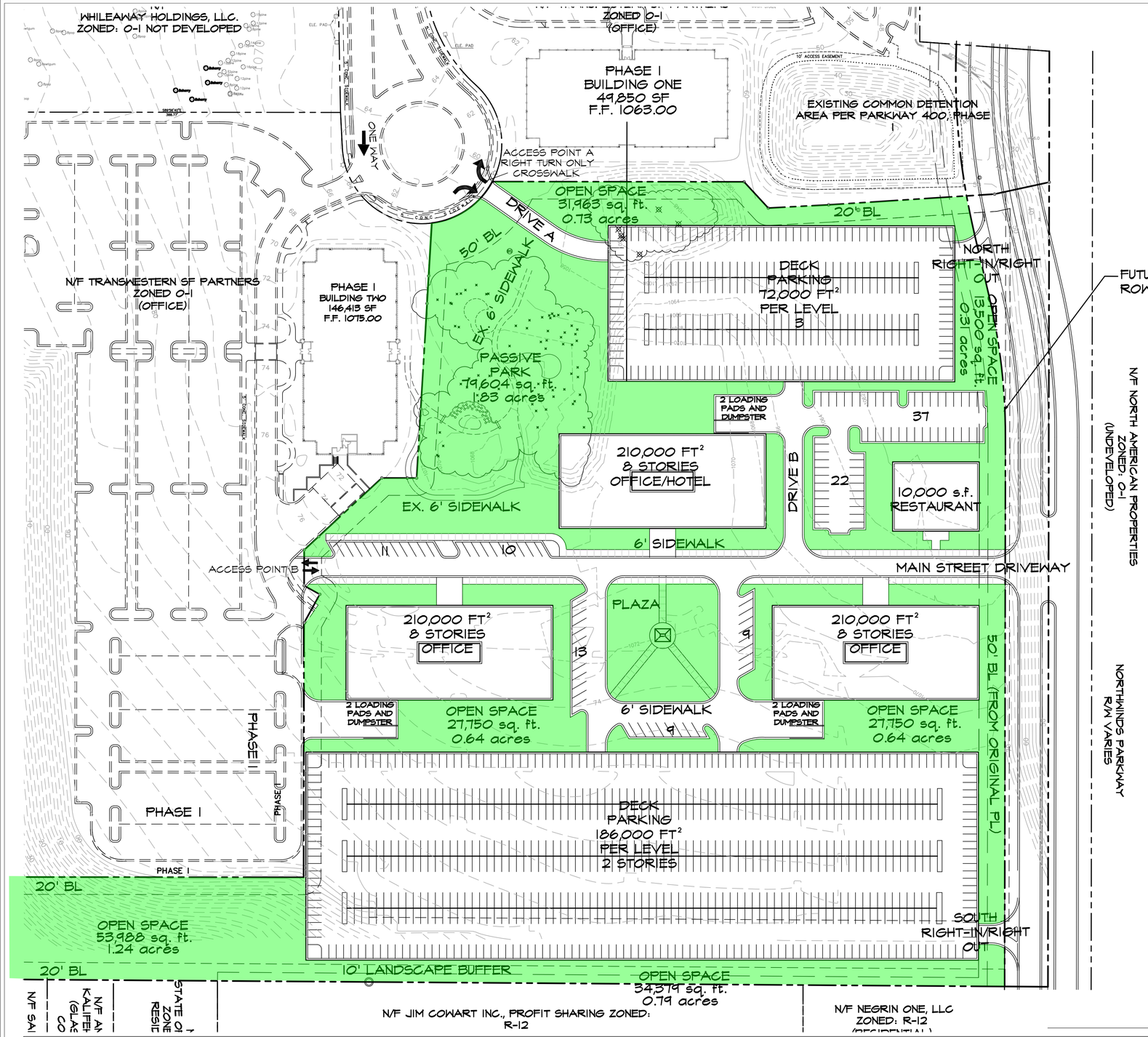
60 0 60 120

SITE PLAN

GREENSTONE- PARKWAY 400

Alpharetta , Georgia

PROJECT INFORMATION
PROJECT NO.: 15-3799.00
DATE: 12-29-2017, REV: 7-27-2018
SCALE: 1" = 60'
FILE NAME: 15-0000 P09.dwg
DESIGN/DRAWN: SCH/SLR



Site Plan Check List

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☒	Acreage of the subject property.
☒	Location of land lot lines and identification of land lots.
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☒	Proposed streets on the subject site.
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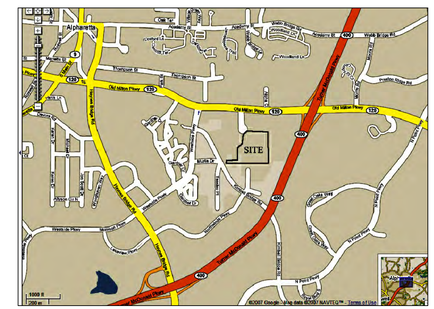
☒	Required and proposed parking spaces, loading, and unloading facilities.
☐	Lakes, streams, and other waters on the site and associated buffers. Wetlands shown on GIS maps or survey. (NA)
☒	Proposed stormwater management facilities.
☐	Entrance distance profile assuming the driver's eye at a height of 3.5 feet. (NA)
☐	Existing driveways located within 150 feet of the subject property on adjacent or nearby parcels (including those parcels on the opposite side of a public street). (NA)
☐	Proposed access driveways and the available intersection sight distance (according to AASHTO Green Book). (NA)

NOTES:

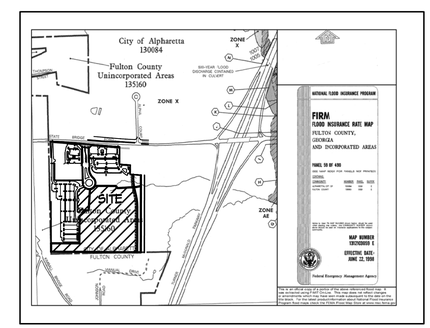
1. BASE INFORMATION BASED UPON BOUNDARY SURVEY FOR ASSOCIATED ENGINEERING CONSULTANTS, INC. BY SURVEY SERVICES, DATED 09-22-99, REVISED 11-01-99.
2. THERE ARE NO JURISDICTIONAL WATERS LOCATED ON THIS SITE.
3. THERE ARE NO PROPOSED BIKE LANES.

SITE DATA

TOTAL ACREAGE:	17.95 ACRES/ 781,902 SF²
LOCATION:	LAND LOT 804 1st DISTRICT, 2nd SECTION CITY OF ALPHARETTA FULTON COUNTY, GEORGIA
EXISTING ZONING:	O&I CONDITIONAL
PROPOSED USE:	OFFICE/HOTEL DEVELOPMENT RESTAURANT
TOTAL SQUARE FEET:	630,000 S.F./ (8 STORY MAXIMUM) OFFICE 10,000 S.F. (1 STORY) RESTAURANT
SITE DENSITY FLOOR AREA RATIO (FAR):	.80 FAR
OPEN SPACE:	6.58 ACRES (37%)
REQUIRED PARKING:	1 SPACE/ 312.5 FT² (20% VARIANCE) 2,016 SPACES (20% REDUCTION) RESTAURANT 1/100FT² (100 SPACES)
TOTAL PARKING:	2,116 SPACES
PROPOSED PARKING:	(2,120 SPACES)



LOCATION MAP



NORTH

Scale 1" = 60'

Client Information:
Greenstone Properties
De Little
3330 Cumberland Blvd.
Suite 475
Atlanta, GA 30339
Phone: 770-988-8222
Fax: 770-988-8228

GREENSTONE PROPERTIES

Northwinds Parkway Preliminary Plan

Parkway 400

Alpharetta, Georgia

AUGUST 1, 2013

AEC

Civil Engineering · Water Resources
Land Planning · Property Services
Landscape Architecture · Arborist Services

50 Warm Springs Circle
Roswell • Georgia • 30075
(770)641-1942 • www.aecatl.com

SITE PLAN CHECK LIST

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☑	Element Description
X	Key and/or legend and site location map with North arrow
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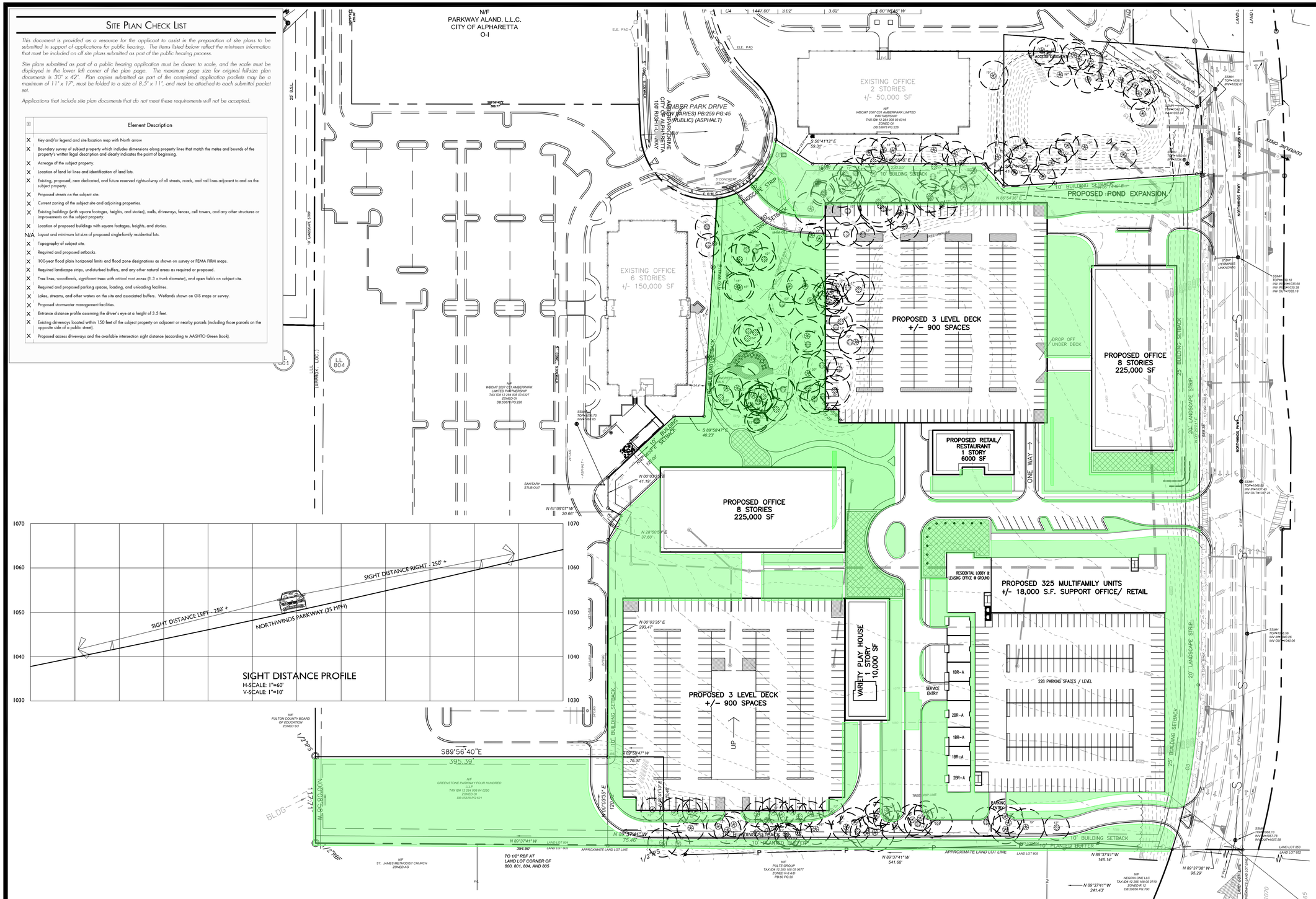
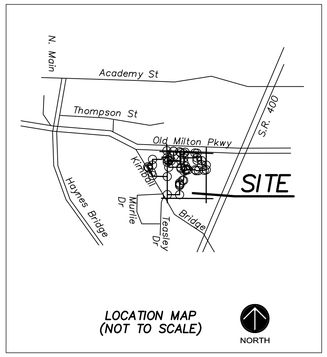
X	Acreage of the subject property.
X	Location of land lot lines and identification of land lots.
X	Existing, proposed, new dedicated, and future reserved rights-of-way of all streets, roads, and rail lines adjacent to and on the subject property.
X	Proposed streets on the subject site.
X	Current zoning of the subject site and adjoining properties.
X	Existing buildings (with square footages, heights, and stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
X	Location of proposed buildings with square footages, heights, and stories.
N/A	Layout and minimum lot size of proposed single-family residential lots.
X	Topography of subject site.
X	Required and proposed setbacks.
X	100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
X	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
X	Tree lines, woodlands, significant trees with critical root zones (1.3 x trunk diameter), and open fields on subject site.
X	Required and proposed parking spaces, loading, and unloading facilities.
X	Lakes, streams, and other waters on the site and associated buffers. Wetlands shown on GIS maps or survey.
X	Proposed stormwater management facilities.
X	Entrance distance profile assuming the driver's eye at a height of 3.5 feet.
X	Existing driveways located within 150 feet of the subject property on adjacent or nearby parcels (including those parcels on the opposite side of a public street).
X	Proposed access driveways and the available intersection sight distance (according to AASHTO Green Book).





SITE DATA:

TOTAL ACREAGE:	724,620 SF / 16.635 AC
LOCATION:	LL 804 1st DIST, 2nd SECT CITY OF ALPHARETTA FULTON COUNTY, GA
EXISTING ZONING:	O & I CONDITIONAL
PROPOSED ZONING:	C-2
MAXIMUM BUILDING HEIGHT:	8 STORIES (125')
SETBACKS:	
- FRONT:	CONDITIONAL
- SIDE:	CONDITIONAL
- REAR:	10'
PROPOSED USE:	MIXED USE DEVELOPMENT
- OFFICE *:	450,000 S.F.
- MULTI-FAMILY RESIDENTIAL:	325 UNITS
- RETAIL / RESTAURANT:	6,000 S.F.
- PLAYHOUSE:	10,000 S.F.
*	UP TO 10% OF THE OFFICE DENSITY CAN BE CONVERTED TO RETAIL/ RESTAURANT USES.
SITE DENSITY	
- NON-RESIDENTIAL:	28,014 SF/ AC.
- RESIDENTIAL:	19.53 UNITS PER ACRE
OPEN SPACE:	6.27 AC+/- or 37.7%
REQUIRED PARKING:	
- OFFICE (3.2:1000 SF) =	1440
- MULTIFAMILY (2 PER UNIT + 1 PER 20 UITS)=	667 (455 REQUESTED)
- RETAIL (5: 1000 SF) =	30
- PLAYHOUSE (1 PER 4 SEATS + 1 PER 10 SEATS) =	385 (SHARED WITH OFFICE)
TOTAL REQUIRED:	2,188 SPACES
PROVIDED PARKING:	2,237 SPACES
- OFFICE DECKS:	1,800 SPACES
- MULTI-FAMILY DECK:	455 SPACES
- ON STREET:	13 SPACES
TOTAL PARKING PROVIDED:	2,268 SPACES
IMPERVIOUS COVERAGE:	499,454 S.F. (69.0%)
PERVIOUS COVERAGE:	225,166 S.F. (31.0%)

VARIANCES REQUESTED:

1. REDUCE MULTIFAMILY REQUIRED PARKING FROM 718 TO 455.
2. 20% REDUCTION IN REQUIRED OFFICE PARKING
3. UP TO 20% COMPACT PARKING SPACES
4. RAISE MAXIMUM HEIGHT TO 8 STORIES
5. REDUCE THE BUFFER AGAINST RESIDENTIAL FROM 50' TO A 10' PLANTED LANDSCAPE STRIP.
6. REDUCE THE NUMBER OF BICYCLE PARKING SPACES.
7. REDUCE THE NUMBER OF ELECTRIC VEHICLE CHARGING STATIONS

NOTE:

1. There is no FEMA Flood Plain located on the site.
2. Storm water for the site will be handled within the common detention pond adjacent to the property. The pond may need to be modified to meet the requirements of the current storm water ordinance.

AEC
CIVIL ENGINEERING · PLANNING · LANDSCAPE ARCHITECTURE
50 Warm Springs Circle
Roswell · Georgia 30075
(770) 641-1942 · www.aecatl.com

NORTH

60 0 60 120

SITE PLAN

GREENSTONE- PARKWAY 400

Alpharetta , Georgia

PROJECT INFORMATION
PROJECT NO.: 15-3799.00
DATE: 12-29-2017, REV: 7-27-2018
SCALE: 1" = 60'
FILE NAME: 15-0000 P09.dwg
DESIGN/DRAWN: SCH/SLR

Received 9.4.18

A&R Engineering Inc.
2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com

GEORGIA REGISTERED NO. 22518 PROFESSIONAL ENGINEER ABDUL KAREEM AMERI

Memorandum

To: Greenstone Properties

Date: August 30, 2018

Subject: Trip Generation Comparison for Parkway 400 Mixed-Use Development

---

The purpose of this memorandum is to compare the trip generation that will result from the proposed Parkway 400 mixed-use development versus the current allowed zoning density of 630,000 square feet of office space. The site is located west of Northwinds Parkway between SR 120 (Old Milton Parkway) and Kimball Bridge Road in Alpharetta, Georgia. The proposed mixed-use density will consist of 450,000 square feet of office space, 325 multifamily units, 6,000 square feet of retail/restaurant space, and a 10,000 square foot theater. The location of the development is shown below in Figure 1.

Figure 1: Site Location

Trip generation estimates for this project were based on the rates and equations published in the 10th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation for the current zoning density for the site was based on ITE Land Use *710 – General Office Building*. The trip generation for the proposed density for the site was based on ITE Land Uses *221 – Multifamily Housing (Mid-Rise)*, *710 – General Office Building*, *820 – Shopping Center* and *444 – Movie Theater*. Mixed-use and pass-by

Received 9.4.18

reductions have also been applied per ITE standards where applicable. The results of the trip generation for the current zoning density are shown in Table 1 below.

Table 1 – Trip Generation (Current Zoning Density)

Land Use	Size	AM Peak Hour			PM Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
710 – General Office Building	630,000 sf	532	87	619	105	549	654	6,326

The trip generation for the proposed density for the site is shown below in Table 2.

Table 2 – Trip Generation (Proposed Density)

Land Use	Size	AM Peak Hour			PM Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 221 – Multifamily Housing (Mid-Rise)	325 Units	28	81	109	84	53	137	1,770
ITE 444 – Movie Theater	10,000 sf	1	1	2	58	4	62	781
ITE 710 – General Office Building	450,000 sf	387	62	449	76	399	475	4,564
ITE 820 – Shopping Center	6,000 sf	96	59	155	33	35	68	887
Total Site Trips (without reductions)		**512**	**203**	**715**	**251**	**491**	**742**	**8,002**
Internal Capture for Multifamily Housing		*-8*	*-9*	*-17*	*-7*	*-8*	*-15*	*-194*
Internal Capture for Theater		*-5*	*-4*	*-9*	*-5*	*-3*	*-8*	*-105*
Internal Capture for Office		*-2*	*-3*	*-5*	*-1*	*-4*	*-5*	*-85*
Internal Capture for Shopping Center		*-6*	*-5*	*-11*	*-5*	*-3*	*-8*	*-120*
Total Internal (Mixed-Use) Trip Reductions		***-21***	***-21***	***-42***	***-18***	***-18***	***-36***	***-504***
Pass-by for Shopping Center (0%) 34%		*0*	*0*	*0*	*-10*	*-11*	*-21*	*-210*
Residential and Retail Alternative Mode Reduction (5%)		*-6*	*-7*	*-13*	*-9*	*-5*	*-13*	*-172*
Office Alternative Mode Reduction (5%)		*-19*	*-3*	*-22*	*-4*	*-20*	*-24*	*-228*
Total New External Trips (with reductions)		**466**	**172**	**638**	**210**	**437**	**648**	**6,888**

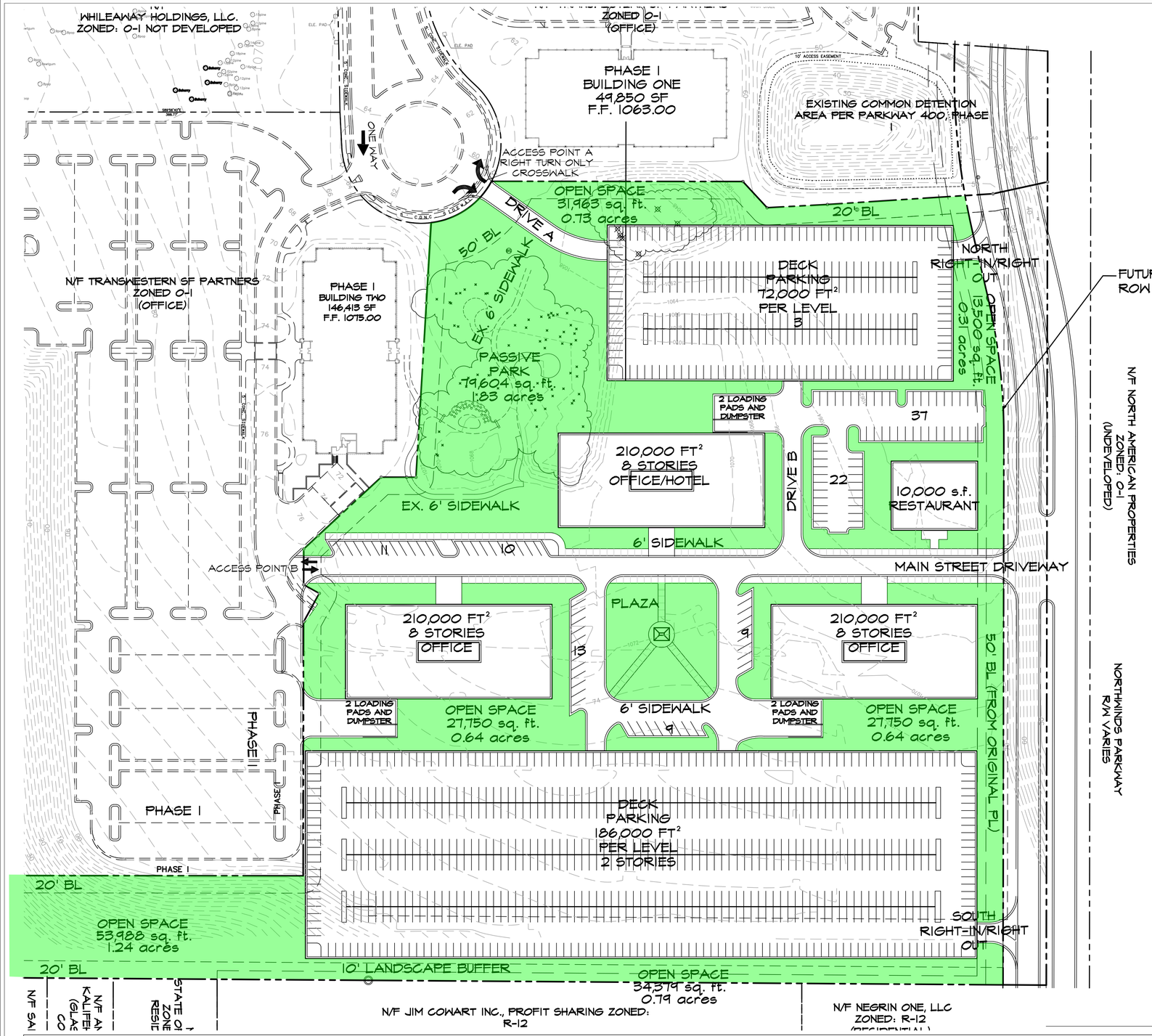
**Daily pass-by reduction estimated to be least of the applied PM peak hour pass-by rate or ten times the PM pass-by volume*

The trip generation comparison for the site is shown below in Table 3.

Table 3 – Trip Generation Comparison

Scenario	AM Peak Hour			PM Peak Hour			24-Hour
	Enter	Exit	Total	Enter	Exit	Total	Two-way
Current Approved Zoning Density	532	87	619	105	549	654	6,326
Proposed Density	466	172	638	210	437	648	6,888
Difference in Trips	**-66**	**+85**	**+19**	**+105**	**-112**	**-6**	**+562**
% Difference in Trips	***-14%***	***+49%***	***+3%***	***+50%***	***-26%***	***-1%***	***+8%***

Based on the results shown in Table 3, the amount of trips generated by the proposed density for the site will be about 8% higher in a 24-hour period than the amount of trips generated per the allowed zoning density for the site.



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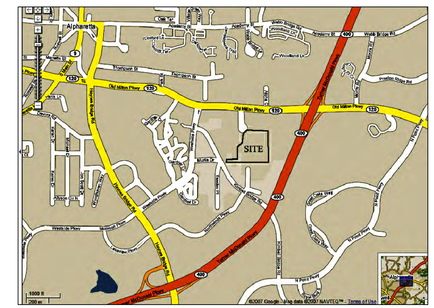
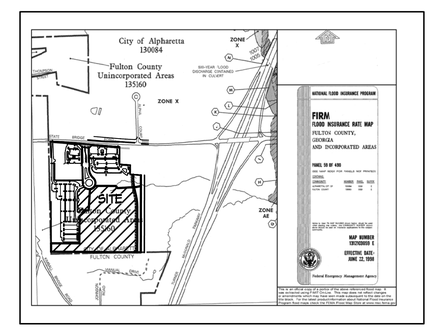


LOCATION MAP



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GREENSTONE PROPERTIES

Northwinds Parkway Preliminary Plan

Parkway 400

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AUGUST 1, 2013

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50 Warm Springs Circle
Roswell • Georgia • 30075
(770)641-1942 • www.aecatl.com

From:	Cook, Kathi
To:	Mike Schmidt
Cc:	Woodman, Michael; Taylor, Elicia
Subject:	RE: Greenstone Parkway 400 rezoning
Date:	Wednesday, September 05, 2018 1:25:12 PM

Thank you Mike, we will provide a copy of your concerns to the Planning Commission and City Council. Thanks for participating in the public process and voicing your concerns.
-Kathi Cook

From: Mike Schmidt <MASchmidt@bellsouth.net>
Sent: Wednesday, September 05, 2018 10:11 AM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: Greenstone Parkway 400 rezoning

Hello Ms. Cook,

I am writing to express my opinion on the proposed Greenstone Parkway 400 rezoning. When I purchased our new home it was with the knowledge that the property next to our home would be a future office park. Our house backs up to the property and now I understand the they are putting a three story parking deck behind my house with reduced easement. I also understand that the Greenstone property owners are seeking to build hundreds of rental apartment in eight story buildings which I oppose.

The building of rental apartments will cause the local home and property values to decline. Putting my back yard on busy road to the park deck will also cause my property value to decline. Please do not approve the change in zoning to what was originally proposed on the city master plan.
Thank you

Regards,

Mike Schmidt

From:	Christine Kujawski
To:	Kungufk@comcast.net; waylock5@aol.com; naturesveranda@gmail.com; steveusry@yahoo.com; mar_rawlings@yahoo.com; williamperkins957@gmail.com; bradyfergal@gmail.com; jgoss@konnarockhealthcare.com; Jmer21@earthlink.net
Cc:	Cook, Kathi; Taylor, Elicia
Subject:	Comments on rezoning applications for Sept 6 hearing
Date:	Tuesday, September 04, 2018 2:26:33 PM

Planning Commission members:

I would like to provide some comments on the rezoning applications being considered at your Sept. 6 meeting:

- Greenstone Parkway: **I agree with the staff recommendation to deny this application.** The proposed application is yet another very dense, mixed-use development of office, retail, and housing (including apartments), and we have way too many of these already with Avalon, the corner of Old Milton and Westside Parkway, downtown city center, Peridot, and Main St at Devore – all high density mixed-use developments close to this property and within a two-mile radius of each other.

- Matilda's on Hwy 9: I want to congratulate and thank the property owners for proposing the entertainment venue without taking down any trees! I think the tree canopy will help keep in line with the adjacent Wills Park and perhaps it may help serve as a sound buffer. The packet states **"surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise."** The Arrowood subdivision which I live in is 1/2 mile away, and **we have heard bands at night which we determined must be from the site.** (When I first heard music from that general direction, I wondered if concerts were already being held there, and then I learned that Matilda's is currently holding outdoor concerts at the subject property through a temporary use permit.) And there will be residences even closer: the retirement community will be on the corner of Hwy 9 and Wills Road, and where Matilda's use to be will be a residential community. **Are there other sound buffer techniques being considered, such as placement and direction of the speakers, so that the sound goes away from the subdivisions on Wills Road?**

- Kairos/Old Milton Parkway: My two concerns for this application relate to **building height and setback exceptions** that are being requested. The packet information states: "Building heights along Old Milton Parkway and Thompson Street in the vicinity of the applicant's property typically do not exceed 40'. However, there are a few exceptions including the applicant's property to the north that received a height exception to 48', Old Milton Holdings – Liberty Village allows up to 45', City Center mixed use buildings are 60' and City Hall is 86'." These exceptions show the danger of allowing exceptions in the first place. The other height exceptions may have been approved in those areas for their own reasons, but **this area along Old Milton does not have buildings above 40' and it should be kept that way** or else you are risking a slippery slope and then there will be more requests for above 40' buildings along Old Milton.
- Setback: I have noticed more buildings being allowed closer to the street. This just

increases the overcrowding feeling. I sense that has been happening in Sandy Springs (just drive through Sandy Springs down Highway 9). Setbacks are set for a reason; why allow that to be altered?

Thank you for your consideration of my comments and concerns regarding these rezoning applications.

Christine Kujawski
Alpharetta resident

From:	Cook, Kathi
To:	Ngo, Christian
Cc:	Taylor, Elicia; Woodman, Michael
Subject:	RE: Greenstone Parkway 400
Date:	Wednesday, August 29, 2018 11:50:25 AM

Thank you for reaching out, we will let the Planning Commission and City Council know about your concerns. Also, please speak at the meetings if possible.
Thanks
-Kathi

From: Ngo, Christian <CNgo@BBandT.com>
Sent: Wednesday, August 29, 2018 10:53 AM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: FW: Greenstone Parkway 400

Kathi,

I hope you are doing well. I am writing to voice my concern via email on the proposed Greenstone Parkway 400 development. I am a new resident to Alpharetta and my wife and I are living in the Braeden community.

This development would dramatically increase the traffic, noise, etc. off the surrounding area and is not why we choose to live in this area of Alpharetta.

Thank you for your support in this matter.

Kind regards,
Christian H Ngo
Senior Vice President
Alpharetta & Johns Creek Market President
Branch Banking & Trust Co.
3838 Johns Creek Parkway
Suwanee, GA 30024
Tel: 678 277- 4131 Cell: 706-566-5253 Email: cngo@bbandt.com
Assistant: Darlene Walters | Client Services Assistant
Phone: 678-277-4121 | Email: dwalters@bbandt.com

MEMBER OF Sterling PERFORMANCE CLUB

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From: Christian Ngo [mailto:ngo.christianharris@icloud.com]
Sent: Wednesday, August 29, 2018 8:34 AM
To: Ngo, Christian
Subject: Fwd: Greenstone Parkway 400

Kind regards,

Christian H Ngo
706-566-5253
Sent from my iPhone

Begin forwarded message:

> **From:** Curtis Barrineau <curtisbarrineau@fieldstonerp.com>
> **Date:** August 29, 2018 at 7:57:52 AM EDT
> **To:** ngo.christianharris@icloud.com
> **Subject: Greenstone Parkway 400**
>
> Dear Residents at Braeden. Please see information below from a concerned resident, Doug Derito who lives in Braeden. Doug can be reached at 404-386-4538 if anyone has any questions.
>
> Attached please find the Alpharetta Community Development Department's (these are the zoning officials who review site development plans/requested changes to Comprehensive Land Use Plan/rezoning/variance requests for the City of Alpharetta) staff report associated with the upcoming hearing for the proposed "Greenstone Parkway 400" project that aligns along The Braeden northside property line.
>
> I also included a copy of the site plan being proposed. Here is the link to the City's webpage associated with this application as well:
>
> https://www.alpharetta.ga.us/government/departments/community-development/public-hearings/mp-17-06-clup-17-07-z-17-20-cu-17-18-v-

17-44-greenstone-parkway-400-llp

There is a scheduled meeting on Thursday, Sept. 6th, at 6:30 PM, to take place in the City Council Chambers before the Alpharetta Planning Commission to hear this application.

If you can advise all homeowners of this application and hearing date, that will be important. Our residents need to be made aware of the application that is quite different and more dense then what this property is currently zoned for. It includes mix-use, residential rental units, retail, and movie theatre, a large parking deck, etc. It is currently zoned for Office space.

In addition, I have copied a few of my fellow residents on this email, so that they can pass this onto any neighbors for which they have contact information for, since I believe not all our residents are currently on the HOA email distribution list.

Although the Community Development Department is recommending denial of this application (see report attached), our community must also demonstrate our concerns and hold the City to developing this track of land as noted in the Comprehensive Land Use Plan for this Pod as Office Space.

This proposal represents a significant change to what the City had zoned this property for, and will have a negative impact on our neighborhood.

I also suggest that our community send emails expressing their concerns and thoughts on this application to the Director of Community Development (Kathi Cook), prior to the Sept. 6th hearing. Ms. Cook can be reached at: Kcook@alpharetta.ga.us

Please have all residents pass this information on and request for participation in both the emails to Ms. Cook and attendance at the hearing on Sept. 6th.

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Woodman, Michael

From: Cook, Kathi
Sent: Wednesday, August 29, 2018 9:25 PM
To: Woodman, Michael; Taylor, Elicia
Subject: Fwd: Concern re the Greenstone Parkway 400" project

Sent from my iPhone

Begin forwarded message:

> **From:** john michael stevens <stevensjm1000@gmail.com>
> **Date:** August 29, 2018 at 9:14:36 PM EDT
> **To:** Kcook@alpharetta.ga.us
> **Subject: Concern re the Greenstone Parkway 400" project**
>
> Dear Ms Cook
>
> My name is John Stevens and I recently purchased a home in the Braeden Walk in Alpharetta. I came to Alpharetta after having lived outside the US for nearly 20 years. Originally from Georgia, when I decided to relocate back home, I spent considerable time reviewing many areas of greater Atlanta and no matter how hard I looked north, east, west, I always found myself coming back to Alpharetta as the location I wanted to call home again.
>
> The town of Alpharetta has made great strides in insuring the proper balance of commercial, residential, greenspaces, and in creating a place where a small-town vibe with a modern conveniences made an excellent eat, work, sleep option for both working families and recent retirees and homeowners like myself.
>
> As such, It is with great concern that I recently saw news of a wholly uncharacteristic development GREEN STONE PARKWAY 400 was slated for consideration by the zoning board. Based on the available plans, its quite clear that the variances and significant land-use changes requested by this developer are not consistent with the most recent changes centered around Avalon and Down-town Alpharetta. The sheer density of 330 plus rental units, parking garage, retail space so close to our new neighborhood Braeden Walk will drastically alter the traffic footprint and likely affect our new neighborhood before its even completed. We chose this area for the managed density and "smart urbanization" that we had seen in and around Alpharetta and do not believe what Greenstone has proposed come anywhere near what you and the town have achieved.
>
> I wish to strongly urge you to reject this zoning request with its inconsistent variance requests and intend to change the footprint and ambience of such a critical piece of land between Alvalon and our new neighborhood.
>
> As a home-owner, we have chosen to put down strong stakes in this wonderful city. That commitment is not likely to be found in a transient community seeking to condense 330 rentals into such a small area. While certainly there is short-term gain in having an apartment complex,

the long-term negative impact on those of us who have chosen to purchase and be homeowners in Alpharetta can not be understated.

I kindly think you for reading this and considering our strong opposition to this proposed re-zoning

Sincerely

John and Caroline Stevens
Terra Stevens

Homeowners in Alpharetta

Woodman, Michael

From: Cook, Kathi
Sent: Wednesday, August 29, 2018 3:24 PM
To: Woodman, Michael
Subject: FW:

From: Wajiha Yasir <wajiha.yasir1222@gmail.com>
Sent: Wednesday, August 29, 2018 3:17 PM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject:

Dear Ms Cook,

I am a resident of 320 Braeden Way Alpharetta, 30009. We heard the news of plans of building commercial movie theatres, shops etc.

This news is heartbreaking for us. Our house is very expensive and way too beautiful. I want my kids to grow up in this community. Its the perfect place to live. Please do not make it commercial. Most importantly because its just infront of our backyard. It will affect our privacy, it will be noisy and will never feel like home.

Regards
Wajiha

Reference:

https://www.alpharetta.ga.us/government/departments/community-development/public-hearings/mp-17-06-clup-17-07-z-17-20-cu-17-18-v-17-44-greenstone-parkway-400-llp

Woodman, Michael

From: Cook, Kathi
Sent: Wednesday, August 29, 2018 3:00 PM
To: Yasir Qureshi
Cc: Woodman, Michael
Subject: RE: "Greenstone Parkway 400". New resident of 320 Braeden Way. Alpharetta (Avalon)

Thank you for your email, we will make sure the Planning Commission and Council are aware of your concerns. Also, please come and speak at the meetings if you can. Thanks
-Kathi Cook

From: Yasir Qureshi <yasirsufyan@gmail.com>
Sent: Wednesday, August 29, 2018 2:43 PM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: RE: "Greenstone Parkway 400". New resident of 320 Braeden Way. Alpharetta (Avalon)

Hello Ms. Cook - I am a new resident of 320 Braeden Way in Alpharetta. As a first time home owner we are stressfully dealing with builder on unfinished items. This morning I got an email from HOA that there is a plan to build commercial properties on lot which is literately next to back of my house. This adds to our stress and anxiety. We thought buying a new home will bring us happiness and relief but so far it's other way around.

When I purchased almost $700,000 home I was not envisioning in my wildest dreams that there will be commercial properties next door. I believe sign on the next lot says 'Office' and that was one of the main reasons I bought this house. If I knew there will be commercial properties: shops, restaurants, and theaters I would not have made this decision.

I hope you will look into this issue and keep loot as O-I (Office-Institutional).

Reference:
https://www.alpharetta.ga.us/government/departments/community-development/public-hearings/mp-17-06-clup-17-07-z-17-20-cu-17-18-v-17-44-greenstone-parkway-400-llp

--
Thanks,
Yasir.

Woodman, Michael

From: Cook, Kathi
Sent: Wednesday, August 29, 2018 11:50 AM
To: Ngo, Christian
Cc: Taylor, Elicia; Woodman, Michael
Subject: RE: Greenstone Parkway 400

Thank you for reaching out, we will let the Planning Commission and City Council know about your concerns. Also, please speak at the meetings if possible.
Thanks
-Kathi

From: Ngo, Christian <CNgo@BBandT.com>
Sent: Wednesday, August 29, 2018 10:53 AM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: FW: Greenstone Parkway 400

Kathi,

I hope you are doing well. I am writing to voice my concern via email on the proposed Greenstone Parkway 400 development. I am a new resident to Alpharetta and my wife and I are living in the Braeden community.

This development would dramatically increase the traffic, noise, etc. off the surrounding area and is not why we choose to live in this area of Alpharetta.

Thank you for your support in this matter.

Kind regards,

Christian H Ngo
Senior Vice President
Alpharetta & Johns Creek Market President
Branch Banking & Trust Co.
3838 Johns Creek Parkway
Suwanee, GA 30024
Tel: 678 277- 4131 Cell: 706-566-5253 Email: cngo@bbandt.com

Assistant: Darlene Walters | Client Services Assistant
Phone: 678-277-4121 | Email: dwalters@bbandt.com

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To: Ngo, Christian
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Kind regards,

Christian H Ngo
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To: ngo.christianharris@icloud.com
Subject: Greenstone Parkway 400

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Although the Community Development Department is recommending denial of this application (see report attached), our community must also demonstrate our concerns and hold the City to developing this track of land as noted in the Comprehensive Land Use Plan for this Pod as Office Space.

This proposal represents a significant change to what the City had zoned this property for, and will have a negative impact on our neighborhood.

I also suggest that our community send emails expressing their concerns and thoughts on this application to the Director of Community Development (Kathi Cook), prior to the Sept. 6th hearing. Ms. Cook can be reached at: Kcook@alpharetta.ga.us

Please have all residents pass this information on and request for participation in both the emails to Ms. Cook and attendance at the hearing on Sept. 6th.

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Woodman, Michael

From: Cook, Kathi
Sent: Wednesday, August 29, 2018 11:54 AM
To: Maurice Contreras
Cc: Taylor, Elicia; Woodman, Michael
Subject: RE: Greenstone Parkway 400 Rezoning - Please Deny Change

Maurice,
Thank you for reaching out and voicing your concerns. We will forward them to the Planning Commission and City Council for their consideration.
-Kathi Cook

From: Maurice Contreras <maurice.contreras@att.net>
Sent: Wednesday, August 29, 2018 10:25 AM
To: Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: Greenstone Parkway 400 Rezoning - Please Deny Change

Hello Ms. Cook,

I am writing to express my opinion on the proposed Greenstone Parkway 400 rezoning. I live in a home to the south and adjacent to this property.

When I purchased our new home last year and moved in May of 2018 it was with the knowledge that the property next to our home would be a future office park which was okay. Now I understand that the Greenstone property owners are seeking to now build hundreds of rental apartment buildings which I oppose.

The building of rental apartments will cause the local home and property values to decline. This will also cause the local area including Avalon to lose local appeal and quickly age the area.

Apartment rental units are usually inhabited by people with lower incomes which is not consistent with the cliental and tenants of Avalon which is more upscale and higher income. Rental units also bring in undesirable elements and that will frequent Avalon, increase crime and drive shoppers and diners away. After a few years I see Avalon becoming a shell with lower income stores, plagued by petty theft, unsavory characters and will be abandoned by the current cliental.

Please deny the change in zoning for this property on September 6.

I live at at The Walk at Braeden which is the new John Wieland Home development.

Please let me know if you have any questions.

Thank you for considering my opinion.

Maurice Contreras
360 Braeden Way
Alpharetta, GA 30009
404-386-9730

PURSLEYFRIESE TORGRIMSON

Julie L. Sellers
404.665.1242

Email:
jsellers@pftlegal.com

June 15, 2018

VIA FEDERAL EXPRESS, TRACKING NO.: 772488033694

Michael Woodman
Alpharetta City Hall
2 Park Plaza
Alpharetta, GA 30009

Re: Greenstone Parkway 400, LLLP;
Case Nos.: CLUP-17-07; MP-17-06; Z-17-20; CU-17-18; V-17-44

Dear Mike:

In connection with the above-referenced matters, enclosed please find copies of the Citizen Participation Form - Part B, Applicant's Notice Letter to Adjacent Property Owners and Certificate of Mailing. Please feel free to contact me if you have any questions.

Thank you.

Sincerely,

Julie L. Sellers

Enclosures

00107173.1

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: Amber Park Drive (CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/V-17-44)

Contact Name: Julie L. Sellers Telephone: 404-665-1242

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.

N/A

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: Date: 6.15.18

Print Form

Greenstone Parkway 400, LLLP c/o Julie L Sellers
Pursley Friese Torgrimson
Promenade, Suite 1200
1230 Peachtree Street NE
Atlanta, GA 30309

May 1, 2018

Dear Property Owner:

This letter is to inform you that a Public Hearing Application has been submitted to the City of Alpharetta on land located within 500 feet of your property. This Application is currently scheduled to be heard by Planning Commission on July 12 at 6:30pm and City Council on August 6 at 6:30pm. However, these public hearing dates are subject to change. I would encourage you to check the City's website or contact a member of the Community Development staff to confirm the public hearing dates.

Please be advised of the following information pertaining to the Application and public hearings:

CASE NUMBER: CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/V-17-44

APPLICANT NAME: Greenstone Parkway 400, LLLP

REQUEST: Master Plan Amendment; Comprehensive Land Use Plan Amendment; Rezoning; Conditional Use; Variances

STREET LOCATION: +/- 16.64 acres at Amber Park Drive, Northwinds Parkway, and Kimball Bridge Road (Parcel IDs: 12 284008030343, 12 284008030350, 12 284008040250)

PROPOSED DEVELOPMENT: Mixed-Use Development with "For-Rent" Residential, Office, Theater, and Retail/Restaurant Uses

PUBLIC HEARING LOCATION
Alpharetta City Hall, Council Chambers
2 Park Plaza
Alpharetta, Georgia 30009

If you have questions about the zoning application, please contact Julie L. Sellers at (404) 665-1242 or jsellers@pftlegal.com.

Sincerely,

Julie L. Sellers

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ATLANTA, GA 30309

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2.	LI, HELEN T. 6726 GUNSTOCK LANE TUCKER, GA 30084													
3.														
4.	NEGRIN ONE LLC 27234 N 102ND ST SCOTTSDALE, AZ 85262-8327													
5.														
6.	NLB NORTHWINDS LLC 20 HEARDS OVERLOOK CT ATLANTA, GA 30328													
7.	FULTON COUNTY BOARD OF EDUCATION 786 CLEVELAND AVE ATLANTA, GA 30315													
8.														

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2.	REEDER KATHRYN 2845 OLD MILTON PKWY ALPHARETTA, GA 30004-2230													
3.	STATE OF GEORGIA 47 TRINITY AVE., SUITE G02 ATLANTA, GA 30334													
4.	ST JAMES UNITED METHODIST CHURCH INC 3000 WEBB BRIDGE RD ALPHARETTA, GA 30009													
5.	PATEL, AAKASH Y & DESAI ANKITA A 2622 KENTWOOD LANE ALPHARETTA, GA 30009													
6.														
7.														
8.														

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1.	WINDWARD EYE GROUP LLC 5315 WINDWARD PKY SUITE F ALPHARETTA, GA 30004													
2.														
3.	WBCMT 2007 C31 AMBERPARK LIMITED PARTNERSHIP 1601 WASHINGTON AVE., SUITE 700 MIAMI, FL 33139-3164													
4.	WHILEAWAY HOLDINGS LLC 2520 NORTHWINDS PKWY STE 285 ALPHARETTA, GA 30009													
5.														
6.														
7.														
8.														
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1.	GEORGIA POWER COMPANY TAX DEPT BIN 10120 241 RALPH MCGILL BLVD NE ATLANTA, GA 30308-3374													
2.	JW HOMES LLC 4125 ATLANTA RD SE SMYRNA, GA 30080													
3.	KIMBALL BRIDGE WALK HOMEWOWNERS ASSOCIATION INC. 1100 NORTHMEADOW PKWY STE 114 ROSWELL, GA 30076													
4.	KIMBALL BRIDGE WALK HOMEWOWNERS ASSOCIATION INC. C/O ACCESS MANAGEMENT GROUP 1100 NORTHMEADOW PKY, STE 114 ROSWELL, GA 30076													
5.	KALIFEH ANDY & SUSAN 1050 CANTON ST ROSWELL, GA 30075-3644													
6.														
7.														
8.														

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- ☐ Insured Mail
- ☐ Priority Mail
- ☐ Priority Mail Express
- ☐ Registered Mail
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Affix Stamp Here
(for additional copies of this receipt).
Postmark with Date of Receipt.

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	CHUNG WU PETER DII & WU CATHERINE JEN 2715 CANOPY CIRCLE ALPHARETTA, GA 30009													
2.	DANIELS PAUL J & DANIELS MARGARET D 2624 KENTWOOD LANE ALPHARETTA, GA 30009													
3.	FIFTH THIRD BANK 38 FOUNTAIN SQUARE PLAZA CINCINNATI, OH 45202-3191													
4.	GANGE LLC 161 KIMBALL BRIDGE RD STE 100 ALPHARETTA, GA 30009													
5.	GEORGIA POWER COMPANY TAX DEPT BIN 10120 241 RALPH MCGILL BLVD NE BIN 10151 ATLANTA, GA 30308-3374													
6.														
7.														
8.														

Handling Charge - if Registered and over $50,000 in value

Adult Signature Required | Adult Signature Restricted Delivery | Restricted Delivery | Return Receipt | Signature Confirmation | Signature Confirmation Restricted Delivery | Special Handling

MIDTOWN POST OFFICE
MAY 0 2 2018
ATLANTA, GA 30309-9

Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office
5	5

Postmaster, Per *(Name of receiving employee)*

PS Form **3877**, January 2017 *(Page 1 of 2)*
PSN 7530-02-000-9098

Complete in ink

Privacy Notice: For more information on USPS privacy policies, visit *usps.com/privacypolicy.*

UNITED STATES POSTAL SERVICE®

Firm Mailing Book For Accountable Mail

Name and Address of Sender

JULIE L. SELLERS
PURSLEY FRIESE TOTGRIMSON LLP
1230 PEACHTREE ST. NE, STE. 1200
ATLANTA, GA 30309

Check type of mail or service

- Adult Signature Required
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery (COD)
- Insured Mail
- ☐ Priority Mail
- ☐ Priority Mail Express
- ☐ Registered Mail
- ☐ Return Receipt for Merchandise
- ☐ Signature Confirmation
- ☐ Signature Confirmation Restricted Delivery

Affix Stamp
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ATLANTA, GA
30309
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MIDTOWN POST OFFICE
MAY 02 2018

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge - if Registered and over $50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
1.	AGARWAL ANKITA & SHAH NIKHIL P 2618 KENTWOOD LANE ALPHARETTA, GA 30009													
2.	ANDERSON, DOROTHY MAE 165 KIMBALL BRIDGE RD ALPHARETTA, GA 30004													
3.	ASHTON ATLANTA RESIDENTIAL LLC 3820 MANSELL ROAD, STE. 300 ALPHARETTA, GA 30022													
4.	AVALON NORTH LLC 2200 AVALON BLVD ATLANTA, GA 30309													
5.	CARTER CHESTENE M 218 BAILEY JOHNSON RD ALPHARETTA, GA 30004-2203													
6.														
7.														
8.														

Total Number of Pieces Listed by Sender: 5

Total Number of Pieces Received at Post Office: 5

Postmaster, Per *(Name of receiving employee)*

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit *usps.com/privacypolicy*.

PURSLEYFRIESE TORGRIMSON

Jillian S. Arnold
404.665.1243

Email:
jarnold@pftlegal.com

March 22, 2018

Via Email to kcook@alpharetta.ga.us and mwoodman@alpharetta.ga.us
Kathi Cook, Director of Community Development
Michael Woodman, Senior Planner
City of Alpharetta
Alpharetta City Hall
2 Park Plaza
Alpharetta, GA 30009

Re: Greenstone Parkway 400; CLUP-17-07; MP-17-06; Z-17-20; CU-17-18; V-17-44; +/- 16.64 acres at Amber Park Drive and Northwinds Parkway (Parcel IDs: 12 284008030343, 12 284008030350, and 12 284008040250) ("Property")

Dear Kathi and Mike,

Thank you for confirming that the two variances previously approved for the above-captioned Property (1) to increase the allowable height on the property to 8 stories or 125 feet and (2) to reduce the 50-foot transitional buffer required by UDC, § 3.2.8(B) along the property's southern boundary line (adjacent to Tax Parcel ID 12 285108050750) to a 10-foot planted buffer are *in rem* entitlements that run with the land. We agree.

Based on the confirmation that the variances reducing the transitional buffer along the southern boundary line to 10 feet and allowing buildings up to 8 stories will continue to run with the Property, the Applicant hereby withdraws the two variances without prejudice. This withdrawal does not impact the Applicant's other pending zoning requests. Please include this withdrawal letter and our confirmation letter dated March 15, 2018 in the record for this zoning application. The site plan will be updated to reflect the existing height and transitional buffer reduction entitlements.

Thank you and please contact me with any questions.

Sincerely,

PURSLEY FRIESE TORGRIMSON

Jillian S. Arnold

cc: De Little, *via email*
Chris Scott, *via email*

00114188;1

CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/
V-17-44

12/29/17 GREENSTONE PKWY 400

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: Greenstone Parkway 400, LLLP c/o Jill Arnold Telephone: 404-665-1243

Address: 1230 Peachtree St. NE Suite: 1200

City Atlanta State: GA Zip: 30309 Fax:

Mobile Tel: Email: jarnold@pftlegal.com

Subject Property Information:

Address: Amber Park Drive; (Parcel IDs: 12 284008030343, 12 284008030350, & 12 284008040250) Current Zoning: O-I

District: 1 Section: 2 Land Lot: 804 Parcel ID: see "Address"

Proposed Zoning: C-2 Current Use: Vacant

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

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

Applicant Request And Intent

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

Please see attached.

Applicant's Request (Please itemize the proposal):

Please see attached.

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

Please see attached.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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

Please see attached.

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.

Please see attached.

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

Please see attached.

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

Please see attached.

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.

Please see attached.

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.

Property Owner Authorization

Property Owner Information:

Contact Name: Greenstone Parkway 400, LLLP Telephone:

Address: 3301 Windy Ridge Parkway Suite: 320

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

Identify Authorized Applicant:

Name of Authorized Applicant: Greenstone Parkway 400 LLLP c/o Jill Arnold Telephone: 404-665-1243

Address: 1230 Peachtree St. NE Suite: 1200

City Atlanta State: GA Zip: 30309 -

So Sworn and Attested:

Owner Signature: Date: 12/13/17

Notary:

Notary Signature: Date: 12-13-17

CHRISTINE MUNZERT NOTARY My Comm. Expires May 29, 2021 PUBLIC COBB 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 (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: Greenstone Parkway 400, LLLP

Subject Public Hearing Case: Rezoning--Amber Park Drive

Campaign Contribution Information:

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

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

Name of Official: David Belle Isle Position: Mayor

Description of Contribution: Belle Isle - Sec of State Value: 6,400

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: 12/13/17

CAMPAIGN DISCLOSURE STATEMENT

G. DOUGLAS DILLARD, JILL ARNOLD and R. BAXTER RUSSELL of the law firm of PURSLEY FRIESE TORGRIMSON, LLP, have been retained to represent Applicant before the CITY OF ALPHARETTA, GEORGIA. Pursuant to the provisions of O.C.G.A. §36-67A-3, please find below a list of the contributions made by the above-named individuals, or the law firms of PURSLEY FRIESE TORGRIMSON, LLP, in the past two years, aggregating $250.00 or more, to local government officials who may review this Application.

NAME OF GOV'T. OFFICIAL	POSITION	AMOUNT OF CONTRIBUTION	DATE OF CONTRIBUTION
		N/A	

This 28th day of December, 2017.

PURSLEY FRIESE TORGRIMSON, LLP

By: _____

Jillian S. Arnold
1230 Peachtree Street NE
Atlanta, Georgia 30309
(404) 876-4880 (Telephone)
(404) 876-4757 (Facsimile)

SITE PLAN CHECK LIST
EXISTING OFFICE 2 STORIES +/- 30,000 SF
EXISTING OFFICE 6 STORIES +/- 130,000 SF
PROPOSED POND EXPANSION
PROPOSED 3 LEVEL DECK +/- 900 SPACES
PROPOSED OFFICE 8 STORIES 225,000 SF
PROPOSED RETAIL/ RESTAURANT 1 STORY 6000 SF
PROPOSED OFFICE 8 STORIES 225,000 SF
PROPOSED 325 MULTIFAMILY UNITS +/- 18,000 S.F. SUPPORT OFFICE/ RETAIL
WRITE PLAY HOUSE 1 STORY 10,000 SF
PROPOSED 3 LEVEL DECK +/- 900 SPACES
SIGHT DISTANCE PROFILE
LOCATION MAP (NOT TO SCALE)
SITE
SITE DATA:
TOTAL ACREAGE: 724,620 SF / 16.635 AC
LOCATION: LL 804
1st DIST, 2nd SECT
CITY OF ALPHARETTA
FULTON COUNTY, GA
EXISTING ZONING: O & I CONDITIONAL
PROPOSED ZONING: C-3
MAXIMUM BUILDING HEIGHT: 8 STORIES (125')
SETBACKS:
- FRONT: CONDITIONAL
- SIDE: CONDITIONAL
- REAR: 10'
PROPOSED USE: MIXED USE DEVELOPMENT
- OFFICE *: 450,000 S.F.
- MULTI-FAMILY RESIDENTIAL: 325 UNITS
- RETAIL / RESTAURANT: 6,000 S.F.
- PLAYHOUSE: 10,000 S.F.
* UP TO 10% OF THE OFFICE DENSITY CAN BE CONVERTED TO RETAIL/ RESTAURANT USES.
SITE DENSITY
- NON-RESIDENTIAL: 28,614 SF/ AC.
- RESIDENTIAL: 19.53 UNITS PER ACRE
OPEN SPACE: 1.7 AC (10%)
REQUIRED PARKING:
- OFFICE (3.2/1000 SF) = 1440
- MULTIFAMILY (2 PER UNIT + 1 PER 20 UITS)= 667 (455 REQUESTED)
- RETAIL (5/ 1000 SF) = 30
- PLAYHOUSE (1 PER 4 SEATS + 1 PER 10 SEAT) = 185 (SHARED WITH OFFICE)
TOTAL REQUIRED: 2,188 SPACES
PROVIDED PARKING: 2,237 SPACES
- OFFICE DECKS: 1,800 SPACES
- MULTI-FAMILY DECK: 455 SPACES
- ON STREET: 13 SPACES
TOTAL PARKING PROVIDED: 2,268 SPACES
IMPERVIOUS COVERAGE: 499,454 S.F. (69.0%)
PERVIOUS COVERAGE: 225,166 S.F. (31.0%)
VARIANCE REQUESTED:
1. REDUCE MULTIFAMILY REQUIRED PARKING FROM 718 TO 455.
2. 30% REDUCTION IN REQUIRED OFFICE PARKING
3. UP TO 20% COMPACT PARKING SPACES
4. RAISE MAXIMUM HEIGHT TO 8 STORIES
5. REDUCE THE BUFFER AGAINST RESIDENTIAL FROM 50' TO A 15' PLANTED LANDSCAPE STRIP.
6. REDUCE THE NUMBER OF RECYCLE PARKING SPACES.
7. REDUCE THE NUMBER OF ELECTRIC VEHICLE CHARGING STATIONS
NOTE:
1. There is no FEMA Flood Plain located on the site.
2. Storm water for the site will be handled within the common detention pond adjacent to this property. The pond may need to be modified to meet the requirements of the current storm water ordinance.
AEC
NORTH
SITE PLAN
GREENSTONE- PARKWAY 400
Alpharetta , Georgia
PROJECT INFORMATION
PROJECT NO.: 15-3799.00
DATE: 12-29-2017
SCALE: 1" = 60'
FILE NAME: 15-0000 P09.dwg
DESIGN/DRAWN: SCH/SLR

PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in land lot 804 of the 1ST District, 2ND Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at the intersection of the Land Lots 804, 805, 852 and 853), said point being **Point of Beginning.** Thence running west along the land lot line N89°37'38" W 95.29' to a point on the Right of Way of Northwinds Parkway, said point being the **True Point of Beginning;**

Thence departing said Right of Way N 89°37'41" W a distance of 146.14' to an iron pin; Thence N 89°37'41" W a distance of 541.68' to an iron pin; Thence N 0°1'13" E a distance of 120.48' to a point; Thence N 89°58'47" W a distance of 75.37' to an iron pin; Thence N 0°3'35" E a distance of 293.47' to an iron pin; Thence N 28°50'53" E a distance of 37.60 to an iron pin; Thence N 61°9'7" W a distance of 20.66' to an iron pin; Thence N 0°3'35" E a distance of 41.19' to an iron pin; Thence N 47°6'53" E a distance of 122.00' to an iron pin; Thence S 89°58'47" E a distance of 40.23' to an iron pin; Thence N 3°22'41" E a distance of 294.56' to an iron pin on the Right of Way of Amber Park Drive; Thence continuing along said Right of Way on a curve to the left a distance of 60.92' with a radius of 92' and a chord length of 59.81' with a bearing of N 63°54'36" E to a point; Thence continuing along said Right of Way on a curve to the left a distance of 61.21' with a radius of 92' and a chord length of 60.08' with a bearing of N 25°52'57" E to a point; Thence departing the Right of Way of Amber Park Drive S 56°41'12" E a distance of 59.31' to an iron pin; Thence S 89°58'45" E a distance of 230.55 to an iron pin; Thence S 42°44'4" E a distance of 41.12' to an iron pin; Thence N 86°54'36" W a distance of 69.75' to an iron pin; Thence N 86°14'49" W a distance of 191.73 to an iron pin; Thence N 77°39'55" E a distance of 6.32' to an iron pin on the Right of Way of Northwinds Parkway; Thence continuing along said Right of Way on a curve to the right a distance of 3.02' with a radius of 1447.0' and a chord length of 3.02' with a bearing of S 0°16'46" W to a point; Thence continuing along said Right of Way S 0°20'21" W a distance of 689.38' to a point; Thence continuing along said Right of Way on a curve to the right a distance of 226.0' with a radius of 747.0' and a chord length of 225.14' with a bearing of N 9°0'23" E to a point, said point being the True Point of Beginning.

Said tract of land contains 15.348 acres. (668,558 square feet)

EXHIBIT A

LEGAL DESCRIPTION

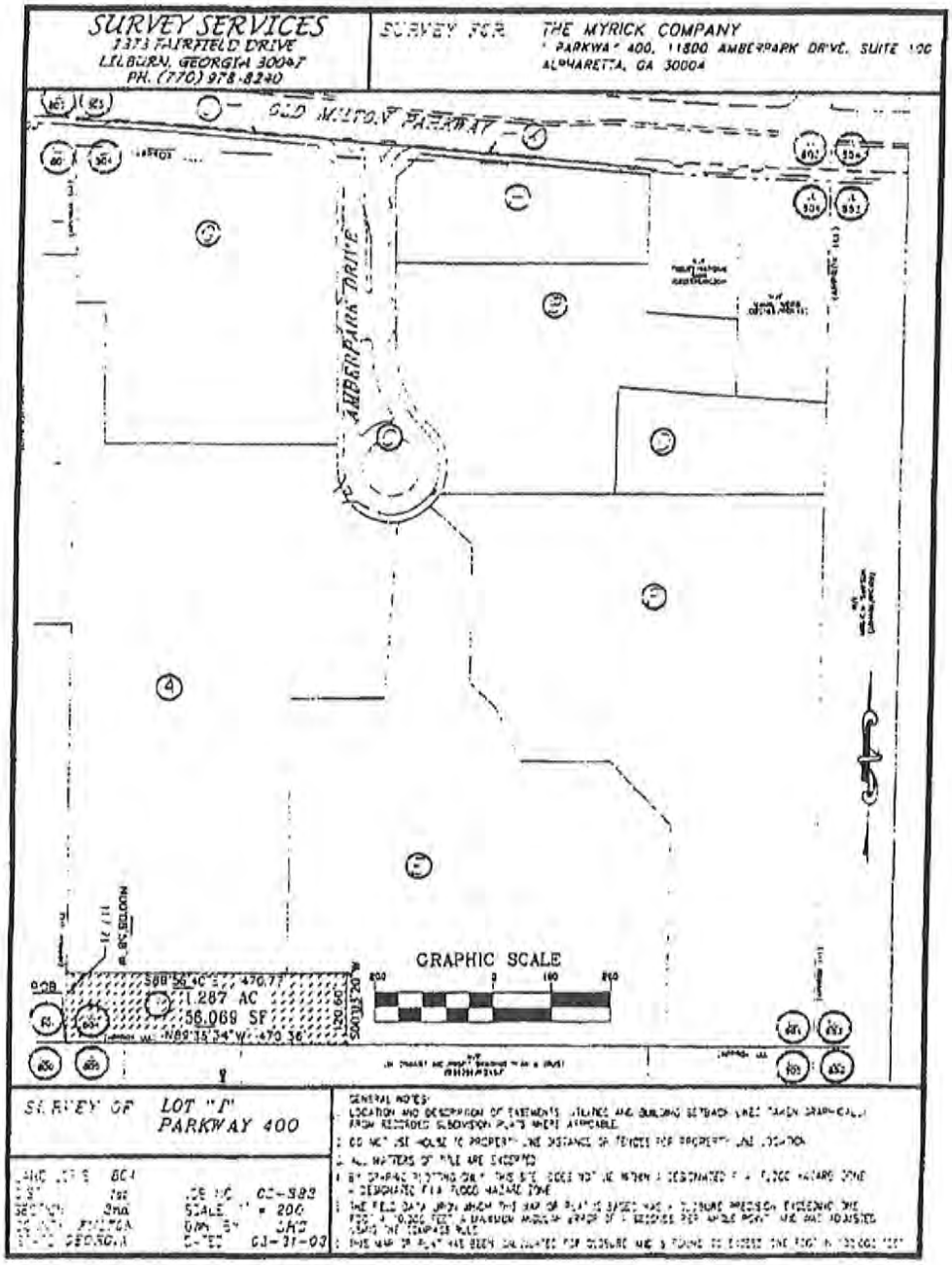
All that tract or parcel of land lying and being in Land Lot 804 of the 1st District, 2nd Section of Fulton County, Georgia, and being more particularly described as follows:

Beginning at an iron pin found (½" re-rod) at the intersection of land corner common to Land Lots 800, 801, 804 and 805, said point being the **POINT OF BEGINNING** thence, North 00°08'58" West, a distance of 117.71 feet to a point; thence, South 89°56'40" East, a distance of 470.77 feet to a point; thence, South 00°03'20" West, a distance of 120.60 feet to a point; thence, North 89°35'34" West, a distance of 470.36 feet to the **POINT OF BEGINNING.**

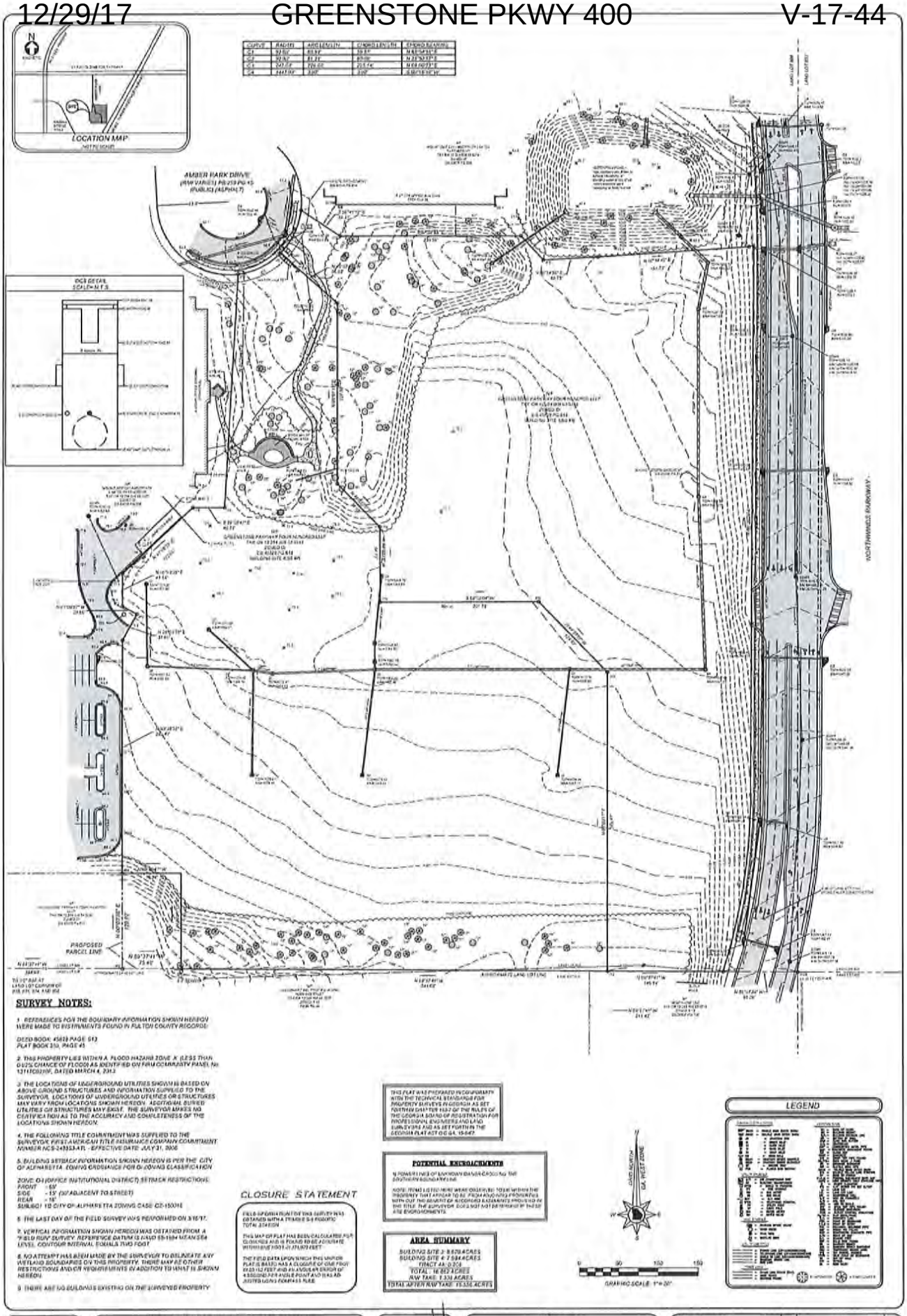
Containing 56,069 square feet or 1.287 acres, more or less.

Deed Book 45828 Pg 624

EXHIBIT "A"



US2000 10321033.2



SURVEY NOTES:

1. REFERENCES FOR THE BOUNDARY INFORMATION SHOWN HEREON WERE MADE TO INSTRUMENTS FOUND IN FULTON COUNTY RECORDS:

DEED BOOK 45659 PAGE 613
PLAT BOOK 334, PAGE 45

2. THIS PROPERTY LIES WITHIN A FLOOD HAZARD ZONE X (LESS THAN 0.02% CHANCE OF FLOOD AS IDENTIFIED ON FIRM COMMUNITY PANEL No. 13121C0201F, DATED MARCH 4, 2013

3. THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN IS BASED ON ABOVE GROUND STRUCTURES AND INFORMATION SUPPLIED TO THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES OR STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON. ADDITIONAL BURIED UTILITIES OR STRUCTURES MAY EXIST. THE SURVEYOR MAKES NO CERTIFICATION AS TO THE ACCURACY AND COMPLETENESS OF THE LOCATIONS SHOWN HEREON.

4. THE FOLLOWING TITLE COMMITMENT WAS SUPPLIED TO THE SURVEYOR: FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER NCS-249553-ATL - EFFECTIVE DATE: JULY 31, 2006

5. BUILDING SETBACK INFORMATION SHOWN HEREON IS PER THE CITY OF ALPHARETTA ZONING ORDINANCE FOR O-I ZONING CLASSIFICATION

ZONE: O-I (OFFICE INSTITUTIONAL DISTRICT) SETBACK RESTRICTIONS:
FRONT = 65'
SIDE = 15' (50' ADJACENT TO STREET)
REAR = 15'
SUBJECT TO CITY OF ALPHARETTA ZONING CASE CZ-150015

6. THE LAST DAY OF THE FIELD SURVEY WAS PERFORMED ON 3/15/17.

7. VERTICAL INFORMATION SHOWN HEREON WAS OBTAINED FROM A "FIELD RUN" SURVEY. REFERENCE DATUM IS NAVD 88 (MEAN SEA LEVEL). CONTOUR INTERVAL EQUALS TWO FOOT

8. NO ATTEMPT HAS BEEN MADE BY THE SURVEYOR TO DELINEATE ANY WETLAND BOUNDARIES ON THIS PROPERTY. THERE MAY BE OTHER RESTRICTIONS AND/OR REQUIREMENTS IN ADDITION TO WHAT IS SHOWN HEREON.

9. THERE ARE NO BUILDINGS EXISTING ON THE SURVEYED PROPERTY

THIS PLAT WAS PREPARED INCONFORMITY 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

POTENTIAL ENCROACHMENTS

N POWER LINE OF UNKNOWN OWNER CROSSING THE SOUTHERN BOUNDARY LINE

NOTE: ITEMS LISTED HERE WERE OBSERVED TO BE WITHIN THE PROPERTY THAT APPEAR TO BE FROM ADJOINING PROPERTIES WITH OUT THE BENEFIT OF RECORDED EASEMENTS PROVIDED IN THE TITLE. THE SURVEYOR DOES NOT DETERMINE IF THESE ARE ENCROACHMENTS

AREA SUMMARY

BUILDING SITE 3: 8.6784 ACRES
BUILDING SITE 4: 7.594 ACRES
TRACT 4A: 0.203
TOTAL: 16.8254 ACRES
R/W TAKE: 1.33 ACRES
TOTAL AFTER R/W TAKE: 15.55 ACRES

CLOSURE STATEMENT

FIELD INFORMATION FOR THIS SURVEY WAS OBTAINED WITH A TRIMBLE S-6 ROBOTIC TOTAL STATION

THIS MAP OF PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 37,589 FEET.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 23,152 FEET AND AN ANGULAR ERROR OF 4 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING COMPASS RULE

JOB No.	15-270
DRAWN BY	15-270-TGPC
SHEET	1 OF 1

BOUNDARY, TOPOGRAPHIC, AND TREE SURVEY:

GREENSTONE PARKWAY
FOUR HUNDRED LLLP

LAND LOTS 961 OF THE 1ST DISTRICT 2nd SECTION
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA
TAX ID# 12 384 008 03 0343

GA LAND SURVEYOR
404-384-9577
GA LAND SURVEYOR, LLC
263 BRANDON DRIVE SUITE 110
LAWRENCEVILLE, GA 30045

DATE: MARCH 17, 2017			
SCALE: 1"=30'		REVISIONS	
ACREAGE: 15.55 ACRES	NO	DESCRIPTION	DATE
LAND LOT(S): 961			
DISTRICT: 1st SECTION: 2nd			
CITY: ALPHARETTA			
COUNTY: FULTON STATE: GEORGIA			
SURVEYED BY: DRAWN BY:			
CHECKED: APPROVED BY:			

Letter of Intent and Impact Analysis

City of Alpharetta

Master Plan Amendment
Comprehensive Land Use Plan Amendment
Rezoning
Conditional Use
Variance

Applicant:
Greenstone Parkway 400, LLLP
c/o G. Douglas Dillard

Property:
+/- 16.64 acres at Amber Park Drive and Northwinds Parkway
Parcel ID 12 284008030343
Parcel ID 12 284008030350
Parcel ID 12 284008040250
Alpharetta, GA 30009

Submitted for Applicant by:

G. Douglas Dillard
Jill S. Arnold
R. Baxter Russell
PURSLEY FRIESE TORGRIMSON
1230 Peachtree Street, Suite 1200
Atlanta, Georgia 30309
(404) 665-1243
jarnold@pftlegal.com

I. INTRODUCTION

The subject property is approximately 16.64 acres of land located on Amber Park Drive, between Kimball Bridge Road and Northwinds Parkway ("Property"). The Property consists of three (3) separate parcels, including Parcel ID 12 284008030343, Parcel ID 12 284008030350, and Parcel ID 12 284008040250. The Property is currently zoned O-I (Office Institutional) and is part of the Parkway 400 Master Plan, Pod C. Despite an extensive mix of uses and significant development in the surrounding area, the Property remains undeveloped.

The Applicant, Greenstone Parkway 400, LLLP ("Applicant"), seeks to construct a mixed-use development on the Property, including: (1) a residential building with 325 Class A "For Rent" dwellings and 18,000 square feet of support office/retail (including a neighborhood grocery store); (2) two office buildings each containing 225,000 square feet of office space; (3) a 10,000 square foot Variety Playhouse Theatre; (4) a freestanding, 6,000 square-foot retail building/restaurant, and (5) ancillary retail and restaurant uses. The luxury apartments will include a swimming pool, fitness center, business center, dog wash, clubroom and pet park for residents. The Property is already cleared and graded, and utilities have been installed.

The Applicant requests the following to develop the proposed mixed use project: (1) an amendment to the City's Comprehensive Land Use Plan ("CLUP") to change the Property's land use designation from Corporate Office to Commercial; (2) a Rezoning of the Property from O-I to C-2; (3) an amendment to the Parkway 400 Master Plan to reflect the proposed zoning and development changes; (4) a Conditional Use Permit for the "For Rent" residential dwellings; (5) a variance to increase the allowable height of buildings in the C-2 zoning district up to 8 stories/125 feet on the Property (note, the existing height entitlement on the Property is 8 stories/125 feet); (6) maintain the existing variance to reduce the rear yard transitional buffer (neighborhood compatibility buffer) from 50 feet to 10 feet; (7) a variance to reduce required parking for the "For Rent" dwellings, as shown on the enclosed site plan; (8) a variance to reduce required parking for the office buildings, as shown in the enclosed site plan; (9) a variance to UDC, Section 2.5.2 to reduce the number of bicycle parking spaces; and (10) a variance to UDC, Section 2.5.7 to reduce the number of electric vehicle charging stations.

The Applicant's project is consistent with the vision for Alpharetta's future development along the Old Milton Corridor. The requested land use petitions will allow the Applicant to build a high-quality mixed-use project that will complement surrounding land uses in terms of use, design, and aesthetics. The proposed project will further the City's land use goals for the Old Milton Corridor by providing a well-designed community within the Avalon/Old Milton Development Node, complete with a mixture of uses that includes commercial, office, and medium density residential development.[1] The project will help the City accomplish its concrete planning objectives through the project's emphasis on pedestrian connectivity and the provision of additional housing options within the City.[2]

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[1] (*See* 2035 Comprehensive Plan, p. 46-47, 77).
[2] (*See* 2035 Comprehensive Plan, p. 46).

II. PROJECT INFORMATION

The Property is currently entitled for 630,000 square feet of office in 3 buildings up to 8 stories or 125 feet in height. Table 1.0 below compares existing entitlements and the proposed mixed use project. Under these existing office entitlements, the Property has remained vacant and undeveloped for many years. With this project, the Applicant seeks to transform the Property from a dense, office-only park into a mixed-use development with offices, retail, restaurants, and luxury apartments. To facilitate this development, the Applicant proposes to convert a portion of the current office density to "For Rent" residential dwellings. This proposed mix of residential and non-residential uses conforms to modern development trends and perspectives, as demonstrated by the significant development and transition in the area in recent years.

In today's market, successful office developments require a mixed-use environment with walkable amenities. Avalon is a perfect example of the success of mixing residential, office, and retail uses. Most often, restaurants and ancillary retail are attached to or within close walking distance to the offices themselves. These developments require a residential component in order to supplement the daytime traffic associated with the offices by creating nighttime traffic for the restaurants and retail. In light of these development trends, the Applicant now seeks to develop a mixed-use project that encourages full use of the Property, through daytime office use, nighttime residential use, and corresponding restaurant, retail, and the music venue uses.

The Applicant has carefully designed the site to provide a central drive and central pedestrian plaza where people can gather, dine, and shop before or after a concert at the Variety Theatre, after work, or on a lunch break. This central plaza will be a focal point of the project.

Table 1.0

Use	Applicant's Proposal	Current Entitlements
Office	450,000 SF (up to 10% retail/restaurant attached to offices) 2 buildings, 2 parking structures (shared parking with non-office uses) 8 stories/125 feet	630,000 SF (up to 10% retail attached to offices) 3 buildings, 3 parking structures (two of which are connected) 8 stories/125 feet
Residential	325 "For Rent" Dwellings, in an 8-story residential building; 1BR (approximately 65%) and 2BR (approximately 35%)	None.
Music Venue	10,000 SF	None.
Retail/Restaurant	6,000 SF (free-standing)	Up to 10% ancillary retail

III. IMPACT ANALYSIS

The Applicant's proposed project fully satisfies the criteria set forth in the City's Code. For these reasons, the Applicant respectfully requests its application be granted as submitted.

A. CLUP Amendment to Change the Land Use from Corporate Office to Commercial

The Applicant satisfies all of the criteria for a CLUP amendment as set forth in the UDC, Section 4.1.3.

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

The area surrounding the Property has experienced significant development and transition over the last decade. Over the last ten years, Avalon, Liberty Park, and the redevelopment of downtown Alpharetta have created a strong demand for mixed use redevelopment along within the Old Milton Corridor. The Property is currently designated as Corporate Office and is located within the Old Milton Corridor. This restrictive designation is no longer appropriate for the Property in light of the mixed use designations and developments along Old Milton Parkway. The proposed 450,000 square feet of office within the mixed use project accomplishes the City's goals of office development on this property, but balances the office density with a complementary mix of uses called for in the Old Milton Corridor. The Applicant's proposed mix of uses on the site reflects what today's office tenants desire---walkable amenities in a mixed use environment.

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

The proposed CLUP amendment to Commercial complies with the policies of the CLUP. The Old Milton corridor is designated as a commercial and office corridor, with opportunities for additional mixed use, commercial, office, and medium to high density residential development (CLUP, p.46-47). Further, the proposed CLUP amendment aligns with the goals and strategies for future development in Alpharetta, by allowing Applicant's mixed-used project to promote pedestrian-oriented, mixed-use development along a highway corridor that supports the creation of employment centers and community-based open space (CLUP, p. 13-15).

Moreover, this Property's proximity to Georgia 400, Old Milton Parkway, Northwinds Parkway and its location within the Tier 2 Development Node makes it ideal for more intense residential and non-residential development. Properties within the Tier 2 Development Node are slated for more intense development relative properties outside of these nodes. By concentrating density within designated development nodes near major transportation infrastructure, the City is able to accommodate additional growth without putting pressure or strain on low-density, established neighborhoods within the City. That is, by directing growth to identified nodes where density is appropriate, the City can continue to attract new residents while preserving established, single-family

neighborhoods. Moreover, the mix of residential and non-residential uses means that people have the opportunity to live close to where they work (and not be so dependent on an automobile to commute).

3) **The extent to which the proposed designation would require changes in the provision of public facilities and services.**

The proposed CLUP amendment to Commercial would not require any changes to public facilities. Public services and public facilities, including water and sewer, are currently available for the Property and sufficient to accommodate the proposed land use designation. The Applicant will work with the City if infrastructure upgrades are determined to be necessary.

4) **The extent to which the proposed designation would impact the public health, safety, and welfare.**

The proposed CLUP amendment would promote the public health, safety, morals, and welfare as it would add a variety of uses envisioned for the Old Milton Corridor in the Comprehensive Plan. The proposed project will also complement surrounding land uses by providing opportunities for new and existing residents to live, work, and play.

5) **The extent to which additional land area is needed to be developed for a specific type of use.**

The CLUP encourages the creation of additional land use opportunities along the Old Milton corridor for mixed-use, commercial, office, and medium to high density residential developments. (CLUP p. 46). The Applicant's project includes young professional housing, offices, accessory retail, a neighborhood grocery store, a theatre, and a large community greenspace. The Applicant requires no additional land in order to develop the Property as proposed, and requests this CLUP amendment in order to accomplish these development objectives.

6) **The extent to which area demographics or projections are not occurring as projected.**

As demonstrated by the CLUP, Old Milton Parkway has developed as a predominantly mixed-use corridor, making it appropriate for a mixture of commercial and offices uses in harmony with higher-density residential. The proposed CLUP amendment to Commercial would allow this pattern of mixed-use to flourish. The Property has been zoned for significant office density for several years and has remained vacant.

B. Rezoning Request from O-I to C-2

The Applicant satisfies all of the criteria for rezoning as set forth in the Alpharetta Unified Development Code ("UDC"), Section 4.2.3 and the Alpharetta Public Hearing Application Form.

1) How will this proposal be compatible with surrounding properties?

The proposed rezoning to C-2 is compatible with surrounding properties, which are zoned O-I, C-2, MU, R-12, R-8A/D, AG, CUP, and SU, and will positively impact the surrounding community. Recent development in the area and the policies established by the CLUP render the existing O-I (Office-Institutional) zoning unsuitable and inconsistent with the surrounding area, which has been redeveloped primarily for mixed use projects. The addition of residential into this area will promote a more vibrant mix of uses and provide a greater variety of housing options within the City. The property's proximity to Highway 400, Avalon, and the new Alpha Loop trail make it ideally situated for the proposed mixed use project.

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

The proposed rezoning to C-2 will have no adverse impact on the use or value of surrounding properties. On the contrary, the proposed office, residential, commercial, theatre and open space uses will complement and enhance the value of surrounding uses.

3) Can the property be developed for a reasonable economic use as currently zoned?

The Property has no reasonable economic use as currently zoned. The current O-I zoning is no longer consistent with development patterns in the surrounding area and along the Old Milton corridor, which are predominantly mixed-use in character. The property has been zoned for significant office density for years and remains vacant and undeveloped.

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

The proposed development will have a nominal impact upon the population and traffic in the area. Any increase in population as a result of the residential apartments is consistent with residential development in the surrounding area. Approximately 65% of the 325 "For Rent" dwelling units are designed as one bedroom units, therein substantially limiting the number of overall residents, including children. The remaining apartment units will be 2-bedroom units. There are no 3-bedroom units proposed.

With regard to traffic, the Applicant has submitted a trip generation report with the application. The number of peak AM trips actually decreases with the Applicant's proposed conversion of office density to residential density. Additionally, the City's current infrastructure is equipped to provide adequate access and handle any traffic

associated with the proposed mixed-use development. The Applicant will work with the City if infrastructure upgrades are determined to be necessary.

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

Although a nominal amount of students may be generated by the residential apartments in the mixed-use village, the primary demographic targeted for the "For Rent" dwellings are young professionals and empty-nesters, hence the fact that there are no 3-bedroom units proposed. Because the target market is primarily young professions without dependents or empty nesters looking for a low-maintenance alternative to a single-family home, the Applicant anticipates little, if any, impact on schools. As a point of comparison, we understand the apartments at Avalon have only 3 school-age children.

Public services and public facilities, including water and sewer, are currently available for the Property and are sufficient to accommodate the proposed development. While the Applicant is not aware of any burden on public services or public facilities related to the proposed development, the Applicant is willing to address any issues that may arise with the City and appropriate service providers.

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

Currently, the Alpharetta CLUP and Future Land Use Map designate the Property as Corporate Office within the Old Milton Corridor. The Applicant is requesting to amend the comprehensive plan designation for the Property to support the C-2 zoning classification. The proposed C-2 zoning classification is consistent with the requested Commercial land use designation. Although the Applicant seeks to change the land use designation, the proposed 450,000 square feet of office within the mixed use project accomplishes the City's goal of seeing additional office development within this corridor and higher-density node.

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

Changed and changing conditions in the area support the proposed rezoning and mixed-use project. The Old Milton corridor is transitioning from an area of primarily low-density residential development to higher-density, mixed-use development and is envisioned as one of the gateways into Alpharetta. The proposed rezoning will facilitate this transition and the vision for the area contained in the CLUP. This request is consistent with the land use policies and design standards established in the CLUP.

C. Master Plan Amendment Request

The Applicant respectfully requests an amendment to its Master Plan, to modify the plan as currently imposed upon the Property. The Master Plan was approved on March 23, 1998 with 462,000 square feet of office allowed at a density of 14,000 square feet per acre. In 2013, the City approved a master plan amendment which increased the permitted office density to 630,000 square feet at 8 stories or 125 feet on the Property.

The Applicant now seeks to amend the Master Plan as it applies to the Property to reflect the proposed mixed use development: (1) a residential building with 325 Class A "For Rent" dwellings and 18,000 square feet of support office/retail uses (with a neighborhood grocery), (2) two office buildings each containing 225,000 square feet of office space, (3) a 10,000 square foot Variety Playhouse Theatre, (4) a stand-alone 6,000 square foot retail/restaurant building, and (4) ancillary retail and restaurant uses.

D. Conditional Use Request for Dwelling, 'For-Rent' Use in a C-2 District

The Applicant satisfies all of the criteria for a conditional use as set forth in the Alpharetta Unified Development Code ("UDC"), Section 4.2.3(B) and 2.2(a).

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;**

   Applicant's proposed mixed-use project provides several points of ingress and egress for both vehicular and pedestrian traffic. The primary access point to the site is from Northwinds Parkway, although the site can also be accessed from Amber Park Drive. There are also roadways throughout the development that are patterned to control traffic flow. Additionally, the residential apartments and mixed-use development as a whole provide excellent walkability and access to Avalon. Service drives have been positioned so as to keep service vehicles off of the main drive through the project.

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

   Refuse areas, loading and service areas are provided on site. Adequate parking has been provided on site for all of the uses. Finally, the Applicant will install buffers and screening to enhance the aesthetics of the site and mitigate the development's impact on any surrounding neighbors.

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;**

The "For Rent" dwellings will not be injurious to the use or enjoyment of any surrounding properties, nor will the residential units diminish surrounding property values. On the contrary, the requested residential apartments will benefit the use and value of surrounding properties. Because the surrounding mixed-use developments are comprised primarily of commercial and retail uses, the addition of high-quality, pedestrian-oriented residential development will benefit surrounding properties with an influx of residents seeking access goods, services, and entertainment.

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

Neither local nor state expenditures will be increased beyond current projections in order to maintain and service the proposed residential apartments. The proposed mixed-use project is consistent with the development patterns in the surrounding area.

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

Development of the requested residential apartments within the proposed mixed-use project will not impede normal development in the surrounding area. Applicant's proposal is consistent with surrounding mixture of development and land uses.

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.**

The requested residential apartments and proposed mixed-use project is consistent with the desired pattern of mixed-use, pedestrian-oriented growth demonstrated in the CLUP and surrounding mixed-use developments (p. 14-15, 46-47).

Section 2.2(a)

1. **Site design.**
The site has been designed to provide adequate access and connectivity to and between the proposed buildings. The Applicant has carefully designed the site to provide a central drive and central pedestrian plaza where people can gather, dine, and shop before or after a concert at the Variety Theatre, after work, or on a lunch break. This central plaza will be a focal point of the project.

2. **Property access.**
The site has been designed to provide adequate access and connectivity to and between the proposed uses.

3. **Hours of operation of the business.**
   The residential building will be accessible to residents at all hours of the day.

4. **Vehicular trips generated by the use.**
   Please see the enclosed trip generation report. The number of peak AM trips actually decreases with the Applicant's proposed conversion of office density to residential density.

5. **Impact of the use on surrounding properties.**
   The proposed residential use is compatible with surrounding properties, which are zoned O-I, C-2, MU, R-12, R-8A/D, AG, CUP, and SU, and are used for a variety of uses, including office, residential, retail, and commercial. The addition of higher density residential into this area will promote a more vibrant mix of uses and provide a greater variety of housing options within the City. The property's proximity to Highway 400, Avalon, and the new Alpha Loop trail make it ideally situated for a higher-density mixed use project.

6. **Impact of the use on the natural features of the site.**
   The residential use will have no negative impacts on the natural features of the site.

E. <u>Requested Variances</u>

The Applicant is requesting 6 variances: (1) a variance to increase the allowable height of buildings in the C-2 zoning district up to 8 stories/125 feet on the Property (note, the existing height entitlement on the Property is 8 stories/125 feet); (2) maintain the existing variance to reduce the rear yard transitional buffer (neighborhood compatibility buffer) from 50 feet to 10 feet; (3) a variance to reduce required parking for the "For Rent" dwellings, as shown on the enclosed site plan; (4) a variance to reduce required parking for the office buildings, as shown in the enclosed site plan; (5) a variance to UDC, Section 2.5.2 to reduce the number of bicycle parking spaces; and (5) a variance to UDC, Section 2.5.7 to reduce the number of electric vehicle charging stations.

In 2013, the City approved a transitional buffer variance along the rear property line from 50 feet to a 10 foot planted buffer. Although the transitional buffer variance approved in 2013 is arguably still in place since variances run with the land,[3] out of an abundance of caution the Applicant is again re-applying for the same transitional buffer variance to reduce the rear yard transitional buffer to 10 feet because of the concurrent rezoning request. Likewise in 2013, the City approved heights of 8 stories/125 feet on the Property. The Applicant requests a variance to increase the height within the C-2 district (subject to rezoning approval by the City) to 8 stories. That is, the variance is requested to maintain existing height entitlements.

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[3] 3 Arden H. Rathkopf & Darren A. Rathkopf, <u>Rathkopf's The Law of Zoning and Planning</u> §58:23 (2006) ("A variance …is available to a subsequent owner until the variance expires according to its terms, or until it is effectively revoked.").

Please note, the Applicant is designating 20% of the parking spaces on the site as compact parking spaces (8 x 16 feet), pursuant to UDC, Section 2.5.5(B). Although the Code permits up to 20% of parking spaces to be compact spaces ***by right***, the Applicant requests the City Council approve the Applicant's designation of 20% of its parking spaces as compact spaces so that administrative approval of such designation is not needed during future permitting.

The Applicant satisfies all criteria for variances as set forth in the UDC, Section 4.5.4.

1) Are there extraordinary and exceptional conditions pertaining to the subject property because of its size, shape, or topography?

Yes, there are extraordinary conditions pertaining to the Property because of its size relative to its current zoning entitlements. If a fifty-foot transitional buffer was imposed, a large portion of the Property would be rendered unusable, thereby significantly limiting the economic viability and usability of the site. Moreover, this property has already been granted a rear yard transitional buffer reduction to a 10 feet so there is precedent *on this site* for the reduction. There is no harm to adjacent owners in reducing this transitional buffer. Moreover, the Property is currently entitled for 3 office buildings up to 8 stories/125 feet. The proposed height of 8 stories/125 feet is consistent with existing entitlements.

The parking ratios shown on the Applicant's enclose site plan are sufficient. The parking ratios for the office and residential uses were calculated based on extensive development experience and specialized knowledge of prevailing market conditions. If the UDC's parking requirements were followed,[4] the site would be significantly over-parked.

Finally, while bicycle parking and the electric vehicle charging stations will be provided on site, both ratios far exceed market demand. Hence, a reduction is requested.

2) Would the application of the Zoning Code standards as they relate to the subject property create an unnecessary hardship?

Yes, the literal interpretation and strict application of the Zoning Code standards will cause undue and unnecessary hardship to the Property. Denial of the requested variances will render development of the Property economically unfeasible. The southern portion of the site would lose significant developable area if the 50-foot transitional buffer applied or height was limited to 40 feet. Moreover, denial of the variances would also deprive the owner of existing entitlements, including an existing reduction of the rear yard transitional buffer to 10 feet (as requested in this application) and an existing height entitlement of 8 stories/125 feet.

As noted previously, the strict application of the Code's parking requirements would result in all uses being significantly over-parked.

[4] Residential = 2 parking spaces/unit + 1 per 20 units; Office = 1 parking space/250 square feet

3) Are there conditions that are peculiar to the subject property?

Yes, there are conditions that are peculiar to the subject property. If a fifty-foot transitional buffer was imposed, a large section of the Property would be rendered unusable, thereby significantly limiting its economic viability and usability. There is no harm to adjacent owners in reducing this transitional buffer.

Additionally, there is no harm for surrounding properties in allowing an increase to the residential building height. The increased height of the residential apartment building is consistent with the *existing* height entitlements for the office buildings (i.e. 8 stories/125 feet). The variance is simply requested to maintain existing height entitlements. Strict application of the transitional buffer and residential building height restrictions will deprive the Property of significant property rights in light of current entitlements.

4) Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code?

No, relief from the strict application and literal interpretation of the Alpharetta UDC would not cause substantial detriment to the public good or impair the purpose of the Zoning Code. On the contrary, approval of the requested variances will allow the Applicant to develop a truly unique mixed use project for Alpharetta.

In granting the variances, there will be no harm to adjacent owners at the rear of the site or in the surrounding area. On the contrary, residents in the surrounding area will benefit from the addition of a new music venue, restaurants, a neighborhood grocery, and retail shops on the south side of Old Milton Parkway. The proposed variances will allow a currently underutilized property to develop into a high quality mixed use project that will benefit surrounding owners and the Alpharetta community.

IV. CONCLUSION

For the foregoing reasons, the Applicant respectfully requests that the City grant the requested land use petitions as submitted. Please also note that the Applicant's required constitutional and ante litem notice is attached hereto at **Exhibit "A"**.

If there are any questions about these requests, please feel free to contact me at 404-665-1243 or jarnold@pftlegal.com. Thank you.

Sincerely,

PURSLEY FRIESE TORGRIMSON

G. Douglas Dillard
Jill S. Arnold
R. Baxter Russell

Exhibit A

REQUIRED CONSTITUTIONAL AND ANTE LITEM NOTICE

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

The portions of the Alpharetta Unified Development Code, facially and as applied to the Property, which restrict the Property to any uses, land use designations, conditions, land use designations, development standards, or to any zoning districts other than that proposed by the Applicant are unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Alpharetta Unified Development Code, facially and as applied to the Property, which restricts the Property to any uses, conditions, land use designations, development standards, or to any zoning classifications other than in accordance with the application as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would be unconstitutional under the Takings Clause of the Fifth Amendment to the Constitution of the United States and the Just Compensation Clause of Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983. A refusal by the City of Alpharetta to grant the applications as requested would constitute a taking of the Applicant's property. Because of this unconstitutional taking, the City of Alpharetta would be required to pay just compensation to the Applicant in the amount of $12,000,000.00.

A denial of this Application would constitute an arbitrary and capricious act by the Alpharetta City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal to grant the requested rezoning, comprehensive plan amendment, or variances would lack objective justification and would result only from neighborhood opposition, which would constitute an unlawful delegation of the zoning power to

non-legislative bodies in violation of the Georgia Constitution, Article IX, Section II, Paragraph 4.

A refusal by Alpharetta City Council to grant the rezoning, comprehensive plan amendment, master plan amendment, conditional use or variance requests in accordance with the criteria requirements as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the Property, or approval of the Application, subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to a unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

The existing zoning classification is unconstitutional. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the City an opportunity to revise the Property to a constitutional classification. If action is not taken by the City to rectify this unconstitutional zoning classification within a reasonable time, a claim will be filed in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Property, diminution of value of the Property, attorney's fees and not less than $12,000,000.00 in other damages arising out of the unlawful deprivation of the Applicant's property rights.

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: Amber Park Drive-Mixed Use Development

Contact Name: Jill Arnold Telephone: 404-665-1243

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.

Property owners within 500 ft.; please see attached.

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.

Individuals will have the opportunity to respond by letter, telephone, or email.
Jill Arnold, Esq.
1230 Peachtree St. NE, Suite 1200
Atlanta, GA 30309
404-665-1243
jarnold@pftlegal.com

AGARWAL ANKITA & SHAH NIKHIL P
2618 KENTWOOD LANE
ALPHARETTA, GA 30009

ANDERSON DOROTHY MAE
165 KIMBALL BRIDGE RD
ALPHARETTA, GA 30004

ASHTON ATLANTA RESIDENTIAL L L C
3820 MANSELL RD STE 300
ALPHARETTA, GA 30022

AVALON NORTH LLC
2200 AVALON BLVD
ATLANTA, GA 30309

CARTER CHESTENE M
218 BAILEY JOHNSON RD
ALPHARETTA, GA 30004-2203

CHUNG WU PETER DII &
WU CATHERINE JEN
2715 CANOPY CIR
ALPHARETTA, GA 30009

DANIELS PAUL J &
DANIELS MARGARET D
2624 KENTWOOD LANE
ALPHARETTA, GA 30009

FIFTH THIRD BANK
38 FOUNTAIN SQUARE PLAZA
CINCINNATI, OH 45202-3191

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE
ATLANTA, GA 30315

GANGE LLC
161 KIMBALL BRIDGE RD STE 100
ALPHARETTA, GA 30009

GEORGIA POWER COMPANY
TAX DEPT BIN 10120
241 RALPH MCGILL BLVD NE
ATLANTA, GA 30308-3374

GEORGIA POWER COMPANY
TAX DEPT BIN 10120
241 RALPH MCGILL BLVD NE
ATLANTA, GA 30308-3374

GEORGIA POWER COMPANY
TAX DEPT BIN 10120
241 RALPH MCGILL BLVD NE
BIN 10151
ATLANTA, GA 30308-3374

JW HOMES LLC
4125 ATLANTA RD SE
SMYRNA, GA 30080

JW HOMES LLC
4125 ATLANTA RD SE
SMYRNA, GA 30080

KALIFEH ANDY & SUSAN
1050 CANTON ST
ROSWELL, GA 30075-3644

KIMBALL BRIDGE WALK HOMEOWNERS ASSN INC
1100 NORTHMEADOW PKWY STE 114
C/O ACCESS MANAGEMENT GROUP
ROSWELL, GA 30076

KIMBALL BRIDGE WALK HOMEOWNERS ASSN INC
1100 NORTHMEADOW PKWY STE 114
ROSWELL, GA 30076

LAMATTINA FRANCINE & ANGELA
2626 KENTWOOD LANE
ALPHARETTA, GA 30009

LI HELEN T
6726 GUNSTOCK LN
TUCKER, GA 30084

NEGRIN ONE LLC
27234 N 102ND ST
SCOTTSDALE, AZ 85262-8327

NLB NORTHWINDS LLC
20 HEARDS OVERLOOK CT
ATLANTA, GA 30328

PATEL AAKASH Y & DESAI ANKITA A
2622 KENTWOOD LANE
ALPHARETTA, GA 30009

PRADO AVALON LLC
3425 DULUTH PARK LANE
DULUTH, GA 30096

REEDER KATHRYN
2845 OLD MILTON PKWY
ALPHARETTA, GA 30004-2230

ST JAMES UNITED METHODIST CHURCH INC
3000 WEBB BRIDGE RD
ALPHARETTA, GA 30009

STATE OF GEORGIA
47 TRINITY AVE SUITE G02
ATLANTA, GA 30334

STATE OF GEORGIA
47 TRINITY AVE SUITE G02
ATLANTA, GA 30334

WBCMT 2007 C31 AMBERPARK LIMITED PARTNERSHIP
1601 WASHINGTON AVE SUITE 700
MIAMI, FL 33139-3164

WBCMT 2007 C31 AMBERPARK LIMITED PARTNERSHIP
1601 WASHINGTON AVE SUITE 700
MIAMI, FL 33139-3164

WHILEAWAY HOLDINGS LLC
2520 NORTHWINDS PKWY STE
285
ALPHARETTA, GA 30009

WINDWARD EYE GROUP LLC
5315 WINDWARD PKY SUITE F
ALPHARETTA, GA 30004

TRAFFIC Trip Generation- Parkway 400

Existing Zoning Approval

Use	Program	AM Peak Factor	AM Peak	PM Peak Factor	PM Peak	Total Trips Per Day Factor	Total Trips Per Day
Office	630,000 SF	1.56	983	1.49	939	11.01	6936
TOTALS			**983**		**939**		**6936**

Proposed Project Program

Use	Program	AM Peak Factor	AM Peak	PM Peak Factor	PM Peak	Total Trips Per Day Factor	Total Trips Per Day
Retail	6,000 SF	1.03	6	3.74	22	24.92	258
Office	450,000 SF	1.56	702	1.49	671	11.01	4955
Residential (Multi-Family)	325 Units	0.51	166	0.62	202	6.65	2161
Live Theater	10,000 SF	0	0	0.02	200	0.02	200
TOTALS			**874**		**1095**		**7574**

WBA ARCHITECTURE - INTERIORS - PLANNING

CONCEPTUAL

PARKWAY 400
ALPHARETTA, GA

GREENSTONE PROPERTIES

WAKEFIELD BEASLEY & ASSOCIATES ARCHITECTS, INC | WWW.WBASSOCIATES.COM | ATLANTA - JACKSONVILLE - DUBAI - PANAMA

DISCLAIMER: THIS SITE PLAN WAS PRODUCED FOR PLANNING PURPOSES ONLY. THIS DRAWING, THE SITE PLAN LAYOUT, AND ANY INFORMATION DERIVED FROM THIS GRAPHIC ARE ALL PRELIMINARY IN NATURE AND IS SUBJECT TO CHANGE PENDING FINAL DESIGN AND SITE PLAN APPROVAL. THIS PLAN WAS MADE ON SURVEY AND BASE INFORMATION PROVIDED BY OTHERS AND THUS WAKEFIELD BEASLEY AND ASSOCIATES IS NOT RESPONSIBLE FOR THE ACCURACY OF THE BASE INFORMATION.

WBA ARCHITECTURE · INTERIORS · PLANNING

CONCEPTUAL

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WBA ARCHITECTURE - INTERIORS - PLANNING

CONCEPTUAL

PARKWAY 400
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CLUP-17-07/MP-17-06/Z-17-20/CU-17-18/
12/29/17 GREENSTONE PKWY 400 V-17-44

12692

PURSLEY FRIESE TORGRIMSON, LLP

DATE : 12/28/2017
CHE # : 12692
AMOUNT : $4,245.00
ACCOUNT: GENERAL - 1
PAID TO: City of Alpharetta

Filing Fee

CLIENT: 1442 - Greenstone Parkway 400, LLLP
MATTER: 3934

12692

PURSLEY FRIESE TORGRIMSON, LLP
1230 PEACHTREE ST. NE STE. 1200
ATLANTA, GA 30309

SUNTRUST
ACH RT 061000104
64-10-610

Dec/28/2017 $4,245.00
DATE AMOUNT

Four Thousand Two Hundred Forty Five ********** 00/100

PAY TO THE ORDER OF City of Alpharetta

AUTHORIZED SIGNATURE

Filing Fee

⑈0012692⑈ ⑆061000104⑆1000147965874⑈

PURSLEY FRIESE TORGRIMSON, LLP 12692

DATE : Dec/28/2017
CHE # : 12692
AMOUNT : $4,245.00
ACCOUNT: GENERAL - 1
PAID TO: City of Alpharetta
Filing Fee
CLIENT: 1442 - Greenstone Parkway 400, LLLP
MATTER: 3934
LAWYER: G Douglas Dillard
c/o Chris Scott
3301 Windy Ridge Parkway, Suite 320
Atlanta
GA
30339
USA
Rezoning +/- 15 acres at Amber Park Drive / Northwinds Parkway

** GENERAL BALANCES **
UNBILLED DISBS: 0.00
A/R BALANCE : 0.00

** TRUST BALANCES **
Trust Acct 1: 5000.00

TRUST BALANCE : 5000.00

PRODUCT SSLM102 USE WITH 91500 ENVELOPE PRINTED IN U.S.A.

DONNA ATELIER

CITY COUNCIL MEETING
STAFF REPORT

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

I. **AGENDA ITEM TITLE:** Z-18-08/CU-18-07/V-18-13 THE PORCH SPECIAL EVENTS FACILITY/MATILDA'S OUTDOOR MUSIC VENUE

PLANNING COMMISSION: SEPTEMBER 6, 2018

CITY COUNCIL: SEPTEMBER 24, 2018

II. **RECOMMENDATION:**

Approve Z-18-08/CU-18-07/V-18-13 The Porch Special Events Facility/Matilda's Outdoor Music Venue, subject to the following conditions:

1. The site, consisting of approximately 2.22 acres, shall be zoned DT-MU.
2. 'Amphitheater' and 'Recreation Facilities, Indoor & Outdoor' shall be added as a conditional use at 531 South Main Street and limited to a maximum capacity of 200 people at any one time.
3. Conditional use approval shall be limited to Matilda's outdoor music venue; no additional 'Amphitheater' businesses or subleasing shall be permitted in the approved outdoor area depicted on the submitted plan.
4. Conditional use approval shall be limited to The Porch; no additional 'Recreation Facilities, Indoor and Outdoor' businesses or subleasing shall be permitted within the approved space.
5. Exterior modifications to existing buildings and new permanent structures, visible from South Main Street or Wills Park, shall require approval by DRB.
6. Special events facility and outdoor music venue operations shall not overlap.
7. Hours of operation for Matilda's music venue shall be limited to Friday & Saturday, 5:00 PM – 11:00 PM from April to November.
8. The Porch special event facility shall cease operations no later than 11:00 PM.
9. Building permits and sign permits shall be secured for all associated improvements on the property, except that portable restrooms and tents under 400 SF (with no cooking or heating) shall not require a permit.
10. Property owner shall provide a dumpster within an enclosure prior to issuance of a Certificate of Occupancy for the barn.
11. Parking attendant shall be provided for all special events associated with Matilda's and The Porch.
12. Grass area around the existing parking lot may be used for parking, as depicted on the parking plan. There shall be no parking underneath trees.
13. Property owner shall provide for the regular maintenance of grass areas used for parking. Thinning or bare areas shall be sodded within 14 days. If in the future the City finds the grass parking areas are not being maintained, all required parking shall be paved.
14. There shall be no outside storage on the property. Equipment associated with the special event facility and outdoor music venue shall be removed from the property within 24 hours of completion of an event.
15. Property owner shall install required parking lot screening shrubs and landscape strip along South Main Street, as approved by Staff. Wooded area, along South Main Street and near the barn, shall be supplemented with evergreens to provide an opaque screen, as approved by Staff. Landscaping shall be installed within 90 days from approval of the conditional use.
16. An accessible route from the parking area to the venue shall be provided in compliance with 2010 ADA Standards/2012 NFPA-101.

III. REPORT IN BRIEF:

The applicants, John Morley and Mary Jane Potter, are requesting rezoning of a 2.22-acre property from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed Use) and a conditional use to allow 'Amphitheater' for Matilda's outdoor music venue and 'Recreation Facilities, Indoor and Outdoor' for a special events facility at The Porch. A variance is requested to allow required parking on grass areas. The subject property is located at 531 South Main Street on the north side of South Main Street and east of Wills Road.

DISCUSSION

The submitted request, if approved, would permit an 'Amphitheater' for Matilda's outdoor music venue and 'Recreation Facilities, Indoor and Outdoor' for a special events facility at The Porch. Rezoning is requested for the 2.22-acre property from C-1 (Neighborhood Commercial) to DT-MU (Downtown Mixed Use) and conditional use permits to allow both uses. A variance is requested to allow grass parking. The subject property is located at 531 South Main Street on the north side of South Main Street and east of Wills Road.

The property is located in the Downtown Overlay and is developed with a 3,456 square foot historic structure built in 1919 and known as the Earl Wood House. The structure is on the City's List of Contributing Historic Structures and is an example of southern farmhouse architecture. The building is currently being used for The Porch, which is an antique and home décor business. A 2,200 (47' x 47') square foot barn is located to the east of the parking lot. There are 28 surface parking spaces on the property.

The zoning of the property is C-1, which requires rezoning and conditional use approval to allow the proposed uses. Surrounding properties are zoned C-2 (General Commercial) to the east and south, SU (Special Use) to the north and C-1 to the west and south. Wills Park is located to the north, Waffle House to the west, Northfall Professional Park to the east and an undeveloped parcel, Public Storage and small retail building are located to the south.

Unified Development Code (UDC) Section 1.4.2 defines 'Amphitheater' and 'Outdoor Storage' as follows:

> "*Amphitheater.* An outdoor area designed or intended for the projection of sound to be heard by a nearby audience."
>
> "*Recreation Facility.* A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.
>
> 1. Recreation Facilities, Indoor. Recreational uses conducted almost wholly indoors, including bowling alley, skating rink, shooting range, health club, etc."

The applicant is requesting a variance to allow parking on grass areas of the property. Unified Development Code (UDC) Subsection 2.5.5(B) requires off-street parking lots to be surfaced with concrete or asphalt. The applicant's parking plan shows that 49 spaces can be accommodated in grass areas surrounding the existing parking lot, which brings the total number of parking spaces to 77 spaces. The UDC requires one (1) parking space for every four (4) seats, plus one (1) employee space for every ten (10) seats. The applicant proposes a maximum capacity of 200 persons; therefore, public assembly use would generate a need for 70 parking spaces. The outdoor music venue and special events facility will not operate on a regular schedule, with additional parking spaces only needed on certain occasions. The applicant also

provided an agreement with the adjacent property owner to utilize that property, 501 South Main Street, for overflow parking. The adjacent property has 50 parking spaces and is developed with service retail and office uses that would not conflict with events at Matilda's or The Porch.

Matilda's has been holding outdoor concerts since 2005, formerly conducting business on a site located approximately ¼-mile to the east at 377 South Main Street. Matilda's recently received approval from the City of Milton to operate an outdoor music venue at a site in Milton. It is the intent of the applicant to alternate music events between the Milton and Alpharetta locations on Friday and Saturday evenings between the months of April to November. Concerts typically begin at 7:00 PM and end at 10:30 PM.

Matilda's is currently holding outdoor concerts at the subject property through a temporary use permit. A temporary stage is being used with seating on the lawn in front of the stage. The area for the stage and lawn seating is approximately 108' x 112' and is located behind the existing barn on the east side of the property. A wooded area screens the outdoor music venue from South Main Street.

The Porch on South Main was established in 2013 and is a home interiors design store featuring antiques, furniture, art, lighting and bedding. The business owner, Lynn Morley, would like to expand the business to include a special events facility for weddings, birthday parties and other special events. According to the applicant, the Earl Wood House, barn and outdoor areas of the site would be used for special events. The applicant acknowledges that the barn will require life safety improvements in order to be used as a place of assembly. The Porch currently operates on Tuesday – Saturday 10:00 AM – 5:00 PM. The special events facility will not operate at the same time as The Porch retail store or Matilda's music venue. The special events facility would be utilized mainly on the weekends and evenings, with operations ending by 11:00 PM.

GDOT has a roadway project along South Main Street, which includes a 10' multi-use sidewalk adjacent to the applicant's property. The GDOT project will not require additional right-of-way from the subject property, only temporary construction easements to facilitate the re-construction of driveways. The existing strip of land between the sidewalk and parking lot along South Main Street will remain, which provides planting area to accommodate required landscape strip and parking lot screening material.

TRAFFIC

ITE trip generation rates are not provided for the proposed uses as they are considered special events. Arrivals are assumed to be 45 minutes before to 15 minutes after the event begins. The applicant estimates a 200-person maximum capacity at any one time for the proposed uses. Using the City's parking requirements, approximately 70 vehicles are anticipated for each event. Most events would likely occur outside of the typical peak traffic times.

STANDARDS FOR ZONING CHANGES

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

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

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The applicant's proposal should not have impacts on the natural environment, as the applicant does not propose any tree removal. Staff recommends conditions requiring the maintenance of grassed areas used for parking.

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

Response: The applicant's proposed uses are not permitted within the subject property's current zoning district, which is C-1 (Neighborhood Commercial). However, the property has a future land use plan designation of Mixed Use, which allows the DT-MU (Downtown Mixed-Use) zoning district. The proposed uses are conditional uses in the DT-MU district.

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

Response: The zoning proposal should not have significant impacts on public facilities or services as the use of the property continues to be commercial. The proposal would represent an increased demand on roads, police and fire, as well as trash service. Staff recommends conditions requiring dumpster facilities.

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

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

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

Response: The applicant's zoning proposal reflects a reasonable balance. Surrounding properties are commercial and Wills Park; therefore, there would be no impacts to residential properties due to noise. The property has access from South Main Street, which is an arterial road capable of handling the traffic generated by the proposed uses.

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

Response: The applicant's proposed uses are not permitted within the subject property's current zoning district, which is C-1 (Neighborhood Commercial). However, the property has a future land use plan designation of Mixed Use, which allows the DT-MU (Downtown Mixed-Use) zoning district. The proposed uses are conditional uses in the DT-MU district.

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

Response: The proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use'.

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: Sufficient vehicular and pedestrian access is provided to the subject property. The proposed uses should not have significant impacts on vehicular and pedestrian access, as both uses will operate during non-peak times.

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

Response: There are 28 existing surface parking spaces associated with the property. According to the applicant, another 49 parking spaces can be accommodated in grass areas surrounding the existing parking lot. Trash service is currently handled through four (4) roll-out container. If approved, staff recommends a condition requiring the provision of a dumpster and enclosure to support all uses on the property. In addition, conditions are recommended requiring screening of the parking lot and installation of the required landscape strip along South Main Street.

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 uses would be compatible with the uses approved in the Downtown and would not be injurious or diminish the property values of surrounding properties. The property is surrounded by commercial uses and Wills Park; therefore, noise should not be a problem.

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 uses approved and developed in the Downtown and should have little impact on the development of surrounding properties. The conditional use should not have significant impacts on development in the area. If approved, conditions are recommended limiting expansion of the business and requiring a dumpster enclosure, screening and landscaping.

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 character of the Downtown. The conditional use should not have significant impacts on development in the area. If approved, conditions are recommended limiting expansion of the business and requiring a dumpster enclosure, screening and landscaping.

VARIANCE REQUIREMENTS

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

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

Response: Not applicable.

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

Response: Parking to support the proposed uses will not be used on a regular basis. Therefore, Staff can support the request to allow parking on grass areas of the property. Verizon Amphitheater received variance approval in 2007 to allow grass parking. In addition, the applicant states that they have

permission to utilize the adjacent property for overflow parking. Conditions are recommended providing for the regular maintenance of grass areas used for parking.

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

Response: Parking to support the proposed uses will not be used on a regular basis. Therefore, Staff can support the request to allow parking on grass areas of the property. Verizon Amphitheater received variance approval in 2007 to allow grass parking. In addition, the applicant states that they have permission to utilize the adjacent property for overflow parking. Conditions are recommended providing for the regular maintenance of grass areas used for parking.

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

Response: The applicant's proposal would not cause a substantial detriment to the public good, if conditions are placed on the property requiring regular maintenance of grass areas used for parking.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it can generally support the request for rezoning, conditional use and variance, if conditions are approved requiring regular maintenance of grass parking areas. The request is not in conflict with the established conditional use criteria and the requested zoning is appropriate given the 'Mixed Use' future land use designation of the property. The proposed outdoor music venue and special events facility would complement other Downtown development and there are no residential uses in the area that could be impacted by noise. The combination of surface and grass parking would satisfy the City's parking requirements for all uses. Verizon Amphitheater received variance approval in 2007 to allow grass parking. In addition, the applicant has an agreement to utilize the adjacent property for overflow parking. If approved, it is recommended that conditions be established as part of this application that regulate and limit any expansion of the businesses to no more than 200 persons at any one time.

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.

City Staff received a letter from Northfall Office Condo Association, Inc., which is located to the east of the subject property. The property owner had concerns over noise, provision of sufficient on-site parking to support the proposed uses, and no overflow parking on the Northfall property without prior written authorization.

IV. ATTACHMENTS:

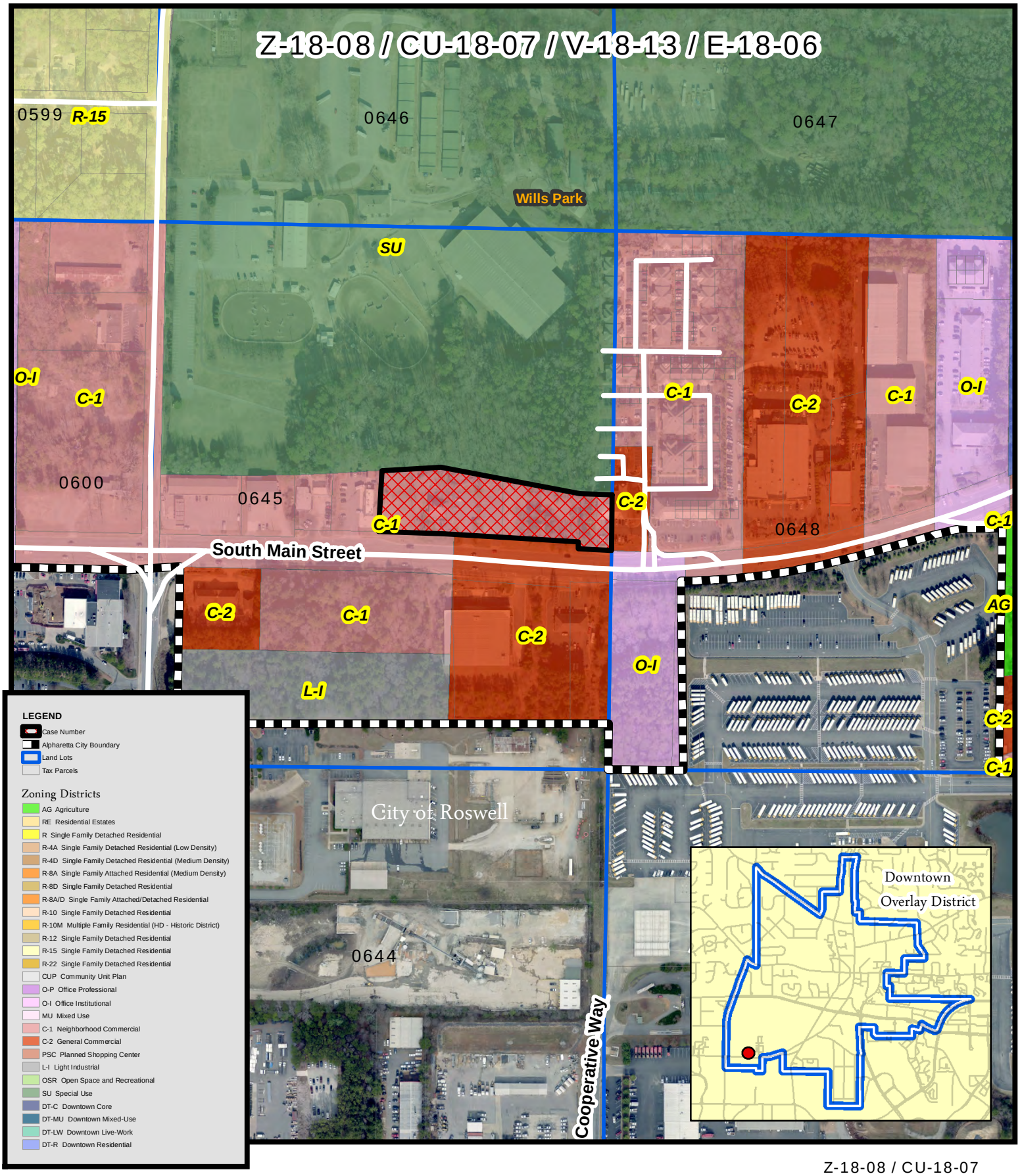
- Site Plan

Aerial Map
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS

THE CITY OF ALPHARETTA

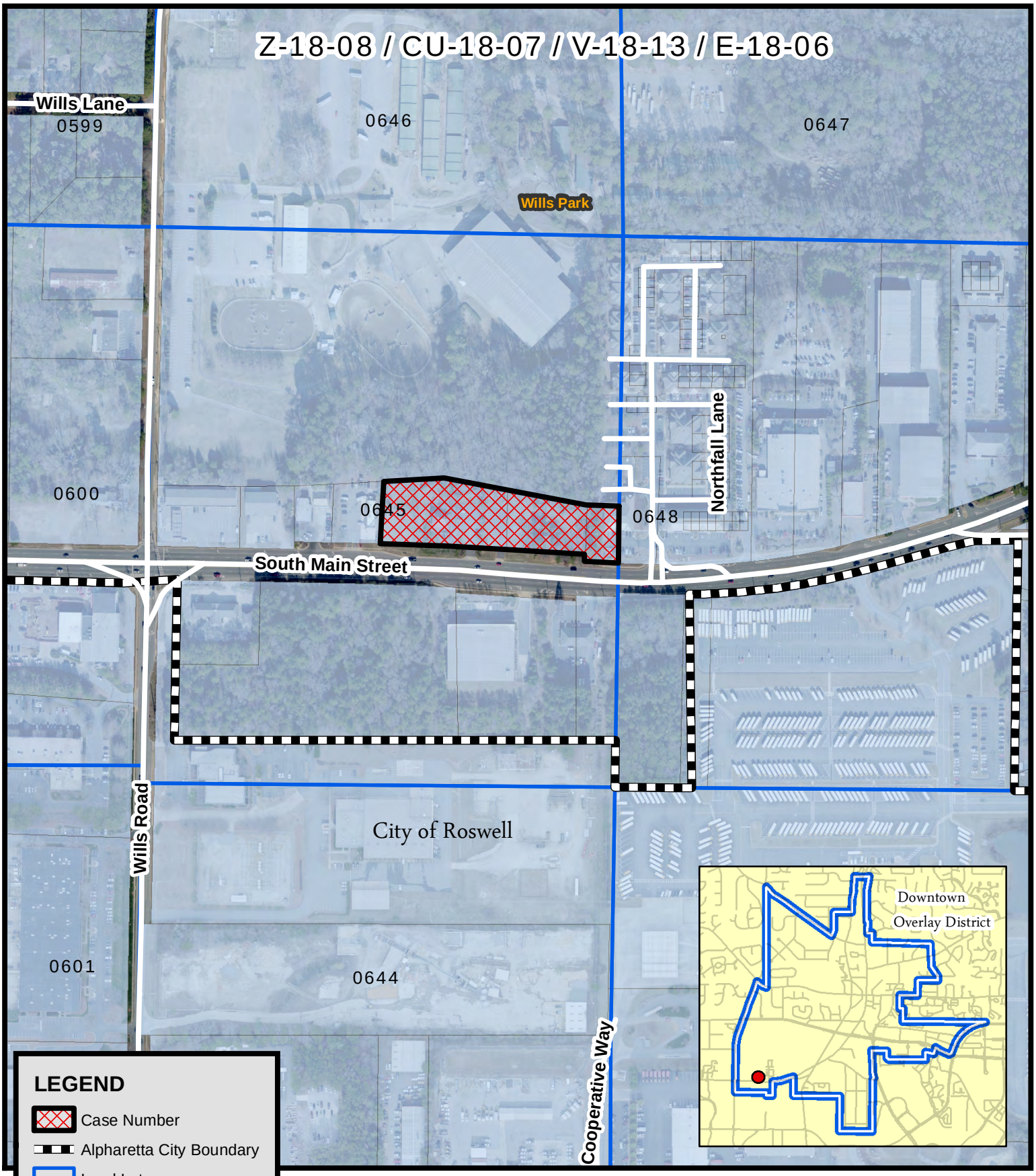


Zoning Map
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS

THE CITY OF ALPHARETTA

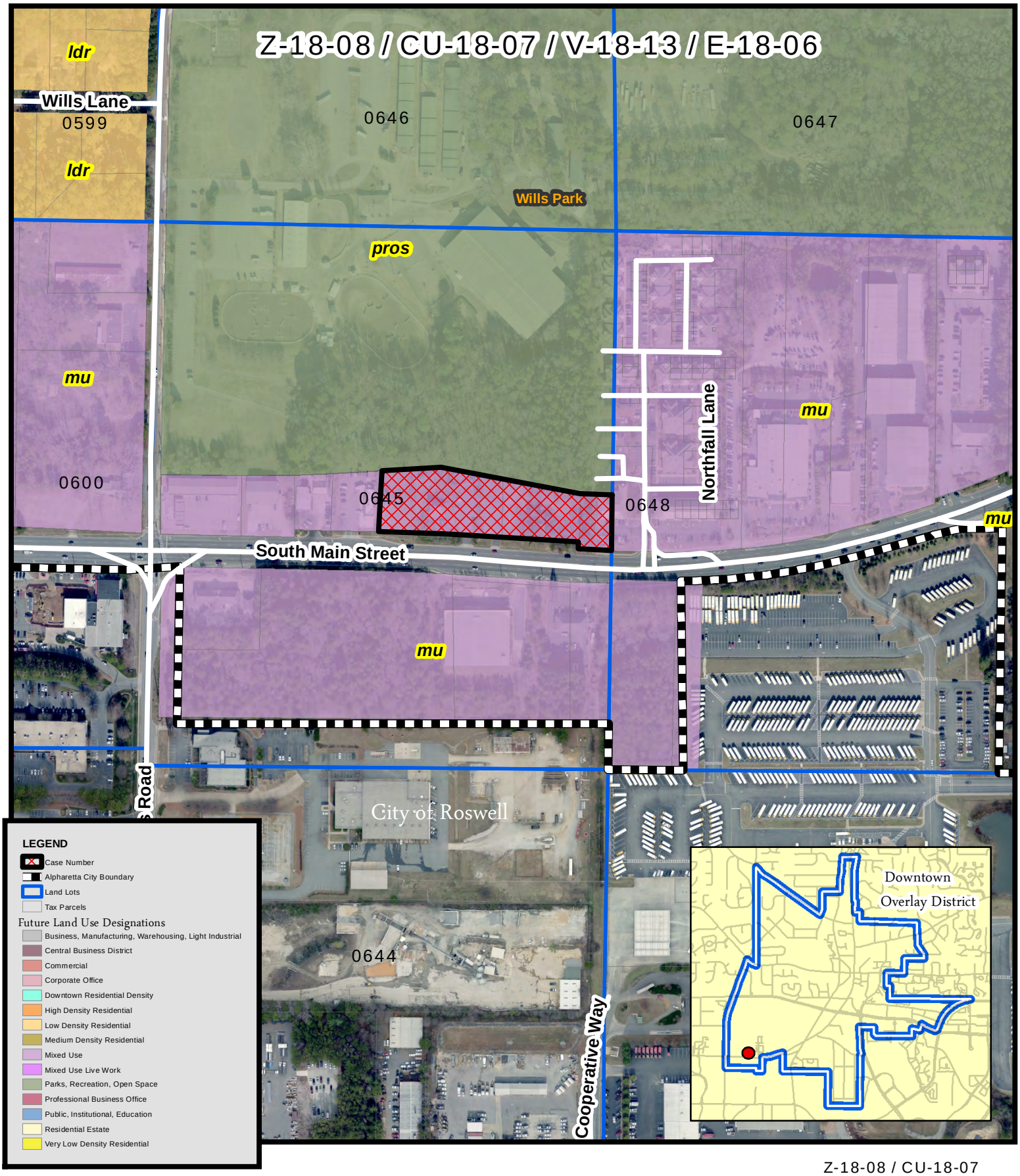


Location Map
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS

THE CITY OF ALPHARETTA



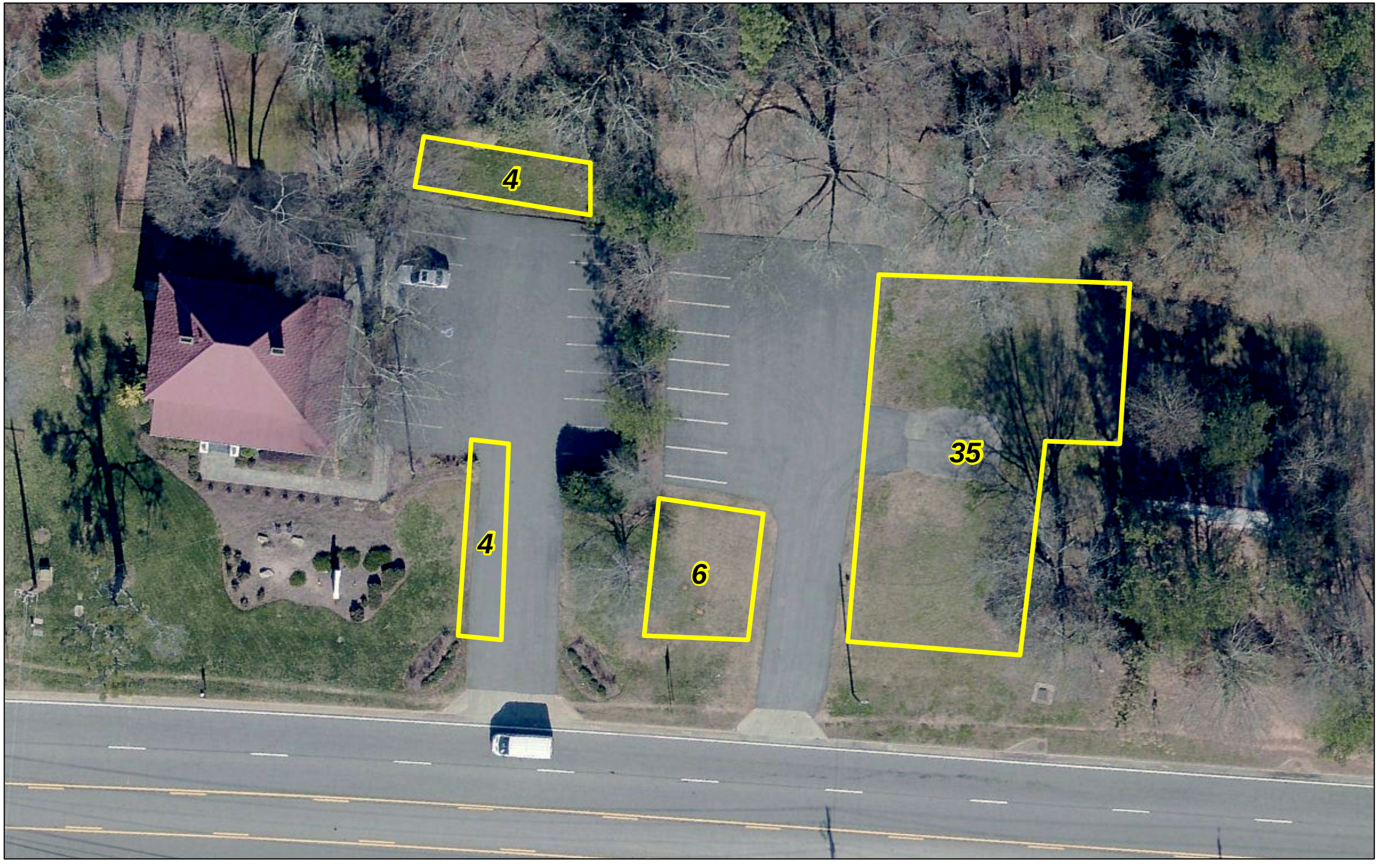
Future Land Use
The Porch - Event Facility
531 South Main Street

Z-18-08 / CU-18-07
V-18-13/E-18-06
D/LL: 1/2/645
PC Date: 9/06/18
CC Date: 9/24/18

Location Map Provided by:
Community Development - GIS

THE CITY OF ALPHARETTA

Parking Plan



PARKING AGREEMENT

Mike Eskandari
North Fulton Pharmacy P.C.
501 South Main Street
Alpharetta, GA 30009

Reference: Additional Parking

Mike Eskandari agrees to allow Morley Holdings Inc. up to 50 parking spaces on off hours.

Morley Holdings Inc. will provide insurance certificate, hold harmless agreements, and a parking attendant to direct cars that are parking and/or leaving.

Morley Holdings Inc. is responsible for any and all cleanup which may be directly from any event at The Porch/Matilda's.

Morley Holdings Inc. agrees to pay a minimum of $3,000.00 per year and after twelve (12) events at The Porch, Morley Holdings Inc. agrees to pay a fee of $250.00 per event, payment due upon city of Apharetta approval and Matilda's agrees to pay a fee of $5.00 per car per event.

Mike Eskandari
Owner

8/30/18

John J. Morley
Morley Holdings Inc.

501 S Main St
Google Ear

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: Rezoning property at 531 and 535 S Main Street from C-1 to DT-MU for The Porch and Matilda

Contact Name: Mary Potter

Telephone: 678-480-6932

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 main concerns were noise, increased traffic, and parking.

See attached documentation

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
- [x] Telephone
- [x] Email
- [ ] Personal Visits
- [ ] Group Meeting
- [ ] 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: Mary Jan Potter

Date: 8-15-2018

Gmail

Response to notification sent out for rezoning

4 messages

John Morley <johnmorley@morleycompany.com> Wed, Aug 15, 2018 at 10:01 AM
To: matildasartandmusic@gmail.com

Good morning Mary Jane

I received a phone call from the president of the North Falls Association on the approx. 3 pm on Monday August 13, 2018 . The North Falls Association had a meeting and there were some concerns about the music amphitheater. They have a couple of residents who keep their business open till 9 pm. I explain the concept of Matidas which they haven't heard of and after a short conversation he expressed he didn't think this would be an issue.

Thank you

John Morley

Morley Companies

7560 Industrial Court

Alpharetta, Georgia 30004

Office: 770-569-1100

Fax: 770-569-9552

Cell: 404-372-8670

johnmorley@morleycompany.com

Web: www.morleycompany.com

Matildas Art and Music <matildasartandmusic@gmail.com> Wed, Aug 15, 2018 at 10:01 AM

August 6, 2018

City of Alpharetta
2 Park Plaza
Alpharetta, Ga 30009

RE: Rezoning Application by Morley Holdings, LLC located at 531 and 535 South Main Street, Alpharetta, Ga: rezoning from C-1 to DT-MU.

Dear Property Owner:

Morley Holdings, LLC has filed an application to rezone 2.3 acres on South Main Street from C-1 to DT-MU to permit the property to be used as an event facility for The Porch on South Main and the amphitheater outdoor music venue for Matilda's.

In the event that you may have concerns please respond to us so we can send those reports to the City by August 15th.

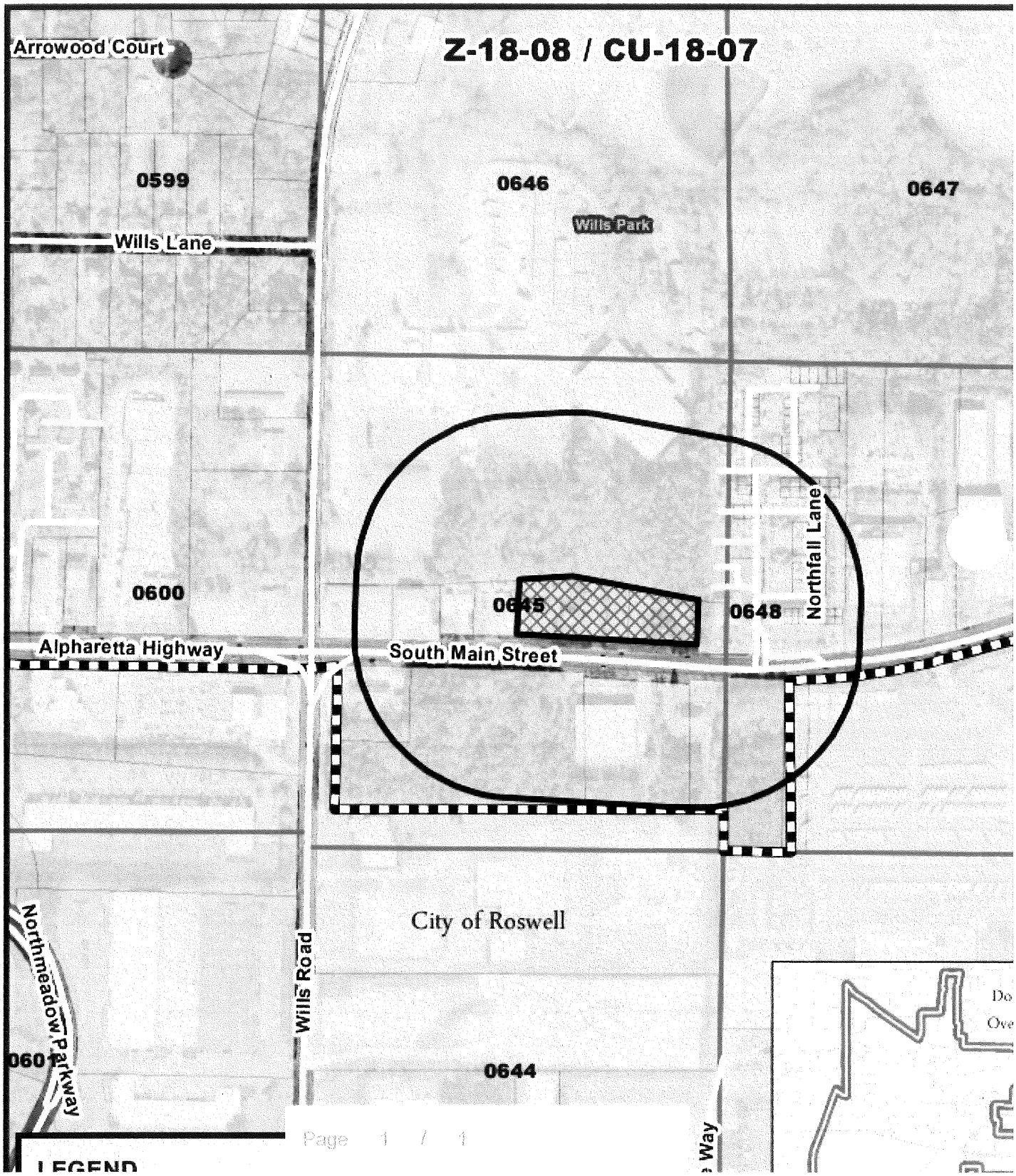
The Planning Commission meeting is scheduled for Thursday, September 6, 2018, 6:30 pm at City Hall. The City Council meeting is scheduled for Monday, September 24th, 6:30 pm at City Hall. The public hearing will take place at the Alpharetta City Hall Council Chambers located at 2 Park Plaza, Alpharetta, Ga. 30009 If you would like additional information, please contact Mary Potter at 678-380-6932 or Lynn and John Morley at 404-372-8670 or email matildasartandmusic@gmail.com or Lynn@theporchonsouthmain.com.

A site plan is attached for your consideration.

Sincerely,

John Morley
Morley Holdings, LLC

Buffer Map.pdf Open with



500 S MAIN ST LLC
P O BOX 922028
NORCROSS GA 30010

AUTO-BRITE INC
1710 ALPHARETTA HWY
ALPHARETTA GA 30009

BROWNE BEVERLY
11785 NORTHFALL LN # 509
ALPHARETTA GA 30004

CHEN SHYHHER H & HUANG SHUCHI
1424 MURDOCK RD
MARIETTA GA 30062

CHIPPS EDWARD A DDS LLC
11790 NORTHFALL LN # 401
ALPHARETTA GA 30004-7965

CITY OF ALPHARETTA
2 SOUTH MAIN ST
ALPHARETTA GA 30004-0117

CREEKSIDE SERVICES GROUP LLC
11790 NORTHFALL LN # 403
ALPHARETTA GA 30004

D ARVILLE DAVID F & MARY JANE
11775 N FALL LN # 201
ALPHARETTA GA 30004

D ARVILLE DAVID F & MARY JANE
215 MARNE AVE
HADDONFIELD NJ 08033

DAMAGHI KAMBIZ TR
80 CUTTERMILL RD STE 500
GREAT NECK NY 11021

EECHAMPATI KRISHNA & ANUPAMA VENKATA
11785 NORTHFALL LN
ALPHARETTA GA 30004

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE
ATLANTA GA 30315

INFOMATICS CORP
23465 ROCK HAVEN WAY SUITE 100
STERLING VA 20166-4461

KAMMERER REAL ESTATE HOLDINGS LLC
P O BOX 81968
ATLANTA GA 30341

MAHALO HOLDINGS LLC
4808 RIVERVIEW WAY
DULUTH GA 30097

MC WILLIAMS SEAN
11800 NORTH FALL LN # S1402
ALPHARETTA GA 30004

MERIMAR1 LLC
140 HUNTERS RIDGE CT
ROSWELL GA 30076-1073

MORLEY HOLDINGS COFFEE PLANTATION LLC
14765 GLENN CREEK WAY
ALPHARETTA GA 30004

MORLEY HOLDINGS COFFEE PLANTATION LLC
7560 INDUSTRIAL CT
ALPHARETTA GA 30004

O CALLAGHAN JAS P III & JUDITH
1395 BEREA RD
COMMERCE GA 30530

ORPINE PROPERTIES LLC
11785 NORTHFALL LN # 504
ALPHARETTA GA 30004

PRASANTH PROPERTIES LLC
416 PIRKLE FERRY RD SUITE H 400
CUMMING GA 30040

PRASANTH PROPERTIES LLC
2405 HAMPTONS PSGE
ALPHARETTA GA 30005

PS SOUTHEAST TWO LLC
701 WESTERN AVE
GLENDALE CA 91201

RAHMAN PROPERTIES LLC
3015 WHISPERING HILLS DR
ATLANTA GA 30341

REDDRUM PROPERTIES LLC
5330 HUNTERS OAKS DR
ALPHARETTA GA 30009

ROVETEX PROPERTIES LLC
11810 NORTHFALL LN # 1203
ALPHARETTA GA 30004

ROYAL NORTHFALL LLC
2655 HERMITAGE DR
CUMMING GA 30041

SARVI INVESTMENT PARTNERS LLC
1440 WAVERLY GLEN DR
ALPHARETTA GA 30004

SHAH D N
1670 HWY 9 SOUTH
ALPHARETTA GA 30009

SHAMSI ALBERT A
1006 CHERBURY LN
ALPHARETTA GA 30022

SWISS PROPERTIES OF GA LLC
11785 NORTHFALL LN STE 510
ALPHARETTA GA 30009

SYED IMRAN A
11800 NORTHFALL LN # 1401
ALPHARETTA GA 30004

T AND D KING FAMILY LTD PARTNERSHIP LLLP
1125 MOUNTAIN IVY DR
ROSWELL GA 30075

V &T PROPERTY LLC
P O BOX 1294
SUWANEE GA 30024

WAFFLE HOUSE INC
P O BOX 6450
NORCROSS GA 30091

WALLER THOMAS B
128 SAVANNA ESTATES DR
CANTON GA 30115

WHITE RANCH LLC
4050 ROCKINGHAM DR
ROSWELL GA 30075

WILLS ROAD LLC
5481 MORTON RD
ALPHARETTA GA 30022

ZEE HOMES LLC
732 OLD NORCROSS TUCKER RD
TUCKER GA 30084-1621

7.10.18

Z-18-08/CU-18-08
MATILDA'S

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA180029

☐ Fee Paid Waived Initial: JK

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.

RECEIVED JUL 2018 RECEIVED BY Community Development

Contact Information:

Contact Name: MARY JANE POTTER Telephone: 678-480-6932

Address: 1219 Hwy 246 Suite:

City: Dillard State: Ga Zip: 30537 Fax:

Mobile Tel: 678-480-6932 Email: matildasartandmusic@gmail.com

Subject Property Information:

Address: 531 and 535 S. Main Street Current Zoning: C-1

District: 1st Section: 2nd Land Lot: 645 Parcel ID:

Proposed Zoning: OTMU Current Use: C-1 Retail

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?

Our intent is to use the property as an outdoor music venue every Friday and/or Saturday night from 7pm to 10:30 pm during the months of late April through early November. The average number of tickets sold is between 100 and 150 and occasionally up to 200. A temporary stage is set up with the audience seated on the lawn in from of the stage.... The estimated size of the space is 108' x 112'.

Additional Parking may be available for overflow with permission granted verbally and more formal agreement to come.

Applicant's Request (Please itemize the proposal):

We are requesting the property be rezoned from C-1 to DTMU to allow for a music venue and small event facility.

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

Our intent is to relocate Matildas Music Venue, a small seasonal outdoor music listening room, to The Porch location which is just up the street from the original Matildas location at 377 S Main Street so as to keep a Matildas music venue in Alpharetta.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: MORLEY HOLDINGS Telephone: 404-372-8670

Address: 7560 Industrial Ct. Suite:

City: Alpharetta State: Ga Zip: 30009

Authorization:

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

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

- [ ] Annexation
- [ ] Special Use
- [x] Rezoning
- [x] Conditional Use
- [ ] Variance
- [ ] Master Plan
- [ ] Land Use Application
- [ ] Other

Identify Authorized Applicant:

Name of Authorized Applicant: MARY JANE POTTER Telephone: 678-480-6932

Address: 1219 Hwy 246 Suite:

City: Dillard State: Ga Zip: 30537

So Sworn and Attested:

Owner Signature: Date: 7/9/18

Notary:

Notary Signature: Date:

MEGAN FOREE
MY COMMISSION EXPIRES
NOTARY
PUBLIC
DECEMBER 9, 2018
CHEROKEE 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 (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: _____

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: _____ Date: 7-9-2018

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

There is no residential close to the music venue and most businesses will be closed during the hours concerts are performed.

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

The music venue will not have a negative impact on the surround properties.

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

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

There would be no increase in traffic as concerts are held when traffic is lower...

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?

The use would be compatible with the Alpharetta Comprehensive Plan.

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

N/A

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.

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

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

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.

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.

Sign Variance Review Criteria

Are there exceptional conditions pertaining to the property where the sign is to be located as a result of the property size, shape, or topography which are not applicable to other lands or structures in the area? If "yes," please explain.

☐ Yes

☐ No

Would the applicant be deprived of rights that are commonly enjoyed by others similarly situated? If "yes," please explain.

☐ Yes

☐ No

Would granting the variance confer on the applicant any significant privileges which are denied to others similarly situated? If "yes," please explain.

☐ Yes

☐ No

Are the exceptional circumstances the result of actions of the applicant or the applicant's representatives? If "yes," please explain.

☐ Yes

☐ No

Is the requested variance the minimum necessary to allow the applicant to enjoy rights commonly enjoyed by others similarly situated? If "no," please explain.

☐ Yes

☐ No

Would granting of the variance violate more than one standard of the Unified Development Code? If "yes," please explain.

☐ Yes

☐ No

Would granting the variance result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic? On a separate sheet or sheets, please defend your response.

☐ Yes ☐ No

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: MATILDAS MUSIC VENUE

Contact Name: MARY JANE POTTER Telephone: 678-480-6932

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

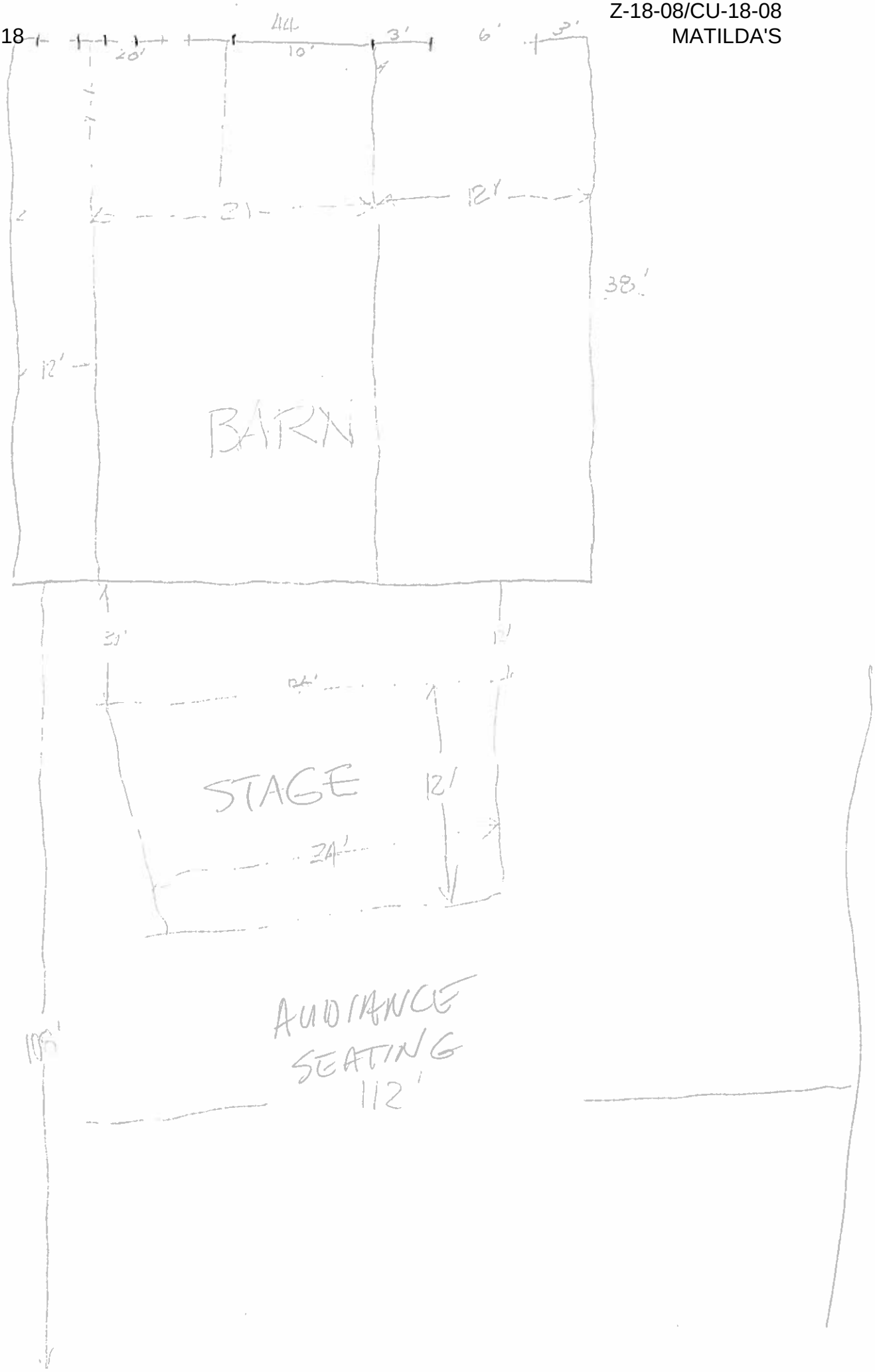
Please describe the method(s) by which these individuals will have the opportunity to respond or contact the applicant with questions or concerns about the proposal.

email - matildasartandmusic@gmail.com
phone - 678-480-6932

LETTER OF INTENT FOR SMALL EVENT FACILITY AND MUSIC VENUE

Our future intent is to be able to expand the use of the entire property and existing buildings to incorporate an event facility that will host weddings, receptions, corporate parties, and other such functions. Any current structures will be brought up to code and in compliance with City standards...

We currently have parking for up to 75 cars and utilizing the shopping center next door to the Porch we will have plenty of parking for larger events. A letter of permission from the adjoining property owner will be attached with the application. Also when needed a traffic cop will be hired to direct traffic....


44
20'
10'
3'
6'
3'
21
12'
38'
12'
BARN
30'
12'
24'
STAGE
12'
24'
AUDIANCE
SEATING
112'
116'

Z-18-08/CU-18-08
MATILDA'S

7.10.18

alphagis.alpharetta.ga.us

Meditations | Inbox (145) | (30) Facebook | Pandora Radi...d New Music | old bookmarks | Matildas Cott...ort Schedule | PodOmatic | ...ngs- Podcast | My Account | Wix.com | Wix HTML Editor | Apple - One to One

AlphaGIS - City of Alpharetta Mapping Application | Inbox (145) | Public App

ALPHARETTA

AlphaGIS City of Alpharetta GIS Mapping Application

531 S Main Street | Clear Map | Map | Aerial

City of Alpharetta | City of Alpharetta | City of Alpharetta, City of Roswell, City of Milton, City of Johns Cr...

arking 65 spaces
ould be more
ith valet.

BARN

STAGE

AUDIANCE
SEATING

Grass
27

20 Asphalt
8 Grass
28 total

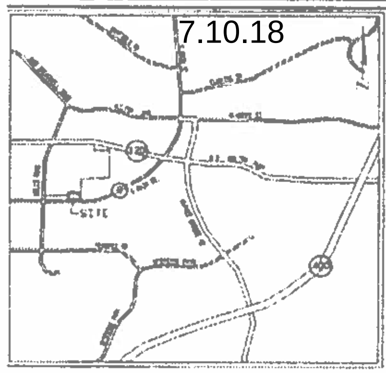
8 Asphalt
2 Grass
10

65 Total

Z-18-08/CU-18-08

MATILDA'S

7.10.18



LOCATION MAP
N.T.S.

NOTES CORRESPONDING TO ITEMS IN SCHEDULE B OF REFERENCE ITEM NO. 4

3. CONVEYANCE OF ACCESS RIGHTS FROM RIDGEVIEW MENTAL HEALTH FOUNDATION, INC. TO DEPARTMENT OF TRANSPORTATION, DATED OCTOBER 1, 1985, RECORDED IN DEED BOOK 9779, PAGE 240, FULTON COUNTY, GEORGIA RECORDS.
THIS ITEM REFERENCES A PLAN ATTACHED PREPARED BY GLEN PROPERTIES, INC. THAT HAS NOT BEEN FURNISHED TO THE SURVEYOR FOR REVIEW AND THUS CAN NOT BE PLOTTED. HOWEVER, IT DOES APPEAR TO AFFECT THE SUBJECT PROPERTY.
4. EASEMENTS CONTAINED IN RIGHT-OF-WAY DEED DATED APRIL 16, 1985, FROM JAMES W. GREEN TO FULTON COUNTY, RECORDED IN DEED BOOK 9471, PAGE 447, AFORESAID RECORDS.
THIS ITEM DOES NOT APPEAR TO AFFECT THE SUBJECT PROPERTY. IT APPEARS TO AFFECT THE PROPERTY TO THE WEST.
5. ALL MATTERS SHOWN ON PLAT OF SURVEY FOR MARK HECKES PREPARED BY BRUMBELOW - REESE & ASSOC., INC. DATED SEPTEMBER 11, 1997.
THIS ITEM APPEARS TO AFFECT THE SUBJECT PROPERTY AND ALL MATTERS THAT STILL EXIST ARE SHOWN HEREON.

ZONING INFORMATION

CURRENT CITY OF ALPHARETTA ZONING: C-1 (NEIGHBORHOOD COMMERCIAL)
ZONING INFORMATION OBTAIN FROM CITY OF ALPHARETTA WEB SITE
LOT SIZE AND SETBACK REQUIREMENTS:
A. MINIMUM LOT AREA: 30,000 SQUARE FEET.

B. MINIMUM BUILDING SETBACKS:

FRONT: 65 FEET.
SIDE SETBACK: 15 FEET
REAR SETBACK 15 FEET

MAXIMUM BUILDING HEIGHT: 35 FEET

PARKING REQUIREMENTS:
1 SPACE FOR EACH 200 SQUARE FEET OF GROSS FLOOR SPACE.

REGULAR PARKING SPACES PROVIDED: 13
HANDICAP PARKING SPACES PROVIDED: 0
TOTAL PARKING SPACES PROVIDED: 13

REFERENCE MATERIAL:

1. QUITCLAIM DEED: USA AUTO LEASING OF ATLANTA, INC. TO C & M REAL ESTATE VENTURE, LLC, RECORDED FEBRUARY 18, 1999 DEED BOOK 26165, PAGE 140 FULTON COUNTY RECORDS.
2. PLAT: SURVEY FOR JAMES W. GREEN LAND LOT 645, 1ST DISTRICT, 2ND SECTION FULTON COUNTY, GEORGIA CITY OF ALPHARETTA DATED FEBRUARY 3, 1988 BY BRUMBELOW - REESE & ASSOC., INC.
3. PLAT: REZONING EXHIBIT FOR MARK HECKES LAND LOT 645, 1ST DISTRICT, 2ND SECTION FULTON COUNTY, GEORGIA CITY OF ALPHARETTA DATED SEPTEMBER 11, 1997, LAST REVISED OCTOBER 29, 1997 BY BRUMBELOW - REESE & ASSOC., INC.
4. COMMONWEALTH LAND TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE POLICY NUMBER 207-895208 EFFECTIVE DECEMBER 8, 1997.

SURVEY DESCRIPTION OF PROPERTY
(#531 SOUTH MAIN STREET)

ALL OF THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 645 OF THE 1ST DISTRICT, 2ND SECTION, CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO REACH THE POINT OF BEGINNING COMMENCE AT AN IRON PIN FOUND (1/2"RE-BAR, 21.4' TO BACK OF CURB) AT THE INTERSECTION FORMED BY THE EASTERLY LINE OF LAND LOT 645 (SAID LINE BEING COMMON TO LAND LOTS 645 AND 648) AND THE NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NO. 9 (AKA: ALPHARETTA ROAD AND SOUTH MAIN STREET, VARIABLE R/W) AND PROCEED IN A WESTERLY DIRECTION ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NO. 9 THE FOLLOWING COURSES AND DISTANCES: 1) NORTH 84°19'21" WEST, A DISTANCE OF 100.45 FEET TO AN IRON PIN FOUND (1"CRIMPED TOP PIPE); 2) THENCE NORTH 83°41'41" WEST FOR A DISTANCE OF 94.95 FEET TO A POINT; 3) THENCE NORTH 84°03'11" WEST FOR A DISTANCE OF 98.70 FEET TO A POINT; 4) THENCE NORTH 84°34'06" WEST FOR A DISTANCE OF 30.51 FEET TO AN IRON PIN FOUND (1/2"RE-BAR, 28.1' TO BACK OF CURB) AND THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THUS ESTABLISHED, CONTINUE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NO. 9 THE FOLLOWING COURSES AND DISTANCES: 1) NORTH 84°38'59" WEST, A DISTANCE OF 68.62 FEET TO A POINT; 2) THENCE NORTH 85°51'34" WEST FOR A DISTANCE OF 102.09 FEET TO A POINT; 3) THENCE NORTH 87°30'14" WEST FOR A DISTANCE OF 99.40 FEET TO A POINT; 4) THENCE NORTH 88°04'59" WEST FOR A DISTANCE OF 4.86 FEET TO AN IRON PIN FOUND (1/2"RE-BAR, 18.2' TO BACK OF CURB); THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NO. 9 AND PROCEED NORTH 02°08'29" EAST FOR A DISTANCE OF 170.57 FEET TO AN IRON PIN FOUND (1/2"RE-BAR); THENCE SOUTH 89°33'41" EAST FOR A DISTANCE OF 125.04 FEET TO AN IRON PIN FOUND (1/2"RE-BAR); THENCE SOUTH 81°33'42" EAST FOR A DISTANCE OF 149.97 FEET TO AN IRON PIN FOUND (1/2"RE-BAR); THENCE SOUTH 01°52'53" WEST FOR A DISTANCE OF 185.63 FEET TO AN IRON PIN FOUND (1/2"RE-BAR) ON THE NORTHERLY RIGHT-OF-WAY LINE OF GEORGIA HIGHWAY NO. 9 AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 1.08004 ACRES OR 47,046 SQUARE FEET.

RECORD LEGAL DESCRIPTION
EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING LOCATED IN LAND LOT 645, OF THE FIRST DISTRICT, SECOND SECTION, OF FULTON COUNTY, GEORGIA, BEING IMPROVED REAL PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN FOUND ON THE NORTHERLY RIGHT OF WAY OF STATE ROUTE 9, A/K/A ALPHARETTA ROAD, 325.47 FEET WEST OF THE INTERSECTION OF THE EAST LINE OF LAND LOT 645 WITH THE NORTHERLY RIGHT OF WAY OF SAID STATE ROUTE 9; RUNNING THENCE 84 DEGREES 38 MINUTES 55 SECONDS WEST ALONG THE NORTHERN RIGHT OF WAY STATE ROUTE 9 A DISTANCE OF 68.63 FEET TO A POINT, THENCE RUNNING NORTH 85 DEGREES 51 MINUTES 30 SECONDS WEST A DISTANCE OF 102.10 FEET TO A POINT; THENCE RUNNING NORTH 07 DEGREES 30 MINUTES 10 SECONDS WEST A DISTANCE OF 99.41 FEET TO AN IRON PIN FOUND; RUNNING THENCE NORTH 2 DEGREES 9 MINUTES 18 SECONDS EAST A DISTANCE OF 170.58 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 89 DEGREES 34 MINUTES 44 SECONDS EAST 125 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 81 DEGREES 33 MINUTES 12 SECONDS EAST A DISTANCE OF 150 FEET TO AN IRON PIN FOUND; RUNNING THENCE SOUTH 1 DEGREE 32 MINUTES 53 SECONDS WEST A DISTANCE OF 185.86 FEET TO AN IRON PIN FOUND, SAID IRON PIN FOUND BEING THE POINT OF BEGINNING AS MORE PARTICULARLY SHOWN ON THE REZONING EXHIBIT FOR MARK HECKES BY RODNEY H. REESE, GEORGIA REGISTERED LAND SURVEYOR NO. 2072 AND BRUMBELOW-REESE ASSOCIATES, INC., DATED SEPTEMBER 11, 1997, LAST REVISED OCTOBER 29, 1997, BEING IMPROVED REAL PROPERTY KNOWN AS 531 MAIN STREET ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES AND LOTS IN ALPHARETTA, FULTON COUNTY, GEORGIA.

NOTE: THE REFERENCED MUNICIPALITY SUPPLIED THE ZONING INFORMATION STATED ON THIS PLAT. ANY GRAPHIC DEPICTION OF SETBACK LINES AND OTHER MATTERS OF ZONING ARE THE SURVEYOR'S INTERPRETATION OF THE ZONING INFORMATION FURNISHED. THE SURVEYOR OFFERS NO CERTIFICATION AS TO THE ZONING OF THE SUBJECT PROPERTY OR COMPLIANCE WITH THE ZONING REGULATIONS FOR THE STRUCTURES OR BUSINESSES ON THE SUBJECT PROPERTY.

NOTE: THIS SURVEY IS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES NAMED IN THE CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED ENTITIES WITHOUT AN EXPRESSED RECERTIFICATION BY THE SURVEYOR NAMING SAID ENTITIES.

NOTE: ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. WATTS & BROWNING HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED TO BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.

WATTS & BROWNING ENGINEERS, INC. HAS EXAMINED THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) AND IT IS OUR OPINION THAT THE REFERENCED PROPERTY IS LOCATED IN ZONE X-UNSHADED AS PER: FULTON COUNTY FIRM MAP NUMBER 13121C0068E DATED JUNE 22, 1998.

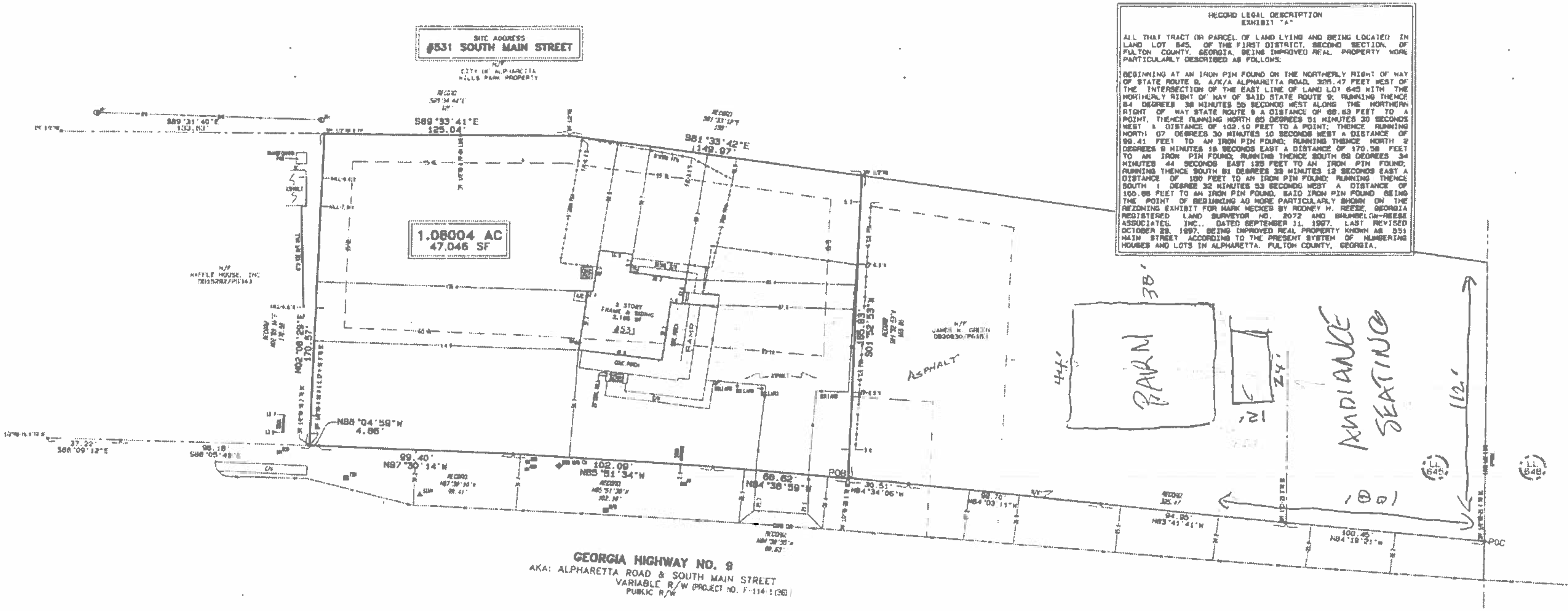
ZONE X (UNSHADED): AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD.

A	ARC	LC	LENGTH OF CHORD
AC	ACRE (S)	LLL	LAND LOT LINE
AE	ACCESS EASEMENT	L/P	LAMP POST/LIGHT POLE
AGLC	ATLANTA GAS LIGHT COMPANY	L/S	LANDSCAPED AREA
ASP	ASPHALT	M/B	MAILBOX
BB	BOTTOM OF BANK	MFE	MINIMUM FLOOR ELEVATION
BC	BACK OF CURB	MFN	METROMEDIA FIBRE NETWORK
B/C	BUILDING CORNER	MH	MANHOLE
BSL	BUILDING SETBACK LINE	MW	MONITORING WELL
BM	BENCHMARK	N/C	NAIL IN CAP
BPF	BLUE PIN FLAG	NF	NAIL FOUND
BPM	BLUE PAINT MARK	N/F	NOW OR FORMERLY
BS	BOTTOM OF SLOPE	OCS	OUTLET CONTROL STRUCTURE
BSC	BELLSOUTH TELEPHONE CO.	OPF	ORANGE PIN FLAG
BSCCM	BELLSOUTH CABLE MARKER	OPM	ORANGE PAINT MARK
BW	BOTTOM OF WALL	OT	OPEN TOP PIPE
B/W	BARBED WIRE	P	POWER LINE
CB	CATCH BASIN	PB	PLAT BOOK
CI	CURB INLET	P/B	POWER BOX
CL	CENTERLINE	PG	PAGE (S)
C/L	CHAINLINK	PIV	POST INDICATOR VALVE
CMF	CONCRETE MONUMENT FOUND	PL	PROPERTY LINE
CMP	CORRUGATED METAL PIPE	POB	POINT OF BEGINNING
CO	CLEANOUT	POC	POINT OF COMMENCING
COMM	COMMUNICATION	PM	POWER METER
CT	CRIMPED TOP PIPE	P/P	POWER POLE
CTV	CABLE TELEVISION	PS	PARKING SPACE (S)
C/W	CONCRETE WALK	PVC	POLYVINYLCHLORIDE PIPE
DB	DEED BOOK	R	RADIUS
DE	DRAINAGE EASEMENT	(R)	CURVE TO THE RIGHT
DI	DROP INLET	RB	RE-BAR
DIP	DUCTILE IRON PIPE	RCP	REINFORCED CONCRETE PIPE
DNR	DEPT. OF NATURAL RESOURCES	RPF	RED PIN FLAG
DNRMS	DNR MONUMENT SET	RPM	RED PAINT MARK
EB	ELECTRIC BOX	RR	RAILROAD
EMC	ELECTRIC MEMBERSHIP CORP.	R/T	RETAINING
EP	EDGE OF PAVEMENT	R/W	RIGHT OF WAY
FC	FACE OF CURB	SF	SQUARE FEET
F/C	FENCE CORNER	S/P	SERVICE POLE
FDC	FIRE DEPARTMENT CONNECTION	SR	SOLID ROD
FFE	FINISHED FLOOR ELEVATION	SS	SANITARY SEWER
FH	FIRE HYDRANT	SSE	SANITARY SEWER EASEMENT
F/L	FENCE LINE	S/W	SIDEWALK
FOCM	FIBRE OPTIC CABLE MARKER	T	TELEPHONE LINE
FP	FENCE POST	T/B	TELEPHONE BOX
F/P	FLAG POLE	TBM	TEMPORARY BENCHMARK
GLMP	GAS LINE MARKER POST	T/C	TOP OF CURB
GM	GAS METER	T/P	TELEPHONE POLE
GP	GUY POLE	TP	TRAFFIC POLE
GPC	GEORGIA POWER COMPANY	TRANS	TRANSMISSION
GV	GAS VALVE	T/S	TRAFFIC SIGNAL
GW	GUY WIRE	TSI	TRAFFIC SIGN
H/C	HANDICAP PARKING SPACE	TW	TOP OF WALL
HVP/P	HIGH VOLTAGE POWER POLE	T/W	TEST WELL
HW	HIGH WATER	U/G	UNDERGROUND
H/W	HEADWALL	VB	VALVE BOX
ICV	IRRIGATION CONTROL VALVE	VMP	VALVE MARKER POST
INV	INVERT	W	WATER LINE
IPF	IRON PIN FOUND	WF	WETLAND FLAG
IPP	IRON PIN PLACED	WM	WATER METER
IRF	INTERMEDIATE REGIONAL FLOOD	WV	WATER VALVE
JB	JUNCTION BOX	YPF	YELLOW PIN FLAG
(L)	CURVE TO THE LEFT	YPM	YELLOW PAINT MARK
L/A	LIMIT OF ACCESS		

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 95,398 FEET AND AN ANGULAR ERROR OF 00" PER ANGLE POINT, AND WAS LEAST SQUARED ADJUSTED.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 106,703 FEET.

A LEICA TCR-403 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.



GRAPHIC SCALE

(IN FEET)
1 inch = 30 ft.

MAGNETIC NORTH
PER DB35865/PG577

NOTE:
ALL FIELD MEASUREMENTS MATCHED RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/ACSM SPECIFICATIONS UNLESS OTHERWISE SHOWN.

TO: BROOKHAVEN PEACHTREE, LLC
AND: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2005, AND INCLUDES ITEMS 1-4, 6, 7(A), 7(B)(1), 8-10, 11(A) & 13 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF GEORGIA, THE MAXIMUM RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DATE: 6/2/08

VIRGIL T. HAMMOND GEORGIA REGISTERED LAND SURVEYOR NO. 2854

ADOPTED BY THE AMERICAN LAND TITLE ASSOCIATION ON OCTOBER 5, 2005.

ADOPTED BY THE BOARD OF DIRECTORS, NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS ON OCTOBER 24, 2005.

ALTA/ACSM LAND TITLE SURVEY FOR

BROOKHAVEN PEACHTREE, LLC AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

LOCATED IN
LAND LOT 645
1ST DISTRICT, 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

REVISIONS

NO.	DATE	BY	DESCRIPTION

W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
FAX: (770) 455-3866
WWW.WBENGR.COM

SCALE:	1" = 30'
DATE SURVEYED:	05/29/08
DATE UPDATED:	N/A
SURVEYED BY:	KENYON
DATE DRAFTED:	06/02/08
UPDATE DRAFTED:	N/A
DRAWN BY:	AMCH
CHECKED BY:	HH
FIELD BOOK #:	2342
JOB NUMBER:	080515
FOLDER NUMBER:	080215
COGO FILE:	507-080515
DISC FILE:	080515
COUNTY/LL/D/S:	FULTON/645/1/2
PLAT FILE:	8
SHEET:	1 OF 1

CITY COUNCIL MEETING
STAFF REPORT

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

I. **AGENDA ITEM TITLE:** Z-18-05/E-18-07 KAIROS/OLD MILTON PARKWAY

PLANNING COMMISSION: SEPTEMBER 6, 2018

CITY COUNCIL: SEPTEMBER 24, 2018

II. **RECOMMENDATION:**

Approve Z-18-05/E-18-07 Kairos/Old Milton Parkway, subject to the following conditions:

1. The site, consisting of approximately 2.163 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by Paradigm Engineering Services, Inc., revised 8/20/2018, 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. Maximum building height shall be 3 stories and 48′ for both buildings.
3. Minimum building setbacks shall be:
    a. Front – 20′
    b. Side – 0′ (min. 10′ between structures)
    c. Rear – 3′
4. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and Downtown Consultant comments, and in compliance with the Alpharetta Downtown Code, subject to approval by the DRB.
5. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff.
6. Street trees shall be required along Old Milton Parkway within the beauty strip (as approved by GDOT), as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
7. Amenity spaces shall be developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district. Developer shall remove exotic and invasive trees and shrubs within the area called out as amenity space at the rear of the property, as approved by Staff.
8. Planting beds shall be required in front of buildings to accommodate shrubs and vines.
9. The project entrance shall include a decorative knee wall and shall be heavily landscaped with ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
10. Developer shall save trees as depicted on the plan prepared by Paradigm Engineering Services, Inc., revised 8/20/2018. In addition, developer shall save the following trees: #21 (37″ Water Oak), #31 (38″ Water Oak) and 20″ Black Walnut. City Arborist may approve up to a 20% encroachment into the CRZ with additional tree care to offset the encroachment, as approved by Staff.
11. Developer shall plant 6″ (min.) caliper Willow Oaks, or other species approved by Staff, for every 50′ of frontage along Old Milton Parkway.

12. 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.
13. Decorative paver aprons shall be required at project driveway(s), as approved by Staff.
14. Overhead utilities shall be placed underground.
15. Traffic study shall be required at LDP evaluating SR120/Haynes Bridge, SR120/Kingry and SR120/site driveway to determine if signal control changes are necessary, as well as appropriate driveway configuration.

III. REPORT IN BRIEF:

The applicant, Kairos Development Corporation, is requesting a rezoning of 2.163 acres from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale' Residential) to DT-LW (Downtown Live-Work) to allow for the construction of a 30,000 square foot office building and a 22,260 square foot office building with a 3,000 square foot rooftop restaurant wrapping a parking deck. An exception is requested to increase the building height of the 30,000 square foot office building from 40' to 48' and to increase the height of the 22,260 square foot office building from 3 stories and 40' to 4 stories and 56'. The subject property is located at 2260, 2270 & 2300 Old Milton Parkway on the north side of Old Milton Parkway east of Haynes Bridge Road.

DISCUSSION

The submitted request, if approved, will allow for the construction of a 30,000 square foot office building and a 22,260 square foot office building with 3,000 square foot rooftop restaurant wrapping a parking deck on 2.163 acres. The applicant proposes rezoning of the property from R-12 and O-I to DT-LW, as well as an exception to increase the building heights from three (3) stories and 40' to three (3) stories and 48' and four (4) stories and 56'. The subject property is located at 2260, 2270 & 2300 Old Milton Parkway on the north side of Old Milton Parkway east of Haynes Bridge Road.

The subject property represents three (3) parcels of land, of which two (2) parcels are zoned O-I and one (1) is zoned R-12. The O-I properties are developed with a crematory and a former home that was converted to an office. The R-12 property is undeveloped. Surrounding properties are zoned DT-LW to the north, O-I to the east, O-I and R-12 to the south and C-2 to the west. Property owned by River Rock Development, LLC is located to the west, Thompson Street Flats (Kairos Development) to the north, State Bank to the east and My First Academy daycare and undeveloped land to the south. The proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use Live Work'.

As shown in the table below, the applicant's proposed non-residential density is consistent with other Downtown developments. The applicant proposes 52,260 square feet of office and 3,000 square feet of restaurant, which represents a non-residential density of 25,583 square feet per acre. The applicant proposes structured parking, which helps off-set the higher density by providing more greenspace.

Development Name	Office (SF)	Retail (SF)	Acres	Density
Applicant's Proposal	52,260 SF	3,000 SF	2.16 acres	25,583 SF/acre
Providence Group/Chelsea Walk	30,000 SF		1.0 acre	30,000 SF/acre
Wellstar	40,000 SF		2.34 acres	17,094 SF/acre
Teasley Place*	4,820 SF	16,609 SF	1.52 acres	14,098 SF/acre
55/61 Roswell Street	30,000 SF		0.72 acres	41,794 SF/acre

*Does not include 3 floors of residential above. Including residential, the overall density of Teasley Place increases to 69,361 square feet per acre.

An exception is requested from Appendix A: Alpharetta Downtown Code to increase the maximum building height allowed in the DT-LW district, which is three (3) stories and 40'. Building 'A' (30,000 square foot office building) is proposed to be three (3) stories and 48' and Building 'B' (22,260 square foot office building) is proposed to be four (4) stories and 56' to allow for a 3,000 square foot rooftop restaurant. The applicant provided an exhibit depicting Building 'A' with a 20' ground-floor and 14' 2nd- and 3rd-floors. Building 'B' has a 15' ground-floor, 14' 2nd and 3rd-floors and 13' 4th-floor. Larger ground floor heights are encouraged in the Downtown. As shown in the exhibit below, building heights along Old Milton Parkway and Thompson Street in the vicinity of the applicant's property typically do not exceed 40'. However, there are a few exceptions including the applicant's property to the north that received a height exception to 48', Old Milton Holdings – Liberty Village allows up to 45', City Center mixed use buildings are 60' and City Hall is 86'.

SITE PLAN

The submitted site plan depicts a 4-story, 22,260 square foot office building (Building 'B') with a 3,000 square foot rooftop restaurant wrapping a 3-level parking deck on the western half of the property and a 3-story, 30,000 square foot office building (Building 'A') on the eastern half of the property. Both office buildings comply with the maximum permitted building footprint (10,000 square feet) in the DT-LW district.

One (1) project driveway is depicted on Old Milton Parkway at the midpoint of the property frontage. 198 parking spaces are depicted within a 3-level parking deck, of which the UDC would require a total of 163 parking spaces for the proposed uses. A ten-foot (10') sidewalk is depicted along Old Milton Parkway and

a 50′ undisturbed buffer is proposed on the applicant's property to the north. Minimum building setbacks are consistent with the DT-LW development standards and other developments along Old Milton Parkway.

- Front (Old Milton Parkway) – 20′
- Side – 0′
- Rear – 3′

The applicant's site plan depicts 11,819 square feet, or 12.5%, of amenity space on the site, which includes a tree save area and walking trail at the rear of the site. The applicant's site plan exceeds the minimum 10% amenity space required in the DT-LW district. If approved, amenity areas should be improved with landscape and hardscape to provide gathering and seating areas.

There are several trees on the subject property, consisting primarily of Hardwoods. Specimen trees are generally located along Old Milton Parkway and at the rear of the property. Half of the specimen trees identified on the property are listed in 'Poor' condition. Staff initially had concerns with the applicant's site plan, which did not save many trees. The applicant revised the site plan to incorporate additional tree save areas, including along Old Milton Parkway and at the rear of the property. The tree save area at the rear of the property adjoins a large tree save area on the applicant's adjacent property to the north. A 'Good' condition large specimen tree is proposed to be removed for the building and from impacts due to a decal lane and sidewalk along Old Milton Parkway. Underground detention is depicted within the pervious paver plaza area located between the buildings.

ELEVATIONS

The applicant's proposed renderings reflect Beaux Arts architectural style, which is an approved style in the Downtown Overlay. Building 'A' is depicted to have a 110′ façade length and Building 'B' a 200′ façade length. Both buildings having classic retail storefronts on the ground floor and are primarily brick. The office buildings comply with the 200′ maximum façade length for 'General Building' type in the Downtown. Initially, Building 'B' was shown with a shorter façade length, but the parking deck was exposed to Old Milton Parkway. In an effort to screen the parking deck, the applicant extended Building 'B'. Teasley Place has a façade length of 200′ along Milton Avenue and 255′ along Canton Street, City Center mixed use buildings have a façade length of 240′ along Academy Street and Commerce Street, and Liberty Village has façade lengths up to 225′ along Old Milton Parkway.

The City's Downtown Consultant reviewed the proposed building elevations and finds the buildings to be generally in compliance with the architectural, material and building design regulations in the Downtown Code. The following comments were provided by the Downtown Architect:

- Need side and rear elevations, as well as floor plans
- Difficult to understand the overall massing of Building 'B'
    - What is the extent of the penthouse floor? What are the materials and details of the penthouse?
    - Small balconies are difficult to understand without seeing floor plan and side views
    - Need more detail on parapet
    - Need more detail on glass railing, not convinced it works with building architecture

TRAFFIC

The applicant provided a trip generation report, which shows that the proposed development would generate 151 PM Peak Hour trips.

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
General Office	710	52,260 ft²	69	11	80	11	56	67	308	308	616
Drinking Place	925	7,420 ft²	na	na	na	55	29	84	451	451	902
Total			*69*	*11*	*80*	*66*	*85*	*151*	*759*	*759*	*1,518*

STANDARDS FOR ZONING CHANGES

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

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

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. Old Milton Parkway is predominately developed with office and retail uses, with residential uses primarily found along Thompson Street.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are predominately developed with office and retail uses along Old Milton Parkway and residential uses along Thompson Street.

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

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

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

Response: The subject property could be developed with office and single-family detached lots under the existing zoning. Old Milton Parkway is not an appropriate location for single-family detached use.

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

Response: The zoning proposal should not have significant impacts on public facilities or services. The proposal would represent an increased demand on roads, but would not impact schools or parks.

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

Response: The subject property is located in the Downtown Overlay, which includes opportunities for properties to develop under the Downtown zoning districts.

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

Response: The applicant's zoning proposal reflects a reasonable balance as the proposed development would result in the redevelopment of an existing funeral home and single-family structure. A funeral home is inconsistent with the type of business that is desired in the City's Downtown and Old Milton Parkway is an inappropriate location for a single-family lot.

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

Response: Office is a permitted use on two (2) of the three (3) parcels of land. The R-12 parcel can only be developed as a single-family lot, which is inconsistent with the development pattern along Old Milton Parkway. The proposed rezoning to DT-LW would allow for development that is consistent with the vision of the Downtown Master Plan.

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

Response: The proposal is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Mixed Use Live Work'.

EXCEPTION REVIEW CRITERIA

The City of Alpharetta Unified Development Code Article IV, Section 4.5.3 outlines the criteria set forth for granting an exception. The ordinance specifically states..."an exception may be granted upon a finding that":

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

Response: Not applicable.

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

Response: The applicant states that the height exception is necessary to achieve a larger ground-floor height, which is consistent with the Downtown Code. Several developments in the Downtown have large ground-floor heights (up to 24'), including City Center, The Lofts, Liberty Hall and Teasley Place. Although the rooftop restaurant proposed for Building 'B' would be desirable in the Downtown, there is not enough information about the restaurant to justify the requested 4th story nor similar approvals in the area.

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

Response: Not applicable.

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

Response: Approval of the height exception should not cause substantial detriment to the public good, if conditions are approved limiting the building height to three (3) stories and 48'. The applicant states that the height exception is necessary to achieve a larger ground-floor height, which is consistent with the Downtown Code. Several developments in the Downtown have large ground-floor heights (up to 24'), including City Center, The Lofts, Liberty Hall and Teasley Place. Although the rooftop restaurant proposed for Building 'B' would be desirable in the Downtown, there is not enough information about the restaurant to justify the requested 4th story nor similar approvals in the area.

CONCURRENCES

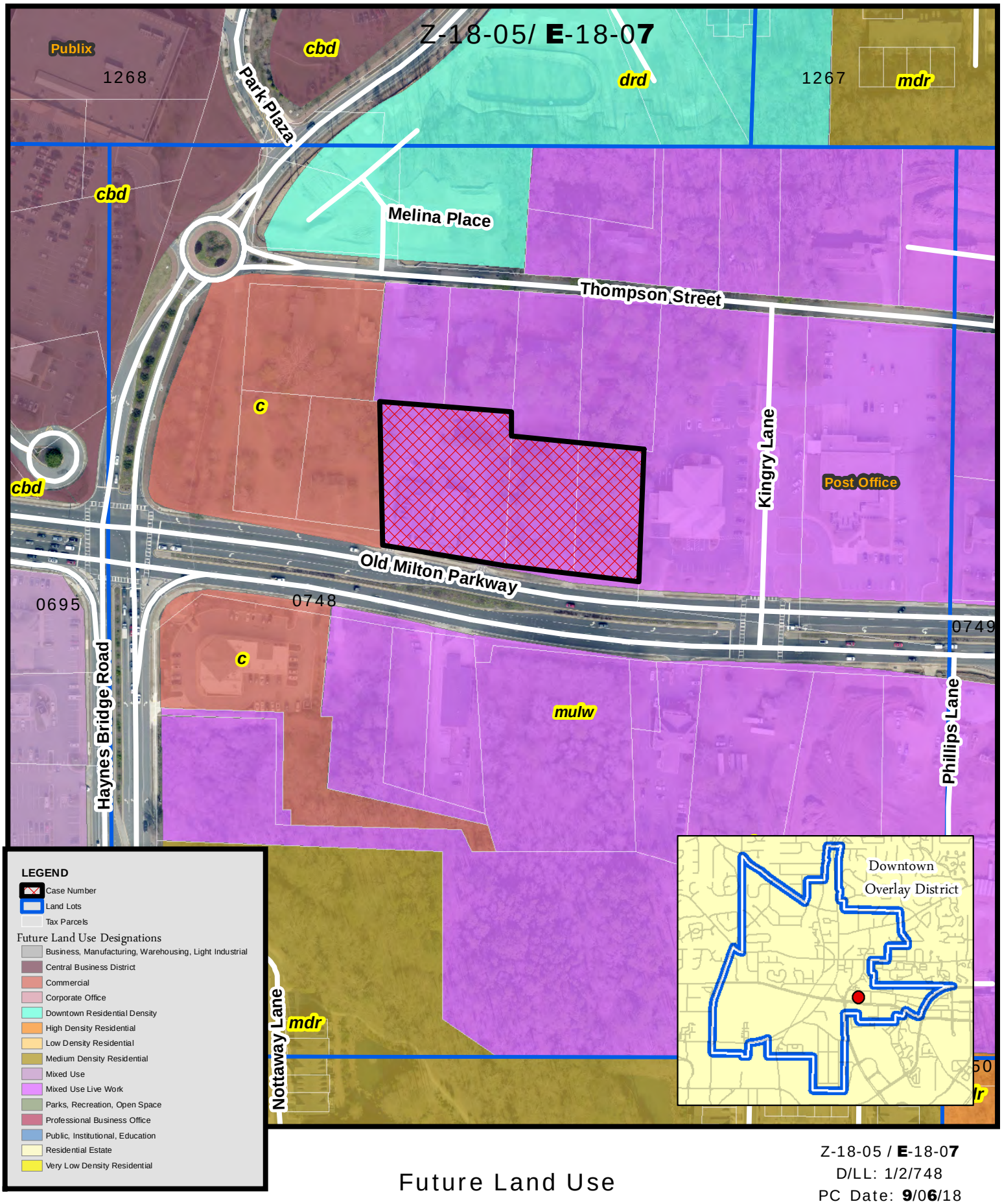
Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for rezoning and height exception, if conditions are placed on the approval limiting the maximum height of both buildings to three (3) stories and 48'. The zoning proposal is consistent with the vision of the Downtown Master Plan and the City's Comprehensive Plan. The request to increase the building height by eight (8) feet to 48' is consistent with regulations in the Downtown Code, which encourage larger ground-floor heights. Although a rooftop restaurant is a desirable use in the Downtown, there is not enough information about the restaurant to justify the requested additional building story nor could Staff find similar approvals in the immediate area.

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 a few of the neighbors support the request and no concerns have been received.

IV. ATTACHMENTS:

- Site Plan
- Renderings

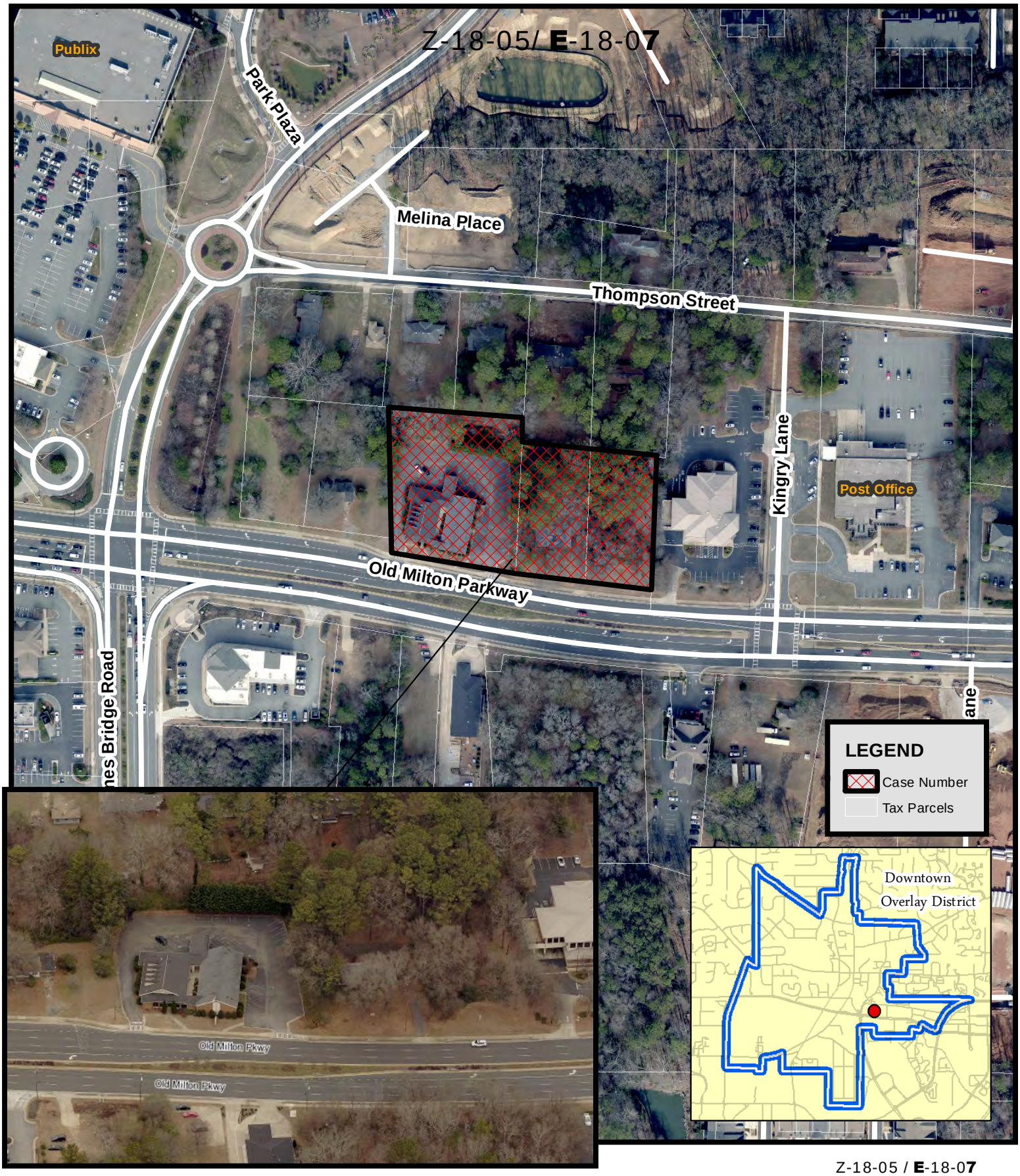


Z-18-05 / **E**-18-0**7**
D/LL: 1/2/748
PC Date: **9**/0**6**/18
CC Date: **9**/2**4**/18

Future Land Use
Kairos Old Milton LLC
DT-LW

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS

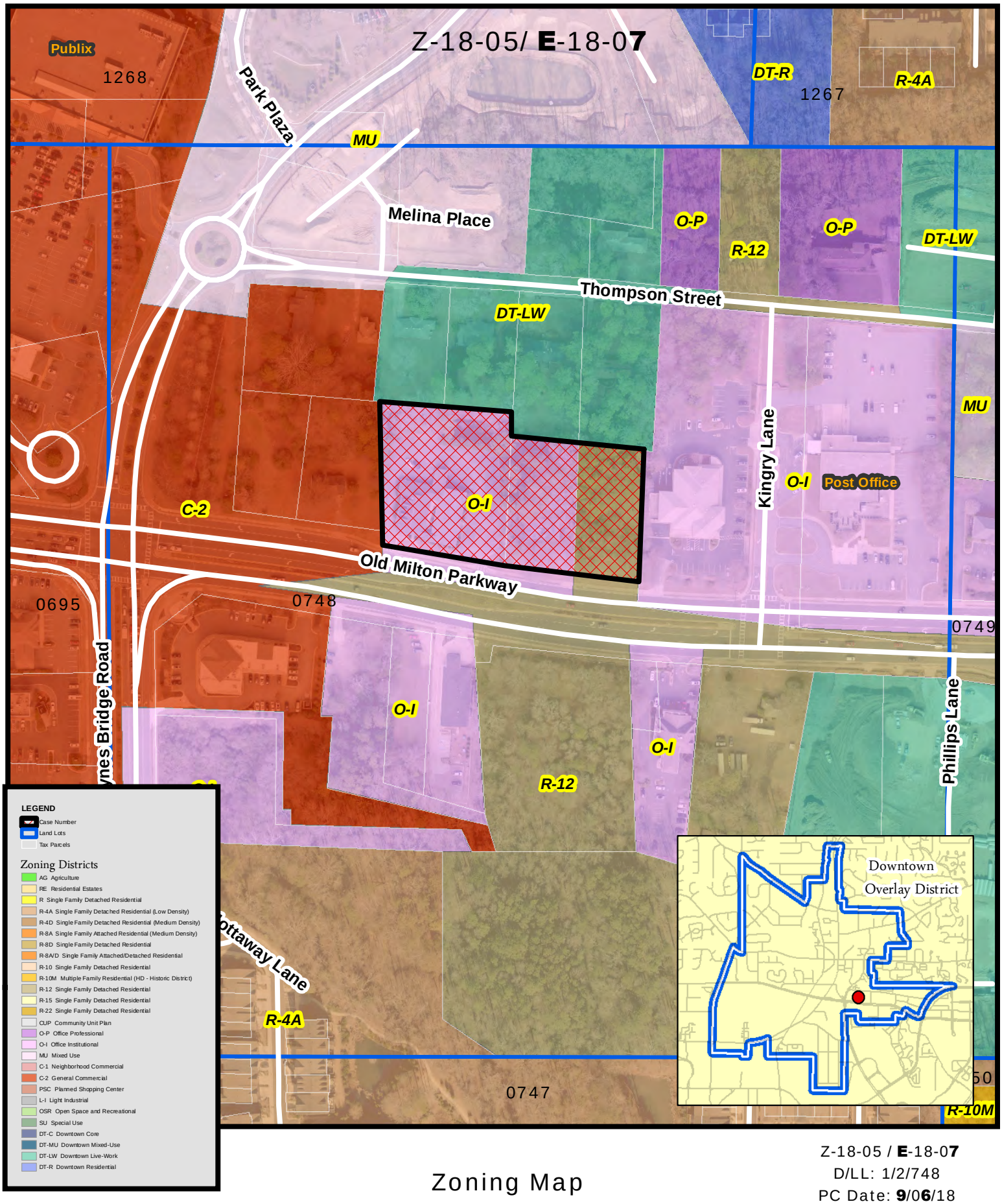


Z-18-05 / **E**-18-0**7**
D/LL: 1/2/748
PC Date: **9**/0**6**/18
CC Date: **9**/2**4**/18

Aerial Map
Kairos Old Milton LLC
DT-LW

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS

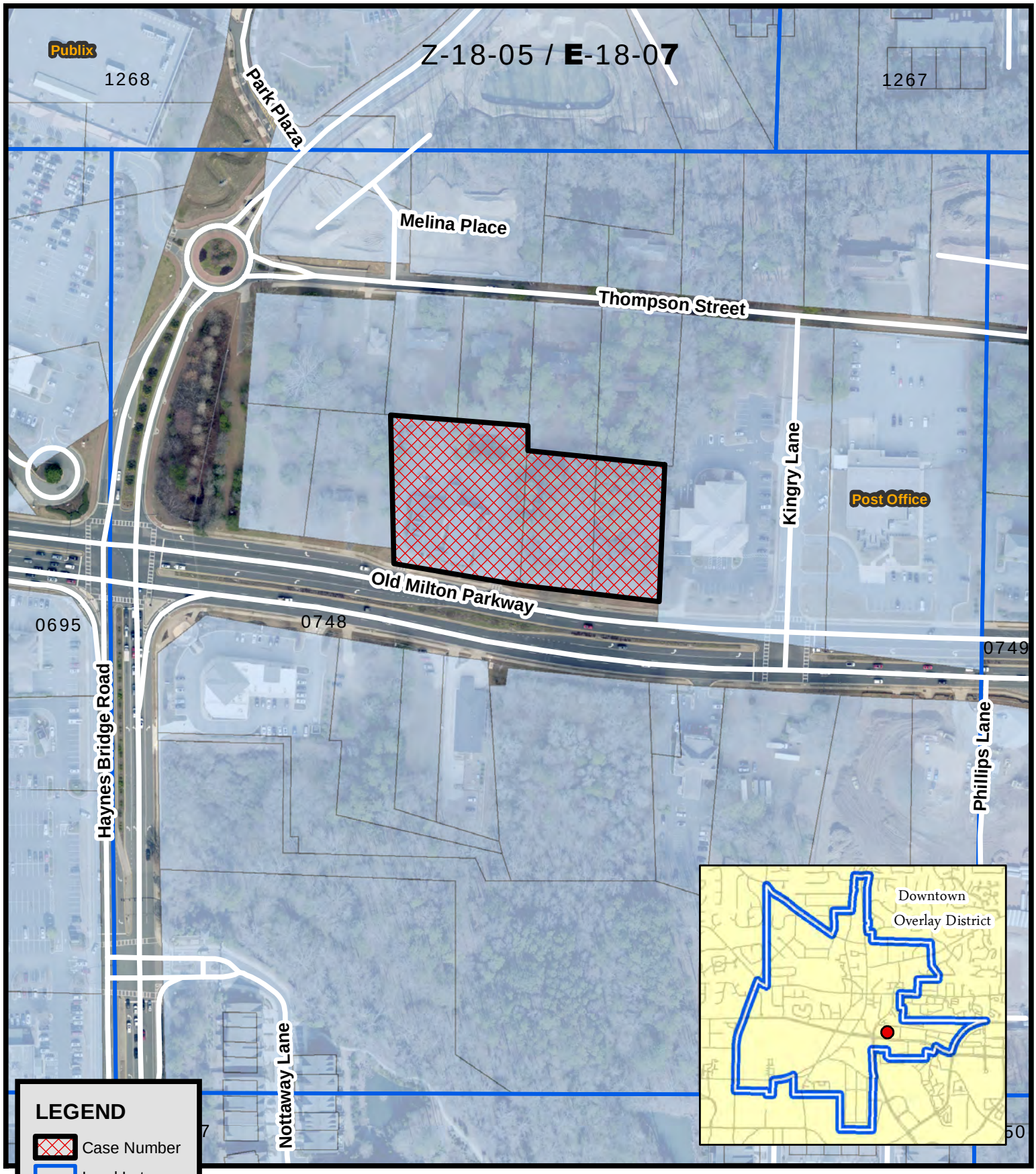


Z-18-05 / **E**-18-0**7**
D/LL: 1/2/748
PC Date: **9**/0**6**/18
CC Date: **9**/2**4**/18

Zoning Map
Kairos Old Milton LLC
DT-LW

THE CITY OF ALPHARETTA

Location Map Provided by:
Community Development - GIS



Location Map
Kairos Old Milton LLC
DT-LW

Z-18-05 / **E**-18-0**7**
D/LL: 1/2/748
PC Date: **9**/**06**/18
CC Date: **9**/**24**/18

Location Map Provided by:
Community Development - GIS

THE CITY OF ALPHARETTA

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: One Alpharetta City

Contact Name: Arthur Rountree Telephone: 404-401-0807

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.

Public Participation Letters were mailed via certified mailing, notifying adjacent and nearby property owners of the proposed application. The mailing list is attached. Personal meetings with our direct adjacent neighbors were also conducted face to face with plans. There have been no concerns raised. We met with State Banks branch manager Connie Woltz (east neighbor) and Lawson Finlayson with River Rock Development (west neighbor) and Tony and Joy Guven (south neighbors) and Mo Gayasuddin of 82 Thompson land owner and Mary Beth and Bram Kriger new home owners at Voyce Lot 1.

The response has been well received and the office concept has been welcomed.

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
- [x] Personal Visits
- [ ] Telephone
- [ ] Group Meeting
- [x] 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: 08/29/2018

Print Form

Connie J Woltz
NMLS # 618434
Vice President
Branch Manager III
connie.woltz@statebt.com

STATE BANK
& Trust Company

404-266-4207 ph
404-266-4215 f
770-714-9469 c
NMLS ID#441508

Absolutely.℠

Connie- “This is faboulous looks great ”

SABRI GUVEN
Fine Jewelry

TONY GUVEN
FAMILY OWNED AND OPERATED

2225 OLD MILTON PKWY
ALPHARETTA, GA 30009
TSGUVEN@AOL.COM

PHONE: 770-777-4800
FAX: 678-762-9100
SABRIGUVENFINEJEWELRY.COM

Tony - “This will bring more customers”

RIVER ROCK
Development, LLC

Lawson Finlayson
President

11785 Northfall Lane
Suite 510
Alpharetta, GA 30009
www.riverrockdevelopment.com

m: 678.736.7570
d: 678.736.7571
c: 404.630.0200
e: lawson@riverrockdevelopment.com

Lawson - “We will support you. If you’d like me to come to the meeting let me know”

Home Owner in Voyce

Mary Beth Krieger 7-855 2139
Bram

Mary Beth -“Good to see something nice going at the funeral home”

ALPHARETTA BK VENTURE LLC
Or Current Property Owner
6400 POWERS FERRY RD SUITE 100
ATLANTA GA 30339

AYCOCK ELVIN L
Or Current Property Owner
185 THOMPSON ST
ALPHARETTA GA 30004

BUCKLEY KERRY M TR
Or Current Property Owner
1985 SOUTHERS CIR
SUWANEE GA 30024

CHAN TIN & ENG DANNY
Or Current Property Owner
3975 OLD MILTON PKWY # S 1
ALPHARETTA GA 30005

CRP EAH TS L L C
Or Current Property Owner
2303 CUMBERLAND PKWY SE
ATLANTA GA 30339

DREYFUS PROPERTIES L L C
Or Current Property Owner
6094 ODELL ST
CUMMING GA 30040

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

HAYNES PARK NEIGHBORHOOD ASSOCIATION INC
Or Current Property Owner
500 SUGAR MILL RD BLDG/STE B200
SANDY SPRINGS GA 30350

HOM LLC
Or Current Property Owner
11785 NORTHFALL LANE SUITE 510
ALPHARETTA GA 30009

JBGL ATLANTA DEVELOPMENT LLC
Or Current Property Owner
2805 DALLAS PKWY SUITE 400
PLANO TX 75093

K & S OLD MILTON LLC
Or Current Property Owner
3396 CAVERTON LANE
ALPHARETTA GA 30022

KDC THOMPSON LLC
Or Current Property Owner
410 PEACHTREE PKWY STE 4245
CUMMING GA 30041

MC KNIGHT CAROLYN S
Or Current Property Owner
910 DOGWOOD TRL
HIAWASSEE GA 30546-3815

MILTON HALL LLC
Or Current Property Owner
2365 OLD MILTON PKY SUITE 200
ALPHARETTA GA 30009

MOSS LESLIE MOSS RHONDA
Or Current Property Owner
112 THOMPSON ST
ALPHARETTA GA 30004

MULL JAMES R
Or Current Property Owner
2385 OLD MILTON PKY
ALPHARETTA GA 30009

NEWHALL LAND CO
Or Current Property Owner
2974 HARDMAN CT
ATLANTA GA 30305

PUBLIX SUPER MARKETS INC
Or Current Property Owner
P O BOX 32018
LAKELAND FL 33802-2018

RANSOPHER TAD D
Or Current Property Owner
82 THOMPSON ST
ALPHARETTA GA 30004

SEISAN MFA PROPERTIES LLC
Or Current Property Owner
2425 OLD MILTON PKWY
ALPHARETTA GA 30009

STATE BANK & TRUST COMPANY
Or Current Property Owner
4219 FORSYTH RD
MACON GA 31208

STATURE PROPERTIES LLC
Or Current Property Owner
675 SEMINOLE AVE SUITE 301
ATLANTA GA 30307

UNITED STATES POSTAL SERVICE
Or Current Property Owner
1735 NORTH BROWN RD SUITE 200
LAWRENCEVILLE GA 30043-8153

COOK KATHRYN E
2325 MELINA PL
ALPHARETTA GA 30009

MORACA LISA
2400 MELINA PL
ALPHARETTA GA 30009

MILLER CONNOR & MILLER KATHERINE ELIZABETH
2410 MELINA PL
ALPHARETTA GA 30009

CHRISTIE CHRIS N & CHRISTIE FRANCES B
2420 MELINA PL
ALPHARETTA GA 30009

Subject Property: 2260, 2270, 2300 Old Milton Parkway

Letter of Intent

The subject property is located on the north side of Old Milton Parkway and on the east side of Haynes Bridge Road (next to State Bank). It is approximately 2.163 acres that includes an existing funeral home/crematory and an old blue dilapidated commercial house.

The property consists of (3) three separate parcels, including:

- 2260 Old Milton Pkwy (zoned OI) Parcel ID 12 270307480305
- 2270 Old Milton Pkwy (zoned OI) Parcel ID 12 27030707480487
- 2300 Old Milton Pkwy (zoned R12) Parcel ID 12 270307480479

The Applicant, Kairos Development Corporation, Inc. ("Applicant"), requests to change the current zoning of all (3) three parcels to DT-LW. Currently the properties are zoned OI and R12. The DT-LW zoning is consistent with the vision for the Alpharetta Comprehensive Plan and the Downtown Future Land Use. The request supports DT-LW for this location. The applicant has carefully designed the site to reflect what today's office tenants desire, which is walkable amenities in a Live Work environment.

The proposed development will be greatly benefited by the new Alpha Loop and City Center that is currently under construction. The Office tenants will be able to walk to the cafes for a sandwich and take a stroll on the Alpha Loop at lunch.

The Applicant seeks to construct:

- (1) One professional 3 story, 30,000 square foot office "Building A". The brick and glass office building will have a 10,000 SF footprint with a 48' maximum height restriction.
- (1) One professional 3 story 22,260SF office "Building B" plus a 4th story 3,000 square foot rooftop open-air restaurant with an outdoor roof terrace. The professional office "Building B" faces Old Milton Parkway and screens the parking garage to hide it from view.
- (1) one parking garage to provide 198 spaces that is screened by professional office "Building B".

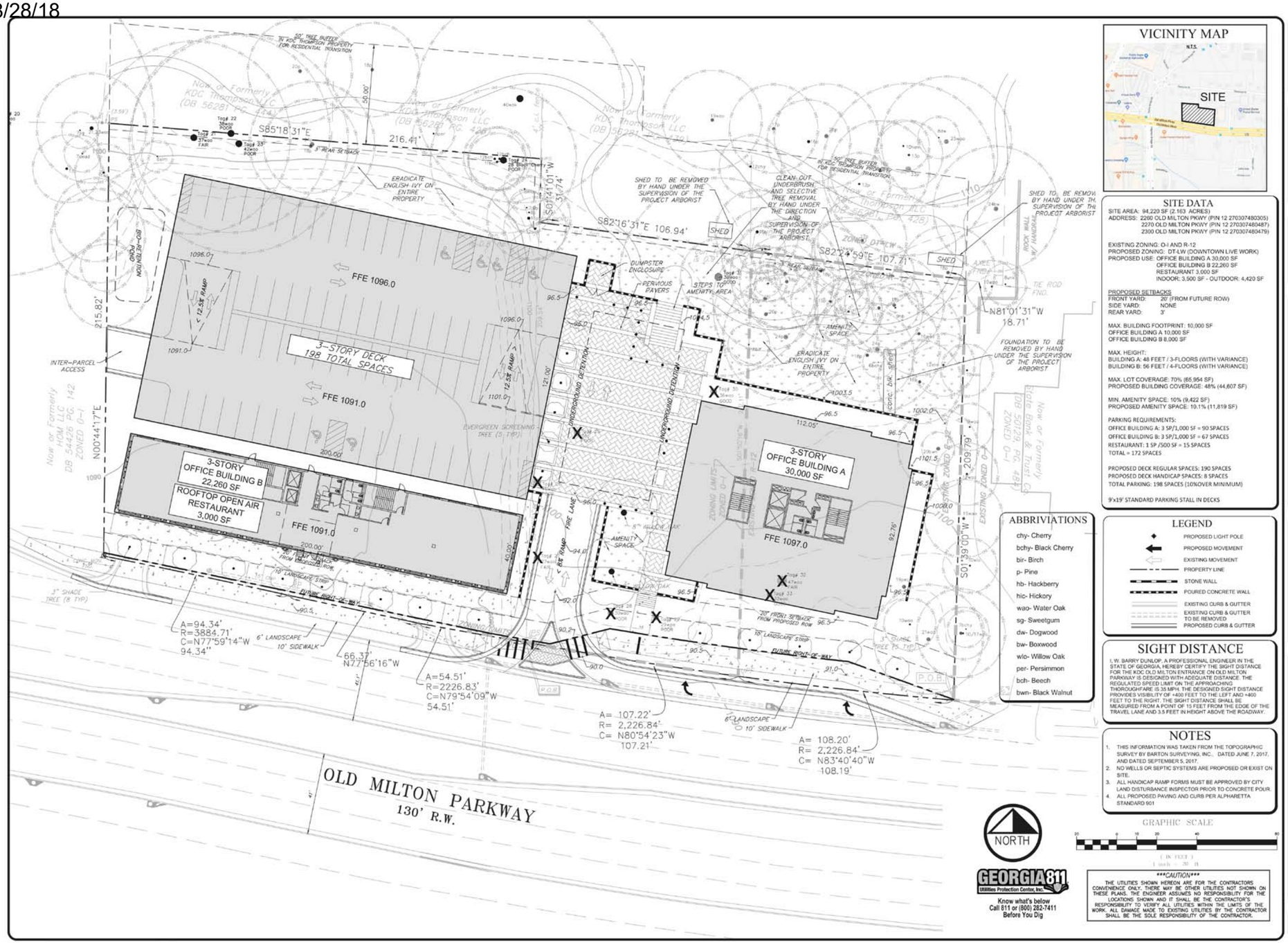
The Applicant is requesting:

- To change the zoning to all (3) parcels to DT-LW.
- A variance is requested to increase the maximum building height of the 30,000 square foot office building from 3 stories and 40' to 3 stories and 48'.
- A variance is requested to increase the maximum building height of the 22,260 square foot professional office building from 3 stories and 40' to 4 stories and 56' to allow for a 3,000 square foot covered, open air restaurant use.

The project will help the City accomplish its planning objectives through the emphasis on pedestrian connectivity and walkable downtown office. The rooftop venue will utilize parking during evening hours, when traffic and office parking needs are diminished. Additionally, this project will provide a beautiful, classical aesthetic to the street-scape which serves as gateway to the City Center coming from Avalon. The Applicant respectfully asks that the city council to approve the DT-LW zoning with variances as requested.

Sincerely,

H. Arthur Rountree
Kairos Development Corporation, Inc.



VICINITY MAP

SITE DATA

SITE AREA: 94,220 SF (2.163 ACRES)
ADDRESS: 2260 OLD MILTON PKWY (PIN 12 2703074803 05)
2270 OLD MILTON PKWY (PIN 12 2703074804 87)
2300 OLD MILTON PKWY (PIN 12 2703074804 79)

EXISTING ZONING: O-I AND R-12
PROPOSED ZONING: DT-LW (DOWNTOWN LIVE WORK)
PROPOSED USE: OFFICE BUILDING A 30,000 SF
OFFICE BUILDING B 22,260 SF
RESTAURANT 3,000 SF
INDOOR: 3,500 SF - OUTDOOR: 4,420 SF

PROPOSED SETBACKS
FRONT YARD: 20' (FROM FUTURE ROW)
SIDE YARD: NONE
REAR YARD: 3'

MAX. BUILDING FOOTPRINT: 10,000 SF
OFFICE BUILDING A 10,000 SF
OFFICE BUILDING B 8,000 SF

MAX. HEIGHT:
BUILDING A: 48 FEET / 3-FLOORS (WITH VARIANCE)
BUILDING B: 56 FEET / 4-FLOORS (WITH VARIANCE)

MAX. LOT COVERAGE: 70% (65,954 SF)
PROPOSED BUILDING COVERAGE: 48% (44,807 SF)

MIN. AMENITY SPACE: 10% (9,422 SF)
PROPOSED AMENITY SPACE: 10.1% (11,819 SF)

PARKING REQUIREMENTS:
OFFICE BUILDING A: 3 SP/1,000 SF = 90 SPACES
OFFICE BUILDING B: 3 SP/1,000 SF = 67 SPACES
RESTAURANT: 1 SP /500 SF = 15 SPACES
TOTAL = 172 SPACES

PROPOSED DECK REGULAR SPACES: 190 SPACES
PROPOSED DECK HANDICAP SPACES: 8 SPACES
TOTAL PARKING: 198 SPACES (10%OVER MINIMUM)

9'x19' STANDARD PARKING STALL IN DECKS

ABBRIVIATIONS

chy- Cherry
bchy- Black Cherry
bir- Birch
p- Pine
hb- Hackberry
hic- Hickory
wao- Water Oak
sg- Sweetgum
dw- Dogwood
bw- Boxwood
wlo- Willow Oak
per- Persimmon
bch- Beech
bwn- Black Walnut

LEGEND

PROPOSED LIGHT POLE
PROPOSED MOVEMENT
EXISTING MOVEMENT
PROPERTY LINE
STONE WALL
POURED CONCRETE WALL
EXISTING CURB & GUTTER
EXISTING CURB & GUTTER TO BE REMOVED
PROPOSED CURB & GUTTER

SIGHT DISTANCE

I, W. BARRY DUNLOP, A PROFESSIONAL ENGINEER IN THE STATE OF GEORGIA, HEREBY CERTIFY THE SIGHT DISTANCE FOR THE KDC OLD MILTON ENTRANCE ON OLD MILTON PARKWAY IS DESIGNED WITH ADEQUATE DISTANCE. THE REGULATED SPEED LIMIT ON THE APPROACHING THOROUGHFARE IS 35 MPH. THE DESIGNED SIGHT DISTANCE PROVIDES VISIBILITY OF +400 FEET TO THE LEFT AND +400 FEET TO THE RIGHT. THE SIGHT DISTANCE SHALL BE MEASURED FROM A POINT OF 15 FEET FROM THE EDGE OF THE TRAVEL LANE AND 3.5 FEET IN HEIGHT ABOVE THE ROADWAY.

NOTES

1. THIS INFORMATION WAS TAKEN FROM THE TOPOGRAPHIC SURVEY BY BARTON SURVEYING, INC., DATED JUNE 7, 2017, AND DATED SEPTEMBER 5, 2017.
2. NO WELLS OR SEPTIC SYSTEMS ARE PROPOSED OR EXIST ON SITE.
3. ALL HANDICAP RAMP FORMS MUST BE APPROVED BY CITY LAND DISTURBANCE INSPECTOR PRIOR TO CONCRETE POUR.
4. ALL PROPOSED PAVING AND CURB PER ALPHARETTA STANDARD 901

GRAPHIC SCALE
(IN FEET)
1 inch = 20 ft

GEORGIA 811
Utilities Protection Center, Inc.
Know what's below
Call 811 or (800) 282-7411
Before You Dig

CAUTION
THE UTILITIES SHOWN HEREON ARE FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

GEORGIA REGISTERED No. 24527 PROFESSIONAL ENGINEER William B. Dunlop

paradigm
Engineering Services, Inc.
Seven Piedmont Park
Suite 1119
Atlanta, GA 30308
Phone: (404) 350-1000
www.Paradigmeng.net

Project No.	P-1605
Design By:	WBD
Drawn By:	LBF
Checked By:	WBD
Date:	4/30/18
Scale:	1"=20'

No	Revision	Date
A	ZONING PLAN REVISION – ADDRESS STAFF COMMENTS	5/29/18
B	ZONING PLAN REVISION – ADDRESS STAFF COMMENTS	7/9/18
C	REVISE BUILDING FOOTPRINT & ADD SPOT ELEVATIONS	7/9/18
D	REDUCE BUILDING A FOOTPRINT, INCREASE TREE SAVE	7-12-18

KDC MILTON, LLC
410 Peachtree Parkway
Suite 4245
Cumming, GA 30041
Phone: (404) 350-1444

ZONING SITE PLAN
ONE Alpharetta City
OLD MILTON PARKWAY
LAND LOT 747, 1ST DISTRICT, 2ND SECTION
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

Drawing No.
Z1

SITE PLAN

ONE ALPHARETTA CITY

Kairos Development Corporation

archetype design

ONE ALPHARETTA CITY

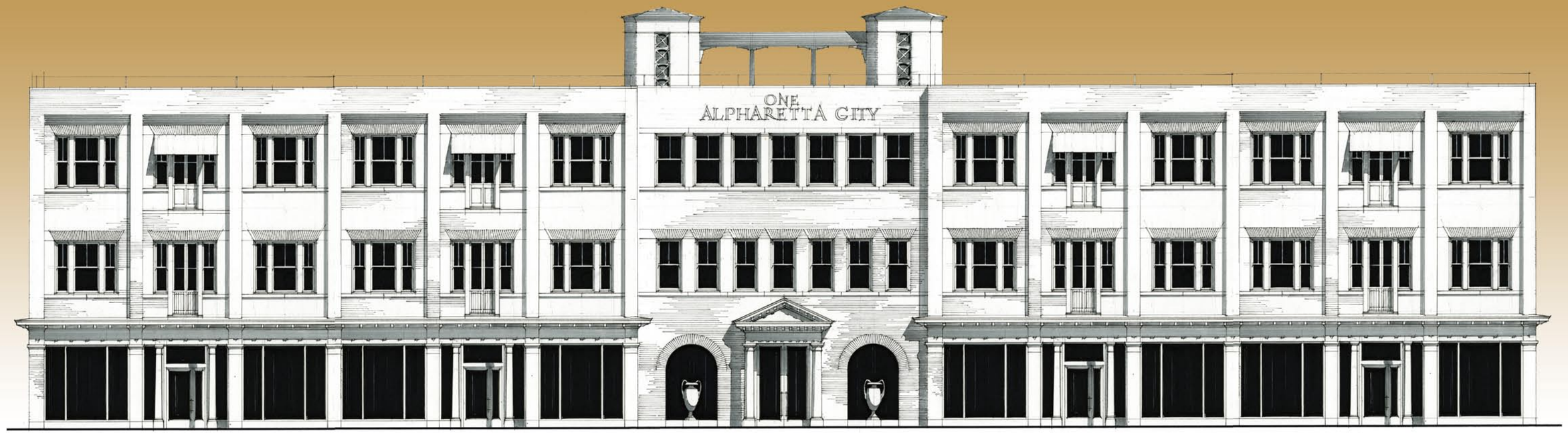
Kairos Development Corporation

archetype design

OFFICE BUILDING A • 3 FLOORS • 30,000SF

Architectural Style and Materials Narrative for Building A (110' wide):

- The façade of BuildingA is designed in the Beaux Arts Style.
- The façade of Building A will be defined by a 3-part composition, divided into 3 bays each, totaling 9. The center 3 bays will project 1' and are emphasized by a massive pediment. The 3story ensemble will be composed of a larger scaled arcaded ground floor (the piano nobile) with classic retail storefronts. The 2nd story will be next in importance, with large mullioned windows. The 3rd story will contain slightly diminished window sizes, that gain prominence due to their lofty height and proximity to the cornice.
- Shadow brick, cut Roman and jack arches, cut stone sills and water table base, and a heavy modillioned cornice provide period tailoring to the building facades.
- A classical building with a Georgian dialect, the frontispiece features a carved keystone and festoon. The tympanum is accented with a roundel, complete with brick keys. An oversized 6 panel door is flanked by spare and noble sconces.



KAIROS DEVEOPMENT CORPORATION

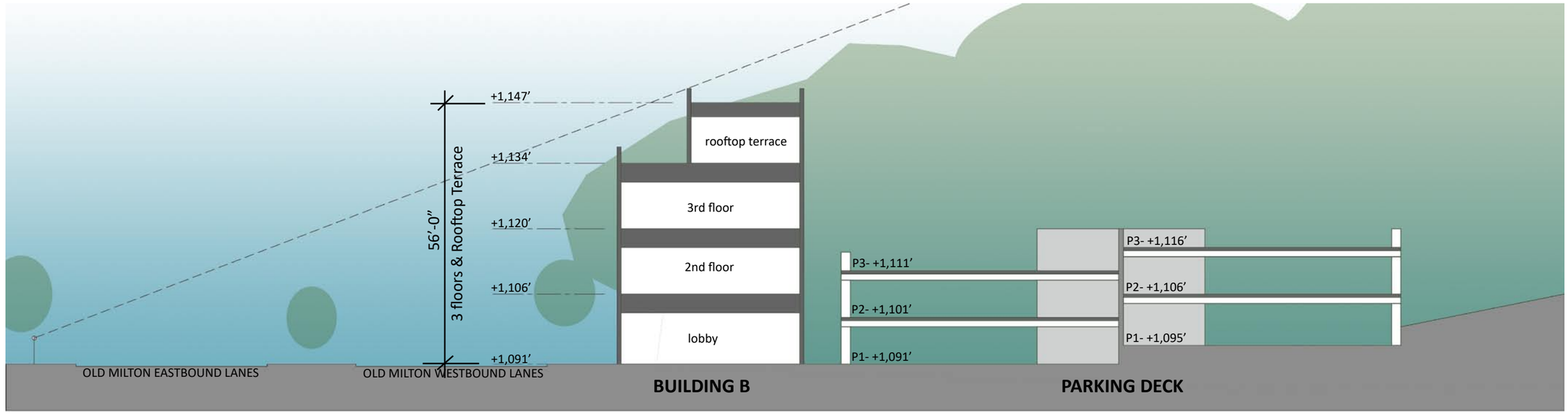
AUGUST 1, 2018

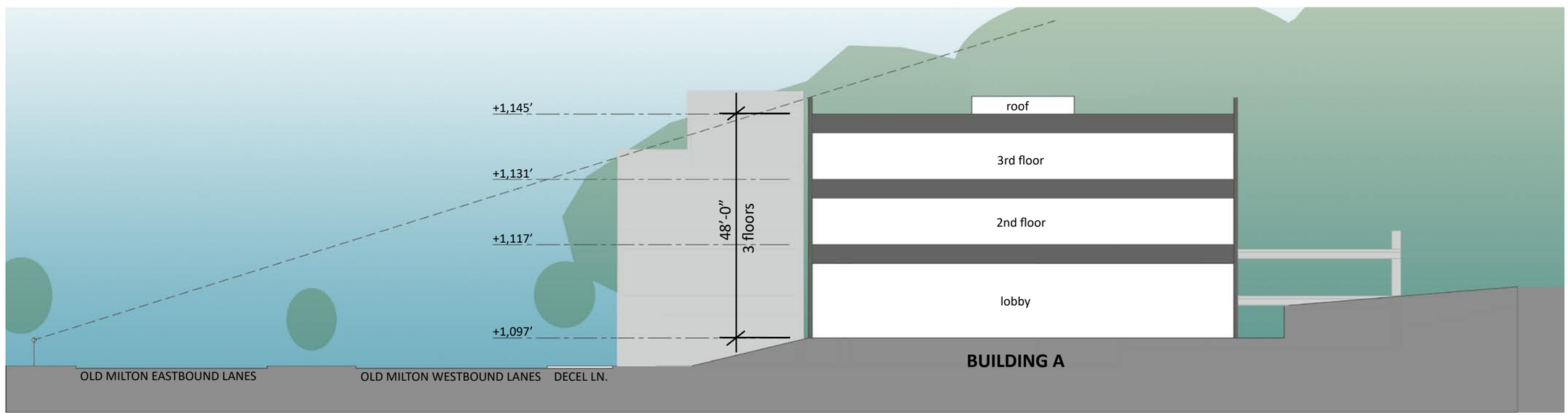
LEW OLIVER, INC.

OFFICE BUILDING B • 3 FLOORS + ROOF TERRACE • 25,260SF

Architectural Style and Materials Narrative for Building B (200' wide):

- The façade of Building B is designed in the Beaux Arts Style.
- The façade of Building B will be divided into 15 bays, 6 bay groupings anchoring the corners separated by a 3-bay spacer.
- Bays are defined by subtle offsets and abstracted pilasters. The 3-story composition begins with a classic retail storefront at the base (the piano nobile), defined with Tuscan pilasters and colonettes and a modillioned entablature which may contain a gilded sign band.
- Upper floors are composed of large ganged windows, flush jamb balconies, and shed awnings.
- The center "spacer", contains a classical frontispiece characterized by 2 large Roman Doric columns supporting a modillioned pediment. This element is flanked with deep reveal arches and urns. Upper stories contain repetitive windows, the 3rd floor fenestration being defined by simple, square planned colonettes.
- The building is crowned by a pair of classical pavilions with breezeblock panels linked with a pergola element. The parapet is capped with cut stone and a glass rail.





BUILDING HEIGHT EXHIBIT

Marc R. Acampora, PE, LLC
Traffic Engineering

Memorandum

Date: August 16, 2018

From: Marc R. Acampora, PE

Subject: Trip Generation for One Alpharetta City, Old Milton Parkway Proposed Office and Bar Development
City of Alpharetta, Georgia

The trip generation was calculated for a proposed multi-use office and bar development on Old Milton Parkway, east of Haynes Bridge Road, in the City of Alpharetta. The location of the site is shown in Figure 1 and the proposed site plan is presented in Figure 2.

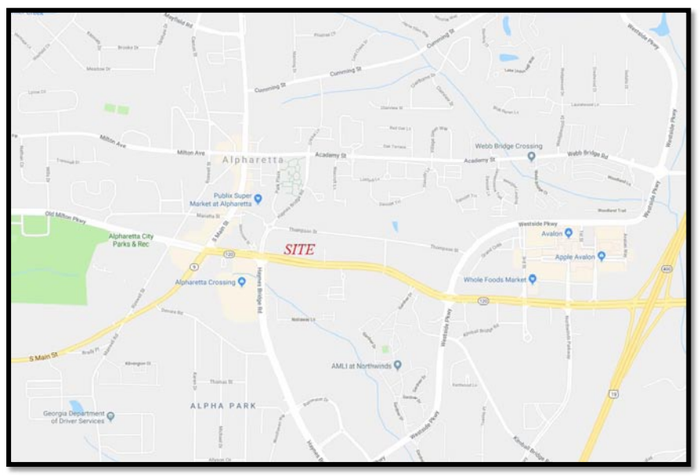
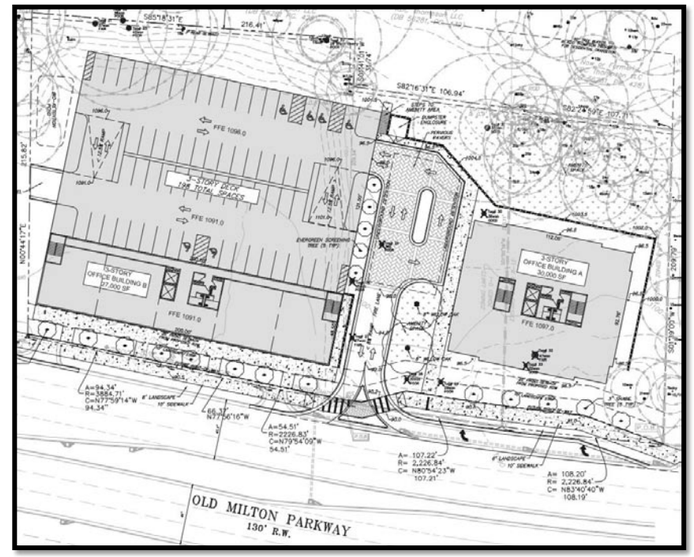


Figure 1 – Site Location Map

858 Myrtle Street, NE
Atlanta, Georgia 30308
phone (678) 637-1763
e-mail acamporatraffic@comcast.net
www.acamporatraffic.com



site plan by Paradigm Engineering

Figure 2 – Site Plan

The project will include two buildings with 30,000 square feet of office in Building A and 22,260 square feet of office in Building B (for a total of 52,260 square feet of office; note numbers have changed slightly from those shown on plan) plus a bar with 3,000 square feet of interior space and a 4,420 square foot rooftop patio. Parking will be served by a deck and vehicular access will be provided at one right-in / right-out access along the north side of Old Milton Parkway as well as an interparcel connection to the adjacent property to the west.

The volume of traffic that will be generated by the proposed development was calculated using the equations and rates in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (the current edition). The trip generation for the office was calculated using ITE Land Use 710 – General Office Building. The trip generation for the rooftop bar was calculated using ITE Land Use 925 – Drinking Place. It is expected that the patio will be a significant portion of the bar's regularly-used space and will see heavy use through much of the year. Therefore, the patio square footage was combined with that of the interior space for the trips calculations. Note that no trip data was available for the bar for the a.m. peak hour or a 24-hour period. Given the typical operation of a bar, it is expected that trip activity in the morning peak hour will be negligible. The 24-hour number was estimated by using the trip data for ITE Land Use 931 – Quality Restaurant, which also has very low morning trip generation and somewhat similar trip characteristics to the high quality bar that this is expected to be. A ratio was

developed of the average trip rates for the 24-hour weekday to the p.m. peak hour (83.84/7.80 = 10.75) and that ratio was applied to the p.m. calculated trips for the bar to produce the weekday trips for the bar.

Sometimes, pass-by trips are subtracted from retail and restaurant land uses to represent trips that are already passing the site and will just stop for retail or dining purposes enroute to their final destination. In this case, it is expected that this rooftop bar will be highly destination-oriented and that pass-by trips will be low. Therefore, to be conservative, no pass-by reduction was applied to the bar trip generation.

The trip generation calculations are summarized in Table 1.

Table 1 – One Alpharetta City Trip Generation

Land Use	ITE Code	Size	A.M. Peak Hour			P.M. Peak Hour			24-Hour		
			In	Out	Total	In	Out	Total	In	Out	Total
General Office	710	52,260 ft²	69	11	80	11	56	67	308	308	616
Drinking Place	925	7,420 ft²	na	na	na	55	29	84	451	451	902
Total			*69*	*11*	*80*	*66*	*85*	*151*	*759*	*759*	*1,518*

The proposed development will generate 80 new trips in the a.m. peak hour, 151 new trips in the p.m. peak hour, and 1,518 new trips in a 24-hour weekday.

TRIP GENERATION REPORT

ONE ALPHARETTA CITY

Kairos Development Corporation

archetype design