



City Council Meeting & Public Hearing AUGUST 24, 2020

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

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

A. Gift of Life Proclamation

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 8/10/2020)

VI. PUBLIC HEARING

A. PH-20-10 North Point Mall Redevelopment/Change to Conditions of Zoning

This item has been deferred by the Applicant to Monday, September 28th and will be neither heard nor considered during this meeting.

Consideration of a change to previous conditions of zoning related to the North Point Mall redevelopment of the former Sears Department Store in order to extend the reversion clause for a period of one (1) year. The property is located at 1000 North Point Circle and is legally described as being located in Land Lots 700, 742 & 743, 1st District, 2nd Section, Fulton County, Georgia.

B. V-20-09 Hamilton Hotel Exterior Material Variance

Consideration of a variance to allow synthetic stucco (EIFS) in lieu of hard coat stucco as an exterior material for the Hamilton Hotel. The property is located at 21 Milton Avenue and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

C. CU-20-03/V-20-10 Spirit of God Church/1200 Upper Hembree Road

Consideration of a conditional use to allow a 'Church, Synagogue' on a property zoned O-I (Office-Institutional). In order to save trees, a variance to increase the maximum distance for off-site parking is also requested. The property is located at 1200 Upper Hembree Road and is legally described as being located in Land Lot 553, 1st District, 2nd Section, Fulton County, Georgia.

D. PH-20-05 Unified Development Code Text Amendments – Alpharetta Downtown Code, Murals, Special Event Facility, Temporary Uses and Fences

Consideration of text amendments to the Unified Development Code to add or amend regulations pertaining to the Alpharetta Downtown Code, Murals, Special Event Facility, Temporary Uses, and Fences.

E. PH-20-11 Unified Development Code Text Amendments – Conditional Use Permit Criteria and Discount Store definition

Consideration of text amendments to the Unified Development Code to amend the criteria for a conditional use permit and amend the definition of Discount Store.

VII. NEW BUSINESS

- A. Consideration Of An Emergency Ordinance: Requiring the Use of Masks in Certain Public Places During Said Pandemic; Allowing Entities to Opt-Out of Said Mask Requirement; and for Other Purposes**
- B. Consideration of an Ordinance to Add Certain Provisions Governing Enforcement of Violations of Chapter 20 of the City Code; To Provide Regulations Governing Record Retention and Compliance Filings of Fire, Life Safety, and Related Records (1st Reading)**
- C. Tradewinds Parkway Extension Traffic Impact Study**
- D. ItsMyTown Alpharetta Mobile App
(Sponsored By: Gilvin, Mitchell)**
- E. Confirmation of Council's Approval from Executive Session: Joint Representation and Cost Sharing Agreement**

VIII. WORKSHOP

- A. Redevelopment Plans for Union Hill Park**

IX. PUBLIC COMMENT

X. REPORTS

XI. ADJOURNMENT TO EXECUTIVE SESSION



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: City Clerk

Submitted By:

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: COUNCIL MEETING MINUTES (MEETING OF 8/10/2020)

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Council Meeting Minutes Draft 8-10-2020



City Council Meeting
August 10, 2020
Office of the City Clerk
CITY HALL 2 PARK PLAZA | 6:30 PM

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

I. CALL TO ORDER

- *Mayor Gilvin called the meeting to order at 6:42 p.m.*

II. ROLL CALL

- **Council Members**

- o Mayor Jim Gilvin
- o Mayor Pro Tem Donald F. Mitchell
- o Jason Binder
- o Ben Burnett
- o John Hipes
- o Dan Merkel
- o Karen Richard

- **Staff**

- o Bob Regus, City Administrator
- o Steven Jones, Asst. City Attorney
- o James Drinkard, Asst. City Administrator
- o Erin Cobb, City Clerk
- o Pete Sewczwicz, Director of Public Works
- o Morgan Rodgers, Director of Recreation, Parks & Cultural Services
- o Tom Harris, Director of Finance
- o Kathi Cook, Director of Community Development
- o Cris Randall, Director of Human Resources
- o Randy Bundy, Director of Information Technology
- o Michael Woodman, Senior Planner
- o Eric Graves, Senior Transportation Engineer/Planner

III. PLEDGE TO THE FLAG

IV. PRESENTATIONS & PROCLAMATIONS

A. Proclamation for Rev. Dr. Michael T. McQueen

V. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 7/27/2020)

B. Financial Management Report: Month Ending June 30, 2020

C. Alcoholic Beverage License Applications

1. PH-20-AB-07 Wrig Back Alley, LLC
 d/b/a Back Alley Bar and Grill
 10 N. Broad Street
 Alpharetta, GA 30009

 Restaurant
 Consumption on Premises
 Liquor, Beer, Wine & Sunday Sales

 Owner: Brian Will
 Registered Agent: Brian Will

2. PH-20-AB-08 Fueling Point Inc.
 d/b/a Shell Food Mart
 5005 Windward Parkway
 Alpharetta, GA 30004

 Retail Package Sales
 Beer, Wine & Sunday Sales

 Owner: Almas Jilani
 Registered Agent: Malik Thobani

- ❖ Council Member Binder asked to remove the Financial Management Report: Month Ending June 30, 2020 from the consent agenda

- ❖ Council Member Burnett offered a motion to approve the consent agenda excluding the Financial Management Report
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

B. Financial Management Report: Month Ending June 30, 2020 (removed from the consent agenda)

- Director of Finance, Tom Harris, came forward to present this item and briefly reviewed the Financial Management Report and the affects COVID-19 has had on the budget.

❖ **Council Member Binder offered a motion to approve the Financial Management Report: Month Ending June 30, 2020**

- The motion received a second from Council Member Merkel
- The motion was approved unanimously (7-0)

VI. PUBLIC HEARING

A. PH-20-09 City of Alpharetta Capital Improvement Element

- Senior Transportation Engineer/Planner, Eric Graves, came forward to present this item.
- Staff recommends that Mayor and Council approve a resolution authorizing the transmittal of the 2019-2020 Capital Improvement Element and Annual Report to the Atlanta Regional Commission and the Georgia Department of Community Affairs.
- The Georgia Planning Act of 1989 (The Act) requires that local governments keep their Comprehensive Plans current as a pre-requisite for maintaining Qualified Local Government status, a requirement for eligibility for receipt of State of Georgia funds. The Act requires that local governments provide annual updates to their Capital Improvement Element (CIE), prepared in accordance with the Minimum Planning Standards and Procedures and the Development Impact Fee Compliance Requirements.
- The CIE is designed to provide insight into key infrastructure and public improvement projects being undertaken and completed by local jurisdictions. The Annual Report details on an annualized basis the collection and use of funds derived from impact fees. Together these documents provide a means of tracking local government performance and serve as a tool for measuring progress with respect to achieving community goals as outlined in the Comprehensive Plan.
- The City of Alpharetta is required to transmit its annual update of the Capital Improvement Element to the Atlanta Regional Commission for review prior to Council Adoption.
- Failure to update the Capital Improvement Element in accordance with the Georgia Planning Act of 1989 would result in the loss of Qualified Local Government status, which would make the City ineligible to receive most State funding. Further, failure to submit this annual report would make the City ineligible to collect impact fees on new development.
- Asst. City Attorney, Steven Jones, read the resolution aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-20-09 and the resolution authorizing the transmittal of the 2019-2020 Capital Improvement Element and Annual Report to the Atlanta Regional Commission and the Georgia Department of Community Affairs
 - The motion received a second from Council Member Binder
 - The motion was approved unanimously (7-0)

B. V-20-01 / E-20-02: Midgard Self Storage Parking Variance & Height Exception
This item was tabled on July 27, 2020 and must be removed from the Table for consideration.

- ❖ Council Member Richard offered a motion to remove V-20-01/E-20-02 Midgard Self Storage Variance & Exception from the table
 - The motion received a second from Council Member Binder
 - The motion was approved (6-1); Council Member Burnett voting in opposition
- Senior Planner, Michael Woodman, came forward to present this item.
- At the July 27, 2020 City Council meeting, the item was tabled to allow additional time for Staff to consider the applicant's amended letter of intent. The applicant provided a floor plan of the sales office, which is approximately 30' x 30', or 900 square feet. In addition to the 91 parking spaces for the self-storage use and parking for four (4) U-Haul moving trucks, the truck leasing use would generate a need for nine (9) additional parking spaces. Therefore, the applicant's proposal would require a total of 104 parking spaces.
- Staff is recommending that Mayor and Council deny V-20-01/E-20-02 Midgard Self Storage Variance & Exception.
- If approval is considered, recommend the following conditions:
 1. Property shall be developed substantially in accordance with submitted plan prepared by AEC, dated 11/1/2019, except for modifications required to comply with the conditions below.
 2. Maximum building height shall be 3-stories and 36'-4".
 3. Self-storage facility shall appear as an office building and shall be substantially brick on 3 sides (West, North and East) with breaks and relief in the elevations, final approval by DRB. Parapet heights shall be approved by DRB.
 4. Dumpster shall have brick enclosure with painted metal doors, with final approval by DRB.
 5. Retaining walls facing Old Milton Parkway or Georgia 400 shall be brick to match the building. Retaining walls exceeding 16' in height shall be terraced with landscaping, as approved by DRB.
 6. Interior storage units shall not be visible through windows.

7. Loading/unloading areas shall not be visible from Georgia 400 or Old Milton Parkway and shall be heavily screened with landscaping and decorative walls or berms.
 8. Fences and walls visible from Georgia 400 or Old Milton Parkway shall be decorative, subject to approval by DRB.
 9. 'Moving vehicles' shall not be sold or leased from the property and shall not be parked between the building and Georgia 400 or Old Milton Parkway.
 10. Outside storage shall be prohibited.
 11. Existing tree buffer along Old Milton Parkway shall remain undisturbed, except to accommodate the driveway extension from Morris Road, as depicted on the plan prepared by AEC, dated 11/1/2019. Additional landscaping may be required to be installed within the Georgia 400 buffer where sparse, subject to approval by Staff.
 12. Wall signs shall not be permitted facing or visible from Georgia 400 and all signage shall be approved by DRB.
 13. CC&R's shall be recorded and shall limit the use of the subject property to climate controlled self-storage with no lodging or dwelling.
- The applicant, Midgard Self Storage, requests a variance to reduce the required number of parking spaces and an exception to increase the building height in order to construct a 3-story, 91,000 square foot climate controlled self-storage facility on 14.9 acres. The applicant proposes 'Auto Sales and Leasing' to allow for four (4) U-Haul moving trucks to be leased from the property. The subject property is located at 11425 Morris Road at the southeast corner of Old Milton Parkway and Georgia 400.
 - The submitted request, if approved, would allow for the construction of a 3-story, 91,000 square foot climate controlled self-storage facility and leasing of four (4) U-Haul moving trucks on 14.9 acres. A variance is requested to reduce the required number of parking spaces from 104 to 28 parking spaces and an exception is requested to increase the building height from 35' to 36'- 4". The subject property is located at 11425 Morris Road at the southeast corner of Old Milton Parkway and Georgia 400.
 - The subject property is zoned LI (Light Industrial) and O-I (Office-Institutional) and is currently undeveloped with a significant amount of floodplain impacting the property. The proposed self-storage use is located on a portion of the property zoned LI and is only allowed in that zoning district. The remainder of the property zoned O-I and is undevelopable due to the presence of floodplain. Surrounding properties are zoned LI and O-I to the South, O-P (Office-Professional) to the North and O-I and CUP (Community Unit Plan) to the East. Avanti Senior Living is located to the South, undeveloped property and Morris Road right-of-way are located to the East, Georgia 3 400 is located to the West and an undeveloped property approved for office is located to the North. The Comprehensive Land Use Plan designation of the property is 'Corporate Office'.
 - The Unified Development Code (UDC) defines 'Storage, Climate Controlled' as, "A facility consisting of a building or group of buildings that contain individual storage units of varying sizes in a climate controlled environment where customer access is through a lobby and where no commercial transactions or activities take place other than the rental of the storage units (permitted in L-I only)." The applicant proposes to lease four (4) U-Haul moving trucks from the storage facility, which would be contrary to the definition of Climate Controlled Storage above.

- The applicant requests a parking variance to reduce parking from at least 104 to 28 parking spaces. UDC Subsection 2.5.1 (C), Number of vehicle parking spaces required, Wholesale and Industrial Uses requires one (1) parking space per 1,000 square feet for self-storage facilities. In addition, Auto and Truck Sales and Leasing requires one (1) parking space per 100 square feet of showroom, sales office, or other conditioned space. The applicant provided a floor plan of the proposed sales office, which is approximately 30' x 30, or 900 square feet. Therefore, parking required for the applicant's proposed use is 91 spaces for the self-storage use, four (4) spaces for the proposed U-Haul moving trucks and nine (9) spaces for the Auto and Truck Sales and Leasing use. Parking variances for self-storage facilities and data centers have been granted in the past, subject to a condition requiring that land be set aside to accommodate additional parking in the future, if determined to be necessary by Staff.
- The applicant is requesting an exception to increase the maximum building height from 35' to 36'-4". UDC Subsection 2.2.17(D), LI Light Industrial District Regulations has a maximum building height of 35'. The first-floor height of the building is 15', 2nd-floor is 10'-8" and 3rd-floor is 10'-8" for a total height of 36'-4". According to the applicant, approval of the height exception would allow for a larger first-floor height (15') to accommodate fire access with the building overhanging a portion of the driveway adjacent to Georgia 400.
- There are currently six (6) self-storage facilities operating in the City. Of the six (6), four (4) locations were in existence when they were annexed into the City. The other two (2) storage facilities were approved by the City. Public Storage on South Main Street was approved through a rezoning, conditional use, and parking variance to reduce parking from 155 to 32 spaces. Staff recommended denial of the request, but it was ultimately approved. Extra Space Storage on Westside Parkway received approval of a parking variance to reduce its parking from 103 to eight (8) spaces with a land set aside to accommodate an additional 21 parking spaces and a condition prohibiting the sale or leasing of moving vehicles. The developer ended up setting aside 27 additional parking spaces.
- The submitted site plan depicts a 3-story, 91,000 square foot self-storage building on 14.9 acres. Access is proposed by way of a new project driveway connecting to an existing private road easement. The adjacent property to the South, Avanti Inspired Living, constructed the private road easement in conjunction with their development, which provides direct access to the traffic light at Old Milton Parkway and Morris Road. The building overhangs the project driveway on the West side of the property adjacent to Georgia 400. This condition is directly related to the applicant's request to increase the height of the building from 35' to 36'-4".
- Approximately 10% of the site is buildable due to the presence of stream buffer and floodplain. 28 surface parking spaces are provided around the perimeter of the building, except on the side adjacent to Georgia 400. A total of 104 parking spaces are required and land is not available to construct additional parking, if required by Staff or the use changes. Additionally, there is not an adjacent buildable parcel that could accommodate additional parking for heavy use times. The site plan depicts a stormwater management facility to the east of the proposed building and within the 150' impervious setback.

- The submitted elevations depict a flat-roof building, primarily brick with some EIFS. Loading entrances are proposed on the east and west building elevations; however, it is recommended that loading areas not be visible from Old Milton Parkway or Georgia 400. Since GDOT's Georgia 400 Express Lane project will impact the existing tree buffer along Georgia 400 and the City does not have jurisdiction within the Old Milton Parkway right-of-way, it is recommended that the building be substantially brick on 3-sides (West, North and East) with breaks and relief in the elevations. It is likely that the building would be visible from Georgia 400 and possibly from Old Milton Parkway in the future.
- The three (3) story building has a 1st floor height of 15', 2nd floor height of 10'-8" and 3rd floor height of 10'-8" for a total building height of 36'-4". Parapets range in height from 3'-4" to 10'- 10". It is recommended that the Design Review Board approve final parapet heights based on the need to screen rooftop equipment.
- 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 5 in whole or in part, or with conditions, in such individual case of unnecessary hardship upon a finding that":
 - (1) There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography; or
 Response: The 14.9-acre property is encumbered by stream buffer and floodplain resulting in 10% of the site being buildable. Parking variances for self-storage facilities have been granted in the past; however, land should be set aside on-site to build parking if it becomes necessary or the use changes. This site does not have sufficient land outside the floodplain to accommodate UDC-required parking if it becomes necessary. The height exception appears to be the minimum necessary to accommodate fire access with the proposed building overhanging a portion of the driveway adjacent to Georgia 400.
 - (2) The application of the Ordinance to this particular piece of property would create an unnecessary hardship; or
 Response: The 14.9-acre property is encumbered by stream buffer and floodplain resulting in 10% of the site being buildable. Parking variances for self-storage facilities have been granted in the past; however, land should be required to be set aside for additional parking if needed in the future. This site does not have sufficient land outside the floodplain to accommodate UDC-required parking if it becomes necessary. The height exception appears to be the minimum necessary to accommodate fire access with the proposed building overhanging a portion of the driveway adjacent to Georgia 400.
 - (3) There are conditions that are peculiar to the property which adversely affect its reasonable use or usability as currently zoned; or
 Response: The 14.9-acre property is encumbered by stream buffer and floodplain resulting in 10% of the site being buildable. In addition, parking variances for self-storage facilities have been granted in the past, however land should be required to be set aside for additional parking if needed in the future. The height exception appears to be the minimum necessary to accommodate fire access with the proposed building overhanging a portion of the driveway adjacent to Georgia 400.
 - (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 parking variance and height exception should not cause substantial detriment to the public good, if conditions are approved requiring that the structure have the appearance of an office building, prohibiting signage facing Georgia 400 and requiring a set aside of land to accommodate the UDC-required parking in the future. This site does not have sufficient land outside the floodplain to accommodate UDC-required parking if it becomes necessary.

- Staff has reviewed the applicant's proposal and finds that it could support the requested parking variance if land were available outside of the floodplain to build additional parking spaces if required. Past variance approvals for parking reductions associated with storage 6 facilities and data centers have required land available on-site to accommodate a future use change or need for additional parking. The 14.9-acre property is encumbered by stream buffer and floodplain resulting in 10% of the site being buildable. The height exception appears to be the minimum necessary to accommodate fire access with the proposed building overhanging a portion of the driveway adjacent to Georgia 400. If approved, conditions are recommended requiring that the structure have the appearance of an office building, prohibiting signage facing Georgia 400 and requiring a set aside of land to accommodate the UDC-required parking in the future.
- 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.
- The CZIM was held on December 11, 2019. There were no public comments.
- Attorney, Don Rolader, 1865 Lockeway Dr #601, Alpharetta, GA, came forward to speak on behalf of the applicant.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to deny V-20-01/E-20-02 Midgard Self Storage Variance & Exception
 - The motion received a second from Council Member Burnett
 - The motion was approved (5-2); Council Member Merkel and Mayor Pro Tem Mitchell voting in opposition

VII. OLD BUSINESS

**A. PH-19-09 Unified Development Code Text Amendments – Signs (2nd Reading)
Sponsored By: Mayor Pro Tem Mitchell**

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was considered at the March 5, 2020 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended to approve the item. Vote (7-0)

- This item was considered at the July 27, 2020 City Council meeting. There were no public comments. A motion to approve Item #1 subject to the highlighted changes below, the motion was approved 5-1. A motion to approve Item #3, the motion failed 4-2. A motion to approve Item #4, the motion was a tie 3-3 and does not pass. Item #4 was pulled and re-advertised for consideration at a future City Council meeting. A motion to approve Items #2, 5-13, the motion was approved unanimously 6-0.
- Staff is recommending consideration of text amendments to Unified Development Code (UDC) Sections 2.6 Signs and 2.10 North Point Overlay.
- The following text amendments are proposed (Council changes highlighted below):
 1. Subsection 2.6.4 (A) Permit Required. Change to require any change to an existing sign, including only a face change, to obtain a permit. The term 'materially' remains and add sentence that states, 'A change in copy area of a sign shall constitute a material change.'
 2. Subsection 2.6.8 (26) Prohibited signs and devices. Reduce the maximum height of a monument sign from 15' to 10'.
 3. Item pulled for future Council consideration.
 4. Item pulled for future Council consideration.
 5. Subsection 2.6.12 (A)(2) and Subsection 2.6.12 (B)(2)(d) Requirements for non-residential zoning districts. Allow unused sign area for wall and perpendicular signs to be aggregated and distributed to a certain building elevation but limited to no more than 2 wall signs and 1 perpendicular sign on the same building elevation and not internally illuminated.
 6. Subsection 2.6.12 (A)(3) Requirements for non-residential zoning districts. Allow rear entrance wall sign to be a maximum 50% of the allowed front facing wall sign. This is to address buildings that have front and rear pedestrian entrances, and those with access from the Big Creek Greenway and future Alpha Loop.
 7. Subsection 2.6.12 (B)(1) Reduce the maximum height of a monument sign to 10' or less. Remove subsection (1)(g) which allowed increased copy area when one or more of the monument signs otherwise permitted are foregone. Allow rear entrance wall sign to be a maximum 50% of the allowed front facing wall sign.
 8. Subsection 2.6.12 (C)(1) Signs Permitted in Industrial and Office Parks. Reduce the maximum height of a monument sign from 15' to 10' and reduce the permitted copy area of a monument sign from 150 square feet to 75 square feet.
 9. Subsection 2.6.12 (C)(2) Signs Permitted in Industrial and Office Parks. Allow a blade sign in lieu of a wall sign with a sign area not to exceed 50% of the allowable wall sign area.
 10. Subsection 2.6.12 (D)(1) Add "no digital copy is allowed" for clarification.
 11. Subsection 2.6.12 (E)(6) Change buildings of 3 stories to 2 stories are permitted a wall sign at top of the free-standing commercial building.
 12. Subsection 2.6.12 (G) Add maximum height of a monument sign not to exceed 6' and remove last sentence, which states the regulation does not apply if only changing sign face.
 13. Subsection 2.10.9 North Point Overlay, Signs. Delete subsection (C) regarding rear wall signs.
- Asst. City Attorney, Steven Jones, read the ordinance aloud.

Public Comment:

- No Public Comment

- ❖ Council Member Richard offered a motion to approve PH-19-09 amendments to the Unified Development Code as it relates to the following Sign Code:

1. Subsection 2.6.4 (A) Permit Required. Change to require any change to an existing sign, including only a face change, to obtain a permit. *The term 'materially' remains and add sentence that states, 'A change in copy area of a sign shall constitute a material change.'*
2. Subsection 2.6.8 (26) Prohibited signs and devices. Reduce the maximum height of a monument sign from 15' to 10'.
5. Subsection 2.6.12 (A)(2) and Subsection 2.6.12 (B)(2)(d) Requirements for non-residential zoning districts. Allow unused sign area for wall and perpendicular signs to be aggregated and distributed to a certain building elevation but limited to no more than 2 wall signs and 1 perpendicular sign on the same building elevation and not internally illuminated.
6. Subsection 2.6.12 (A)(3) Requirements for non-residential zoning districts. Allow rear entrance wall sign to be a maximum 50% of the allowed front facing wall sign. This is to address buildings that have front and rear pedestrian entrances, and those with access from the Big Creek Greenway and future Alpha Loop.
7. Subsection 2.6.12 (B)(1) Reduce the maximum height of a monument sign to 10' or less. Remove subsection (1)(g) which allowed increased copy area when one or more of the monument signs otherwise permitted are foregone. Allow rear entrance wall sign to be a maximum 50% of the allowed front facing wall sign.
8. Subsection 2.6.12 (C)(1) Signs Permitted in Industrial and Office Parks. Reduce the maximum height of a monument sign from 15' to 10' and reduce the permitted copy area of a monument sign from 150 square feet to 75 square feet.
9. Subsection 2.6.12 (C)(2) Signs Permitted in Industrial and Office Parks. Allow a blade sign in lieu of a wall sign with a sign area not to exceed 50% of the allowable wall sign area.
10. Subsection 2.6.12 (D)(1) Add "no digital copy is allowed" for clarification.
11. Subsection 2.6.12 (E)(6) Change buildings of 3 stories to 2 stories are permitted a wall sign at top of the free-standing commercial building.
12. Subsection 2.6.12 (G) Add maximum height of a monument sign not to exceed 6' and remove last sentence, which states the regulation does not apply if only changing sign face.
13. Subsection 2.10.9 North Point Overlay, Signs. Delete subsection (C) regarding rear wall signs.

- The motion received a second from Mayor Pro Tem Mitchell
- The motion was approved unanimously (7-0)

**B. PH-19-28 Unified Development Code and Code of Ordinance Text Amendments –
Massage and Spa Establishment (2nd Reading)**

- Director of Community Development, Kathi Cook, came forward to present this item.
- This item was considered at the March 5, 2020 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended to approve the item. Vote (7-0)

- This item was considered by City Council at the July 27, 2020 meeting. After discussion, the City Council approved the item subject to adding a 2,000' distance requirement to the definition of 'Massage Therapy' in the Code of Ordinances and Unified Development Code and deleting Code of Ordinance Subsection 10-279(b)(14), surety bond requirement in its entirety. Vote (6-0)
- Staff is recommending that Mayor and Council approve PH-19-28 amendments to the Unified Development Code and Code of Ordinances as it relates to Massage and Spa Establishments.
- Consideration of text amendments to Unified Development Code (UDC), Section 1.4 Definitions. Proposed amendments include:
 1. Amend the definitions of 'Massage Therapy' and 'Spa Services' to match the definitions in the City's Code of Ordinances and including distance requirements from the Code of Ordinances Subsection related to Massage and Spa Establishments.
- Consideration of text amendments to the Code of Ordinances, Article IX Massage and Spa Establishments. Proposed amendments include:
 2. Amend the definitions of 'Massage or Massage Therapy' and 'Spa Establishment' to match the definitions in the Unified Development Code (UDC) and including distance requirements from the Code of Ordinances Subsection related to Massage and Spa Establishments.
 3. Replace the City's Public Safety Department with the City's Community Development Department as the administrator of the ordinance.
 4. Delete last 2 sentences of subsection 10-279 (a) which limits massage and spa establishment licenses to no more than 20 such licenses.
- Asst. City Attorney, Steven Jones, read the ordinance aloud.

Public Comment:

- No Public Comment
- ❖ Council Member Richard offered a motion to approve PH-19-28 Unified Development Code and Code of Ordinance Text Amendments – Massage and Spa Establishment as presented by Staff
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

VIII. NEW BUSINESS

A. Comprehensive Compensation and Classification Study

- Director of Human Resources, Cris Randall, came forward to present this item.
- Staff is recommending that Mayor and Council approve the July 10, 2020, Comprehensive Compensation and Classification Study recommendations, proposed pay plan and pay grades, effective the first pay period of October 2020.
- Talent management is a fundamental element of public management and the delivery of services for the community. A well designed and competitive compensation plan is a key part of the foundation for delivering quality public services because it is through an organization's ability to attract and retain a capable and talented workforce that quality public services are provided efficiently and effectively.
- A diagnostic study of the comparable labor market, coupled with a fresh assessment of internal job content and complexity, provides current and objective compensation data necessary to assist in making decisions addressing policy and administrative choices related to the workforce.
- In the second half of 2019, the City retained Evergreen Solutions, LLC (Evergreen) to conduct a position classification and compensation (wages and benefits) analysis. Evergreen is a public-sector management consulting firm with extensive experience in administering this type of project. The study was conducted to ensure all position classifications (job title) accurately reflects the duties and responsibilities of the job, and the salary range assignment is internally equitable and competitive within our employment markets.
- The purpose of the Compensation, Classification and Benefits Study was to:
 - o Produce a pay plan that is both internally equitable and externally competitive
 - o Determine market competitiveness of the City's compensation system by conducting salary and benefits surveys with peer organizations
 - o Ensure employee's wages, in their current position, are appropriately placed in the pay range, based on years of service, experience and qualifications
 - o Designed to assure equal pay is provided for equal work
- The study, however, was not designed to determine work volume or to decide whether individual employees are performing their job function to expectations. The study represents the evaluation of the positions, not the individuals performing the jobs. Job classification (job titles) and pay ranges were determined by job duties, responsibilities, and requirements needed to perform the job (i.e., education, years of experience, certifications, etc.).
- The framework of the study included:
 - o Employee outreach: live orientation session so employees could provide feedback on current compensation and classification practices. Recorded orientation was also made available to employees that could not be present.
 - o Job assessment tool (JAT): providing employees an opportunity to describe in detail the type of work they perform within the job they currently fill.

- o Salary Survey: Evergreen conducted a salary and benefits survey of public employers in the local and regional employment markets which the City competes for high quality staff in order to evaluate and recommend a salary plan that is competitive with salaries paid for similar occupations in those markets.
 - o Data Analysis: - Position scores were tabulated based on employee's response to the JATs, job descriptions, supervisor review and department director input. - Payroll data and information obtained in the JATs was utilized to conduct a comprehensive position classification evaluation and positions were ranked based on levels of leadership, working conditions, complexity and decision making. - JAT information was also utilized to evaluate position exemption classification as provided by the Fair Labor Standards Act (FLSA) regulations. - Positions were placed into ranges based on position worth, not the individual performing the position. - Assessment of internal and external job equity, employee tenure and past performance scores were conducted to determine employee's placement within the new ranges.
- Key findings and conclusions of the study include:
 - o Employee Feedback: Employee outreach feedback indicated our employees take a lot of pride in their work and strive to make a distinct contribution to the City and the community.
 - o Classification System: Overall, the classification system utilized by the City was sound, however, there were some instances of titles that could be modified to better reflect the job duties and tasks of the position. Appropriate position classification pay ranges will reflect the City's ability to recruit and retain talent over time.
 - o Compensation System: Based on the analysis of data from external market assessment, overall salary ranges were generally found to be slightly below the market. Results of pay compression analysis based on supervisors and the employees they supervise also reveals some areas of concern. Emphasis was placed on the standing of a classification's pay range compared to the market. Assigning pay grades to classifications requires a balance of internal equity, desired market position, and recruitment and retention consideration. The review of data for the public sector indicated the City would benefit from the development and implementation of a more competitive pay plan structured similarly to its peers.
 - o Benefits: When compared with peer organizations, benefits data indicate the City's benefits offerings are somewhat more competitive when considering the proportion of medical insurance premiums paid by employees to the amount paid by the City. The recent retiree health reimbursement benefit is also a significant positive contributor to the total compensation for the City's employees.
- The study represents an in-dept analysis of the City's current compensation, classification, and benefits plan. The report represents collaborative work among Evergreen, Human Resources Department, Department Directors, and City employees. Opportunity for stakeholder input and feedback was provided throughout the process, information obtained was recorded and carefully considered, data from internal and external sources were analyzed and preliminary information was distributed to appropriate parties as it became available.
- Suggested pay plan and supporting recommendations to assist achieving an internally equitable and externally competitive compensation system was recommended and are explained in detail in Chapter 5 of report. Key recommendations include:

- o Revise titles of some classifications
 - o Revise job descriptions to include updated classification information provided in the JAT.
 - o Create and implement a competitive pay-plan aligned with the City's compensation philosophy that reflects the desired market position, best practices, internal and external equity, and transition employee's salaries into the plan.
 - o Conduct small-scale salary surveys as needed to assess the market competitiveness and conduct a comprehensive classification and compensation study every three to five years.
 - o Review and revise, as appropriate, guidelines for progressing employee salaries through the plan, including those for determining salaries of newly hired employees who have been promoted or transferred to a different classification.
- In developing the recommendation, the study evaluated how jobs compare with one another from an internal equity standpoint as well as salaries being paid, and benefits being offered by other "like" municipalities. Implementing the proposed recommendations will enhance the City's competitiveness in the labor market and provide a responsive compensation system for several years to come.
 - The study's recommendations strongly align with the City's Core Values of Excellence, by the pursue of continuous improvement in our results and how they are achieved; Stewardship, by reflecting professionalism, ethics, industry standards and best practices; Integrity, by providing a fair and careful assessment and transparency of information; and Service, by our commitment to efficient, effective and responsive service delivery.
 - The study's final report is the result of a due diligence, careful analysis, and dedicated work representing a holistic and long-term focus on talent management, recruitment, retention and employment engagement initiatives while ensuring the highest standards of public administration and human resources best practices are also achieved.

Public Comment:

- No Public Comment
- ❖ Council Member Merkel offered a motion to approve the July 10, 2020, Comprehensive Compensation and Classification Study recommendations, proposed pay plan and pay grades, effective the first pay period of October 2020
- The motion received a second from Council Member Burnett
 - The motion was approved unanimously (7-0)

B. Microsoft Enterprise Agreement for Software Services

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Mayor and Council award Dell Marketing LP as the vendor to provide the Microsoft Enterprise Agreement for software services in the amount of \$282,569.21 and authorize the Mayor to execute all necessary documents.
- As approved in the FY 2021 budget, this contract provides for Microsoft Enterprise Agreement for software services for the City of Alpharetta. This will provide greater reliability, greater efficiency for system software services for Departments throughout the City of Alpharetta that support for individual employees for the City.
- The presented agreement covers 36 months of guaranteed pricing for current levels of software services provided. Dell Marketing LP is the designated provider for Microsoft Enterprise services for the City.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to award Dell Marketing LP as the vendor to provide the Microsoft Enterprise Agreement for software services in the amount of \$282,569.21 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - Mayor Gilvin offered a friendly amendment to make an adjustment to the motion by adding “up to the amount of \$282,569.21”
 - Council Member Burnett and Council Member Merkel accepted the friendly amendment
 - The motion was approved unanimously (7-0)

C. Replacement of Web Help Desk Software

- Director of Information Technology, Randy Bundy, came forward to present this item.
- Staff is recommending that Mayor and Council approve a one-year contract from SH, Inc. for Zendesk in the FY2021 in the amount of \$24,391.98 and authorize the Mayor to execute all necessary documents.
- This request is for replacement of the IT Departments existing legacy Web Help Desk system that is experiencing serious issues (particularly as of 03-17-2020 when Microsoft instituted new security standards). The existing system is legacy product that is no longer being updated and does not have features of other current systems. Therefore, we have prioritized this for immediate replacement.

- This is a one-year contract for Zendesk (a highly rated hosted Help Desk system that is modern and many enhanced features). This system was selected because of relatively low-cost system that integrates with our current Office 365/Teams and Azure Cloud environment.

Public Comment:

- No Public Comment
- ❖ Council Member Burnett offered a motion to approve a one-year contract from SH, Inc. for Zendesk in the FY2021 in an amount not to exceed \$24,391.98 and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

D. Virtual Learning Site MOU with the YMCA

- Director of Recreation, Parks and Cultural Services, Morgan Rodgers, came forward to present this item.
- Staff is recommending that Mayor and Council approve the Virtual Learning Site MOU with the YMCA and authorize the Mayor to execute all necessary documents.
- The COVID-19 pandemic has presented our community with an array of challenges, but the most lasting impacts could be those on children and students. As our schools begin the academic year in an all-virtual setting, there will be issues ranging from access to high speed internet to quality childcare and supervision as parents return to work.
- To assist in addressing some of these issues, it is proposed that the City and the Alpharetta / Ed Isakason YMCA partner to provide early and late afternoon opportunities for students. Under the proposed Memorandum of Understanding the City of Alpharetta would make available certain Parks facilities for programming that would be coordinated by the YMCA. The specific duties and responsibilities of the City and the YMCA are listed in the attached MOU.
- If approved, the MOU shall begin on August 24, 2020 and continue until virtual learning services are no longer needed or June 30, 2021, whichever comes first.
- YMCA representative, Ryder Leary, came forward to discuss their COVID-19 policies.

Public Comment:

- No Public Comment
- ❖ Council Member Binder offered a motion to approve the Virtual Learning Site MOU with the YMCA and authorize the Mayor to execute all necessary documents
 - The motion received a second from Council Member Merkel
 - The motion was approved unanimously (7-0)

IX. WORKSHOP

A. Update and Discussion on School Year Impact Due to COVID-19 (Sponsored By: Mayor Gilvin, Council Member Binder, Council Member Burnett, & Council Member Richard)

- Asst. City Administrator, James Drinkard, Director of Recreation, Parks and Cultural Services, Morgan Rodgers, and Director of Human Resources, Cris Randall, came forward to present this item.
- Staff is looking for direction from Mayor and City Council on what steps the City should be taking in response to the new school year model.
- Staff presented an update and opened discussion on the school year impact due to COVID-19. Local public schools are using different models for the beginning of the school year. This impacts Alpharetta residents and employees in many ways. Staff will report on what programs and/or services have been established and what is planned.

B. TSPLOST Projects Update

- City Administrator, Bob Regus and Director of Public Works, Pete Sewczwicz, came forward to present this item.
- After funding McGinnis Ferry Road, Old Milton Parkway, and the Bridge Improvements, the Finance Department shows at current collection estimates, the City should be able to allocate \$25,353,275 to projects that remain to be funded with TSPLOST proceeds.
- Since we will not have funds to cover all the remaining four projects, Director Sewczwicz has provided the following pros and cons of each project:
 1. Webb Bridge Road – Greenway to WB Park and SR 120 (Project was expanded, and a change order was issued to extend the project limits)
 - Pros
 - o Establish connectivity from the Greenway to Webb Bridge Park and John Creeks Multi-Use Trail along SR 120
 - o Windward and Park Bridge Communities has access to the Greenway and WB Park
 - o Bike lanes along the corridor
 - o Roundabout replacing traffic signal at WB Way will improve traffic flow and safety for the intersection and the residents in adjacent subdivisions
 - Cons
 - o Request/desire of citizens to maintain 40mph speed limit
 - o Limited ROW to work with. This resulted in a 3' grass strip and installing tree grates along the entire corridor
 - o Tree Grates are very expensive, and we are looking into options
 - Construction cost is more than \$5k per grate, approximately 300 tree grates for the corridor
 - Grates are requiring more maintenance along Main St and the look may be more formal than individuals would want
 - o Utility relocations may be at the City's expense
 - o Overall project is a streetscape with the exception of one intersection improvement (roundabout) and the overall cost in around \$20M

2. Webb Bridge Road – Morris Road to Greenway

- Pros
 - o Minimal work between Morris and NPP
 - Maintain existing curb line and resurface/re-stripe lanes to accommodate a bike shoulder
 - o New bridge over big creek
 - o Extend connectivity to greenway, park, and downtown
 - o Improve vehicular safety approaching access to Alpharetta HS
- Cons
 - o Replacement of bridge over Big Creek
 - Need to look into temporary bridge or remove and replace
 - Minimal design work has taken place, to provide realistic cost estimate
 - Current estimate from team is between \$10-\$12M
- It is difficult for Director Sewczwicz to state if the \$8M price tag from Morris to Greenway is going to hold up, the wild card is the bridge. He does think \$10-\$12M is rather high for the end benefits. A component not established for this section is ROW and easements, mainly due to the fact we do not have a design and until we do it is difficult to state the limits of the project. Building a temporary bridge first and then taking down the existing bridge and then building a new bridge is not helping the cost. The bridge over Big Creek will need to be replaced in the future, we can only make repairs so long. It is not in dire need of replacement, but with all the construction the corridor is going to be going through the replacement will be sooner than later.
- Concerning both projects above, Director Sewczwicz thinks it is worth our while to have discussions with the adjacent property owners and see if we can increase our limits a few additional feet. His concern is that the cost of the tree grates (purchase, /installation/maintenance) is going to be far greater than the cost of the additional ROW/easements. We would have to pay POND additional dollars to modify their design, shifting the sidewalk 3', but I think it will be a better overall experience. His basis for this different thought is the feedback from the residents along Rucker. They love the additional separation from the vehicles and are understanding why we were only able to accommodate a 2' beauty strip in areas. We think we are at a point where we can run a financial exercise (quickly and for not many dollars) to determine if the additional ROW/easements offset the cost of the grates. The grates were a nice compromise, but Director Sewczwicz thinks with funding challenges we should go through the exercise to see what the most cost-effective solution is.

3. Academy Street – Presbyterian Church to FS 81

- Pros
 - o Increases pedestrian connectivity along the north side of Academy Street
 - o Utilizing excess asphalt to add bike accommodations
 - o One Landscape median
- Cons
 - o Minimal ROW to work with; only a 2' beauty stip.
 - o Unlike East of Main, pedestrian lighting will be installed in the beauty strip due to lack of ROW (East of Main pedestrian lighting is behind the sidewalk)
- Current cost estimate is \$2.8M. This cost includes a \$200k contingency. This dollar amount does not include easements/ROW we need to acquire, which is not much. The ROW needed is primarily at the entrances of subdivisions. The ROW plans will be finished over the next month or so.

- The current design is to install pedestrian lights within the 2' beauty strip. A comment that individuals have along Rucker is how the lights make the corridor feel like a runway. Individuals do understand that the trees will grow and minimize this affect. However, on Academy we do not have the ability to install street trees or place the lights behind the sidewalk like East of Main. There are lights on the majority of the power poles along Academy, my recommendation is to work with Georgia Power and install lights not on any of the power poles, install conduit for future electrical needs and not install the pedestrian lighting. We believe the savings would be around \$300k.
4. Haynes Bridge Road Widening – length: 1.93 miles (0.95 miles in JC and 0.98 miles in Alpharetta)
- Pros
 - o Increase vehicular capacity
 - o 10' trail on south side of HBR to access greenway
 - o Geometry of road widening requires a reduction in speed limit
 - Cons
 - o Significant ROW needed along corridor and from properties in Roswell
 - o Poor egress/ingress for Haynes Forrest Subdivision
 - Difficult to safely exit subdivision now, additional lanes will make it more difficult
 - o Cost is increasing, originally \$10M project now north of \$16M
- Initially Director Sewczwicz felt this was one of the best TSPLOST projects. Unfortunately, the project currently designed makes it more difficult for Haynes Forrest residents to leave their subdivision when the additional lanes are added. Installing a dual lane roundabout at the Middle School Entrance or utilizing the Middle Schools access drive increases the cost of the project quite a bit and the current scenarios we have are not the best.
 - Overall, Director Sewczwicz thinks it would be beneficial to phase in projects along the WBR corridor. Constructing the roundabout at Webb Br Way and installing a connection to the greenway from Westwind Subdivision sooner than later is a benefit our citizens can see. WBR has sidewalk for the majority of the corridor and where there is not sidewalk there is new construction and abilities of individuals to cross the street at a signalized intersection. Long story short, an approach to consider is installing small components of project sooner rather than later so the citizens can utilize the improvements as we work through obtaining ROW/easements and the design of the improvements between NPP and the Greenway. Yes, additional design dollars will be needed but minimal compared to the long-term benefit of progress along the corridor.

X. PUBLIC COMMENT

- No Public Comment

XI. REPORTS

- Council Member Merkel thanked the Public Works Department for cleaning up the downtown streets after receiving complaints from local vendors.
- Council Member Burnett commented on receiving an audit letter from the Department of Revenue coincidentally following the resolution adopted by Mayor and Council to authorize the City's request to obtain additional tax data.

- Council Member Richard commented on the terrific response that the community wide survey has received which was rolled out for the 2040 Comp Plan Update. Additionally, Council Member announced the CZIM meeting this Wednesday, August 12th at 6:00 PM.
- Mayor Gilvin commented on the successful public survey that took place at the lake off Haynes Bridge Road.
- City Administrator, Bob Regus, came forward to thank the Finance Department and the Human Resources Department for doing a great job.

XII. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Merkel offered a motion to adjourn into Executive Session
 - The motion received a second from Mayor Pro Tem Mitchell
 - The motion was approved (6-1); Council Member Burnett voting in opposition
- ❖ With no further business to discuss or items to be heard, Mayor Gilvin adjourned the meeting to Executive Session at 9:33 P.M.

Respectfully submitted,

A handwritten signature in cursive script that reads "Erin Cobb".

Erin Cobb, City Clerk



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: V-20-09 HAMILTON HOTEL EXTERIOR MATERIAL VARIANCE

CONSIDERATION OF A VARIANCE TO ALLOW SYNTHETIC STUCCO (EIFS) IN LIEU OF HARD COAT STUCCO AS AN EXTERIOR MATERIAL FOR THE HAMILTON HOTEL. THE PROPERTY IS LOCATED AT 21 MILTON AVENUE AND IS LEGALLY DESCRIBED AS BEING LOCATED IN LAND LOT 1269, 2ND DISTRICT, 2ND SECTION, FULTON COUNTY, GEORGIA.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Hamilton Hotel Exterior Material Variance CC Staff Report, Aerial Map, Future Land Use, Zoning Map, Location Map, Citi Part B Combined 8.3.20, Hamilton Hotel - Elevation A302, Hamilton Hotel - Elevation A303, V-20-09 Combined App w MM Sytems Letter



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: V-20-09 HAMILTON HOTEL EXTERIOR MATERIAL VARIANCE

CITY COUNCIL:

AUGUST 24, 2020

II. RECOMMENDATION:

Approve V-20-09 Hamilton Hotel Exterior Material Variance, subject to the following conditions:

1. EIFS, or synthetic stucco, shall be permitted as an exterior finish material on the Hamilton Hotel building and limited to the areas depicted on the submitted elevations at the rear of the building.

III. REPORT IN BRIEF:

The applicant, MF Cotton House Development, LLC, is requesting a variance to allow EIFS, or synthetic stucco, as an exterior material on the rear elevation of the Hamilton Hotel. The Downtown Code allows for the use of hard coat stucco, but does not allow for the use of synthetic stucco on walls visible from a street. The subject property is located at 21 Milton Avenue, at the northwest corner of Milton Avenue and Old Canton Street.

DISCUSSION

The submitted request, if approved, would allow EIFS (Exterior Insulation Finish System), or synthetic stucco, as an exterior finish material on the rear elevation of the Hamilton Hotel and within the interior walls of the amenity area. The Downtown Overlay allows for the use of hard coat stucco, but does not allow synthetic stucco, or EIFS, on walls visible from a street. The subject property is located at 21 Milton Avenue, at the northwest corner of Milton Avenue and Old Canton Street.

The 0.97-acre property is zoned DT-C (Downtown Core) and is currently being developed with the 119-room Hamilton Boutique Hotel. All surrounding properties are zoned C-2 (General Commercial), except that the property to the east is zoned OSR (Open Space and Recreational). Adjacent properties are Old Milton Park and Mercantile Social to the east, Waters Building, Truck & Tap and Ceviche to the south, future Aria Salon building and an undeveloped commercial property to the west and Oxygen Financial and Rivers Academy to the north.

Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code requires that exterior finish materials on walls visible from a street or civic space be limited to brick, manufactured stone, architectural block, natural stone, wood siding, cement-based siding, cement-based panels, and/or hard coat stucco. The applicant requests a variance to allow for the use of synthetic stucco, or EIFS, on the rear elevation of the building within the interior walls of the amenity area. Synthetic stucco is not a permitted on the rear elevation of the Hotel because it would be visible from Old Canton Road. According to the applicant, the detailed work required to provide the desired architectural details is not feasible with the use of hard coat stucco. The applicant provided a letter from MM Company, Inc., which is a certified subcontractor to install EIFS and stucco systems. The letter states that the design architectural

look of the building cornice and accent details cannot be achieved using hard coat stucco. According to MM Company Inc., using hard coat stucco has the potential for system failures due to the desired thickness of the stucco, there is a lack of drainage efficiency and thermal resistance with a stucco system, and a stucco system would change the look of the building because it would require more control and reveal joints.

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 piece of property in question because of its size, shape or topography; or

Response: The unusual shape of the property does not directly contribute the applicant's requested variance. However, the detailed work required to provide the desired architectural details on the building is not feasible with the use of hard coat stucco.

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

Response: The application of the Alpharetta Downtown Code requirements related to exterior finish materials could alter the desired look of the hotel building and potentially lead to system failures that could compromise the building envelope.

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

Response: The requested variance is related to the desired look of the building, which has been conditioned by City Council and approved by the Design Review Board (DRB). The detailed work required to provide the desired architectural details on the building is not feasible with the use of hard coat stucco.

(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 requested variance should not cause substantial detriment to the public good. The requested variance specifically relates to the rear elevation of the building and within the interior walls of the amenity area. Conditions are recommended limiting the use of EIFS to the areas depicted on the submitted elevations and at the rear of the building.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it can generally support the requested variance to allow EIFS, or synthetic stucco, as an exterior finish material on the rear elevation of the Hamilton Hotel. The applicant provided a letter from a certified subcontractor to install EIFS and stucco systems stating that the use of EIFS would maintain the desired look of the building and reduce the potential for system failures within the building envelope.

CITIZEN PARTICIPATION PLAN

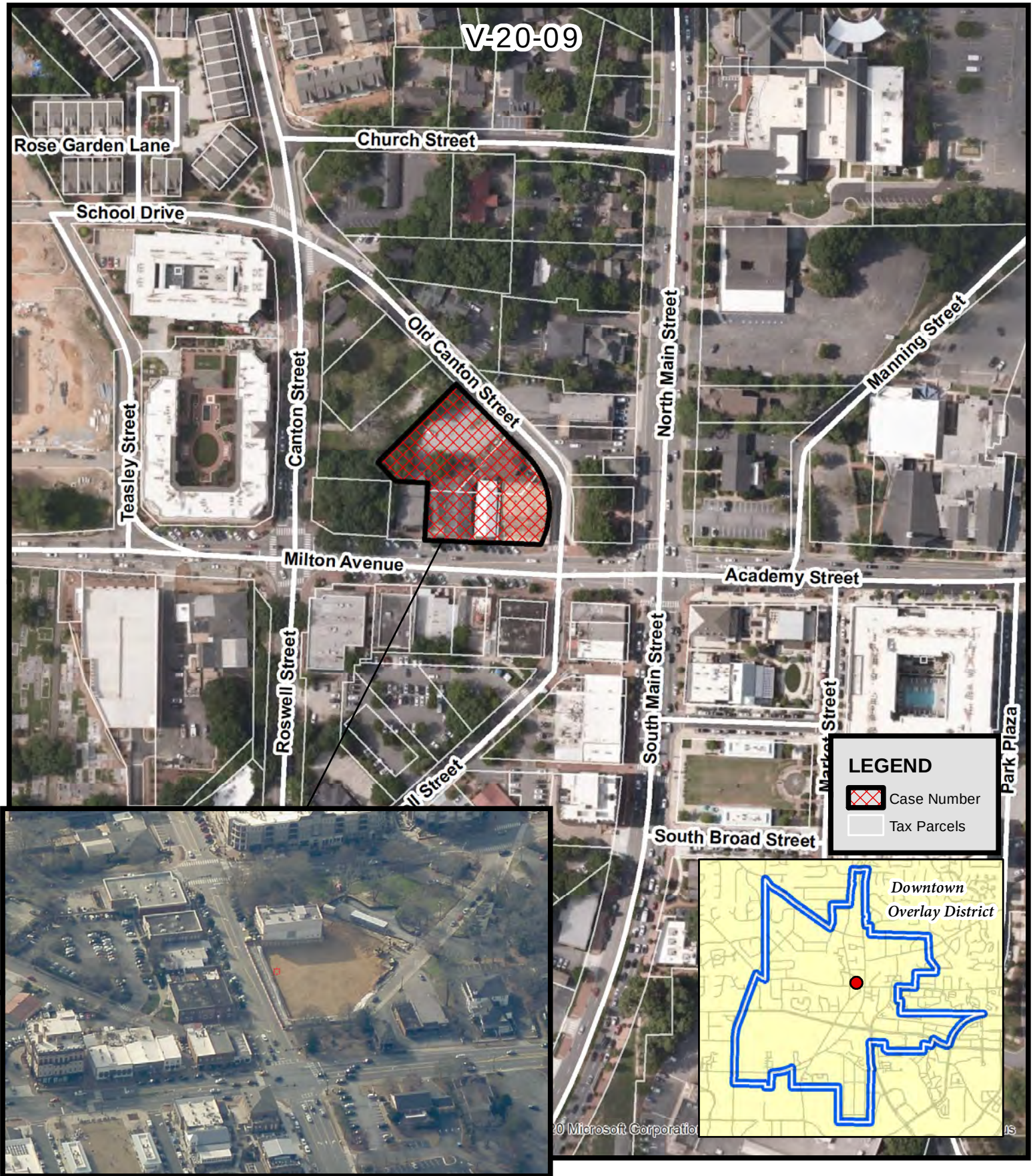
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on August 12, 2020. There was a question as to whether or not synthetic stucco was the same as EIFS. The applicant affirmed that.

IV. ATTACHMENTS:

- Building Elevations
- Subcontractor Letter, dated 7/8/2020



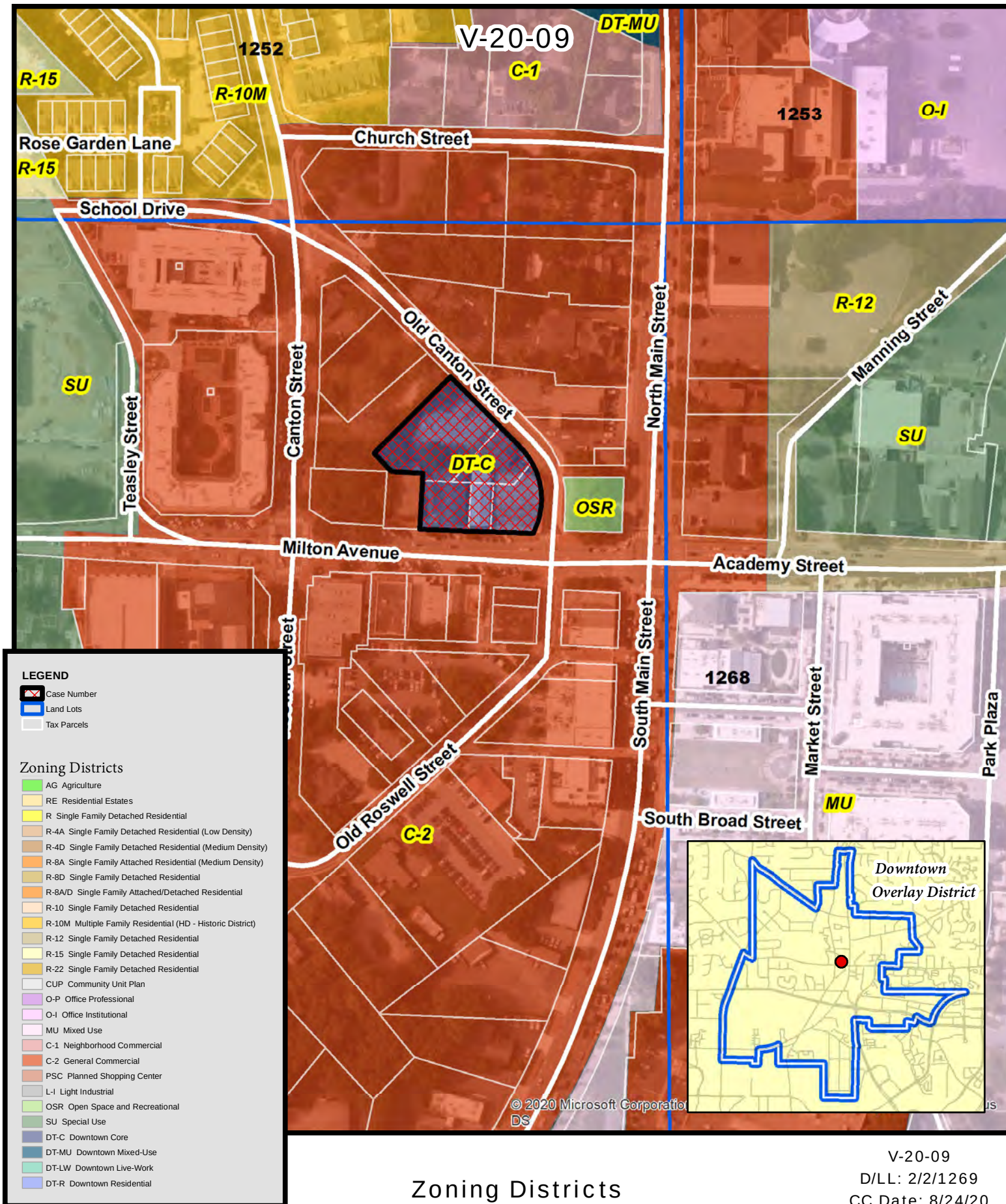
Aerial Map
Hamilton Hotel
Milton Avenue

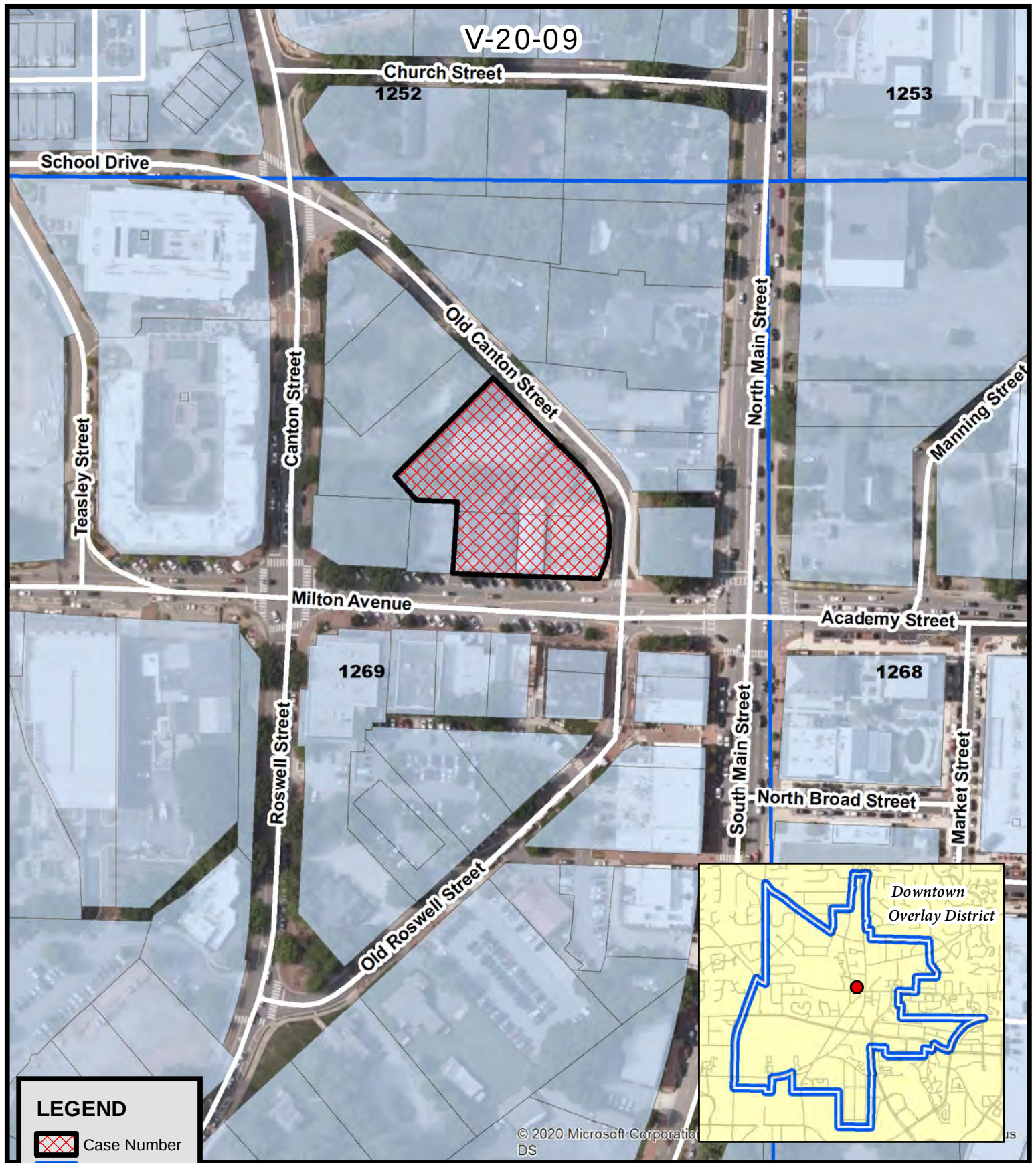
V-20-09
D/LL: 2/2/1269
CC Date: 8/24/20

Location Map Provided by:
Community Development - GIS









Location Map
Hamilton Hotel
Milton Avenue

V-20-09
D/LL: 2/2/1269
CC Date: 8/24/20

Location Map Provided by:
Community Development - GIS



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: **Hamilton Hotel**

Contact Name: **John Boniface**

Telephone: **352-425-3356**

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.

We have had no comments or concerns expressed by any individuals contacted as part of the Citizen Participation Program.

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

☒

Letter

☐

Personal Visits

☐

Telephone

☐

Group Meeting

☐

Email

☐

Other *(Please Specify)*

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

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

Signature of Authorized Agent: **John Boniface** John Boniface 2020.08.03 14:57:48-04'00'

Date: **8/3/2020**

Print Form

MF COTTON HOUSE DEVELOPMENT, LLC

July 21, 2020

Property Owner

RE: V-20-09, Variance request by MF Cotton House Development, LLC for property located at 35 Milton Avenue, Alpharetta, GA

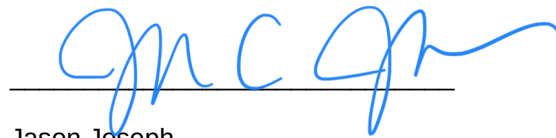
Dear Property Owner:

MF Cotton House Development, LLC has filed an application for a variance request to permit a specific building material (synthetic stucco) in lieu of the code specified Hardcoat Stucco. This modification will allow a more ornate and decorative finish and level of detail to be attained at the rear/interior elevations of the approved boutique hotel.

The Community Zoning Information Meeting will be held Wednesday, August 12, 2020 at 6:00 pm. The Public Hearing is scheduled for Monday, August 24, 2020 at 6:30 p.m. at City Hall. If you have questions or would like additional information, please contact Nathan Sycks at 404-442-6603. His fax number is 888-998-7373, and his email is nathan@mmhfir.com. His address is 11525 Haynes Bridge Road, Ste. 250, Alpharetta, GA 30009.

Sincerely,

MF Cotton House Development, LLC



Jason Joseph
Authorized Signatory

28 NORTH MAIN STREET LLC
3270 COCHISE DR SE
ATLANTA GA 30339-4319

33 SOUTH MAIN LLC
1905 EVERGREEN LN
ALPHARETTA GA 30009

44 MILTON AVENUE PARTNERS LLC
53 S MAIN ST SUITE 300
ALPHARETTA GA 30009

ACADEMY & MAIN LLC
PO BOX 1081
ALPHARETTA GA 30009

ALPHARETTA FIRST UNITED METHODIST CHURCH
INC
69 N MAIN ST
ALPHARETTA GA 30009

ALPHARETTA LOFTS RETAIL LLC
11785 NORTHFALL LN SUITE 510
ALPHARETTA GA 30009

ALPHARETTA LUXURY RENTALS ONE LLC
1635 REDDSTONE CLOSE
ALPHARETTA GA 30004

ALPHARETTA TOWN COMMONS LLC
2801 BUFORD HWY NE SUITE T 70
ATLANTA GA 30329

ARANGO ALBERTO & HELGA
58 CANTON ST UNIT 406
ALPHARETTA GA 30009

ARTUSIO LINDA M
58 CANTON ST UNIT 407
ALPHARETTA GA 30009

ATTIG LARRY L & MARGE A
225 OAKMERE DR
ALPHARETTA GA 30009-3268

AVIOR NAOMI
58 CANTON ST UNIT 402
ALPHARETTA GA 30009

BEANIES PROP LLC
231 VAUGHAN DR
ALPHARETTA GA 30009

BERNARD JILL & BERNARD JAMES HARRISON IV
58 CANTON ST UNIT 211
ALPHARETTA GA 30009

BLANKS KATHRYN L
58 CANTON ST UNIT # 212
ALPHARETTA GA 30009

BLUE DEVIL ASSOCIATES L L C
1100 POWERS PL
ALPHARETTA GA 30004

BUCKINGHAM RENEE J & JOHN W JR
58 CANTON ST UNIT 311
ALPHARETTA GA 30009

BUNCH DEREK
1255 RIVERSIDE RD
ROSWELL GA 30076

BUTCHART JAMES D & HANSEN WAYNE E
50 CANTON ST UNIT 407
ALPHARETTA GA 30009

CARLOS L BAGWELL REVOCABLE TRUST THE
40 ROSWELL ST
ALPHARETTA GA 30009

CAROLYN JANET PALMER REVOCABLE TRUST
58 CANTON ST UNIT 401
ALPHARETTA GA 30009

CURRY EDDIE W & DEBRA V
50 CANTON ST UNIT 305
ALPHARETTA GA 30009

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

DELSON STORES INC
3270 COCHISE DR
ATLANTA GA 30339

DEMAND & ESCROW LLC
1630 RANDALL MILL PL
ATLANTA GA 30327

DEVELOPMENT AUTHORITY OF ALPHARETTA
2 S MAIN ST
ALPHARETTA GA 30009

EAST CANTON LLC
11785 NORTHFALL LN SUITE 510
ALPHARETTA GA 30009

ERICSON LEIF R & GEORGIA T
58 CANTON ST UNIT 206
ALPHARETTA GA 30009

ESPARRAGOZA MIGUEL ANGEL MARTINEZ
58 CANTON ST UNIT 302
ALPHARETTA GA 30009

FAGERNESS JOHN W & DAVIS SHERRY L
13955 ATLANTA NATIONAL DR
ALPHARETTA GA 30009

FENNELL ROBERT P & PATRICIA
50 CANTON ST UNIT 303
ALPHARETTA GA 30009

FIRST BAPTIST CHURCH OF ALPHARETTA INC
42 ACADEMY ST
ALPHARETTA GA 30009-3702

FRANCESCHI CARLOS A & HELGA L
58 CANTON ST UNIT 201
ALPHARETTA GA 30009

FRYMAN KATHLEEN A
58 CANTON ST UNIT 403
ALPHARETTA GA 30009

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE
ATLANTA GA 30315

GEORGIA FED SAV & LOAN ASSN
P.O. BOX 2609
CARLSBAD CA 92018-2609

GEORGIAN COMMUNITY ASSOCIATION INC
THE
958 MCEVER RDG STE B5
GAINESVILLE GA 30504

GONZALEZ MARY-SUTTON
58 CANTON ST UNIT 202
ALPHARETTA GA 30009

HADAWAY TIMOTHY & HADAWAY GAYLE
87 WEBB ST
ROSWELL GA 30075-3535

HARTY LINDA BEASLEY
58 CANTON ST UNIT 203
ALPHARETTA GA 30009

HASKINS RICHARD A & AMY S
10945 STATE BRIDGE RD SUITE 401 336
ALPHARETTA GA 30022

HEARN SANDRA & LABODA ABBE CARROLL HEARN
50 CANTON ST 202
ALPHARETTA GA 30009

HEETLAND CRAIG & KATHLEEN
58 CANTON ST UNIT 412
ALPHARETTA GA 30009

HOFMANN SANDRA
58 CANTON ST UNIT 304
ALPHARETTA GA 30004

HYPERCHATTER LLC
35 OLD CANTON ST
ALPHARETTA GA 30009

IVIE DAVID A & SUSAN H
50 CANTON ST UNIT 307
ALPHARETTA GA 30009

JCH PROPERTIES LLC
80 MILTON AVE
ALPHARETTA GA 30009-1508

JOHANSSON WENDY E
2691 S FLETCHER AVE
FERNANDINA BEACH FL 32034

JOHNSON RANDOLPH A & THELMA M
58 CANTON ST UNIT 210
ALPHARETTA GA 30004

JWJ REAL ESTATE LLC
45 ROSWELL ST SUITE A
ALPHARETTA GA 30009

LANIER PATRICE MARIE & GARY ALLEN
240 ROSE GARDEN LANE
ALPHARETTA GA 30009

LOCKWOOD JOSEPH K
369 DORRIS RD
ALPHARETTA GA 30004

LORETTA DOLORES CAUDILL REVOCABLE TR THE
3620 GARDENS PKWY UNIT 1102B
WEST PALM BEACH FL 33410

LUNSFORD SARA H
245 CHINABERRY DR
ROSWELL GA 30076

MARCOUX ROBERT H
58 CANTON ST UNIT 404
ALPHARETTA GA 30009

MILTON CAPITAL FUND LLC
705 WINDWALK DR
ROSWELL GA 30076

MOORCONES JOSEPH J & DAWN L
50 CANTON ST UNIT 405
ALPHARETTA GA 30009

NORMAN GOLDHABER TRUST THE
58 CANTON ST UNIT 205
ALPHARETTA GA 30009

NORRIS MICHAEL E & BEVERLY W
50 CANTON ST UNIT 401
ALPHARETTA GA 30009

O TOOLE WILLIAM STEVENS & KATHY SUE
58 CANTON ST UNIT 307
ALPHARETTA GA 30009

O'DONNELL DEREK & ROZEBOOM SHARON
685 WILLOW OAK WAY
ROSWELL GA 30076-6423

ONE SOUTH MAIN LLC
710 COOPER SANDY CV
ALPHARETTA GA 30004

OWENS LAURIE B
230 ROSE GARDEN LANE
ALPHARETTA GA 30009

PALMER FAMILY INVESTMENTS LLC
79 S MAIN ST
ALPHARETTA GA 30009

PARSONS ACE HARDWARE INC
10465 STONEFIELD LNDG
DULUTH GA 30097-5951

POPOVITS 2010 TRUST
58 CANTON ST UNIT 208-209
ALPHARETTA GA 30009

RAM DEVELOPMENT PARTNERS LLC
14195 HOPEWELL RD
ALPHARETTA GA 30004

RASAR ELIZABETH
58 CANTON ST UNIT 411
ALPHARETTA GA 30009

RICHEY ROGER A & RICHEY JANE M
58 CANTON ST # 207
ALPHARETTA GA 30009

RITTER STEVEN R & ELIZABETH A
58 CANTON ST UNIT 301
ALPHARETTA GA 30009

SALVATIERRA MARCELO & CINTRON ANNE
58 CANTON ST UNIT 204
ALPHARETTA GA 30009

SEABURY BARBARA K
58 CANTON ST UNIT 409
ALPHARETTA GA 30009

SLAVIK MARY ANN
50 CANTON ST UNIT 403
ALPHARETTA GA 30009

STONE MARTHA
1525 HOLBROOK CAMPGROUND RD
CUMMING GA 30040

STONEWALK LOFTS ALPHARETTA LLC
170 WESTBURY LANE
ALPHARETTA GA 30005

TERRY ELTON STARR QTIP MARTIAL TRUST &
STARR JUANITA
58 CANTON ST UNIT # 410
ALPHARETTA GA 30009

THIRTY FOUR THIRTY SIX CHURCH STREET LLC
231 VAUGHAN DR
ALPHARETTA GA 30009

THOMPSON KAREN DENISE & NEIBERT JOSEPH KYLE
50 CANTON ST UNIT 302
ALPHARETTA GA 30009

TROTTER HOLDINGS INC
37 CHURCH ST
ALPHARETTA GA 30004

TROTTER HOLDINGS INC
690 E MAIN ST
CANTON GA 30114

TRUCK & TAP ALPHARETTA LLC
8640 MAIN ST
WOODSTOCK GA 30188

TWENTY NORTH MAIN LLC
233 CANTON ST
ALPHARETTA GA 30004

VALLE PEDRO L & VALLE WANDA I
58 CANTON ST
ALPHARETTA GA 30009

VAZ JOSE
250 ROSE GARDEN LANE
ALPHARETTA GA 30009

WEST MAIN I LLC
6400 POWERS FERRY RD SUITE 350
ATLANTA GA 30339

WICKS MARY ANN
58 CANTON ST UNIT 306
ALPHARETTA GA 30009

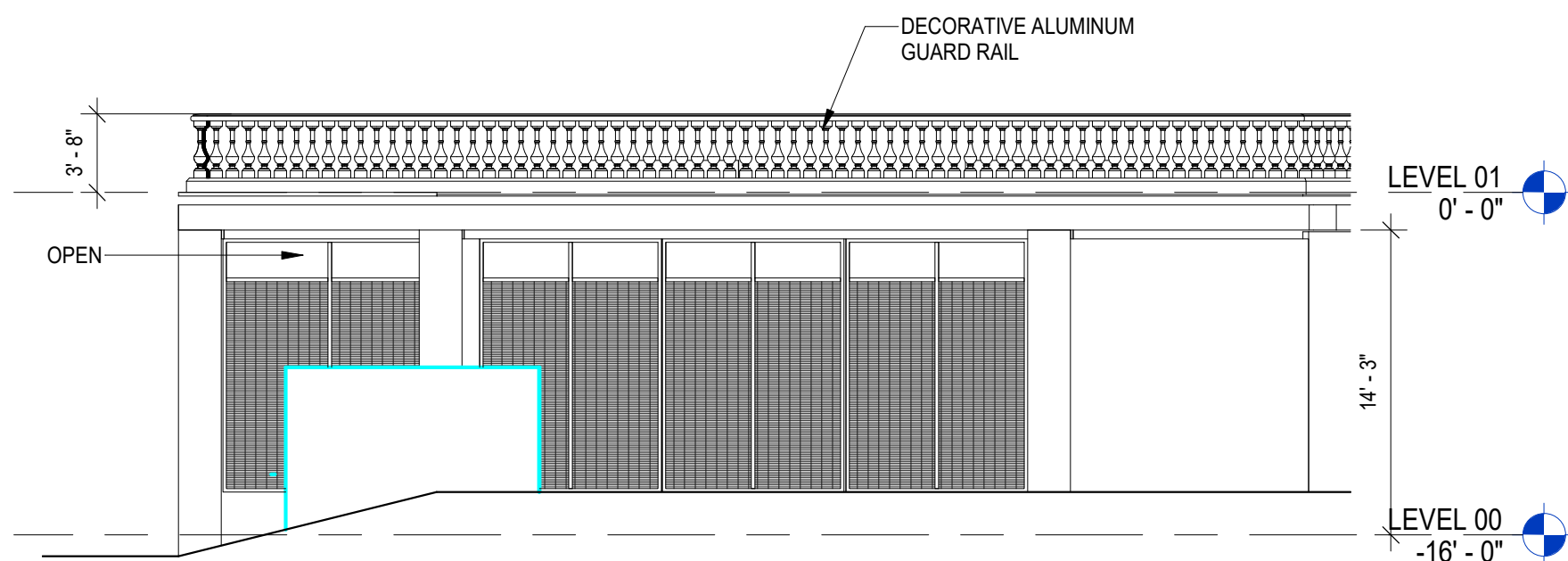
WILSON ANDREW & WHITNEY
50 CANTON ST UNIT 205
ALPHARETTA GA 30009

YOUTH MINISTRY RESOURCES INC
31 CHURCH ST
ALPHARETTA GA 30009

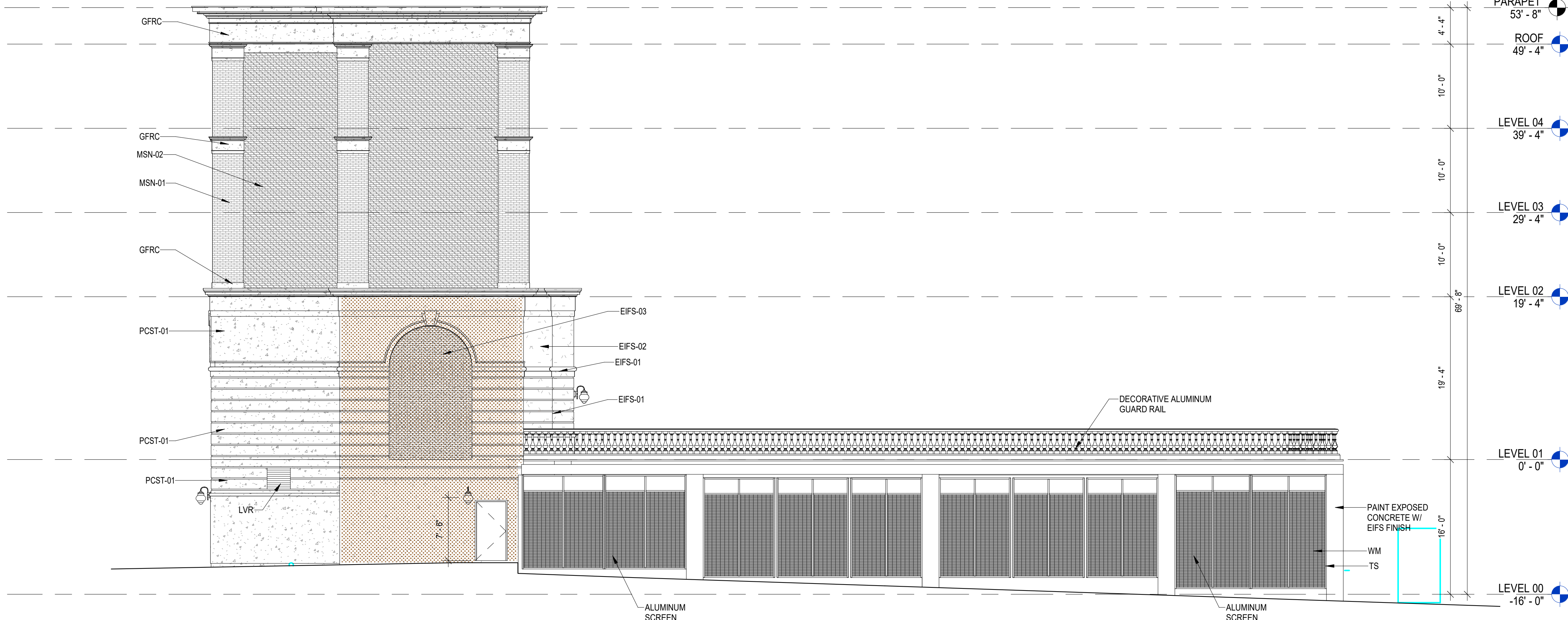
Tracking Number	Address	Id	Mail Piece	Op Code	Job Id	Scan Date	Scan Locat	Scan Status
'00270200802120838244'	28 NORTH MAIN STREET LLC 3270 Cochise Dr SE GA 30009	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838244'	28 NORTH MAIN STREET LLC 3270 Cochise Dr SE GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00270200802120838244'	28 NORTH MAIN STREET LLC 3270 Cochise Dr SE GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00271200802120838245'	33 SOUTH MAIN LLC 1905 Evergreen Ln GA 30009-6846	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838246'	44 MILTON AVENUE PARTNERS LLC 53 S Main St Ste 300 GA 30009-8113	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838247'	ACADEMY & MAIN LLC PO Box 1081 GA 30009-1081	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838248'	ALPHARETTA FIRST UNITED METHODIST CHURCH 69 N Main St GA 30009-3620	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838249'	ALPHARETTA LOFTS RETAIL LLC 11785 Northfall Ln Ste 510 GA 30009-7967	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838250'	ALPHARETTA LUXURY RENTALS ONE LLC 1635 Reddstone Close GA 30004-0876	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838251'	ALPHARETTA TOWN COMMONS LLC 2801 Buford Hwy NE Ste T70 GA 30329-2143	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838252'	ARANGO ALBERTO & HELGA 58 Canton St Unit 406 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838253'	ARTUSIO LINDA M 58 Canton St Unit 407 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838254'	ATTIG LARRY L & MARGE A 225 Oakmere Dr GA 30009-3268	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838255'	AVIOR NAOMI 58 Canton St Unit 402 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838256'	BEANIES PROP LLC 231 Vaughn Dr GA 30009-2333	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838257'	BERNARD JILL & BERNARD JAMES HARRISON IV 58 Canton St Unit 211 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838258'	BLANKS KATHRYN L 58 Canton St Unit 212 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838259'	BLUE DEVIL ASSOCIATES L C 1100 Powers Pl GA 30009-8359	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838260'	BUCKINGHAM RENEE J & JOHN W JR 58 Canton St Unit 311 GA 30009-3682	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838261'	BUNCH DEREK 1255 Riverside Rd GA 30076-3298	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838262'	BUTCHART JAMES D & HANSEN WAYNE E 50 Canton St Unit 407 GA 30009-3729	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838263'	CARLOS L BAGWELL REVOCABLE TRUST THE 40 Roswell St GA 30009	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838263'	CARLOS L BAGWELL REVOCABLE TRUST THE 40 Roswell St GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00270200802120838263'	CARLOS L BAGWELL REVOCABLE TRUST THE 40 Roswell St GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00271200802120838264'	CAROLYN JANET PALMER REVOCABLE TRUST 58 Canton St Unit 401 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838265'	CURRY EDDIE W & DEBRA V 50 Canton St Unit 305 GA 30009-3719	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838266'	D & R MILLER HOLDINGS LLC 980 Birmingham Rd Ste 501-391 GA 30004-4417	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838267'	DELSON STORES INC 3270 Cochise Dr SE GA 30339-4319	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838268'	DEMAND & ESCROW LLC 1630 Randall Mill Pl NW GA 30327-3136	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838269'	DEVELOPMENT AUTHORITY OF ALPHARETTA 2 S Main St GA 30009-1936	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838270'	EAST CANTON LLC 11785 Northfall Ln Ste 510 GA 30009-7967	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838271'	ERICSON LEIF R & GEORGIA T 58 Canton St Unit 206 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838272'	ESPARRAGOZA MIGUEL ANGEL MARTINEZ 58 Canton St Unit 302 GA 30009-3682	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838273'	FAGERNES JOHN W & DAVIS SHERRY L 13955 Atlanta National Dr GA 30004-3437	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838274'	FENNELL ROBERT P & PATRICIA 50 Canton St Unit 303 GA 30009-3719	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838275'	FIRST BAPTIST CHURCH OF ALPHARETTA INC 42 Academy St GA 30009	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838275'	FIRST BAPTIST CHURCH OF ALPHARETTA INC 42 Academy St GA 30009	9.71E+08	1.21E+08		461	370917 7/26/2020	48340	En Route
'00270200802120838275'	FIRST BAPTIST CHURCH OF ALPHARETTA INC 42 Academy St GA 30009	9.72E+08	1.21E+08		143	370917 7/26/2020	30026	En Route
'00270200802120838275'	FIRST BAPTIST CHURCH OF ALPHARETTA INC 42 Academy St GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00270200802120838275'	FIRST BAPTIST CHURCH OF ALPHARETTA INC 42 Academy St GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00271200802120838276'	FRANCESCHI CARLOS A & HELGA L 58 Canton St Unit 201 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838277'	FRYMAN KATHLEEN A 58 Canton St Unit 403 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.71E+08	1.21E+08		461	370917 7/24/2020	48340	En Route
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.72E+08	1.21E+08		335	370917 7/26/2020	30034	En Route
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.72E+08	1.21E+08		336	370917 7/27/2020	30304	En Route
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.73E+08	1.21E+08		141	370917 7/28/2020	30026	En Route
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.74E+08	1.21E+08		335	370917 7/29/2020	30304	En Route
'00270200802120838278'	FULTON COUNTY BOARD OF EDUCATION 786 Cleveland Ave GA 30009	9.74E+08	1.21E+08		336	370917 7/30/2020	30304	En Route
'00271200802120838279'	GEORGIA FED SAV & LOAN ASSN PO Box 2609 CA 92018-2609	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838280'	GEORGIAN COMMUNITY ASSOCIATION INC THE 958 McEver Rd Ste B5 GA 30504-3973	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838281'	GONZALEZ MARY-SUTTON 58 Canton St Unit 202 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838282'	HADAWAY TIMOTHY & HADAWAY GAYLE 87 Webb St GA 30075-3535	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838283'	HARTY LINDA BEASLEY 58 Canton St Unit 203 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838284'	HASKINS RICHARD A & AMY S 10945 State Bridge Rd Ste 401 336 GA 30022-5797	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838285'	HEARN SANDRA & LABODA ABBE CARROLL HEARN 50 Canton St Unit 202 GA 30009-3711	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838286'	HEETLAND CRAIG & KATHLEEN 58 Canton St Unit 412 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838287'	HOFMANN SANDRA 58 Canton St Unit 304 GA 30009-3682	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838288'	HYPERCHATTER LLC 35 Old Canton St GA 30009-3602	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838289'	IVIE DAVID A & SUSAN H 50 Canton St Unit 307 GA 30009-3719	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838290'	JCH PROPERTIES LLC 80 Milston Ave GA 30009-1508	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838291'	JOHANSSON WENDY E 2691 S Fletcher Ave GA 30009	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838291'	JOHANSSON WENDY E 2691 S Fletcher Ave GA 30009	9.71E+08	1.21E+08		461	370917 7/24/2020	48340	En Route
'00270200802120838291'	JOHANSSON WENDY E 2691 S Fletcher Ave GA 30009	9.72E+08	1.21E+08		143	370917 7/26/2020	30026	En Route
'00270200802120838291'	JOHANSSON WENDY E 2691 S Fletcher Ave GA 30009	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00271200802120838292'	JOHNSON RANDOLPH A & THELMA M 58 Canton St Unit 210 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838293'	JWJ REAL ESTATE LLC 45 Roswell St Ste A GA 30009-1903	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838294'	LANIER PATRICE MARIE & GARY ALLEN 240 Rose Garden Ln GA 30009-3638	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838295'	LOCKWOOD JOSEPH K 369 Dorris Rd GA 30004-3476	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838296'	LORETTA DOLORES CAUDILL REVOCABLE TR THE 3620 Gardens Pkwy Unit 1102b FL 32034	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838296'	LORETTA DOLORES CAUDILL REVOCABLE TR THE 3620 Gardens Pkwy Unit 1102b FL 32034	9.71E+08	1.21E+08		461	370917 7/24/2020	48340	En Route
'00270200802120838296'	LORETTA DOLORES CAUDILL REVOCABLE TR THE 3620 Gardens Pkwy Unit 1102b FL 32034	9.72E+08	1.21E+08		143	370917 7/26/2020	32203	En Route
'00270200802120838296'	LORETTA DOLORES CAUDILL REVOCABLE TR THE 3620 Gardens Pkwy Unit 1102b FL 32034	9.75E+08	1.21E+08		506	370917 7/31/2020	32608	Return to Sender Processing
'00271200802120838297'	LUNSFORD SARA H 245 Chinaberry Dr GA 30076-1206	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838298'	MARCOUX ROBERT H 58 Canton St Unit 404 GA 30009-3683	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838299'	MILTON CAPITAL FUND LLC 705 Windwalk Dr GA 30076-1296	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838300'	MOORCONES JOSEPH J & DAWN L 50 Canton St Unit 405 GA 30009-3729	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838301'	NORMAN GOLDBABER TRUST THE 58 Canton St Unit 205 GA 30009-3681	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838302'	NORRIS MICHAEL E & BEVERLY W 50 Canton St Unit 401 GA 30009-3797	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838303'	O TOOLE WILLIAM STEVENS & KATHY SUE 58 Canton St Unit 307 GA 30009-3682	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00270200802120838304'	O'DONNELL DEREK & ROZEBOOM SHARON 685 Willow Oak Way GA 30076	9.7E+08	1.21E+08	Z21		370917 7/22/2020	48502	Printed
'00270200802120838304'	O'DONNELL DEREK & ROZEBOOM SHARON 685 Willow Oak Way GA 30076	9.71E+08	1.21E+08		461	370917 7/24/2020	48340	En Route
'00270200802120838304'	O'DONNELL DEREK & ROZEBOOM SHARON 685 Willow Oak Way GA 30076	9.72E+08	1.21E+08		538	370917 7/26/2020	30026	En Route
'00270200802120838304'	O'DONNELL DEREK & ROZEBOOM SHARON 685 Willow Oak Way GA 30076	9.75E+08	1.21E+08		501	370917 7/30/2020	32608	Return to Sender Processing
'00271200802120838305'	ONE SOUTH MAIN LLC 710 Cooper Sandy Cv GA 30004-0801	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838306'	OWENS LAURIE B 230 Rose Garden Ln GA 30009-3638	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838307'	PALMER FAMILY INVESTMENTS LLC 79 S Main St GA 30009-1965	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	Printed
'00271200802120838308'	PARSONS ACE HARDWARE INC 10465 Stonefield Lndg GA 30097-5951	9.7E+08	1.21E+08	Z21		370924 7/22/2020	48502	

'00271200802120838311'	RASAR ELIZABETH 58 Canton St Unit 411 GA 30009-3683	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838312'	RICHEY ROGER A & RICHEY JANE M 58 Canton St Unit 207 GA 30009-3681	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838313'	ITTER STEVEN R & ELIZABETH A 58 Canton St Unit 301 GA 30009-3682	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838314'	SALVATIERRA MARCELO & CINTRON ANNE 58 Canton St Unit 204 GA 30009-3681	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838315'	SEABURY BARBARA K 58 Canton St Unit 409 GA 30009-3683	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838316'	SLAVIK MARY ANN 50 Canton St Unit 403 GA 30009-3729	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838317'	STONE MARTHA 1525 Holbrook Campground Rd GA 30040-6829	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838318'	STONEWALK LOFTS ALPHARETTA LLC 170 Westbury Ln GA 30005-2517	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838319'	TERRY ELTON STARR QTIP MARTIAL TRUST & S 58 Canton St Unit 410 GA 30009-3683	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838320'	THIRTY FOUR THIRTY SIX CHURCH STREET LLC 231 Vaughn Dr GA 30009-2333	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838321'	THOMPSON KAREN DENISE & NEIBERT JOSEPH K 50 Canton St Unit 302 GA 30009-3719	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838322'	TROTTER HOLDINGS INC 37 Church St GA 30009-3636	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838323'	TROTTER HOLDINGS INC 690 E Main St GA 30114-2824	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838324'	TRUCK & TAP ALPHARETTA LLC 8640 Main St GA 30188-4937	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838325'	TWENTY NORTH MAIN LLC 233 Canton St GA 30009-2336	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838326'	VALLE PEDRO L & VALLE WANDA I 58 Canton St GA 30009-3684	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838327'	VAZ JOSE 250 Rose Garden Ln GA 30009-3638	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838328'	WEST MAIN I LLC 6400 Powers Ferry Rd Ste 350 GA 30339-2907	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838329'	WICKS MARY ANN 58 Canton St Unit 306 GA 30009-3682	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838330'	WILSON ANDREW & WHITNEY 50 Canton St Unit 205 GA 30009-3711	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed
'00271200802120838331'	YOUTH MINISTRY RESOURCES INC 31 Church St GA 30009-3636	9.7E+08	1.21E+08	ZZ1	370924 7/22/2020	48502	Printed

ALL DESIGNS, DRAWINGS AND SPECIFICATIONS DEPICTED ON THIS SHEET ARE THE PROPERTY OF THE RBA GROUP, INC. ANY UNAUTHORIZED USE OR REPRODUCTION IS SUBJECT TO LEGAL PROSECUTION. POSSESSION IN ANY FORM CONSTITUTES ACCEPTANCE OF THESE CONDITIONS. COPYRIGHT 2016



3 ELEVATION 8 - DECK SIDE
A3.02 1/8" = 1'-0"



2 ELEVATION 4 - REAR DECK
A3.02 1/8" = 1'-0"



1 ELEVATION 3 - OLD CANTON
A3.02 1/8" = 1'-0"

- EXTERIOR FINISH LEGEND
- EFS-01 WHITE EIFS
 - EFS-02 LIGHT BEIGE EIFS
 - EFS-03 LIGHT BEIGE EIFS BRICK
 - HCS-01 WHITE HARD COAT STUCCO
 - HCS-02 LIGHT BEIGE HARD COAT STUCCO
 - GFRP-01 WHITE GLASS FIBER REINFORCE POLYMER
 - MSN-01 WHITE BRICK
 - MSN-02 LIGHT BEIGE BRICK
 - PCST-01 WHITE PRECAST
 - PCST-02 LIGHT BEIGE PRECAST

rba
122-B W. BLAND ST.
CHARLOTTE, NC 28203
704.344.9098



9/25/2019



THE COTTON HOUSE
35 MILTON AVE
ALPHARETTA, GA 30009

MAYFAIR STREET
PARTNERS
5920 ODELL ST. #202
CUMMING, GA 30040

PERMIT SET

ISSUE DATE: 09/11/2019

CURRENT REVISION

10
TBD
Exterior Revisions

No.	Description	Date
4	Owner Revisions	11/25/2019
6	Permit Comments	3/13/2020
C	RFI 028	3/19/2020
E	RFI 040	4/9/2020
M	RFI 036	4/1/2020
10	Exterior Revisions	TBD

PROJECT NUMBER:18-1981

BUILDING ELEVATIONS

A3.02

ALL DESIGNS, DRAWINGS AND SPECIFICATIONS DEPICTED ON THIS SHEET ARE THE PROPERTY OF THE RBA GROUP, INC. ANY UNAUTHORIZED USE OR REPRODUCTION IS SUBJECT TO LEGAL PROSECUTION. POSSESSION IN ANY FORM CONSTITUTES ACCEPTANCE OF THESE CONDITIONS. COPYRIGHT 2016

- EXTERIOR FINISH LEGEND
- EFS-01 WHITE EIFS
 - EFS-02 LIGHT BEIGE EIFS
 - EFS-03 LIGHT BEIGE EIFS BRICK
 - HCS-01 WHITE HARD COAT STUCCO
 - HCS-02 LIGHT BEIGE HARD COAT STUCCO
 - GFRP-01 WHITE GLASS FIBER REINFORCE POLYMER
 - MSN-01 WHITE BRICK
 - MSN-02 LIGHT BEIGE BRICK
 - PCST-01 WHITE PRECAST
 - PCST-02 LIGHT BEIGE PRECAST

rba
122-B W. BLAND ST.
CHARLOTTE, NC 28203
704.344.9098



9/25/2019



THE COTTON HOUSE
35 MILTON AVE
ALPHARETTA, GA 30009

MAYFAIR STREET
PARTNERS
5920 ODELL ST. #202
CUMMING, GA 30040

PERMIT SET

ISSUE DATE: 09/11/2019

CURRENT REVISION

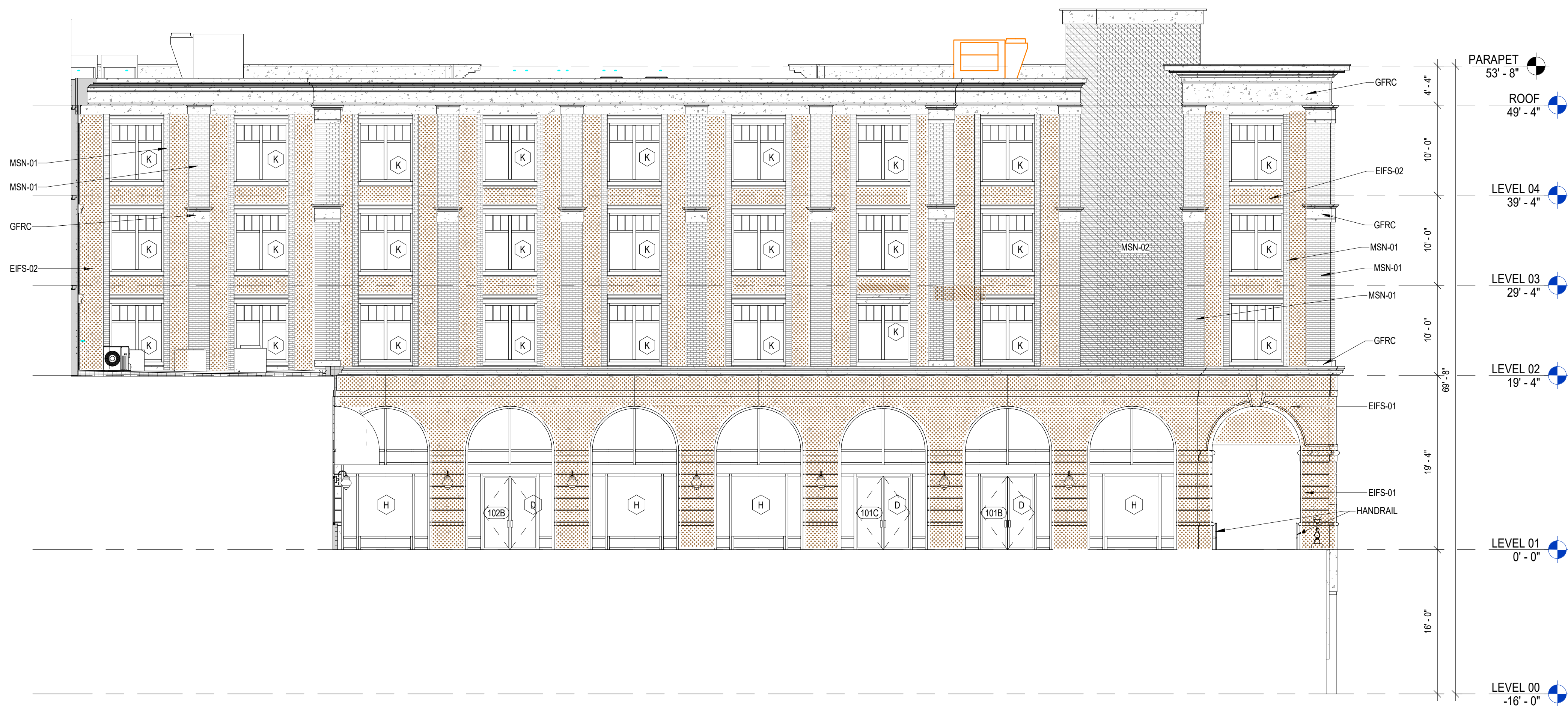
10
TBD
Exterior Revisions

No.	Description	Date
4	Owner Revisions	11/25/2019
6	Permit Comments	3/13/2020
C	RFI 028	3/19/2020
G	0001-084413-0	3/31/2020
J	RFI 050	5/6/2020
10	Exterior Revisions	TBD

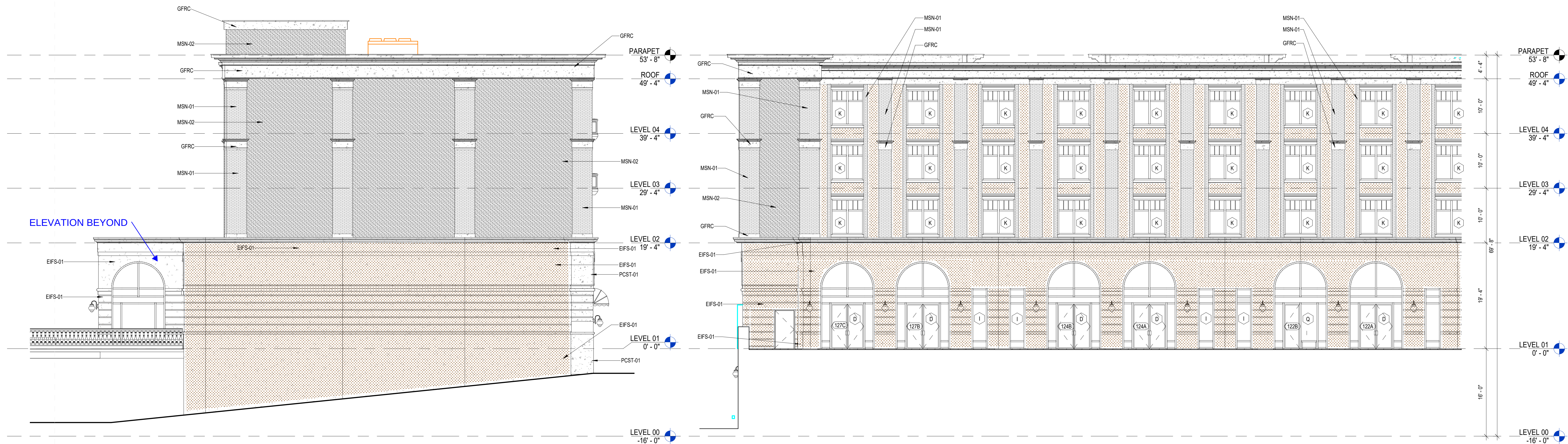
PROJECT NUMBER:18-1981

BUILDING ELEVATIONS

A3.03



2 ELEVATION 6 - AMENITY DECK
A3.03 1/8" = 1'-0"



3 ELEVATION 7 - SIDE
A3.03 1/8" = 1'-0"

FACING EXISTING BUILDING

1 ELEVATION 5 - AMENITY DECK
A3.03 1/8" = 1'-0"

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

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: MF Cotton House Development, LLC

Telephone: 678-802-4912

Address: 26 Milton Ave

Suite: _____

City: Alpharetta

State: GA

Zip: 30009

Fax: 404-935-5235

Mobile Tel: 352-425-3356

Email: john@mayfairstreetpartners.com

Subject Property Information:

Address: 35 Milton Ave

Current Zoning: DT-C

District: _____

Section: _____

Land Lot: _____

Parcel ID: 22 48312880008, 22 482312880104, 22 482812880062, 22 482512880080, 22 482512880219

Proposed Zoning: Same

Current Use: Hotel, Retail, Restaurant

This Application For (Check All That Apply)

☐ Conditional Use

☐ Master Plan Amendment

☐ Exception

☐ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☐ Comprehensive Plan Amendment

☐ Other (Specify) _____

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

APPLICANT REQUEST AND INTENT

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

Hotel, Restaurant, Retail

Applicant's Request (Please itemize the proposal):

Variance to allow synthetic stucco in lieu of hardcoat stucco

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

The detail work required to provide the architectural effect desired by all stakeholders and approved by DRB is not feasible to accomplish with hardcoat stucco. A synthetic stucco system will provide the level of detail and quality needed for a building of this caliber. The proposed areas to utilize this material/system are non-street abutting and are interior to the property and will remain under the 30% quantity requirement; all of which align with the intent of the code.

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

PROPERTY OWNER AUTHORIZATION

Property Owner Information:Contact Name: John BonifaceTelephone: 352-425-3356Address: 26 Milton Ave

Suite: _____

City AlpharettaState: GAZip: 30009Authorization:

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

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

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

Identify Authorized Applicant:Name of Authorized Applicant: John BonifaceTelephone: 352-425-3356

Address: _____

Suite: _____

City AlpharettaState: GAZip: 30009So Sworn and Attested:

Owner Signature: _____

Date: 7/6/20

Notary:

Notary Signature: _____

Date: 7/6/2020

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

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: **MF Cotton House Development, LLC**

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

Description of Contribution: _____ Value: AO

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

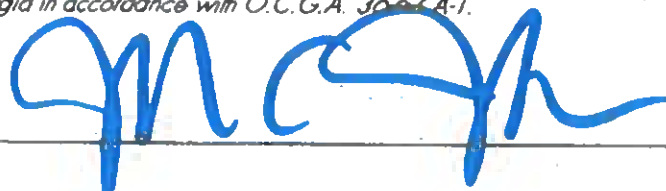
Description of Contribution: _____ Value: _____

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: _____

7/7/20

MM Company, Inc.
3300 Hamilton Mill Rd Ste. 102-126
Buford, GA 30519
404-219-4241

07-08-2020

To Whom it may concern:

This letter is to inform that after reviewing the plans and specifications for the Cotton House Hotel project located at 35 Milton Ave Alpharetta, GA 30009, MM Company, Inc. as a certified subcontractor to install EIFS (Exterior Insulation Finish System) and stucco systems, will not be able to achieve the design architectural look of the building cornice and accent details using a true stucco system for the new Cotton House Hotel in Alpharetta, GA due to the following reasons:

1. Manufacturer standard thickness for stucco is $\frac{3}{4}$ " which will not match the design EIFS thickness of 2" or greater. Any stucco system thicker than $\frac{3}{4}$ " will crack and lead to system failure due to water infiltrations in the system.
2. The drainage efficiency specified for this project will not be achieved with a stucco system because it is mechanically attached with screws to framing which will penetrate the air moisture barrier. EIFS is an adhesive attached system that eliminates the building exposure to moisture created by nails or screws going thru air moisture barrier.
3. Thermal resistance designed for this building with EIFS system (minimum R 3.85/inch) will not be achieved with stucco system (R 0.22/inch).
4. Using a stucco system will change the design look of the building exterior because it will not allow walls without control joints bigger than 144 SF or 18 FT apart. This will change the exterior aspect of building in contrast with an EIFS system that do not require additional control and reveal joints other than the one already designed on the plans.

Based on my experience a conventional stucco system will not meet the design and spec requirements for the aforementioned project.

Sincerely,



Mark Cluci
Project manager

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

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.

Our hotel boasts incredible detail along the street frontage with the building structure occupying the entire square footage of the property (zero lot line). To continue this level of detail around the back of the building and along the interior walls of the amenity space, a synthetic stucco system is the only feasible means by which to deliver the desired aesthetic.

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

Yes, the Zoning Code Standard restricts a material usage that does not allow for the design detail and accent features that have been illustrated and are required to deliver the look, feel, and experience that this hotel requires.

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.

The proposed variance adheres to the intent of the code by maintaining the 30% requirement; providing a system that will stand the test of time; and delivering an upscale, quality aesthetic. The comprehensive synthetic stucco system provides a fully warranted system specifically designed for these conditions. A hardcoat stucco application integrates numerous trades which introduces opportunity for failure and a lack of comprehensive responsibility. Hardcoat stucco introduces more opportunity for a compromised building envelope. Also, the hardcoat stucco components are not suitable for detail work due to the heavy wire lath. Attempting to manipulate these components to deliver aesthetic detail to the building will undoubtedly compromise the building envelope.

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.

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

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: The Hamilton Hotel

Contact Name: John Boniface Telephone: 352-425-3356

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.

Bob Rothman

Matthew Khodayari

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

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

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

We work closely with both of these property owners and have collaborated to facilitate a comprehensive development effort for the block. Our proposed variance serves to elevate the aesthetic of our development, and as a result, the surrounding properties as well.

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

28 NORTH MAIN STREET LLC
3270 COCHISE DR SE
ATLANTA GA 30339-4319

33 SOUTH MAIN LLC
1905 EVERGREEN LN
ALPHARETTA GA 30009

44 MILTON AVENUE PARTNERS LLC
53 S MAIN ST SUITE 300
ALPHARETTA GA 30009

ACADEMY & MAIN LLC
PO BOX 1081
ALPHARETTA GA 30009

ALPHARETTA FIRST UNITED METHODIST CHURCH
INC
69 N MAIN ST
ALPHARETTA GA 30009

ALPHARETTA LOFTS RETAIL LLC
11785 NORTHFALL LN SUITE 510
ALPHARETTA GA 30009

ALPHARETTA LUXURY RENTALS ONE LLC
1635 REDDSTONE CLOSE
ALPHARETTA GA 30004

ALPHARETTA TOWN COMMONS LLC
2801 BUFORD HWY NE SUITE T 70
ATLANTA GA 30329

ARANGO ALBERTO & HELGA
58 CANTON ST UNIT 406
ALPHARETTA GA 30009

ARTUSIO LINDA M
58 CANTON ST UNIT 407
ALPHARETTA GA 30009

ATTIG LARRY I & MARGE A
225 OAKMERE DR
ALPHARETTA GA 30009-3268

AVTOR NAOMI
58 CANTON ST UNIT 402
ALPHARETTA GA 30009

BEANIES PROP LLC
231 VAUGHAN DR
ALPHARETTA GA 30009

BERNARD JILL & BERNARD JAMES HARRISON IV
58 CANTON ST UNIT 211
ALPHARETTA GA 30009

BLANKS KATHRYN L
58 CANTON ST UNIT # 212
ALPHARETTA GA 30009

BLUE DEVIL ASSOCIATES L.L.C
1100 POWERS PL
ALPHARETTA GA 30004

BUCKINGHAM RENEE J & JOHN W JR
58 CANTON ST UNIT 311
ALPHARETTA GA 30009

BUNCH DEREK
1255 RIVERSIDE RD
ROSWEIL, GA 30076

BUTCHART JAMES D & HANSEN WAYNE E
50 CANTON ST UNIT 407
ALPHARETTA GA 30009

CARLOS I BAGWELL REVOCABLE TRUST THE
40 ROSWELL ST
ALPHARETTA GA 30009

CAROLYN JANET PALMER REVOCABLE TRUST
58 CANTON ST UNIT 401
ALPHARETTA GA 30009

CURRY EDDIE W & DEBRA V
50 CANTON ST UNIT 305
ALPHARETTA GA 30009

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

DELSON STORES INC
3270 COCHISE DR
ATLANTA GA 30339

DEMAND & ESCROW LLC
1630 RANDALL MILL PL
ATLANTA GA 30327

DEVELOPMENT AUTHORITY OF ALPHARETTA
2 S MAIN ST
ALPHARETTA GA 30009

EAST CANTON LLC
11785 NORTHFALL LN SUITE 510
ALPHARETTA GA 30009

ERICSON LEIF R & GEORGIA T
58 CANTON ST UNIT 206
ALPHARETTA GA 30009

ESPARRAGOZA MIGUEL ANGEL MARTINEZ
58 CANTON ST UNIT 302
ALPHARETTA GA 30009

FAGERNES JOHN W & DAVIS SHERRY L
13955 ATLANTA NATIONAL DR
ALPHARETTA GA 30009

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

FENNELL ROBERT P & PATRICIA
58 CANTON ST UNIT 303
ALPHARETTA GA 30009

FIRST BAPTIST CHURCH OF ALPHARETTA INC
42 ACADEMY ST
ALPHARETTA GA 30009-3702

FRANCESCO CARLOS A & HELGA L
58 CANTON ST UNIT 201
ALPHARETTA GA 30009

FRYMAN KATHLEEN A
58 CANTON ST UNIT 403
ALPHARETTA GA 30009

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE
ATLANTA GA 30315

GEORGIA FED SAV & LOAN ASSN
P.O. BOX 2609
CARLSBAD CA 92018-2609

GEORGIAN COMMUNITY ASSOCIATION INC
THE
958 MCEVER RDG STE B5
GAINESVILLE GA 30504

GONZALEZ MARY-SUTTON
58 CANTON ST UNIT 202
ALPHARETTA GA 30009

HADAWAY TIMOTHY & HADAWAY GAYLE
87 WEBB ST
ROSWELL GA 30075-3535

HARTY LINDA BEASLEY
58 CANTON ST UNIT 203
ALPHARETTA GA 30009

HASKINS RICHARD A & AMY S
10945 STATE BRIDGE RD SUITE 401 336
ALPHARETTA GA 30022

HEARN SANDRA & LABODA ABBE CARROLL HEARN
50 CANTON ST 202
ALPHARETTA GA 30009

HEETLAND CRAIG & KATHLEEN
58 CANTON ST UNIT 412
ALPHARETTA GA 30009

HOFMANN SANDRA
58 CANTON ST UNIT 304
ALPHARETTA GA 30004

HYPERCHATTER LLC
35 OLD CANTON ST
ALPHARETTA GA 30009

IVIE DAVID A & SUSAN H
50 CANTON ST UNIT 307
ALPHARETTA GA 30009

JCH PROPERTIES LLC
80 MILTON AVE
ALPHARETTA GA 30009-1508

JOHANSSON WENDY E
2691 S FLETCHER AVE
FERNANDINA BEACH FL 32034

JOHNSON RANDOLPH A & THELMA M
58 CANTON ST UNIT 210
ALPHARETTA GA 30004

JWJ REAL ESTATE LLC
45 ROSWELL ST SUITE A
ALPHARETTA GA 30009

LANIER PATRICE MARIE & GARY ALLEN
240 ROSE GARDEN LANE
ALPHARETTA GA 30009

LOCKWOOD JOSEPH K
369 DORRIS RD
ALPHARETTA GA 30004

LORETTA DOLORES CAUDILL REVOCABLE TR THE
3620 GARDENS PKWY UNIT 1102B
WEST PALM BEACH FL 33410

LUNSFORD SARA H
245 CHINABERRY DR
ROSWELL GA 30076

MARCOUX ROBERT H
58 CANTON ST UNIT 404
ALPHARETTA GA 30009

MILTON CAPITAL FUND LLC
705 WINDWALK DR
ROSWELL GA 30076

MOORCONES JOSEPH J & DAWN L
50 CANTON ST UNIT 405
ALPHARETTA GA 30009

NORMAN GOLDBABER TRUST THE
58 CANTON ST UNIT 206
ALPHARETTA GA 30009

NORRIS MICHAEL E & BEVERLY W
50 CANTON ST UNIT 401
ALPHARETTA GA 30009

O TOOLE WILLIAM STEVENS & KATHY SUE
58 CANTON ST UNIT 307
ALPHARETTA GA 30009

7/9/20

V-20-09 Hamilton Hotel
Exterior Material Variance

O'DONNELL DEREK & ROZEBOOM SHARON
685 WILLOW OAK WAY
ROSWELL GA 30076-6423

ONE SOUTH MAIN LLC
710 COOPER SANDY CV
ALPHARETTA GA 30004

OWENS LAURIE B
230 ROSE GARDEN LANE
ALPHARETTA GA 30009

PALMER FAMILY INVESTMENTS LLC
79 S MAIN ST
ALPHARETTA GA 30009

PARSONS ACE HARDWARE INC
10465 STONEFIELD LNDG
DULUTH GA 30097-5951

POPOVITS 2010 TRUST
58 CANTON ST UNIT 208-209
ALPHARETTA GA 30009

RAM DEVELOPMENT PARTNERS LLC
14195 HOPEWELL RD
ALPHARETTA GA 30004

RASAR ELIZABETH
58 CANTON ST UNIT 411
ALPHARETTA GA 30009

RICHEY ROGER A & RICHEY JANE M
58 CANTON ST # 207
ALPHARETTA GA 30009

RITTER STEVEN R & ELIZABETH A
58 CANTON ST UNIT 301
ALPHARETTA GA 30009

SALVATIERRA MARCELO & CINTRON ANNE
58 CANTON ST UNIT 204
ALPHARETTA GA 30009

SEABURY BARBARA K
58 CANTON ST UNIT 409
ALPHARETTA GA 30009

SLAVIK MARY ANN
50 CANTON ST UNIT 403
ALPHARETTA GA 30009

STONE MARTHA
1525 HOLBROOK CAMPGROUND RD
CUMMING GA 30040

STONEWALK LOFTS ALPHARETTA LLC
170 WESTBURY LANE
ALPHARETTA GA 30005

TERRY ELTON STARR QTIP MARTIAL TRUST &
STARR JUANITA
58 CANTON ST UNIT # 410
ALPHARETTA GA 30009

THIRTY FOUR THIRTY SIX CHURCH STREET LLC
231 VAUGHAN DR
ALPHARETTA GA 30009

THOMPSON KAREN DENISE & NEIBERT JOSEPH KYLE
50 CANTON ST UNIT 302
ALPHARETTA GA 30009

TROTTER HOLDINGS INC
37 CHURCH ST
ALPHARETTA GA 30004

TROTTER HOLDINGS INC
690 E MAIN ST
CANTON GA 30114

TRUCK & TAP ALPHARETTA LLC
8640 MAIN ST
WOODSTOCK GA 30188

TWENTY NORTH MAIN LLC
233 CANTON ST
ALPHARETTA GA 30004

VALLE PEDRO I & VALLE WANDA I
58 CANTON ST
ALPHARETTA GA 30009

VAZ JOSE
250 ROSE GARDEN LANE
ALPHARETTA GA 30009

WEST MAIN I LLC
6400 POWERS FERRY RD SUITE 350
ATLANTA GA 30339

WICKS MARY ANN
58 CANTON ST UNIT 306
ALPHARETTA GA 30009

WILSON ANDREW & WHITNEY
50 CANTON ST UNIT 205
ALPHARETTA GA 30009

YOUTH MINISTRY RESOURCES INC
31 CHURCH ST
ALPHARETTA GA 30009



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CU-20-03/V-20-10 SPIRIT OF GOD CHRISTIAN CHURCH/1200 UPPER HEMBREE ROAD

CITY COUNCIL:

AUGUST 24, 2020

This item was heard at the 8/6/2020 Planning Commission meeting. Staff recommended approval subject to 16 conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and adding a sentence to condition #11 addressing the connection of the parking lots. **Planning Commission changes highlighted below.** Vote 5-0

II. RECOMMENDATION:

Approve CU-20-03/V-20-10 Spirit of God Christian Church/1200 Upper Hembree Road, subject to the following conditions:

1. 'Church, Synagogue' shall be a permitted use at 1200 Upper Hembree Road and shall be limited to Spirit of God Christian Church. The sanctuary, or assembly area, shall be limited to no more than 250 seats. Church-related services shall be limited to Sunday worship service, weekday Bible Study, administrative office and occasional church-related services such as, weddings, baptisms, funerals or similar services. Residential use of the building is prohibited. Occasional overnight stays in accordance with religious practices is permitted.
2. Property shall be developed substantially similar to plans by Rhodes Engineering Services, Inc., dated 7/8/2020, except for modifications required to comply with the conditions below.
3. Developer shall install minimum 6' planting strip with street trees, 6' sidewalk and curb and gutter along the property frontage on Upper Hembree Road and Harris Road. In addition, pedestrian lighting shall be provided at approximately 120' on center, as approved by Staff.
4. Building shall be limited to no more than 1 story, with mezzanine, over a basement and no more than 22,211 SF.
5. Building shall be primarily brick or stone on 3 sides with a gable roof and compatible with the residential character of the area, as approved by DRB.
6. Church building shall connect to the public sidewalk.
7. Corner of Harris Rd and Upper Hembree Rd shall have heavy decorative landscaping, as approved by DRB.
8. Required landscape strips shall be exclusive of overhead utilities and easements.
9. Dumpster enclosure shall be masonry to match the church with a metal opaque gate, as approved by DRB.
10. Retaining walls visible from the street shall be decorative, as approved by DRB. Retaining walls shall maintain a min. 5' setback from the undisturbed buffer and shall not impact trees within the buffer. Retaining walls visible from off-site shall exceed 6' in height.
11. On-site parking shall be limited to the two (2) parking areas depicted on the site plan prepared by Rhodes Engineering Services, Inc., dated 7/8/2020. Rear parking area shall be screened from Harris Road including supplementing with evergreens, if existing vegetation does not provide a screen, as approved by DRB. **Applicant will work with staff to consider the location and configuration of a connection between the 2 parking lots, if feasible.**
12. Off-site parking agreement and shuttle/valet service shall be maintained with the operation of the church. A copy of the off-site parking agreement shall be provided to the City prior to a Certificate of Occupancy (CO).

13. There shall be no outside speakers or broadcasts, including music that is audible from outside the building or off the property.
14. A police officer shall be utilized for services in order to manage and direct traffic.
15. Tree save areas shall be as depicted on the plan prepared by Rhodes Engineering Services, Inc., dated 7/8/2020, except that there may be impacts to certain trees on the eastern side of the property related to stormwater improvements and a sanitary sewer connection. The applicant shall work with Staff to layout those facilities with the least impact to desirable trees in the eastern tree save area, as approved by Staff.
16. Developer shall make every effort to tie into the existing storm drainage system on Harris Court. Proof of correspondence shall be provided to the City explaining to the affected property owner the benefits of tying release points directly into pipe systems. If unsuccessful, developer shall provide a stormwater outfall design that distributes stormwater into sheet flow discharge or makes every effort to conform to the existing condition flow patterns. Stormwater facilities shall not encroach upon the undisturbed buffer, except that a drainage easement may cross the buffer in order to tie into the system on Harris Court. Location of drainage easement shall minimize impacts to existing trees and shall be replanted where necessary, as approved by Staff. Outfalls, swales, and ditches shall be lined with river rock where visible to adjacent properties.

III. REPORT IN BRIEF:

The applicant, Pastor Randall Knighton, is requesting a conditional use to allow 'Church, Synagogue' on a 2.9-acre property zoned O-I (Office-Institutional). Spirit of God Christian Church proposes to construct a new church building with a capacity of 250 seats. In order to save trees, a variance has been advertised to allow off-site parking served by shuttle or valet service approximately 700' from the applicant's property. The subject property is located at 1200 Upper Hembree Road at the northeast corner of Upper Hembree Road and Harris Road.

DISCUSSION

The submitted request, if approved, would allow a 'Church, Synagogue' for Spirit of God Christian Church. A conditional use is requested to allow the church use and a variance was advertised to allow off-site parking within approximately 700' of the property. The applicant proposes a 1-story, 22,200 square foot church building accommodating a congregation of up to 250 people. The subject property is located at 1200 Upper Hembree Road at the northeast corner of Upper Hembree Road and Harris Road.

The 2.9-acre property is zoned O-I (Office-Institutional) and is currently developed with a single-family detached home. Surrounding properties are zoned R-10 (Dwelling, 'For-Sale', Residential) to the north, R-15 (Dwelling, 'For-Sale', Residential) to the west, PSC (Planned Shopping Center) to the south and O-P (Office-Professional) to the east. Creekside at Hembree Subdivision is located to the north, two (2) unplatted residential lots are located to the west, the former Harry's Market (Whole Foods) is located to the south, and Alpharetta Medical Center to the east.

Spirit of God Christian Church formerly operated in Alpharetta at 1675 Hembree Road before moving temporarily to 1075 Holcomb Bridge Road, which is the Double Tree Hilton Hotel in Roswell. The church intends to provide one (1) service on Sundays at 10:00 AM and bible study on Thursdays at 7:00 PM. The building would also be used for the church's administrative offices.

The applicant's initial site plan included the required parking on the subject property. However, due to the number of quality trees on the property, Staff encouraged the applicant to save additional trees. The applicant's revised site plan provides additional trees saves, which resulted in the removal of fifteen (15) required parking spaces. The applicant was able to secure an off-

site parking agreement to utilize up to 55 additional parking spaces at 1265 Upper Hembree Road (Atlanta Center for Dermatologic Diseases), which does not conduct business on Sundays. The City's Unified Development Code (UDC) allows off-site parking within 500', of which the applicant's off-site parking is approximately 700' from the property. Shuttle or valet service is proposed to accommodate the off-site parking area.

Staff prepared Table 1 below in order to compare the applicant's proposal to existing, similarly situated religious facilities in the City. The applicant's proposal appears to be consistent with City religious facilities located in residential areas as it relates to property size, occupancy and parking.

Table 1: Sample of Religious Facilities Located in Residential Areas				
Religious Facility	Property Size	Zoning	Building Square Footage	# of Parking Spaces
Applicant's Proposal – Spirit of God Church/Upper Hembree Rd	2.9 acres	O-I	250 seats Building 12,035 SF + 10,176 SF unfinished basement = 22,211 SF	110 spaces (on-site) + 55 spaces (off-site) = 165 spaces
Islamic Center of North Fulton/Rucker Rd	4.23 acres	AG	240 seats Building 7,900 SF	120 spaces
Sae Han Presbyterian Church/Kimball Bridge Rd	9.96 acres (7.2 acres buildable)	SU	600 seats Building 64,200 SF	300 spaces + off-site parking w/shuttle service
Church of God/Mid Broadwell Rd	3.52 acres	SU	276 seats Building 10,000 SF, 10,000 SF 2 nd story not currently built)	63 spaces
St. Thomas Aquinas/Rucker Rd	17 acres	AG	750 seats Building 49,609 SF	620 spaces
North Fulton Jewish Center/Kimball Bridge Rd	1.87 acres	R-12	250 seats Building 26,500 SF	61 spaces 112 spaces req'd, reduced for shared spaces
St. James United Methodist Webb Bridge Rd	14.9 acres incl. stream buffers/ 3.6 acres developed	O-I	720 seats Building 27,673 SF	369 spaces

SITE PLAN

The submitted site plan depict a 1-story over basement church building with 110 parking spaces. The main level of the church is 12,035 square feet with a 10,176 square foot basement, for a total of 22,211 square feet at full built-out. 35 parking spaces are located at the front of the building with access from Upper Hembree Road and 75 spaces are located at the rear of the building with access from Harris Road. The primary assembly space of the church would accommodate a maximum of 250 seats.

For a church, the Unified Development Code (UDC) requires one (1) parking space for every two (2) seats in the principal assembly room. Based on a maximum seating capacity of 250 people, a total of 125 parking spaces are required. The applicant has an off-site parking

agreement at 1265 Upper Hembree Road for an additional 55 parking spaces. According to the applicant, off-site parking will be used for overflow parking and will be accommodated by shuttle or valet service.

The required 10' landscape strips along Upper Hembree Road and Harris Road are depicted on the site plan. The landscape strip along Harris Road should include existing trees in order to maintain the tree canopy along Harris Road. Where possible, the landscape strip should be supplemented with evergreen material to screen the rear parking lot from Harris Road. The required 50' undisturbed buffer is depicted along the north end of the property and adjacent to the Creekside at Hembree subdivision.

The property is heavily wooded, predominately hardwood forest with a canopy of Pines, Oaks, Hickory, Sweet Gum and Poplars, to name a few. The site plan depicts tree save areas on the north, east and west sides of the property, which include specimen trees, trees of quality and smaller tree groupings. The tree save area on the east side of the property will likely be impacted due to it being the low spot for stormwater, as well as a potential sanitary sewer connection. However, this tree save area includes several Poplars, which tend to be hazardous due to branch failures. If approved, it is recommended that the applicant work with Staff to layout stormwater facilities and sanitary sewer to have the least impact to desirable trees in the tree save area.

Previous site plans submitted by the applicant depicted a level spreader in the northeast corner of the property and within the 50' undisturbed buffer. Stormwater facilities are not permitted within an undisturbed buffer and a level spreader is not the preferred method of handling stormwater. If approved, the City's Stormwater Engineer recommends that the development make every effort to tie into the existing storm drainage system on Harris Court.

TRAFFIC

City Staff prepared trip generation information for the proposed 250-seat church, which estimates that the use would generate 81 trips during the Sunday peak hour.

CONDITIONAL USE REQUIREMENTS

City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Section 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: The proposed church is located on the corner of Upper Hembree Road and Harris Road with a curb cut on each road. The proposed use will not have a significant impact on vehicular and pedestrian access or on traffic flow. If approved, the developer of the church should construct minimum six-foot (6') sidewalks along Upper Hembree Road and Harris Road.

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

Response: The site plan adequately addresses the above-mentioned improvements, except that parking is proposed to be met on-site (110 spaces) and off-site (55 spaces). The applicant has an off-site parking agreement at 1265 Upper Hembree Road, which would be supplemented with shuttle or valet service.

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 conditional use should not be injurious to the use and enjoyment of other properties in the immediate vicinity. All development regulations have been met, except that 15 required parking spaces would be met off-site per parking agreement at 1265 Upper Hembree Road. The off-site parking agreement would provide access to an additional 40 parking spaces above the UDC parking requirement for a church.

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 church is compatible with the residential character of the area and should not impede the development of surrounding properties.

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 church is compatible with the residential character of the area. The capacity of the church, size of the property and parking are consistent with other churches in the City that are similarly situated in residential areas.

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 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: Development of the subject property is limited due to topography and tree coverage. The applicant's initial site plan provided the required on-site parking. However, Staff encouraged the applicant to revise the plan in order to accommodate more tree saves. The off-site parking is located at 1265 Upper Hembree Road, which is approximately 700' from the subject property. The City's Unified Development Code (UDC) allows off-site parking within 500'.

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

Response: The applicant could meet the required parking on the subject property, as evidenced by the initial site plan. However, Staff believes the existing tree canopy should be protected. The applicant proposes that the parking shortfall of 15 parking spaces be addressed with an off-site parking agreement at 1265 Upper Hembree Road, which is approximately 700' from the property and provides access to 55 parking spaces with shuttle or valet service.

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

Response: Development of the subject property is limited due to topography and tree coverage. The UDC allows off-site parking within 500'; whereas, the applicant proposes to make up the balance of 15 parking spaces with an off-site parking agreement at 1265 Upper Hembree Road and located within 700' of the property.

(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 variance should not cause substantial detriment to the public good, if conditions are approved requiring an off-site parking agreement for the additional parking spaces, as well as shuttle or valet service. The applicant could meet the required parking on-site. However, Staff believes the existing tree canopy should be protected.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that the conditional use and variance do not conflict with the established criteria. The proposed church would have little impact during peak hours for traffic and the proposed size of the church in relation to the size of the property and parking are consistent with religious facilities in the City that are similarly situated in residential areas. The variance to allow off-site parking within 700' of the property is related to protecting the existing tree canopy. If approved, conditions are recommended limiting the capacity of the church to no more than 250 seats, requiring an off-site parking agreement and tree saves.

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.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on July 8, 2020. There were a few questions and comments from the public regarding the undisturbed buffer, tree removal and church operations.

IV. ATTACHMENTS:

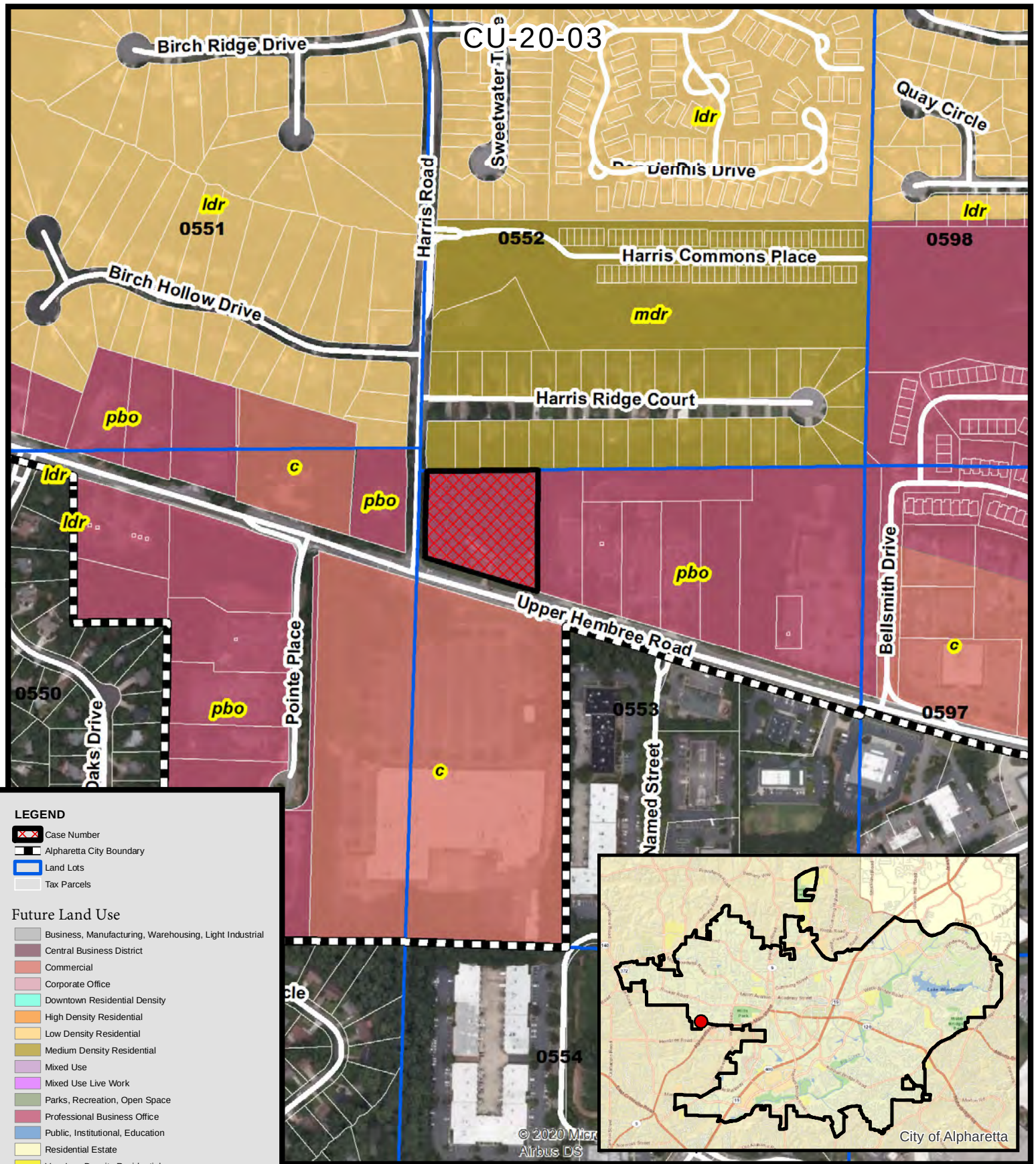
- Site Plan



Aerial Map
 Spirit of God Church
 1200 Upper Hembree Rd

CU-20-03
 D/LL: 1/2/553
 PC: 8/6/20
 CC: 8/24/20

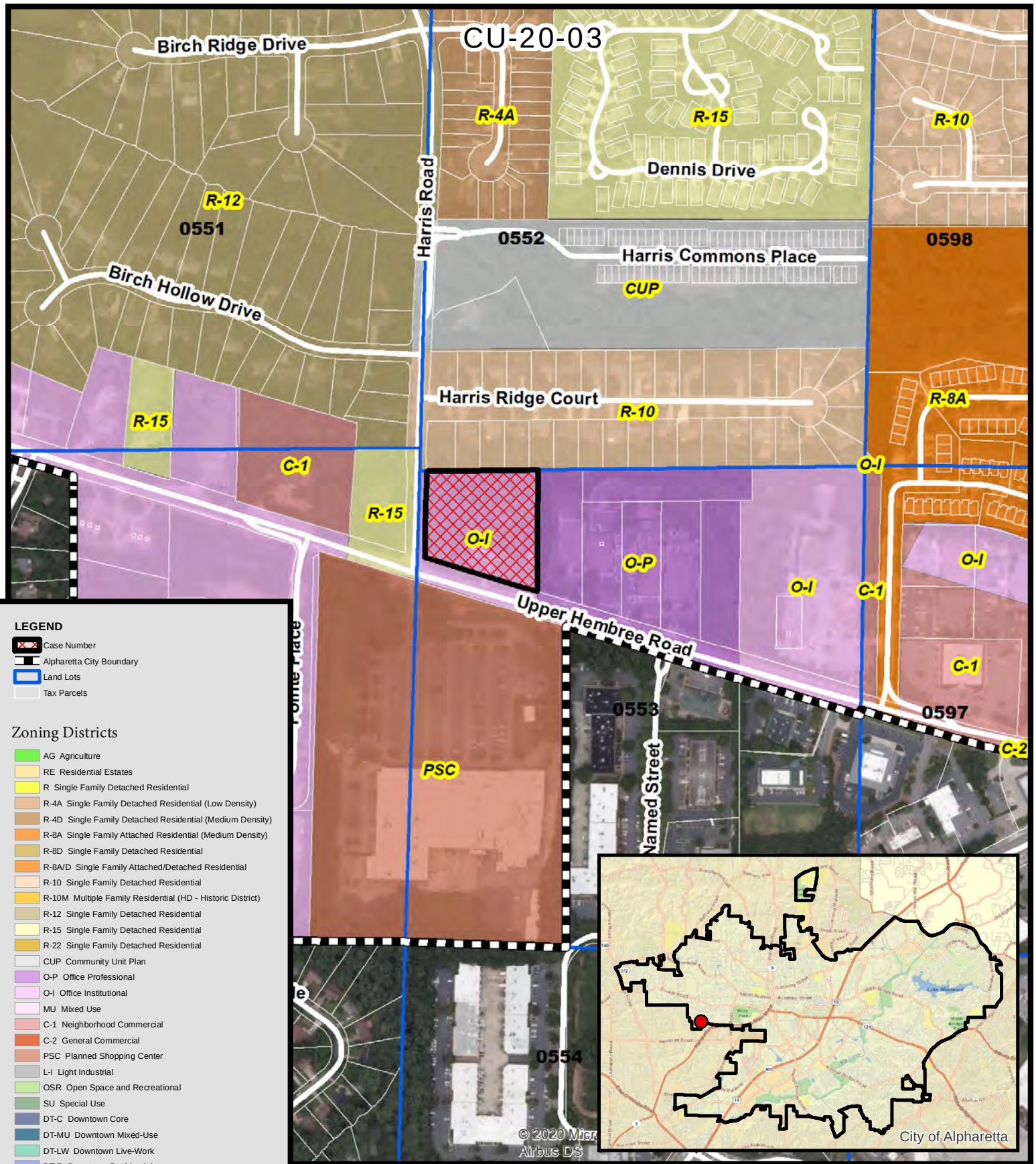
Location Map Provided by:
 Community Development - GIS



Future Land Use Spirit of God Church 1200 Upper Hembree Rd

CU-20-03
 D/LL: 1/2/553
 PC: 8/06/20
 CC: 8/24/20

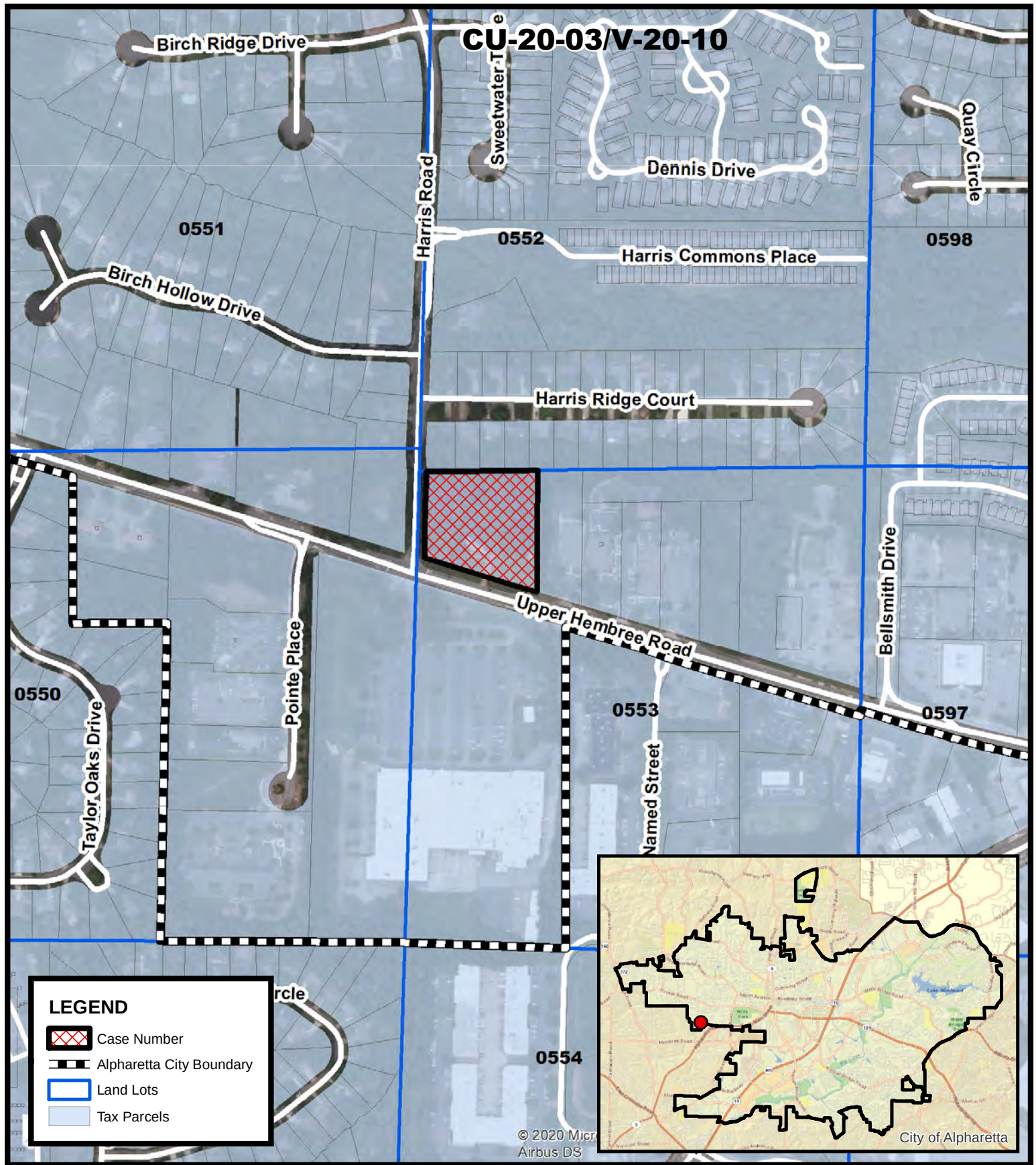
Location Map Provided by:
 Community Development - GIS



Zoning Map
Spirit of God Church
1200 Upper Hembree Rd

CU-20-03
D/LL: 1/2/553
PC: 8/06/20
CC: 8/24/20

Location Map Provided by:
Community Development - GIS



Location Map
Spirit of God Church
1200 Upper Hembree Rd

CU-20-03/
V-20-10

D/LL:

1/2/553 PC:

8/06/20 CC:

8/24/20

Location Map Provided by:
 Community Development - GIS

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: Fwd: Upper Hembree New Church
Date: Friday, July 31, 2020 4:19:32 PM

Please add to the Spirit of God file and upload to PC agenda. Thank you.

Sent from my iPad

Begin forwarded message:

From: lzmail [REDACTED]
Date: July 31, 2020 at 4:12:44 PM EDT
To: "Woodman, Michael" <mwoodman@alpharetta.ga.us>
Subject: Upper Hembree New Church
Reply-To: lzmail [REDACTED]

Mr. Woodman,

I am a neighbor from within walking distance from the proposed church.

I am appalled at the suggestion that you intend to approve this building:

- 1) An entrance on Harris Rd is not feasible, as it will cause required and sudden stops from traffic turning from upper hembree to harris road. A very dangerous proposition!
- 2) The Church suggests to have Police help when they have services. What Police? With the impending calls for Police defunding we need every available policeman to be available for protection, not traffic control. So no! Not a great idea either.
- 3). Every Church built in Rucker Rd is already a nuisance for traffic. It would be best if this new Church found a location close to a larger road, not a family neighborhood!!
- 4) Finally, these churches create traffic and nuisance but they don't pay taxes into the community. Therefore they are NOT a contributing addition to the community.

I am not in favor of approval.

Please revise your intent to approve. Thank you, I am very grateful for your hard work in sharing the information.

Georgina Zambrana
8550 Birch Hollow Dr

Sent from ProtonMail Mobile

CZIM Comments (Leave you name, email, and comment)

Grant Duffy4200 Harris Ridge Ct. Roswell GA 30076My main concern is if church gets approved a year of construction directly behind my house could be really loud for me to work from home.

Great meeting about the church that wants to go on Upper Hembree Rd! Very good information and wonderful people that want to put their church there! Certainly hope that the city of Alpharetta will approve this zoning! Judy Miller

Elaine Russelle [redacted] [redacted] Only concern is a diseased tree on back of property that needs to be taken down. It is dropping limbs on my fence and yard. Would like confirmation that it is a tree marked for removal.



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: CZIM for Condition Use Permit Case # CV-20-03 God Church ^{spirit of}
Contact Name: Randall Knighton Telephone: 404-234-2147

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

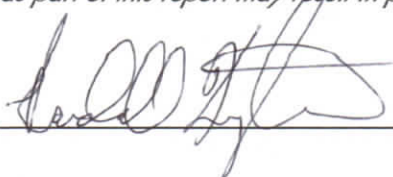
No Responses.

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

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

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

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

Signature of Authorized Agent:  Date: 7-6-2020



June 15, 2020

Dear Property Owner,

We have filed a Public Hearing Application with the City of Alpharetta for consideration of a conditional use to allow a 'Church, Synagogue' on a property zoned O-I (Office-Institutional). The property is located at 1200 Upper Hembree Road and is legally described as being located on Land Lot 553, 1st District, 2nd Section, Fulton County, Georgia.

The Case # is **CU-20-03 Spirit of God Christian Church**

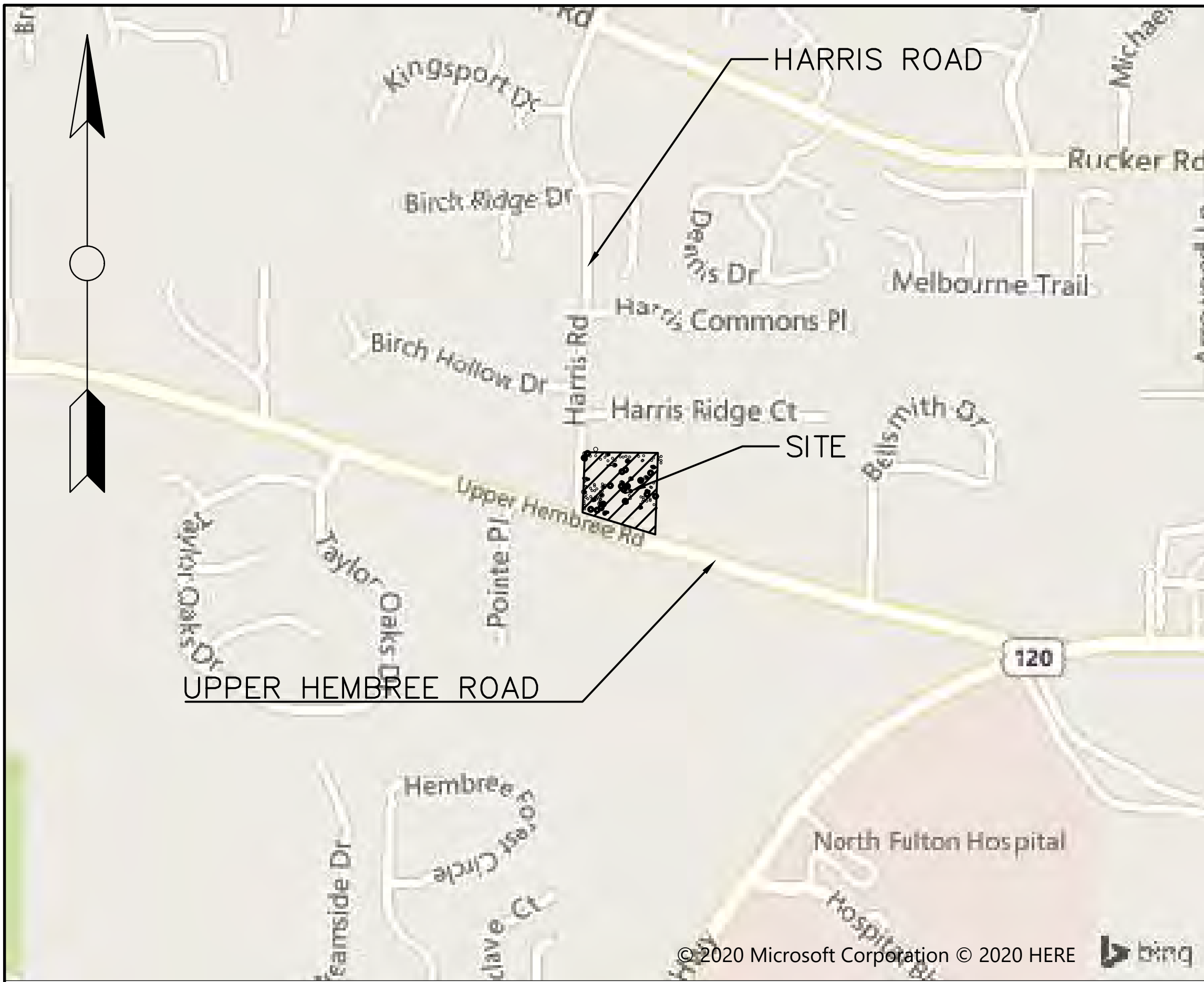
The Community Zoning Information for this item will be held on Wednesday, July 8, 2020 in the Community Room at City Hall from 6:00 p.m. to 7:00 p.m. This is a drop-in style, informal format to allow citizens to meet with the Applicant and view the Application.

This item will be considered by the Planning Commission on Thursday, August 8, 2020. Items forwarded to the City Council will be considered on Monday, August 24, 2020 in Council Chambers at City Hall at 6:30 p.m.

If you have any questions, please reach out to us at rknighton@spiritofgodcc.org.

Sincerely,

Pastor Randall G. Knighton, M.Div.



NOTES:

TOPOGRAPHIC AND RETRACEMENT SURVEY: PREPARED BY LAND PROSURVEYING AND MAPPING, DATED 11-07-2016.

FLOOD HAZARD NOTE: NO PORTION OF THIS PROPERTY IS CONTAINED WITHIN THE LIMITS OF A FLOOD HAZARD ZONE AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FRIM INSURANCE RATE MAP OF FULTON COUNTY, GA. (COMMUNITY PANEL NO.13121C0054F), REVISED SEPTEMBER 18, 2013.

OFFICE - INSTITUTIONAL DISTRICT REQUIREMENTS

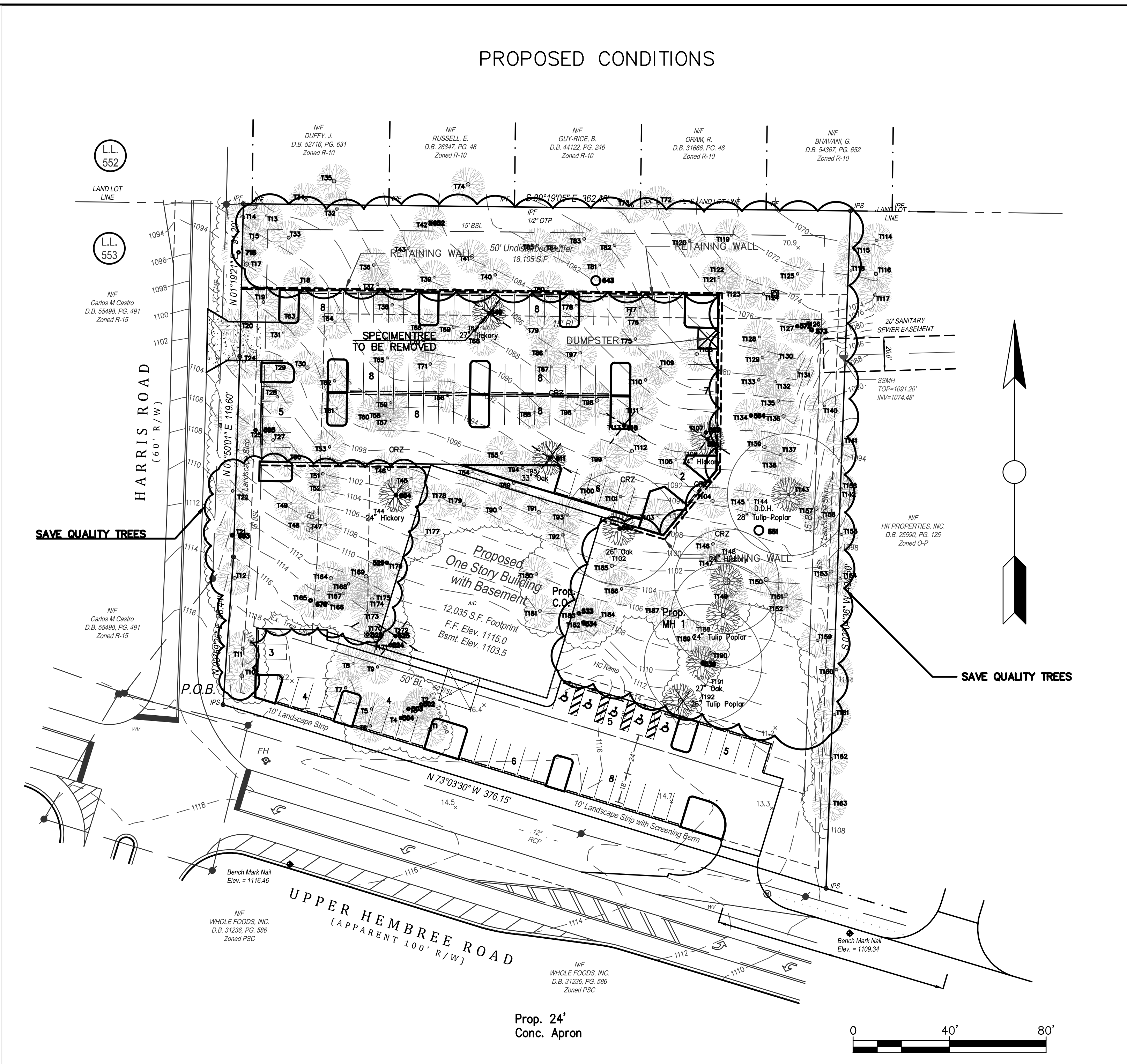
MIN. LOT AREA	NONE
MIN. LOT WIDTH	NONE
MIN FRONT YARD	50'
MIN SIDE YARD	15'
MIN. REAR YARD	15'
MAX. BLDG LOT COVERAGE	40%
MAX. BLDG HEIGHT	40'
MIN. OPEN SPACE	10%

STATE WATERS STATEMENT

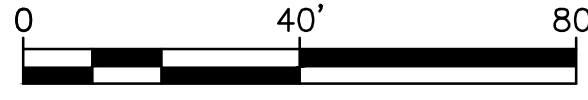
THE TOPOGRAPHIC AND RETRACEMENT SURVEY AS REFERENCED DOES NOT SHOW STATE WATERS ON THIS PROPERTY.

THERE ARE NO WETLANDS ON THIS PROPERTY.

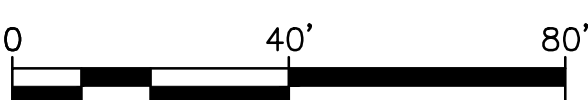
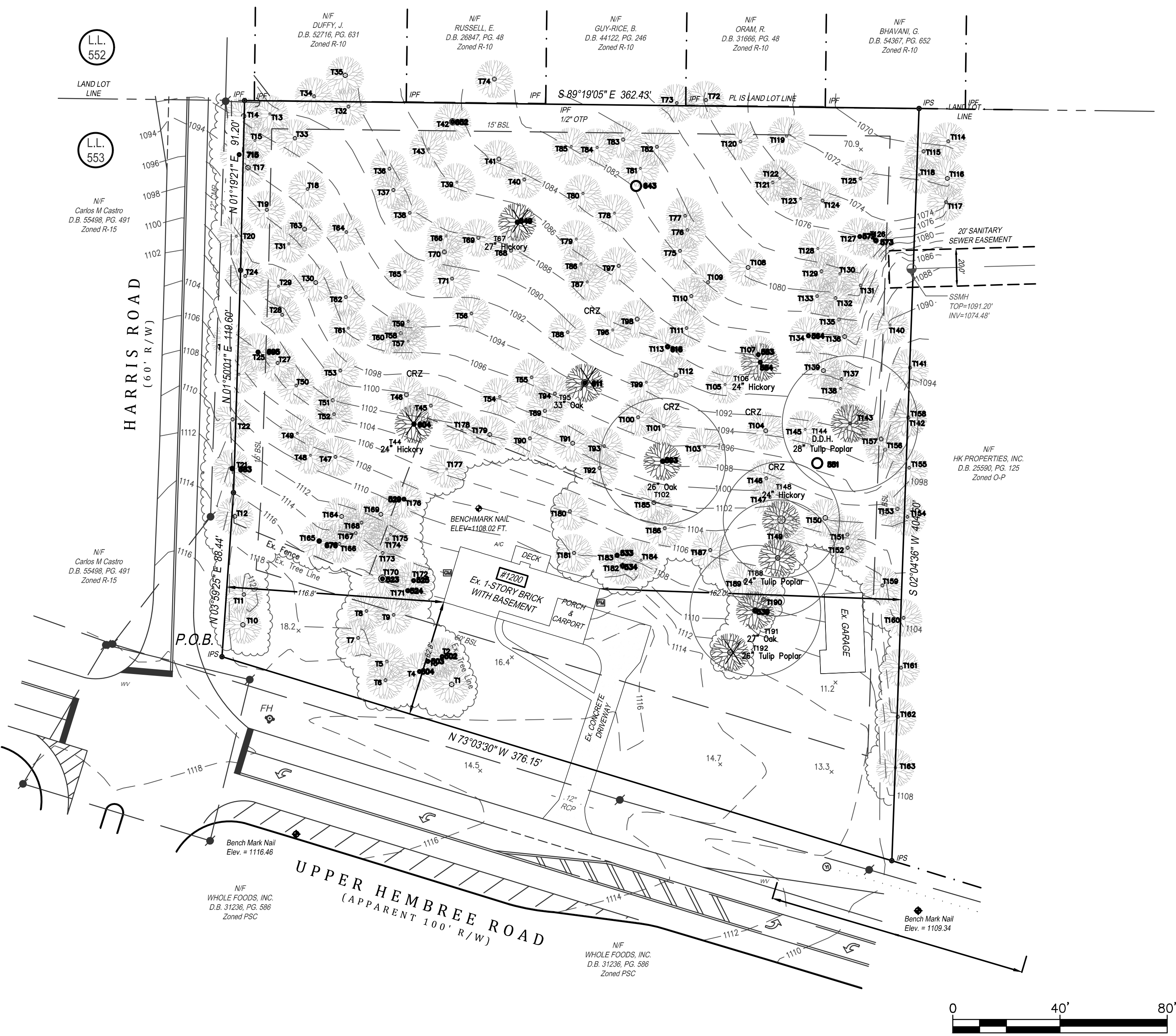
LATEST SITE PLAN



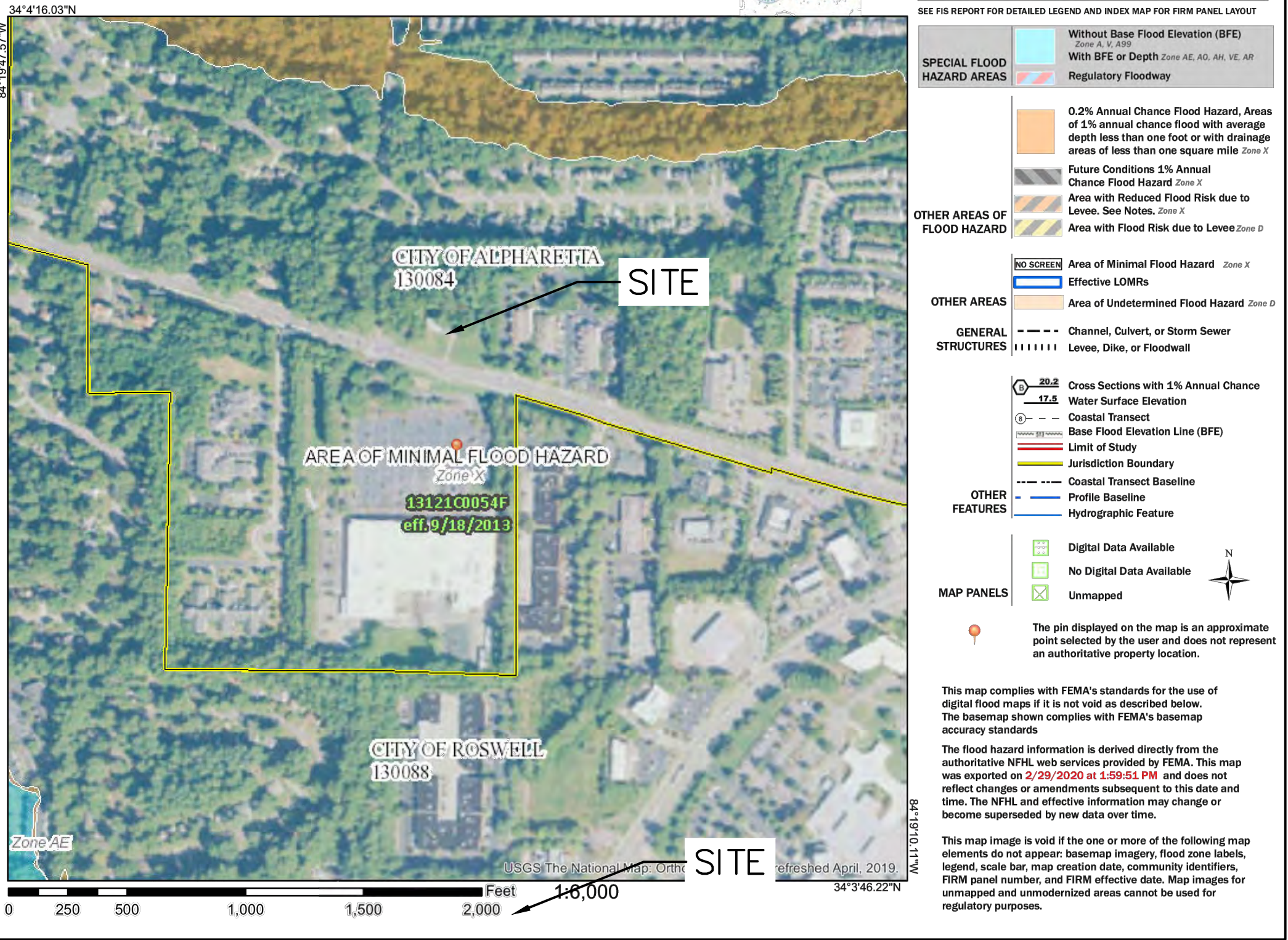
Prop. 24'
Conc. Apron



EXISTING CONDITIONS



National Flood Hazard Layer FIRMette



PROPOSED SURFACES

	SF	ACRES	AREA
TOTAL SITE	127290	2.92	100.00%
PROPOSED BUILDING	12035	0.28	9.45%
PAVEMENT	42200	0.97	33.15%
SIDEWALKS	2620	0.06	2.06%
ISLANDS	5392	0.06	4.24%
PERIMETER LANDSCAPE STRIP	26176	0.60	20.56%
UNDISTURBED BUFFER	18105	0.42	14.22%

TOTAL IMPERVIOUS	56855	1.31	44.67%
TOTAL LANDSCAPE /OPEN SPACE	70435	1.62	55.33%

EXISTING SURFACES

	SF	ACRES	AREA
EXISTING STRUCTURES			
FOOTPRINT	3536	0.08	2.78%

PARCEL INFORMATION:

PIN: 12-223005530855
Zoning: 0-1 (Office - Institutional)
Owner: George & Martha Irvin
Address: 1200 Upper Hembree Road
Roswell, Georgia 30076

PROPOSED DEVELOPER: SPIRIT OF GOD CHRISTIAN CHURCH

PROJECT INFORMATION:

SITE AREA: 2.922 ACRES {127,290 S.F.)
DISTURBED AREA: 1.47± ACRE-S

THERE ARE SPECIMEN TREES WITHIN THE PROPOSED LIMITS OF DISTURBANCE.

RHODES ENGINEERING SERVICES, INC.

CIVIL ENGINEERS & LAND SURVEYORS
645 HENDERSON DRIVE, SUITE 2
CARTERSVILLE, GEORGIA 30120
PHONE: 770-386-7616 FAX: 770-386-7617

REVISIONS:

DESCRIPTION:

xxxxxxx

NO. DATE:

X xxxxxx

SPIRIT OF GOD CHRISTIAN CHURCH

LOCATED IN LAND LOT 553
2ND DISTRICT

FULTON COUNTY, GEORGIA

CONCEPT PLAN

DESIGN: GWP

DRAWN: ACAD/PA

CHECKED: CWR

JOB NO: 20110

DATE: 07/08/20

TREE TAG #	DBH	SPECIES	CONDITION
501	28	Loblolly Pine	GOOD
502	20	Loblolly Pine	GOOD
503	10	Flowering Dogwood	GOOD
504	21	Loblolly Pine	GOOD
505	10	Water Oak	GOOD
506	14	Loblolly Pine	GOOD
507	19	Shortleaf Pine	GOOD
508	17	Loblolly Pine	DDH
509	14	Loblolly Pine	FAIR
510	14	Loblolly Pine	DDH
511	9	Loblolly Pine	DDH
512	24	Loblolly Pine	FAIR
513	21	Loblolly Pine	GOOD
514	7	Water Oak	GOOD
515	7	Water Oak	FAIR
516	10	Northern Red Oak	GOOD
517	17	Loblolly Pine	GOOD
518	10	Shortleaf Pine	FAIR
519	7	Shortleaf Pine	GOOD
520	7	Shortleaf Pine	FAIR
521	8	Sweetgum	GOOD
522	9	Shortleaf Pine	GOOD
523	30	Northern Red Oak	FAIR
524	23	Southern Red Oak	FAIR
525	38	Pignut Hickory	DDH
526	14	Post Oak	GOOD
527	14	Pignut Hickory	GOOD
528	10	White Oak	FAIR
529	17	Sourwood	DDH
530	9	Persimmon	GOOD
531	16	Post Oak	GOOD
532	17	Post Oak	GOOD
533	26	Tulip Poplar	GOOD
534	28	White Oak	GOOD
535	14	Pignut Hickory	GOOD
536	19	Pignut Hickory	DDH
537	15	White Oak	GOOD
538	21	White Oak	GOOD
539	27	White Oak	GOOD
540	27	Tulip Poplar	GOOD
541	26	Tulip Poplar	GOOD
542	9	White Oak	GOOD
543	22	Pignut Hickory	FAIR

544	7	Pignut Hickory	GOOD
545	18	White Oak	GOOD
546	18	White Oak	FAIR
547	19	Tulip Poplar	GOOD
548	8	Tulip Poplar	GOOD
549	8	Red Mulberry	DDH
550	9	Red Mulberry	GOOD
551	30	Tulip Poplar	DDH
552	19	Pignut Hickory	DDH
553	20	Pignut Hickory	GOOD
554	8	Tulip Poplar	DDH
555	14	Tulip Poplar	GOOD
556	12	Tulip Poplar	GOOD
557	10	Tulip Poplar	GOOD
558	8	Tulip Poplar	GOOD
559	22	Tulip Poplar	GOOD
560	19	Tulip Poplar	GOOD
561	9	Tulip Poplar	GOOD
562	10	Tulip Poplar	GOOD
563	22	Tulip Poplar	GOOD
564	24	Pignut Hickory	GOOD
565	14	Tulip Poplar	GOOD
566	11	Tulip Poplar	GOOD
567	13	Tulip Poplar	DDH
568	13	Tulip Poplar	FAIR
569	8	Tulip Poplar	GOOD
570	16	Pignut Hickory	FAIR
571	15	Tulip Poplar	FAIR
572	18	Pignut Hickory	GOOD
573	27	Pignut Hickory	GOOD
574	17	Tulip Poplar	GOOD
575	23	Southern Red Oak	GOOD
576	13	Pignut Hickory	GOOD
577	17	Pignut Hickory	GOOD
578	9	Persimmon	FAIR
579	14	Tulip Poplar	GOOD
580	7	Sweetgum	GOOD
581	19	Tulip Poplar	GOOD
582	11	Tulip Poplar	GOOD
583	11	Pignut Hickory	DDH
584	24	Pignut Hickory	GOOD
585	11	Tulip Poplar	DDH
586	6	Tulip Poplar	GOOD
587	10	Tulip Poplar	FAIR

588	20	Pignut Hickory	GOOD
589	11	Tulip Poplar	FAIR
590	16	Pignut Hickory	FAIR
591	12	Northern Red Oak	GOOD
592	23	Pignut Hickory	GOOD
593	27	Southern Red Oak	GOOD
594	13	Pignut Hickory	GOOD
595	15	Tulip Poplar	DDH
596	14	Tulip Poplar	DDH
597	8	Tulip Poplar	DDH
598	22	Tulip Poplar	GOOD
599	9	Tulip Poplar	FAIR
600	14	Tulip Poplar	FAIR
601	23	Pignut Hickory	FAIR
602	11	White Oak	DDH
603	11	Tulip Poplar	GOOD
604	24	Pignut Hickory	GOOD
605	21	White Oak	GOOD
606	19	Pignut Hickory	GOOD
607	13	Tulip Poplar	GOOD
608	15	White Oak	GOOD
609	12	Pignut Hickory	GOOD
610	15	Tulip Poplar	GOOD
611	33	Pignut Hickory	GOOD
612	12	Tulip Poplar	DDH
613	12	Tulip Poplar	GOOD
614	10	Tulip Poplar	GOOD
615	19	Pignut Hickory	GOOD
616	25	Pignut Hickory	GOOD
617	9	Pignut Hickory	GOOD
618	20	Pignut Hickory	FAIR
619	9	Pignut Hickory	GOOD
620	7	Tulip Poplar	GOOD
621	12	Pignut Hickory	GOOD
622	6	Tulip Poplar	GOOD
623	9	Tulip Poplar	GOOD
624	10	Pignut Hickory	DDH
625	13	Pignut Hickory	GOOD
626	10	Pignut Hickory	GOOD
627	18	Pignut Hickory	DDH
628	16	Pignut Hickory	GOOD
629	15	Pignut Hickory	GOOD
630	20	Tulip Poplar	GOOD
631	14	Tulip Poplar	GOOD

632	14	Tulip Poplar	GOOD
633	14	Tulip Poplar	GOOD
634	13	Tulip Poplar	GOOD
635	7	Tulip Poplar	GOOD
636	15	Tulip Poplar	GOOD
637	14	Tulip Poplar	GOOD
638	9	Tulip Poplar	GOOD
639	13	Northern Red Oak	GOOD
640	11	Black Cherry	FAIR
641	16	Pignut Hickory	FAIR
642	11	White Oak	GOOD
643	8	Pignut Hickory	GOOD
644	15	Pignut Hickory	GOOD
645	11	Pignut Hickory	GOOD
646	8	Pignut Hickory	FAIR
647	10	Pignut Hickory	GOOD
648	16	Pignut Hickory	GOOD
649	28	Pignut Hickory	GOOD
650	17	Pignut Hickory	GOOD
651	20	Pignut Hickory	GOOD
652	35	White Oak	GOOD
653	11	Pignut Hickory	GOOD
654	11	Pignut Hickory	GOOD
655	15	Pignut Hickory	GOOD
656	19	Pignut Hickory	GOOD
657	13	Pignut Hickory	GOOD
658	16	Pignut Hickory	GOOD
659	13	Pignut Hickory	GOOD
660	10	Tulip Poplar	GOOD
661	21	Pignut Hickory	GOOD
662	18	Pignut Hickory	GOOD
663	15	Pignut Hickory	GOOD
664	10	Tulip Poplar	GOOD
665	13	Pignut Hickory	GOOD
666	8	White Oak	GOOD
667	19	Pignut Hickory	GOOD
668	11	Pignut Hickory	GOOD
669	8	Tulip Poplar	GOOD
670	8	Tulip Poplar	GOOD
671	18	Pignut Hickory	GOOD
672	22	Southern Red Oak	FAIR
673	15	Tulip Poplar	GOOD
674	9	Tulip Poplar	DDH
675	17	Tulip Poplar	GOOD

676	12	White Oak	GOOD
677	31	Tulip Poplar	FAIR
678	13	Tulip Poplar	GOOD
679	8	Black Cherry	GOOD
680	13	White Oak	GOOD
681	25	Tulip Poplar	GOOD
682	18	Tulip Poplar	GOOD
683	27	White Oak	GOOD
684	19	Northern Red Oak	GOOD
685	6	Black Cherry	GOOD
686	10	Tulip Poplar	GOOD
687	9	Tulip Poplar	GOOD
688	17	Pignut Hickory	GOOD
689	7	Tulip Poplar	GOOD
690	13	Tulip Poplar	GOOD
691	17	Tulip Poplar	GOOD
692	15	Pignut Hickory	GOOD
693	13	Pignut Hickory	GOOD
694	17	Pignut Hickory	GOOD
695	25	White Oak	FAIR
696	12	Pignut Hickory	GOOD
697	12	Tulip Poplar	GOOD
698	7	Pignut Hickory	FAIR
699	17	Pignut Hickory	GOOD
700	9	Tulip Poplar	GOOD
701	11	Tulip Poplar	GOOD
702	15	Pignut Hickory	GOOD
703	20	Pignut Hickory	GOOD
704	11	Pignut Hickory	FAIR
705	13	Pignut Hickory	FAIR
706	9	Tulip Poplar	FAIR
707	10	Black Cherry	GOOD
708	10	Pignut Hickory	GOOD
709	23	Pignut Hickory	GOOD
710	16	Pignut Hickory	GOOD
711	6	Pignut Hickory	GOOD
712	14	Pignut Hickory	GOOD
713	17	Pignut Hickory	FAIR
714	25	Pignut Hickory	GOOD
715	13	Tulip Poplar	DDH
716	10	Pignut Hickory	GOOD
717	24	Pignut Hickory	FAIR
718	13	Northern Red Oak	DDH
719	20	Pignut Hickory	GOOD

720	10	Pignut Hickory	GOOD
721	16	Pignut Hickory	GOOD
722	22	Willow Oak	GOOD
723	13	Willow Oak	GOOD
724	23	Willow Oak	GOOD
725	18	Willow Oak	GOOD
726	17	Willow Oak	GOOD
727	16	Willow Oak	GOOD
728	16	Black Cherry	FAIR
729	19	Willow Oak	GOOD
730	16	Willow Oak	GOOD
731	16	Willow Oak	GOOD
732	19	Willow Oak	GOOD
733	10	Nuttall Oak	FAIR
734	15	Red Maple	GOOD
735	~20	Tulip Poplar	GOOD
736	~23	Tulip Poplar	GOOD
737	~21	Tulip Poplar	GOOD
738	~17	Tulip Poplar	GOOD
739	~14	Tulip Poplar	GOOD
740	~20	Tulip Poplar	GOOD
741	~12	White Oak	GOOD
742	~13	American Beech	GOOD
743	~30	Tulip Poplar	GOOD
744	~14	Tulip Poplar	GOOD
745	~8	Pignut Hickory	GOOD
746	~16	White Oak	GOOD
747	~12	Pignut Hickory	GOOD
748	~27	Tulip Poplar	GOOD
749	~8	Pignut Hickory	GOOD
750	~18	Tulip Poplar	GOOD
751	~8	Tulip Poplar	GOOD
752	~20	Tulip Poplar	GOOD
753	~7	Pignut Hickory	GOOD
754	~17	Pignut Hickory	GOOD
755	~7	Northern Red Oak	GOOD
756	~12	Tulip Poplar	GOOD
757	~20	Tulip Poplar	GOOD
758	~14	Tulip Poplar	GOOD
759	~28x24	Tulip Poplar	FAIR
760	~16	White Oak	GOOD
761	~12	White Oak	GOOD
762	~20	Tulip Poplar	GOOD
763	9	Sweetgum	FAIR

764	9	Black Cherry	FAIR
TREE TAG #	DBH	SPECIES	CONDITION

NOTES	SPECIMEN	ACCOMODATION
	NO	NO
	NO	NO
	YES	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Dead Top	NO	NO
Past topping event; canker wound	NO	NO
Dead	NO	NO
Multiple canker wounds on trunk	NO	NO
Codominant	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Low codominant stems	YES	NO
Phototrophic lean; weight towards house	NO	NO
weak branch unions	YES	NO
	NO	YES
	NO	YES
Significant phototrophic lean	NO	YES
Large cavity in root collar	YES	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	YES	NO
	NO	YES
Codominant; carpenter ant nest in root collar	NO	NO
	NO	YES
	NO	YES
	YES	YES
	NO	NO
	NO	YES
	NO	YES
Codominant	NO	YES

	NO	YES
	NO	YES
Phototropic lean	NO	YES
	NO	YES
	NO	YES
Dead	NO	NO
	NO	YES
Large cavity in root collar	YES	NO
Hollow at base of tree	NO	NO
	NO	YES
Dead	NO	NO
	NO	YES
	NO	YES
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	YES
	NO	NO
	YES	NO
	NO	NO
	NO	NO
Basal bark decay	NO	NO
Past topping event	NO	NO
	NO	NO
	NO	NO
Codominant at base	NO	NO
	NO	NO
	YES	NO
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	NO
	NO	NO
Open cavity at base; hollow	NO	NO
	YES	NO
Hollow; leaning	NO	NO
	NO	NO
Poor growth form	NO	NO

	NO	NO
	NO	NO
Low codominant	NO	NO
	NO	YES
	NO	YES
	YES	NO
	NO	NO
Dead	NO	NO
Dead	NO	NO
Large canker wound on trunk	NO	NO
	NO	NO
Poor form	NO	NO
Phototropic lean	NO	NO
Minor crown dieback	NO	NO
Dead	NO	NO
	NO	NO
	YES	YES
	NO	YES
	NO	YES
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Codominant	YES	NO
Dead	NO	NO
	NO	NO
	NO	NO
	NO	NO
	YES	NO
	NO	NO
Poor form	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Broken top	NO	NO
	NO	NO
	NO	NO
Broken leader	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO

	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	YES
	NO	YES
	NO	YES
Poor form	NO	YES
Poor form	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
Poor form	NO	YES
	NO	NO
	NO	NO
	YES	YES
	NO	YES
	NO	YES
	YES	YES
	NO	YES
	NO	YES
	NO	YES
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	YES
	NO	YES
	NO	YES
Minor crown dieback	NO	YES
	NO	YES
Dead	NO	NO
	NO	YES

	NO	YES
Low codominant	YES	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	YES	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	YES
	NO	NO
	NO	NO
	NO	NO
	YES	NO
	NO	YES
	NO	YES
Poor form	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Poor form	NO	NO
Poor form	NO	NO
Poor form	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
	NO	NO
Poor form	NO	NO
	YES	YES
Basal decay	NO	NO
	NO	YES
	YES	YES
Dead	NO	NO
	NO	YES

[illegible]

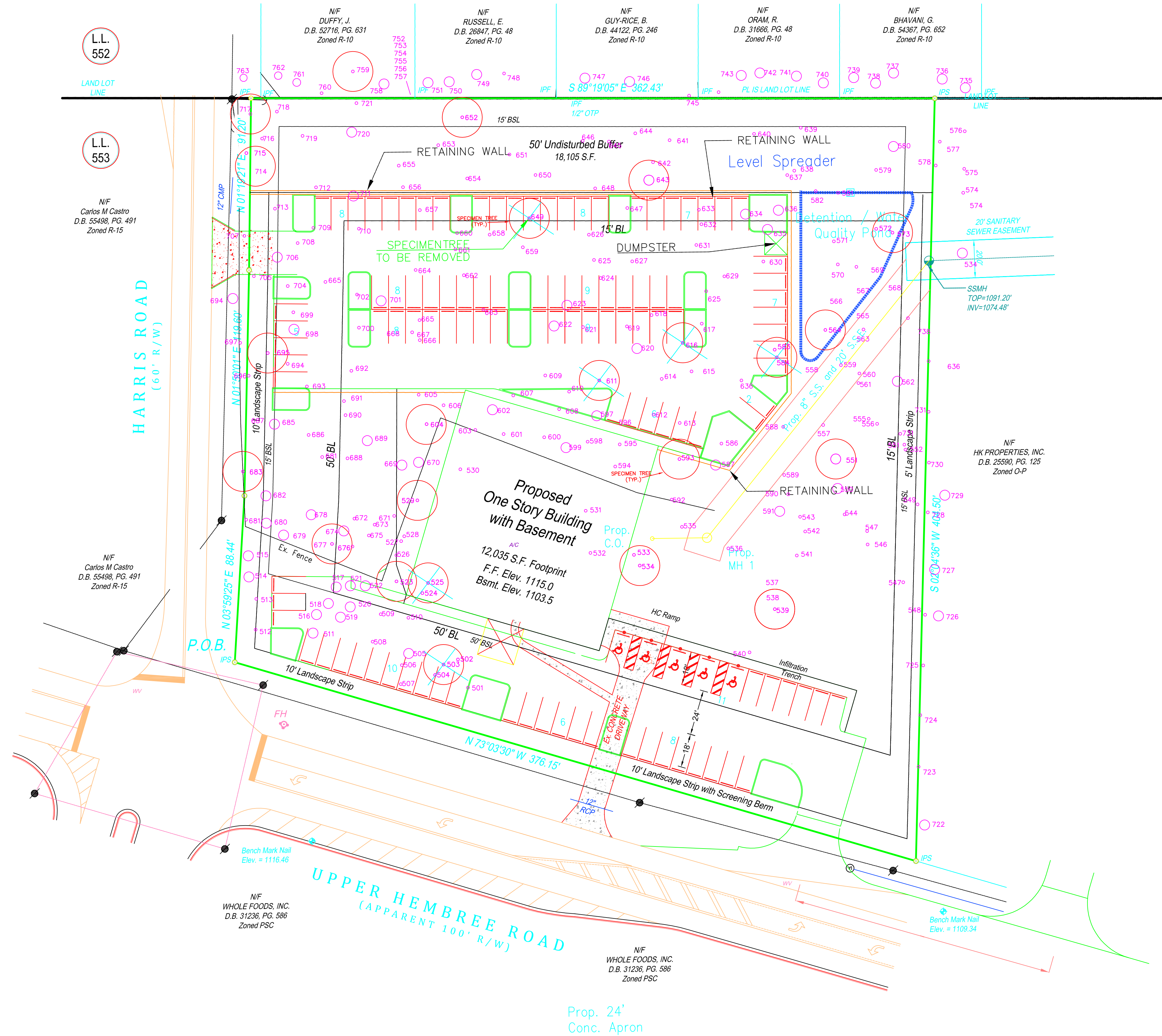
Minor crown dieback	NO	BOUNDARY
NOTES	SPECIMEN	ACCOMODATION

TREE TAG #	DBH	SPECIES	CONDITION	NOTES	SPECIMEN
503	10	Flowering Dogwood	GOOD		YES
523	30	Northern Red Oak	FAIR	Low codominant stems	YES
525	38	Pignut Hickory	DDH	codominant stems with	YES
529	17	Sourwood	DDH	Large cavity in root collar	YES
534	28	White Oak	GOOD		YES
539	27	White Oak	GOOD		YES
551	30	Tulip Poplar	DDH	Large cavity in root collar	YES
564	24	Pignut Hickory	GOOD		YES
573	27	Pignut Hickory	GOOD		YES
584	24	Pignut Hickory	GOOD		YES
593	27	Southern Red Oak	GOOD		YES
604	24	Pignut Hickory	GOOD		YES
611	33	Pignut Hickory	GOOD	Codominant	YES
616	25	Pignut Hickory	GOOD		YES
649	28	Pignut Hickory	GOOD		YES
652	35	White Oak	GOOD		YES
677	31	Tulip Poplar	FAIR	Low codominant	YES
683	27	White Oak	GOOD		YES
695	25	White Oak	FAIR		YES
714	25	Pignut Hickory	GOOD		YES
717	24	Pignut Hickory	FAIR		YES
743	~30	Tulip Poplar	GOOD		YES
759	~28x24	Tulip Poplar	FAIR	Low codominant	YES

TREE TAG #	DBH	SPECIES	CONDITION	NOTES
508	17	Loblolly Pine	DDH	Dead Top
510	14	Loblolly Pine	DDH	Dead
511	9	Loblolly Pine	DDH	Multiple canker wounds on trunk
525	38	Pignut Hickory	DDH	weak branch unions
529	17	Sourwood	DDH	Large cavity in root collar
536	19	Pignut Hickory	DDH	Codominant; carpenter ant nest in root collar
549	8	Red Mulberry	DDH	Dead
551	30	Tulip Poplar	DDH	Large cavity in root collar
552	19	Pignut Hickory	DDH	Hollow at base of tree
554	8	Tulip Poplar	DDH	Dead
567	13	Tulip Poplar	DDH	Basal bark decay
583	11	Pignut Hickory	DDH	Open cavity at base; hollow
585	11	Tulip Poplar	DDH	Hollow; leaning
595	15	Tulip Poplar	DDH	Dead
596	14	Tulip Poplar	DDH	Dead
597	8	Tulip Poplar	DDH	Large canker wound on trunk
602	11	White Oak	DDH	Dead
612	12	Tulip Poplar	DDH	Dead
624	10	Pignut Hickory	DDH	Broken top
627	18	Pignut Hickory	DDH	Broken leader
674	9	Tulip Poplar	DDH	Dead
715	13	Tulip Poplar	DDH	Basal decay
718	13	Northern Red Oak	DDH	Dead

TREE TAG #	DBH	SPECIES	CONDITION	NOTES	SPECIMEN
512	24	Loblolly Pine	FAIR	Codominant	NO
513	21	Loblolly Pine	GOOD		NO
514	7	Water Oak	GOOD		NO
515	7	Water Oak	FAIR		NO
526	14	Post Oak	GOOD		NO
527	14	Pignut Hickory	GOOD		NO
528	10	White Oak	FAIR	Significant phototropic lean	NO
535	14	Pignut Hickory	GOOD		NO
537	15	White Oak	GOOD		NO
538	21	White Oak	GOOD		NO
539	27	White Oak	GOOD		YES
541	26	Tulip Poplar	GOOD		NO
542	9	White Oak	GOOD		NO
543	22	Pignut Hickory	FAIR	Codominant	NO
544	7	Pignut Hickory	GOOD		NO
545	18	White Oak	GOOD		NO
546	18	White Oak	FAIR	Phototropic lean	NO
547	19	Tulip Poplar	GOOD		NO
548	8	Tulip Poplar	GOOD		NO
550	9	Red Mulberry	GOOD		NO
553	20	Pignut Hickory	GOOD		NO
555	14	Tulip Poplar	GOOD		NO
556	12	Tulip Poplar	GOOD		NO
562	10	Tulip Poplar	GOOD		NO
574	17	Tulip Poplar	GOOD		NO
575	23	Southern Red Oak	GOOD		NO
576	13	Pignut Hickory	GOOD		NO
577	17	Pignut Hickory	GOOD		NO
578	9	Persimmon	FAIR		NO
579	14	Tulip Poplar	GOOD		NO
580	7	Sweetgum	GOOD		NO
591	12	Northern Red Oak	GOOD		NO
592	23	Pignut Hickory	GOOD		NO
604	24	Pignut Hickory	GOOD		YES
605	21	White Oak	GOOD		NO
606	19	Pignut Hickory	GOOD		NO
637	14	Tulip Poplar	GOOD		NO
638	9	Tulip Poplar	GOOD		NO
639	13	Northern Red Oak	GOOD		NO
640	11	Black Cherry	FAIR	Poor form	NO
641	16	Pignut Hickory	FAIR	Poor form	NO
642	11	White Oak	GOOD		NO
643	8	Pignut Hickory	GOOD		NO

TREE TAG #	DBH	SPECIES	CONDITION	NOTES	SPECIMEN
722	22	Willow Oak	GOOD		NO
723	13	Willow Oak	GOOD		NO
724	23	Willow Oak	GOOD		NO
725	18	Willow Oak	GOOD		NO
726	17	Willow Oak	GOOD		NO
727	16	Willow Oak	GOOD		NO
728	16	Black Cherry	FAIR	Poor pruning for light clearance	NO
729	19	Willow Oak	GOOD		NO
730	16	Willow Oak	GOOD		NO
731	16	Willow Oak	GOOD		NO
732	19	Willow Oak	GOOD		NO
733	10	Nuttall Oak	FAIR		NO
734	15	Red Maple	GOOD		NO
735	~20	Tulip Poplar	GOOD		NO
736	~23	Tulip Poplar	GOOD		NO
737	~21	Tulip Poplar	GOOD		NO
738	~17	Tulip Poplar	GOOD		NO
739	~14	Tulip Poplar	GOOD		NO
740	~20	Tulip Poplar	GOOD		NO
741	~12	White Oak	GOOD		NO
742	~13	American Beech	GOOD		NO
743	~30	Tulip Poplar	GOOD		YES
744	~14	Tulip Poplar	GOOD		NO
745	~8	Pignut Hickory	GOOD		NO
746	~16	White Oak	GOOD		NO
747	~12	Pignut Hickory	GOOD		NO
748	~27	Tulip Poplar	GOOD		NO
749	~8	Pignut Hickory	GOOD		NO
750	~18	Tulip Poplar	GOOD		NO
751	~8	Tulip Poplar	GOOD		NO
752	~20	Tulip Poplar	GOOD		NO
753	~7	Pignut Hickory	GOOD		NO
754	~17	Pignut Hickory	GOOD		NO
755	~7	Northern Red Oak	GOOD		NO
756	~12	Tulip Poplar	GOOD		NO
757	~20	Tulip Poplar	GOOD		NO
758	~14	Tulip Poplar	GOOD		NO
759	~28x24	Tulip Poplar	FAIR	Low codominant	YES
760	~16	White Oak	GOOD		NO
761	~12	White Oak	GOOD		NO
762	~20	Tulip Poplar	GOOD		NO
763	9	Sweetgum	FAIR	Topped	NO
764	9	Black Cherry	FAIR	Minor crown dieback	NO



02/05/2020

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

CU-20-03
Spirit of God Church
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: Randall G. Knighton Telephone: (404)245-0900
Address: 7197 Belcrest Drive Suite: _____
City Duluth State: GA Zip: 30097 Fax: _____
Mobile Tel: (404)245-0900 Email: rknighton@spiritofgodcc.org

Subject Property Information:

Address: 1200 Upper Hembree Road Current Zoning: C4
District: 1st Section: 2nd Land Lot: 533 Parcel ID: 12 223005530855
Proposed Zoning: Existing with Conditional Use Current Use: Unoccupied Structure

This Application For (Check All That Apply):

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

02/05/2020

Spirit of God Church

APPLICANT REQUEST AND INTENT

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

We intend to use this property as a House of Worship/Church. We intend to build a new structure approximately 8,000 - 14,000 sqft (Main level approximately 8,000-10,000 sqft/basement level 4,000 - 6,000 sqft). The main auditorium/sanctuary will seat 300 - 350 people. There will be only one service held per Sunday at 10am (8:30am - 2:30pm hours of operation on Sunday). There will be an average of 150 - 200 people per service. There will be five (5) admin offices for staff. The church will be used on Monday thru Friday with flexible hours (8am - 7pm) for a church staff of less than 6 people. On Wednesday evenings there will be Praise Team/Choir rehearsal with approximately 20 people in attendance from 6pm - 9pm. On Thursday nights, bible study will be held with approximately 40 people in attendance (6pm - 9pm). One - Two times a month on Saturdays, small groups will meet from 2 - 3 hours (10am or 5pm/approximately 30 attendees). Once a year there will be a New Year's Eve Service from 10pm - 1am. (approximately 150 attendees). Two - Three times a year, there may be special church events held on a Saturday for i.e. plays, family fun day, etc. (approximately 150 - 200 in attendance).

Applicant's Request (Please itemize the proposal):

We are requesting conditional use approval for the purpose of general church activity use.

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

We are requesting conditional use approval for the purpose of general church activity use. We intend to build a new structure approximately 8,000 - 14,000 sqft (Main level approximately 8,000-10,000 sqft/basement level 4,000 - 6,000 sqft). The main auditorium/sanctuary will seat 300 - 350 people. There will be only one service held per Sunday at 10am (8:30am - 2:30pm hours of operation on Sunday). There will be an average of 150 - 200 people per service. There will be five (5) admin offices for staff. The church will be used on Monday thru Friday with flexible hours (8am - 7pm) for a church staff of less than 6 people. On Wednesday evenings there will be Praise Team/Choir rehearsal with approximately 20 people in attendance from 6pm - 9pm. On Thursday nights, bible study will be held with approximately 40 people in attendance (6pm - 9pm). One - Two times a month on Saturdays, small groups will meet from 2 - 3 hours (10am or 5pm/approximately 30 attendees). Once a year there will be a New Year's Eve Service from 10pm - 1am. (approximately 150 attendees). Two - Three times a year, there may be special church events held on a Saturday for i.e. plays, family fun day, etc. (approximately 150 - 200 in attendance).

02/05/2020

Spirit of God Church

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: Randall G. Knighton on behalf of Spirit of God Christian Church

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 has 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: _____

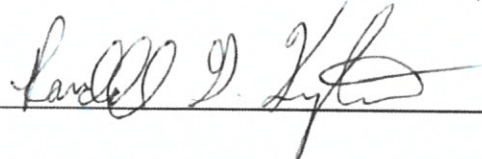
Description of Contribution: _____ Value: _____

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: 2-3-2020

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: MARTHA ANN IRVIN Telephone: 770 595-0063
Address: 344 Tony Allen Dr Suite: _____
City CANTON State: GA Zip: 30114

Authorization:

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

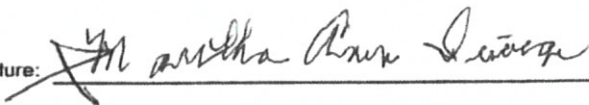
As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

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

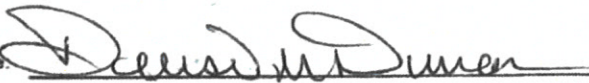
Identify Authorized Applicant:

Name of Authorized Applicant: Randall G. Knighton on behalf of Spirit of God Christian Church Telephone: (404)245-0900
Address: 7197 Belcrest Drive Suite: _____
City Duluth State: GA Zip: 30097

So Sworn and Attested:

Owner Signature:  Date: 2/10/20

Notary:

Notary Signature:  Date: 2/10/20
Exp 4/12/21

~~02/05/2020~~~~Spirit of God Church~~

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Our church office hours will be similar to the surrounding businesses in the area with less than 6 employees. There will be 4-5 hours on Sundays for worship service and a few occasions on Saturdays 2-3 hours for special church events.

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

Our facility will have negative impact on the surrounding properties. Upon completion of new construction on this property, it will increase in value.

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

Yes as it is currently zoned for office and industrial.

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

There will be minimal to no increase Monday - Saturday and there will be a slight increase on Sundays during the hours of 9am - 1pm with approximately 100 cars.

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

There will be minimal to none.

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

It will meet with the zoning requirements of the city pending conditional use.

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

None

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.

~~02/05/2020~~~~Spirit of God Church~~

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.

02/05/2020

Spirit of God Church

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

02/05/2020

Spirit of God Church

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: Commission Hearing: Conditional Use Request for Spirit of God Christian Church

Contact Name: Randall G. Knighton Telephone: (404)245-0900

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.*

- | | |
|------------------------------------|---|
| ☐ 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.

02/05/2020

Spirit of God Church

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: Commission Hearing: Conditional Use Request for Spirit of God Christian Church

Contact Name: Randall G. Knighton Telephone: (404)245-0900

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

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

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

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

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

Signature of Authorized Agent: _____

Date: _____

2-3-2020

Print Form



No portion of this property is contained within the limits of a flood hazard zone as defined by the federal emergency management agency flood insurance rate map of Fulton County, GA. (community panel no. 13121C005-01), most recently revised September 18, 2013.



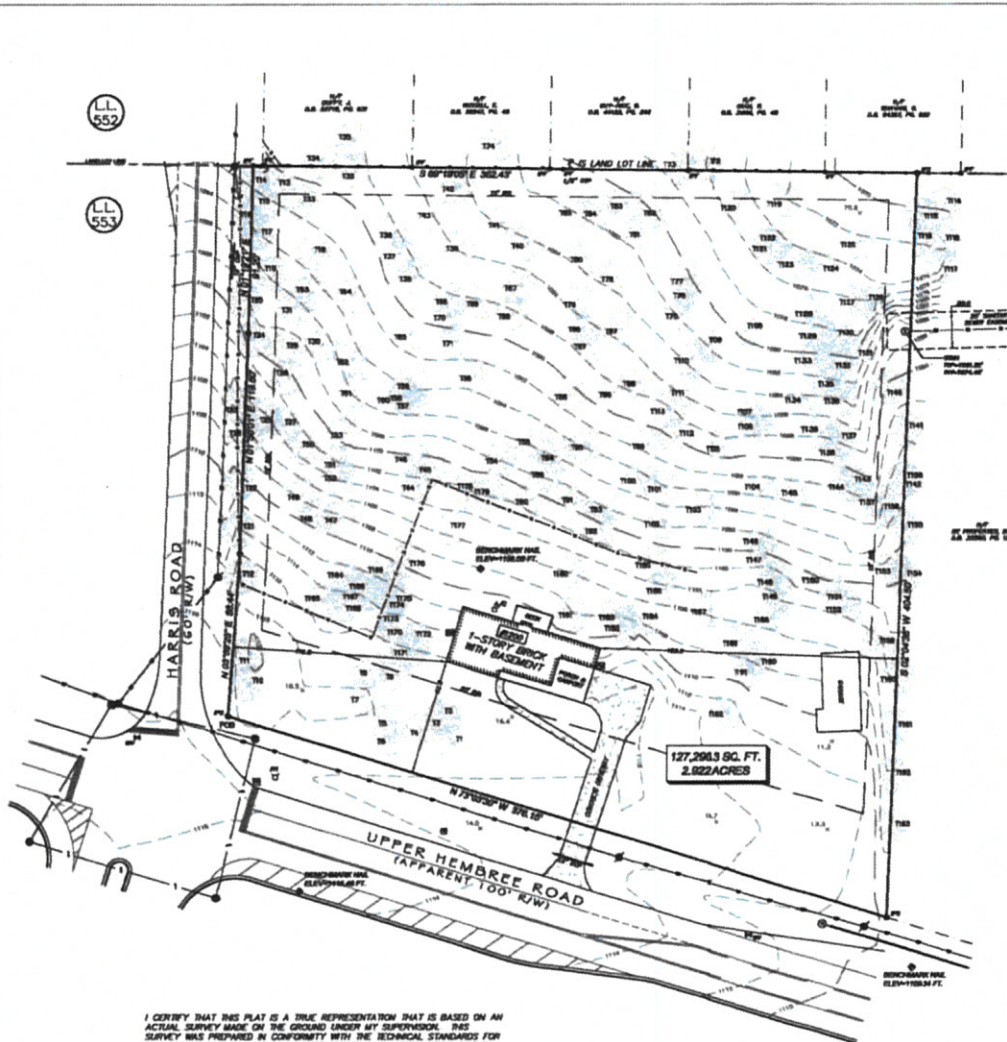
Office - Institutional District Requirements	
Min. Lot Area	None
Min. Lot Width	None
Min Front Yard	50'
Min Side Yard	15'
Min. Rear Yard	15'
Max. Bldg Lot Coverage	40%
Max. Bldg Height	40'
Min. Open Space	10%

There are no Wetlands on this property

Contact: Terry Kraft
Phone 770-642-7713
Email: terry@lawnsouth.com

There are Specimen Trees within the proposed limits of disturbance. See Topographic and Reclamation Survey for, Lanesouth, prepared by Land Pro Surveying and Mapping, dated 11-07-2016.

Design: RJC
 Date: 11-21-2010
 Title:
Concept
 Project Number:
16-4174

[illegible][illegible]

I CERTIFY THAT THIS PLAT IS A TRUE REPRESENTATION THAT IS BASED ON AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-8-67.



JAMES H RADER GEORGIA INST. OF TECH.



REVISION	DATE	PURPOSE

LANDPRO
SURVEYING AND MAPPING
305 CREEKSTONE RIDGE
WOODSTOCK, GA 30188
TEL: 404-386-2170
AUTHORIZATION NO. LSFG00038
WWW.LANDPROSURVEYING.COM
INFO@LANDPROSURVEYING.COM
COPYRIGHT 2014

**TOPOGRAPHIC &
RETRACEMENT SURVEY FOR:**

LAWNBOOTH

LAND LOT 553
DISTRICT 1, SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GA

SCALE	DATE	PROJECT NO.	SHEET
1" = 30'	11/07/16	20161107	1 OF



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-20-05 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – DOWNTOWN CODE, MURALS, SPECIAL EVENT FACILITY, TEMPORARY USE AND FENCES

CITY COUNCIL:

AUGUST 24, 2020

This item was heard at the 8/6/2020 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval with changes to remove chain link fence with the Director's approval and replace 'certain heavily traveled' with 'collector or arterial'.
Vote 5-0

II. RECOMMENDATION:

Approve text amendments to the Unified Development Code related to the Downtown Code, Murals, Special Event Facility, Temporary Use and Fences.

III. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Subsection 1.4 Definitions, to add definitions for 'Mural', 'Privacy Fence' and 'Special Event Facility'. Text amendments to add 'Special Event Facility' as a permitted and conditional use in certain zoning districts. Text amendments to add a temporary use for non-profit seasonal events and regulations related to the location and appearance of fences and walls. Text amendments to the Alpharetta Downtown Code related to land use categories and the use table.

IV. ATTACHMENTS:

- UDC Strike Through and Underline Edits

SECTION 1.4 - DEFINITIONS

1.4.1 Use of words and phrases.

For the purpose of this Ordinance, the following shall apply to the use of words and phrases:

- A. Words used in the present tense include the future tense. Words used in the singular tense include the plural tense, and words used in the plural tense include the singular tense. The masculine person "his" also means "her."
- B. The word "shall" is always mandatory and not discretionary.
- C. The word "may" is permissive.
- D. The word "and" indicates that all of the conditions, requirements, or factors so connected must be met or fulfilled, whereas the word "or" indicates that at least one condition, requirement, or factor so connected must be met.
- E. The term "such as" is intended to introduce one or more examples in illustration of a requirement or point, and is used herein to mean "including but not limited to the following."
- F. The word "structure" includes the word "building."
- G. The word "lot" shall include the words "plot," "tract," "parcel," and "property."
- H. The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."
- I. The verbs "zone" and "rezone" have the same meaning and refer to the act of amending the Official Zoning Map through the process established by this Ordinance.
- J. The nouns "zone," "zoning district" and "district" have the same meaning and refer to the Zoning Districts established under this Ordinance.
- K. All words and phrases shall be interpreted within the context of the sentence, Section and Article in which they occur.

1.4.2 Defined terms.

Words and phrases defined herein shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Ordinance shall be construed to have the meaning given by common and ordinary use as defined by Webster's New International Dictionary, Latest Edition. Figures associated with defined terms in this Section are provided for illustration only and do not limit or change the meaning of the term as defined in writing.

Acceleration Lane. An added roadway lane which permits integration and merging of slower moving vehicles into the main vehicular stream.

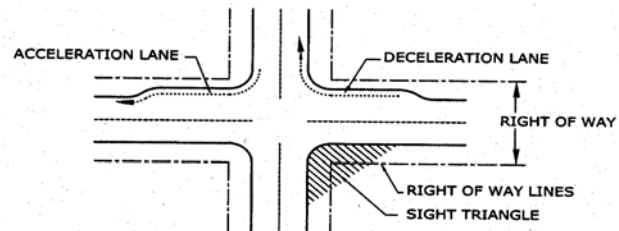
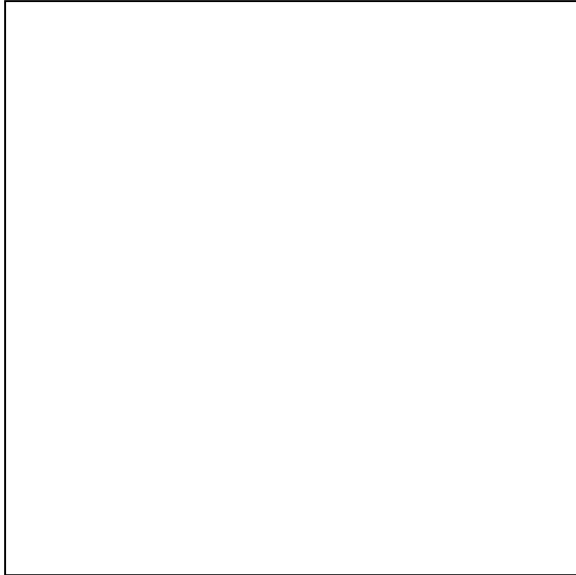


FIGURE 1

Access. A way or means of approach to provide physical entrance to a property.

Accessory Structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use.

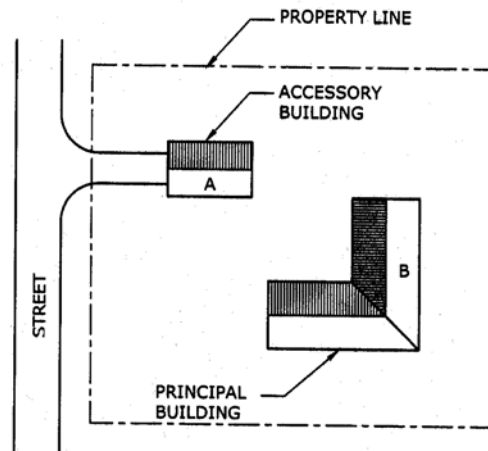
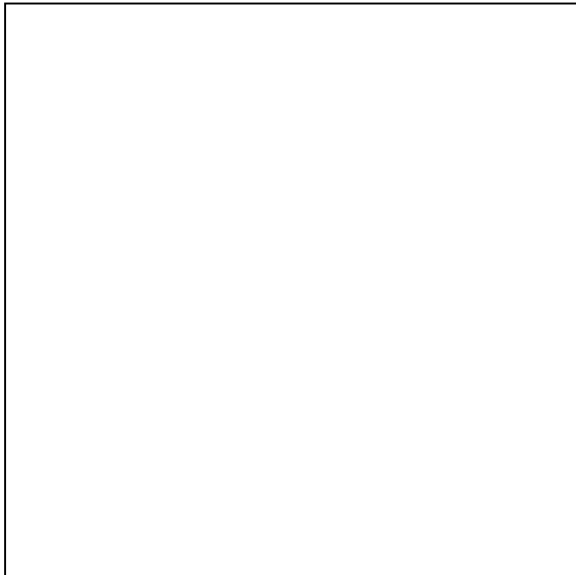


FIGURE 2

Accessory Use. A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use.

Acre. A measure of land area containing 43,560 square feet.

1. **Acreage, Gross.** The total area of a property measured in acres and fractions thereof rounded to the nearest one-tenth acre.
2. **Acreage, Net.** The total buildable area of a property measured in acres to the nearest one-tenth, as existed when originally approved for its current zoning district, less any flood plain, easements and land dedicated to and accepted for streets or other public improvements by the City.

Adult Book Store. A retail establishment, a majority of whose inventory consists of books, magazines, videotapes and similar materials containing sexual activities or specified anatomical parts.

Airport. A property or structure licensed and approved by the Federal Aviation Administration where fixed wing aircraft or helicopters can land and take off, which may be equipped with hangars, facilities for refueling and repair and various accommodations for passengers.

Aisle. The traveled way, which is not the public right-of-way, by which cars enter and depart parking spaces.

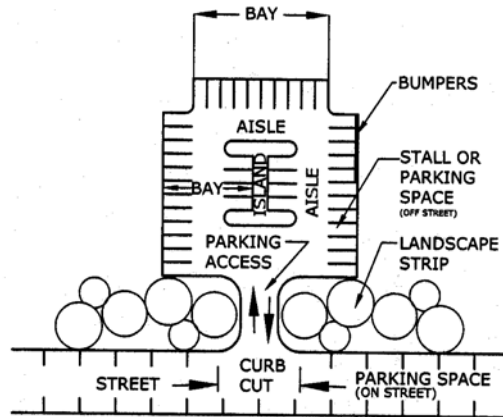
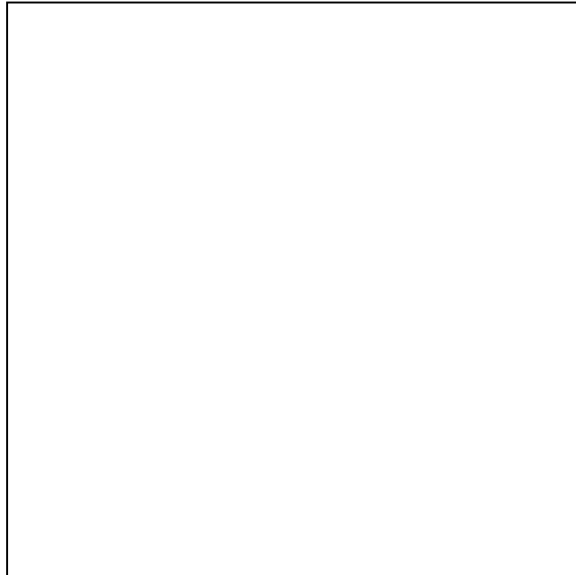


FIGURE 3

Alley. A non-exclusive private easement or publicly dedicated service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Alteration of Building. Any change in the supporting members of a building (such as bearing walls, columns or girders); any change in the non-supporting interior walls of a building; any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

Amphitheater. An outdoor area designed or intended for the projection of sound to be heard by a nearby audience.

Amenity. A natural or man-made feature which is intended to enhance or make more attractive or satisfying a particular property.

Animal Hospital, Large Animals. A place where horses, cattle, sheep or other animals normally kept in agricultural settings are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Animal Hospital, Small Animals. A place where dogs, cats, birds or other animals normally kept as household pets are given medical or surgical treatment and the boarding of animals is limited to short-term care incidental to the hospital use.

Annexation. The incorporation of a land area into the City with a resulting change in the city limit boundaries.

Antenna. See Section 2.8 for definition of 'antenna.'

Apartment. One or more rooms comprising an independent dwelling unit in a 'For-Rent' building.

Applicant. Any person making a request to the City for any approval, permit or authorization under the procedures contained in this Ordinance.

Art Galleries. An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This does not include libraries, museums, or non-commercial art galleries, or where such display of art is incidental to the primary use.

Asphalt Plant. A business which manufactures, mixes, or blends asphaltic products for distribution.

Assisted Living Facility. See Congregate Housing.

Associations. An organization of persons having common interests or purposes.

Auditorium. An indoor building or structure designed or intended for use for the gathering of people as an audience to hear music, lectures, plays, and other presentations.

Auto Sales and Leasing. The use of any building, land area, or other premises or portions thereof, for the display, sales or lease of automobiles, trucks, vans, trailers or recreational vehicles, including internet transactions where most vehicles are not stored on site.

Automobile. A self-propelled, free moving vehicle, with at least four but no more than six wheels, designed primarily for the transportation of passengers or for conveyance of up to two tons of materials on a street or roadway.

Automobile Service Station. Any building, land area or other premises, or portion thereof used or intended to be used for the retail dispensing or sales of vehicular fuels; and including as an accessory use the sale and installation of lubricants, tires, batteries and similar accessories, or the provision of tune-up or light maintenance services for vehicles.

Automotive Service Establishment. A business principally engaged in the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, and engines or engine parts.

Bakery. An establishment primarily engaged in the retail sale of baked products for consumption off site. The products may be prepared either on or off site. Such use may include incidental food service.

Bank. A freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds. This may include credit unions, savings and loans, and traditional banks.

Barber Shop. Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

Basement. An area below the first floor of a building used for storage, garages, and utilities or for common use of the occupants of the building. A basement used for any one or more of the above purposes shall not be counted as a story.

Beauty Shop. Any commercial establishment, residence, vehicle, or other establishment, place, or event wherein cosmetology is offered or practiced on a regular basis for compensation, excluding such types of services requiring customers to disrobe.

Bed and Breakfast. A building in which lodging and meals are provided for no more than seven (7) guest rooms and one (1) owner's suite and meals are served in a common dining room. Lodging facilities and services are provided for transient guests for an average stay of less than 7 days and offered to the public for compensation. Bed and Breakfast does not include retail uses, public bar, conference center or special event facilities. Guest rooms within the building shall contain no equipment for food preparation other than a coffee maker, mini-fridge and/or microwave. There shall be no self-serve laundry facilities (for guests use) within the building. Access to each guest room shall be through the interior of the building.

Berm. A mound of earth, or the act of pushing earth into a mound.

Block. A tract of land bounded by streets or a combination of streets and public land, rights-of-way or any other barrier to the community or development.

Board of Appeals. The appointed Board of Appeals of the City of Alpharetta.

Boarding House. A dwelling where more than two, but fewer than six rooms are provided for lodging for definite periods of times. Meals may or may not be provided, but there is one common kitchen facility. No meals are provided to outside guests.

Book or Stationery Store. An establishment for the sale or distribution of books and miscellaneous stationery by direct retail sales to the public.

Bottled Gas Storage and Distribution. An establishment where gas is stored for wholesale distribution.

Boutique Hotel. A high quality hotel which contains less than 120 rooms located in a unique setting, such as the City's Downtown, mixed-use developments and/or an entertainment district. The building shall reflect a unique exterior architecture and interior design compatible with the area in which the hotel is located. The boutique hotel shall provide guests with high quality services, such as, but not limited to, concierge, on-site restaurant, room service, meeting space, business center, banquet facilities, spas, doormen, valet parking, boutiques and/or other amenities. Guest rooms within the building shall contain no equipment for food preparation other than a mini-fridge and/or microwave. There shall be no self-serve laundry facilities (for guests use) within the building. Access to each guest room shall be through an inside lobby supervised at all hours.

Brewery. A facility where malt beverages are manufactured or brewed.

Broadcasting Studio. An establishment for the dissemination of radio, television, satellite, or similar medium, which may include a transmission tower.

Buffer Area or Buffer Strip. That portion of a lot set aside for open space and screening purposes pursuant to applicable provisions of this Ordinance to separate different zoning districts or uses on one property from uses on another property. A required set back area may not be included in a required buffer area or visa-versa.

Buffer, Undisturbed. An area of land as defined above that exists in its natural state without intrusion or alteration. The addition of landscaping into areas of sparse vegetation within undisturbed buffers does not constitute intrusion or alteration.

Buildable Area. See "Lot Building Area."

Builder's Equipment. An area designed or intended for the storage and use of equipment or materials common in the construction trade. This may not include sales of such equipment or materials.

Building. Any structure built for or intended for occupancy, storage or shelter of persons, animals, personal or business property, or machinery of any kind which is entirely separated from any other structure.

Building Code. The latest edition of all codes relating to the construction of buildings and their mechanical, electrical and other systems, as adopted by the City of Alpharetta pursuant to the Georgia Uniform Building Code Act and also referred to as the Standard Building Code.

Building Frontage. The linear width of a building facing or most nearly facing a street.

Building Height. The vertical distance to the highest point of the roof surface of a flat roof, the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip or gambrel roof, as measured from the average finished grade across the building frontage.

Building Inspector. The Building Official of the City of Alpharetta or the Building Official's designated representative.

Building Site. A parcel or lot or land occupied or intended to be occupied by a building or structure having not less than the minimum area permitted by the code.

Bus Shelter. A small, roofed structure, having from one to three walls, located near a street, and designed primarily for the protection and convenience of bus passengers.

Car Wash. Any building or premises or portions thereof dedicated to use for washing automobiles; or a structure containing facilities for washing automobiles.

Carpenter Shop. An establishment utilized for the manufacture or assemblage of wood into usable forms for sale and distribution.

Carpet and Rug Sales. An establishment for the retail or wholesale sale of floor coverings.

Cemetery. Land used or dedicated to the burial or internment of human or animal remains, including crematoriums, mausoleums, necessary sales, and maintenance facilities.

Center Line of Street. Any line surveyed as such by the City of Alpharetta or the Georgia Department of Transportation or their designee, or, if no such survey exists, the line which is midway between the edge of pavement or back of curb of a street.

Central Business District (CBD). That portion of the City bounded by Mayfield Road to the North, Old Milton Parkway to the South, Haynes Bridge Road and Highway 9 to the east and Roswell and Canton Streets to the west. (see page 2-103)

Certificate of Occupancy. A document issued by the Director indicating that a particular building conforms with the requirements of this Ordinance and the building is complete and ready for use.

Church. A facility incorporating one or more buildings where religious services are conducted.

City. The City of Alpharetta, Georgia.

City Administrator. The Chief Operating Officer of the City of Alpharetta or his designee.

City Clerk. The City Clerk of Alpharetta, Georgia, or the City Clerk's designated representative.

City Council or Mayor and Council. The legally constituted and elected governing body of the City of Alpharetta, Georgia.

Clinic. An establishment where patients are admitted for examination and treatment by one or more physicians, dentists, psychologists, medical professionals, or social workers and where patients are not usually lodged overnight.

Club. Buildings and facilities owned or operated by an association or persons for a social or recreational purpose.

Collection Box. A container, trailer, vehicle or other structure, used for the purpose of acquiring donated goods, by a for-profit or not-for-profit entity.

Commercial Parking Lot. An area or structure dedicated to the temporary storage of automobiles or other vehicles for periods of less than 24 hours for a fee, operated as the principal use of the property or structure.

Community Development Director. The Director of the Community Development Department or his designee.

Comprehensive Plan (CP). The long-range plan for guiding development in the City of Alpharetta and the City's urban area to a point in time at least 15 years from when the plan was adopted, with the overall goal being to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents and businesses.

Concept Plan. A generalized map presenting an image or representation of a proposed development, and showing those plan elements as further required by this Ordinance.

Concrete Plant. A business which manufactures, mixes, or blends concrete products for distribution.

Conditional Use. A use that generally would not be appropriate throughout a zoning district but which, if controlled as to visual appearance, number, area, height, location, or relation to abutting or nearby uses, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general welfare. Such uses may be permitted only in zoning districts specified in this Ordinance and are subject to conditions and approval by the Mayor and Council.

Condominium. A legal form of multiple ownership consisting of a building, or group of buildings, in which units are owned individually, and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

Condominium, Office. An office building (or group of buildings) organized, owned and maintained as a condominium.

Condominium, Residential. A building type consisting of individual units located within a single structure. The structure normally has at least two, but no more than six stories. The structure is designed to appear as a single building with no architectural distinction between the units. Architectural elements such as materials, colors and windows are repeated consistently throughout the building and there is usually a single roof element and a single point of primary entry. The architectural style typically expresses the horizontal lines of the building which then accentuates the floors of the building as a primary visual element. The common areas of the building such as the elevators and lobby may be expressed as special features on the main elevations of the structure.

Congregate Housing. Any group dwelling or facility licensed by the state, public or private, which for gain or otherwise, regularly provides one or more persons with assisted living care. The term "assisted living care" means specialized care and services including the provision of personal services, the administration of medications by a certified medication aide and the provision of assisted self-preservation. The term "personal services" includes, but is not limited to, individual assistance with or supervision of self-administered medication, assistance, essential activities of daily living such as eating, bathing, grooming, dressing, toileting, ambulation and transfer. The term "assisted self-preservation" means the capacity of a resident to be evacuated from an assisted living facility to a designated point of safety and within an established period of time as determined by the Office of Fire Safety Commissioner. Assisted self-preservation is a function of all of the following:

1. The condition of the individual.
2. The assistance that is available to be provided to the individual by the staff of the assisted living facility; and
3. The construction of the building in which the assisted living facility is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy.

Construction Trailer. A temporary structure used as an office and located on an active construction site.

Contractor's Office with outside storage. A room or group of rooms used for conducting business that includes an enclosed exterior space for the storage of business related equipment and supplies.

Contractor's Office without outside storage. A room or group of rooms used for conducting business that does not use any exterior storage area.

Convenience Center with Gas Pumps. A facility that combines a small retail store with the sale and dispensing of gasoline products.

Convenience Store. A retail establishment primarily selling packaged food and household convenience items, which may also dispense automobile fuel, oil and accessories. Excluded from this definition is any establishment providing automotive maintenance services or repairs.

Craftsman Shop or Studio. A facility where products are made or serviced on an individual basis without the use of mechanized or assembly line production equipment.

Curb Break or Curb Cut. Any interruption or break in the line of a street curb for the purpose of connecting a driveway to a street, or otherwise to provide vehicular access to abutting property.

Data Center. A building or complex of buildings in which a substantial portion of the gross square footage is dedicated to the housing of computer or data processing equipment or systems.

Day Care Center. Any establishment operated by an individual, partnership, society, agency, corporation, institution or group, and licensed by or registered with the State of Georgia as a group day

care home or day care center, which enrolls therein for pay, for supervision and care, seven or more children or adults. Such facility may provide supervision, care, education, recreation and specialized programmings but does not provide overnight accommodations.

Deed. An instrument that conveys or transfers title to land or other real property.

Density. The average number of dwelling units or gross square feet of building floor area per gross acre of land. For an individual property, the density shall be calculated by dividing the total dwelling units or gross square footage of the building by the total gross acres of the property that existed when originally approved for its current zoning district.

Design Review Board. The Design Review Board of the City of Alpharetta, as established by this Ordinance and appointed by the Mayor and Council.

Development Activity. The construction of public improvements, site improvements, or buildings, including any alteration of a property in preparation for such construction. Development Activity shall also include the "thinning" or removal of trees from undeveloped land in conjunction with a forest management program, and the removal of trees incidental to the development of land or to the marketing of land for development.

Director. Unless otherwise specified, the Director of Community Development of the City of Alpharetta, Georgia, or the Director's designated representative.

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public.

Distillery. A facility where distilled spirits are manufactured (distilled, rectified or blended).

Downtown Overlay. That portion of the City generally bounded by Canton Street and Mayfield Road to the North; Wills Road and the western boundaries of Milton Manor and Milton Estates Subdivisions to the West; South Main Street, Old Milton Parkway and the southern boundary of Alpha Park Subdivision to the South; and Westside Parkway and the eastern boundary of Alpha Park Subdivision to the East. The study area of the City of Alpharetta Downtown Master Plan shall be shown on the Official Zoning Map and labeled "Downtown Overlay." In the event of a conflict between the general description set out herein and the Map, the Map shall control.

Drainage. See Article III, Section 3.1 for all definitions relating to drainage and storm water control.

Drive or Driveway. A surfaced asphalt or concrete area on a lot which provides direct access for vehicles between a street and a private garage, carport or other permitted parking space or parking area or loading area.

Dry cleaning, pick-up station. An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Dry cleaning plant. A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and/or agitation, and other processes incidental thereto.

Duplex (or semi-detached). A building type consisting of two independent units that are attached by a common side wall, floor and/or ceiling. Such units normally have at least two, but no more than four floors. These units may share a common front door and are sometimes designed to appear as a single unit.

Dwelling, 'For-Rent' (Downtown Overlay).

- a. Unit—A residential unit designed to be leased or rented and occupied by a single family tenant and located within the Downtown Overlay (map A).
- b. Building—A structure incorporating multiple rental units. (See Apartments.)
- c. See Section 2.7 Standards for Downtown Overlay.

Dwelling, 'For-Rent' (Outside of Downtown Overlay).

- a. Unit—A residential unit designed to be leased or rented and occupied by a single family tenant.
- b. Building—A structure incorporating multiple rental units. (See Apartment.)
- c. See Section 2.7 Standards for Units (outside of Downtown Overlay).

Dwelling, 'For-Sale'.

- a. Detached—A free-standing residential unit designed to be purchased and occupied by a single family.
- b. Attached—A residential unit attached to other residential units and designed to be purchased and occupied by a single family.
- c. Condominium—A type of property ownership in which a 'For-Sale' unit is purchased and the purchaser of each unit acquires full title to the unit and an undivided interest in the common elements (the land, roof, elevator, etc.).

Dwelling, Group. A building or portion of a building occupied or intended for occupancy by a number of unrelated persons or families, but in which separate cooking facilities are not provided for such resident persons or families. The term "group dwelling" includes but is not limited to the terms rooming house, apartment hotel, nursing home, fraternity or sorority house, YMCA or YWCA. A hotel, motel or bed and breakfast tourist home shall not be deemed to be a group dwelling as herein defined.

Dwelling Unit. One or more rooms connected together and constituting a separate, independent housekeeping establishment designed for use by one family with provision for cooking, eating, sleeping, bathing and personal sanitation, and physically set apart from any other rooms or dwelling units in the same structure or another structure.

Easement. A grant by a property owner of any designated part of a property for the use by another for a specified purpose without transfer of title or right of ownership.

Egress. An exit.

Electric power yards, substation. All equipment, fixtures, and personal property operated or maintained in connection with the production of electricity using any source of thermal, steam, wind, or solar energy with a generating capacity of more than 500 kilowatts and less than 50 megawatts.

Existing Use. The use of a lot or structure at the current time or another time if so designated.

Extended Stay Hotel. A building containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels and hotels (or motels) are separate and distinct uses. See, Section 2.7.3.

Family. One or more persons related by blood, adoption, guardianship or marriage and/or not more than three unrelated persons, living and cooking together as a single, nonprofit housekeeping unit.

Family Day Care Home. An accessory use within a private residence, licensed by or registered with the State of Georgia as a family day care home, operated by the occupant of the dwelling who enrolls for pay, for supervision and care without overnight accommodations, three but not more than six children or adults.

Fast Food Restaurant. See Restaurant, Drive-thru or Fast Food.

Fence. A structure made of manufactured materials—and used for the purpose of defining a boundary, creating an enclosure, providing security, privacy or screening, or as a means of protection.

Flood Control. See Article III, Section 3.4, for definitions relating to flooding and flood control.

Floor Area. The total number of square feet of heated floor space within the exterior walls of a building.

Floor, First. The location within a building in which the primary egress and ingress are provided.

Florist, Retail With Greenhouse. Any business establishment which, as its primary business, sells at retail flowers and ornamental plants. A greenhouse or nursery for the growing of plants, or another open or enclosed supplemental display area outside the establishment, is permitted as a normal accessory use.

Florist, Retail Without Greenhouse. Any business establishment which, as its primary business, sells at retail flowers and ornamental plants. A greenhouse or nursery for the growing of plants, or another open or enclosed supplemental display area outside the establishment, is not permitted.

Frontage Lot or Street Frontage. The width in linear feet of a lot where it abuts the right-of-way of any street from which access may be directly gained.

Funeral Home. A building used for the preparation of deceased human beings for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.

Future Land Use Map. The map named as such and contained in the Comprehensive Plan that indicates areas appropriate for various land uses and public facilities over time and as described in the Comprehensive Plan text.

Garage Sale. The sale or offering for sale of miscellaneous personal items on a residential zoned lot, (not including churches and schools).

Garden District. That portion of Canton Street bounded by Church Street to the south and Hopewell Road to the north.

Gasoline Station. A facility where primary use is the dispensation of fuels. (Also see Convenience Center with Gas Pumps)

Gazebo. An accessory, open air structure not exceeding 300 sq. ft. in size.

Governing Body. The Mayor and Council of the City of Alpharetta, Georgia, under whose authority this Ordinance is enacted into law, administered, and enforced.

Grade. The degree rise or descent of a sloping surface. The average elevation of the sidewalk or crown of road surrounding a building site.

Grade, Finished. See Section 3.1, "Site Grading and Land Disturbance."

Greenhouse. A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for subsequent sale or for personal enjoyment.

Greenspace. All that area of land that can be landscaped or planted, allows natural passage through by water, and is not covered by manmade materials or structures such as buildings or paving.

Group Home. A dwelling shared by four or fewer persons, excluding resident owner, (or no more than six persons including the resident owner), who live together as a single housekeeping unit and in a long term, family-like environment in which the resident owner, serving as the primary caregiver to the residents, provides care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. 1. No group home shall be located within 2,000 ft. of another group home as measured at the property line. 2. A group home shall be limited to one structure and multiple structures located near one another shall not be considered components of one group home. Each structure shall meet distance requirements. The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, and work release facility for convicts or ex-convicts, a home for detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in custody of the state or other housing facilities serving as an alternate to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment or duplex. A "group home" shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for

any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. 42-1-12. A group home may include a home for the handicapped. As used in this subsection, the term "handicapped" shall mean:

1. Having a physical or mental impairment that substantially limits one or more of such person's major life activities so that such person is incapable of living independently;
2. Having a record of having such an impairment; or
3. Being regarded as having impairment.

However, the term "handicapped" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals.

Hardware Store. A facility of 30,000 or fewer square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliance, garden supplies, etc.; if greater than 30,000 square feet, such a facility is a Home Improvement Center.

Home Improvement Center. A facility of more than 30,000 square feet gross floor area, engaged in the retail sale of various basic hardware lines, such as tools, builders hardware, paint and glass, houseware and household appliances, garden supplies, and cutlery.

Home Occupation. Any activity carried out as a business and/or for profit by the resident and conducted as an accessory use in the resident's dwelling unit.

Hospital. A building providing primary or tertiary health services and medical or surgical care to persons including in-patients and out-patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel (or Motel). A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for an average stay of less than 7 days and offered to the public for compensation. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting spaces with banquet facilities and selective amenities, such as but not limited to spas, banquet rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall contain no equipment for food preparation other than a mini-fridge and/or microwave. There shall be no self-serve laundry facilities (for guests use) within the building. Access to each guest room shall be through an inside lobby supervised at all hours.

Improvements. The buildings, public utilities and facilities, and accessory structures built on or serving a property.

- A. *Public Improvements.* Any structure, owned by or to be dedicated to a government or a utility regulated by the Georgia Public Service Commission, together with its associated public land, easement or right-of-way, necessary to provide transportation, drainage, public or private utilities, or other public services such as education, recreation, or public safety.
- B. *Site Improvements.* Any structure, other than a principal building or a structure intended for dedication to public ownership, constructed to support or provide for the use or occupancy of a property, such as driveways, parking and loading areas, retaining walls and other earthen works, erosion and sedimentation control facilities, stormwater drains and detention facilities, and connections to public water, sewer or other utilities.

Industrial Park. A development that contains a number of separate industrial buildings and supporting uses on one or more lots, which is designed, planned, constructed and managed on an integrated and coordinated basis.

Industrialized Buildings. Prefabricated structures as defined in O.C.G.A. 110-2 and usually used for a limited time period such as for a site construction office, portable classroom and site real estate office.

Ingress. Access or entry.

Island. In parking lot and street design, built-up curbs (and in parking lots usually placed at the end of parking rows) as a guide to traffic and also used for landscaping, signing or lighting.

Junk or Salvage Yards. Any area, lot, land, parcel, building or structure or part thereof used for the storage, processing, purchase, sale or abandonment of wastepaper, rags, scrap metal or other scrap or discarded goods, materials, machinery or two or more unregistered, inoperable vehicles or other type of junk. See Also "Recycling Center."

Kennel. An establishment in which more than six dogs or other domesticated animals more than one year old may be housed, groomed, bred, boarded, trained or sold.

Land Disturbance Permit. A permit issued by the City that authorizes Development Activity, and includes, but is not limited to, activity related to soil erosion control, clearing and grubbing, grading, public and site improvements. This permit does not authorize building construction.

Land Use. See "Use," "Principal Use," and "Accessory Use."

Landscape Strip. A portion of a lot required to be reserved for, installed with, and maintained with vegetation. Such a strip may or may not be required to be of a linear form. No utilities or parking shall be allowed within a required landscape strip.

Loading Space, Off-street. A space or berth used for the loading or unloading of commercial vehicles, trucks or other vehicles.

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

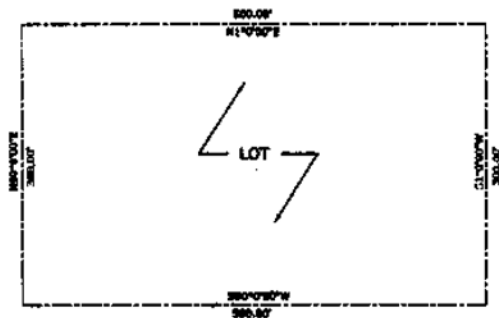
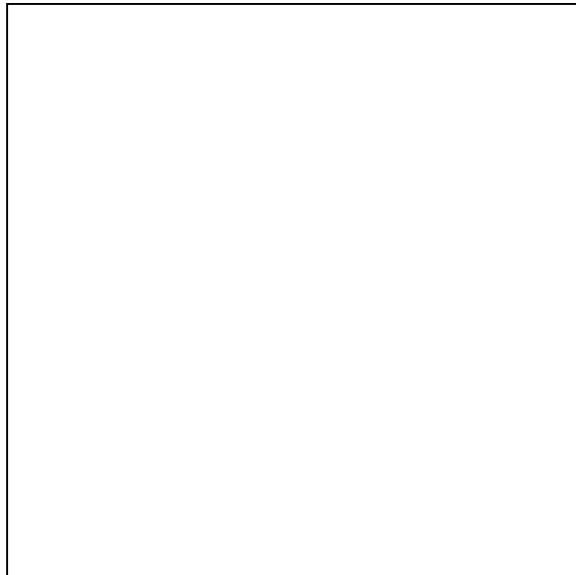
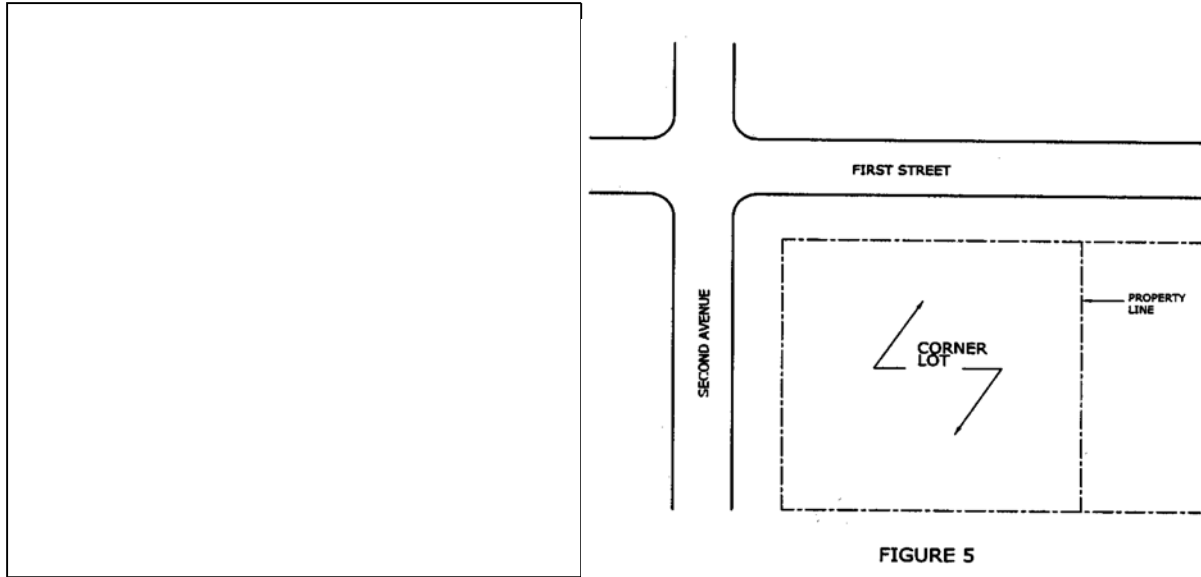


FIGURE 4

Lot Building Area. The portion of a lot located interior to the front, side and rear yard building setback lines; that is, the portion of a lot wherein a building may be located.

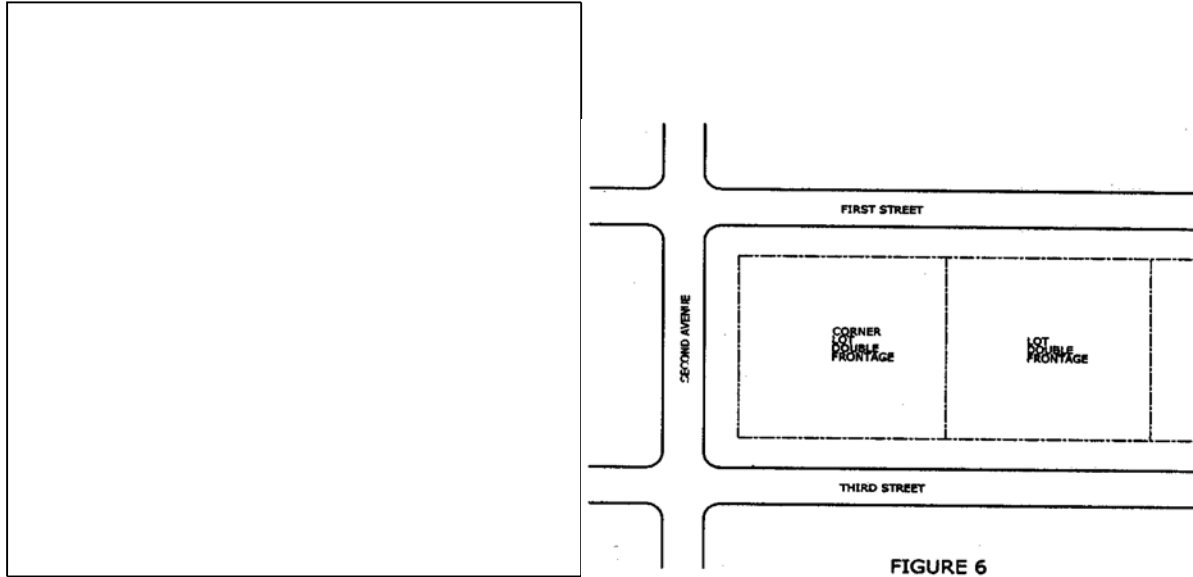
Lot, Corner. A lot abutting two or more streets at their intersection.



Lot Coverage. That portion of the lot that is covered by buildings, structures, and any other impervious surface.

Lot Depth. The distance between front and rear lot lines. If front and rear lines of said lot are not parallel, such least dimension shall be deemed to be the lot depth.

Lot, Double Frontage. A lot which has frontage on more than one street, provided however, that no corner lot shall qualify as a double frontage lot unless said corner lot has frontage on three or more streets.



Lot, Flag. An "L" shaped lot whose frontage is provided by the driveway access which ties the buildable portion of the property to the street.

Lot Frontage. See "Frontage."

Lot Line. A line of record bounding a lot which divides one lot from another lot or from a street or any public space.

- A. *Front Lot Line.* Any boundary line of a lot which is coterminous with a public street right-of-way line or private street easement line. For a corner lot, the narrow portion is usually considered the front.
- B. *Rear Lot Line.* Any boundary line of a lot which does not intersect with a street right-of-way or private street easement line and which is usually opposite of the front lot line.
- C. *Side Lot Line.* Any boundary line of a lot which intersects with a street right-of-way or private street easement line.

Lot of Record. A lot which exists as shown or described on a plat or deed recorded in the Office of the Clerk of the Superior Court of Fulton County.

Lot Width. The distance measured between side lot lines at the front minimum setback line between intersecting lot lines.

Lot Width—Cul-de-sac. The distance measured between side lot lines at the point of the property that is twice the front setback requirement from the front property line.

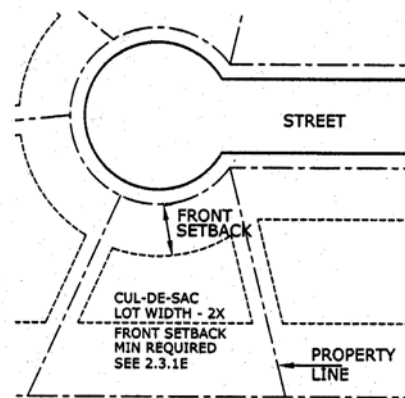
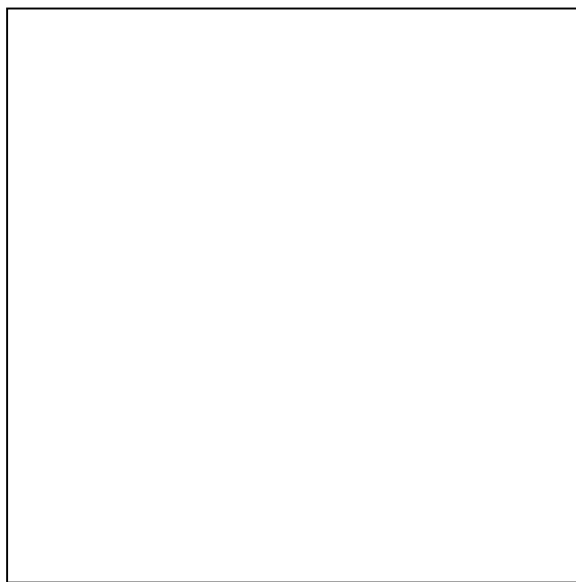


FIG 7

Mansard Façade. An architectural appendage or embellishment to a flat topped structure which is attached to the front external wall and if intended to create the appearance of a mansard roof. See also "Roof."

Manufactured Building. A factory-built, structure that meets national standards for manufactured buildings.

Manufacturing, Heavy. The extraction of natural resources or the transformation of raw materials through mechanical or chemical means into new products ready for assembly, fabrication or use in the production of finished goods.

Manufacturing, Light. The fabrication or assembly of parts into a finished product or component products.

Marquee. Any hood, canopy, awning or permanent construction which projects from a wall of a building, usually above an entrance.

Massage Therapy. Any use, other than a hospital or clinic, where non-medical manipulative devices or exercises are practiced upon the human body by someone other than a licensed medical professional.

Master Plan. A plan map and associated statement of intent which, at least, includes a depiction of pods, roads, buffers, flood areas, permitted uses and development regulations which represents the framework for development activity on a property. See also "Concept Plan."

Median Break or Cut. Any interruption in the curb separating opposing vehicular travel lanes of a street for the purpose of allowing ingress or egress by left turning movements to a street, or abutting property.

Metes and Bounds. A method of describing the boundaries of land by directions and distances from a known point of reference.

Mezzanine. An intermediate floor between two other stories that does not contain more than 1/3 of the area of the floor below it.

Mini-Warehouse. A structure containing separate storage spaces of varying sizes leased or rented on an individual basis.

Mobile Home. A structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling. 'For-Sale', with or without a permanent foundation when connected to public. utilities. The term mobile home shall not include motorized vehicles with temporary living quarters. Mobile homes built after 1976 are referred to as "Manufactured Homes" or "Industrialized Buildings".

Mobile Home Park. A site with required public and/or private improvements and utilities for the long-term parking of two or more mobile homes or manufactured homes each on a single lot, and which may include such accessory uses as retail convenience sales, Laundromat, and recreational facilities for the exclusive use of residents.

Motel. See "Hotel".

Mural. A hand-painted, hand-tiled, or digitally printed restorative image on the exterior wall of a building or other permanent surface.

Nail Salon. An establishment that offers nail care services such as manicures, pedicures, and nail enhancements, excluding such types of services requiring customers to disrobe.

Natural Resources Commission. The appointed natural resources commission (formerly known as the Tree Commission) for the City of Alpharetta.

Neighborhood Grocery. A facility with a floor area of at least 3,000 square feet but not more than 50,000 square feet that sells primarily grocery items such as prepackaged food, produce, meats, baked goods, beverages and similar food items intended for off-site consumption. At least 60% of the floor area of the facility shall be dedicated to the sale of said grocery items, including any immediately adjacent circulation and service areas, but not including storage.

Nonconforming Lot. A lot of record whose area, frontage, dimensions, or location were lawful prior to the adoption, revision, or amendment of this Ordinance, and which, by reason of such adoption, revision or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

Nonconforming Sign. Any structure or sign which was lawfully erected and maintained prior to the adoption, revision, or amendment of this Ordinance, and which by reason of such adoption, revision or amendment fails to conform to all applicable regulations and restrictions of this Ordinance.

Nonconforming Structure. A structure or building whose size, dimensions, or location on a property were lawful prior to the adoption, revision, or amendment of this Ordinance, but which, by reason of such adoption, revision, or amendment, no longer meets or conforms to one or more such requirements of this Ordinance.

Nonconforming Use. A use or activity that was lawful prior to the adoption, revision, or amendment of this Ordinance, but which, by reason of such adoption, revision, or amendment, is not a use or activity permitted by right or no longer meets or conforms to the requirements of this Ordinance.

Nursery, Plant. Land or greenhouses used to raise flowers, shrubs and plants for sale to distributors or for subsequent replanting by the owner, a landscape company or others. See also "Florist, Retail."

Nursery School. See "Day Care Center."

Nursing Home. An extended or intermediate care facility required to be licensed or approved by the State of Georgia to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Office. A room or group of rooms used for conducting the affairs of a business, profession, service, industry or government.

Office Building. A building used primarily for conducting the affairs of a business, profession, service, industry or government, or like activity, that may include ancillary services for office workers such as a restaurant, coffee shop, newspaper or candy stand.

Office Park. A development that contains a number of separate office buildings and supporting uses on one or more lots, which is designed, planned, constructed and managed on an integrated and coordinated basis.

Opaque. Impenetrable to view, or so obscuring to view that buildings, structures, and uses become visually indistinguishable.

Open Space. A privately or publicly owned area on the grounds of a premises outside of any principal building or parking area, which is open to the sky and set aside and intended for the outdoor enjoyment of occupants or visitors to the property, and which may but is not required to include such pedestrian oriented improvements as landscaping, walkway paths, pergolas, gazebos, bikeways, exercise or play equipment, and benches, and which may further include up to 20% of its area in water bodies or areas inappropriate for pedestrian use. Open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance. There are 2 types of open space: Civic space and Amenity space.

1. *Civic Space.* Portion of open space for public use defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping, and their adjacent buildings. Civic space may include the following types: park, square, plaza, pocket park and playground.
2. *Amenity Space.* The covered or uncovered, but unenclosed, outdoor areas of at least 100 square feet each for use by the occupants, invitees and guests of the development and specifically excluding civic spaces and required sidewalks. Amenity spaces may include the following types: rooftop deck, balconies, patios and porches, outdoor dining areas, pool areas, athletic courts and similar uses, yards and lawns, gardens, hardscape areas improved for pedestrian enjoyment, wooded areas and runoff reduction measures such as bioretention areas and cisterns.

Outdoor Storage. The keeping, in an unroofed area of any goods, material, merchandise or vehicles in the same place for more than 24 hours.

Outdoor Vending. Sale and/or display of products in an area exposed to open air on two or more sides.

Owner. An individual, firm, association, syndicate, partnership or corporation having a majority proprietary interest in land or a building, or their authorized representative.

Parapet. That portion of a wall which extends above the roof line.

Parcel. A lot or tract of land, or several adjoining lots in common ownership.

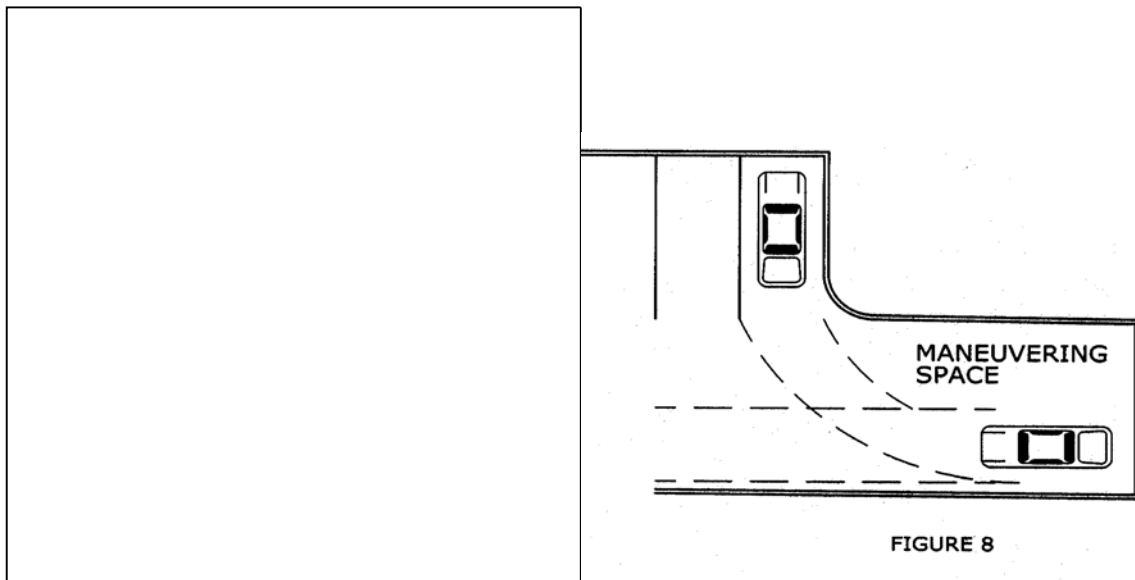
Park Space. A public- or privately-owned area, which is set aside for the enjoyment for occupants or visitors to the property, and which may include both outdoor and indoor areas developed for active and/or passive recreation.

Parking Area. Any public or private area at grade or within a structure used for the express purpose of temporarily parking automobiles and other vehicles otherwise in operation for personal or business use.

Parking Garage. An accessory building or portion of a principal building used only for the private storage of motor vehicles as an accessory use.

Parking Space. A space identified and set aside for the temporary parking of an automobile or other motor vehicle which is subdivided into the following categories:

- A. *Compact Car Parking Space.* A designated space not less than 8 feet by 16 feet expressly provided within a parking area for purposes of temporarily parking a compact car or other compact motor vehicle.
- B. *Handicapped Parking Space.* A designated space not less than thirteen feet in width (including loading area) and twenty feet in length, laid out and designated by signage in accordance with the requirements of the Georgia Accessibility Code for Buildings and Facilities.
- C. *Handicap - Van Only.* A designated space not less than sixteen feet in width including loading area and twenty feet in length.
- D. *Regular Parking Space.* A designated space not less than 9 feet in width by 19 feet in length.



Patio House. A 'For-Sale' dwelling in which most, or all, of a lot is used with yard space combined instead of divided. Front, rear and side yard are consolidated into one garden area, either partially or completely bordered by rooms or enclosed by walls. See also "Zero Lot Line."

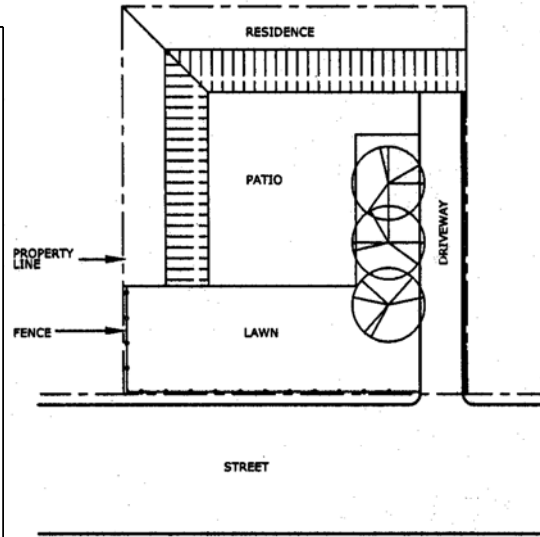
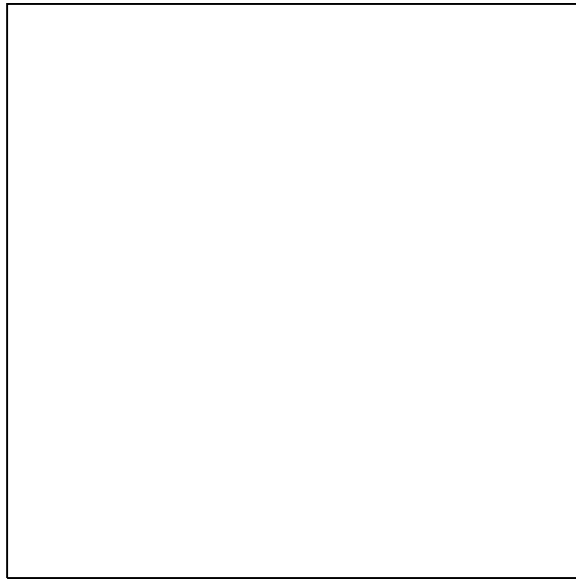


FIGURE 9

Pedestrian Walkway. A right-of-way within a block dedicated to public use, five feet or more in width, intended primarily for pedestrians or bicycles and other non-motorized vehicles.

Perimeter. The boundaries or borders of a lot, tract or parcel of land.

Permit. Written governmental permission issued by an authorized official, empowering the holder thereof to do some act not forbidden by law, but not allowed without such authorization.

Permitted Use. Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

Person. Any individual, corporation, association, firm, partnership or other legal entity.

Pet Day Care. A facility that provides care on a regular basis to household animals for a period of less than 24 hours with no overnight accommodations.

Planned Center, Office, Commercial or Industrial. A group of rental stores, service establishments, offices, industries and any other businesses planned to serve the public, which is in common ownership or condominium ownership.

Planning Commission. The appointed Planning Commission of the City of Alpharetta, Georgia.

Planted Area. An area of living plant material created for the purpose of establishing open space and consisting of a minimum of 50% of the area devoted to trees and shrubs.

Plat. (1) a map representing a tract of land, showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.

Plat, Final. The final map of all or a portion of a subdivision which is presented to the proper review authority for final approval and recorded in the office of the Clerk of Superior Court of Fulton County.

Plat, Minor. A division of a tract or parcel of land into not more than four (4) lots and does not dedicate or offer for dedication any new street or require construction of any private road for access to any lots and does not require extension of sanitary sewer, stormwater, or water mains to service lots.

Plat, Preliminary. A preliminary map indicating the proposed layout of the subdivision or site plan which is submitted to the proper review authority for consideration and preliminary approval.

Portable. See Industrialized Buildings.

Premises. An area of land with its appurtenances and buildings which, because of its unity of use, is one unit of real estate.

Principal Building. The building or other structure within which is conducted (or intended to be conducted) the principal use of the lot on which said building is situated.

Principal Use. The primary or predominant use of any lot.

Privacy Fence. A sight-obscuring fence used to block the area enclosed by the fence from view from neighboring properties or public right-of-ways. Sight-obscuring shall mean opaque or having such qualities as to constitute a complete visual barrier to persons outside the perimeter of the sight-obscuring object. A fence which partially obscures sight shall not be considered sight-obscuring, if the distance or open space between boards, slats, rails, stanchions, or balusters (which shall not exceed four (4) inches in width) equals or exceeds the width of said boards, slats, etc., measured at ninety (90) degree angles. A privacy wall shall be treated as a privacy fence.

Prohibited Use. A use that is not permitted in a zoning district by right as a principal use, as an accessory use, or as a conditional use.

Public Space. A public- or privately-owned area, which is set aside for the enjoyment for occupants or visitors to the property, and which is developed for recreation, entertainment, and/or civic purposes and may include plazas, outdoor theaters, sculpture gardens, parks, playgrounds, community gardens, or other areas where people can gather. Areas that are restricted to the general public, like residential amenities, may not be included within the public space requirement.

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.
2. *Recreation Facilities, Outdoors.* Recreational uses conducted almost wholly outdoors, including ball fields, soccer, etc.

Recycling Center. A use operated exclusively for the collection and temporary storage of used paper, glass, metal, and similar materials suitable for reprocessing, which are transported elsewhere for separating, processing, or storage.

Rental Services Establishment. Any business establishment which rents or leases items of personal property such as tools, appliances and equipment to the general public.

Residence. A dwelling unit.

Restaurant. An establishment where food and drink are prepared, served and consumed primarily within the principal building, and without a drive-in or drive-thru component.

Restaurant, Drive-thru or Fast-Food. Any establishment, building or structure where food or drink are served for consumption, either on or off the premises, with drive-thru components. This definition shall not include otherwise permitted restaurants where outdoor table service is provided to customers in outdoor dining areas.

Retail Establishment, Mixed Sales. Any business establishment selling a wide variety of goods arranged in several departments including, but not limited to, hardware, automotive, sporting goods, audio and video equipment, and clothing.

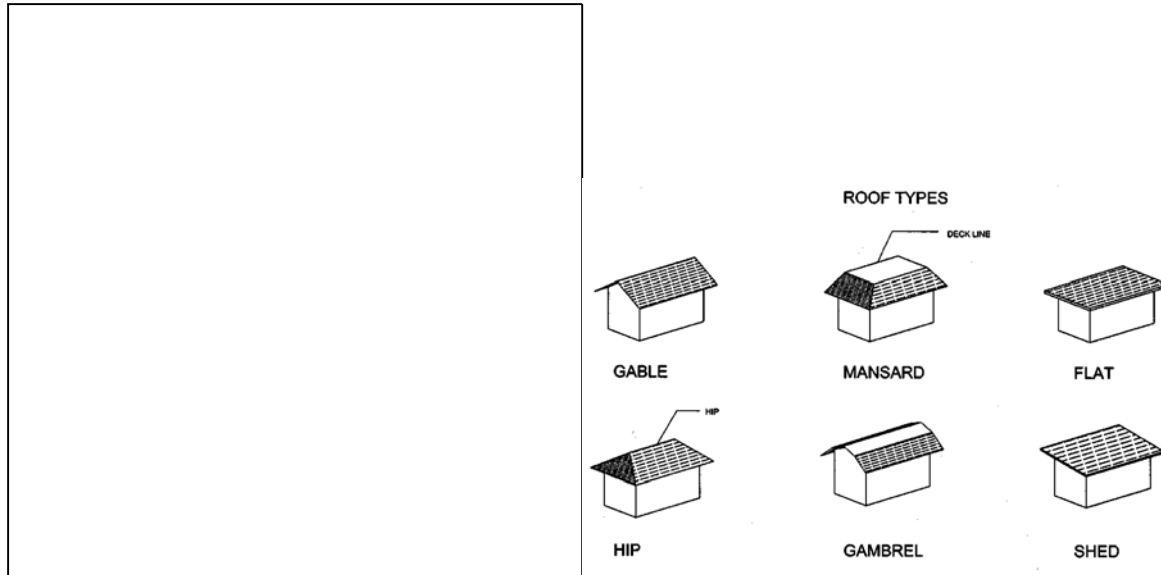
Retail Sales Establishment. A business principally engaged in offering a category of similar goods or products for sale to the general public, such as grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

Retail Services Establishment. A business principally engaged in providing a service, as opposed to products, to the general public, such as a banking or financial institution, real estate or insurance office, barber or beauty shop, travel agency, amusement or recreation center, health clinic, legal firm, professional service, and the like.

Retail Strip Center. A group of retail stores designed as one development and being less than 50,000 square feet in size.

Right-of-Way. A strip of land occupied or intended to be occupied by a street, sidewalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, or for another special purpose use. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, sewers, storm drains, or any other use involving maintenance by a public agency shall be dedicated to public use in fee simple.

Roof. The outside top covering of a building.



Salvage Yard. A facility or area for storing, keeping, selling, dismantling, shredding, compressing, or salvaging scrap or discarded material.

School, Academic. Any building or part thereof which is designed, constructed or used for education or instruction following the same curriculum offered in a public elementary, secondary, trade or technical, or higher education facility, and accredited to award diplomas as such.

School, Commercial. Any building or part thereof which is designed, constructed or used for education or instruction in any branch of knowledge or vocational pursuit, other than an academic school.

Semipublic Use. A use owned or operated by a nonprofit, religious, or educational institution for the purpose of providing educational, cultural, recreational, religious, or social services to the general public.

Service Drive. A minor, permanent, public right-of-way which is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

Setback. The straight line distance between a street right-of-way or a lot line and the nearest point of a structure or building or projection therefrom (excluding steps, roof overhang, chimneys, bay windows and patios).

Setback, Front Cul-de-Sac.

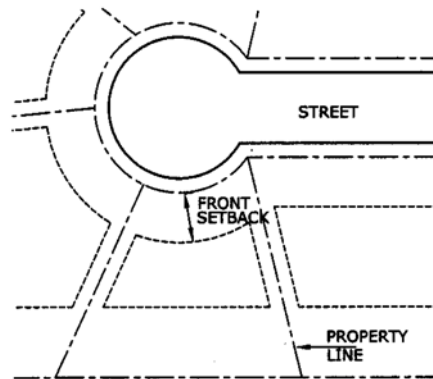
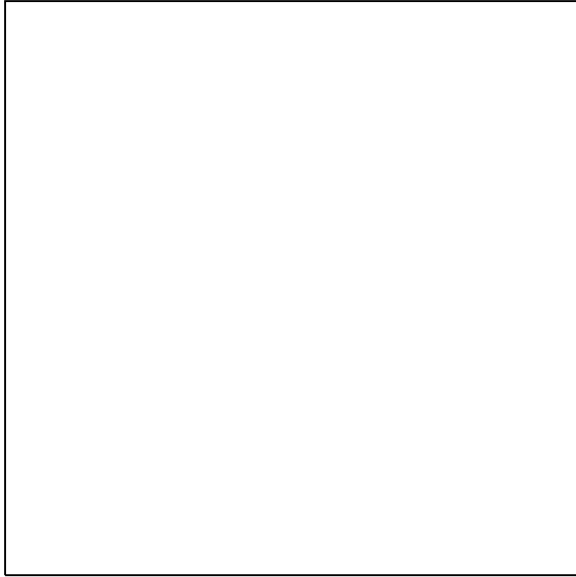


FIG 11

Setback, Minimum. The shortest distance allowed between a property line and any principal or accessory building on a lot, not including any required buffer areas. Minimum setback requirements for buildings are associated with the type of lot line from which the setback is taken; for instance, a "side yard setback" is measured from a side lot line.

Shopping Center. A group of retail sales or services establishments planned, constructed and managed as a total entity with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements with a total size of at least 50,000 square feet.

Shopping Center, Specialty. A shopping center whose shops cater to a specific market and are linked together by an architectural, historical or geographic theme or by a commonality of goods and services.

Sidewalk. A paved, surfaced or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

Sign. See Article II, Section 2.6, for all definitions relating to signs.

Site Plan. A plan accurately drawn to scale of a development project, depicting the buildings proposed to be placed on the property, related public and site improvements on the site, and additional information as required by this Ordinance or conditions of zoning approval, and other applicable ordinances.

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

Spa Services. A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, hair removal/waxing, and such types of services requiring a customer to disrobe, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business.

Special Care Home. An accessory use in a 'For-Sale' dwelling occupied by one or more persons related by blood, adoption, guardianship or marriage and/or not more than three unrelated persons, some of whom are in need of special care, living together as a nonprofit housekeeping unit. The term "special care home" shall include a home for adolescents, a home for physically handicapped persons and a

home for mentally handicapped persons. The term "special care home" shall not include the business of operating a boarding house, rooming house or other similar establishment. Additionally, the term shall not include a penal institution, any place for persons convicted of a crime or any place for persons found to be juvenile delinquents.

Special Event Facility. A public or privately owned structure or area used for the purposes of performances, sporting events, receptions or parties, or similar attractions that may generate heavy traffic. Facilities may include improvements to accommodate special events, such as access and circulation improvements, parking areas, gathering areas, and other physical improvements necessary to accommodate special events.

Storage, Climate Controlled. A facility consisting of a building or group of buildings that contain individual storage units of varying sizes in a climate controlled environment where customer access is through a lobby and where no commercial transactions or activities take place other than the rental of the storage units (permitted in L-I only).

Storage, Mini-Warehouse. A facility consisting of a building or group of buildings that are surrounded by a security fence with controlled access and which contains individual storage units of varying sizes whose doors open directly to the outside and where no commercial transactions or activities take place other than the rental of the storage units.

Storefront Street. A street, that by virtue of its pre-existing pedestrian-supportive qualities, or its future importance to pedestrian connectivity, requires that new development along it achieves a high standard of design and pedestrian orientation.

Storm Water Management Report. A report prepared by a Professional Engineer registered in the State of Georgia that details the pre and post development activity hydrologic conditions.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above, or if there is no floor above, the space between the floor and the ceiling next above. Each floor or level in a multi-story building used for parking, even if below grade, shall be classified as a story.

Street. A dedicated and accepted public right-of-way for vehicular traffic from which direct access may be gained to abutting properties, or an easement or private right-of-way approved by the City Council to serve such purpose. The term "street" shall refer to the full width located between the limits of the right-of-way or easement, and not be limited to the roadway itself.

- A. *Principal Arterials* —are those streets and highways which serve major activity centers and emphasize traffic service rather than access to abutting land access. Principal arterials include all limited access freeways, expressways or parkways, and carry a high proportion of total area travel on a minimum of mileage.
- B. *Major Arterials* —are those streets which interconnect with the principal arterial system and provide service to trips of moderate length with emphasis on both traffic service and land access and generally do not penetrate identifiable single family residential neighborhoods.
- C. *Minor Arterials* —provide intra-community continuity but should not penetrate identifiable neighborhoods.
- D. *Collector Streets* —distribute trips from arterial street to their ultimate origin or destination. Collector streets provide a greater level of land access than arterial streets, may enter or traverse identifiable neighborhoods, and rarely serve significant volumes of through traffic.
- E. *Local Streets* —comprise all facilities not classified as arterial or collector. Local streets provide land access with service to through traffic being actively discouraged.

Street, Future Right-of-Way Line. The right-of-way line which is anticipated by the City, State or other agency for future development.

Street Right-of-Way Line. The limit of public ownership or private easement for property containing or intended to contain a street, dividing it from an adjacent lot.

Structure. A combination of materials to form a construction for use, occupancy or ornamentation which is fastened or attached to the ground.

Structure Height. The vertical distance to the highest point of a structure, as measured in the same manner as "Building Height" herein.

Subdivision. The division of a lot, tract or parcel of land into 2 or more lots, tracts, parcels or other divisions of land for sale, development, finance or lease.

Swimming Pool. A water-filled enclosure, permanently constructed or portable, having a depth of more than 18 inches below the level of the surrounding land, or an above-surface pool having a depth of more than 30 inches, designed, used and maintained for swimming and bathing.

Temporary Use. A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period.

Theater. A building or part of a building devoted to showing motion pictures, or for dramatic, musical or live performances.

Townhouse/Rowhouse. A building type consisting of at least three, but not more than eight independent units that are attached by common side walls in a linear arrangement. Each unit occupies the space from the ground to the roof and normally has at least two, but no more than four floors. Such units typically feature a primary entrance on the front elevation and variations in materials, colors and/or windows to create a visual distinction between each of the attached units.

Tract. See "Lot."

Tree. See Article III, Section 3.2, for definitions relating to tree protection.

Use. The purpose for which a property or structure is designed, intended, reserved, or occupied.

Use, Accessory. See "Accessory Use."

Use, Conditional. See "Conditional Use."

Use, Principal. See "Principal Use."

Variance. Permission granted under circumstances prescribed herein to depart from the specific requirements of this Ordinance.

Vehicle for Hire Company. An establishment offering to transport passengers for a fee in any motorized or animal-drawn vehicle, the charges for which are determined by agreement, mileage or by the length of time for which the vehicle is engaged and also described as a taxi or limousine service.

Warehouse. A building used primarily for the storage of goods and materials. See also "Mini-Warehouse."

Wholesale Trade. Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wireless Telecommunications Facilities. See Section 2.8 for definition of 'wireless tower.'

Yard. An area that lies between the buildings on a lot and the nearest lot line.

1. *Front Yard.* A yard situated along any public street right-of-way or private street easement.
2. *Rear Yard.* A yard situated along a rear lot line.
3. *Side Yard.* A yard situated along a side lot line.

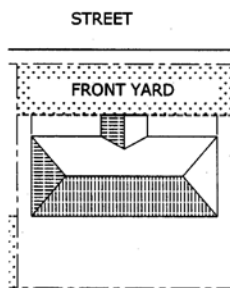
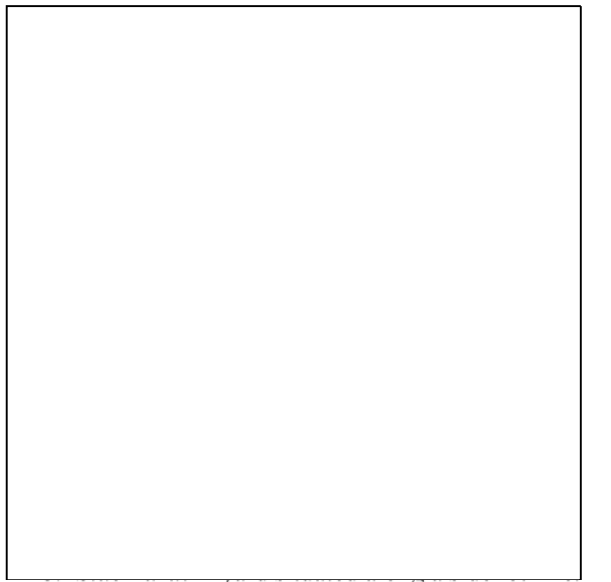


FIG 12

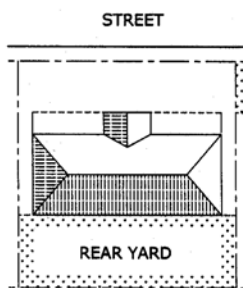


FIG 13

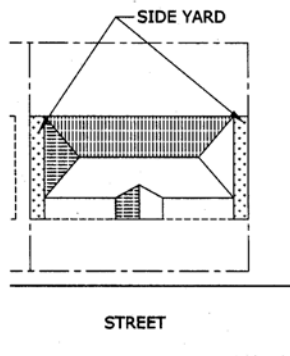


FIG 14

Zero Lot Line. The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.

Zoning Change. An amendment to the Official Zoning Map or other action having the result of rezoning a property, approval of a Conditional Use on a particular property, or a change in conditions of approval applied to the zoning or conditional uses pertaining to a property.

Zoning Map. The Official Zoning Map of the City of Alpharetta, Georgia, which may include a series of maps in section.

([Ord. No. 689, § 1, 6-2-2014](#) ; [Ord. No. 702, § 1\(Exh. A\), 3-2-2015](#) ; [Ord. No. 704, § 1, 6-1-2015](#) ; [Ord. No. 715](#) , § 1, 9-28-2015; [Ord. No. 718](#) , § 1, 12-14-2015; [Ord. No. 730](#) , § 1, 12-5-2016; [Ord. No. 741](#) , § 1, 6-5-2017; [Ord. No. 744](#) , § 1, 7-10-2017; [Ord. No. 749](#) , § 1, 9-18-2017; [Ord. No. 772](#) , § 1, 2-4-2019; [Ord. No. 778](#) , § 1, 6-17-2019; [Ord. No. 786](#) , § 1, 9-23-2019)

SECTION 2.2 a - CONDITIONAL USE REVIEW CRITERIA

2.2.1 AG agriculture.

- A. *Permitted Principal Uses.* A property in the AG district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Bed and Breakfast.
 - b. Dwelling, 'For-Sale' Detached.
 - c. Farmlands, including livestock, poultry.
2. Business Uses.
 - a. Taxidermist.
3. Semipublic Uses, Utilities.
 - a. Park or Playground.

- B. *Accessory Uses.* A property in the AG district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Group Home.
5. Special Care Home in a detached 'For-Sale' dwelling.
6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.
7. Clubhouse, swimming pool, or community recreation facilities serving a development.
8. Barns, stables and similar structures for the housing, repair, storing, or processing of farm products of the property.
9. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
10. Signs, subject to all of the requirements regulating signage herein.
11. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* A property in the AG district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Residential and Agricultural Uses.
 - a. Additional 'For-Sale' detached dwelling.
 - b. Greenhouse, Nursery.
2. Business Uses.

- a. Animal Hospital, Veterinarian.
- b. Broadcasting (Radio or TV).
- c. Builder's Equipment.
- d. Carpenter Shop, Woodworking.
- e. Equestrian Center.
- f. Golf Course, Driving Range.
- g. Kennel.

h. Special Event Facility.

3. Semipublic Uses, Utilities.

- a. Airport.
- b. Athletic Facility.
- c. Auditorium.
- d. Cemetery.
- e. Church, Synagogue or any other religious institution.
- f. Club or Lodge.
- g. Country Club.
- h. Heliport, Public/Private.
- i. Utility Substation.
- j. Wireless Tower.

D. *District Regulations.*

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,800 square feet.

([Ord. No. 744](#), § 6, 7-10-2017)

2.2.11 CUP community unit plan.

This district is intended to allow for the development of a mix of uses within the framework of a masterplan. The district regulations are intended to allow greater design flexibility without increasing overall density.

- A. *Permitted Principal Uses.* A property in the CUP district may be used only for those uses approved as part of the conditions of approval of the CUP zoning on the property and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall CUP development is further limited by the following requirements:

Dwelling, 'For-Sale', Detached Residential: A minimum of 25% of the gross land area of the CUP shall be utilized for 'For-Sale' detached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Sale', Attached Residential: No more than 20% of the gross land area of the CUP may be used for 'For-Sale' attached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Rent', Residential: Rental units and related accessory uses, streets and other facilities shall not exceed 20% of the gross land area of the CUP.

Commercial: Uses permitted in the C-1 category shall not exceed (in aggregate) 10% of the gross land area of the CUP.

Open Space: A minimum of 15% of the gross land area must be set aside as open space.

Office and Light Industrial: The following uses shall not exceed (in aggregate) 25% of the gross land area of the CUP:

Office buildings or office parks and related accessory uses, streets and other facilities.

Wholesale, storage or industrial uses and related accessory uses, streets and other facilities.

- B. *Accessory Uses.* A property in the CUP district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted under the conditions of approval for the CUP zoning on the property.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Special Care Home in a 'For-Sale' detached dwelling.
5. Swimming pool, tennis court, play house, storage shed, patio and other private recreation facilities.
6. Clubhouse, swimming pool, or community recreation facilities serving a development.
7. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
8. Signs, subject to all of the requirements regulating signage herein.
9. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.

- a. Dwelling, Group (rooming house, assisted living facility, nursing home, fraternity, congregate housing).
- b. Dwelling, 'For-Sale' Attached.
- c. Dwelling, 'For-Sale' Detached.
- d. Dwelling, 'For-Rent'.
- e. Reserved.
- f. Bed and Breakfast.

2. Business Uses.

- a. Animal Hospital, small animals.
- b. Art Galleries.
- c. Automobile Sales and Leasing.
- d. Automobile Service Station.
- e. Automotive Parts.
- f. Automotive Service.
- g. Bakery.
- h. Barber Shop.
- i. Bank, Savings and Loan.
- j. Beauty Shop.
- k. Billiards.
- l. Book Store or Stationery.
- m. Boutique Hotel.
- n. Bowling Alley.
- o. Brewery.
- p. Broadcasting Studio (radio or TV).
- q. Building Materials, retail with enclosed storage.
- r. Clinic.
- s. Commercial Parking Lot.
- t. Contractor's Office without outside storage.
- u. Contractor's office with outside storage.
- v. Convenience Market with or without gas pumps.
- w. Dance Studio.
- x. Day Care Center.
- y. Distillery.
- z. Drug Store.
- aa. Dry Cleaning Pick-up Station.
- bb. Equestrian Center.
- cc. Extended stay hotel (see Section 2.7).

- dd. Florist, Retail without Greenhouse.
- ee. Funeral Home w/ no cemetery or mausoleum.
- ff. Golf Course, Driving Range.
- gg. Golf, Miniature.
- hh. Grocery Store.
- ii. Hardware and Garden Supply Store.
- jj. Hotel or Motel.
- kk. Laboratory, Research or Commercial.
- ll. Laundry, Self-Serve, Pick-up.
- mm. Liquor Store.
- nn. Manufacturing.
- oo. Office Building or Office Park.
- pp. Outdoor Recreation Facilities.
- qq. Park, playground.
- rr. Pet Day Care.
- ss. Pet Grooming.
- tt. Print Shop.
- uu. Public Building.
- vv. Radio or TV, Transmitter or Studio.
- ww. Rental Services Establishment without outside storage.
- xx. Restaurant.
- yy. Restaurant, with Drive-thru window.
- zz. Retail Sales and Services Establishments not otherwise listed for this zoning district.
- aaa. Retail Establishment, Mixed Sales.
- bbb. School, Commercial.
- ccc. Shop or Studio, Craftsman/Artist.
- ddd. Spa Services.
- eee. Special Event Facility.
- fff. Theater, Cinema.

3. Wholesale, Storage and Industrial Uses.

- a. Laundry, Industrial.
- b. Locker, Frozen Food or Cold Storage.
- c. Manufacturing, Light.
- d. Wholesale Establishment.

4. Semipublic Uses, Utilities.

- a. Airport, public or private.
- b. Amphitheater.

- c. Athletic Facility.
- d. Auditorium.
- e. Church, Synagogue, or any other religious institution.
- f. Club, association or lodge.
- g. Country Club.
- h. Fire Station.
- i. Heliport, public or private.
- j. Hospital.
- k. Library.
- l. Museum.
- m. School, Academic.
- n. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- o. Wireless Tower.

D. *District Regulations.* Minimum Lot Size; the minimum area permitted to be zoned for a CUP is 100 acres.

Lot sizes in use areas: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the minimum lot size required by such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Maximum Density of Dwelling Units: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the lot size or, when applicable, density limitations of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Open space: Each CUP shall have a minimum of 15% of the gross acres of the CUP dedicated or set aside as open space. Amenities may be included within the 15% open space requirement. However, open space shall not include any other required open areas such as required building set backs, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

([Ord. No. 718](#), §§ 2, 4, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in

size may be developed for bank or office use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

- a. Dwelling, Group (limited to nursing home, children's home congregate housing or assisted living facility).

2. Business Uses.

- a. Bank, Savings and Loan.
- b. Broadcasting Studio (radio or TV).
- c. Clinic.
- d. Congregate Housing.
- e. Day Care Center.
- f. Drug Store.
- g. Golf Course, Driving Range.
- h. Office Building or Office Park.
- i. Recreational Facilities (Indoor or Outdoor).
- j. Special Event Facility.
- k. Theater, Cinema.

3. Semipublic Uses, Utilities.

- a. Church, Synagogue, or other religious institutions.
- b. Club, association or lodge.
- c. Heliport.
- d. Library.
- e. Museum.
- f. Public Building.
- g. School, Academic.
- h. Recreation Facilities (Indoor or Outdoor).

- B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Art Galleries.
 - b. Automobile Service Station.
 - c. Bakery.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Boutique Hotel.
 - h. Bowling Alley.
 - i. Brewery.
 - j. Car Wash.
 - k. Contractor's Office without outside storage.
 - l. Commercial Parking Lot.
 - m. Convenience Market with or without gas pumps.
 - n. Dance Studio.
 - o. Distillery.
 - p. Dry Cleaning Pick-up Station.
 - q. Extended Stay Hotel (see Sec. 2.7).
 - r. Florist, Retail without Greenhouse.

- s. Funeral Home w/out cemetery or mausoleum.
 - t. Hotel/motel.
 - u. Golf, Miniature, or Golf Driving Range.
 - v. Laboratory, Research or Commercial.
 - w. Liquor Store.
 - x. Print Shop.
 - y. Radio or TV, Transmitter or Studio.
 - z. Restaurant.
 - aa. Restaurant, Drive-In or Fast-Food.
 - bb. Retail Sales and Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - cc. School, Commercial.
 - dd. Spa Services.
3. Wholesale, Storage and Industrial Uses.
- a. Manufacturing, Light.
4. Semipublic Uses, Utilities.
- a. Airport.
 - b. Amphitheater.
 - c. Athletic Facility.
 - d. Auditorium.
 - e. Country Club.
 - f. Hospital.
 - g. Fire Station.
 - h. Park or Playground.
 - i. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - j. Wireless Tower.

D. District Regulations.

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5.).

F. *Open space*. All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

([Ord. No. 718](#), §§ 3, 6, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017)

2.2.14 C-1 neighborhood commercial.

A. *Permitted Principal Uses*. A property in the C-1 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.

- a. Dwelling, 'For-Sale'—in an existing or historic structure only.
- b. Reserved.
- c. Bed and Breakfast.

2. Business Uses.

- a. Art Gallery.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Book Store.
- g. Carpet and Rug Sales.
- h. Clinic.
- i. Contractor's Office without outside storage.
- j. Day Care Center.
- k. Drug Store.
- l. Dry Cleaning Pick-up Station.
- m. Florist, Retail Without Greenhouse.
- n. Gourmet Food Store.
- o. Hardware and Garden Supply Store.
- p. Jewelry Store.

- q. Laundry, Self-Serve, Pick-up.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Reserved.
 - w. Restaurant, without Drive-thru or Drive-In facilities.
 - x. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - y. School, Commercial.
 - z. Shop or Studio, Craftsman/Artist.
 - aa. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Club, association or lodge.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. Public Building.

B. *Accessory Uses.* A property in the C-1 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed forty percent (40%) of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.

5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations, herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Reserved.
 - b. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing
 - c. Automotive Parts.
 - d. Bowling Alley.
 - e. Brewery.
 - f. Check Cashing.
 - g. Church, Synagogue.
 - h. Commercial Parking Lot.
 - i. Contractor's Office with outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Grocery Store.
 - m. Golf, Miniature.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Pest Control Business.
 - q. School, Academic.
 - r. Special Event Facility.
 - s. Rental Services Establishment without outside storage.
 - t. Restaurant, Drive-In or Fast-Food.
 - u. Retail Establishment, Mixed Sales.
 - v. Smoke Shop and Tobacco Store.
 - w. Spa Services.
 3. Semipublic Uses, Utilities.
 - a. Athletic Facility.
 - b. Auditorium.
 - c. Hospital.

- d. Parking Lot, Commercial.
- e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. District Regulations.

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—45%.

Maximum Building Height—35 feet.

E. Screening and buffers (See Sec. 2.3.5).

([Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 718](#), §§ 6—8, 12-14-2015; [Ord. No. 730](#), §§ 3, 4, 12-5-2016; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), § 4, 7-10-2017; [Ord. No. 772](#), § 2, 2-4-2019)

2.2.15 C-2 general commercial.

A. Permitted Principal Uses. A property in the C-2 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Automobile Service Station.
 - c. Automotive Parts.
 - d. Automotive Service.
 - e. Bakery.
 - f. Barber Shop.
 - g. Bank, Savings and Loan.
 - h. Beauty Shop.
 - i. Book Store.

- j. Bowling Alley.
 - k. Broadcasting Studio (radio or TV).
 - l. Building Materials, retail with enclosed storage.
 - m. Carpet and Rug Sales.
 - n. Clinic.
 - o. Clubs, fraternity, association or lodge.
 - p. Commercial Parking Lot.
 - q. Reserved.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Drug Store.
 - w. Dry Cleaning Pick-up Station.
 - x. Florist, Retail Without Greenhouse.
 - y. Grocery Store.
 - z. Hardware Store.
 - aa. Home Improvement Store.
 - bb. Laundry, Self-Serve, Pick-up.
 - cc. Liquor Store.
 - dd. Office Building or Park.
 - ee. Pet Day Care.
 - ff. Pet Grooming.
 - gg. Print Shop.
 - hh. Public Building.
 - ii. Recreation Facilities (Indoor).
 - jj. Rental Services Establishment without outside storage.
 - kk. Restaurant.
 - ll. Restaurant, Drive-In or Fast-Food.
 - mm. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - nn. Retail Establishment, Mixed Sales.
 - oo. School, Commercial.
 - pp. Shop or Studio, Craftsman/Artist.
 - qq. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Athletic Facilities.

- b. Club, association or lodge.
- c. Hospital.
- d. Library.
- e. Museum.
- f. Park or Playground.
- g. Parking Lot, Commercial.
- h. School, Academic.

- B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following: (See also Supplementary Regulations in this Article.)

1. Dwelling, 'For-Sale' Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Residential Uses.
 - a. Reserved.
 - b. Reserved.
 - c. Dwelling, Group (congregate housing, nursing home, etc.).
2. Business Uses.

- a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Car Wash.
 - g. Check Cashing.
 - h. Church, Synagogue.
 - i. Distillery.
 - j. Extended Stay Hotel (see Sec. 2.7).
 - k. Florist, Retail with Greenhouse.
 - l. Funeral Homes.
 - m. Golf, Miniature.
 - n. Greenhouse with nursery.
 - o. Hotel or Motel.
 - p. Limousine Service and Taxi.
 - q. Massage Therapy (see Sec. 2.7).
 - r. Spa Services.
 - s. Radio or TV, Transmitter or Studio.
 - t. Recreation Facilities (Outdoor).
 - u. Small Appliance Repair Shop.
 - v. Smoke Shop and Tobacco Store.
 - w. Special Event Facility.
3. Wholesale, Storage and Industrial Uses.
- a. Wholesale Establishment.
4. Semipublic Uses, Utilities.
- a. Auditorium.
 - b. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - c. Recreational Facilities (Outdoor).
 - d. Wireless Tower.

D. District Regulations.

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

([Ord. No. 703](#), § 1, 6-1-2015; [Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 718](#), §§ 5—7, 9, 12-14-2015; [Ord. No. 730](#), §§ 3, 4, 12-5-2016; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017; [Ord. No. 772](#), § 3, 2-4-2019)

2.2.16 PSC planned shopping center.

All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center.

A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, only upon approval as a conditional use by the city council:

1. Residential Uses

- a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
- b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units /acre unless additional density is authorized in accordance with said overlay).

2. Business Uses.

- a. Art Galleries.
- b. Automobile Service Station.
- c. Automotive Parts.
- d. Bakery.
- e. Barber Shop.
- f. Bank, Savings and Loan.
- g. Beauty Shop.
- h. Brewery.
- i. Book Store.
- j. Car Wash.
- k. Carpet and Rug Sales.
- l. Clinic.
- m. Convenience Market with or without gas pumps.
- n. Dance Studio.
- o. Day Care Center.
- p. Distillery.

- q. Drug Store (Pharmacy).
- r. Florist, Retail without Greenhouse.
- s. Grocery Store (max. 50,000 SF in the North Point Overlay).
- t. Hardware Store (max. 50,000 SF in the North Point Overlay).
- u. Home Improvement Store.
- v. Laundry, Self-Serve, Pick-up.
- w. Liquor Store.
- x. Office Building or Park.
- y. Pest Control Business.
- z. Pet Grooming.
- aa. Public Building.
- bb. Recreational Facilities (Indoor).
- cc. Rental Services Establishment without outside storage.
- dd. Restaurant.
- ee. Restaurant, Drive-In or Fast-Food.
- ff. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- gg. Retail Establishment, Mixed Sales.
- hh. Special Event Facility.
- ii. Theater.

- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:

- 1. Residential Uses.
 - a. Reserved.
- 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Automotive Parts.

- c. Automotive Service.
- d. Bowling Alley.
- e. Boutique Hotel.
 - f. Broadcasting Studio (radio or TV).
 - g. Building Materials, retail with enclosed storage.
 - h. Commercial Parking Lot.
 - i. Convenience Center with gas pumps.
 - j. Dry Cleaning Plant.
 - k. Dry Cleaning Plant with pick-up station.
 - l. Florist, Retail with Greenhouse.
 - m. Funeral Home with no cemetery or mausoleum.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Pet Day Care.
 - q. Pet Grooming.
 - r. Print Shop.
 - s. Radio or TV, Transmitter or Studio.
 - t. School, Commercial.
 - u. Shop or Studio, Craftsman/Artist.
- 3. Semipublic Uses, Utilities.
 - a. Athletic Facility.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Club, fraternity, association or lodge.
 - e. Heliport, public or private.
 - f. Museum.
 - g. Park or Playground.
 - h. Recreational Facilities (Outdoor).
 - i. School, Academic.
 - j. Spa Services.
 - k. Reserved.
 - l. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - m. Wholesale Establishment.
 - n. Wireless Tower.
- D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5).

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

1. Pedestrian connectivity to all uses.
2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
3. Accommodations for public transportation.
4. Buildings that face or appear to face public roadways.
5. Appearance standards for buildings and structured parking.
6. Limitations on uninterrupted building elevations.
7. Creation of vistas and view corridors within development.
8. Focal point features at prominent locations and ends of vistas.
9. Incorporation of natural site features.
10. Block lengths conducive to pedestrian traffic.
11. Detention and retention facilities designed to be aesthetically pleasing.
12. Creative methods for stormwater management to provide additional open space.
13. Attractive and usable street furniture in public spaces.
14. Emphasis on a high quality landscape plan.

([Ord. No. 715](#), § 2, 9-28-2015; [Ord. No. 718](#), §§ 3, 4, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 4, 6, 7-10-2017; [Ord. No. 767](#), §§ 1—3, 10-22-2018)

2.2.17 L-I industrial.

A. *Permitted Principal Uses.* A property in the L-I district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Greenhouse, Nursery.
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Automobile Service Station.
 - d. Automotive Parts.
 - e. Automotive Sales and Leasing.
 - f. Automotive Service.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Building Materials with Outdoor Storage.
 - n. Building Materials, Retail with enclosed storage.
 - o. Car Wash.
 - p. Carpenter Shop, Woodworking.
 - q. Carpet and Rug Sales.
 - r. Check Cashing.
 - s. Church, Synagogue.
 - t. Commercial Parking Lot.
 - u. Congregate Housing.
 - v. Contractor's Office with and without outside storage.
 - w. Convenience Market with or without gas pumps.
 - x. Dance Studio.
 - y. Day Care Center.
 - z. Discount Store.
 - aa. Distillery.
 - bb. Drug Store.
 - cc. Dry Cleaning Pick-up Station.
 - dd. Fireworks Sales.

- ee. Funeral Home.
- ff. Greenhouse, Nursery.
- gg. Grocery Store.
- hh. Hardware and Garden Center.
- ii. Home, Elderly, Children, Nursing.
- jj. Heliport.
- kk. Home Improvement Store.
- ll. Kennel.
- mm. Laboratory, Research or Commercial.
- nn. Laundry, Self-Serve, Pick-up.
- oo. Liquor Store.
- pp. Massage Therapy (see Sec. 2.7).
- qq. Office Building or Office Park.
- rr. Pawn Shop.
- ss. Pest Control.
- tt. Pet Day Care.
- uu. Pet Grooming.
- vv. Print Shop.
- ww. Radio or TV, Transmitter or Studio.
- xx. Recreation Facilities (Indoor).
- yy. Rental Services Establishment with outside storage.
- zz. Rental Services Establishment without outside storage.
- aaa. Restaurant.
- bbb. Restaurant, Drive-In or Fast-Food.
- ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- ddd. Retail Establishment, Mixed Sales.
- eee. Shop or Studio, Craftsman/Artist.
- fff. Small Appliance Repair Shop.
- ggg. Smoke Shop and Tobacco Store.
- hhh. Spa Services.
- iii. Special Event Facility.
- jjj. Storage, Inside.
- kkk. Tattoo Parlor, Body Piercing.
- lll. Taxidermist.
- mmm. Tire Retreading.
- mmm. Vehicle for Hire Company.

3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Builder's Equipment.
 - c. Concrete Plant.
 - d. Dry Cleaning Plant.
 - e. Locker, Frozen Food or Cold Storage.
 - f. Machine Shop.
 - g. Manufacturing, Light.
 - h. Mini-Warehouse.
 - i. Septic Tank Sales, Construction.
 - j. School, Commercial.
 - k. Storage, Outside.
 - l. Warehouse.
 - m. Welding Shop.
 - n. Wholesale Trade Establishment.
 4. Semipublic Uses, Utilities.
 - a. Athletic Facility—Outdoor.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Park or Playground.
 - e. Hospital.
 - f. School, Academic.
 - g. Switching Station, Telecom.
- B. *Accessory Uses.* A property in the L-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
1. Privacy and decorative fences and walls.
 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 3. Signs, subject to all of the requirements regulating signage herein.
 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:
1. Site design.
 2. Property access.
 3. Hours of operation of the business.

4. Vehicular trips generated by the use.
5. Impact of the use on surrounding properties.
6. Impact of the use on the natural features of the site.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Airport, Public/Private.
- c. Boutique Hotel.
- d. Extended Stay Hotel.
- e. Golf Driving Range.
- f. Glass Fabrication.
- g. Taxidermist.
- h. Tire Retreading.
- i. Theater, Cinema.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Power Station.
- i. Recycling Center.
- j. Salvage Yard.
- k. Sawmill.
- l. Sewage Disposal Plant.
- m. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Reserved.
- c. Church, Synagogue, or other religious institutions.
- d. Museum and Library.
- e. Power Station.
- f. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

- g. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;
- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
- d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
- e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
- f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
- g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
- h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;
- i. All solid waste is removed from the transfer station within 24 hours of receipt;
- j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
- k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
- l. The transfer facility must be cleaned at least once every 24 hours;
- m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
- n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
- o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
- p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
- q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
- r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
- s. The transfer station must have adequate storage space for incoming solid waste;

- t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
- u. The facility shall not generate more than 150 total vehicle trips per day;
- v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
- w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
- x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);
 - (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
 - (3) Engineering report. The engineering report must include:
 - (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 *Design Standards.* All transfer stations must meet minimum design requirements as follows:

- a. Unloading and loading areas.
 - (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;

- (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
- (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;
- (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
- (5) Sufficient internal storage areas must be provided for incoming solid waste;
- (6) Exhaust removal systems must be installed in enclosed areas; and
- (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 *Expansion or Modification of Existing Facilities.* No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

E. *Screening and buffers (See Sec. 2.3.5).*

([Ord. No. 708](#), § 1, 8-10-2015; [Ord. No. 715](#), § 3, 9-28-2015; [Ord. No. 718](#), §§ 7, 10—12, 12-14-2015; [Ord. No. 741](#), §§ 2, 3, 6-5-2017; [Ord. No. 744](#), §§ 2, 3, 5, 6, 7-10-2017)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to

accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments:* A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses:* In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
4. *Office/Institutional:* At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1","2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1","2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses.* A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. *Residential Uses:*

- a. Dwelling, Group (assisted living facility, progressive care facility).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. *Commercial Uses:*

- a. Bank, Savings & Loan.
- b. Boutique Hotel.
- c. Brewery.
- d. Contractor's Office (no on site storage).
- e. Day Care Center.
- f. Distillery.
- g. Drug Store (Pharmacy).
- h. Entertainment Venue (jazz club, comedy club, dinner theater, etc.).
- i. Grocery Store (max. 50,000 SF in the North Point Overlay).
- j. Hardware Store (max. 50,000 SF in the North Point Overlay).
- k. Hotel/Motel.
- l. Liquor Store.
- m. Outdoor/Indoor Recreation Facilities.
- n. Religious Institution.
- o. School, Commercial.
- p. Spa Services.

q. Special Event Facility.

- r. Theater, Cinema.
- 3. *Semipublic Uses, Utilities:*
 - a. Athletic Facilities.
 - b. Public Building.
 - c. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

1. Retail, restaurant, office, and personal service uses at ground level.
2. Pedestrian connectivity to all uses.
3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
4. Accommodations for public transportation.
5. Buildings that face or appear to face public roadways.
6. Appearance standards for buildings and structured parking.
7. Limitations on uninterrupted building elevations.
8. Creation of vistas and view corridors within development.
9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features.
11. Block lengths conducive to pedestrian traffic.
12. Detention and retention facilities designed to be aesthetically pleasing.
13. Creative methods for stormwater management to provide additional open space.
14. Attractive and usable street furniture in public spaces.
15. Emphasis on a high quality landscape plan.
16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

([Ord. No. 702, § 1\(Exh. A\), 3-2-2015](#) ; [Ord. No. 732](#) , § 1, 2-6-2017; [Ord. No. 741](#) , § 4, 6-5-2017; [Ord. No. 744](#) , § 2, 7-10-2017; [Ord. No. 749](#) , §§ 2, 3, 9-18-2017; [Ord. No. 767](#) , § 4(Exh. A), 10-22-2018)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Special Event Facility	<u>O</u>											<u>O</u>	<u>O</u>		<u>O</u>	<u>O</u>	<u>O</u>	X			<u>O</u>

([Ord. No. 671, § 1, 2-4-2013](#) ; [Ord. No. 675, § 1, 6-3-2013](#) ; [Ord. No. 692, § 1\(Exh. 1\), 7-21-2014](#) ; [Ord. No. 703](#) , § 1, 6-1-2015; [Ord. No. 704](#) , § 2, 6-1-2015; [Ord. No. 708](#) , § 1, 8-10-2015; [Ord. No. 715](#) , § 4, 9-28-2015; [Ord. No. 718](#) , § 14(Exh. B), 12-14-2015; [Ord. No. 730](#) , § 5, 12-5-2016; [Ord. No. 741](#) , § 5(Exh. A), 6-5-2017; [Ord. No. 744](#) , § 7(Exh. A), 7-10-2017; [Ord. No. 767](#) , § 7(Exh. C), 10-22-2018; [Ord. No. 772](#) , § 8(Exh. A), 2-4-2019)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

SECTION 2.3 - SUPPLEMENTARY REGULATIONS

2.3.2 Temporary uses.

The Director may authorize a temporary use, as follows:

- A. Carnival, circus or fair, for a period not to exceed 4 days. A period not to exceed 30 days may be granted by the Director if the event is held within a designated amphitheater facility as defined by Code and confirmed by the Director. Site shall meet adequate parking and safety concerns and limit impacts to surrounding properties.
- B. Outdoor tent sales for a period not to exceed forty-five (45) days. Authorization may not be granted more than two (2) times per year, per property.
- C. Seasonal events associated with a not-for-profit for a period not to exceed seventy-five (75) days. Authorization may not be granted more than two (2) times per year, per property. Reserved.
- D. Religious meeting in a tent or other temporary structure in the AG, R-10M, CUP, O-I, C-1, and C-2 Districts, for a period not to exceed sixty (60) days.
- E. Open lot sale of Christmas trees, fruit and vegetables, and other harvested products in the AG, O-I, C-1, C-2 and L-I Districts, for a period not to exceed forty-five (45) days.
- F. Real estate sales office, related to an active development, in any district, for a period not to exceed one (1) year, provided no sleeping accommodations are maintained in the structure.
- G. Contractor's office, construction trailer and equipment shed, in any district, related to an active development, for a period of one (1) year provided that such office be placed on the property to which it is appurtenant.
- H. Commercial television or motion picture filming activities not to exceed seven (7) calendar days at any residential location, or a period not to exceed twenty-one (21) days if approved by the Mayor and Council. The director or the Mayor and Council may impose conditions to the issuance of the permit to minimize the disturbance to the residential neighborhood. These conditions may include neighborhood notification requirements, parking and traffic control, and limitations on the hours of operation. In no event shall filming activities commence prior to 7:00 a.m. or continue after 10:00 p.m.
- I. All temporary certificates of zoning compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no increased traffic congestion and will not create a nuisance to surrounding uses.
- J. The director may require City Council review and approval of any temporary uses.
- K. Fireworks sales in a tent or other temporary structure in the L-1 District, for a period not to exceed ninety (90) days.

([Ord. No. 688, § 1, 4-28-2014](#) ; [Ord. No. 708](#) , § 1, 8-10-2015; [Ord. No. 718](#) , § 15, 12-14-2015)

2.3.6 Fence and wall requirements.

- A. *Height.* Height of fences and walls used as fences shall not exceed six (6) feet on residential property and eight (8) feet on non-residential property. These limits may be exceeded by up to 50% on sloped lots where the appearance of an even fence line is desired.
- B. *Location on Property.* In order to prevent the obstruction of visibility, no walls, fences, shrubbery or hedges over three (3) feet in height shall be located within twenty (20) feet of an intersection of two or more streets or within ten (10) feet of the edge of a driveway leading to a street. Fences and walls shall be placed at least five (5) feet from required landscape strips and buffers to accommodate construction and maintenance unless approved otherwise at a public hearing.

- C. *Materials.* Fences and walls used as fences shall be made of wood which shall be protected from decay by the use of naturally durable wood or wood that is pressure treated, metal, brick, block, vinyl or stone. The use of plywood/sheet goods as a material is prohibited. Barbed, razor wire or electrically charged fencing shall be permitted in AG and RE districts and may be permitted, subject to administrative review and approval, in other districts.
- D. *Appearance.* All fencing shall be constructed with finished side facing away from the property owners property. Fences and walls used as fences shall not be finished with bright or primary colors or be visually distracting in any other way. A privacy fence or chain link fence along a public or private right-of-way shall only be permitted when the required landscape strip and associated landscape material is provided. Privacy and chain link fences shall be prohibited in a front yard, except that the Director of Community Development, or designee, may approve a privacy fence in the front yard on collector or arterial streets.
- E. *Permit.* A permit for construction shall not be required to erect a fence or wall used as a fence which is built in accordance with these standards. Signage incorporated into such fences shall require a sign permit.

([Ord. No. 720](#) , § 1, 2-22-2016)

APPENDIX A. - ALPHARETTA DOWNTOWN CODE^[1]

ARTICLE 1. - GENERAL PROVISIONS

1.3.2. Relationship between Land Use Categories and Downtown Zoning Districts.

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

- A. The "~~Downtown District~~" "Central Business District" land use category permits the "Downtown Core" zoning district.
- B. The "Mixed-Use ~~Commercial~~ District" land use category permits the "Downtown Mixed-Use" zoning district.
- C. The "Mixed-Use Live-Work District" land use category permits the "Downtown Live-Work" zoning district.
- D. The "~~High Density Residential~~" "Downtown Residential Density" land use category permits the "Downtown Residential" zoning district.
- E. All other land use categories permit the zoning districts identified in the Comprehensive Land Use Plan.

ARTICLE 3. - DOWNTOWN ZONING DISTRICT

Sec. 3.4. - Uses Allowed by District.

3.4.1. Allowed Use Table.

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use standards for both principal and accessory uses are specified in Section 2.3 and Section 2.7 of the Unified Development Code. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Board of Appeals for interpretation.
- B. Principal and accessory uses allowed by district are shown in the table below.

3.4.2. Use Table Key.

- A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.
- B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.
- C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	X	X	O	O
Cemetery				

Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				
Museums & Libraries	X	X	O	
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	X	X	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				
Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	

Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facilities/Fitness Studio	X	X	O	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		

Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		
Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		

Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Shop	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	⊖	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		

Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
<u>Special Event Facility</u>	<u>O</u>	<u>O</u>		
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O	⊖	
Industrial Uses				
Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				
Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				

Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O	⊖	
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				

Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				
Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O	⊖	
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X
Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X

Vehicle access, parking and loading areas	X	X	X	X
---	---	---	---	---

([Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), § 2, 7-10-2017)

AN ORDINANCE TO AMEND ARTICLES I, II AND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD DEFINITIONS FOR MURAL, PRIVACY FENCE AND SPECIAL EVENT FACILITY; TO ADD SPECIAL EVENT FACILITY AS A PERMITTED AND CONDITIONAL USE IN CERTAIN ZONING DISTRICTS; TO ADD A TEMPORARY USE FOR NON-PROFIT SEASONAL EVENTS; TO AMEND THE FENCE AND WALL REQUIREMENTS; TO AMEND THE DOWNTOWN LAND USE CATEGORIES; MISCELLANEOUS AMENDMENTS TO THE DOWNTOWN USE TABLE; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

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

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

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

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

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

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

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

Section 1: Article I, Subsection 1.4.2 titled “Defined Terms” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “A” attached hereto as if fully set forth herein; and

Section 2: Article II, Subsection 2.2.1(C)(2) titled “AG Agriculture, Conditional Uses”, Subsection 2.2.11(C)(2) titled “CUP Community Unit Plan, Conditional Uses”, Subsection 2.2.13(A)(2) titled “O-I Office-Institutional, Conditional Principal Uses”, Subsection 2.2.14(C)(2) titled “C-1 Neighborhood Commercial, Conditional Uses”, Subsection 2.2.15(C)(2) titled “C-2 General Commercial, Conditional Uses”, Subsection 2.2.16(A)(2) titled “PSC Planned Shopping Center, Conditional Principal Uses”, Subsection 2.2.17(A)(2) titled “L-I Light-Industrial, Permitted Principal Uses”, Subsection 2.2.20(C)(2) titled “MU Mixed Use District, Conditional Uses” and Table 2.2 titled “List of Permissible

and Conditional Uses” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “B” attached hereto as if fully set forth herein; and

Section 3: Article II, Subsection 2.3.2(C) titled “Temporary Uses”, Subsection 2.3.6(B) titled “Fence and Wall Requirements, Location on Property” and Subsection 2.3.6(D) titled “Fence and Wall Requirements, Appearance” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “C” attached hereto as if fully set forth herein; and

Section 4: Appendix A: Alpharetta Downtown Code, Subsection 1.3.2(A, B & D) and Subsection 3.4.2 titled “Use Table Key” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “D” attached hereto as if fully set forth herein.

Section 5: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 6: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2020.

Approved:

Jim Gilvin, Mayor

Attest:

COUNCILMEMBERS

Erin Cobb, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

Exhibit “A”

1.4.2 Defined terms.

Words and phrases defined herein shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Ordinance shall be construed to have the meaning given by common and ordinary use as defined by Webster's New International Dictionary, Latest Edition. Figures associated with defined terms in this Section are provided for illustration only and do not limit or change the meaning of the term as defined in writing.

Mural. A hand-painted, hand-tiled, or digitally printed restorative image on the exterior wall of a building or other permanent surface.

Privacy Fence. A sight-obscuring fence used to block the area enclosed by the fence from view from neighboring properties or public right-of-ways. Sight-obscuring shall mean opaque or having such qualities as to constitute a complete visual barrier to persons outside the perimeter of the sight-obscuring object. A fence which partially obscures sight shall not be considered sight-obscuring if the distance or open space between boards, slats, rails, stanchions, or balusters (which shall not exceed four (4) inches in width) equals or exceeds the width of said boards, slats, etc., measured at ninety (90) degree angles.

Special Event Facility. A public or privately owned structure or area used for the purposes of performances, sporting events, receptions or parties, or similar attractions that may generate heavy traffic. Facilities may include improvements to accommodate special events, such as access and circulation improvements, parking areas, gathering areas, and other physical improvements necessary to accommodate special events.

Exhibit “B”

SECTION 2.2 a - CONDITIONAL USE REVIEW CRITERIA

2.2.1 AG agriculture.

- A. *Permitted Principal Uses.* A property in the AG district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Agricultural and Residential Uses.
 - a. Bed and Breakfast.
 - b. Dwelling, 'For-Sale' Detached.
 - c. Farmlands, including livestock, poultry.
 2. Business Uses.
 - a. Taxidermist.
 3. Semipublic Uses, Utilities.
 - a. Park or Playground.

- B. *Accessory Uses.* A property in the AG district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
 2. Home Occupation in a residence.
 3. Family Day Care Home in a residence.
 4. Group Home.
 5. Special Care Home in a detached 'For-Sale' dwelling.
 6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.
 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Barns, stables and similar structures for the housing, repair, storing, or processing of farm products of the property.
 9. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 10. Signs, subject to all of the requirements regulating signage herein.
 11. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the AG district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential and Agricultural Uses.
 - a. Additional 'For-Sale' detached dwelling.
 - b. Greenhouse, Nursery.
 2. Business Uses.

- a. Animal Hospital, Veterinarian.
- b. Broadcasting (Radio or TV).
- c. Builder's Equipment.
- d. Carpenter Shop, Woodworking.
- e. Equestrian Center.
- f. Golf Course, Driving Range.
- g. Kennel.

h. Special Event Facility.

3. Semipublic Uses, Utilities.

- a. Airport.
- b. Athletic Facility.
- c. Auditorium.
- d. Cemetery.
- e. Church, Synagogue or any other religious institution.
- f. Club or Lodge.
- g. Country Club.
- h. Heliport, Public/Private.
- i. Utility Substation.
- j. Wireless Tower.

D. *District Regulations.*

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,800 square feet.

([Ord. No. 744](#), § 6, 7-10-2017)

2.2.11 CUP community unit plan.

This district is intended to allow for the development of a mix of uses within the framework of a masterplan. The district regulations are intended to allow greater design flexibility without increasing overall density.

- A. *Permitted Principal Uses.* A property in the CUP district may be used only for those uses approved as part of the conditions of approval of the CUP zoning on the property and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall CUP development is further limited by the following requirements:

Dwelling, 'For-Sale', Detached Residential: A minimum of 25% of the gross land area of the CUP shall be utilized for 'For-Sale' detached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Sale', Attached Residential: No more than 20% of the gross land area of the CUP may be used for 'For-Sale' attached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Rent', Residential: Rental units and related accessory uses, streets and other facilities shall not exceed 20% of the gross land area of the CUP.

Commercial: Uses permitted in the C-1 category shall not exceed (in aggregate) 10% of the gross land area of the CUP.

Open Space: A minimum of 15% of the gross land area must be set aside as open space.

Office and Light Industrial: The following uses shall not exceed (in aggregate) 25% of the gross land area of the CUP:

Office buildings or office parks and related accessory uses, streets and other facilities.

Wholesale, storage or industrial uses and related accessory uses, streets and other facilities.

- B. *Accessory Uses.* A property in the CUP district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted under the conditions of approval for the CUP zoning on the property.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Special Care Home in a 'For-Sale' detached dwelling.
5. Swimming pool, tennis court, play house, storage shed, patio and other private recreation facilities.
6. Clubhouse, swimming pool, or community recreation facilities serving a development.
7. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
8. Signs, subject to all of the requirements regulating signage herein.
9. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.

- a. Dwelling, Group (rooming house, assisted living facility, nursing home, fraternity, congregate housing).
- b. Dwelling, 'For-Sale' Attached.
- c. Dwelling, 'For-Sale' Detached.
- d. Dwelling, 'For-Rent'.
- e. Reserved.
- f. Bed and Breakfast.

2. Business Uses.

- a. Animal Hospital, small animals.
- b. Art Galleries.
- c. Automobile Sales and Leasing.
- d. Automobile Service Station.
- e. Automotive Parts.
- f. Automotive Service.
- g. Bakery.
- h. Barber Shop.
- i. Bank, Savings and Loan.
- j. Beauty Shop.
- k. Billiards.
- l. Book Store or Stationery.
- m. Boutique Hotel.
- n. Bowling Alley.
- o. Brewery.
- p. Broadcasting Studio (radio or TV).
- q. Building Materials, retail with enclosed storage.
- r. Clinic.
- s. Commercial Parking Lot.
- t. Contractor's Office without outside storage.
- u. Contractor's office with outside storage.
- v. Convenience Market with or without gas pumps.
- w. Dance Studio.
- x. Day Care Center.
- y. Distillery.
- z. Drug Store.
- aa. Dry Cleaning Pick-up Station.
- bb. Equestrian Center.
- cc. Extended stay hotel (see Section 2.7).

- dd. Florist, Retail without Greenhouse.
- ee. Funeral Home w/ no cemetery or mausoleum.
- ff. Golf Course, Driving Range.
- gg. Golf, Miniature.
- hh. Grocery Store.
- ii. Hardware and Garden Supply Store.
- jj. Hotel or Motel.
- kk. Laboratory, Research or Commercial.
- ll. Laundry, Self-Serve, Pick-up.
- mm. Liquor Store.
- nn. Manufacturing.
- oo. Office Building or Office Park.
- pp. Outdoor Recreation Facilities.
- qq. Park, playground.
- rr. Pet Day Care.
- ss. Pet Grooming.
- tt. Print Shop.
- uu. Public Building.
- vv. Radio or TV, Transmitter or Studio.
- ww. Rental Services Establishment without outside storage.
- xx. Restaurant.
- yy. Restaurant, with Drive-thru window.
- zz. Retail Sales and Services Establishments not otherwise listed for this zoning district.
- aaa. Retail Establishment, Mixed Sales.
- bbb. School, Commercial.
- ccc. Shop or Studio, Craftsman/Artist.
- ddd. Spa Services.
- eee. Special Event Facility.
- fff. Theater, Cinema.

3. Wholesale, Storage and Industrial Uses.

- a. Laundry, Industrial.
- b. Locker, Frozen Food or Cold Storage.
- c. Manufacturing, Light.
- d. Wholesale Establishment.

4. Semipublic Uses, Utilities.

- a. Airport, public or private.
- b. Amphitheater.

- c. Athletic Facility.
- d. Auditorium.
- e. Church, Synagogue, or any other religious institution.
- f. Club, association or lodge.
- g. Country Club.
- h. Fire Station.
- i. Heliport, public or private.
- j. Hospital.
- k. Library.
- l. Museum.
- m. School, Academic.
- n. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- o. Wireless Tower.

D. *District Regulations.* Minimum Lot Size; the minimum area permitted to be zoned for a CUP is 100 acres.

Lot sizes in use areas: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the minimum lot size required by such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Maximum Density of Dwelling Units: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the lot size or, when applicable, density limitations of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Open space: Each CUP shall have a minimum of 15% of the gross acres of the CUP dedicated or set aside as open space. Amenities may be included within the 15% open space requirement. However, open space shall not include any other required open areas such as required building set backs, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

([Ord. No. 718](#), §§ 2, 4, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank or office use without public hearing subject to Design Review Board Approval.

1. Residential Uses.
 - a. Dwelling, Group (limited to nursing home, children's home congregate housing or assisted living facility).
2. Business Uses.
 - a. Bank, Savings and Loan.
 - b. Broadcasting Studio (radio or TV).
 - c. Clinic.
 - d. Congregate Housing.
 - e. Day Care Center.
 - f. Drug Store.
 - g. Golf Course, Driving Range.
 - h. Office Building or Office Park.
 - i. Recreational Facilities (Indoor or Outdoor).
 - j. Special Event Facility.
 - k. Theater, Cinema.
3. Semipublic Uses, Utilities.
 - a. Church, Synagogue, or other religious institutions.
 - b. Club, association or lodge.
 - c. Heliport.
 - d. Library.
 - e. Museum.
 - f. Public Building.
 - g. School, Academic.
 - h. Recreation Facilities (Indoor or Outdoor).

- B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Art Galleries.
 - b. Automobile Service Station.
 - c. Bakery.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Boutique Hotel.
 - h. Bowling Alley.
 - i. Brewery.
 - j. Car Wash.
 - k. Contractor's Office without outside storage.
 - l. Commercial Parking Lot.
 - m. Convenience Market with or without gas pumps.
 - n. Dance Studio.
 - o. Distillery.
 - p. Dry Cleaning Pick-up Station.
 - q. Extended Stay Hotel (see Sec. 2.7).
 - r. Florist, Retail without Greenhouse.
 - s. Funeral Home w/out cemetery or mausoleum.

- t. Hotel/motel.
- u. Golf, Miniature, or Golf Driving Range.
- v. Laboratory, Research or Commercial.
- w. Liquor Store.
- x. Print Shop.
- y. Radio or TV, Transmitter or Studio.
- z. Restaurant.
- aa. Restaurant, Drive-In or Fast-Food.
- bb. Retail Sales and Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
- cc. School, Commercial.
- dd. Spa Services.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Manufacturing, Light.
- 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Athletic Facility.
 - d. Auditorium.
 - e. Country Club.
 - f. Hospital.
 - g. Fire Station.
 - h. Park or Playground.
 - i. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - j. Wireless Tower.

D. District Regulations.

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5.).

F. *Open space*. All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

([Ord. No. 718](#), §§ 3, 6, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017)

2.2.14 C-1 neighborhood commercial.

A. *Permitted Principal Uses*. A property in the C-1 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.

- a. Dwelling, 'For-Sale'—in an existing or historic structure only.
- b. Reserved.
- c. Bed and Breakfast.

2. Business Uses.

- a. Art Gallery.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Book Store.
- g. Carpet and Rug Sales.
- h. Clinic.
- i. Contractor's Office without outside storage.
- j. Day Care Center.
- k. Drug Store.
- l. Dry Cleaning Pick-up Station.
- m. Florist, Retail Without Greenhouse.
- n. Gourmet Food Store.
- o. Hardware and Garden Supply Store.
- p. Jewelry Store.
- q. Laundry, Self-Serve, Pick-up.
- r. Office Building or Park.

- s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Reserved.
 - w. Restaurant, without Drive-thru or Drive-In facilities.
 - x. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - y. School, Commercial.
 - z. Shop or Studio, Craftsman/Artist.
 - aa. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Club, association or lodge.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. Public Building.

B. **Accessory Uses.** A property in the C-1 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed forty percent (40%) of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations, herein.
6. Signs, subject to all of the requirements regulating signage herein.

7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Reserved.
 - b. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing
 - c. Automotive Parts.
 - d. Bowling Alley.
 - e. Brewery.
 - f. Check Cashing.
 - g. Church, Synagogue.
 - h. Commercial Parking Lot.
 - i. Contractor's Office with outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Grocery Store.
 - m. Golf, Miniature.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Pest Control Business.
 - q. School, Academic.
 - r. Special Event Facility.
 - s. Rental Services Establishment without outside storage.
 - t. Restaurant, Drive-In or Fast-Food.
 - u. Retail Establishment, Mixed Sales.
 - v. Smoke Shop and Tobacco Store.
 - w. Spa Services.
 3. Semipublic Uses, Utilities.
 - a. Athletic Facility.
 - b. Auditorium.
 - c. Hospital.
 - d. Parking Lot, Commercial.
 - e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—45%.

Maximum Building Height—35 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

([Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 718](#), §§ 6—8, 12-14-2015; [Ord. No. 730](#), §§ 3, 4, 12-5-2016; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), § 4, 7-10-2017; [Ord. No. 772](#), § 2, 2-4-2019)

2.2.15 C-2 general commercial.

A. *Permitted Principal Uses.* A property in the C-2 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.

- a. Dwelling, 'For-Sale'—in an existing or historic structure only.
- b. Bed and Breakfast.

2. Business Uses.

- a. Art Gallery.
- b. Automobile Service Station.
- c. Automotive Parts.
- d. Automotive Service.
- e. Bakery.
- f. Barber Shop.
- g. Bank, Savings and Loan.
- h. Beauty Shop.
- i. Book Store.
- j. Bowling Alley.
- k. Broadcasting Studio (radio or TV).
- l. Building Materials, retail with enclosed storage.

- m. Carpet and Rug Sales.
 - n. Clinic.
 - o. Clubs, fraternity, association or lodge.
 - p. Commercial Parking Lot.
 - q. Reserved.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Drug Store.
 - w. Dry Cleaning Pick-up Station.
 - x. Florist, Retail Without Greenhouse.
 - y. Grocery Store.
 - z. Hardware Store.
 - aa. Home Improvement Store.
 - bb. Laundry, Self-Serve, Pick-up.
 - cc. Liquor Store.
 - dd. Office Building or Park.
 - ee. Pet Day Care.
 - ff. Pet Grooming.
 - gg. Print Shop.
 - hh. Public Building.
 - ii. Recreation Facilities (Indoor).
 - jj. Rental Services Establishment without outside storage.
 - kk. Restaurant.
 - ll. Restaurant, Drive-In or Fast-Food.
 - mm. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - nn. Retail Establishment, Mixed Sales.
 - oo. School, Commercial.
 - pp. Shop or Studio, Craftsman/Artist.
 - qq. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Athletic Facilities.
 - b. Club, association or lodge.
 - c. Hospital.
 - d. Library.

- e. Museum.
- f. Park or Playground.
- g. Parking Lot, Commercial.
- h. School, Academic.

B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following: (See also Supplementary Regulations in this Article.)

1. Dwelling, 'For-Sale' Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.

C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Residential Uses.
 - a. Reserved.
 - b. Reserved.
 - c. Dwelling, Group (congregate housing, nursing home, etc.).
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.

- d. Boutique Hotel.
- e. Brewery.
- f. Car Wash.
- g. Check Cashing.
- h. Church, Synagogue.
- i. Distillery.
- j. Extended Stay Hotel (see Sec. 2.7).
- k. Florist, Retail with Greenhouse.
- l. Funeral Homes.
- m. Golf, Miniature.
- n. Greenhouse with nursery.
- o. Hotel or Motel.
- p. Limousine Service and Taxi.
- q. Massage Therapy (see Sec. 2.7).
- r. Spa Services.
- s. Radio or TV, Transmitter or Studio.
- t. Recreation Facilities (Outdoor).
- u. Small Appliance Repair Shop.
- v. Smoke Shop and Tobacco Store.

w. Special Event Facility.

3. Wholesale, Storage and Industrial Uses.

- a. Wholesale Establishment.

4. Semipublic Uses, Utilities.

- a. Auditorium.
- b. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- c. Recreational Facilities (Outdoor).
- d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5).

([Ord. No. 703](#), § 1, 6-1-2015; [Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 718](#), §§ 5—7, 9, 12-14-2015; [Ord. No. 730](#), §§ 3, 4, 12-5-2016; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 6, 7-10-2017; [Ord. No. 772](#), § 3, 2-4-2019)

2.2.16 PSC planned shopping center.

All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center.

A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, only upon approval as a conditional use by the city council:

1. Residential Uses

- a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
- b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units /acre unless additional density is authorized in accordance with said overlay).

2. Business Uses.

- a. Art Galleries.
- b. Automobile Service Station.
- c. Automotive Parts.
- d. Bakery.
- e. Barber Shop.
- f. Bank, Savings and Loan.
- g. Beauty Shop.
- h. Brewery.
- i. Book Store.
- j. Car Wash.
- k. Carpet and Rug Sales.
- l. Clinic.
- m. Convenience Market with or without gas pumps.
- n. Dance Studio.
- o. Day Care Center.
- p. Distillery.
- q. Drug Store (Pharmacy).
- r. Florist, Retail without Greenhouse.
- s. Grocery Store (max. 50,000 SF in the North Point Overlay).
- t. Hardware Store (max. 50,000 SF in the North Point Overlay).

- u. Home Improvement Store.
- v. Laundry, Self-Serve, Pick-up.
- w. Liquor Store.
- x. Office Building or Park.
- y. Pest Control Business.
- z. Pet Grooming.
- aa. Public Building.
- bb. Recreational Facilities (Indoor).
- cc. Rental Services Establishment without outside storage.
- dd. Restaurant.
- ee. Restaurant, Drive-In or Fast-Food.
- ff. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- gg. Retail Establishment, Mixed Sales.
- hh. Special Event Facility.
- ii. Theater.

- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:

- 1. Residential Uses.
 - a. Reserved.
- 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Automotive Parts.
 - c. Automotive Service.
 - d. Bowling Alley.
- e. Boutique Hotel.
- f. Broadcasting Studio (radio or TV).

- g. Building Materials, retail with enclosed storage.
 - h. Commercial Parking Lot.
 - i. Convenience Center with gas pumps.
 - j. Dry Cleaning Plant.
 - k. Dry Cleaning Plant with pick-up station.
 - l. Florist, Retail with Greenhouse.
 - m. Funeral Home with no cemetery or mausoleum.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Pet Day Care.
 - q. Pet Grooming.
 - r. Print Shop.
 - s. Radio or TV, Transmitter or Studio.
 - t. School, Commercial.
 - u. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Athletic Facility.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Club, fraternity, association or lodge.
 - e. Heliport, public or private.
 - f. Museum.
 - g. Park or Playground.
 - h. Recreational Facilities (Outdoor).
 - i. School, Academic.
 - j. Spa Services.
 - k. Reserved.
 - l. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - m. Wholesale Establishment.
 - n. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers* (See Sec. 2.3.5).

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

1. Pedestrian connectivity to all uses.
2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
3. Accommodations for public transportation.
4. Buildings that face or appear to face public roadways.
5. Appearance standards for buildings and structured parking.
6. Limitations on uninterrupted building elevations.
7. Creation of vistas and view corridors within development.
8. Focal point features at prominent locations and ends of vistas.
9. Incorporation of natural site features.
10. Block lengths conducive to pedestrian traffic.
11. Detention and retention facilities designed to be aesthetically pleasing.
12. Creative methods for stormwater management to provide additional open space.
13. Attractive and usable street furniture in public spaces.
14. Emphasis on a high quality landscape plan.

([Ord. No. 715](#), § 2, 9-28-2015; [Ord. No. 718](#), §§ 3, 4, 12-14-2015; [Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), §§ 2, 4, 6, 7-10-2017; [Ord. No. 767](#), §§ 1—3, 10-22-2018)

2.2.17 L-I industrial.

A. *Permitted Principal Uses.* A property in the L-I district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Greenhouse, Nursery.
2. Business Uses.
 - a. Animal Hospital, small and large animals.

- b. Art Gallery.
- c. Automobile Service Station.
- d. Automotive Parts.
- e. Automotive Sales and Leasing.
- f. Automotive Service.
- g. Bakery.
- h. Bank, Savings and Loan.
- i. Book Store.
- j. Bowling Alley.
- k. Brewery.
- l. Broadcasting Studio (radio or TV).
- m. Building Materials with Outdoor Storage.
- n. Building Materials, Retail with enclosed storage.
- o. Car Wash.
- p. Carpenter Shop, Woodworking.
- q. Carpet and Rug Sales.
- r. Check Cashing.
- s. Church, Synagogue.
- t. Commercial Parking Lot.
- u. Congregate Housing.
- v. Contractor's Office with and without outside storage.
- w. Convenience Market with or without gas pumps.
- x. Dance Studio.
- y. Day Care Center.
- z. Discount Store.
- aa. Distillery.
- bb. Drug Store.
- cc. Dry Cleaning Pick-up Station.
- dd. Fireworks Sales.
- ee. Funeral Home.
- ff. Greenhouse, Nursery.
- gg. Grocery Store.
- hh. Hardware and Garden Center.
- ii. Home, Elderly, Children, Nursing.
- jj. Heliport.
- kk. Home Improvement Store.
- ll. Kennel.

- mm. Laboratory, Research or Commercial.
- nn. Laundry, Self-Serve, Pick-up.
- oo. Liquor Store.
- pp. Massage Therapy (see Sec. 2.7).
- qq. Office Building or Office Park.
- rr. Pawn Shop.
- ss. Pest Control.
- tt. Pet Day Care.
- uu. Pet Grooming.
- vv. Print Shop.
- ww. Radio or TV, Transmitter or Studio.
- xx. Recreation Facilities (Indoor).
- yy. Rental Services Establishment with outside storage.
- zz. Rental Services Establishment without outside storage.
- aaa. Restaurant.
- bbb. Restaurant, Drive-In or Fast-Food.
- ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- ddd. Retail Establishment, Mixed Sales.
- eee. Shop or Studio, Craftsman/Artist.
- fff. Small Appliance Repair Shop.
- ggg. Smoke Shop and Tobacco Store.
- hhh. Spa Services.
- iii. Special Event Facility.
- jjj. Storage, Inside.
- kkk. Tattoo Parlor, Body Piercing.
- lll. Taxidermist.
- mmm. Tire Retreading.
- mmm. Vehicle for Hire Company.

- 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Builder's Equipment.
 - c. Concrete Plant.
 - d. Dry Cleaning Plant.
 - e. Locker, Frozen Food or Cold Storage.
 - f. Machine Shop.
 - g. Manufacturing, Light.

- h. Mini-Warehouse.
 - i. Septic Tank Sales, Construction.
 - j. School, Commercial.
 - k. Storage, Outside.
 - l. Warehouse.
 - m. Welding Shop.
 - n. Wholesale Trade Establishment.
4. Semipublic Uses, Utilities.
- a. Athletic Facility—Outdoor.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Park or Playground.
 - e. Hospital.
 - f. School, Academic.
 - g. Switching Station, Telecom.

B. *Accessory Uses.* A property in the L-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

- 1. Site design.
- 2. Property access.
- 3. Hours of operation of the business.
- 4. Vehicular trips generated by the use.
- 5. Impact of the use on surrounding properties.
- 6. Impact of the use on the natural features of the site.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

- 1.0 *Business Uses.*
- a. Adult Entertainment Establishment (see Sec. 2.7).
 - b. Airport, Public/Private.

- c. Boutique Hotel.
- d. Extended Stay Hotel.
- e. Golf Driving Range.
- f. Glass Fabrication.
- g. Taxidermist.
- h. Tire Retreading.
- i. Theater, Cinema.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Power Station.
- i. Recycling Center.
- j. Salvage Yard.
- k. Sawmill.
- l. Sewage Disposal Plant.
- m. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Reserved.
- c. Church, Synagogue, or other religious institutions.
- d. Museum and Library.
- e. Power Station.
- f. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- g. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;

- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
- d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
- e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
- f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
- g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
- h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;
- i. All solid waste is removed from the transfer station within 24 hours of receipt;
- j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
- k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
- l. The transfer facility must be cleaned at least once every 24 hours;
- m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
- n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
- o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
- p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
- q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
- r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
- s. The transfer station must have adequate storage space for incoming solid waste;
- t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
- u. The facility shall not generate more than 150 total vehicle trips per day;
- v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
- w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
- x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);
 - (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
 - (3) Engineering report. The engineering report must include:
 - (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 *Design Standards.* All transfer stations must meet minimum design requirements as follows:

- a. Unloading and loading areas.
 - (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;
 - (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
 - (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;
 - (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
 - (5) Sufficient internal storage areas must be provided for incoming solid waste;
 - (6) Exhaust removal systems must be installed in enclosed areas; and

- (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 *Expansion or Modification of Existing Facilities.* No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

E. *Screening and buffers (See Sec. 2.3.5).*

([Ord. No. 708](#) , § 1, 8-10-2015; [Ord. No. 715](#) , § 3, 9-28-2015; [Ord. No. 718](#) , §§ 7, 10—12, 12-14-2015; [Ord. No. 741](#) , §§ 2, 3, 6-5-2017; [Ord. No. 744](#) , §§ 2, 3, 5, 6, 7-10-2017)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.
2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments:* A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses:* In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
4. *Office/Institutional:* At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses.* A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. *Residential Uses:*

- a. Dwelling, Group (assisted living facility, progressive care facility).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. *Commercial Uses:*

- a. Bank, Savings & Loan.
- b. Boutique Hotel.
- c. Brewery.
- d. Contractor's Office (no on site storage).
- e. Day Care Center.
- f. Distillery.
- g. Drug Store (Pharmacy).
- h. Entertainment Venue (jazz club, comedy club, dinner theater, etc.).
- i. Grocery Store (max. 50,000 SF in the North Point Overlay).
- j. Hardware Store (max. 50,000 SF in the North Point Overlay).
- k. Hotel/Motel.
- l. Liquor Store.
- m. Outdoor/Indoor Recreation Facilities.
- n. Religious Institution.
- o. School, Commercial.
- p. Spa Services.
- q. Special Event Facility.
- r. Theater, Cinema.

3. *Semipublic Uses, Utilities:*

- a. Athletic Facilities.
- b. Public Building.
- c. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

1. Retail, restaurant, office, and personal service uses at ground level.
2. Pedestrian connectivity to all uses.
3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
4. Accommodations for public transportation.
5. Buildings that face or appear to face public roadways.
6. Appearance standards for buildings and structured parking.
7. Limitations on uninterrupted building elevations.
8. Creation of vistas and view corridors within development.
9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features.
11. Block lengths conducive to pedestrian traffic.
12. Detention and retention facilities designed to be aesthetically pleasing.
13. Creative methods for stormwater management to provide additional open space.
14. Attractive and usable street furniture in public spaces.
15. Emphasis on a high quality landscape plan.
16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

([Ord. No. 702, § 1\(Exh. A\), 3-2-2015](#) ; [Ord. No. 732](#) , § 1, 2-6-2017; [Ord. No. 741](#) , § 4, 6-5-2017; [Ord. No. 744](#) , § 2, 7-10-2017; [Ord. No. 749](#) , §§ 2, 3, 9-18-2017; [Ord. No. 767](#) , § 4(Exh. A), 10-22-2018)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an open circle "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zone district subject to the general provisions of the Unified Development Code. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Special Event Facility	<u>O</u>											<u>O</u>	<u>O</u>		<u>O</u>	<u>O</u>	<u>O</u>	<u>X</u>			<u>O</u>

([Ord. No. 671, § 1, 2-4-2013](#); [Ord. No. 675, § 1, 6-3-2013](#); [Ord. No. 692, § 1\(Exh. 1\), 7-21-2014](#); [Ord. No. 703](#), § 1, 6-1-2015; [Ord. No. 704](#), § 2, 6-1-2015; [Ord. No. 708](#), § 1, 8-10-2015; [Ord. No. 715](#), § 4, 9-28-2015; [Ord. No. 718](#), § 14(Exh. B), 12-14-2015; [Ord. No. 730](#), § 5, 12-5-2016; [Ord. No. 741](#), § 5(Exh. A), 6-5-2017; [Ord. No. 744](#), § 7(Exh. A), 7-10-2017; [Ord. No. 767](#), § 7(Exh. C), 10-22-2018; [Ord. No. 772](#), § 8(Exh. A), 2-4-2019)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

Exhibit “C”

SECTION 2.3 - SUPPLEMENTARY REGULATIONS

2.3.2 Temporary uses.

The Director may authorize a temporary use, as follows:

- A. Carnival, circus or fair, for a period not to exceed 4 days. A period not to exceed 30 days may be granted by the Director if the event is held within a designated amphitheater facility as defined by Code and confirmed by the Director. Site shall meet adequate parking and safety concerns and limit impacts to surrounding properties.
- B. Outdoor tent sales for a period not to exceed forty-five (45) days. Authorization may not be granted more than two (2) times per year, per property.
- C. ~~Seasonal events associated with a not-for-profit for a period not to exceed seventy-five (75) days. Authorization may not be granted more than two (2) times per year, per property. Reserved.~~
- D. Religious meeting in a tent or other temporary structure in the AG, R-10M, CUP, O-I, C-1, and C-2 Districts, for a period not to exceed sixty (60) days.
- E. Open lot sale of Christmas trees, fruit and vegetables, and other harvested products in the AG, O-I, C-1, C-2 and L-I Districts, for a period not to exceed forty-five (45) days.
- F. Real estate sales office, related to an active development, in any district, for a period not to exceed one (1) year, provided no sleeping accommodations are maintained in the structure.
- G. Contractor's office, construction trailer and equipment shed, in any district, related to an active development, for a period of one (1) year provided that such office be placed on the property to which it is appurtenant.
- H. Commercial television or motion picture filming activities not to exceed seven (7) calendar days at any residential location, or a period not to exceed twenty-one (21) days if approved by the Mayor and Council. The director or the Mayor and Council may impose conditions to the issuance of the permit to minimize the disturbance to the residential neighborhood. These conditions may include neighborhood notification requirements, parking and traffic control, and limitations on the hours of operation. In no event shall filming activities commence prior to 7:00 a.m. or continue after 10:00 p.m.
- I. All temporary certificates of zoning compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no increased traffic congestion and will not create a nuisance to surrounding uses.
- J. The director may require City Council review and approval of any temporary uses.
- K. Fireworks sales in a tent or other temporary structure in the L-1 District, for a period not to exceed ninety (90) days.

([Ord. No. 688, § 1, 4-28-2014](#); [Ord. No. 708](#), § 1, 8-10-2015; [Ord. No. 718](#), § 15, 12-14-2015)

2.3.6 Fence and wall requirements.

- A. *Height.* Height of fences and walls used as fences shall not exceed six (6) feet on residential property and eight (8) feet on non-residential property. These limits may be exceeded by up to 50% on sloped lots where the appearance of an even fence line is desired.
- B. *Location on Property.* In order to prevent the obstruction of visibility, no walls, fences, shrubbery or hedges over three (3) feet in height shall be located within twenty (20) feet of an intersection of two or more streets or within ten (10) feet of the edge of a driveway leading to a street. Fences and walls shall be placed at least five (5) feet from required ~~landscape strips and~~ buffers to accommodate construction and maintenance unless approved otherwise at a public hearing.

- C. *Materials.* Fences and walls used as fences shall be made of wood which shall be protected from decay by the use of naturally durable wood or wood that is pressure treated, metal, brick, block, vinyl or stone. The use of plywood/sheet goods as a material is prohibited. Barbed, razor wire or electrically charged fencing shall be permitted in AG and RE districts and may be permitted, subject to administrative review and approval, in other districts.
- D. *Appearance.* All fencing shall be constructed with finished side facing away from the property owners property. Fences and walls used as fences shall not be finished with bright or primary colors or be visually distracting in any other way. A privacy fence or chain link fence along a public or private right-of-way shall only be permitted when the required landscape strip and associated landscape material is provided. Privacy and chain link fences shall be prohibited in a front yard, except that the Director of Community Development, or designee, may approve a privacy fence in the front yard on collector or arterial streets.
- E. *Permit.* A permit for construction shall not be required to erect a fence or wall used as a fence which is built in accordance with these standards. Signage incorporated into such fences shall require a sign permit.

([Ord. No. 720](#) , § 1, 2-22-2016)

Exhibit “D”

APPENDIX A. - ALPHARETTA DOWNTOWN CODE^[1]

ARTICLE 1. - GENERAL PROVISIONS

1.3.2. Relationship between Land Use Categories and Downtown Zoning Districts.

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

- A. The "~~Downtown District~~" "Central Business District" land use category permits the "Downtown Core" zoning district.
- B. The "Mixed-Use ~~Commercial~~ District" land use category permits the "Downtown Mixed-Use" zoning district.
- C. The "Mixed-Use Live-Work District" land use category permits the "Downtown Live-Work" zoning district.
- D. The "~~High Density Residential~~" "Downtown Residential Density" land use category permits the "Downtown Residential" zoning district.
- E. All other land use categories permit the zoning districts identified in the Comprehensive Land Use Plan.

ARTICLE 3. - DOWNTOWN ZONING DISTRICT

Sec. 3.4. - Uses Allowed by District.

3.4.1. Allowed Use Table.

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use standards for both principal and accessory uses are specified in Section 2.3 and Section 2.7 of the Unified Development Code. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Board of Appeals for interpretation.
- B. Principal and accessory uses allowed by district are shown in the table below.

3.4.2. Use Table Key.

- A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.
- B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.
- C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	X	X	O	O
Cemetery				

Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				
Museums & Libraries	X	X	O	
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	X	X	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				
Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	

Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facilities/Fitness Studio	X	X	O	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		

Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		
Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		

Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Shop	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	⊖	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		

Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
<u>Special Event Facility</u>	<u>O</u>	<u>O</u>		
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O	⊖	
Industrial Uses				
Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				
Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				

Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O	⊖	
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				

Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				
Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O	⊖	
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X
Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X

Vehicle access, parking and loading areas	X	X	X	X
---	---	---	---	---

([Ord. No. 741](#), § 4, 6-5-2017; [Ord. No. 744](#), § 2, 7-10-2017)



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-20-11 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – CONDITIONAL USE PERMIT REVIEW
CRITERIA AND DISCOUNT STORE

CITY COUNCIL: AUGUST 24, 2020

This item was heard at the 8/6/2020 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 5-0

II. RECOMMENDATION:

Approve text amendments to the Unified Development Code related to Conditional Use Permit review criteria and definition of Discount Store.

III. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Section 1.4 Definitions, to amend the definition for 'Discount Store' and Subsections 2.2(a) and 4.2.3(B) to add review criteria related to a request for a Conditional Use Permit.

The following sentence was added to the definition of 'Discount Store' for clarification purposes:

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public. This includes, but is not limited to, swap shops, flea markets, antique malls, donation centers, surplus stores and thrift stores.

It is recommended that the following criteria be added to the conditional use permit criteria:

7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches or schools.

IV. ATTACHMENTS:

- UDC Strike Through and Underline Edits

EXHIBIT A

1.4.2 Defined terms.

Words and phrases defined herein shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Ordinance shall be construed to have the meaning given by common and ordinary use as defined by Webster's New International Dictionary, Latest Edition. Figures associated with defined terms in this Section are provided for illustration only and do not limit or change the meaning of the term as defined in writing.

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public. This includes, but is not limited to, swap shops, flea markets, antique malls, donation centers, surplus stores and thrift stores.

EXHIBIT B

UDC 2.2(a) Conditional Use Review Criteria

When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

1. Site design. 2. Property access. 3. Hours of operation of the business. 4. Vehicular trips generated by the use. 5. Impact of the use on surrounding properties. 6. Impact of the use on the natural features of the site. 7. Separation from similar uses and conflicting uses.

UDC 4.2.3

B. Conditional Use Standards. 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;
2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;
3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;
4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;
5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area;
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; and
7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches or schools.

AN ORDINANCE TO AMEND ARTICLES I, II AND IV OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO AMEND THE DEFINITION OF DISCOUNT STORE; TO ADD CONDITIONAL USE REVIEW CRITERIA; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

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

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

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

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

WHEREAS, the City Council desires to amend Articles I, II and IV of the Unified Development Code for the foregoing purposes; and

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

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

Section 1: Article I, Subsection 1.4.2 titled “Defined Terms” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “A” attached hereto as if fully set forth herein; and

Section 2: Article II, Subsection 2.2(a) titled “Conditional Use Review Criteria” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “B” attached hereto as if fully set forth herein; and

Section 3: Article IV, Subsection 4.2.3(B) titled “Conditional Use Standards” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “C” attached hereto as if fully set forth herein; and

Section 4: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City

Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 5: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2020.

Approved:

Jim Gilvin, Mayor

Attest:

COUNCILMEMBERS

Erin Cobb, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

Exhibit “A”

1.4.2 Defined terms.

Words and phrases defined herein shall be interpreted as defined without regard to other meanings in common or ordinary use, unless the context of the word or phrase indicates otherwise. Words and phrases not defined in this Ordinance shall be construed to have the meaning given by common and ordinary use as defined by Webster's New International Dictionary, Latest Edition. Figures associated with defined terms in this Section are provided for illustration only and do not limit or change the meaning of the term as defined in writing.

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public. This includes, but is not limited to, swap shops, flea markets, antique malls, donation centers, surplus stores and thrift stores.

Exhibit “B”

UDC Subsection 2.2(a) Conditional Use Review Criteria

When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

1. Site design. 2. Property access. 3. Hours of operation of the business. 4. Vehicular trips generated by the use. 5. Impact of the use on surrounding properties. 6. Impact of the use on the natural features of the site. 7. Separation from similar uses and conflicting uses.

Exhibit “C”

UDC Subsection 4.2.3

- B. Conditional Use Standards. 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;
 2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;
 3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;
 4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;
 5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area;
 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; and
 7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches or schools.



City Council Meeting & Public Hearing

STAFF REPORT

Submitting Department: Council
Submitted By: Council, Legal
Sponsored By:
Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: CONSIDERATION OF AN EMERGENCY ORDINANCE: REQUIRING THE USE OF MASKS IN CERTAIN PUBLIC PLACES DURING SAID PANDEMIC; ALLOWING ENTITIES TO OPT-OUT OF SAID MASK REQUIREMENT; AND FOR OTHER PURPOSES

II. RECOMMENDATION:

The recommendation is for Mayor and Council to adopt an Emergency Ordinance requiring the use of masks in certain public places during the COVID-19 pandemic, allowing entities to opt-out of the mask requirement and for other purposes.

III. REPORT IN BRIEF:

On August 15, 2020, in response to the COVID-19 pandemic, Governor Brian P. Kemp signed an Executive Order to allow local governments to issue mask mandates. The executive order allows the mask mandate to be enforced on government-owned property as well as private property with the consent of the owner.

The majority consensus among medical professionals based on empirical evidence is that face masks and face coverings reduce the shedding of infected respiratory droplets into the environment and, therefore, reduce the transmission of COVID-19. The Centers for Disease Control and Prevention (the "CDC") of the Department of Health and Human Services of the United States of America ("HHS") has published guidelines that recommend that all persons wear face masks or face coverings in public settings where other social distancing measures may be difficult to maintain.

This emergency ordinance will declare that every person within the municipal limits of the City shall wear a mask covering their mouth and nose at all times while in a public place where social distancing cannot or may be difficult to maintain. Exceptions to this are listed within the ordinance.

The final version of the Emergency Ordinance will be presented at the Monday, August 24, 2020 City Council Meeting and shall become effective immediately upon adoption.

IV. ALTERNATIVES:

V. ATTACHMENTS:

MASK ORDINANCE - 08.24.2020(3837955.6), REDLINE - MASK ORDINANCE - 08.24.2020(3837955.3), Pages From Fulton County Epidemiology Report - 08-24-2020

ORDINANCE NO.: _____

AN EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA UNDER SECTION 2.23 OF THE CHARTER OF THE CITY OF ALPHARETTA, GEORGIA DECLARING A STATE OF EMERGENCY IN THE CITY OF ALPHARETTA, GEORGIA DURING THE PUBLIC EMERGENCY OF THE NOVEL CORONAVIRUS DISEASE 2019 GLOBAL PANDEMIC; REQUIRING THE USE OF MASKS IN CERTAIN PUBLIC PLACES DURING SAID PANDEMIC; ALLOWING ENTITIES TO OPT-OUT OF SAID MASK REQUIREMENT; AND FOR OTHER PURPOSES.

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

WHEREAS, Section 2.23 of the Charter of the City (the "**Charter**") empowers the Mayor and City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property, or public peace; and

WHEREAS, the severe acute respiratory syndrome coronavirus 2, SARS-CoV-2, emerged beginning in late 2019 causing a novel coronavirus disease 2019 ("**COVID-19**") global pandemic; and

WHEREAS, COVID-19 is a respiratory illness that is transmitted through person-to-person contact or by contact with surfaces contaminated with the virus; and

WHEREAS, respiratory droplets, including aerosols, from a person infected with COVID-19 is a major mode of COVID-19 transmission; and

WHEREAS, respiratory droplets may be generated from coughing, sneezing, talking, and breathing; and

WHEREAS, a person infected with COVID-19 may be entirely, or for a period of two (2) to fourteen (14) days after exposure, asymptomatic; and

WHEREAS, a person infected with COVID-19 that is asymptomatic is still infectious and, without mitigation, capable of spreading COVID-19 to other persons; and

WHEREAS, COVID-19 has continued to spread in the metropolitan Atlanta area; and

WHEREAS, if COVID-19 continues to spread in the metropolitan Atlanta area, it may tax, strain, and overly burden public health, safety, and welfare personnel, facilities, and equipment so as to result in unnecessary injury and death; and

WHEREAS, the majority consensus among medical professionals based on empirical evidence is that face masks and face coverings reduce the shedding of infected respiratory droplets into the environment and, therefore, reduce the transmission of COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (the "**CDC**") of the Department of Health and Human Services of the United States of America (the "**HHS**") has published guidelines that recommend that all persons wear face masks or face coverings in public settings where other social distancing measures may be difficult to maintain; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, the President of the United States of America declared a National Public Health Emergency on Friday, March 13, 2020 due to COVID-19; and

WHEREAS, the Governor of the State of Georgia (the "**Governor**"), on Saturday, March 14, 2020, issued Executive Order 03.14.20.01 declaring a State of Emergency in Georgia due to COVID-19; and

WHEREAS, the Georgia General Assembly, by joint resolution, on Monday, March 16, 2020, concurred with the Governor's March 14, 2020 Executive Order declaring a State of Emergency due to COVID-19; and

WHEREAS, on Thursday, April 2, 2020, the Governor issued Executive Order 04.02.20.01 titled "Executive Order to Ensure a Safe & Healthy Georgia" imposing certain terms and restrictions to reduce the transmission of COVID-19; and

WHEREAS, the Governor subsequently issued additional Executive Orders extending the State of Emergency in Georgia and amending and revising the terms and restrictions of Executive Order 04.02.20.01 and, on August 15, 2020, issued Executive Order 08.15.20.01 titled "Empowering a Healthy Georgia" (the "**Executive Order**"); and

WHEREAS, the Executive Order provides that municipalities, such as the City, located in a county that has reached the "Threshold Requirement" may impose a "Local Option Face Covering Requirement;" and

WHEREAS, the "**Threshold Limit**" is defined by the Executive Order as "the prevalence in a county of confirmed cases of COVID-19 over the previous fourteen (14) days . . . equal to or greater than one hundred (100) cases per one hundred thousand (100,000) people according to the Georgia Department of Public Health;" and

WHEREAS, the Executive Order further defines a "**Local Face Covering Requirement**" as "a requirement imposed by a municipal[ity], county, or other government entity that individuals wear face masks or face coverings when not able to maintain Social Distancing from non-cohabitating persons that is permitted by the terms of th[e] Executive Order;" and

WHEREAS, "**Social Distancing**" is defined by the Executive Order as "keeping space between [ones]self and other people outside of [one's] home or place of residence. Persons practicing Social Distancing should stay at least six (6) feet from other people, avoid assembling in groups, avoid crowded places, and avoid large crowds [excepting] . . . cohabitating persons, family units, or roommates residing together in private homes, whether inside or outside of their homes or place of residence;" and

WHEREAS, the Executive Order provides that a "Local Option Face Covering Requirement" must comply with the following:

1. The Local Option Face Covering Requirement shall not be applied to individuals who are eating or drinking, those who have difficulty donning or removing a face mask or face covering without assistance, those who have a bona fide religious objection to wearing a face mask or face covering, or those who have a bona fide medical reason not to wear a face mask or face covering;
2. The Local Option Face Covering Requirement shall not give rise to any fines, fees, penalties (criminal or otherwise)[,] or other cause of action against any private business, establishment, corporation, non-profit corporation, or organization;

3. The Local Option Face Covering Requirement shall not give rise to any fines, fees, or penalties in excess of fifty dollars (\$50.00) against any person per offense, nor shall it be punishable by imprisonment for any term;
4. Enforcement measures may only be taken against individuals. Owners, directors, officers, or agents of any business, establishment, corporation, non-profit corporation, or organization may not be held liable for the failure of their customers to comply with any Local Option Face Covering Requirement;
5. The Local Option Face Covering Requirement shall not be enforced at any Polling Place as defined under . . . [O.C.G.A. §] 21-2-2(27), and no individual shall be denied ingress or egress to or from a Polling Place for failure to wear a face covering or face mask;
6. The Local Option Face Covering Requirement cannot be enforced against individuals on residential property; and
7. The Local Option Face Covering Requirement may be enforced against individuals on private property where the owner or occupant of the property consents to enforcement. Businesses, establishments, corporations, non-profit corporations, and organizations may be required to post reasonable public notice of a Local Option Face Covering Requirement and state whether such business, establishment, corporation, non-profit corporation, or organization consents to enforcement or does not consent to enforcement of such requirement on its property; and

WHEREAS, the Executive Order also directs local governments to warn individuals violating a Local Option Face Covering Requirement "about the health risks posed by not wearing a face mask or face covering prior to issuing any citation and shall make good faith, reasonable efforts to distribute free masks in the[] jurisdiction to individuals who cannot afford a face mask or face covering. A person . . . found in violation of . . . [the] Local Option Face Covering Requirement and who cannot afford a face mask

or face covering shall be provided one at the [City's] . . . expense;" and

WHEREAS, the Executive Order further provides that a municipality, such as the City, has "the authority to control the terms of entry onto property owned or leased by the [City] . . . regardless of whether the Threshold Requirement [has been] . . . met. Controlling terms of entry may include requiring employees or other individuals present on [City] . . . owned or leased property to wear a face mask or face covering; however, no individual shall be denied ingress or egress to or from a Polling Place . . . for failure to wear a face covering or face mask;" and

WHEREAS, the Executive Order further provides that any local government "law, order, ordinance, rule, or regulation that requires persons to wear face coverings, masks, face shields, or any other [p]ersonal [p]rotective [e]quipment while in places of public accommodation or on public property are suspended to the extent that they are more restrictive than th[e] Executive Order or any such law, order, ordinance, rule, or regulation expressly permitted by th[e] Executive Order;" and

WHEREAS, O.C.G.A. § 38-3-28(a) grants political subdivisions the power to supplement the Governor's Executive Orders so long as such actions are consistent with the Governor's Executive Orders; and

WHEREAS, according to the Georgia Department of Public Health, within Fulton County over the past fourteen (14) days there have been substantially greater than one hundred (100) cases per one hundred thousand (100,000) people, and, therefore, the Threshold Limit has been met within Fulton County and the City, as a result, has the authority to impose a Local Face Covering Requirement; and

WHEREAS, based on the foregoing, the Mayor and City Council hereby find that the COVID-19 global pandemic is a public emergency affecting and threatening life, health, property, and public peace; and

WHEREAS, the Mayor and City Council, based on the foregoing, further find that transmission of COVID-19 could be substantially reduced, and, as a result, the number of illnesses, hospitalizations, deaths, and negative economic impacts could be reduced, if all persons wear face masks or face coverings in accordance with this emergency ordinance; and

WHEREAS, the Mayor and City Council hereby find that this emergency ordinance is necessary to protect life, health, property, and public peace; and

WHEREAS, the Mayor and City Council intend this emergency ordinance to be a Local Option Face Covering Requirement within the meaning assigned by, and in compliance in every respect with, and equally or less restrictive than, the Executive Order.

BE IT DECLARED that the Mayor and City Council of the City of Alpharetta, Georgia hereby ordain that an emergency ordinance shall be enacted as follows:

SECTION 1. DECLARATION OF STATE OF EMERGENCY. The Mayor and City Council hereby declare that a state of emergency affecting life, health, property, and public peace exists within the City due to the COVID-19 global pandemic, and incorporate the recitals and WHEREAS provisions of this emergency ordinance as if fully restated.

SECTION 2. FACE MASK OR FACE COVERINGS REQUIRED. During the pendency of this emergency ordinance and any reenactment hereof, the following provisions shall govern this Local Option Face Covering Requirement (as that term is defined by Executive Order 08.15.20.01 (the "**Executive Order**") of Brian Kemp, Governor (the "**Governor**") of the State of Georgia):

2.1. For the purposes of this emergency ordinance, the following words, terms, and phrases, when used herein, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

2.1.1. "**Entity**" means any private business, establishment, corporation, non-profit corporation, organization, or any other business association or entity. The term "Entity" shall also include any sole proprietorship or partnership operating for a non-personal, business or commercial purpose but not organized as a business association or entity.

2.1.2. "**Mask**" means a device that covers the nose and mouth of a person wearing the same and impedes the spread of saliva, respiratory droplets, or other fluids during coughing, sneezing, talking, breathing, or other intentional or involuntary action. The term "Mask" is not limited to medical grade masks; a Mask is any face covering fashioned as advised by the CDC.

2.1.3. **"Social Distancing"** means maintaining at least six (6) feet between oneself and other people outside of one's home or place of residence, excepting cohabitating persons, family units, or roommates residing together in a private dwelling, whether inside or outside of their place of residence.

2.1.4. **"Polling Place"** means, in accordance with O.C.G.A. § 21-2-2(27), the room provided in each precinct for voting at a primary or election.

2.1.5. **"Public Place"** means any place other than a personal vehicle, residential property, Polling Place, or the premises, including the curtilage thereof, of an Entity that has not consented to enforcement of this emergency ordinance on said premises. The term "Public Place" includes all property owned or leased by the City.

2.2. Every person within the municipal limits of the City shall wear a Mask covering their mouth and nose at all times while in a Public Place where Social Distancing cannot or may be difficult to maintain, except when a person:

2.2.1. is eating or drinking;

2.2.2. has difficulty donning or removing a Mask without assistance;

2.2.3. has a bona fide religious objection to wearing a Mask;

2.2.4. has a bona fide medical reason not to wear a Mask;

2.2.5. is under the age of twelve (12) years;

2.2.6. is on the premises of a Polling Place (this provision shall further require that no person be denied ingress or egress to or from a Polling Place for not wearing a Mask);

2.2.7. would be prevented from performing work in the course of employment; or

2.2.8. is complying with the directions of a law enforcement officer.

2.2.9. must remove their Mask so that their identity may be verified, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;

2.3. Every Entity that does not consent to enforcement of this emergency ordinance on its premises shall post, at points of public ingress and egress for the premises of the Entity, a legible sign in, at minimum, one inch font providing the following messages: "The Entity operating this premises does not consent to enforcement of Alpharetta Ordinance No.: _____ requiring Masks in Public Places." Such a sign may still encourage persons on the premises or curtilage thereof to wear Masks.

2.4. Violations of Section 2.2. of this emergency ordinance may be enforced by any Department of Public Safety officer, code enforcement officer, or other law enforcement official, as provided below:

2.4.1. This emergency ordinance shall not be enforced (1) on residential property; (2) on premises owned or leased by an Entity that does not consent to enforcement of this emergency ordinance on said premises and where said Entity has posted on said premises a sign in accordance with Section 2.3 of this emergency ordinance; or (3) against any Entity, or any owner, director, officer, or agent of an Entity.

2.4.2. A person, not subject to an exemption under Section 2.2.1. through Section 2.2.9, who fails to comply with Section 2.2. of this emergency ordinance shall be first given a warning and informed about the health risks posed by not wearing a Mask.

2.4.3. If, after being warned and informed in accordance with Section 2.4.2, the person refuses or fails to comply with Section 2.2 of this emergency ordinance and refuses to leave the Premises, then that person may be subject to a civil penalty of no more than fifty dollars (\$50.00).

2.4.4. A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by the City.

2.4.5. Notwithstanding the foregoing, every effort shall be made to bring a suspected violator into voluntary compliance with the terms of this emergency ordinance prior to issuance of any notice of violation, including providing

complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.

2.4.6. In all locations where facial coverings or masks are not required to be worn pursuant to this emergency ordinance, Masks are strongly encouraged to be worn.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with this emergency ordinance are hereby repealed to the extent of such conflict.

SECTION 4. NO CREATION OF RIGHTS. This emergency ordinance is not intended to and does not create any substantive or procedural right or benefit enforceable in law or in equity by any party (other than the City) against the City, its departments, agencies, officials, employees, agents, or any other person or Entity.

SECTION 5. SEVERABILITY. (1) If any section, subsection, provision, or clause of any part of this emergency ordinance shall be (a) declared invalid or unconstitutional, either on its face or as applied to a particular situation or set of circumstances; and/or (b) in any way in conflict or inconsistent with any Executive Order of the Governor or any other order, rule, or regulation promulgated by the Governor or any agency of the State of Georgia exercising a power derived from the Public Health State of Emergency declared by the Governor on Saturday, March 14, 2020, and subsequently extended, then (y) such invalidity, unconstitutionality, and/or inconsistency shall not be construed to affect the portions of this emergency ordinance not so held to be invalid, unconstitutional, and/or inconsistent; and (z) it is hereby declared as the intent of the Mayor and City Council that this emergency ordinance would have been adopted in its current form without any invalid, unconstitutional, or inconsistent provision contained herein. (2) The provisions of this emergency ordinance are intended and shall be interpreted to be (a) supplemental to and/or designed to enforce the aforementioned Executive Orders of the Governor as well as all other orders, rules, or regulations promulgated by the Governor or any agency of the State of Georgia exercising a power derived from the aforementioned Public Health State of Emergency; and (b) necessary for emergency management purposes.

SECTION 6. EFFECTIVE DATE. This emergency ordinance shall become effective immediately upon adoption.

SECTION 7. AUTOMATIC REPEAL. This emergency ordinance, pursuant to Section 2.23 of the Charter, shall automatically stand repealed at the earlier of: (1) thirty (30) days after the date upon which it is adopted; or (2) the expiration of the authorization for a "Local Option Face Covering Requirement," or the like under the Executive Order or any subsequent Executive Order or other law authorizing the same or the like.

SECTION 8. REENACTMENT. This emergency ordinance may be reenacted and extended for one (1) or more additional periods of thirty (30) or less days (or repealed) upon a meeting of the City Council called by the Mayor or two (2) Councilmembers of the City Council.

SO ORDAINED this _____ day of August 2020 by the Mayor and Council of the City of Alpharetta, Georgia.

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO ORDINANCE No.: _____]

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

(SEAL)

Karen Richard

Attest: Approved as to Form and Legal
Sufficiency:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney

Adopted: _____
3837955

~~DRAFT~~ ~~8.20.2020~~

ORDINANCE NO.: _____

Formatted: Widow/Orphan control

AN EMERGENCY ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA UNDER SECTION 2.23 OF THE CHARTER OF THE CITY OF ALPHARETTA, GEORGIA DECLARING A STATE OF EMERGENCY IN THE CITY OF ALPHARETTA, GEORGIA DURING THE PUBLIC EMERGENCY OF THE NOVEL CORONAVIRUS DISEASE 2019 GLOBAL PANDEMIC; REQUIRING THE USE OF MASKS IN CERTAIN PUBLIC PLACES DURING SAID PANDEMIC; ALLOWING ENTITIES TO OPT-OUT OF SAID MASK REQUIREMENT; AND FOR OTHER PURPOSES.

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

WHEREAS, Section 2.23 of the Charter of the City (the "Charter") empowers the Mayor and City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property, or public peace; and

WHEREAS, the severe acute respiratory syndrome coronavirus 2, SARS-CoV-2, emerged beginning in late 2019 causing a novel coronavirus disease 2019 ("COVID-19") global pandemic; and

WHEREAS, COVID-19 is a respiratory illness that is transmitted through person-to-person contact or by contact with surfaces contaminated with the virus; and

WHEREAS, respiratory droplets, including aerosols, from a person infected with COVID-19 is a major mode of COVID-19 transmission; and

WHEREAS, respiratory droplets may be generated from coughing, sneezing, talking, and breathing; and

WHEREAS, a person infected with COVID-19 may be entirely, or for a period of two (2) to fourteen (14) days after exposure, asymptomatic; and

WHEREAS, a person infected with COVID-19 that is asymptomatic is still infectious and, without mitigation, capable of spreading COVID-19 to other persons; and

WHEREAS, COVID-19 has continued to spread in the metropolitan Atlanta area; and

WHEREAS, if COVID-19 continues to spread in the metropolitan Atlanta area, it may tax, strain, and overly burden public health, safety, and welfare personnel, facilities, and equipment so as to result in unnecessary injury and death; and

WHEREAS, the majority consensus among medical professionals based on empirical evidence is that face masks and face coverings reduce the shedding of infected respiratory droplets into the environment and, therefore, reduce the transmission of COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (the "CDC") of the Department of Health and Human Services of the United States of America (~~the~~ "HHS") has published guidelines that recommend that all persons wear face masks or face coverings in public settings where other social distancing measures may be difficult to maintain; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, the President of the United States of America declared a National Public Health Emergency on Friday, March 13, 2020 due to COVID-19; and

WHEREAS, the Governor of the State of Georgia (the "Governor"), on Saturday, March 14, 2020, issued ~~an~~ Executive Order 03.14.20.01 declaring a State of Emergency in Georgia ~~on Saturday, March 14, 2020~~ due to COVID-19; and

WHEREAS, the Georgia General Assembly, by joint resolution, on Monday, March 16, 2020, concurred with the Governor's March 14, 2020 Executive Order declaring a State of Emergency due to COVID-19; and

WHEREAS, on Thursday, April 2, 2020, the Governor issued Executive Order 04.02.20.01 titled "Executive Order to Ensure a Safe ~~and~~ & Healthy Georgia" imposing certain terms and restrictions to reduce the transmission of COVID-19; and

WHEREAS, the Governor subsequently issued additional Executive Orders extending the State of Emergency in Georgia and amending and revising the terms and restrictions of ~~the aforementioned~~ ~~e~~ Executive ~~e~~ Order 04.02.20.01 and, on August 15, 2020, issued Executive Order 08.15.20.01 titled "Empowering a Healthy Georgia" (the "Executive Order"); and

WHEREAS, the Executive Order provides that municipalities, such as the eCity, located in a county that has reached the "Threshold Requirement" may impose a "Local Option Face Covering Requirement;" and

WHEREAS, the "Threshold Limit" is defined by the Executive Order as "the prevalence in a county of confirmed cases of COVID-19 over the previous fourteen (14) days++ equal to or greater than one hundred (100) cases per one hundred thousand (100,000) people according to the Georgia Department of Public Health;" and

WHEREAS, the Executive Order further defines a "Local Face Covering Requirement" as "a requirement imposed by a municipal[ity], county, or other government entity that individuals wear face masks or face coverings when not able to maintain Social Distancing from non-cohabitating persons that is permitted by the terms of th[e] Executive Order;" and

WHEREAS, "Social Distancing" is defined by the Executive Order as "keeping space between [ones]self and other people outside of [one's] home or place of residence. Persons practicing Social Distancing should stay at least six (6) feet from other people, avoid assembling in groups, avoid crowded places, and avoid large crowds [excepting] . . . cohabitating persons, family units, or roommates residing together in private homes, whether inside or outside of their homes or place of residence;" and

WHEREAS, the Executive Order provides that a "Local Option Face Covering Requirement" must comply with the following:

1. The Local Option Face Covering Requirement shall not be applied to individuals who are eating or drinking, those who have difficulty donning or removing a face mask or face covering without assistance, those who have a bona fide religious objection to wearing a face mask or face covering, or those who have a bona fide medical reason not to wear a face mask or face covering;
2. The Local Option Face Covering Requirement shall not give rise to any fines, fees, penalties (criminal or otherwise)[,] or other cause of action against any private business, establishment, corporation, non-profit corporation, or organization;

3. The Local Option Face Covering Requirement shall not give rise to any fines, fees, or penalties in excess of fifty dollars (\$50.00) against any person per offense, nor shall it be punishable by imprisonment for any term;
4. Enforcement measures may only be taken against individuals. Owners, directors, officers, or agents of any business, establishment, corporation, non-profit corporation, or organization may not be held liable for the failure of their customers to comply with any Local Option Face Covering Requirement;
5. The Local Option Face Covering Requirement shall not be enforced at any Polling Place as defined under ~~Code Section . . . [O.C.G.A. §]~~ 21-2-2(27), and no individual shall be denied ingress or egress to or from a Polling Place for failure to wear a face covering or face mask;
6. The Local Option Face Covering Requirement cannot be enforced against individuals on residential property; and
7. The Local Option Face Covering Requirement may be enforced against individuals on private property where the owner or occupant of the property consents to enforcement. Businesses, establishments, corporations, non-profit corporations, and organizations may be required to post reasonable public notice of a Local Option Face Covering Requirement and state whether such business, establishment, corporation, non-profit corporation, or organization consents to enforcement or does not consent to enforcement of such requirement on its property; and

WHEREAS, the Executive Order also directs local governments to warn individuals violating a Local Option Face Covering Requirement "about the health risks posed by not wearing a face mask or face covering prior to issuing any citation and shall make good faith, reasonable efforts to distribute free masks in the[] jurisdiction to individuals who cannot afford a face mask or face covering. A person . . . found in violation of . . . [the] Local Option Face Covering Requirement and who cannot afford a face mask

or face covering shall be provided one at the [City's] -expense;" and

WHEREAS, the Executive Order further provides that a municipality, such as the City, has "the authority to control the terms of entry onto property owned or leased by the [City] . . . regardless of whether the Threshold Requirement [has been] . . . met. Controlling terms of entry may include requiring employees or other individuals present on [City] . . . owned or leased property to wear a face mask or face covering; however, no individual shall be denied ingress or egress to or from a Polling Place . . . for failure to wear a face covering or face mask;" and

WHEREAS, the Executive Order further provides that any local government "law, order, ordinance, rule, or regulation that requires persons to wear face coverings, masks, face shields, or any other [p]ersonal [p]rotective [e]quipment while in places of public accommodation or on public property are suspended to the extent that they are more restrictive than th[e] Executive Order or any such law, order, ordinance, rule, or regulation expressly permitted by th[e] ~~is~~ Executive Order;" and

WHEREAS, O.C.G.A. § 38-3-28(a) grants political subdivisions the power to supplement the Governor's ~~e~~Executive ~~e~~Orders so long as such actions are consistent with the Governor's ~~e~~Executive ~~e~~Orders; and

WHEREAS, according to the Georgia Department of Public Health, within Fulton County over the past fourteen (14) days there have been substantially greater than one hundred (100) cases per one hundred thousand (100,000) people, and, therefore, the Threshold Limit has been met within Fulton County and the City, as a result, has the authority to impose a Local Face Covering Requirement; and

WHEREAS, based on the foregoing, the Mayor and City Council hereby find that the COVID-19 global pandemic is a public emergency affecting and threatening life, health, property, and public peace; and

WHEREAS, the Mayor and City Council, based on the foregoing, further find that transmission of COVID-19 could be substantially reduced, and, as a result, the number of illnesses, hospitalizations, deaths, and negative economic impacts could be reduced, if all persons wear face masks or face coverings in accordance with this emergency ordinance; and

WHEREAS, the Mayor and City Council hereby find that this emergency ordinance is necessary to protect life, health, property, and public peace; and

WHEREAS, the Mayor and City Council intend this emergency ordinance to be a Local Option Face Covering Requirement within the meaning assigned by, and in compliance in every respect with, and equally or less restrictive than, the Executive Order.

BE IT DECLARED that the Mayor and City Council of the City of Alpharetta, Georgia hereby ordain that an emergency ordinance shall be enacted as follows:

SECTION 1. DECLARATION OF STATE OF EMERGENCY. The Mayor and City Council hereby declare that a state of emergency affecting life, health, property, and public peace exists within the City due to the COVID-19 global pandemic, and incorporate the recitals and WHEREAS provisions of this emergency ordinance as if fully restated.

SECTION 2. FACE MASK OR FACE COVERINGS REQUIRED. During the pendency of this emergency ordinance and any reenactment hereof, the following provisions shall govern this Local Option Face Covering Requirement (as that term is defined by Executive Order 08.15.20.01 (the "**Executive Order**") of Brian Kemp, Governor (the "**Governor**") of the State of Georgia):

2.1. For the purposes of this emergency ordinance, the following words, terms, and phrases, when used herein, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

2.1.1. "**Entity**" means any private business, establishment, corporation, non-profit corporation, ~~or~~ organization, or any other business association or entity. The term "Entity" shall also include any , including a sole proprietorship or partnership operating for a non-personal, business or commercial purpose but not organized as a business association or entity.

2.1.2. "**Mask**" means a device that covers the nose and mouth of a person wearing the same and impedes the spread of saliva, respiratory droplets, or other fluids during coughing, sneezing, talking, breathing, or other intentional or involuntary action. The term "Mask" is not limited to medical grade masks; a Mask is any face covering fashioned as advised by the CDC.

2.1.3. "Social Distancing" means maintaining at least six (6) feet between oneself and other people outside of one's home or place of residence, excepting cohabitating persons, family units, or roommates residing together in a private dwelling, whether inside or outside of their place of residence.

2.1.4. "Polling Place" means, in accordance with O.C.G.A. § 21-2-2(27), the room provided in each precinct for voting at a primary or election.

2.1.5. "Public Place" means any place other than a personal vehicle, residential property, Polling Place, or the premises, including the curtilage thereof, of an Entity that has not consented to enforcement of this emergency ordinance on said premises. The term "Public Place" includes all property owned or leased by the City.

2.2. Every person within the municipal limits of the City shall wear a Mask covering their mouth and nose at all times while in a Public Place where Social Distancing cannot or may be difficult to maintain, except when a person:

2.2.1. is eating or drinking;

2.2.2. has difficulty donning or removing a Mask without assistance;

2.2.3. has a bona fide religious objection to wearing a Mask;

2.2.4. has a bona fide medical reason not to wear a Mask;

2.2.5. is under the age of twelve (12) years;

2.2.6. is on the premises of a Polling Place ~~(+)~~ this provision shall further require that no person be denied ingress or egress to or from a Polling Place for not wearing a Mask ~~);~~ ~~:-~~

2.2.7. would be prevented from performing work in the course of employment; ~~or~~

2.2.8. is complying with the directions of a law enforcement officer ~~;~~ ~~:-~~

2.2.9. must remove their Mask so that their identity may be verified, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;

2.3. Every Entity that does not consent to enforcement of this emergency ordinance on its premises shall post, at points of public ingress and egress for the premises of the Entity, a legible sign in, at minimum, one inch font providing the following messages: "The Entity operating this premises does not consent to enforcement of Alpharetta Ordinance No.: _____ requiring Masks in Public Places." Such a sign may still encourage persons on the premises or curtilage thereof to wear Masks.

2.4. Violations of Section 2.2. of this emergency ordinance may be enforced by any Department of Public Safety officer, code enforcement officer, or other law enforcement official, as provided below:

2.4.1. This emergency ordinance shall not be enforced (1) on residential property; (2) on premises owned or leased by an Entity that does not consent to enforcement of this emergency ordinance on said premises and where said Entity has posted on said premises a sign in accordance with Section 2.3 of this emergency ordinance; or (3) against any Entity, or any owner, director, officer, or agent of an Entity.

2.4.2. A person, not subject to an exemption under Section 2.2.1. through Section 2.2.9, who fails to comply with ~~paragraph~~ Section 2.2. of this emergency ordinance shall be first given a warning and informed about the health risks posed by not wearing a Mask.

2.4.3. If, after being warned and informed in accordance with Section 2.4~~5~~.2, the person refuses or fails to comply with Section 2.2 of this emergency ordinance and refuses to leave the Premises, then that person may be subject to a civil penalty of no more than fifty dollars (\$50.00).

2.4.4. A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by the City.

2.4.5. Notwithstanding the foregoing, every effort shall be made to bring an individual suspected violator into voluntary compliance with the terms of this emergency ordinance prior to issuance of any notice of violation, including providing

complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.

2.4.6. In all locations where facial coverings or masks are not required to be worn pursuant to this emergency ~~Ordinance~~, ~~they~~ Masks are strongly encouraged to be worn.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict with this emergency ordinance are hereby repealed to the extent of such conflict.

SECTION 4. NO CREATION OF RIGHTS. This emergency ordinance is not intended to and does not create any substantive or procedural right or benefit enforceable in law or in equity by any party (other than the City) against the City, its departments, agencies, officials, employees, agents, or any other person or Entity.

SECTION 5. SEVERABILITY. (1) If any section, subsection, provision, or clause of any part of this emergency ordinance shall be (a) declared invalid or unconstitutional, either on its face or as applied to a particular situation or set of circumstances; and/or (2b) in any way in conflict or inconsistent with any Executive Order of the Governor or any other order, rule, or regulation promulgated by the Governor or any agency of the State of Georgia exercising a power derived from the Public Health State of Emergency declared by the Governor on Saturday, March 14, 2020, and subsequently extended, then (y) such invalidity, unconstitutionality, and/or inconsistency shall not be construed to affect the portions of this emergency ordinance not so held to be invalid, unconstitutional, and/or inconsistent; and (2z) it is hereby declared as the intent of the Mayor and City Council that this emergency ordinance would have been adopted in its current form without any invalid, unconstitutional, or inconsistent provision contained herein. (2) The provisions of this emergency ordinance are intended and shall be interpreted to be (1a) supplemental to and/or designed to enforce the aforementioned Executive Orders of the Governor as well as all other orders, rules, or regulations promulgated by the Governor or any agency of the State of Georgia exercising a power derived from the aforementioned Public Health State of Emergency; and (2b) necessary for emergency management purposes.

SECTION 6. EFFECTIVE DATE. This emergency ordinance shall become effective immediately upon adoption.

SECTION 7. AUTOMATIC REPEAL. This emergency ordinance, pursuant to Section 2.23 of the Charter, shall automatically stand repealed at the earlier of: (1) thirty (30) days after the date upon which it is adopted; or (2) the expiration of the authorization for a "Local Option Face Covering Requirement," or the like under the Executive Order or any subsequent ~~Executive~~ Order or other law authorizing the same or the like.

SECTION 8. REENACTMENT. This emergency ordinance may be reenacted and extended for one (1) or more additional periods of thirty (30) or less days (or repealed) upon a meeting of the City Council called by the Mayor or two (2) Councilmembers of the City Council.

SO ORDAINED this _____ day of August 2020 by the Mayor and Council of the City of Alpharetta, Georgia.

Formatted: Widow/Orphan control

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO ORDINANCE No.: _____]

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

(SEAL)

Karen Richard

Attest: Approved as to Form and Legal
Sufficiency:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney

Adopted: _____
3837955

Formatted: Centered, Widow/Orphan control

Formatted: Widow/Orphan control

Formatted: Widow/Orphan control

Formatted: Widow/Orphan control



ATLANTA-FULTON COUNTY EMERGENCY MANAGEMENT AGENCY

130 Peachtree Street SW | Suite G-157 | Atlanta, Georgia 30303
Office (404) 612-5660 | Fax (404) 730-5625
afcema@afcema.com

COVID-19
SITUATION REPORT
AUGUST 24, 2020
1700 HRS

Fulton Board of Health Report – Full reports can be found at <http://fultoncountyboh.org/boh/index.php/367-2019-novel>

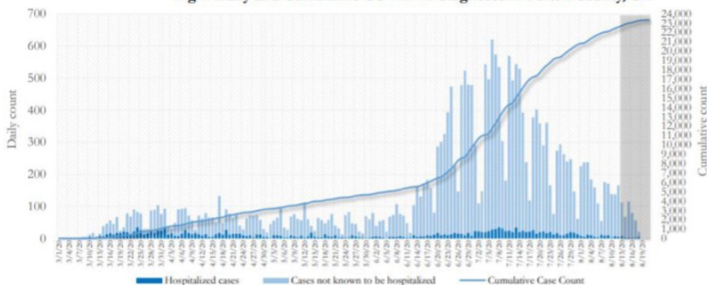


Fulton County Board of Health Epidemiology Report COVID-19 Diagnoses – 8/21/2020

SUMMARY

- As of August 21, 2020, Fulton County has recorded **23,335** cases of the 2019 novel coronavirus (COVID-19) and **487** deaths.
- Of 2,426 **new diagnoses** made between August 1 and August 14, the central portion of the county (Atlanta metro) accounted for 35% while the northern and southern parts accounted for 30% and 21% respectively.
- By city, **new COVID-19 diagnoses** rates range from 153.0 per 100,000 persons (Johns Creek) to 457.5 per 100,000 persons (Palmetto). [Fulton County Diagnoses Rates (per 100,000 persons): Cumulative – 2193.3; Incident – 228.0]. See map showing incident case rate by ZIP code on Pg.4.
- Among all persons diagnosed with COVID-19 in Fulton County, 8.8% required hospitalization and 2.1% died.
- Residents and staff of long-term care facilities account for 7.7% of COVID-19 diagnoses and 44.1% of COVID-19 deaths in Fulton County.

Fig 1. Daily and Cumulative COVID-19 diagnoses in Fulton County, GA



*Counts shown reflect the number of confirmed cases as of 9:00am on 8/21/20 using the date of first positive sample collection. Where date of sample collection was not available or missing, the date of report creation in GA SENDSS was used instead. **Note:** All data reported are preliminary and subject to change. Delays in data reporting may cause changes in data counts, particularly in the shaded portion.

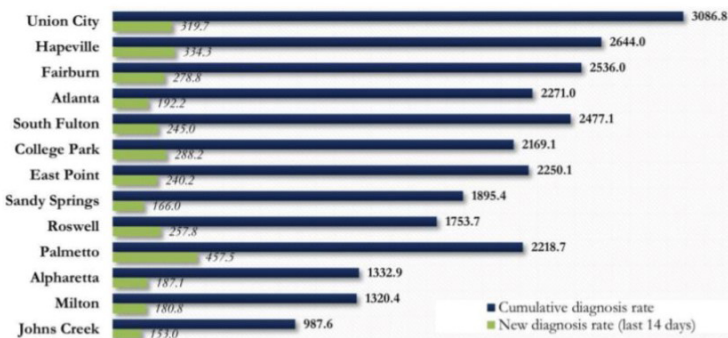


COVID-19 CASE COUNTS AND RATES BY CITY

	Prior (8/19/20)	Current Total (8/21/20)			New Cases (Period: 7/17/20 – 8/14/20 ³)			
	Count	Count	%	Cum. Rate ²	1 st 14 d. (7/17-7/31)	Last 14 d. (8/01-8/14)	% change ³	Rate ⁴ (Last 14 d.)
Atlanta	9765	10019	42.9%	2271.0	1426	848	↓ 40.5%	192.2
South Fulton	2306	2356	10.1%	2477.1	376	233	↓ 38.0%	245.0
Sandy Springs	1979	1998	8.6%	1895.4	310	175	↓ 43.5%	166.0
Roswell	1596	1653	7.1%	1753.7	374	243	↓ 35.0%	257.8
East Point	764	787	3.4%	2250.1	146	84	↓ 42.5%	240.2
Johns Creek	792	826	3.5%	987.6	162	128	↓ 21.0%	153.0
Union City	635	647	2.8%	3086.8	99	67	↓ 32.3%	319.7
Alpharetta	833	862	3.7%	1332.9	206	121	↓ 41.3%	187.1
Milton	484	504	2.2%	1320.4	87	69	↓ 20.7%	180.8
Fairburn	369	373	1.6%	2536.0	69	41	↓ 40.6%	278.8
College Park	291	301	1.3%	2169.1	51	40	↓ 21.6%	288.2
Palmetto	97	97	0.4%	2218.7	10	20	↑ 100.0%	457.5
Hapeville	167	174	0.7%	2644.0	20	22	↑ 10.0%	334.3
Mountain Park	5	5	0.0%	800.0	<10	<10	-	320.0
Chattahooche Hills	0	0	0.0%	-	-	-	-	-
Unknown	3252	2733	11.7%	-	504	328	-	-

¹New cases: Cases diagnosed in most recent 28 days (based on reported dates of positive sample collection). To allow for lag in reporting results of new diagnoses from samples collected in the most recent week, data used for incident diagnoses analyses were moved back by one week. ²Cumulative diagnosis rate: Population estimates from US Census Bureau used to calculate cumulative diagnoses rate. All rates shown are per 100,000 persons. ³% change: These reflect the percentage increase or decrease in new diagnoses between the 14 days preceding the most recent 7 days and the 14 days preceding that. Changes in cities with less than 10 cases in both 2 week intervals are not reported. ⁴[Incidence] Rate: Rate of new diagnoses in the last 14 day period preceding the immediate past week. ⁵Data cleaning (either during case interviews or address geo-coding) may lead to reassignment of few cases from one territory to another based on their corrected addresses. These may appear as "decreases" when compared to the previous day's count. These do not reflect errors in the data collection or analysis process but only reflect the minor day-to-day fluctuations in case counts that arise in an evolving public health database like COVID's. Note: All data reported are preliminary and subject to change.

Fig. 3. Incident & Cumulative Diagnoses Rates for COVID-19 by City



⁶Rates shown are per 100,000 persons | Note: Mass testing in specific locations (e.g. long term care facilities) may cause sharp increases in the cumulative rate of COVID-19 diagnosis in those territories. All data shown are preliminary and are subject to change as testing results get updated.



City Council Meeting & Public Hearing

STAFF REPORT

Submitting Department: Public Safety

Submitted By: Phillip Seabolt

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: CONSIDERATION OF AN ORDINANCE TO ADD CERTAIN PROVISIONS GOVERNING ENFORCEMENT OF VIOLATIONS OF CHAPTER 20 OF THE CITY CODE; TO PROVIDE REGULATIONS GOVERNING RECORD RETENTION AND COMPLIANCE FILINGS OF FIRE, LIFE SAFETY, AND RELATED RECORDS (1ST READING)

II. RECOMMENDATION:

Staff is recommending that Mayor and Council adopt an ordinance to add certain provisions governing enforcement of violations of Chapter 20 of the City Code; to provide regulations governing record retention and compliance filings of fire, life safety, and related records and third-party software and for other purposes.

III. REPORT IN BRIEF:

On August 26, 2019, Mayor and Council adopted Ordinance 783. This ordinance pertains to the maintenance and reporting of records for Fire and Life Safety Systems in Chapter 20 of the Code of the City of Alpharetta. Staff is requesting to amend this ordinance by adding the following section regarding Enforcement Powers.

Sec. 20-11. - Enforcement powers. The director of public safety, or his designees or officers, are authorized to enforce the provisions of the fire prevention code and this chapter. This authority shall include the power to arrest by the issuance of a citation and impose penalties in accordance with Section 1-8 of the Code of The City. With respect to this Chapter 20, the director of public safety may, but in no way is required to, promulgate, and from time to time amend, a list of applicable fees and penalties.

The goal of this ordinance amendment is to reduce man hours and increase compliance with fire and life safety infractions. It is not to be a revenue generator but a compliance generator. We only anticipate a small amount of fines being issued. Staff would still provide non-compliant locations a 7, 14, or 30 day window to correct the violation before a fine would be issued.

The passing of this amendment would reduce man hours spent attempting to get violators to become compliant. This would increase productivity and efficiency and potentially reduce overtime of the Fire Marshal staff.

IV. ALTERNATIVES:

V. ATTACHMENTS:

FIRE AND LIFE SAFETY INSPECTION - FEE AND SOFTWARE(3838066.1) (002)

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO DELETE, MODIFY, AND ADD CERTAIN PROVISIONS GOVERNING ENFORCEMENT OF VIOLATIONS OF CHAPTER 20 OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO PROVIDE REGULATIONS GOVERNING RECORD RETENTION AND COMPLIANCE FILINGS OF FIRE, LIFE SAFETY, AND RELATED RECORDS AND THIRD-PARTY SOFTWARE RELATED TO THE SAME; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

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

WHEREAS, Chapter 20 (Fire Prevention and Protection) of The Code of the City of Alpharetta, Georgia (the "Code") provides regulations related to fire prevention and life safety; and

WHEREAS, the City Council has determined that it is appropriate and desires to provide for implementation of a reporting and document/data management and storage system (the "Software") for records (the "Records") of fire and life safety inspections, tests, and required maintenance; and

WHEREAS, the City Council desires to contract with a third-party vendor to supply the Software; and

WHEREAS, the City of Alpharetta shall retain all rights and access to the documents/data stored and collected by the Software; and

WHEREAS, the Software will (1) decrease the administrative resources required to manage and organize the Records; (2) increasing the efficiency of the Department of Public Safety (the "Department") of the City with respect to all Records-related activities; and (3) facilitate enforcement and compliance efforts of the Department related to the Records; and

WHEREAS, the City desires to require Records be maintained on the premises of the facility, complex, building, or structure to which a Record pertains; and

WHEREAS, based on the foregoing, the City Council concludes that this ordinance is in the best interest of the public health, safety, and welfare of the citizens of the City; and

NOW, THEREFORE, BE IT ORDAINED that it is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Alpharetta, Georgia (the "Code"), and the codifier is authorized to make the specified, deletions, insertions, additions, and to insert headings, article numbers, and section numbers as and where appropriate; and it is

FURTHER ORDAINED:

Section 1 of Amendment. Article I of Chapter 20 (Fire Prevention and Protection) of the Code is hereby amended by deleting Section 20-11 in its entirety and replacing it with the following:

Sec. 20-11. - Enforcement powers. The director of public safety, or his designees or officers, are authorized to enforce the provisions of the fire prevention code and this chapter. This authority shall include the power to arrest by the issuance of a citation and impose penalties in accordance with Section 1-8 of the Code of The City. With respect to this Chapter 20, the director of public safety may, but in no way is required to, promulgate, and from time to time amend, a list of applicable fees and penalties.

Section 2 of Amendment. Chapter 20 (Fire Prevention and Protection) of the Code is hereby amended by adding a new Article IV to read as follows:

"ARTICLE IV. RECORD RETENTION AND COMPLIANCE FILING OF FIRE AND LIFE SAFETY RECORDS.

"Section 20-69.- DEFINITIONS. The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Facility" means a commercial, industrial, or multi-family facility, complex, building, or structure within the municipal limits of the City of Alpharetta, Georgia.

"Record" means any report, memorandum, correspondence, or the like related to any fire and life safety systems inspection, test, and required maintenance conducted at the intervals prescribed in any applicable fire code (See e.g., Georgia Comp. R. & Regs. 120-3-3-.01, *et seq.*).

"Record Custodian" shall mean the third party, of the City's choosing, providing reporting and document/data management and storage system software for Records.

Section 20-70. - ON-PREMISES RECORD RETENTION. All Records related to a Facility and any of the following shall be maintained on the premises of the Facility in a location where Records may be safely stored and, upon request, produced in a timely fashion, for a period of no less than three (3) years from the date the Record was created:

- (a) Automatic Fire Sprinkler System(s);
- (b) Fire Alarm System(s);
- (c) Commercial Hood Cleaning(s);
- (d) Commercial Hood Suppression System(s);
- (e) Standpipe System(s);
- (f) Smoke Control System(s);
- (g) Private Hydrant System(s);
- (h) Fire Pump(s);
- (i) Spray Paint Booth(es);
- (j) Emergency Generator(s);
- (k) Cleaning Agent Suppression System(s);
- (l) Underground Storage Tank(s); and/or
- (m) Elevator or other Lift System(s).

Section 20-71.-COMPLIANCE FILINGS. Every Record required, under Section 20-70, to be maintained on the premises of a Facility shall, at the sole cost of the owner of the Facility, be provided to the Record Custodian, by the method and in the format specified by the Record Custodian.

Section 3 of Amendment. All ordinances or parts of ordinance in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 4 of Amendment. If any section, subsection, provision, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 5 of Amendment. This Ordinance shall become effective immediately upon adoption.

SO ORDAINED this ____ day of _____ 2020 by the Mayor and City Council of The City of Alpharetta, Georgia.

[SIGNATURES ON FOLLOWING PAGE]

[SIGNATURE PAGE TO ORDINANCE No.: _____]

THE CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCILMEMBERS

Jason Binder

Ben Burnett

John Hipes

Dan Merkel

Donald Mitchell

(SEAL)

Karen Richard

Attest: APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

Erin Cobb, City Clerk

C. Sam Thomas, City Attorney

First Reading: _____

Second Reading: _____

Adopted: _____
3838066



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Public Works

Submitted By: Arash Moradkhani

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: TRADEWINDS PARKWAY EXTENSION TRAFFIC IMPACT STUDY

II. RECOMMENDATION:

Please award the project for Tradewinds Parkway traffic impact study to Moffatt & Nichol in the amount of \$75,480.00 and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$75,480.00

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Unallocated Capital (30190200-579000)	\$75,480.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
N/A	\$0.00

IV. REPORT IN BRIEF:

The Georgia Department of Transportation (GDOT) plans to add new, optional express lanes from the North Springs Marta Station to McFarland Parkway to improve traffic mobility within the GA 400 corridor. One of the proposed Express Lanes access points would be north of Webb Bridge Road at a new extension of Tradewinds Parkway. Tradewinds Parkway would be extended across GA 400 and connects to Westside Parkway. In order to evaluate impacts of this access point on traffic mobility at neighboring intersections and corridors, a traffic study is necessary for intersection and corridor Level of Service (LOS) analysis to examine the existing and projecting future conditions. The study will provide recommendations to mitigate the traffic impacts. The study area is Windward Parkway to the north, Webb Bridge Road to the south, North Point Parkway to the east, and Westside Parkway to the west.

The Department of Public Works contacted multiple engineering consulting firms to submit proposals and pricing. A total of six proposals were received as follows:

Bidder	Total
KCI Technologies	\$42,500.00
LOWE Engineers	\$60,060.00
Moffatt & Nichol	\$75,480.00
POND & Company	\$77,000.00
ARCADIS	\$80,800.00
Kimley-Horn	\$87,250.00

With each consulting firm employing different approaches to address the project's scope, the average total costs from six firms is \$70,515.00 with the lowest firm's price being significantly below the average (i.e., more

than one standard deviation less than the average- which is statistically considered as an outlier). After a detailed review of all proposals, it is evident that methodologies and roadway network modeling techniques proposed by KCI Technologies and LOWE Engineers are not on the same level as Moffatt & Nichol.

Moffatt & Nichol is a consulting firm with years of experience in transportation planning, traffic engineering, and roadway & interchange design projects. Additionally, tasks and extent of the work described in Moffatt & Nichol's proposal are more comprehensive compared to other five bidders. The major difference between the Moffatt & Nichol's and the other five proposals is modeling approaches; Moffatt & Nichol utilizes multiple software packages for simulation and modeling of the study area to capture traffic impacts. Some of the recent projects by Moffatt & Nichol that are with similar scopes to Tradewinds Parkway project are State Route 81 Corridor Study, and Brampton Road Connector from State Route 21 / State Route 25 to State Route 21 Spur, both for the GDOT.

Staff met with representatives of Moffatt & Nichol on March 13, 2020 and reviewed the project's scope and the City's expectations, with a follow up verification on August 13, 2020. Considering the importance of the current project and providing opportunities for qualified consulting firms to evaluate the City's transportation network, it is recommended to award the project to Moffatt & Nichol to perform the necessary traffic studies associated with the current project.

Once the project has been awarded to Moffatt & Nichol, the study will begin immediately. A preliminary report of the study results will be available in three months after the NTP, and the final report will be complete two months after reviewing the preliminary report and providing comments to Moffatt & Nichol. In addition to utilizing new traffic counts, the study will be based on the latest approved Traffic Flow Diagrams available for the GA 400 Express Lanes projected for years 2026 and 2046, received from the GDOT. Due to the existing COVID-19 pandemic, historical data and project growth of the area pre-Covid will be one of the components in preparing the study.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Moffatt and Nichol_Proposal for Tradewinds Pkwy Extension, Few Pages from a Sample Project_SR 81 Corridor Study_GDOT_From Moffatt and Nichol, 0001757_10_Traffic Flow Diagrams, Tradewinds Extension Study Area (002)



moffatt & nichol

1201 Peachtree Street NE
Suite 1106
Atlanta, GA 30361
(404) 205-8530

March 12, 2020

Mr. Arash Moradkhani, PE
Transportation Engineering Manager
1790 Hembree Road
Alpharetta, GA 30009

re: Professional Traffic Services Proposal for Tradewinds Parkway

Dear Arash,

This Moffatt & Nichol (M&N) proposal is submitted as requested for the consideration of the City of Alpharetta for professional services for traffic engineering study for Tradewinds Parkway. The City of Alpharetta recognizes the need to study this corridor with a focus on minimizing congestion and delays along the corridor.

1. Scope

The subject of this proposal, will include the following items:

- A.** M&N will obtain current Turning Movement Counts (TMC) along the corridor and develop design year traffic projections based on historic background growth and potential development for the following intersections:
 - 1. Westside Parkway at Webb Bridge Road
 - 2. Webb Bridge Road at Morris Road
 - 3. Webb Bridge Road at North Point Parkway
 - 4. North Point Parkway at Tradewinds Parkway
 - 5. Tradewinds Parkway at Morris Road
 - 6. Morris Road at Morris Road
 - 7. North Point Parkway at Morris Road
 - 8. North Point Parkway at Lighthouse Lane
 - 9. North Point Parkway at Dryden Road
 - 10. North Point Parkway at Windward Parkway
 - 11. Windward Parkway at GA 400 Northbound Ramp
 - 12. Windward Parkway at GA 400 Southbound Ramp
 - 13. Windward Parkway at HP / The Plaza
 - 14. Windward Parkway at Westside Parkway
 - 15. Westside Parkway at Innovation Way
 - 16. Westside Parkway at Cumming Street
 - 17. Westside Parkway at Tradewinds Parkway
- B.** M&N will obtain current traffic counts along the following corridor and develop design year traffic projections based on historic background growth and potential development:
 - 1. Webb Bridge Road between Westside Parkway and North Point Parkway
 - 2. North Point Parkway between Webb Bridge Road and Windward Parkway
 - 3. Windward Parkway between North Point Parkway and Westside Parkway
 - 4. Westside Parkway between Windward Parkway and Webb Bridge Road

C. Report and Recommendations

- M&N will prepare a Traffic Engineering (TE) Report that outlines model parameters, data used, and forecasts developed. The TE Report will also include recommendations for traffic operations at each of the intersections.
- M&N will develop traffic Models for existing, no build, and build conditions
- M&N will study turn lane storage

It is our understanding that this assessment will not involve the design of roundabouts, signals, lane configuration, and turn lanes.

2. COMPENSATION

M&N proposes a Lump Sum fee of \$75,480 (510 hours) for professional services to complete the assessment as described above.

We appreciate this opportunity to partner with the City of Alpharetta, and you will find that M&N is a true partner that will serve with a focus on the City's best interests. We look forward to working with you and your staff. Please let me know if you need any additional information.

Sincerely,

MOFFATT & NICHOL



R. Christopher Marsengill, PE, PTOE
Principal in Charge
enclosure: Detailed Fee Estimate

City of Alpharetta Transportation Engineering Department
Scope of Services, Fee Schedule, and Project Engineering Cost Estimate

Project: Tradewinds Parkway Extension Traffic Study
 Project No: RFP #
 Fee Type: Lump Sum
 Prime: Moffatt & Nichol
 Date: 10-Mar-2020



Item Description		Total Cost	Total Subs & Vendors	Other Direct Expenses	Labor Cost	Labor Rates and Hours							Vendors
						Moffatt & Nichol							
						Total Hours	Principal	Project Manager	Senior Transp. Engineer	Transp. Engineer	Transp. Technician	Clerical	
TOTAL		\$ 75,480.00	\$ 6,950.00	\$ -	\$ 68,530.00	510	-	-	118	262	130	-	\$ 6,950.00
1	Project Coordination meetings (2 Meetings)	\$ 1,824.00	\$ -	\$ -	\$ 1,824.00	12	-	-	6	6	-	-	\$ -
2	Data Gathering for 17 Intersections	\$ 21,334.00	\$ 5,950.00	\$ -	\$ 15,384.00	102	-	-	48	54	-	-	\$ 5,950.00
3	Data Gathering for Webb Bridge Road between Westside Parkway and North Point Parkway	\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	-	\$ 250.00
4	Data Gathering for North Point Parkway between Webb Bridge Road and Windward Parkway	\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	-	\$ 250.00
5	Data Gathering for Windward Parkway between North Point Parkway and Westside Parkway	\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	-	\$ 250.00
6	Data Gathering for Westside Parkway between Windward Parkway and Webb Bridge Road	\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	-	\$ 250.00
7	Traffic Volumes	\$ 4,856.00	\$ -	\$ -	\$ 4,856.00	36	-	-	8	20	8	-	\$ -
8	Traffic Modeling (Synchro + VISSIM)	\$ 37,498.00	\$ -	\$ -	\$ 37,498.00	292	-	-	40	154	98	-	\$ -
9	Reporting	\$ 8,968.00	\$ -	\$ -	\$ 8,968.00	68	-	-	16	28	24	-	\$ -

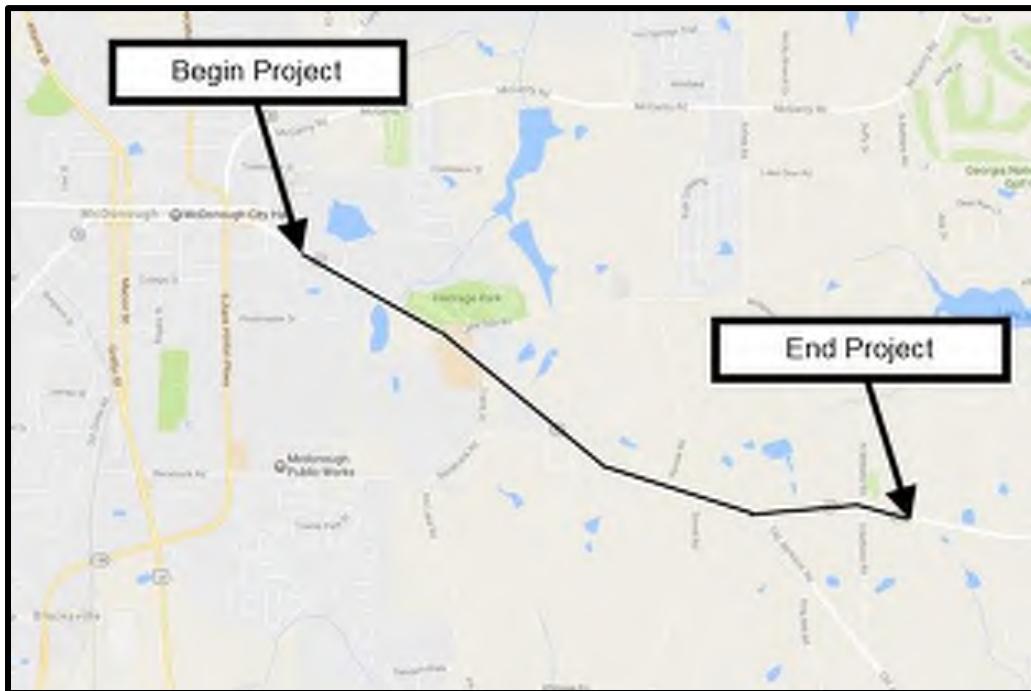
City of Alpharetta Transportation Engineering Department
Scope of Services, Fee Schedule, and Project Engineering Cost Estimate
 Project: Tradewinds Parkway Extension Traffic Study
 Project No: RFP #
 Fee Type: Lump Sum
 Prime: Moffatt & Nichol
 Date: 10-Mar-2020



					Labor Rates and Hours							Vendors			
					Moffatt & Nichol										
					Total Hours	Principal	Project Manager	Senior Transp. Engineer	Transp. Engineer	Transp. Technician	Clerical				
Item Description					Total Cost	Total Subs & Vendors	Other Direct Expenses	Labor Cost							
1	Project Coordination meetings (2 Meetings)				\$ 1,824.00	\$ -	\$ -	1,824.00	12			6	6		
					\$ 1,824.00	\$ -		\$ 1,824.00	12			6	6		
2	Data Gathering for 17 intersections				\$ 21,334.00	\$ 5,950.00	\$ -	\$ 15,384.00	102	-	-	48	54	-	\$ 5,950.00
	Existing Traffic Counts (For 17 Intersections) - at min. 48-hour turning movement counts				\$ 5,950.00	\$ 5,950.00		\$ -	-						\$ 5,950.00
	Existing Field Condition (Ex: Posted Speeds, Lane Configuration, Turn Bay Lengths Google or Bing Maps)				\$ 5,392.00	\$ -		\$ 5,392.00	36			16	20		
	Field Visit				\$ 3,648.00	\$ -		\$ 3,648.00	24			12	12		
	Data Sufficiency/Check				\$ 872.00	\$ -		\$ 872.00	6			2	4		
	Calibration Data (Speed, TT, TMVs, Link Vols) - Travel Time runs				\$ 5,472.00	\$ -		\$ 5,472.00	36			18	18		
3	Data Gathering for Webb Bridge Road between Westside Parkway and North Point Parkway				\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	\$ 250.00
	Existing Traffic Counts				\$ 250.00	\$ 250.00		\$ -	-						\$ 250.00
4	Data Gathering for North Point Parkway between Webb Bridge Road and Windward Parkway				\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	\$ 250.00
	Existing Traffic Counts				\$ 250.00	\$ 250.00		\$ -	-						\$ 250.00
5	Data Gathering for Windward Parkway between North Point Parkway and Westside Parkway				\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	\$ 250.00
	Existing Traffic Counts				\$ 250.00	\$ 250.00		\$ -	-						\$ 250.00
6	Data Gathering for Westside Parkway between Windward Parkway and Webb Bridge Road				\$ 250.00	\$ 250.00	\$ -	\$ -	-	-	-	-	-	-	\$ 250.00
	Existing Traffic Counts				\$ 250.00	\$ 250.00		\$ -	-						\$ 250.00
7	Traffic Volumes				\$ 4,856.00	\$ -	\$ -	\$ 4,856.00	36	-	-	8	20	8	\$ -
	Existing Condition AM and PM Volume Development				\$ 2,272.00	\$ -		\$ 2,272.00	16			4	12		
	Future Year AM and PM Volume Development				\$ 2,584.00	\$ -		\$ 2,584.00	20			4	8	8	
8	Traffic Modeling (Synchro + VISSIM)				\$ 37,498.00	\$ -	\$ -	\$ 37,498.00	292	-	-	40	154	98	\$ -
	2020 Existing Condition AM - Synchro model development				\$ 1,292.00	\$ -		\$ 1,292.00	10			2	4	4	
	2020 Existing Condition PM - Synchro model development				\$ 1,712.00	\$ -		\$ 1,712.00	14			2	4	8	
	2040 No-Build AM - Synchro model development				\$ 1,292.00	\$ -		\$ 1,292.00	10			2	4	4	
	2040 No-Build PM - Synchro model development				\$ 1,292.00	\$ -		\$ 1,292.00	10			2	4	4	
	2040 Build AM - Synchro model development				\$ 2,660.00	\$ -		\$ 2,660.00	22			2	8	12	
	2040 Build PM - Synchro model development				\$ 1,766.00	\$ -		\$ 1,766.00	14			2	6	6	
	Existing Condition AM - VISSIM model development				\$ 3,640.00	\$ -		\$ 3,640.00	28			4	16	8	
	Existing Condition PM - VISSIM model development				\$ 1,712.00	\$ -		\$ 1,712.00	14			2	4	8	
	Model Calibration and Validation - Calibration based Vol & TT (Setting up parameters, validation criteria, data filtering, post processing)				\$ 7,904.00	\$ -		\$ 7,904.00	64			8	24	32	
	Model validation, runs and MOEs compilation				\$ 1,820.00	\$ -		\$ 1,820.00	14			2	8	4	
	2040 No-Build Condition AM - VISSIM model development				\$ 1,928.00	\$ -		\$ 1,928.00	14			2	12	-	
	2040 No-Build Condition PM - VISSIM model development				\$ 1,928.00	\$ -		\$ 1,928.00	14			2	12	-	
	Model validation, runs and MOEs compilation				\$ 1,820.00	\$ -		\$ 1,820.00	14			2	8	4	
	2040 Build Condition AM - VISSIM/TransModeler model development				\$ 2,984.00	\$ -		\$ 2,984.00	22			2	20	-	
	2040 Build Condition PM - VISSIM/TransModeler model development				\$ 1,928.00	\$ -		\$ 1,928.00	14			2	12	-	
	Model validation, runs and MOEs compilation				\$ 1,820.00	\$ -		\$ 1,820.00	14			2	8	4	
9	Reporting				\$ 8,968.00	\$ -	\$ -	\$ 8,968.00	68	-	-	16	28	24	\$ -
	Traffic Modeling Results Memo				\$ 6,792.00	\$ -		\$ 6,792.00	51			15	16	20	
	Improvement Exhibits				\$ 856.00	\$ -		\$ 856.00	7			1	2	4	
	QA / QC Reports				\$ 1,320.00	\$ -		\$ 1,320.00	10				10		

SR 81 Corridor Study:
Post Master Drive to Bethany Road
Henry County, Georgia
PI No. 0015089

January 24, 2020



PREPARED FOR:



Georgia Department of Transportation

PREPARED By:



1201 Peachtree Street NE, Suite 1106
Atlanta, GA 30361

Table of Contents

1. Executive Summary.....	1
2. Introduction	2
2.1. Background	2
2.2. Purpose	2
2.3. Approach.....	2
2.4. Report Outline.....	2
3. Methodology.....	2
3.1. Logical Termini	2
3.2. Crash Analysis	3
3.3. Corridor and Intersection Analysis.....	3
3.4. Measures of Effectiveness	3
4. Existing Conditions Analysis.....	4
4.1. Roadway Network Conditions	4
4.1.1. Study Area	4
4.1.2. Corridor Access	5
4.1.3. Pavement Condition	6
4.2. Traffic Conditions	6
4.2.1. Existing Volumes	6
4.2.2. Validation	7
4.2.3. Calibration.....	9
4.2.4. Level of Service	10
4.3. Safety	11
4.3.1. Total Crash Rate	11
4.3.2. Crash Summary by Intersection	12
4.3.3. Fatal Crash Frequency.....	13
4.3.4. Crash Type and Location	13
5. Future Travel Demands.....	13
5.1. Growth Rate Methodology	13
5.2. Atlanta Regional Commission (ARC) Travel Demand Model Volumes	14
5.3. Forecasted Traffic	14
6. 2025 No Build Alternative Traffic Analysis.....	15

7.	Build Scenarios	16
7.1.	Conceptual Designs/Improvements.....	16
7.1.1.	Scenario 1.....	17
7.1.2.	Scenario 2.....	17
7.1.3.	Scenario 3.....	18
7.2.	Roundabout Feasibility	18
8.	2025 Build Scenarios Traffic Analysis.....	18
9.	2045 No Build Alternative Traffic Analysis.....	20
10.	2045 Build Scenario Traffic Analysis	22
10.1.	2045 Build Scenario 1 and 2.....	22
10.2.	2045 Build Scenario 3.....	25
11.	Conclusion/Recommendations.....	27

List of Tables

Table 1: Signalized Intersection LOS	4
Table 2: Stop Controlled/Roundabout Intersection LOS	4
Table 3: Traffic Tube Count Locations.....	6
Table 4: Turning Movement Count Locations.....	7
Table 5: Existing Models GEHs	8
Table 6: Travel Time Calibration	9
Table 7: Existing Delay/LOS.....	10
Table 8: Crash Types	11
Table 9: Crash Summary by Intersection	12
Table 10: Model Volumes and Growth Rates	14
Table 11: 2025 No Build Delay/LOS	15
Table 12: 2025 Build Scenario Delay/LOS	19
Table 13: 2045 No Build Delay/LOS	21
Table 14: 2045 Build Scenario Delay/LOS	23
Table 15: 2045 Build Scenario 3 Delay/LOS	25

List of Figures

Figure 1: Study Area	5
----------------------------	---

List of Appendices

Appendix A: Existing Signal Timings	
Appendix B: Existing and Future Volume Figures and Counts	
Appendix C: Existing GEH Outputs	
Appendix D: Existing Travel Time Runs	
Appendix E: Existing Delay Outputs	
Appendix F: Crash Diagrams and Reports	
Appendix G: 2025 No Build GEH and Delay	
Appendix H: Build Concept Drawing	
Appendix I: Roundabout Analysis Outputs	
Appendix J: 2025 Build Scenarios' GEH and Delay	
Appendix K: 2045 No Build GEH and Delay	
Appendix L: 2045 Build Scenarios' GEH and Delay	
Appendix M: 2045 Build Scenario 3 GEH and Delay	

1. Executive Summary

The SR 81 corridor in Henry County, Georgia is an east-west commuter and truck route running between McDonough (in the vicinity of I-75) and Covington (in the vicinity of I-20), a distance of approximately 25 miles. Henry County and the City of McDonough have experienced significant residential and commercial growth along the SR 81 corridor in recent years. The purpose of the study is to analyze intersection types and improvements along the corridor. PI No. 0015089 proposes the widening of SR 81 from the eastern terminus of PI No. 321530 to Bethany Road. A raised median will be included in the project to control access and reduce left-turn conflict locations.

In the 2025 build year, the existing facility begins to degrade to unacceptable LOS. Build scenarios were developed to help process the future volumes. A four lane facility for SR 81 was extended from west of Lakemont Drive to Bethany Road for all build scenarios. The difference in the build scenarios are the type of intersection control used at different intersections.

In 2045, each of the build scenarios degrade to an unacceptable LOS because of the intersection control for SR 81 at Lakemont Drive/Post Master Drive and lack of southbound volume being able to enter the network. Also, east of Bethany Road needs to increase to a four lane section, so the study area can process enough volume.

Recommendations are:

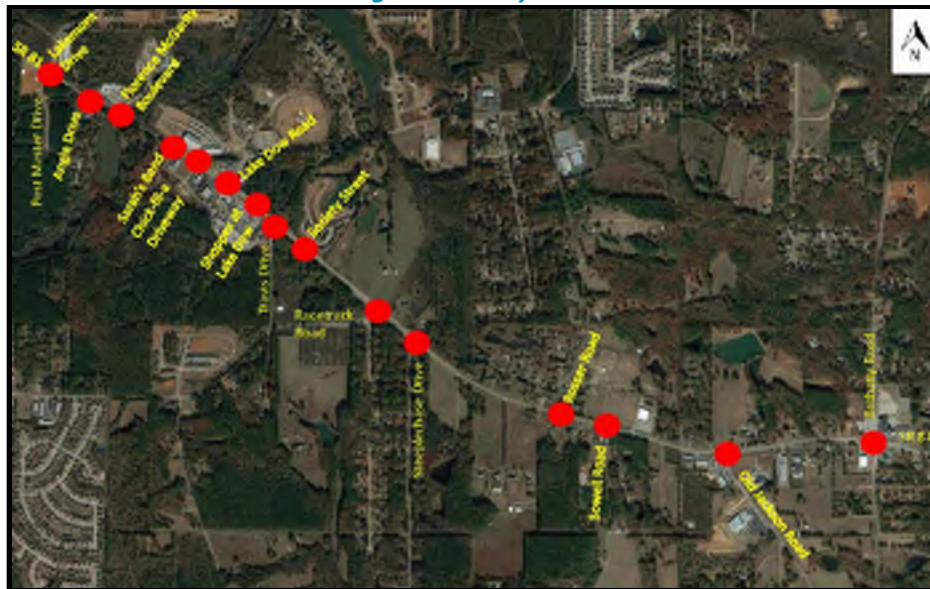
1. Post Master Drive/Lakemont Drive	Roundabout
2. Angie Drive	Right-in and right-out
3. Florence McGarity Boulevard	Unsignalized RCUT
4. Sarah's Bend	Right-in and right-out
5. Chick-fil-a Driveway	Right-in and right-out
6. Shoppes at Lake Dow	Unsignalized RCUT
7. Travis Drive	Right-in and right-out
8. Society Street	Unsignalized RCUT
9. Steeplechase Drive	Unsignalized RCUT
10. Rosser Road	Unsignalized RCUT
11. Sowell Road	Unsignalized RCUT
12. Old Jackson Road	Added northbound permissive U-Turn
13. Bethany Road	Two NB and two SB through lanes

Master Drive and extends to a point east of Bethany Road. The study corridor and related intersections are illustrated in **Figure 1**.

Northbound for the purpose of this report is SR 81 towards Covington, GA. Southbound is towards McDonough, GA.

Existing signal timings can be found in **Appendix A**.

Figure 1: Study Area



15 intersections were modeled for the analysis. The intersecting roads to SR 81 included in the model are:

- Post Master Drive/Lakemont Drive
- Angie Drive
- Florence McGarity Boulevard
- Sarah's Bend
- Chick-fil-a Driveway
- Lake Dow Road
- Shoppes at Lake Dow
- Travis Drive
- Society Street
- Racetrack Road
- Steeplechase Drive
- Rosser Road
- Sowell Road
- Old Jackson Road
- Bethany Road

4.1.2. Corridor Access

As stated earlier, SR 81 in Henry County is a commuter and truck route connecting McDonough and Covington, Georgia. Additionally, it provides access to residential and commercial developments along the corridor. Businesses along the corridor include those typical of a commuter route including gas stations, convenience stores, grocery stores, restaurants, strip malls, etc. It also provides access to a community park, a library, and a senior center. Driveway access along the corridor is by-permit through the GDOT. The study project will include an access management plan designed to reduce crash frequency by minimizing conflict points along the corridor. Access will be controlled by a raised median throughout the length of the project.

4.2.4. Level of Service

As **Table 7** shows, the existing intersections all operate with an acceptable LOS. A few of the stop controlled intersections experience an overall delay above the LOS D threshold, but the minor approaches at these intersections serve relatively low volumes.

Table 7: Existing Delay/LOS

Intersection	Movement	AM Peak Hour		PM Peak Hour	
		Delay (Veh/sec)	LOS	Delay (Veh/sec)	LOS
SR 81 at Lakemont Drive/Postmaster Drive*	NB	0.6	A	1.2	A
	EB	5.7	A	6.1	A
	SB	1.8	A	1.7	A
	WB	4.5	A	5.5	A
	Overall	3.4	A	5.0	A
SR 81 at Angie Drive*	NB	1.3	A	1.9	A
	SB	0.3	A	0.2	A
	WB	11.5	B	14.1	B
	Overall	11.5	B	14.1	B
SR 81 at Florence Mcgarity Boulevard*	NB	1.8	A	1.7	A
	EB	0.0	A	12.8	B
	SB	0.8	A	0.8	A
	Overall	8.1	A	10.5	B
SR 81 at Sarah's Bend*	NB	0.3	A	2.6	A
	SB	0.7	A	2.0	A
	WB	15.0	B	16.0	C
	Overall	15.0	B	12.9	B
SR 81 at Chick-fil-a Driveway*	NB	0.8	A	5.9	A
	SB	1.7	A	2.2	A
	WB	8.6	A	24.1	C
	Overall	6.3	A	19.6	C
SR 81 at Lake Dow Road	NB	8.0	A	16.6	B
	EB	39.7	D	30.5	C
	SB	12.2	B	16.8	B
	WB	27.8	C	31.0	C
	Overall	19.0	B	20.7	C
SR 81 at Shoppes at Lake Dow	NB	0.6	A	8.4	A
	SB	4.4	A	5.6	A
	WB	8.9	A	28.5	D
	Overall	4.6	A	21.3	C
SR 81 at Travis Drive	NB	0.7	A	7.8	A
	SB	1.7	A	3.8	A
	WB	11.1	B	44.7	E
	Overall	10.0	A	37.3	E
SR 81 at Society Street	NB	0.2	A	10.5	B
	EB	9.9	A	21.3	C
	SB	0.8	A	1.2	A
	Overall	8.8	A	12.9	B
SR 81 at Racetrack Road	NB	12.9	B	43.1	D
	SB	7.6	A	28.3	C
	WB	10.8	B	33.5	C
	Overall	9.0	A	35.2	D
SR 81 at Steeplechase Drive	NB	0.7	A	3.7	A
	SB	1.4	A	4.0	A
	WB	8.0	A	21.0	C
	Overall	6.7	A	20.7	C

*Stop controlled intersection

6. 2025 No Build Alternative Traffic Analysis

For the No-Build analysis, the existing volumes were grown to the 2025 Base Year and analyzed under existing roadway geometries. As **Table 11** shows, the intersections begin to degrade with the increase in volumes. In the PM peak hour, the GEH thresholds are not met along the corridor indicating that actual delays could be worse than what the model is predicting. The greatest factor contributing to the severe delays projected is the bottleneck in SR 81 at Racetrack Road. This intersection lacks the capacity to process the northbound volume projected for 2025. The two-lane cross-section cannot process enough volume to allow gaps for the stop controlled intersections.

Table 11: 2025 No Build Delay/LOS

Intersection	Movement	AM Peak Hour		PM Peak Hour	
		Delay (Veh/sec)	LOS	Delay (Veh/sec)	LOS
SR 81 at Lakemont Drive/Postmaster Drive	NB	0.7	A	86.2	F
	EB	6.3	A	24.5	C
	SB	1.9	A	2.3	A
	WB	4.4	A	217.3	F
	Overall	3.6	A	78.5	F
SR 81 at Angie Drive	NB	1.7	A	39.3	E
	SB	0.3	A	0.2	A
	WB	12.4	B	21.3	C
	Overall	10.5	B	16.8	C
SR 81 at Florence Mcgarity Boulevard	NB	2.1	A	24.1	C
	EB	0.0	A	261.6	F
	SB	0.9	A	0.9	A
	Overall	5.4	A	163.6	F
SR 81 at Sarah's Bend	NB	0.4	A	38.2	E
	SB	0.9	A	3.4	A
	WB	17.1	C	32.5	D
	Overall	13.3	B	25.5	D
SR 81 at Chick-fil-a Driveway	NB	1.1	A	48.0	E
	SB	1.9	A	3.0	A
	WB	10.7	B	279.8	F
	Overall	7.9	A	171.1	F
SR 81 at Lake Dow Road	NB	9.8	A	55.8	E
	EB	89.1	F	53.4	D
	SB	13.7	B	20.2	C
	WB	33.6	C	87.8	F
	Overall	31.9	C	48.8	D
SR 81 at Shoppes at Lake Dow	NB	0.7	A	35.7	E
	SB	7.7	A	10.5	B
	WB	11.9	B	56.5	F
	Overall	6.1	A	37.5	E
SR 81 at Travis Drive	NB	0.8	A	27.0	D
	SB	4.0	A	6.6	A
	WB	16.4	C	148.7	F
	Overall	14.8	B	115.4	F

**Stop control intersection*

Table 11: 2025 No Build Delay/LOS (continued)

Intersection	Movement	AM Peak Hour		PM Peak Hour	
		Delay (Veh/sec)	LOS	Delay (Veh/sec)	LOS
SR 81 at Society Street	NB	0.3	A	29.6	D
	EB	10.7	B	119.3	F
	SB	1.6	A	2.1	A
	Overall	9.9	A	68.2	F
SR 81 at Racetrack Road	NB	15.7	B	71.9	E
	SB	10.3	B	55.9	E
	WB	11.9	B	64.8	E
	Overall	11.5	B	63.1	E
SR 81 at Steeplechase Drive	NB	0.9	A	3.3	A
	SB	2.7	A	31.5	D
	WB	10.7	B	68.3	F
	Overall	9.1	A	55.2	F
SR 81 at Rosser Road	NB	3.7	A	9.5	A
	EB	25.0	C	102.9	F
	SB	2.2	A	5.4	A
	Overall	23.2	C	69.4	F
SR 81 at Sowell Road	NB	0.8	A	6.8	A
	SB	1.5	A	4.8	A
	WB	18.3	C	43.8	E
	Overall	15.8	C	40.5	E
SR 81 at Old Jackson Road	NB	8.2	A	16.2	B
	SB	12.7	B	12.0	B
	WB	31.9	C	42.2	D
	Overall	14.6	B	19.0	B
SR 81 at Bethany Road	NB	11.0	B	27.4	C
	EB	30.8	C	34.1	C
	SB	12.9	B	17.0	B
	WB	22.3	C	29.7	C
	Overall	15.6	B	25.3	C

**Stop control intersection*

Appendix G includes GEHs and delay outputs for the 2025 No Build alternative for each intersection, approach, and movement.

7. Build Scenarios

7.1. Conceptual Designs/Improvements

Four scenarios were explored during concept development:

1. Widening to the north (left)
2. Widening to the south (right)
3. Widening to both sides
4. No build

Scenarios 1 through 3 included widening the existing corridor from two lanes to four lanes to extend the two through lanes in each direction from the one-way pairs east of McDonough through the intersection at Bethany Road. Each of these scenarios included a raised median, and each satisfied the project need

and purpose. Scenario 3, however, proved to be the least impactful to the natural and manmade environment, private properties, and utilities along the project corridor. Conceptual drawings for Scenario 3 are included as **Appendix H**.

The location of median openings and intersection control were essentially the same in each of the three build scenarios, and three intersection control scenarios were evaluated as discussed below.

7.1.1. Scenario 1

Traffic Analysis Scenario 1 included the following intersection control configuration along the SR 81 corridor. An asterisk (*) in the list below indicates that the proposed control type is the same as the existing condition.

1. Post Master Drive/Lakemont Drive	Side road stop (two legs)*
2. Angie Drive	Right-in and right-out
3. Florence McGarity Boulevard	Side road stop (one leg)*
4. Sarah's Bend	Right-in and Right-out
5. Chick-fil-a Driveway	Right-in and Right-out
6. Lake Dow Road	Signalized*
7. Shoppes at Lake Dow	Side road stop (one leg)*
8. Travis Drive	Right-in and right-out
9. Society Street	Side road stop (one leg)*
10. Racetrack Road	Signalized*
11. Steeplechase Drive	Side road stop (one leg)*
12. Rosser Road	Side road stop (one leg)*
13. Sowell Road	Side road stop (one leg)*
14. Old Jackson Road	Signalized*
15. Bethany Road	Signalized*

Scenario 1 operates at an acceptable LOS for the 2025 Base Year, but fails under the traffic projected for the 2045 Design Year.

7.1.2. Scenario 2

Traffic Analysis Scenario 2 matches Scenario 1 with the following changes:

1. Post Master Drive/Lakemont Drive	Two-lane roundabout
2. Florence McGarity Boulevard	Unsignalized RCUT
7. Shoppes at Lake Dow	Unsignalized RCUT
9. Society Street	Unsignalized RCUT
11. Steeplechase Drive	Unsignalized RCUT
12. Rosser Road	Unsignalized RCUT
13. Sowell Road	Unsignalized RCUT
14. Old Jackson Road	Added northbound permissive U-Turn
15. Bethany Road	Signalized*; two NB and two SB lanes

Scenario 2 operates at an acceptable LOS for the 2025 Base Year, but fails under the traffic projected for the 2045 Design Year.

7.1.3. Scenario 3

Traffic Analysis Scenario 3 matches Scenario 2 except for the Post Master Drive/Lakemont Drive intersection which was changed to a signalized intersection. Scenario 3 is summarized as follows:

1. Post Master Drive/Lakemont Drive	Signalized
2. Angie Drive	Right-in and right-out
3. Florence McGarity Boulevard	Unsignalized RCUT
4. Sarah's Bend	Right-in and Right-out
5. Chick-fil-a Driveway	Right-in and Right-out
6. Lake Dow Road	Signalized*
7. Shoppes at Lake Dow	Unsignalized RCUT
8. Travis Drive	Right-in and right-out
9. Society Street	Unsignalized RCUT
10. Racetrack Road	Signalized*
11. Steeplechase Drive	Unsignalized RCUT
12. Rosser Road	Unsignalized RCUT
13. Sowell Road	Unsignalized RCUT
14. Old Jackson Road	Signalized with northbound permissive U-Turn
15. Bethany Road	Signalized*; two NB and two SB lanes

Since Scenarios 1 and 2 operated at an acceptable LOS for the 2025 Base Year, Scenario 3 was only analyzed for the 2045 Design Year.

7.2.Roundabout Feasibility

GDOT's Roundabout Analysis Tool 4.1 was used to assess the feasibility of roundabouts at the five major intersections. Of these, only the SR 81 at Postmaster Drive intersection warranted further roundabout analysis. The GDOT's Roundabout Analysis Tool 4.1 outputs can be found in **Appendix I**.

8. 2025 Build Scenarios Traffic Analysis

When compared to the 2025 No Build Alternative, the 2025 Build Scenarios show improvement in operational performance at each of the intersections within the project limits. **Table 12** lists 2025 Build Scenarios' delays and LOS at each intersection for the three build scenarios outlined in section 7 above.

Table 12: 2025 Build Scenario Delay/LOS

Intersection	Movement	2025 No Build				2025 Build Scenario 1				2025 Build Scenario 2			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Lakemont Drive/ Postmaster Drive**	NB	0.7	A	86.2	F	0.2	A	0.4	A	2.8	A	5.4	A
	EB	6.3	A	24.5	C	4.5	A	4.5	A	12.0	B	9.5	A
	SB	1.9	A	2.3	A	1.0	A	1.1	A	8.0	A	5.5	A
	WB	4.4	A	217.3	F	1.9	A	3.7	A	15.0	C	9.6	A
	Overall	3.6	A	78.5	F	0.1	A	0.2	A	12.1	B	9.6	A
SR 81 at Angie Drive*	NB	1.7	A	39.3	E	0.1	A	0.1	A	0.1	A	0.2	A
	SB	0.3	A	0.2	A	6.8	A	7.7	A	0.1	A	0.1	A
	WB	12.4	B	21.3	C	6.8	A	7.7	A	6.9	A	8.0	A
	Overall	10.5	B	16.8	C	0.2	A	0.2	A	6.9	A	8.0	A
SR 81 at Florence McGarity Boulevard*	NB	2.1	A	24.1	C	0.2	A	0.2	A	0.2	A	0.2	A
	SB	0.3	A	0.2	A	9.4	A	8.6	A	8.1	A	7.5	A
	WB	12.4	B	21.3	C	6.0	A	6.6	A	0.4	A	0.4	A
	Overall	10.5	B	16.8	C	0.2	A	0.5	A	6.2	A	6.5	A
SR 81 at Sarah's Bend*	NB	0.4	A	38.2	E	0.2	A	0.1	A	0.2	A	0.5	A
	SB	0.9	A	3.4	A	0.2	A	0.1	A	0.2	A	0.2	A
	WB	17.1	C	32.5	D	6.2	A	8.2	A	6.3	A	8.0	A
	Overall	13.3	B	25.5	D	6.2	A	8.2	A	6.3	A	8.0	A
SR 81 at Chick-fil-a Driveway*	NB	1.1	A	48.0	E	0.8	A	2.9	A	0.7	A	1.7	A
	SB	1.9	A	3.0	A	0.4	A	0.3	A	0.4	A	0.4	A
	WB	10.7	B	279.8	F	9.2	A	10.5	B	9.3	A	10.6	B
	Overall	7.9	A	171.1	F	9.2	A	10.5	B	9.3	A	10.6	B
SR 81 at Lake Dow Road	NB	9.8	A	55.8	E	8.7	A	10.5	B	9.2	A	11.2	B
	EB	89.1	F	53.4	D	29.7	C	29.4	C	29.6	C	31.6	C
	SB	13.7	B	20.2	C	16.2	B	19.1	B	16.4	B	19.7	B
	WB	33.6	C	87.8	F	29.2	C	30.1	C	29.4	C	31.2	C
	Overall	31.9	C	48.8	D	18.8	B	18.2	B	19.0	B	19.2	B
SR 81 at Shoppes at Lake Dow*	NB	0.7	A	35.7	E	0.3	A	1.5	A	0.4	A	1.9	A
	SB	7.7	A	10.5	B	2.1	A	2.5	A	2.1	A	2.5	A
	WB	11.9	B	56.5	F	8.9	A	12.8	B	8.4	A	11.8	B
	Overall	6.1	A	37.5	E	5.5	A	10.4	B	5.4	A	10.2	B
SR 81 at Travis Drive*	NB	0.8	A	27.0	D	0.6	A	2.0	A	0.6	A	2.4	A
	SB	4.0	A	6.6	A	0.3	A	0.7	A	1.0	A	0.7	A
	WB	16.4	C	148.7	F	7.4	A	9.8	A	7.5	A	10.2	B
	Overall	14.8	B	115.4	F	7.4	A	9.8	A	7.5	A	10.2	B
SR 81 at Society Street*	NB	0.3	A	29.6	D	0.1	A	0.6	A	0.1	A	0.8	A
	EB	10.7	B	119.3	F	9.0	A	8.1	A	7.6	A	8.1	A
	SB	1.6	A	2.1	A	1.0	A	1.1	A	1.0	A	1.1	A
	Overall	9.9	A	68.2	F	7.2	A	4.6	A	6.5	A	5.4	A
SR 81 at Racetrack Road	NB	15.7	B	71.9	E	13.1	B	19.5	B	13.3	B	19.8	B
	SB	2.7	A	31.5	D	5.9	A	11.1	B	6.1	A	12.3	B
	WB	10.7	B	68.3	F	10.4	B	17.4	B	10.5	B	18.0	B
	Overall	9.1	A	55.2	F	7.8	A	15.7	B	8.0	A	16.4	B

*Stop control intersection

**In Scenario 2, the intersection is a round-a-bout

Table 12: 2025 Build Scenario Delay/LOS (continued)

Intersection	Movement	2025 No Build				2025 Build Scenario 1				2025 Build Scenario 2			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Steeplechase Drive*	NB	0.9	A	3.3	A	0.4	A	0.7	A	0.5	A	1.4	A
	SB	2.7	A	31.5	D	0.8	A	0.7	A	0.9	A	0.8	A
	WB	10.7	B	68.3	F	6.9	A	10.7	B	6.7	A	8.3	A
	Overall	9.1	A	55.2	F	5.8	A	9.4	A	5.6	A	8.3	A
SR 81 at Rosser Road*	NB	3.7	A	9.5	A	0.3	A	5.4	A	0.3	A	0.7	A
	EB	25.0	C	102.9	F	10.3	B	18.2	C	8.5	A	7.2	A
	SB	2.2	A	5.4	A	0.6	A	0.5	A	0.6	A	0.4	A
	Overall	23.2	C	69.4	F	8.7	A	12.5	B	7.6	A	5.4	A
SR 81 at Sowell Road*	NB	0.8	A	6.8	A	0.2	A	9.3	A	0.1	A	0.9	A
	SB	1.5	A	4.8	A	0.4	A	0.3	A	0.3	A	0.3	A
	WB	18.3	C	43.8	E	8.3	A	15.0	B	6.0	A	7.9	A
	Overall	15.8	C	40.5	E	7.0	A	14.7	B	5.0	A	7.8	A
SR 81 at Old Jackson Road	NB	8.2	A	16.2	B	6.9	A	34.9	C	6.1	A	9.9	A
	SB	12.7	B	12.0	B	6.9	A	7.2	A	6.3	A	6.8	A
	WB	31.9	C	42.2	D	30.3	C	38.0	D	27.4	C	29.9	C
	Overall	14.6	B	19.0	B	10.4	B	26.0	C	9.4	A	11.3	B
SR 81 at Bethany Road	NB	11.0	B	27.4	C	11.7	B	60.1	E	11.6	B	13.4	B
	EB	30.8	C	34.1	C	34.3	C	34.2	C	25.9	C	24.1	C
	SB	12.9	B	17.0	B	12.7	B	20.2	C	9.3	A	11.8	B
	WB	22.3	C	29.7	C	24.7	C	38.9	D	18.8	B	17.9	B
	Overall	15.6	B	25.3	C	16.2	B	41.4	D	12.7	B	14.8	B

*Stop control intersection

Appendix J includes GEHs and delay outputs for the 2025 Build Scenarios for each intersection, approach, and movement. All GEH values are at acceptable levels for each scenario.

9. 2045 No Build Alternative Traffic Analysis

An analysis was also conducted for the No Build alternative with 2045 Design Year traffic volumes. For this analysis, the 2025 Base Year volumes were grown to predict 2045 Design Year volumes. The No Build Alternative analysis provides a base line for comparison to the Build Scenarios. As **Table 13** shows, further LOS degradation is predicted at each intersection for the 2045 No Build Alternative. The two existing travel lanes, one in each direction, will not provide enough capacity to serve the corridor traffic demand or service the intersection network. As a result, the VISSIM model did not satisfy GEH thresholds for this analysis, so Synchro was substituted for the analysis. Notably, each of the signalized intersections degrade to LOS E or worse for the 2045 No Build Alternative, and the delays at some of the stop-controlled intersections exceed two minutes. This level of delay may lead to drivers taking greater risks and accepting smaller gaps which would likely result in higher crash frequencies at these intersections.

Table 13: 2045 No Build Delay/LOS

Intersection	Movement	AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Lakemont Drive/ Postmaster Drive*	NB	3.5	A	358.4	F
	EB	7.9	A	111.1	F
	SB	2.2	A	2.7	A
	WB	7.9	A	201.5	F
	Overall	5.5	A	84.7	F
SR 81 at Angie Drive*	NB	5.5	A	162.8	F
	SB	0.4	A	0.3	A
	WB	18.1	C	45.4	E
	Overall	14.0	B	36.1	E
SR 81 at Florence McGarity Boulevard*	NB	4.0	A	99.9	F
	SB	0.4	A	0.3	A
	WB	18.1	C	45.4	E
	Overall	14.0	B	36.1	E
SR 81 at Sarah's Bend*	NB	0.8	A	154.6	F
	SB	1.1	A	1.6	A
	WB	29.2	D	75.3	F
	Overall	24.2	C	54.7	F
SR 81 at Chick-fil-a Driveway*	NB	2.4	A	172.4	F
	SB	2.3	A	2.0	A
	WB	20.7	C	488.4	F
	Overall	15.9	C	215.3	F
SR 81 at Lake Dow Road**	NB	39.2	D	44.2	D
	EB	69.4	E	150.3	F
	SB	76.9	E	33.2	C
	WB	124.1	F	64.0	E
	Overall	70.8	E	60.1	E
SR 81 at Shoppes at Lake Dow*	NB	1.0	A	96.3	F
	SB	16.0	C	11.7	B
	WB	32.4	D	121.4	F
	Overall	18.6	C	76.1	F
SR 81 at Travis Drive*	NB	0.8	A	54.1	F
	SB	17.0	C	7.4	A
	WB	317.0	F	259.7	F
	Overall	269.8	F	198.8	F
SR 81 at Society Street*	NB	0.5	A	54.0	F
	EB	34.6	D	386.6	F
	SB	19.2	C	2.3	A
	Overall	28.1	D	268.5	F
SR 81 at Racetrack Road**	NB	46.5	D	173.1	F
	SB	50.1	D	75.1	E
	WB	26.9	C	174.9	F
	Overall	46.5	D	134.2	F
SR 81 at Steeplechase Drive*	NB	3.7	A	23.8	C
	SB	9.1	A	46.6	E
	WB	26.2	D	83.5	F
	Overall	23.6	C	74.2	F

*Stop Control

**Synchro output

Table 13: 2045 No Build Delay/LOS (continued)

Intersection	Movement	AM Peak Hour		PM Peak Hour	
		Delay (Veh/sec)	LOS	Delay (Veh/sec)	LOS
SR 81 at Rosser Road*	NB	22.0	C	23.5	C
	EB	299.6	F	874.3	F
	SB	5.9	A	27.4	D
	Overall	241.9	F	548.2	F
SR 81 at Sowell Road*	NB	2.5	A	14.1	B
	SB	5.7	A	31.9	D
	WB	85.4	F	768.2	F
	Overall	68.5	F	505.9	F
SR 81 at Old Jackson Road**	NB	205.2	F	16.3	B
	SB	370.6	F	153.9	F
	WB	221.2	F	169.2	F
	Overall	256.5	F	111.5	F
SR 81 at Bethany Road**	NB	13.3	B	131.2	F
	EB	107.0	F	101.4	F
	SB	126.8	F	28.8	C
	WB	57.9	E	70.8	E
	Overall	93.9	F	88.9	F

*Stop Control

**Synchro output

Appendix K includes GEHs and delay outputs for the 2045 No Build Alternative for each intersection, approach, and movement.

10. 2045 Build Scenario Traffic Analysis

The 2045 Design Year traffic volumes were used to conduct an analysis of the build scenario for each of the three build scenarios outlined in section 7 above.

10.1. 2045 Build Scenario 1 and 2

Table 14 lists 2045 Build Scenario's delays and LOS predicted at each intersection for the build scenarios. Synchro was used to generate the Scenario 1 results for Lake Dow Road, Old Jackson Road, and Bethany Road because the model's GEH values exceeded the reliability thresholds. The following concerns are noted from the tabulated results:

- The SR 81 intersection with Postmaster/Lakemont Drive degrades to LOS E prior to the 2045 Design Year in both the stop controlled configuration (Scenario 1) and the roundabout configuration (Scenario 2). The northbound volume is such that acceptable gaps are not available for the westbound traffic in both scenarios. For Scenario 2 at the SR 81 intersection with Florence McGarity, the southbound (off-peak direction) delay during the AM peak is attributed to spillback from the roundabout.
- Also in both scenarios, the Chick-fil-a driveway exhibits excessive delay due to a lack of acceptable gaps in the northbound traffic flow, but alternate access points are available. One such alternate is the SR 81 at Lake Dow Road intersection, which is signalized and operates at an acceptable LOS for both scenarios for the 2045 Build Scenarios.

Table 14: 2045 Build Scenario Delay/LOS

Intersection	Movement	2045 No Build				2045 Build Scenario 1				2045 Build Scenario 2			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Lakemont Drive/Postmaster Drive**	NB	3.5	A	358.4	F	0.3	A	74.2	F	5.3	A	33.7	D
	EB	7.9	A	111.1	F	6.2	A	25.0	D	15.9	C	57.9	F
	SB	2.2	A	2.7	A	1.4	A	20.2	C	41.6	E	15.4	C
	WB	7.9	A	201.5	F	2.4	A	36.9	E	327.4	F	110.1	F
	Overall	5.5	A	84.7	F	0.2	A	38.5	E	34.4	D	31.3	D
SR 81 at Angie Drive*	NB	5.5	A	162.8	F	0.2	A	3.0	A	0.4	A	0.4	A
	SB	0.4	A	0.3	A	7.2	A	24.8	C	11.6	B	0.5	A
	WB	18.1	C	45.4	E	7.2	A	24.8	C	7.5	A	10.4	B
	Overall	14.0	B	36.1	E	0.4	A	21.4	C	7.5	A	10.4	B
SR 81 at Florence McGarity Boulevard*	NB	4.0	A	99.9	F	0.4	A	21.4	C	1.4	A	0.3	A
	SB	0.4	A	0.3	A	0.0	A	22.2	C	51.2	F	9.9	A
	WB	18.1	C	45.4	E	5.5	A	16.2	C	24.4	C	0.8	A
	Overall	14.0	B	36.1	E	0.3	A	44.3	E	52.4	F	9.1	A
SR 81 at Sarah's Bend*	NB	0.8	A	154.6	F	0.3	A	0.2	A	0.5	A	2.2	A
	SB	1.1	A	1.6	A	0.3	A	0.2	A	9.8	A	0.5	A
	WB	29.2	D	75.3	F	6.9	A	120.6	F	7.2	A	13.8	B
	Overall	24.2	C	54.7	F	6.9	A	120.6	F	7.2	A	13.8	B
SR 81 at Chick-fil-a Driveway*	NB	2.4	A	172.4	F	1.8	A	60.6	F	3.8	A	9.5	A
	SB	2.3	A	2.0	A	0.4	A	0.3	A	7.2	A	0.7	A
	WB	20.7	C	488.4	F	13.4	B	103.0	F	17.7	C	64.2	F
	Overall	15.9	C	215.3	F	13.4	B	103.0	F	17.7	C	64.2	F
SR 81 at Lake Dow Road***	NB	39.2	D	44.2	D	43.8	D	47.7	D	22.6	C	26.1	C
	EB	69.4	E	150.3	F	75.5	E	55.7	E	71.6	E	69.8	E
	SB	76.9	E	33.2	C	93.3	F	59.6	E	30.7	C	35.4	D
	WB	124.1	F	64.0	E	41.8	D	70.7	E	50.9	D	48.7	D
	Overall	70.8	E	60.1	E	54.2	D	54.8	D	39.7	D	38.3	D
SR 81 at Shoppes at Lake Dow*	NB	1.0	A	96.3	F	0.6	A	46.8	E	0.6	A	12.4	B
	SB	16.0	C	11.7	B	7.3	A	25.7	D	27.0	D	14.9	B
	WB	32.4	D	121.4	F	11.9	B	159.1	F	10.0	B	85.3	F
	Overall	18.6	C	76.1	F	8.2	A	156.8	F	7.2	A	71.3	F
SR 81 at Travis Drive*	NB	0.8	A	54.1	F	1.3	A	55.5	F	1.4	A	17.6	C
	SB	17.0	C	7.4	A	0.6	A	40.7	E	2.5	A	18.6	C
	WB	317.0	F	259.7	F	8.1	A	280.0	F	8.1	A	85.5	F
	Overall	269.8	F	198.8	F	8.1	A	280.0	F	8.1	A	85.5	F
SR 81 at Society Street*	NB	0.5	A	54.0	F	0.3	A	35.1	E	0.3	A	11.0	B
	EB	34.6	D	386.6	F	9.6	A	173.0	F	12.0	B	10.1	B
	SB	19.2	C	2.3	A	1.2	A	47.6	E	2.5	A	2.4	A
	Overall	28.1	D	268.5	F	8.6	A	102.0	F	11.2	B	8.2	A
SR 81 at Racetrack Road***	NB	24.0	C	128.9	F	50.5	D	54.8	D	21.1	C	62.8	E
	SB	9.1	A	46.6	E	20.0	C	20.2	C	11.6	B	34.2	C
	WB	26.2	D	83.5	F	13.7	B	81.2	F	15.4	B	61.9	E
	Overall	23.6	C	74.2	F	24.6	C	46.2	D	13.8	B	50.8	D

*Stop Control

**Round-a-bout in Scenario 2

***No Build and Scenario 1 uses Synchro outputs

Table 14: 2045 Build Scenario Delay/LOS (continued)

Intersection	Movement	2045 No Build				2045 Build Scenario 1				2045 Build Scenario 2			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Steeplechase Drive*	NB	3.7	A	23.8	C	0.6	A	65.6	F	0.6	A	7.8	A
	SB	9.1	A	46.6	E	1.5	A	15.2	C	4.5	A	7.9	A
	WB	26.2	D	83.5	F	7.9	A	39.0	E	7.6	A	25.9	D
	Overall	23.6	C	74.2	F	6.9	A	31.5	D	7.0	A	28.8	D
SR 81 at Rosser Road*	NB	22.0	C	23.5	C	0.5	A	56.2	F	0.6	A	16.4	C
	EB	299.6	F	874.3	F	13.5	B	347.0	F	13.2	B	8.7	A
	SB	5.9	A	27.4	D	0.7	A	3.9	A	1.2	A	0.9	A
	Overall	241.9	F	548.2	F	12.2	B	233.9	F	13.4	B	10.0	B
SR 81 at Sowell Road*	NB	2.5	A	14.1	B	0.3	A	48.4	E	0.3	A	15.9	C
	SB	5.7	A	31.9	D	0.4	A	1.9	A	0.6	A	0.8	A
	WB	85.4	F	768.2	F	9.8	A	35.6	E	6.4	A	101.8	F
	Overall	68.5	F	505.9	F	8.1	A	33.8	D	5.9	A	92.8	F
SR 81 at Old Jackson Road***	NB	205.2	F	16.3	B	22.4	C	28.8	C	11.1	B	21.7	C
	SB	370.6	F	153.9	F	38.2	D	13.3	B	10.5	B	10.8	B
	WB	221.2	F	169.2	F	72.2	E	61.6	E	36.6	D	55.8	E
	Overall	256.5	F	111.5	F	39.2	D	27.7	C	15.0	B	22.2	C
SR 81 at Bethany Road***	NB	13.3	B	131.2	F	25.1	C	307.4	F	18.5	B	23.4	C
	EB	107.0	F	101.4	F	100.7	F	46.8	D	34.8	C	41.4	D
	SB	126.8	F	28.8	C	246.8	F	105.1	F	15.2	B	18.7	B
	WB	57.9	E	70.8	E	61.3	E	78.7	E	24.0	C	33.1	C
	Overall	93.9	F	88.9	F	164.2	F	184.9	F	19.1	B	25.6	C

*Stop Control

***No Build and Build Scenario 1 uses Synchro outputs

- Similar to the Chick-fil-a driveway, minimal northbound gaps are available at the Shoppes at Lake Dow driveway, and the same alternative access points are available.
- The Travis Drive approach to the SR 81 intersection operates at LOS F during the PM peak hour for both Scenario 1 and 2, but the Travis Drive connection to Racetrack Road provides alternative access with a signalized intersection at SR 81 and Racetrack Road. The SR 81 at Racetrack Road intersection operates at an acceptable LOS for both Scenario 1 and 2.
- The Sowell Road approach to SR 81 operates at LOS F during the PM peak for Scenario 2, and this is likely due to the spillback from the Old Jackson Road intersection. Scenario 1 appears to operate better at this location due to the lane restrictions at the Bethany Road intersection.
- The SR 81 at Bethany Road intersection operates at LOS F for Scenario 1 for both the AM and PM peak hour. With only one northbound thru-lane and one southbound thru-lane, the intersection cannot process the 2045 volumes efficiently in Scenario 1. In Scenario 2, two northbound and two southbound lanes are extended through the intersection, and the intersection operates at an acceptable LOS.

Appendix L includes GEHs and delay outputs for the 2045 Build Scenarios for each intersection, approach, and movement. All GEH values are at acceptable levels for each scenario.

10.2. 2045 Build Scenario 3

Table 15 also includes 2045 Build Scenario 3 delays and LOS predicted at each intersection for Scenario 3. In short, this Scenario includes traffic control signals at each of the major intersections, and all of the major intersections operate at an acceptable LOS through the 2045 Design Year. As in Scenario 2, the Chick-fil-a driveway, the Shoppes at Lake Dow driveway, and Travis Drive intersections operate a LOS F in the PM peak. This is due to excessive delay on the minor approaches, but each of the minor approaches have alternative access routes to SR 81 as described in Section 10.1.

Table 15: 2045 Build Scenario 3 Delay/LOS

Intersection	Movement	No Build				Build Scenario 3			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Lakemont Drive/Postmaster Drive**	NB	3.5	A	358.4	F	3.1	A	5.2	A
	EB	7.9	A	111.1	F	59.0	E	31.4	C
	SB	2.2	A	2.7	A	3.9	A	4.5	A
	WB	7.9	A	201.5	F	20.3	C	15.8	B
	Overall	5.5	A	84.7	F	5.4	A	6.2	A
SR 81 at Angie Drive*	NB	5.5	A	162.8	F	0.3	A	2.2	A
	SB	0.4	A	0.3	A	0.3	A	0.3	A
	WB	18.1	C	45.4	E	7.5	A	12.4	B
	Overall	14.0	B	36.1	E	7.5	A	12.4	B
SR 81 at Florence McGarity Boulevard*	NB	4.0	A	99.9	F	0.5	A	1.3	A
	SB	0.4	A	0.3	A	12.0	B	8.7	A
	WB	18.1	C	45.4	E	0.7	A	0.7	A
	Overall	14.0	B	36.1	E	12.7	B	7.6	A
SR 81 at Sarah's Bend*	NB	0.8	A	154.6	F	0.4	A	6.0	A
	SB	1.1	A	1.6	A	0.7	A	0.4	A
	WB	29.2	D	75.3	F	6.8	A	25.2	D
	Overall	24.2	C	54.7	F	6.8	A	25.2	D
SR 81 at Chick-fil-a Driveway*	NB	2.4	A	172.4	F	2.6	A	16.5	C
	SB	2.3	A	2.0	A	0.4	A	0.7	A
	WB	20.7	C	488.4	F	15.2	C	97.5	F
	Overall	15.9	C	215.3	F	15.2	C	97.5	F
SR 81 at Lake Dow Road***	NB	39.2	D	44.2	D	22.2	C	27.4	C
	EB	69.4	E	150.3	F	67.2	E	87.3	F
	SB	76.9	E	33.2	C	28.5	C	42.4	D
	WB	124.1	F	64.0	E	49.1	D	71.5	E
	Overall	70.8	E	60.1	E	37.7	D	45.9	D
SR 81 at Shoppes at Lake Dow*	NB	1.0	A	96.3	F	0.7	A	11.9	B
	SB	16.0	C	11.7	B	17.3	C	47.2	E
	WB	32.4	D	121.4	F	10.0	B	85.5	F
	Overall	18.6	C	76.1	F	7.4	A	67.5	F

*Stop Control

**Signal in Scenario 3

***No Build uses Synchro outputs

Table 15: 2045 Build Scenario 3 Delay/LOS (continued)

Intersection	Movement	2045 No Build				Build Scenario 3			
		AM Peak Hour		PM Peak Hour		AM Peak Hour		PM Peak Hour	
		Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS
SR 81 at Travis Drive*	NB	0.8	A	54.1	F	1.5	A	17.1	C
	SB	17.0	C	7.4	A	2.0	A	18.1	C
	WB	317.0	F	259.7	F	8.1	A	88.7	F
	Overall	269.8	F	198.8	F	8.1	A	88.7	F
SR 81 at Society Street*	NB	0.5	A	54.0	F	0.4	A	9.8	A
	EB	34.6	D	386.6	F	10.1	B	34.1	D
	SB	19.2	C	2.3	A	1.7	A	16.1	C
	Overall	28.1	D	268.5	F	10.0	B	23.0	C
SR 81 at Racetrack Road	NB	24.0	C	128.9	F	20.1	C	66.5	E
	SB	9.1	A	46.6	E	11.4	B	34.2	C
	WB	26.2	D	83.5	F	15.3	B	65.8	E
	Overall	23.6	C	74.2	F	13.5	B	52.9	D
SR 81 at Steeplechase Drive*	NB	3.7	A	23.8	C	0.6	A	3.3	A
	SB	9.1	A	46.6	E	4.8	A	17.5	C
	WB	26.2	D	83.5	F	7.8	A	20.9	C
	Overall	23.6	C	74.2	F	7.3	A	25.1	D
SR 81 at Rosser Road*	NB	22.0	C	23.5	C	0.5	A	6.4	A
	EB	299.6	F	874.3	F	13.0	B	9.4	A
	SB	5.9	A	27.4	D	1.1	A	1.0	A
	Overall	241.9	F	548.2	F	12.5	B	9.2	A
SR 81 at Sowell Road*	NB	2.5	A	14.1	B	0.3	A	7.4	A
	SB	5.7	A	31.9	D	0.7	A	0.7	A
	WB	85.4	F	768.2	F	6.6	A	42.5	E
	Overall	68.5	F	505.9	F	6.4	A	44.1	E
SR 81 at Old Jackson Road***	NB	205.2	F	16.3	B	11.0	B	15.0	B
	SB	370.6	F	153.9	F	12.3	B	10.1	B
	WB	221.2	F	169.2	F	36.5	D	60.8	E
	Overall	256.5	F	111.5	F	15.9	B	18.9	B
SR 81 at Bethany Road***	NB	13.3	B	131.2	F	15.5	B	28.2	C
	EB	107.0	F	101.4	F	34.7	C	43.8	D
	SB	126.8	F	28.8	C	15.9	B	23.0	C
	WB	57.9	E	70.8	E	24.0	C	34.7	C
	Overall	93.9	F	88.9	F	18.8	B	29.6	C

*Stop Control

***No Build uses Synchro outputs

2045 Build Scenario 3 GEH, movement, approach, and intersection delay outputs can be found in **Appendix M**.

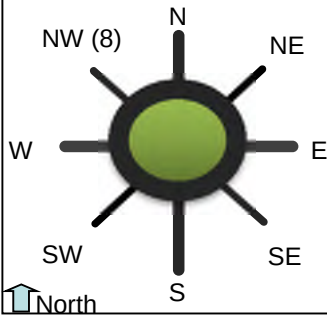
11. Conclusion/Recommendations

In the design year 2025, the existing roadway will degrade to an unacceptable LOS. Two build scenarios were developed to improve congestion. Each build scenario is able to process the volume and operate at an acceptable LOS.

In the design year 2045, the two build scenarios operate at unacceptable LOS and cannot process all the volume. Build scenario 3 was created to improve and process the increase in volume. Scenario 3 is the only scenario that operates at an acceptable in the design year 2045. However, a four lane section is needed east of Bethany Road to allow vehicles entry into the study area.

Recommendations are:

14. Post Master Drive/Lakemont Drive	Roundabout
15. Angie Drive	Right-in and right-out
16. Florence McGarity Boulevard	Unsignalized RCUT
17. Sarah's Bend	Right-in and right-out
18. Chick-fil-a Driveway	Right-in and right-out
19. Shoppes at Lake Dow	Unsignalized RCUT
20. Travis Drive	Right-in and right-out
21. Society Street	Unsignalized RCUT
22. Steeplechase Drive	Unsignalized RCUT
23. Rosser Road	Unsignalized RCUT
24. Sowell Road	Unsignalized RCUT
25. Old Jackson Road	Added northbound permissive U-Turn
26. Bethany Road	Two NB and two SB through lanes

General & Site Information								v 4.1	
Analyst:		Andrew Hayes							
Agency/Co:		Moffatt & Nichol							
Date:		6/6/2017							
Project or PI#:		PI 0015089							
Year, Peak Hour:		2045, PM							
County/District:		Henry County							
Intersection:		SR 81 at Postmaster Drive							
Volumes		Entry Legs (FROM)							
		N1 (1)	N2 (1)	NE1 (2)	NE2 (2)	E1 (3)	E2 (3)	SE1 (4)	SE2 (4)
Lane Designation		Lf-Th-Rt	Left-Thru	SELECT	SELECT	Left-Thru	Right-Thru	SELECT	SELECT
Exit Legs (TO)	N (1), vph					30			
	NE (2), vph								
	E (3), vph	30							
	SE (4), vph								
	S (5), vph	30					100		
	SW (6), vph								
	W (7), vph	55				546	549		
	NW (8), vph								
Entry Volume, vph		115	0	0	0	576	649	0	0
		S1 (5)	S2 (5)	SW1 (6)	SW2 (6)	W1 (7)	W2 (7)	NW1 (8)	NW2 (8)
Lane Designation		Lf-Th-Rt	SELECT	SELECT	SELECT	Left-Thru	Right-Thru	SELECT	SELECT
	N (1), vph	20				60			
	NE (2), vph								
	E (3), vph	110				767	913		
	SE (4), vph								
	S (5), vph						20		
	SW (6), vph								
	W (7), vph	20							
	NW (8), vph								
Entry Volume, vph		150	0	0	0	827	933	0	0
		N	NE	E	SE	S	SW	W	NW
# of Entry Flow Lanes		1	0	2	0	1	0	2	0
# of Conflict Flow Lanes		2	2	2	2	2	2	2	2
Volume Characteristics		N	NE	E	SE	S	SW	W	NW
% Cars		98.0%	100.0%	95.0%	100.0%	98.0%	100.0%	95.0%	100.0%
% Heavy Vehicles		2.0%	0.0%	5.0%	0.0%	2.0%	0.0%	5.0%	0.0%
% Bicycles		0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
# of Pedestrians (ped/hr)		0	0	0	0	0	0	0	0
PHF		0.92	0.95	0.92	0.95	0.92	0.95	0.92	0.95
F _{lv}		0.980	1.000	0.952	1.000	0.980	1.000	0.952	1.000
F _{ped}		1.000	1.000	1.000	1.000	1.000	1.000	1.000	1.000

Entry/Conflicting Flows		N	NE	E	SE	S	SW	W	NW
Flow to	N (1), pcu/h	0	0	34	0	22	0	68	0

Leg #	NE (2), pcu/h	0	0	0	0	0	0	0
	E (3), pcu/h	33	0	0	0	122	0	1917
	SE (4), pcu/h	0	0	0	0	0	0	0
	S (5), pcu/h	33	0	114	0	0	0	23
	SW (6), pcu/h	0	0	0	0	0	0	0
	W (7), pcu/h	61	0	1250	0	22	0	0
	NW (8), pcu/h	0	0	0	0	0	0	0
	Entry flow, pcu/h	128	0	1398	0	166	0	2009
	Entry flow Lane 1, pcu/h	128	0	657	0	166	0	944
	Entry flow Lane 2, pcu/h	0	0	741	0	0	0	1065
	Conflicting flow, pcu/h	1386	0	113	0	2019	0	181

Results: Approach Measures of Effectiveness

HCM 6th Edition	N		E		S		W	
Lane Designations	Lf-Th-Rt	Left-Thru	Left-Thru	Right-Thru	Lf-Th-Rt	Lane 2	Left-Thru	Right-Thru
Entry Capacity, veh/h	428	NA	1159	1229	250	NA	1089	1160
Entry Flow Rates, veh/h	125	NA	626	706	163	NA	899	1014
V/C ratio	0.29	#VALUE!	0.54	0.57	0.65	#VALUE!	0.83	0.87
Control Delay, s/veh	13.3	#VALUE!	9.4	9.7	41.1	#VALUE!	20.8	24.2
LOS	B	#VALUE!	A	A	E	#VALUE!	C	C
95th % Queue (ft)	31	#VALUE!	88	100	104	#VALUE!	262	326
Approach Delay, LOS	13.3 sec, LOS B		9.5 sec, LOS A		41.1 sec, LOS E		22.6 sec, LOS C	
	NE		SE		SW		NW	
Lane Designations	Lane 1	Lane 2	Lane 1	Lane 2	Lane 1	Lane 2	Lane 1	Lane 2
Entry Capacity, veh/h	NA	NA	NA	NA	NA	NA	NA	NA
Entry Flow Rates, veh/h	NA	NA	NA	NA	NA	NA	NA	NA
V/C ratio			#VALUE!	#VALUE!			#VALUE!	#VALUE!
Control Delay, sec/pcu			#VALUE!	#VALUE!			#VALUE!	#VALUE!
LOS			#VALUE!	#VALUE!			#VALUE!	#VALUE!
95th % Queue (ft)			#VALUE!	#VALUE!			#VALUE!	#VALUE!
Approach Delay, LOS			#N/A				#N/A	

v 4.0

Bypass Lane Merge Point Analysis (if applicable)

Bypass Characteristics	Bypass #1	Bypass #2	Bypass #3	Bypass #4	Bypass #5	Bypass #6
Select Entry Leg from Bypass (FROM)						
Select Exit Leg for Bypass (TO)						
Does the bypass have a dedicated receiving lane?						
# of Conflicting Exit Flow Lanes	2	2	2	2	2	2
Volumes						
Entry Leg: Insert Right Turn Volume						
Exit Leg: (Select Input Method)						
Lane Flow in Exit Leg***						
Sum of inner circulatory flow lane to exit leg (leg bypass merges into)	N/A	N/A	N/A	N/A	N/A	N/A
Sum of outer circulatory flow lane to exit leg (leg bypass merges into)	N/A	N/A	N/A	N/A	N/A	N/A
Critical Lane Flow (Manual) in Exit Leg***						
Volume Characteristics						
PHF (Entry Leg)						
F _{HV} (Entry Leg)						

F_{ped}						
PHF (Exit Leg)***	N/A	N/A	N/A	N/A	N/A	N/A
F_{HV} (Exit Leg)***	N/A	N/A	N/A	N/A	N/A	N/A
***Volume Characteristics are already taken into account for Default method ONLY. Insert Values above if Manual method.						
Entry/Conflicting Flows						
Entry Flow						
Conflicting Critical Flow						
Bypass Lane Results						
Entry Capacity of Bypass, veh/h						
Flow Rates of Exiting Traffic, veh/h						
V/C ratio						
Control Delay, sec/pcu						
LOS						
95th % Queue (ft)						

Appendix

H

Build Concept Drawing

LEGEND

ASPHALT PAVEMENT

ROADWAY CENTERLINE

CONCRETE

EXIST R/W

REQD R/W

RETAINING WALL

ESA BOUNDARY

FILL LIMITS

CUT LIMITS

CONCEPTUAL LAYOUT

SR 81 WIDENING FROM LEMON STREET TO BETHANY ROAD

ALTERNATIVE 3

SHEET 2 OF 3

mo

ffatt & nichol

SCALE IN FEET

0

100

200

400

LEGEND

ASPHALT PAVEMENT

ROADWAY CENTERLINE

CONCRETE

EXIST R/W

REQD R/W

RETAINING WALL

ESA BOUNDARY

FILL LIMITS

CUT LIMITS

CONCEPTUAL LAYOUT

SR 81 WIDENING FROM LEMON STREET TO BETHANY ROAD

ALTERNATIVE 3

SHEET 3 OF 3

mo

ffatt & nichol

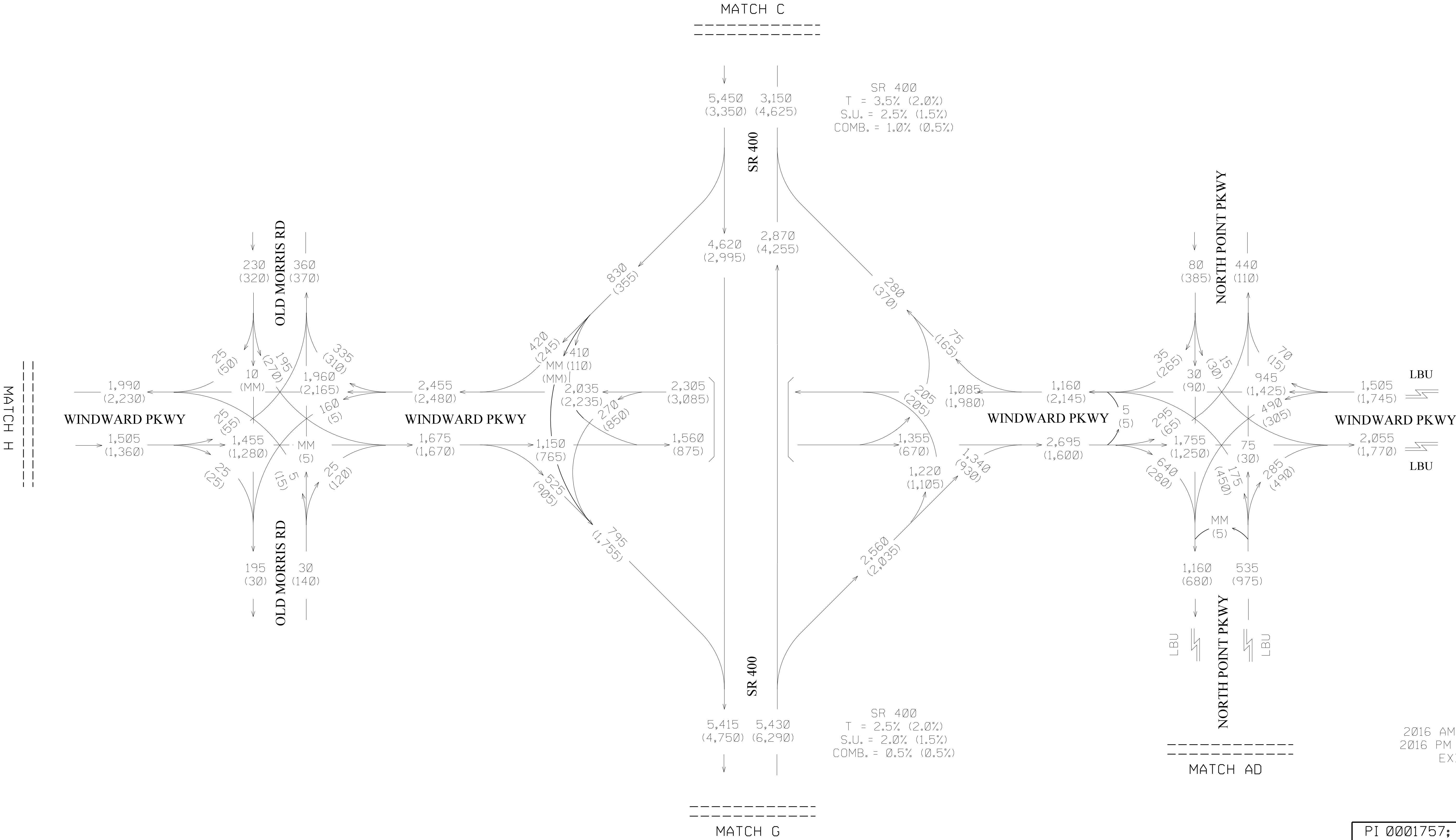
SCALE IN FEET

0

100

200

400

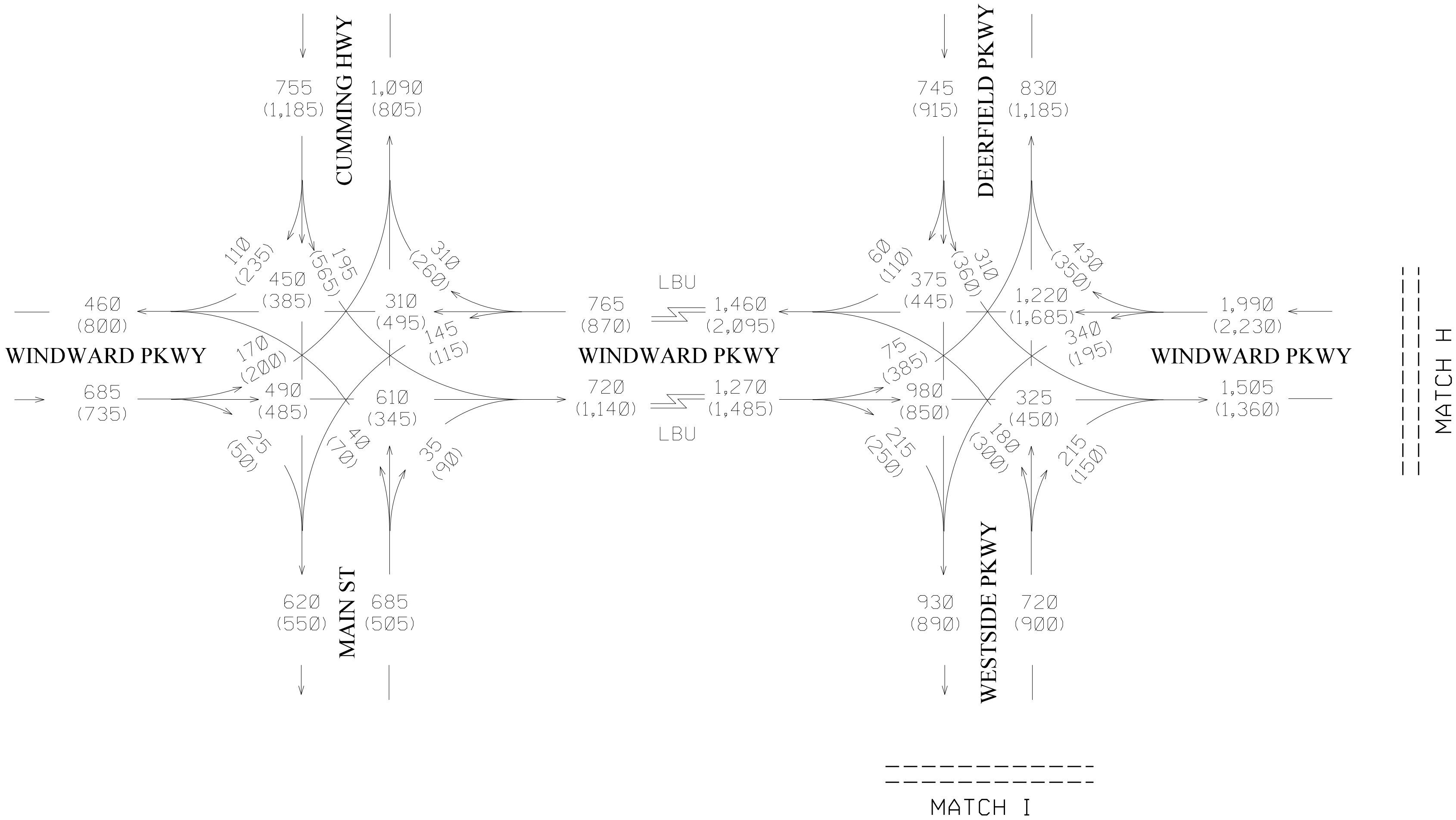
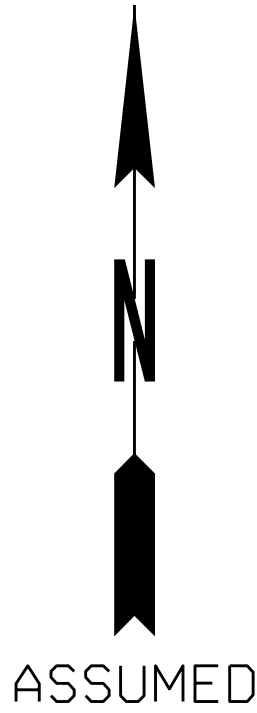


PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

REVISION DATES			TRAFFIC DIAGRAM			
12/13/17			EXISTING (2016) DHV SHEET 6 OF 23			
CHECKED:	MVF	DATE:	3/25/18	DRAWING No.		
BACKCHECKED:	TLS	DATE:	3/25/18	10-0006		
CORRECTED:	MVF	DATE:	3/25/18			
VERIFIED:	TLS	DATE:	3/25/18			



2016 AM DHV = XXX
2016 PM DHV = (XXX)
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

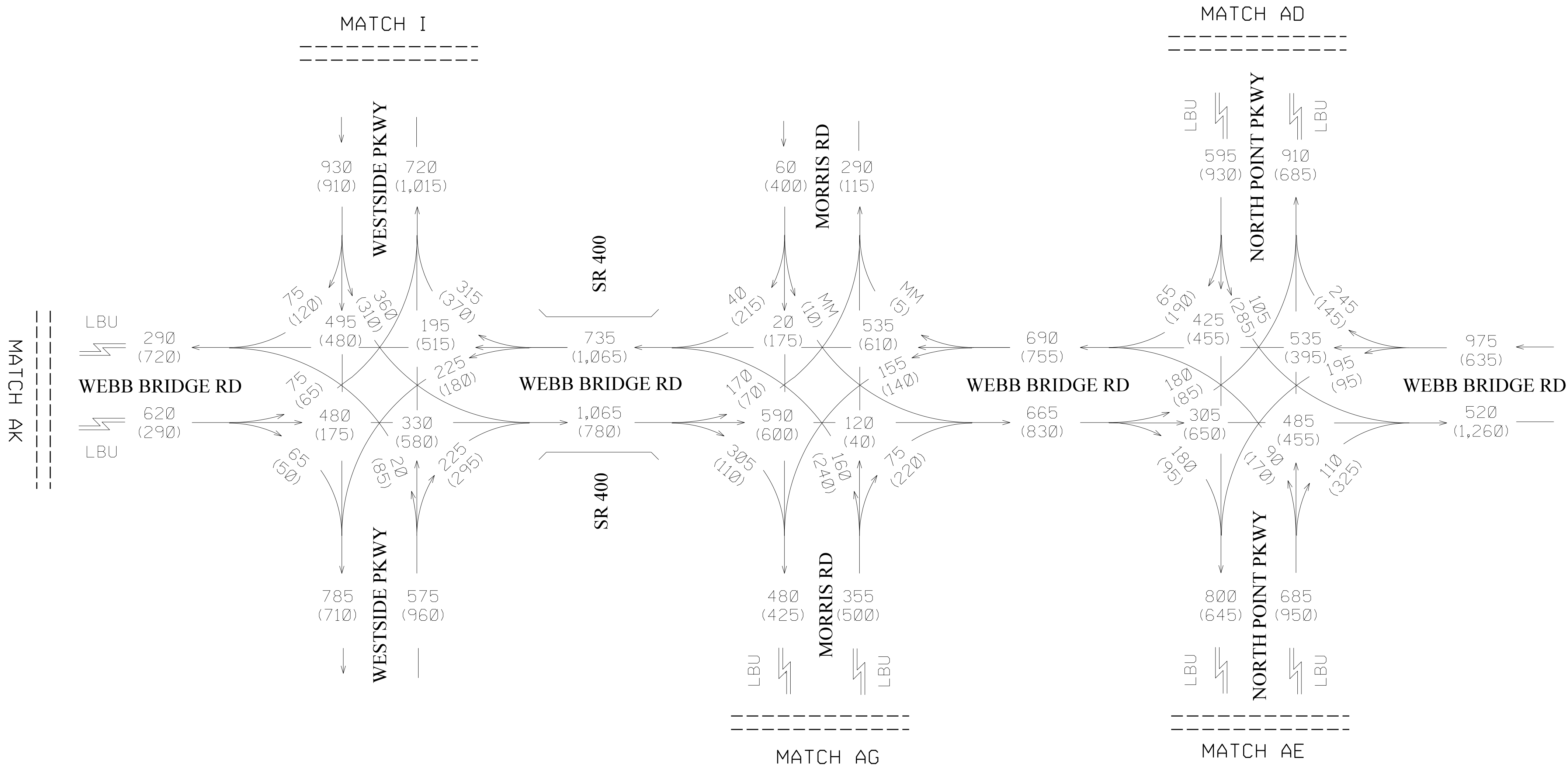
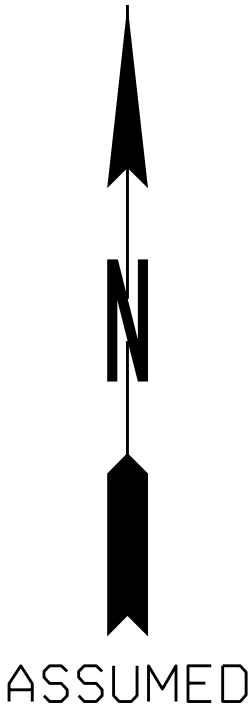
REVISION DATES

TRAFFIC DIAGRAM

EXISTING (2016) DHV
SHEET 7 OF 23

CHECKED:	MVF	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	MVF	DATE:	3/25/18	
VERIFIED:	TLS	DATE:	3/25/18	

10-0007



2016 AM DHV = XXX
2016 PM DHV = (XXX)
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

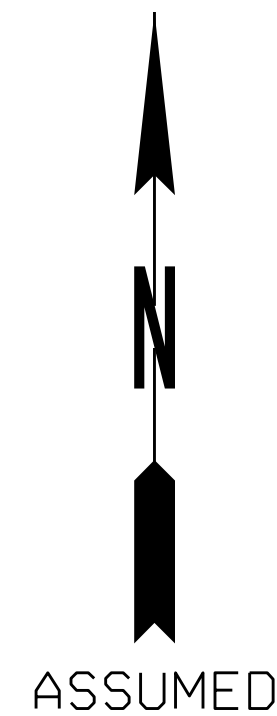
REVISION DATES

TRAFFIC DIAGRAM

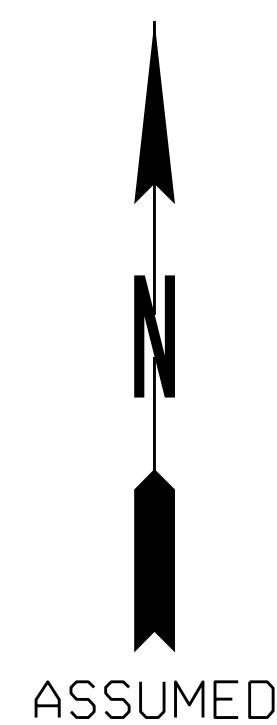
EXISTING (2016) DHV
SHEET 8 OF 23

CHECKED:	MVF	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	MVF	DATE:	3/25/18	
VERIFIED:	TLS	DATE:	3/25/18	

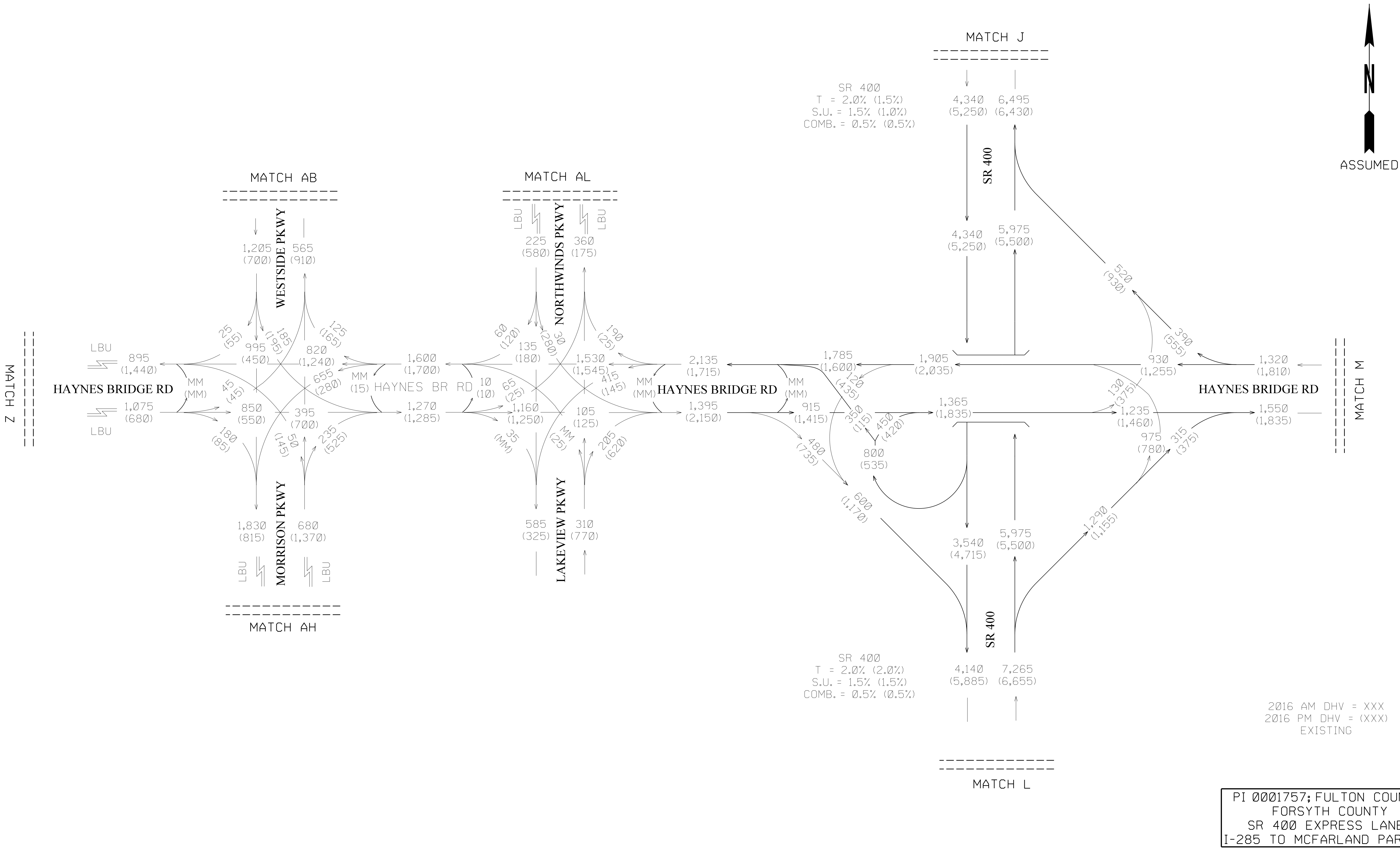
10-0008

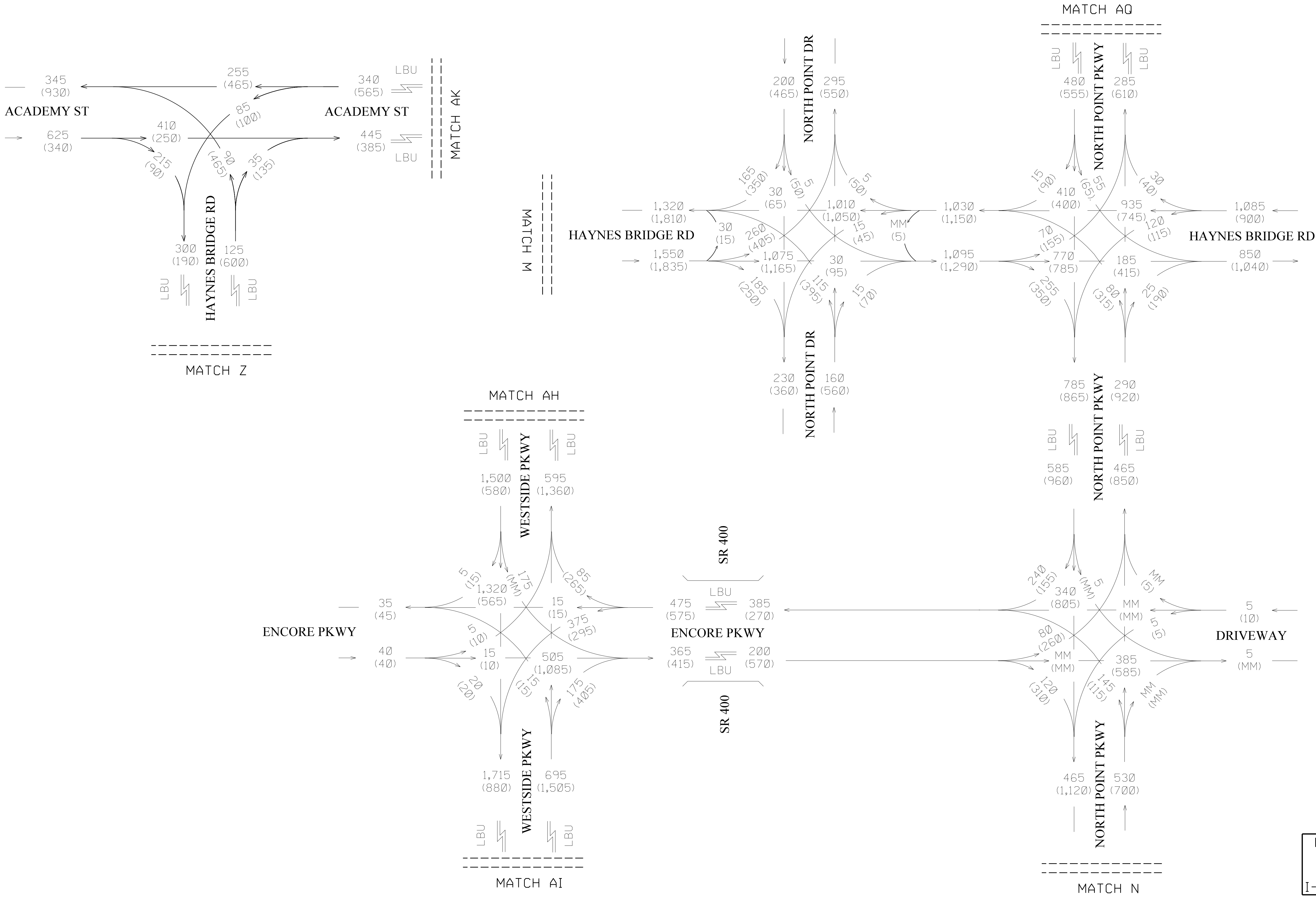


PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY





2016 AM DHV = XXX
2016 PM DHV = (XXX)
EXISTING

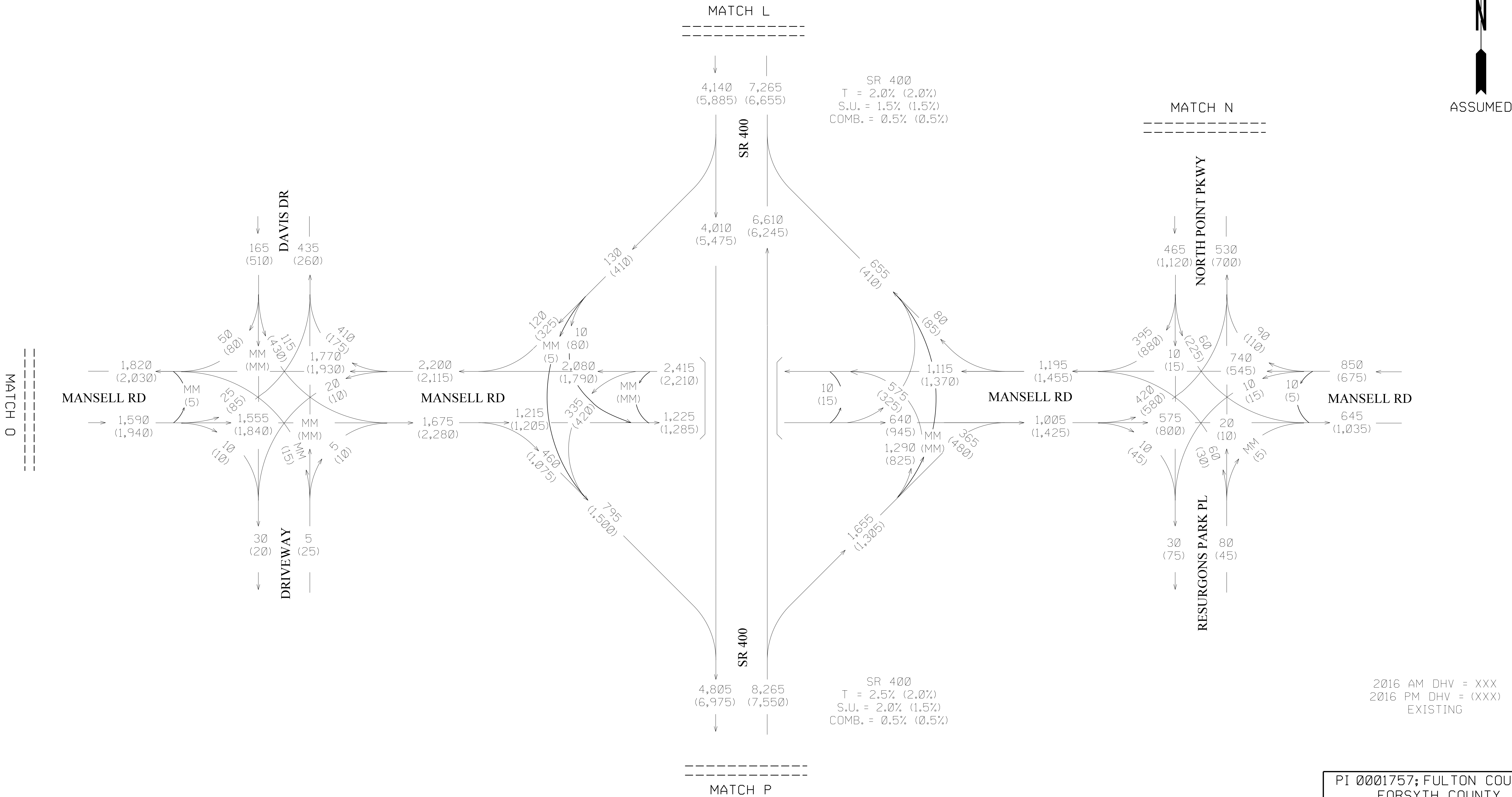
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

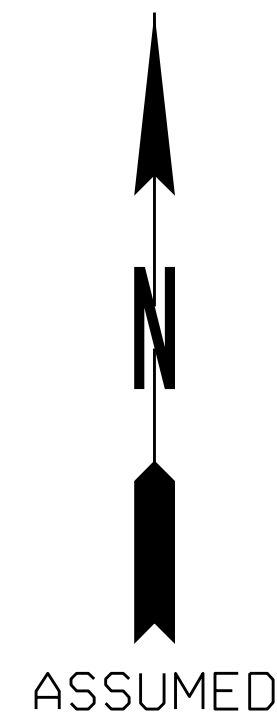
REVISION DATES

TRAFFIC DIAGRAM

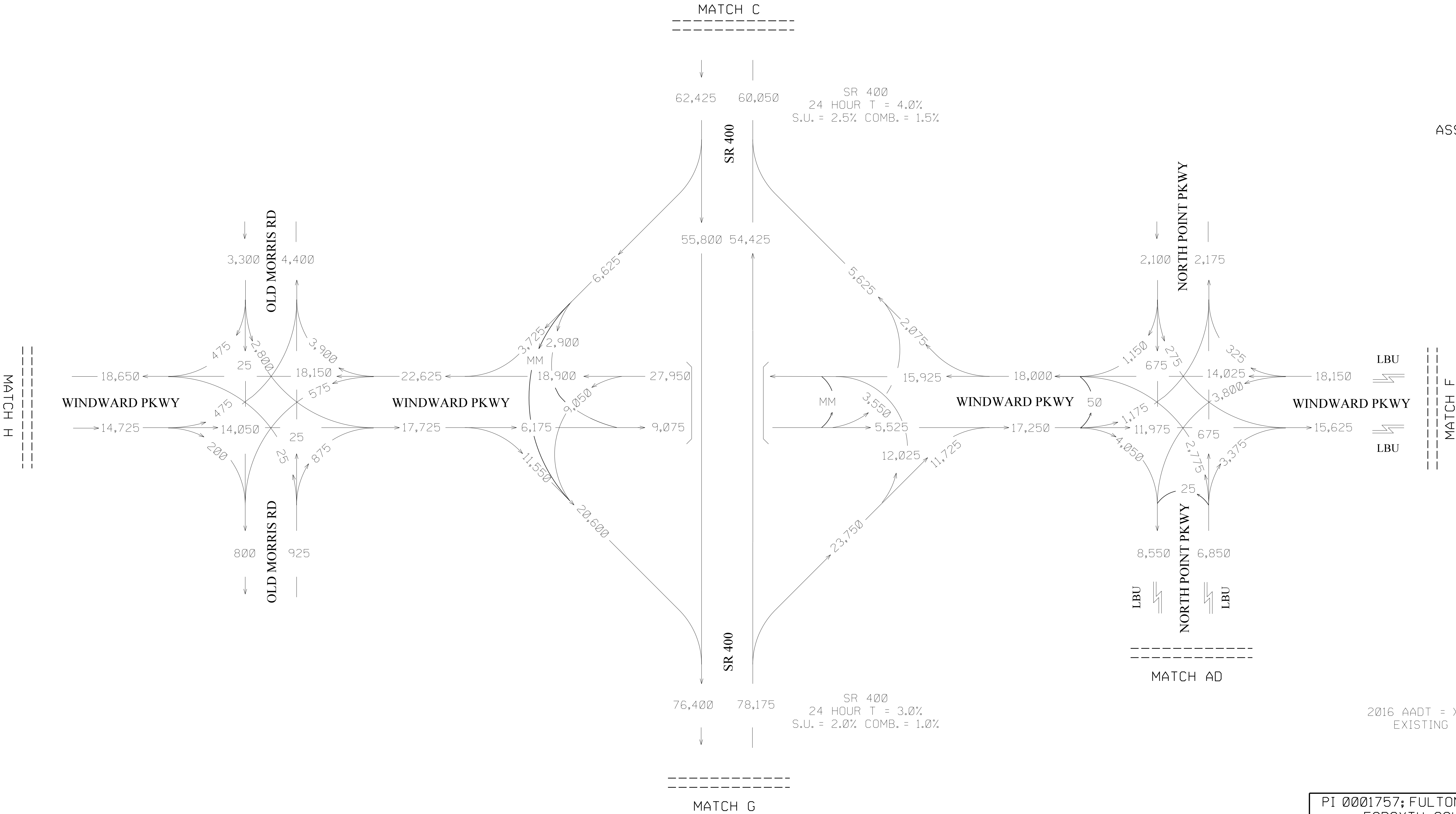
EXISTING (2016) DHV
SHEET 12 OF 23

CHECKED:	MVF	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	MVF	DATE:	3/25/18	
VERIFIED:	TLS	DATE:	3/25/18	



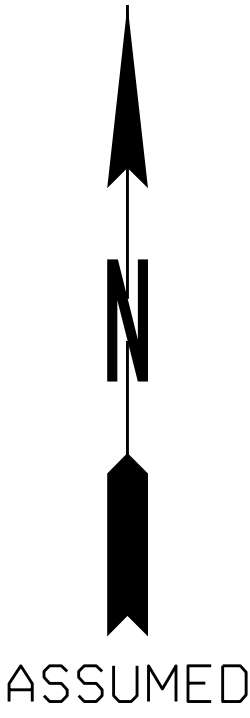
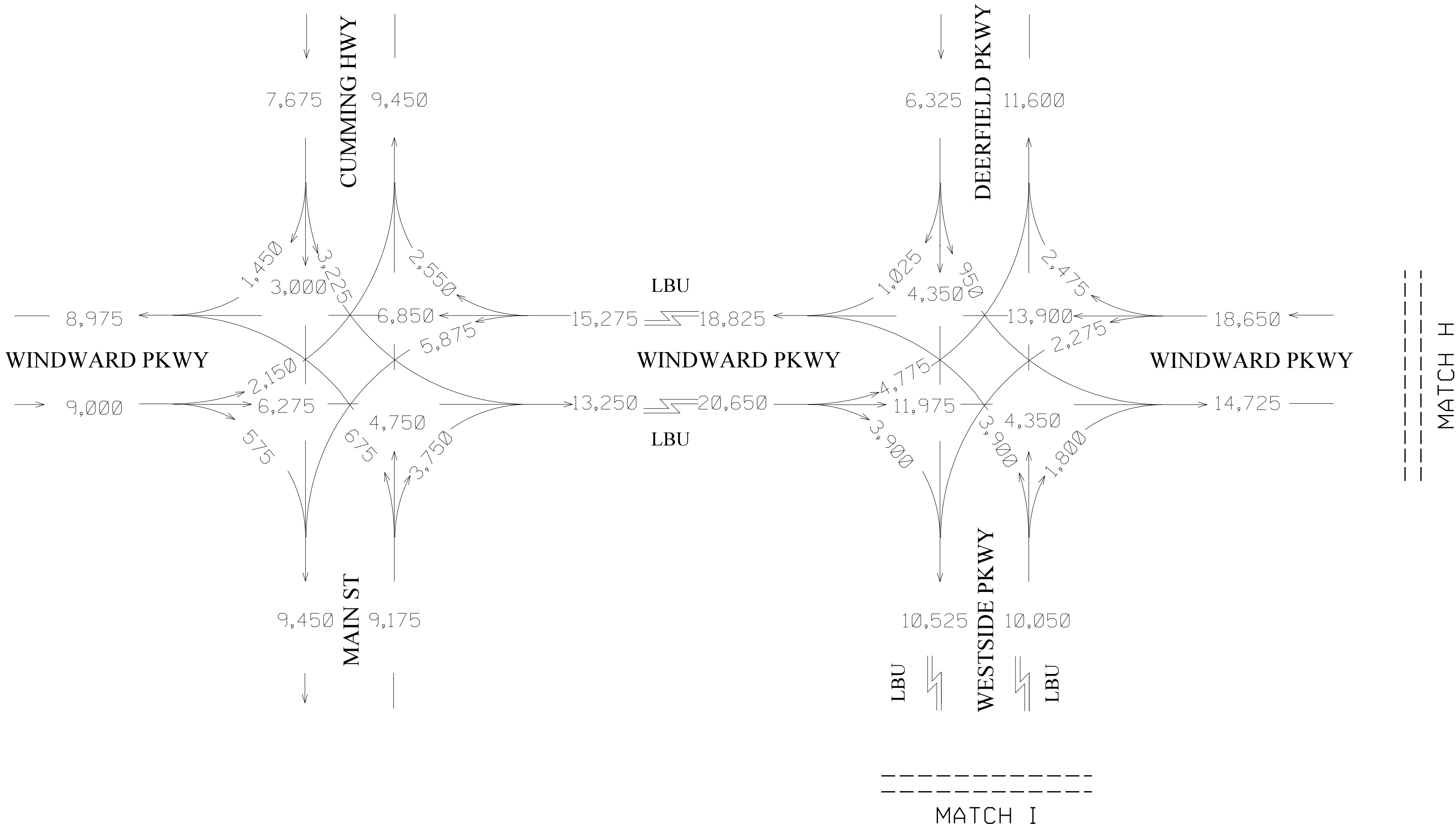


PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



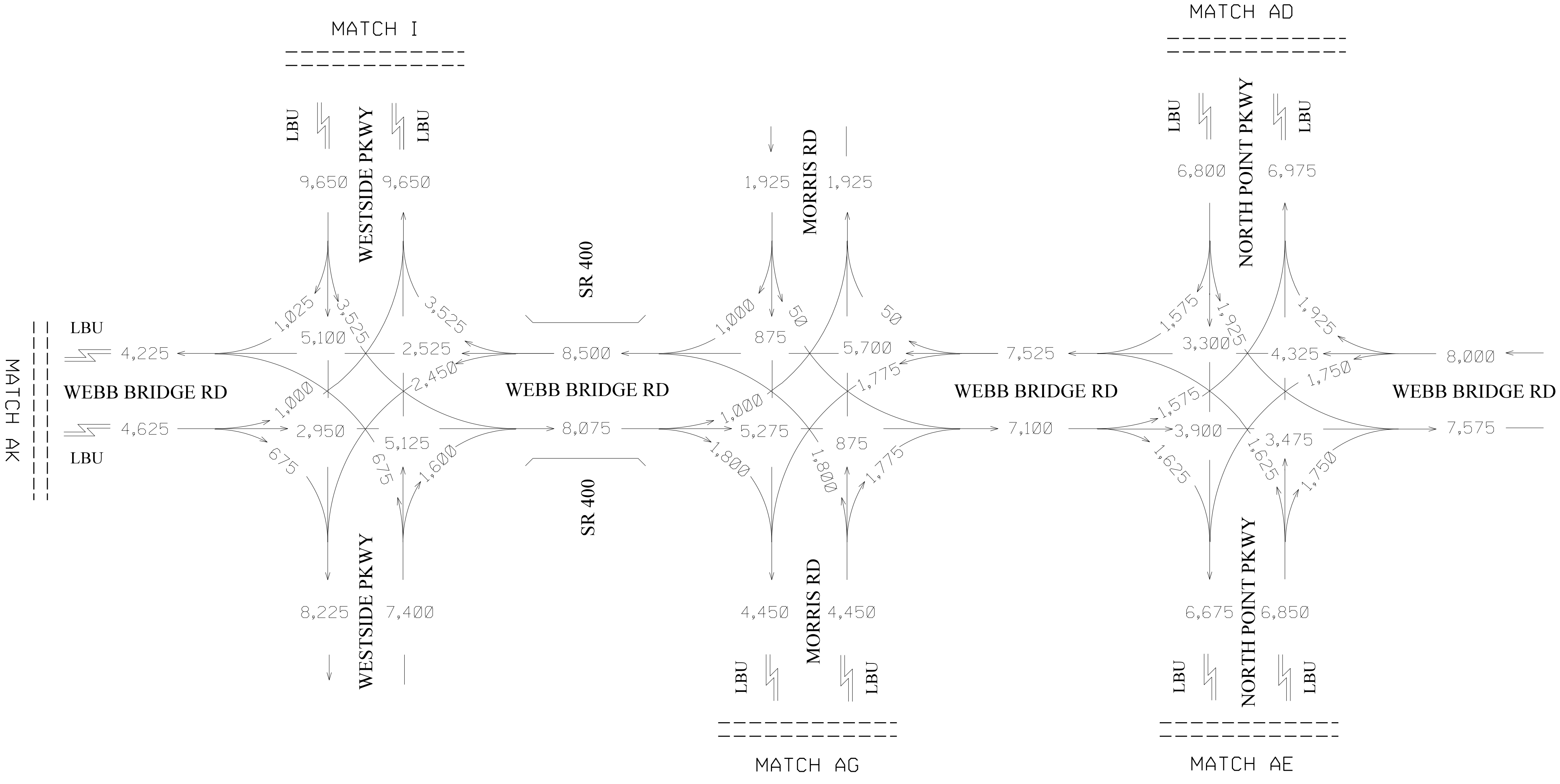
2016 AADT = XXX
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



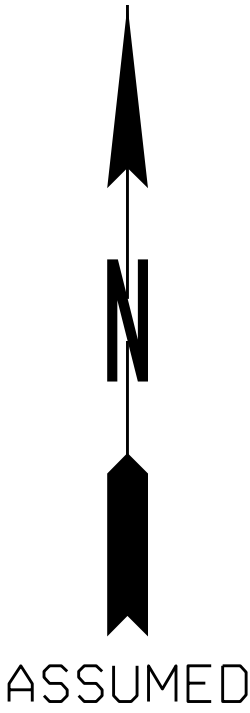
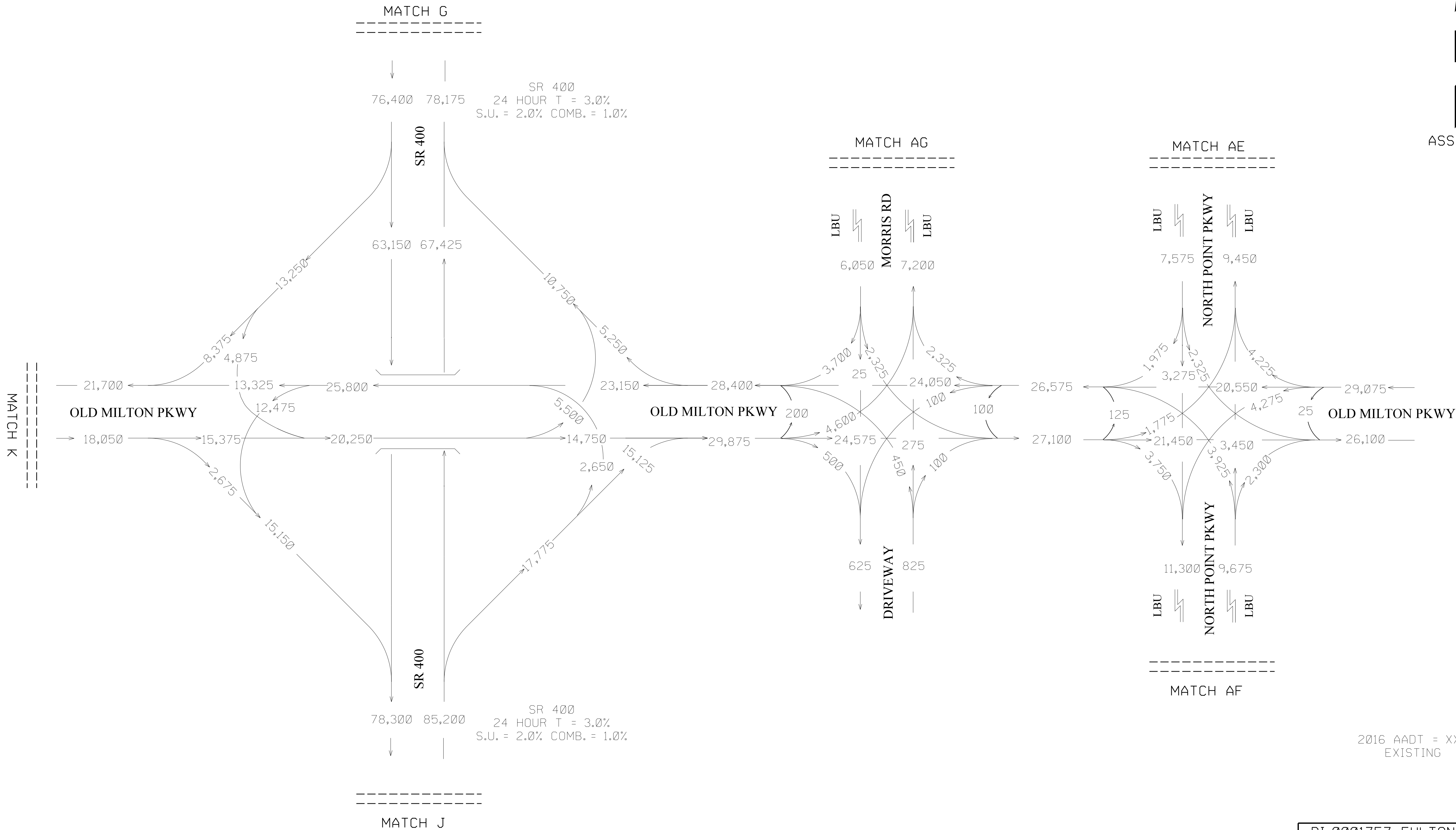
2016 AADT = XXX
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2016 AADT = XXX
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

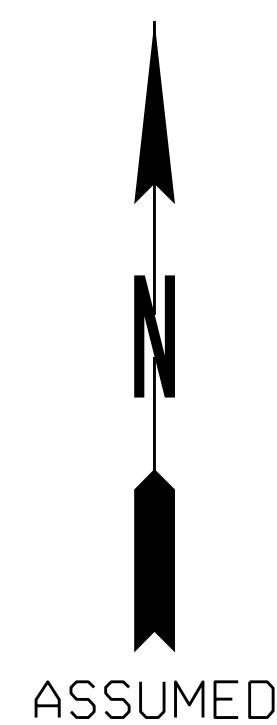
REVISION DATES

TRAFFIC DIAGRAM

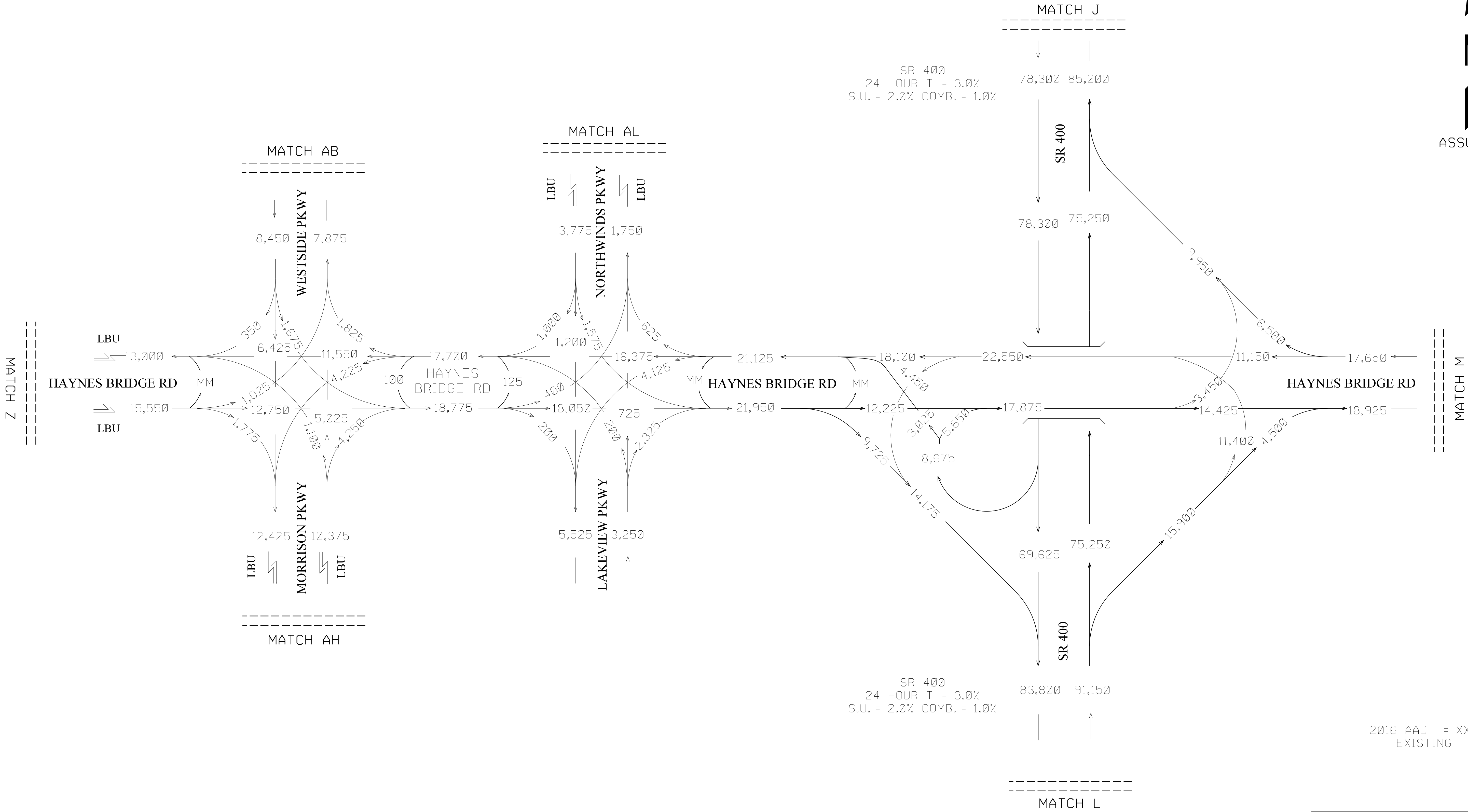
EXISTING (2016) AADT
SHEET 9 OF 23

CHECKED:	MVF	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	MVF	DATE:	3/25/18	
VERIFIED:	TLS	DATE:	3/25/18	

10-0032



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



4/28/2016

GPLN

Kimley»Horn

Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

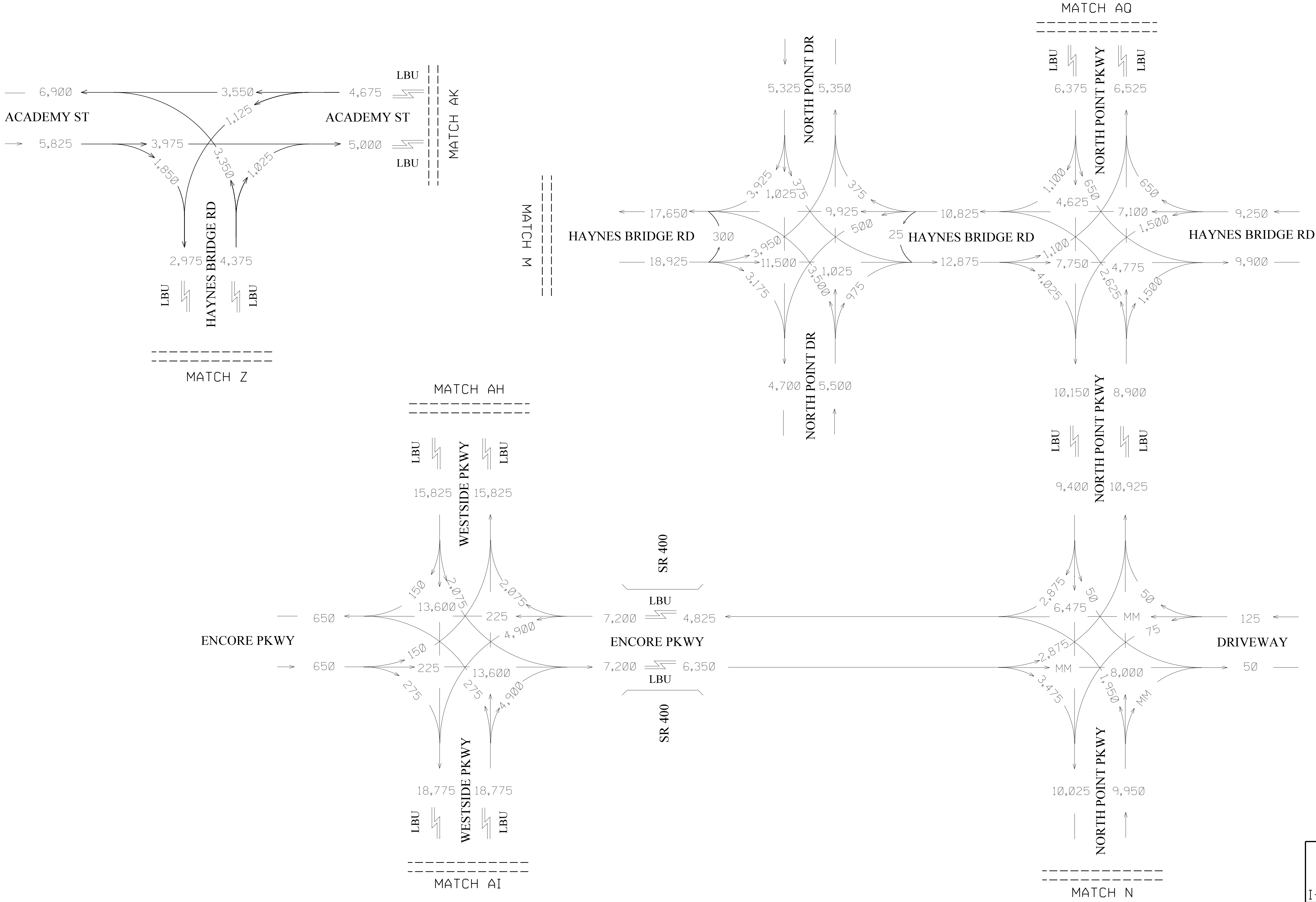
NOT TO SCALE

REVISION DATES			

TRAFFIC DIAGRAM			
EXISTING (2016) AADT SHEET 11 OF 23			
CHECKED:	MVF	DATE:	3/25/18
BACKCHECKED:	TLS	DATE:	3/25/18
CORRECTED:	MVF	DATE:	3/25/18
VERIFIED:	TLS	DATE:	3/25/18

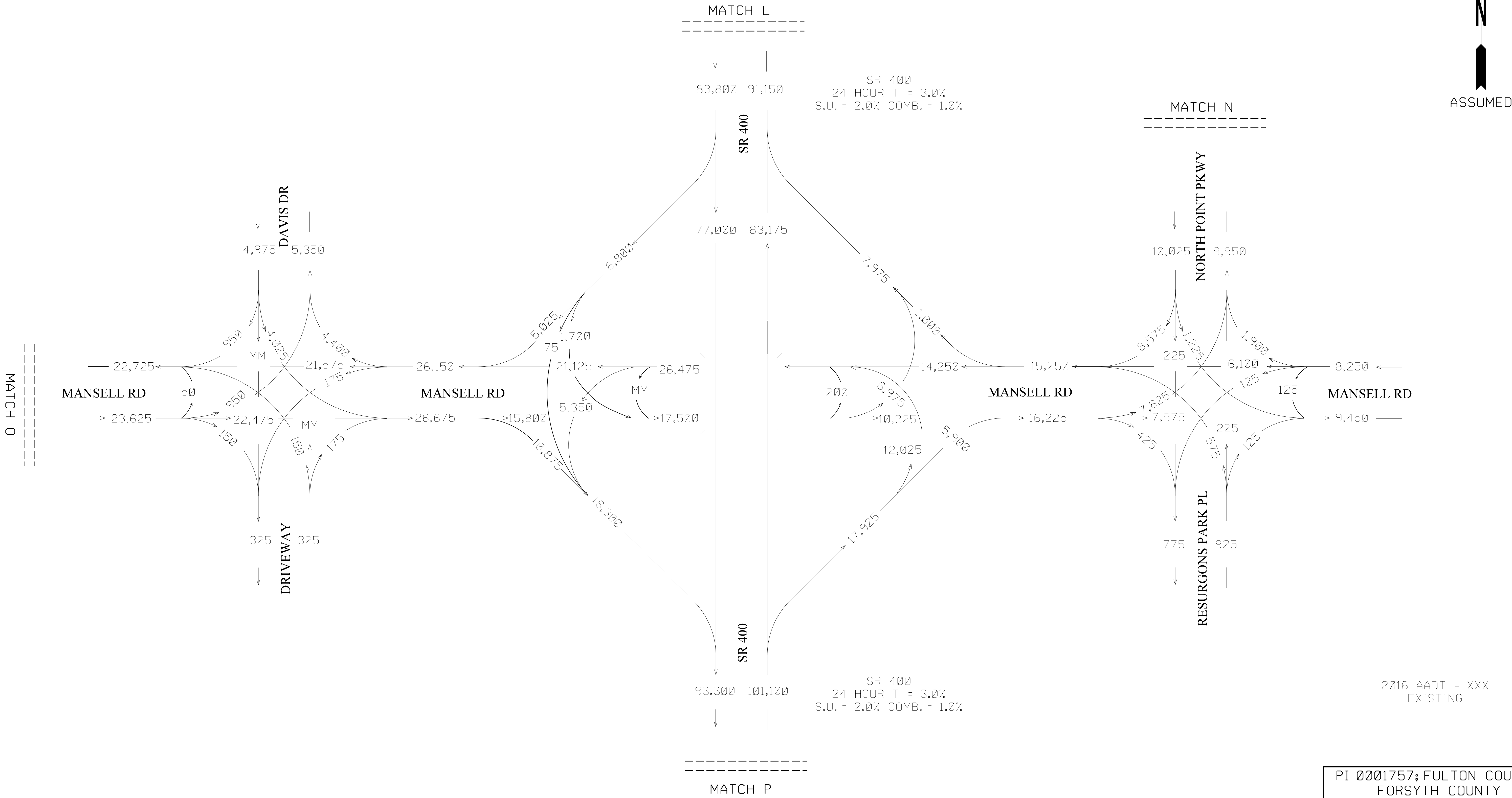
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

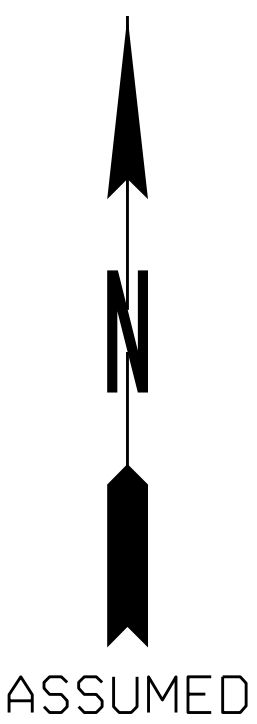
10-0034



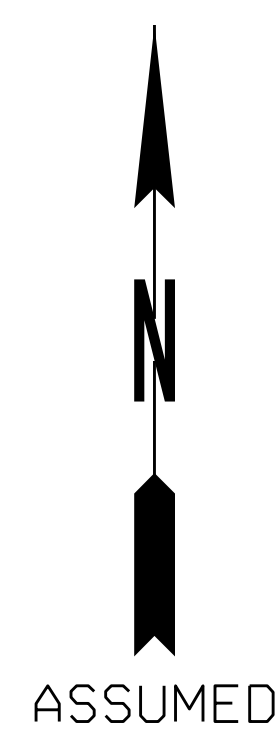
2016 AADT = XXX
EXISTING

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

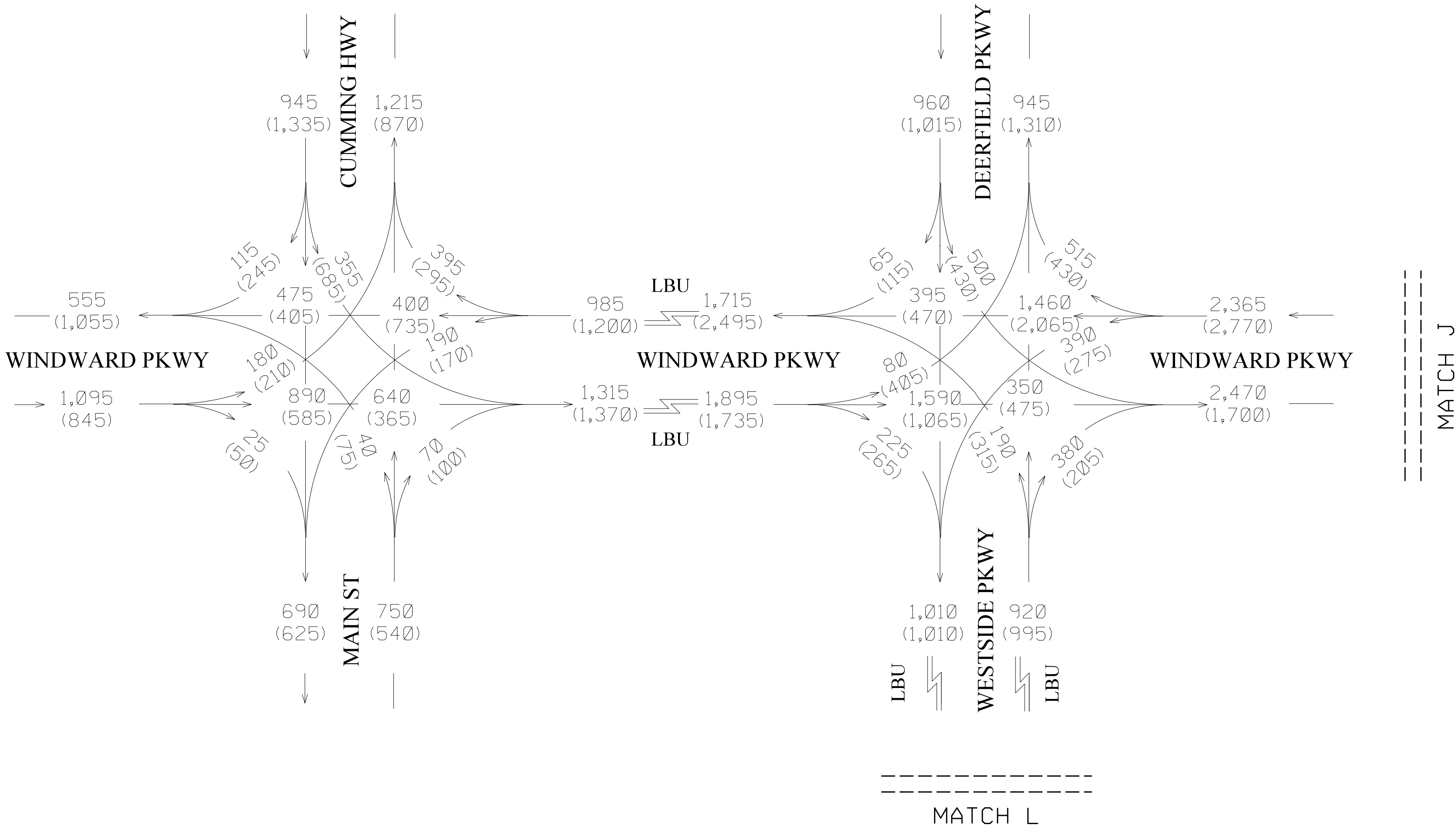
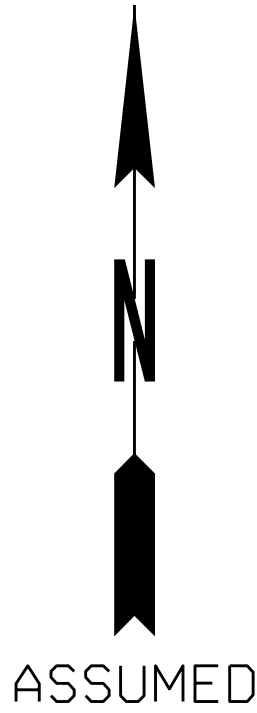




PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2026 AM DHV = XXX
2026 PM DHV = (XXX)
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

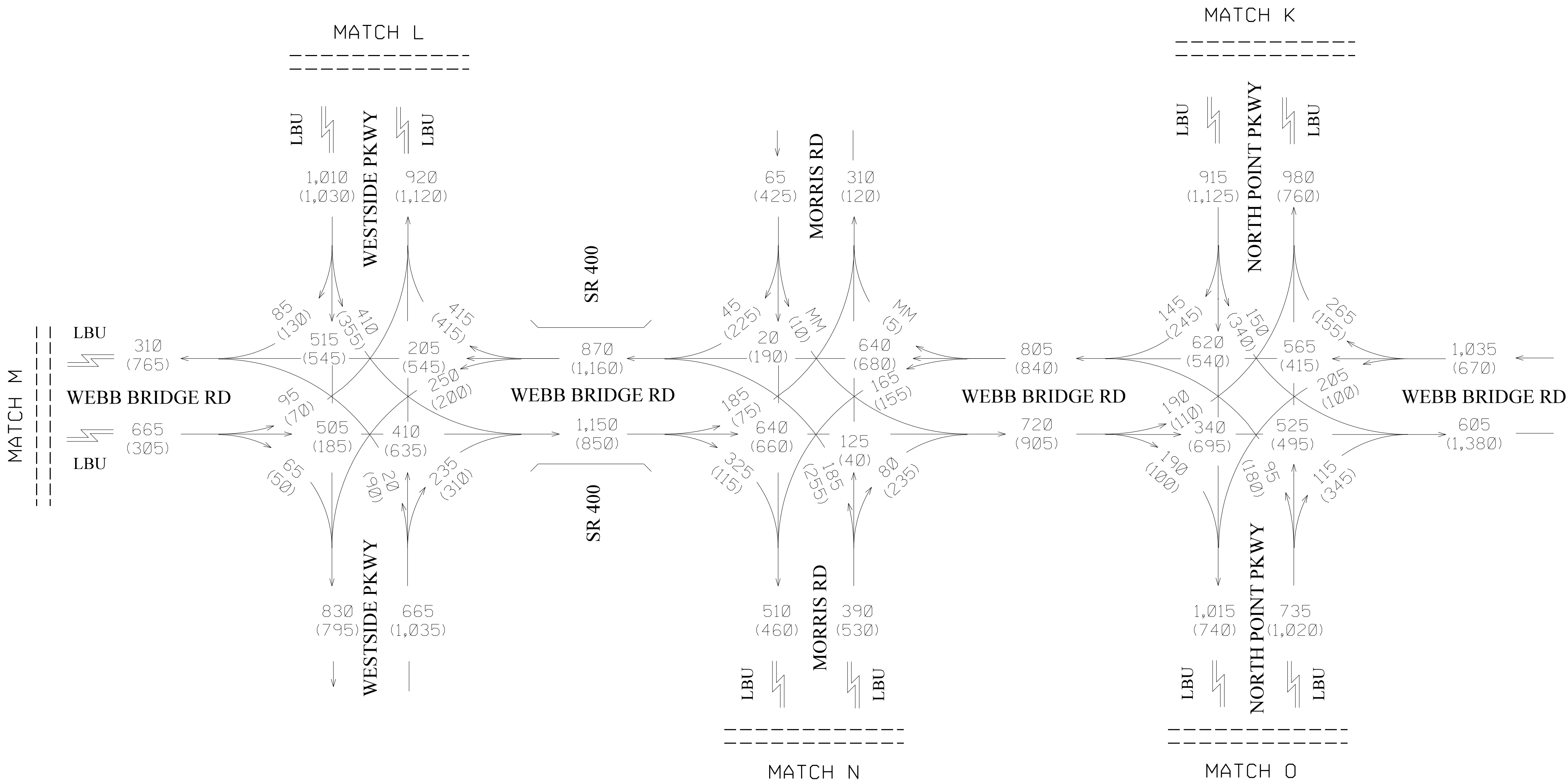
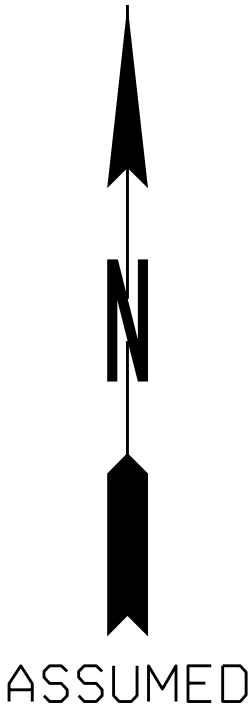
REVISION DATES

TRAFFIC DIAGRAM

NO-BUILD (2026) DHV
SHEET 8 OF 25

CHECKED:	JRF/TG	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	

10-1008



2026 AM DHV = XXX
2026 PM DHV = (XXX)
BASE NO-BUILD

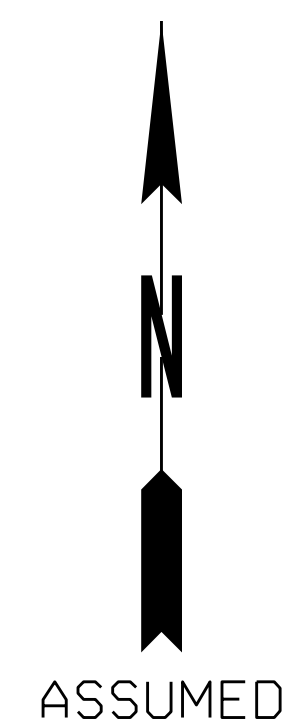
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

REVISION DATES

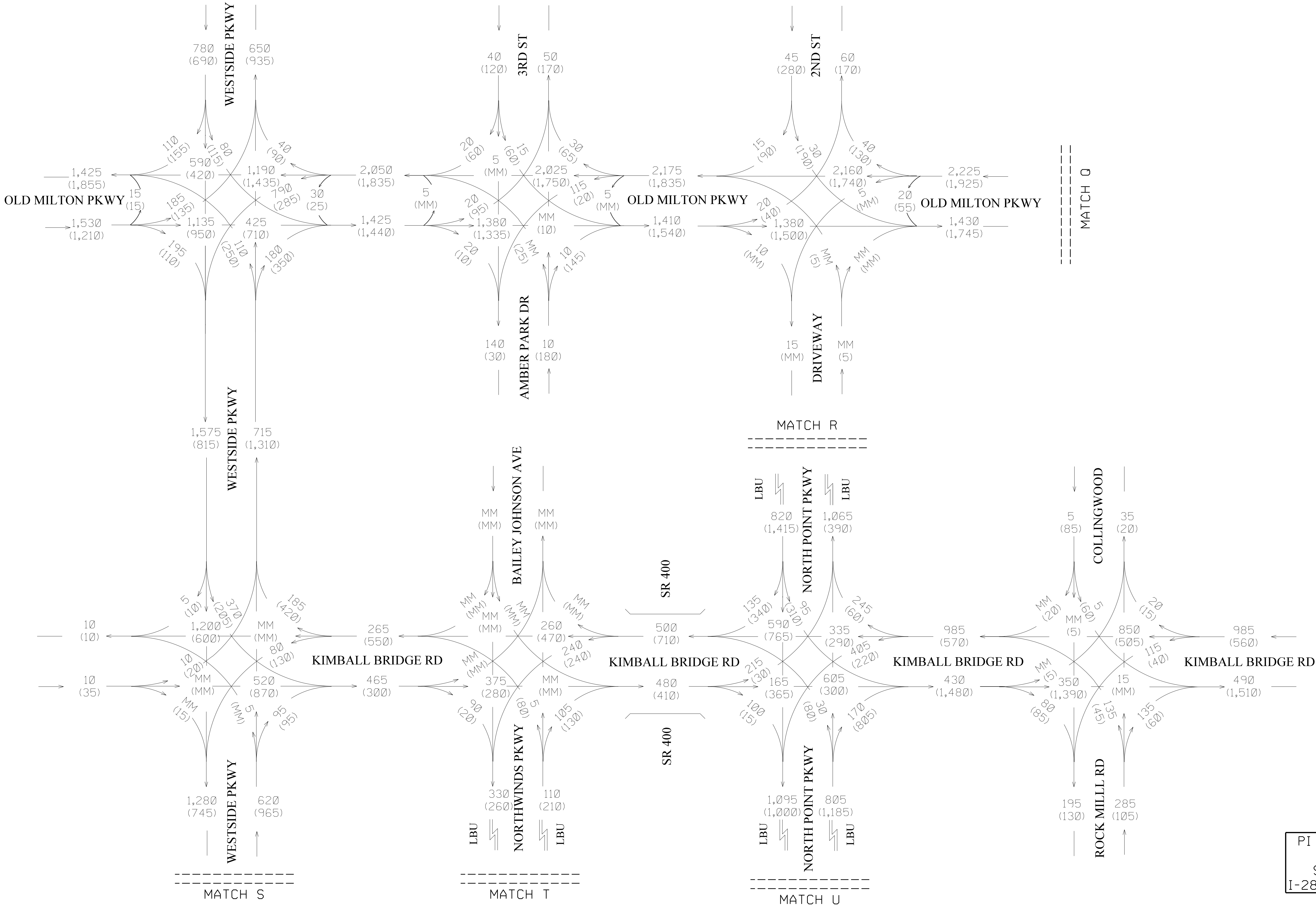
TRAFFIC DIAGRAM

NO-BUILD (2026) DHV
SHEET 9 OF 25

CHECKED:	JRF/TG	DATE:	3/25/18	DRAWING No. 10-1009
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2026 AM DHV = XXX
2026 PM DHV = (XXX)
BASE NO-BUILD

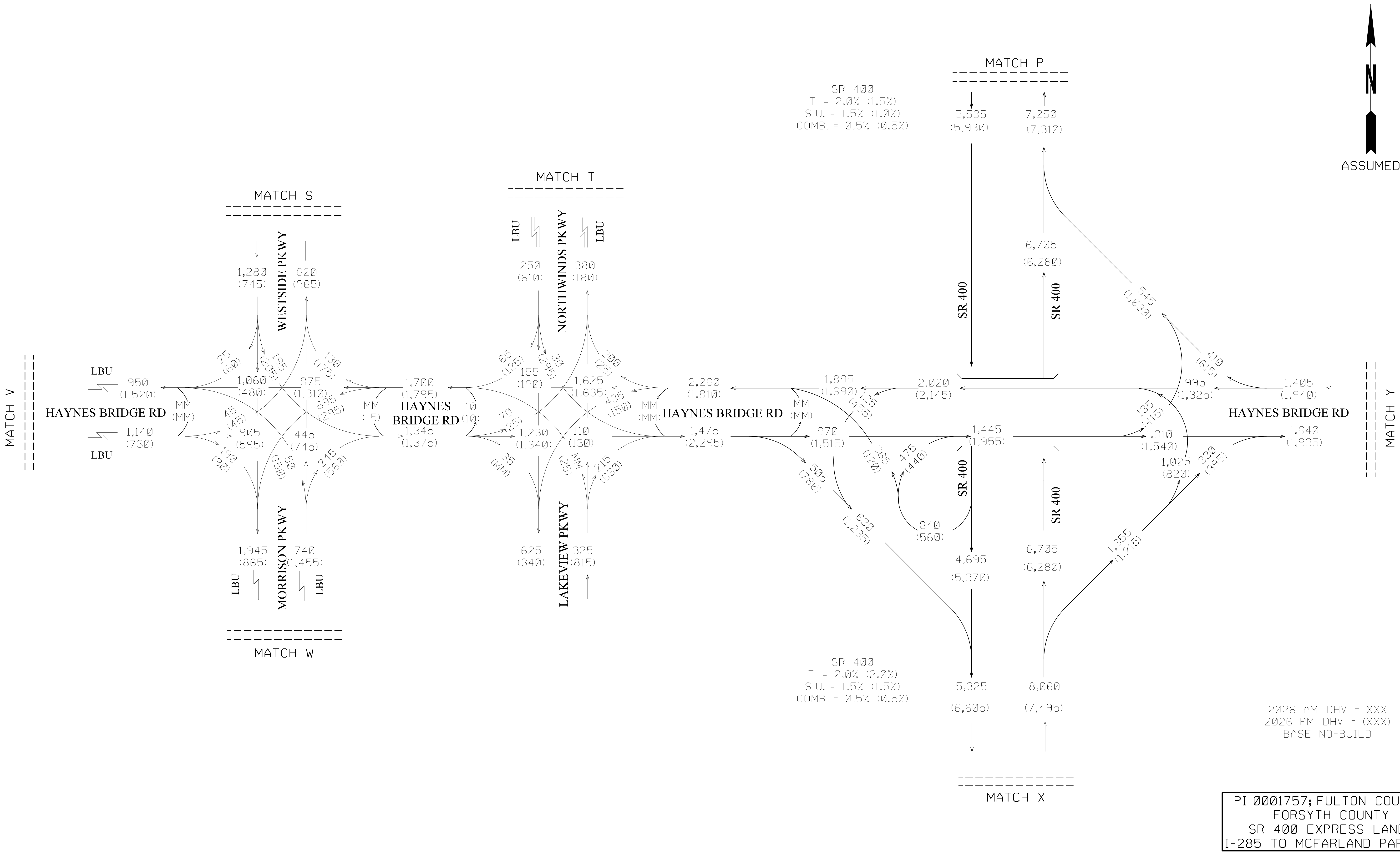
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

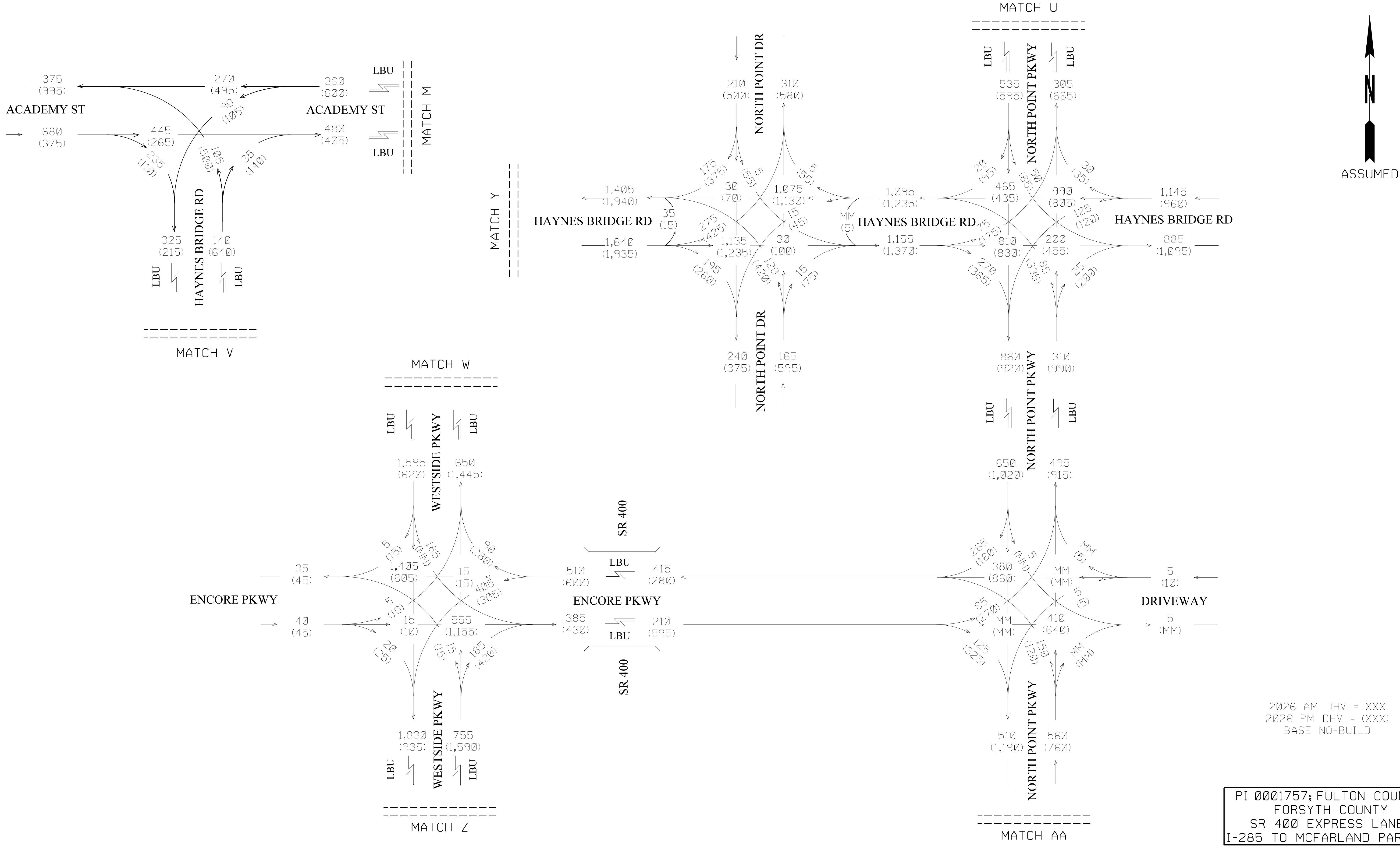
REVISION DATES

TRAFFIC DIAGRAM

NO-BUILD (2026) DHV
SHEET 11 OF 25

CHECKED:	JRF/TG	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	





2026 AM DHV = XXX
2026 PM DHV = (XXX)
BASE NO-BUILD

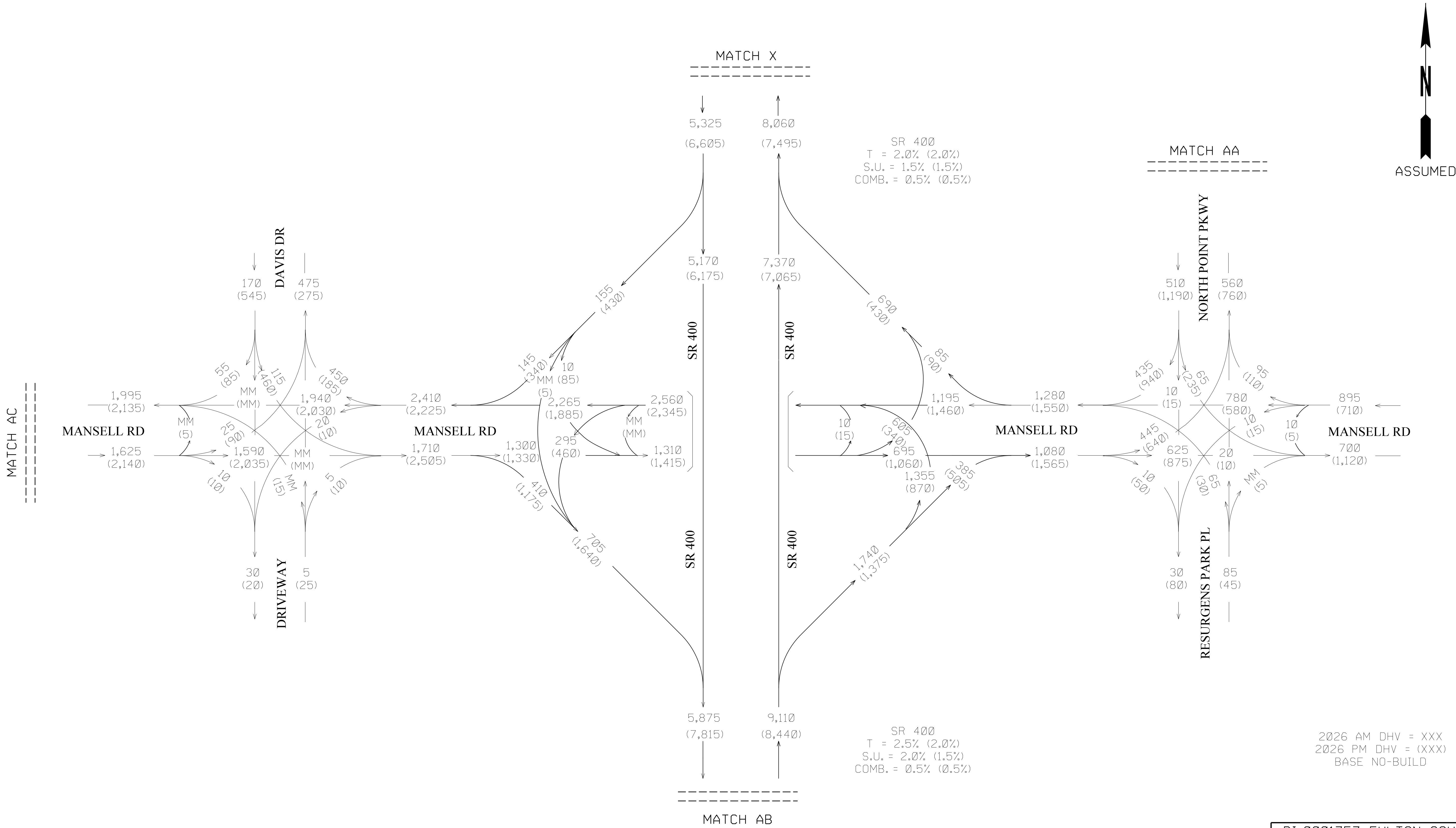
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

REVISION DATES

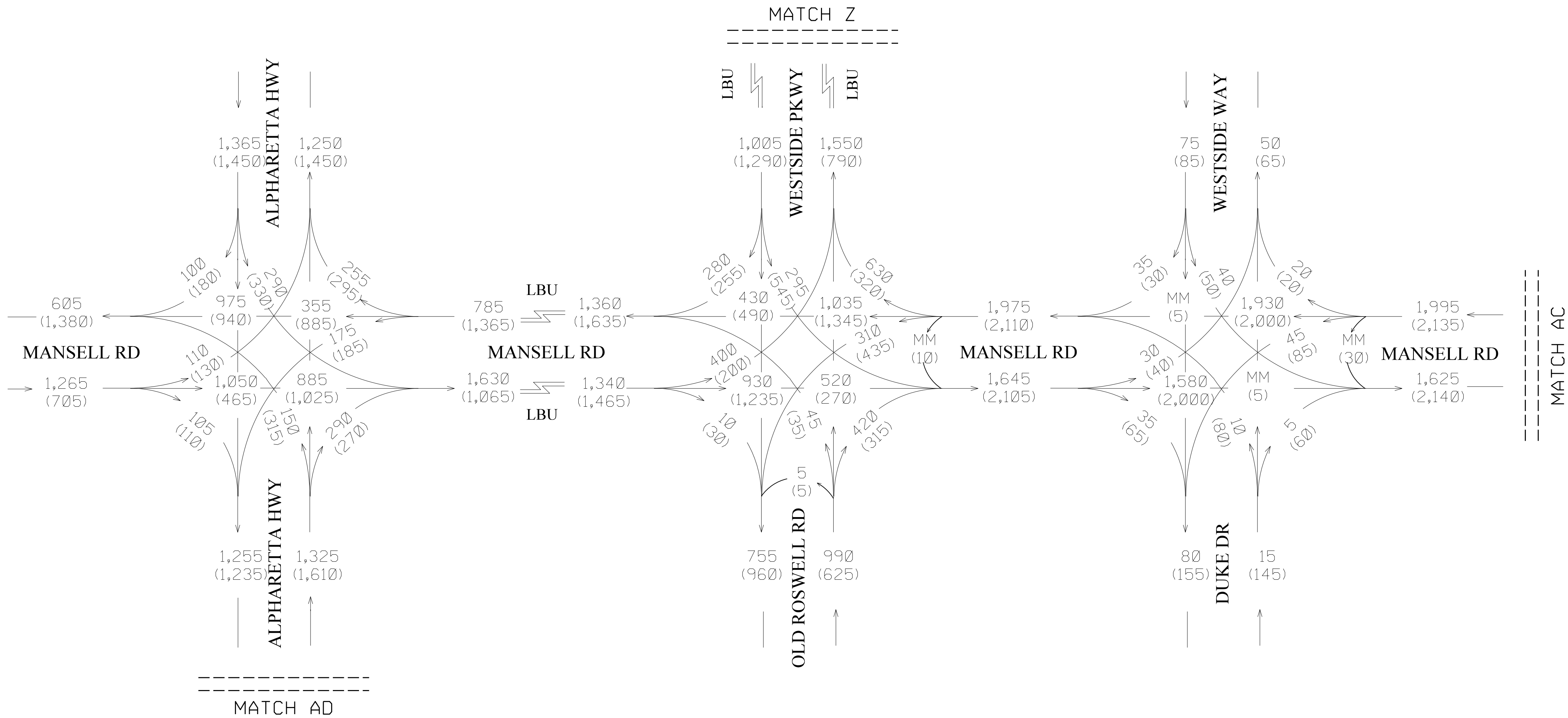
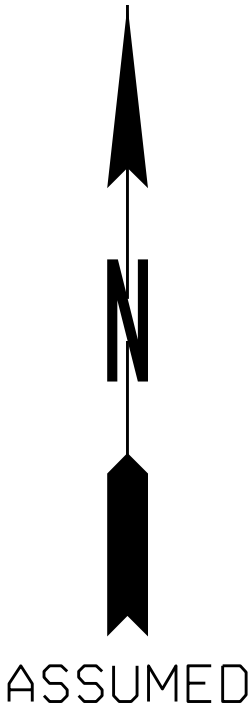
TRAFFIC DIAGRAM

NO-BUILD (2026) DHV
SHEET 13 OF 25

CHECKED:	JRF/TG	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2026 AM DHV = XXX
2026 PM DHV = (XXX)
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

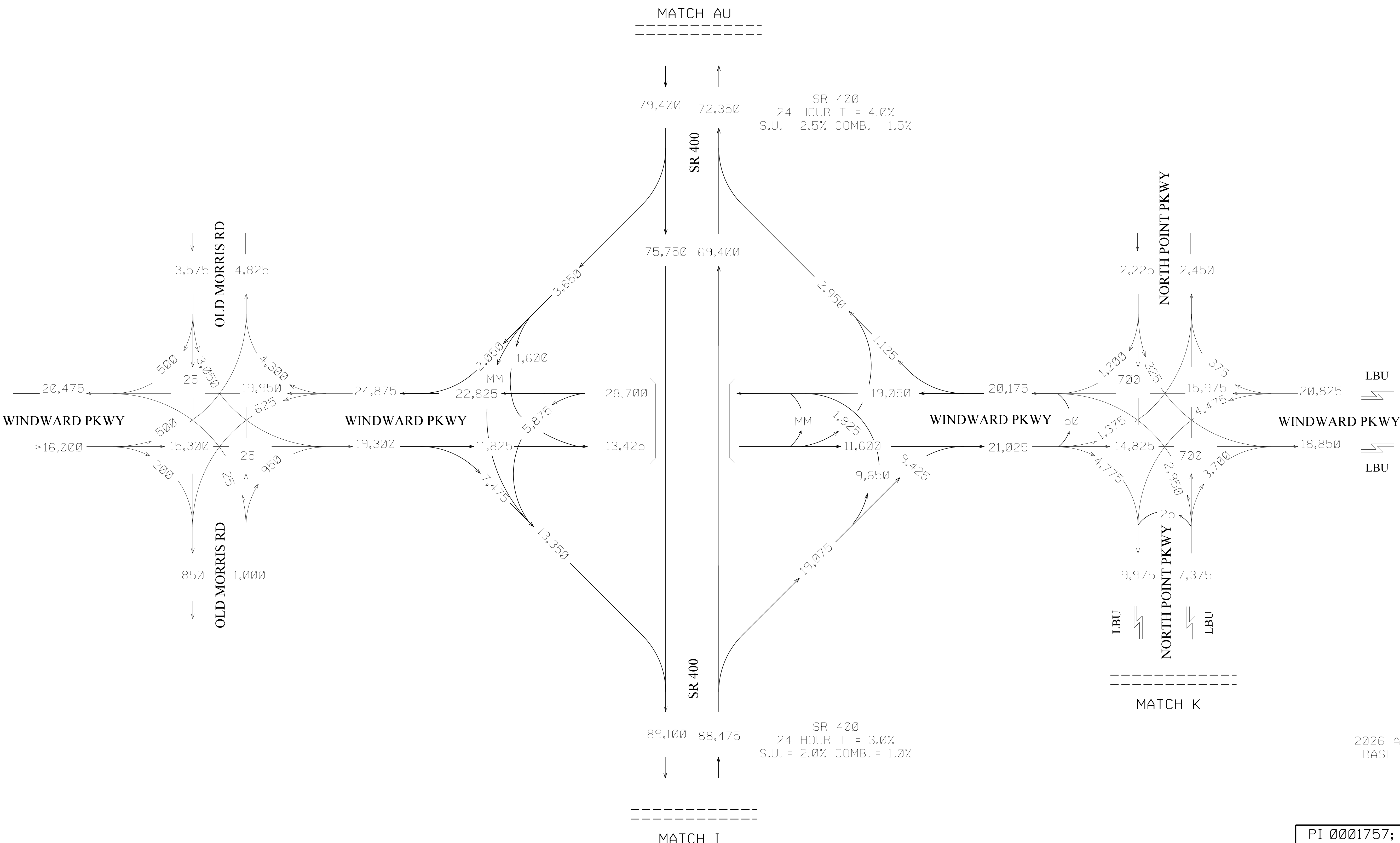
REVISION DATES

TRAFFIC DIAGRAM

NO-BUILD (2026) DHV
SHEET 15 OF 25

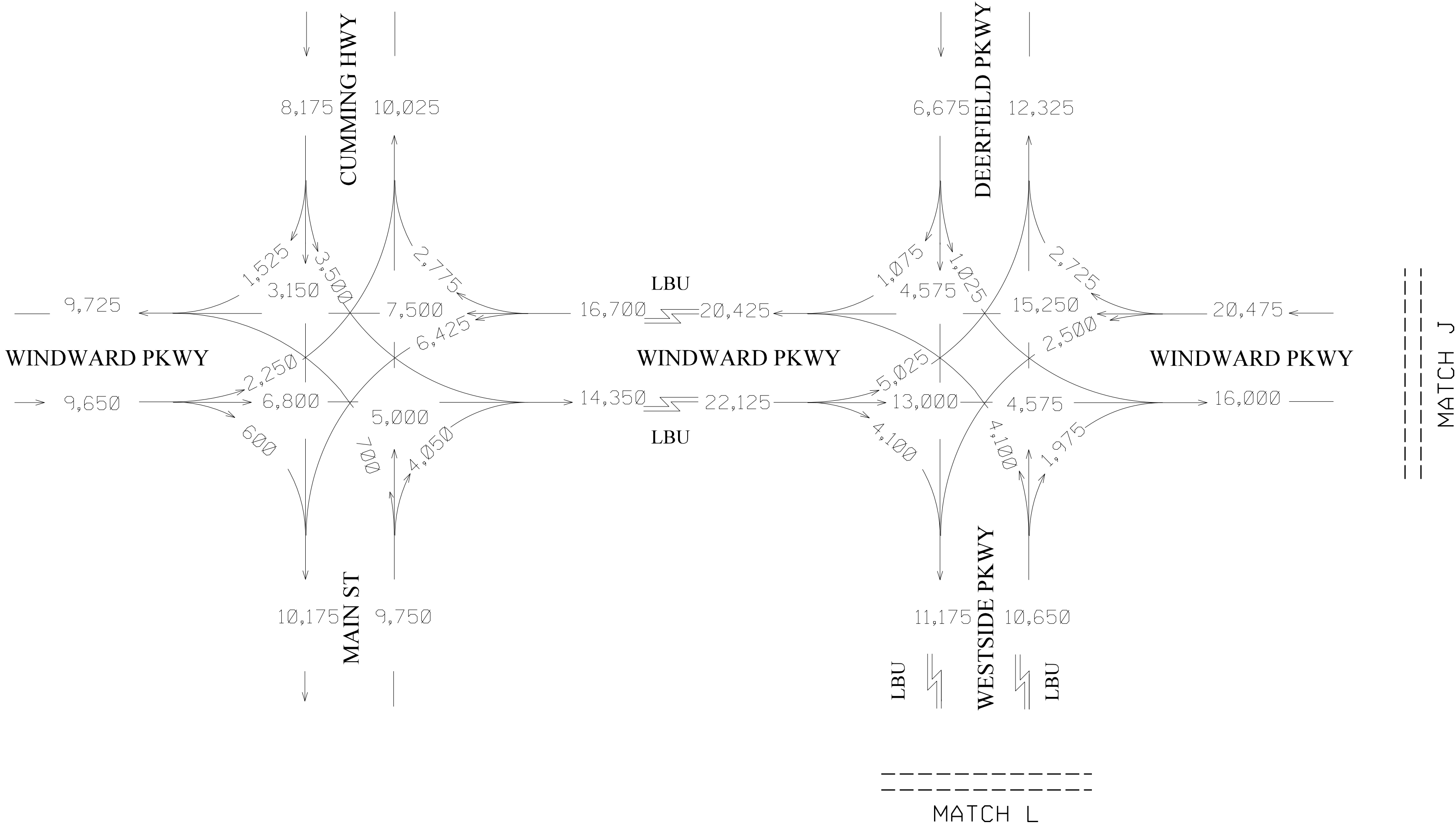
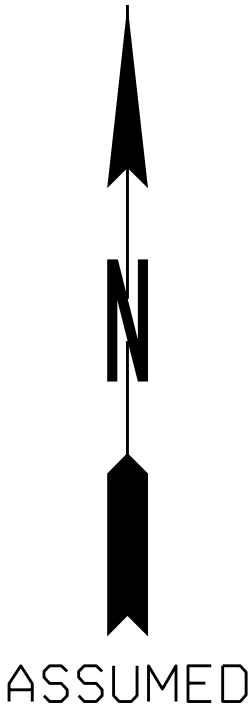
CHECKED:	JRF/TG	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	

10-1015



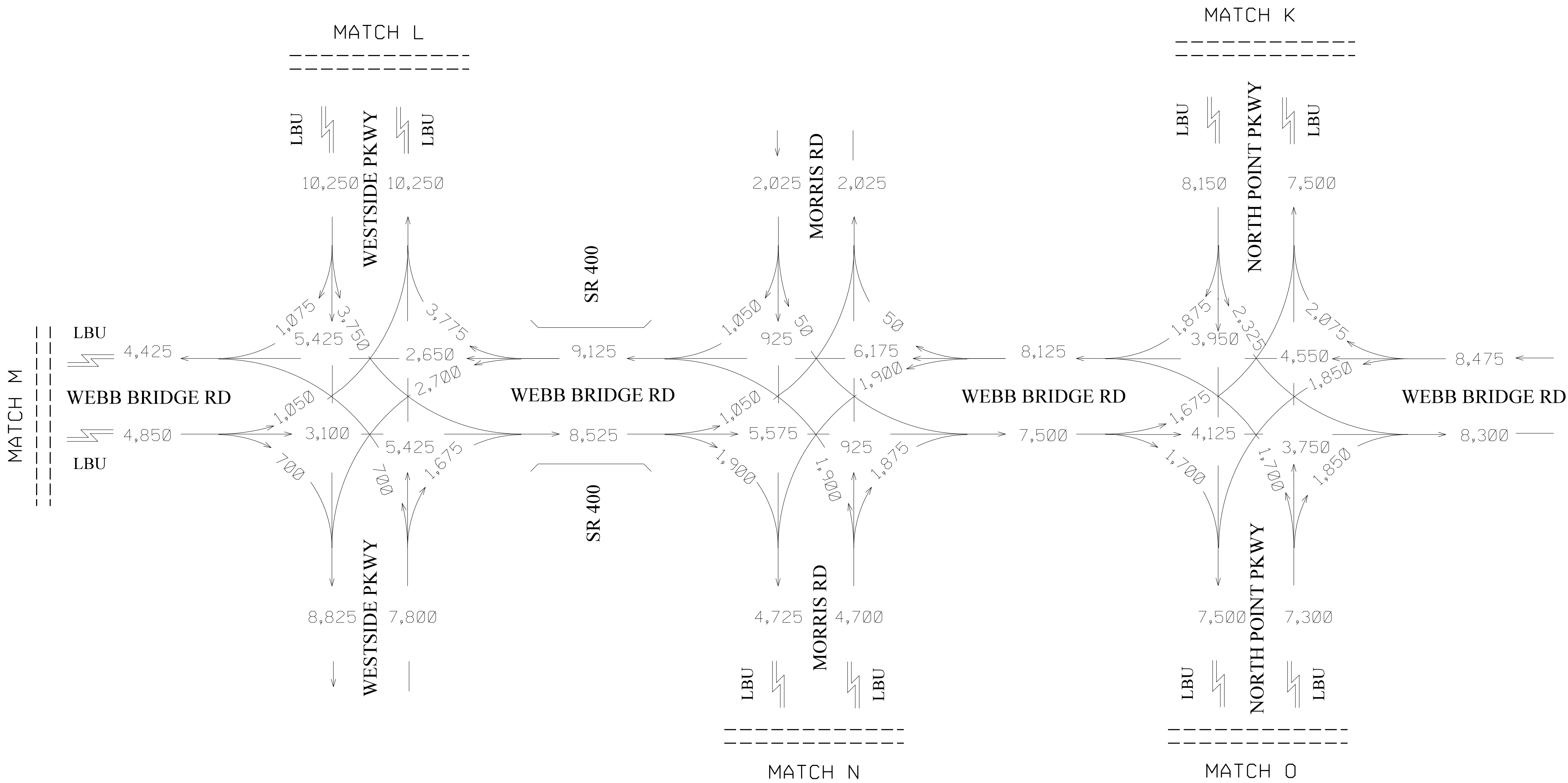
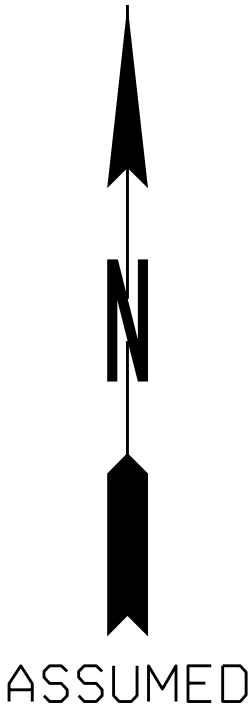
2026 AADT = XXX
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2026 AADT = XXX
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2026 AADT = XXX
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

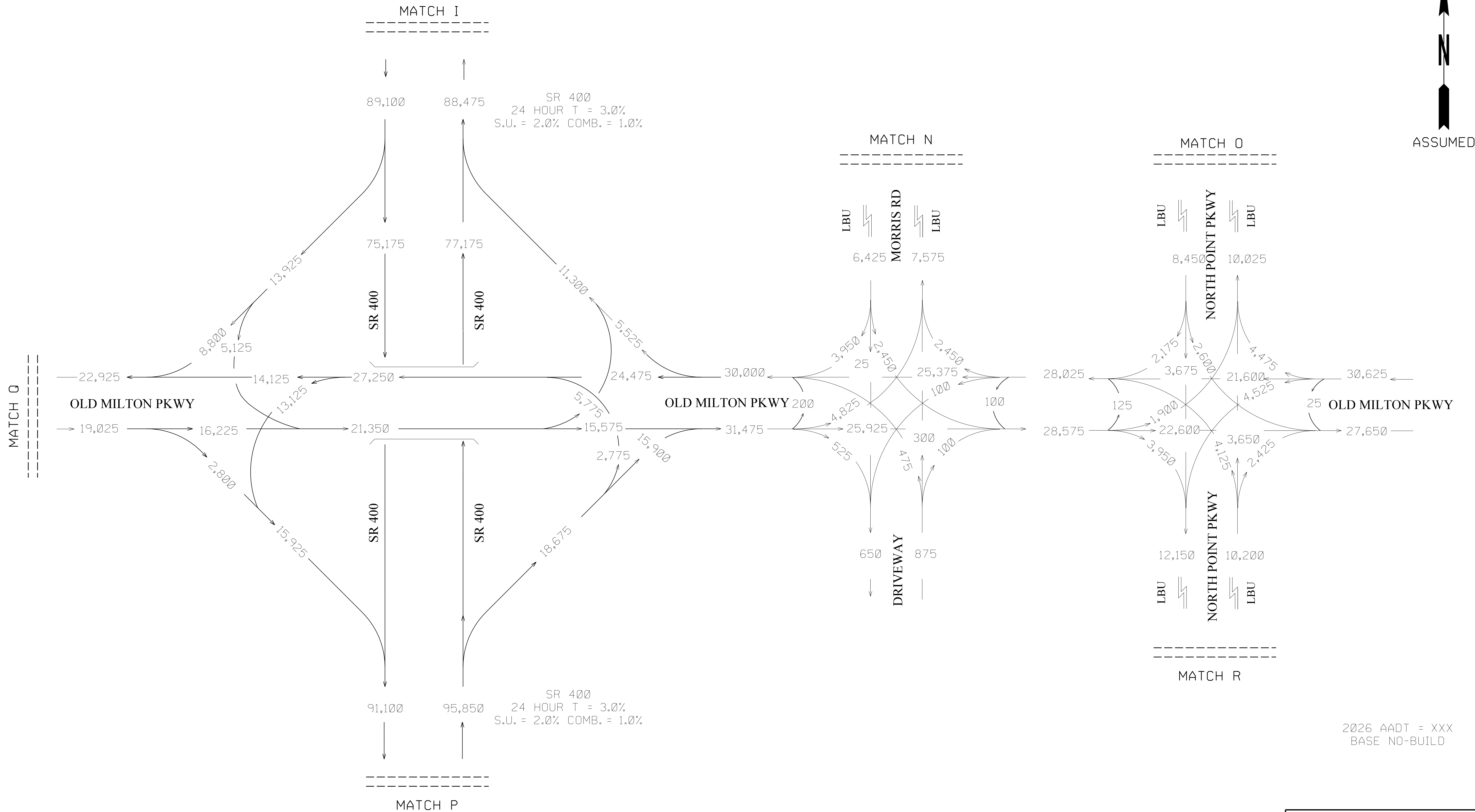
NOT TO SCALE

REVISION DATES

TRAFFIC DIAGRAM

NO-BUILD (2026) AADT
SHEET 9 OF 25

CHECKED:	JRF/TJG	DATE:	3/25/18	DRAWING No. 10-1034
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TJG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	



2026 AADT = XXX
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

Kimley»Horn
Engineering, Planning, and Environmental Consultants
Suite 450, 2 Sun Court
Peachtree Corners, Georgia 30092

NOT TO SCALE

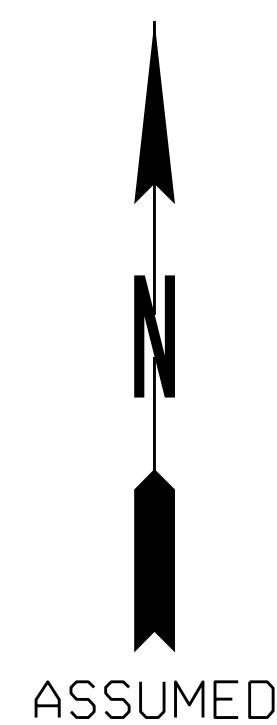
REVISION DATES

TRAFFIC DIAGRAM

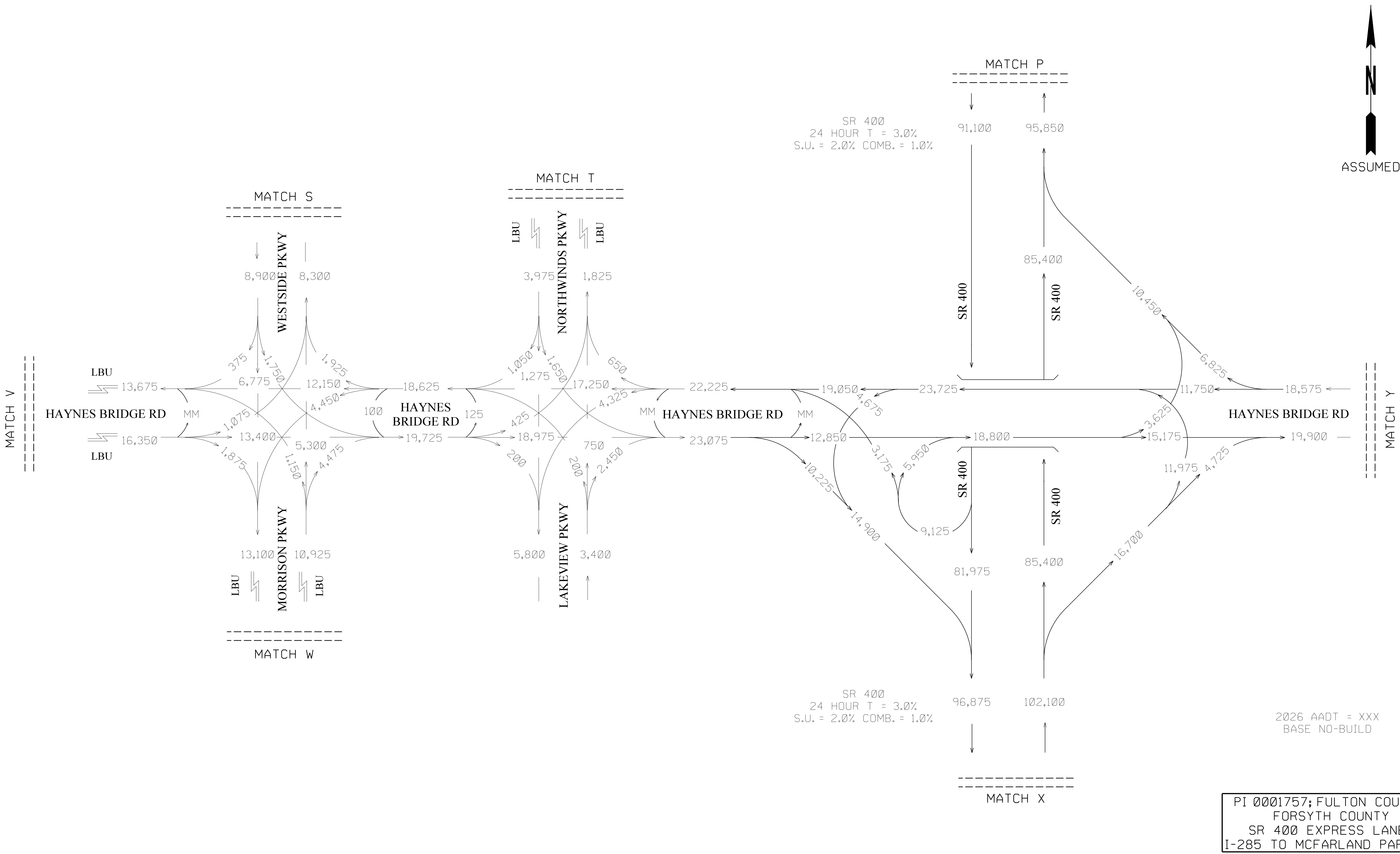
NO-BUILD (2026) AADT
SHEET 10 OF 25

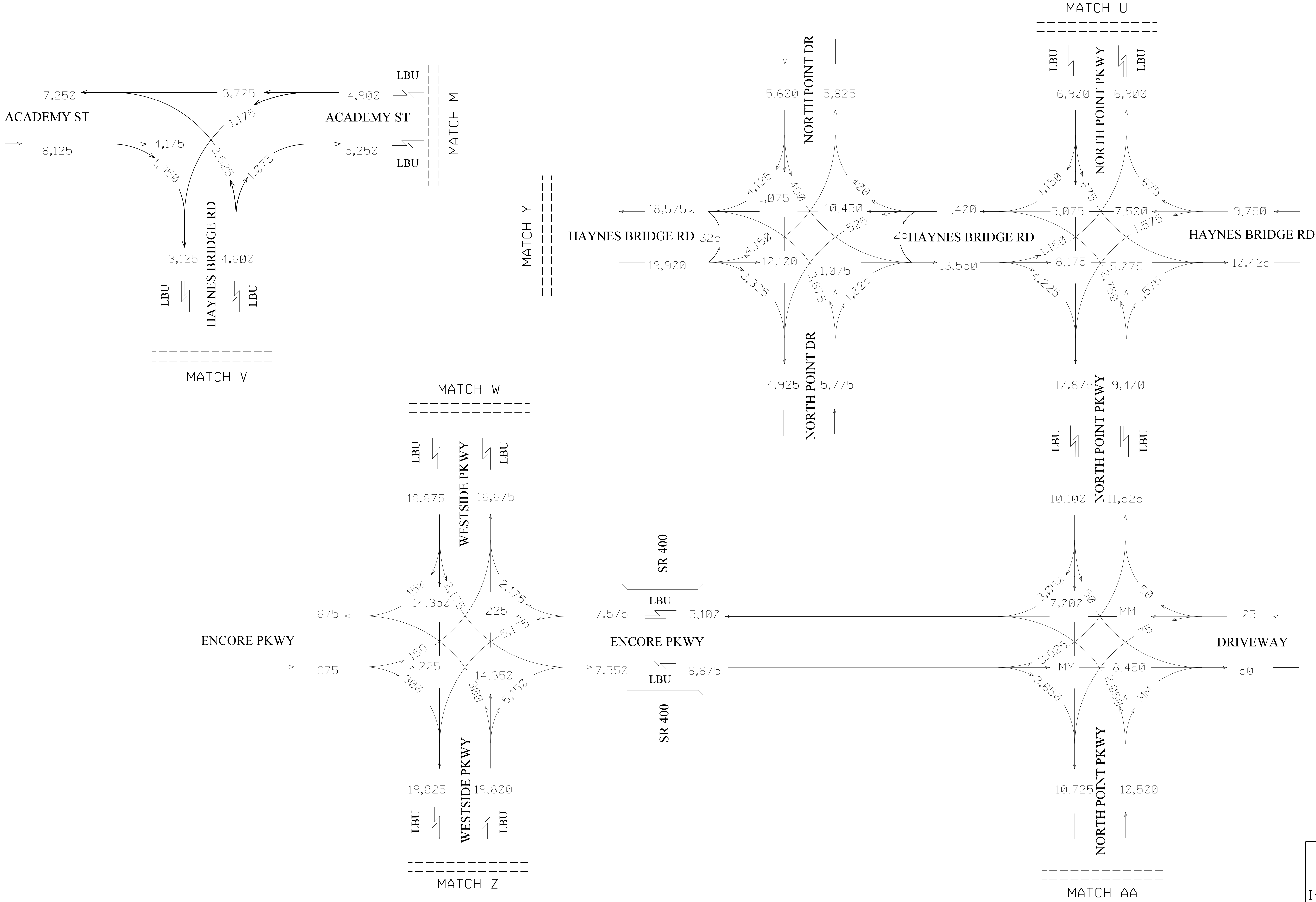
CHECKED:	JRF/TJG	DATE:	3/25/18	DRAWING No.
BACKCHECKED:	TLS	DATE:	3/25/18	
CORRECTED:	JRF/TJG	DATE:	4/12/18	
VERIFIED:	TLS	DATE:	4/12/18	

10-1035



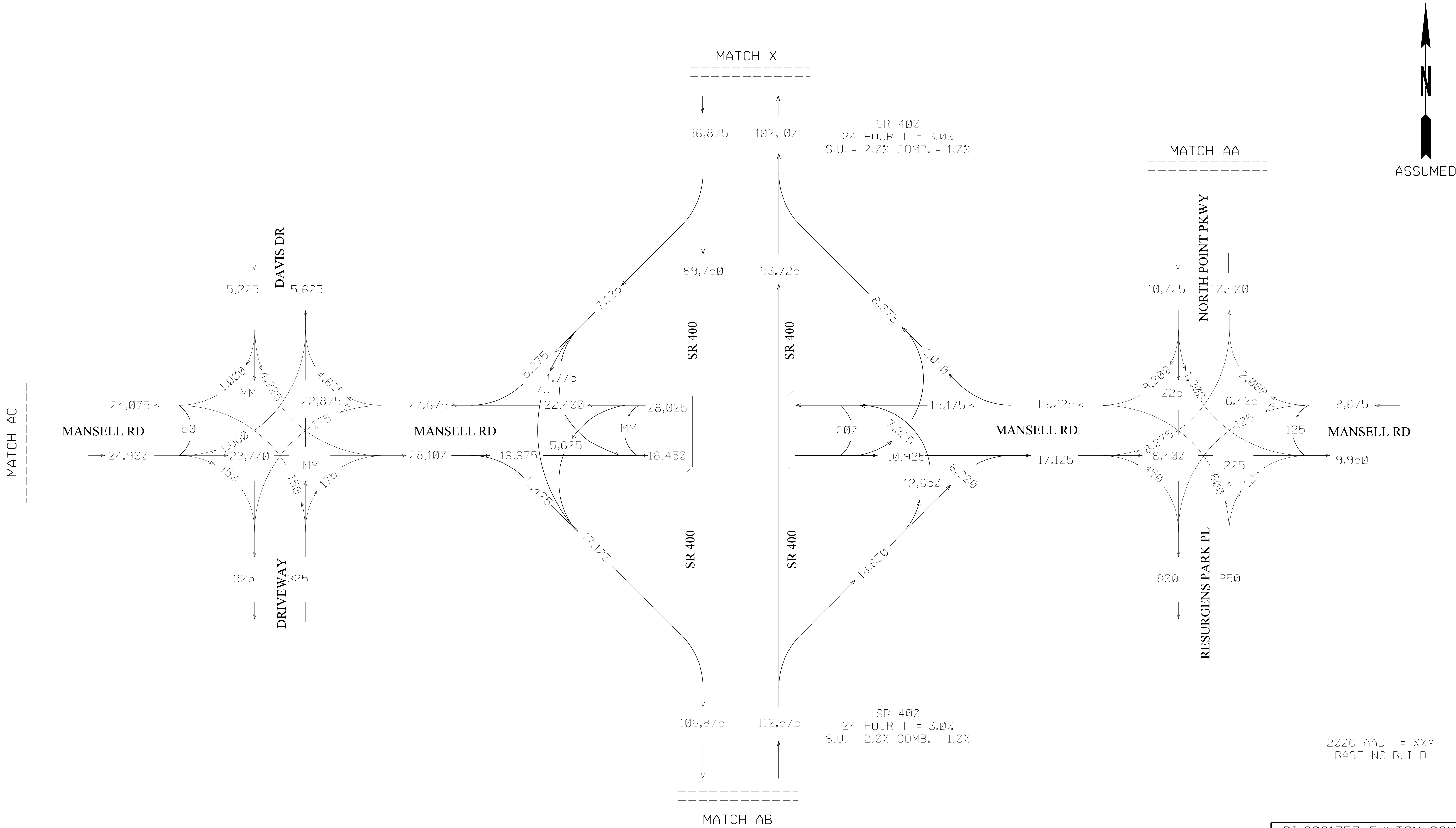
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY





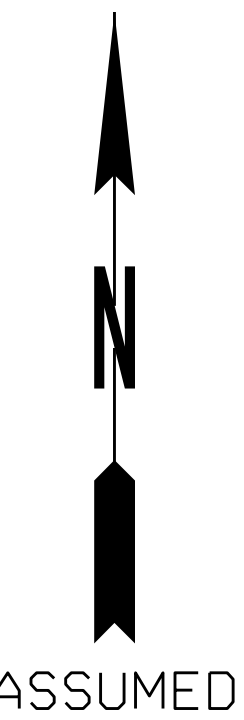
2026 AADT = XXX
BASE NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

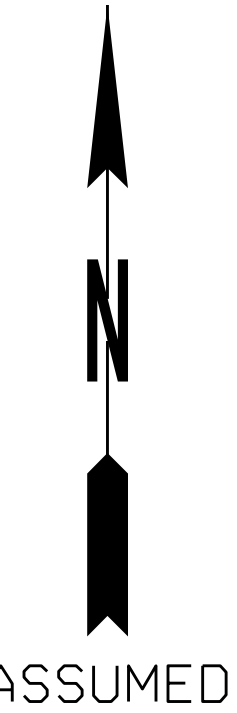


2026 AADT = XXX
BASE NO-BUILD

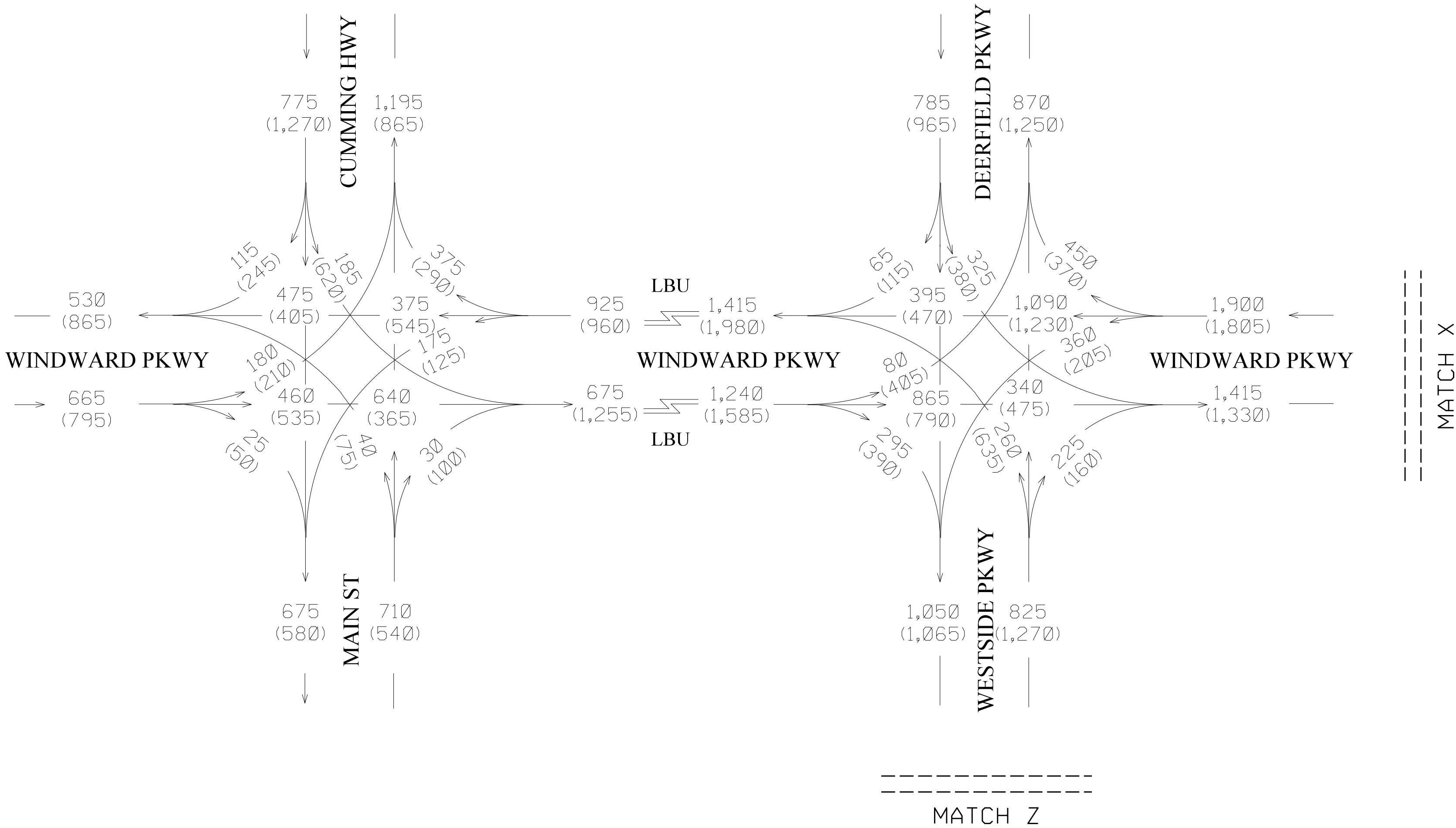
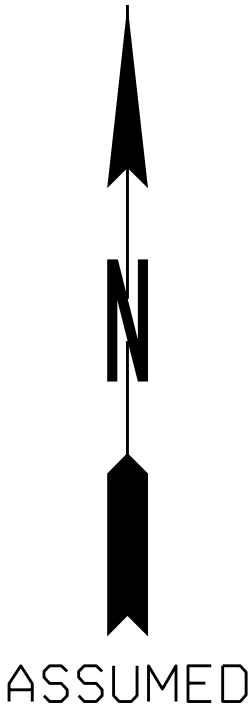
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2010
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

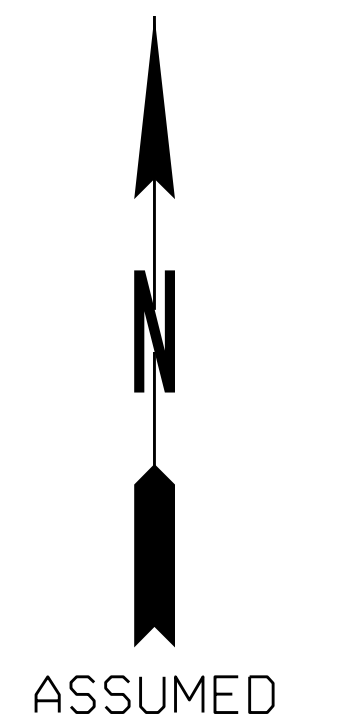
NOT TO SCALE

REVISION DATES

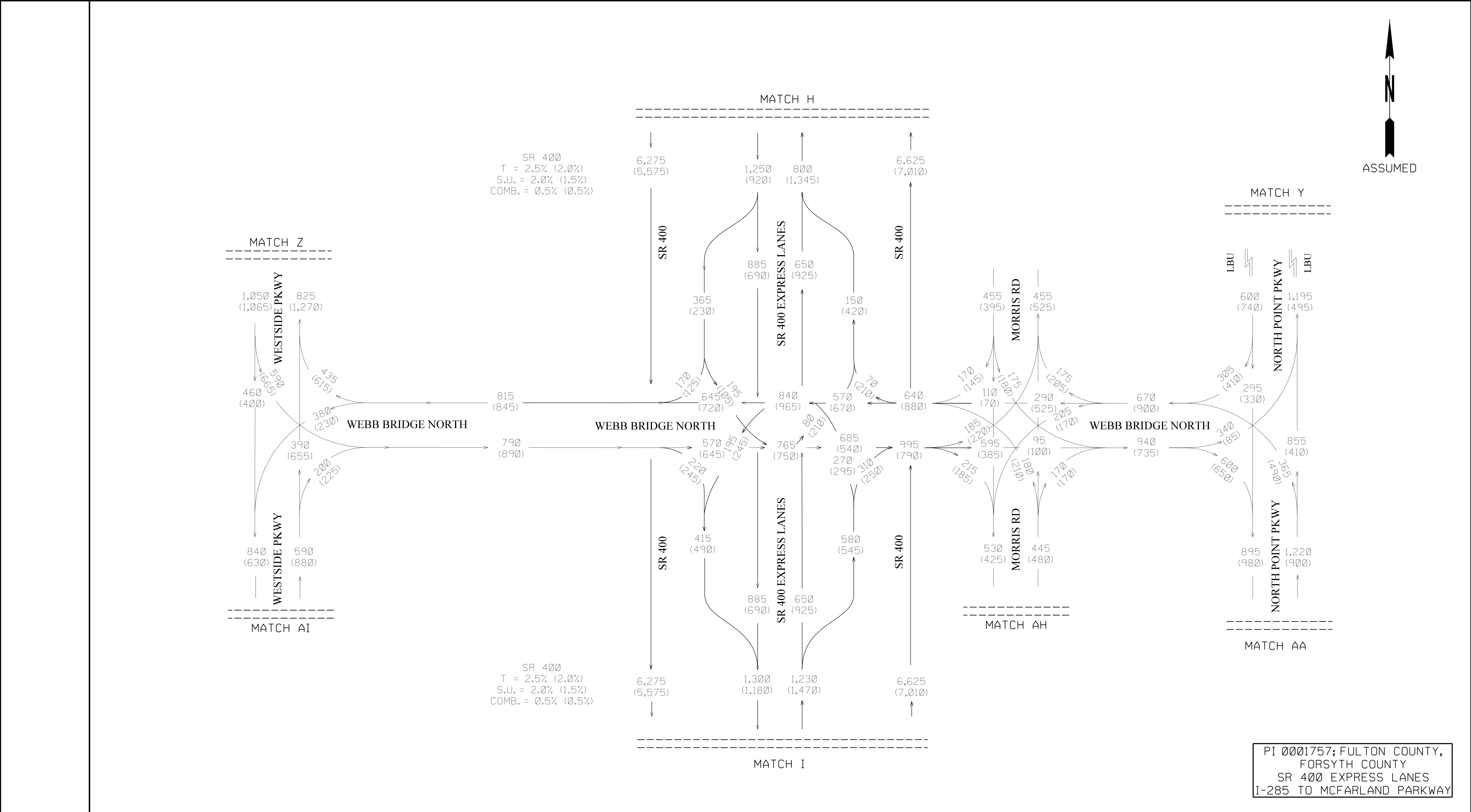
TRAFFIC DIAGRAM

SHEET 11 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	10-2011



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2013
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

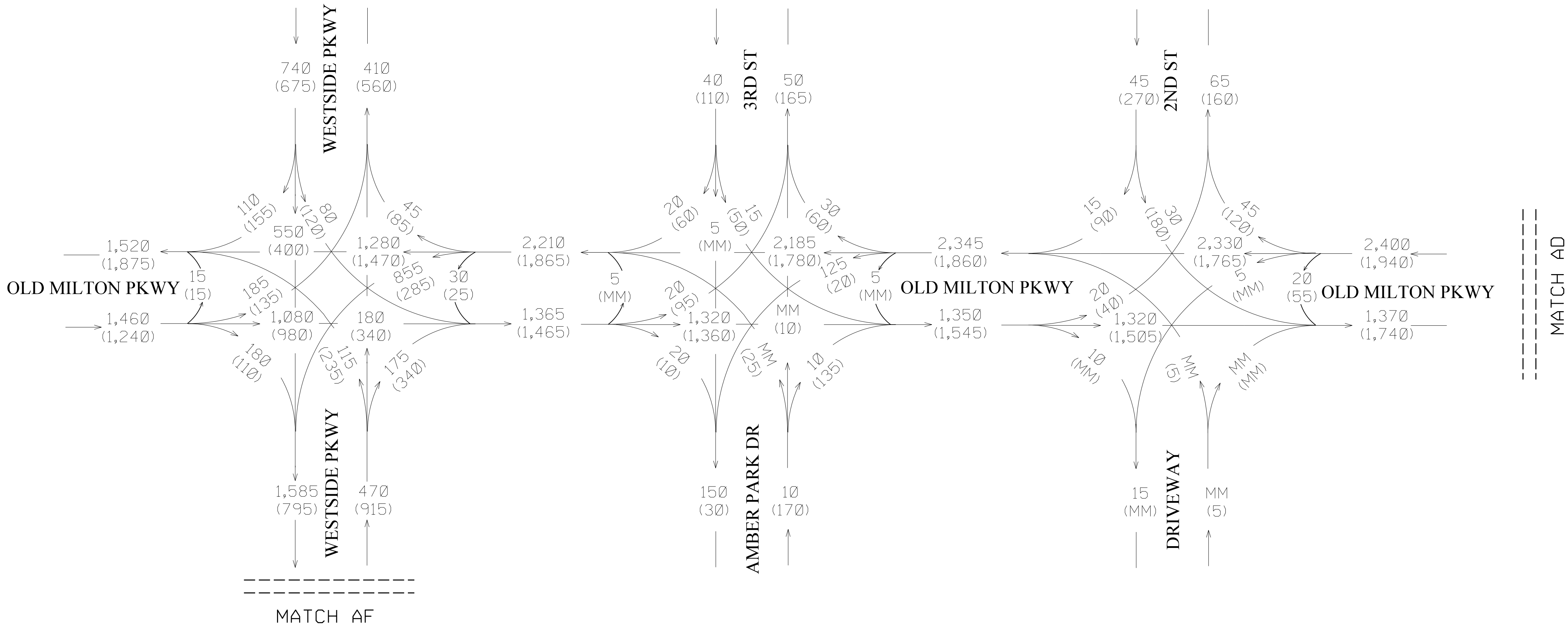
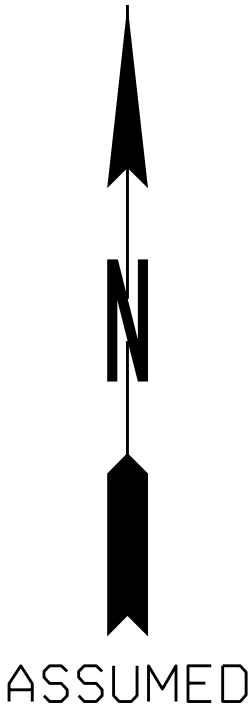
REVISION DATES

TRAFFIC DIAGRAM

SHEET 14 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2014



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

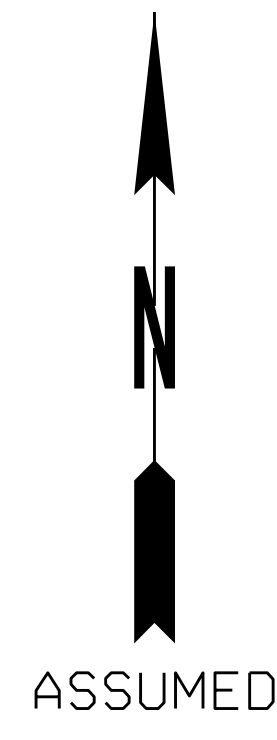
TRAFFIC DIAGRAM

SHEET 15 OF 32

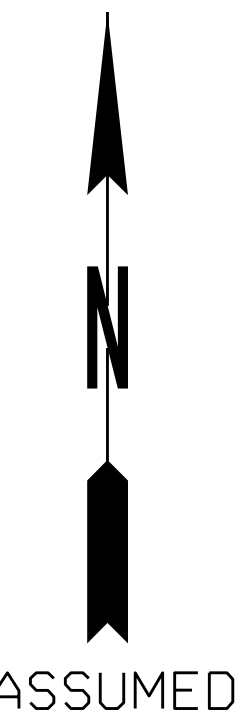
CHECKED:	SCJ	DATE:	09/25/19
BACKCHECKED:	JMA	DATE:	10/14/19
CORRECTED:	SCJ	DATE:	10/22/19
VERIFIED:	JMA	DATE:	10/31/19

DRAWING No.

10-2015

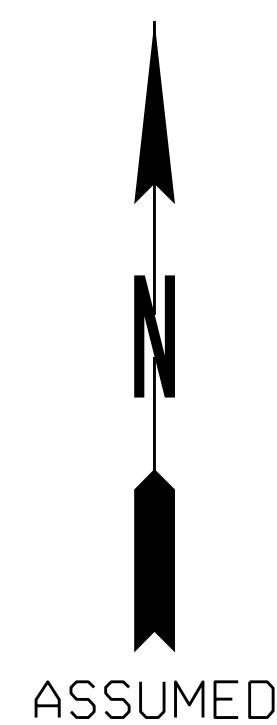


CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2016
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



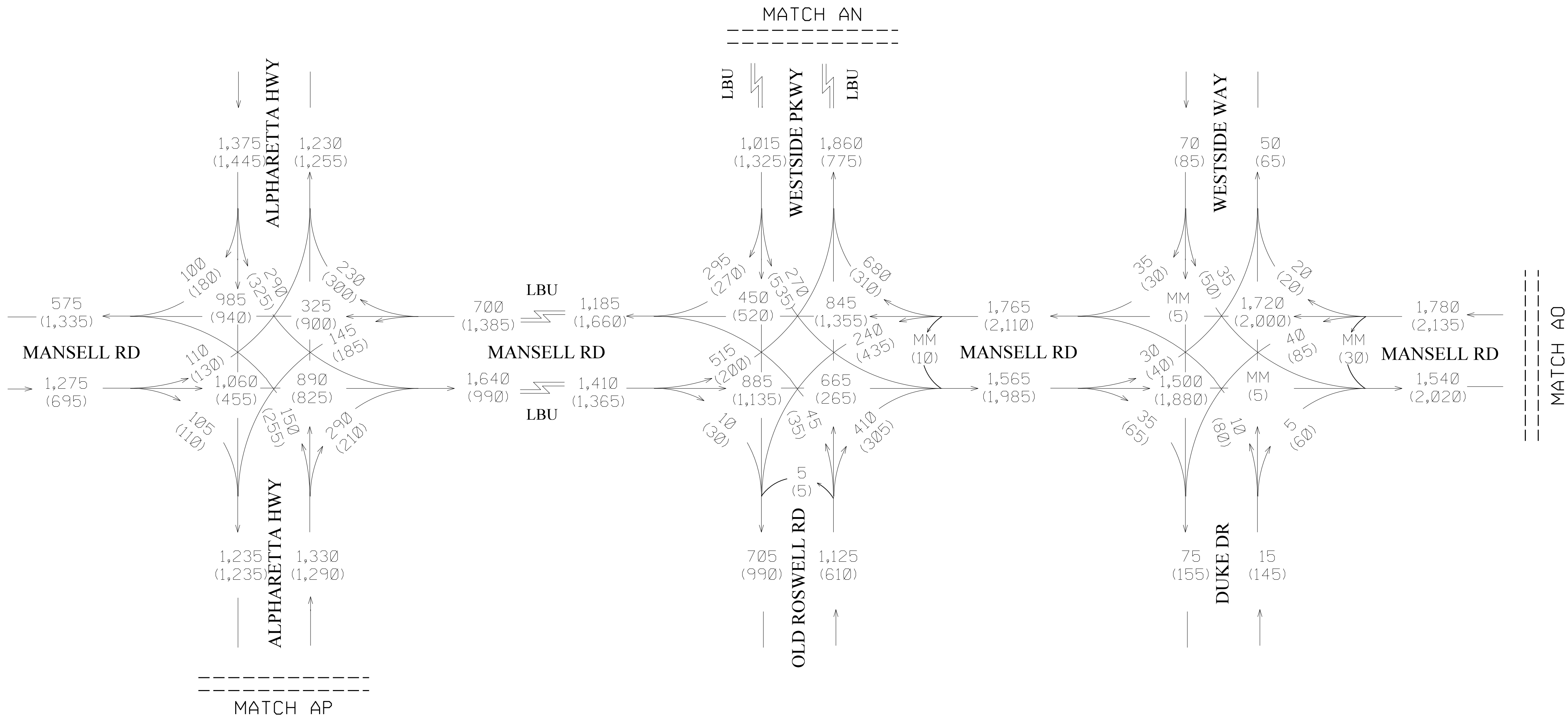
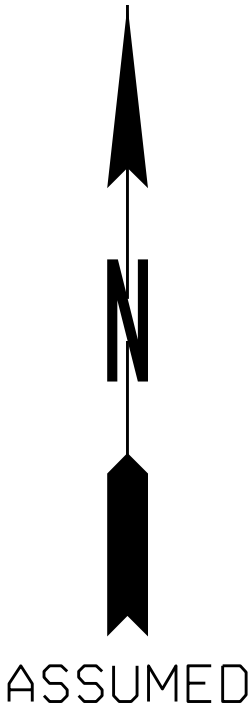
GPLM

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2017
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



GPLN

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2018
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

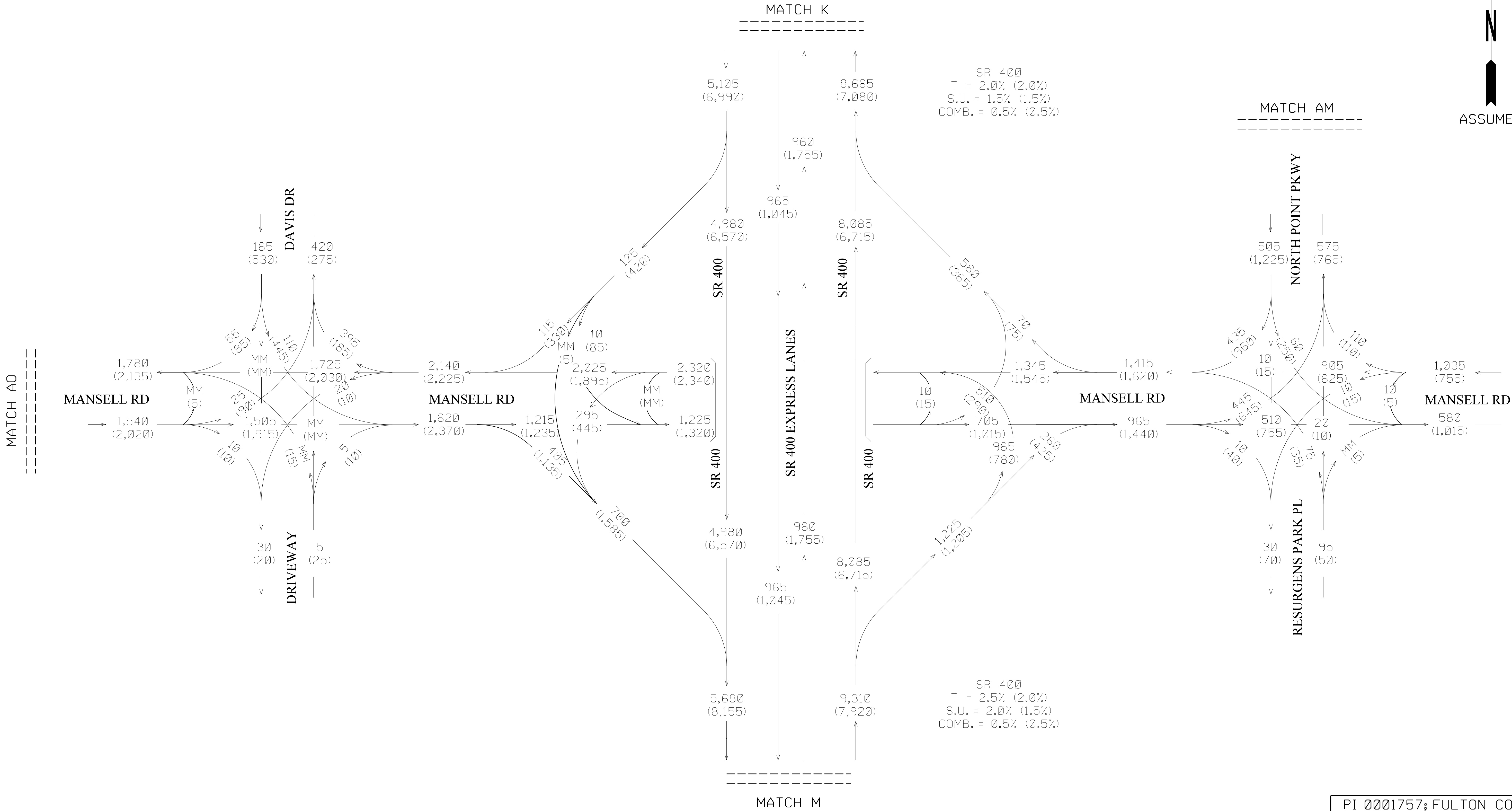
REVISION DATES

TRAFFIC DIAGRAM

SHEET 20 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2020



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

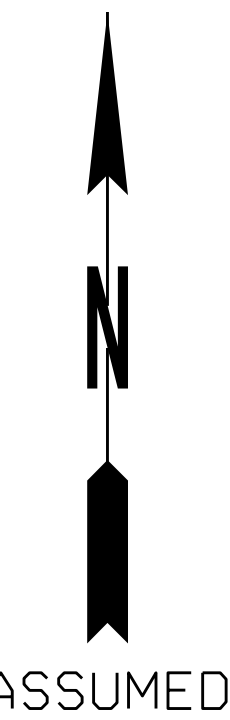
TRAFFIC DIAGRAM

SHEET 21 OF 32

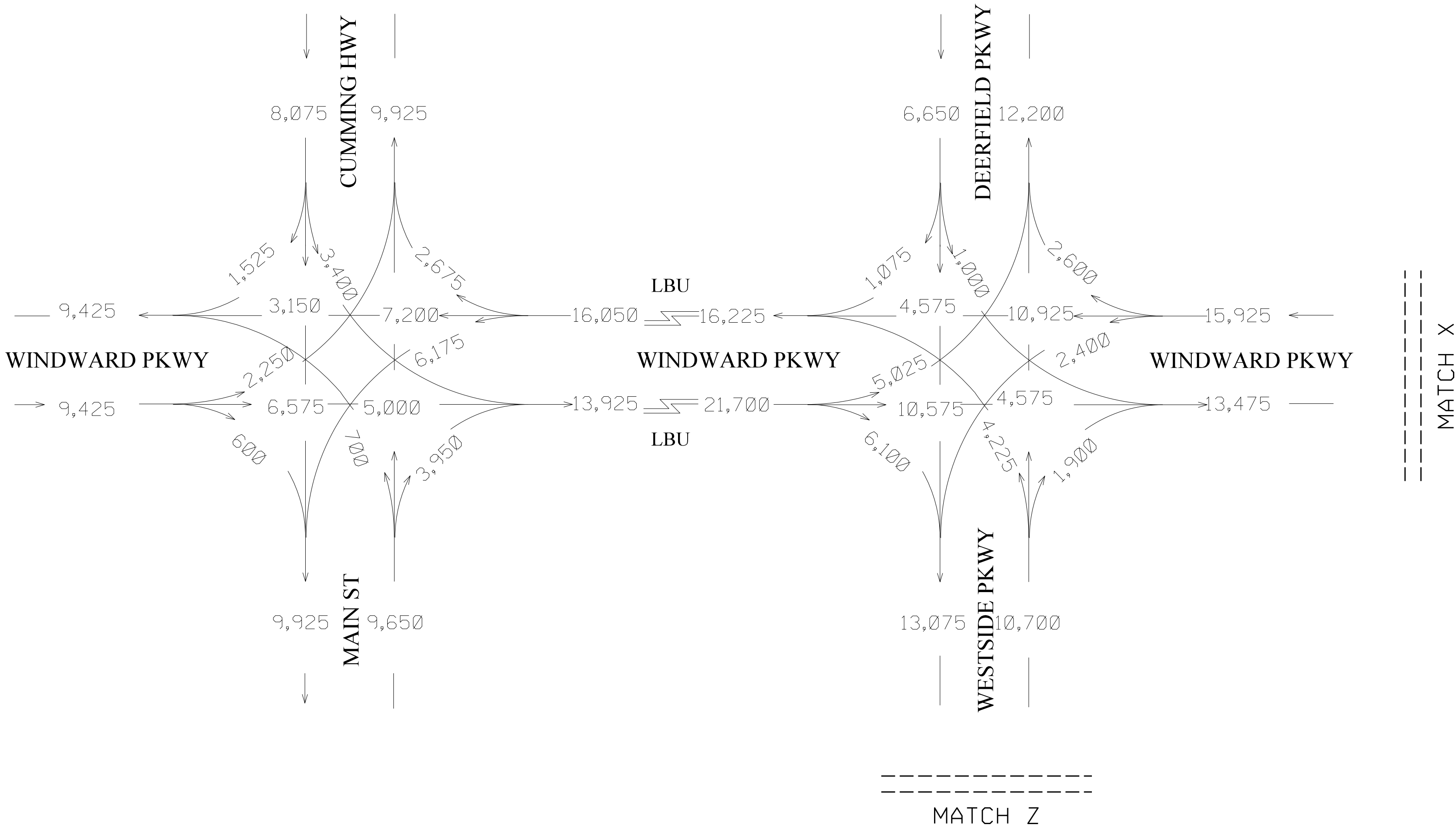
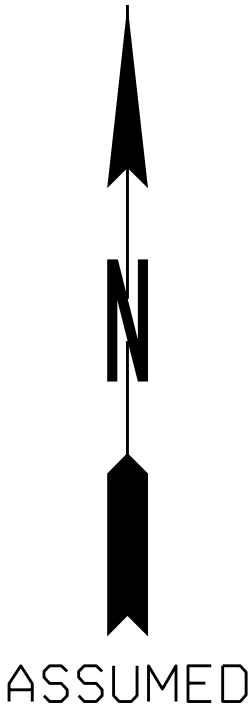
CHECKED:	SCJ	DATE:	09/25/19
BACKCHECKED:	JMA	DATE:	10/14/19
CORRECTED:	SCJ	DATE:	10/22/19
VERIFIED:	JMA	DATE:	10/31/19

DRAWING No.

10-2021



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2042
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

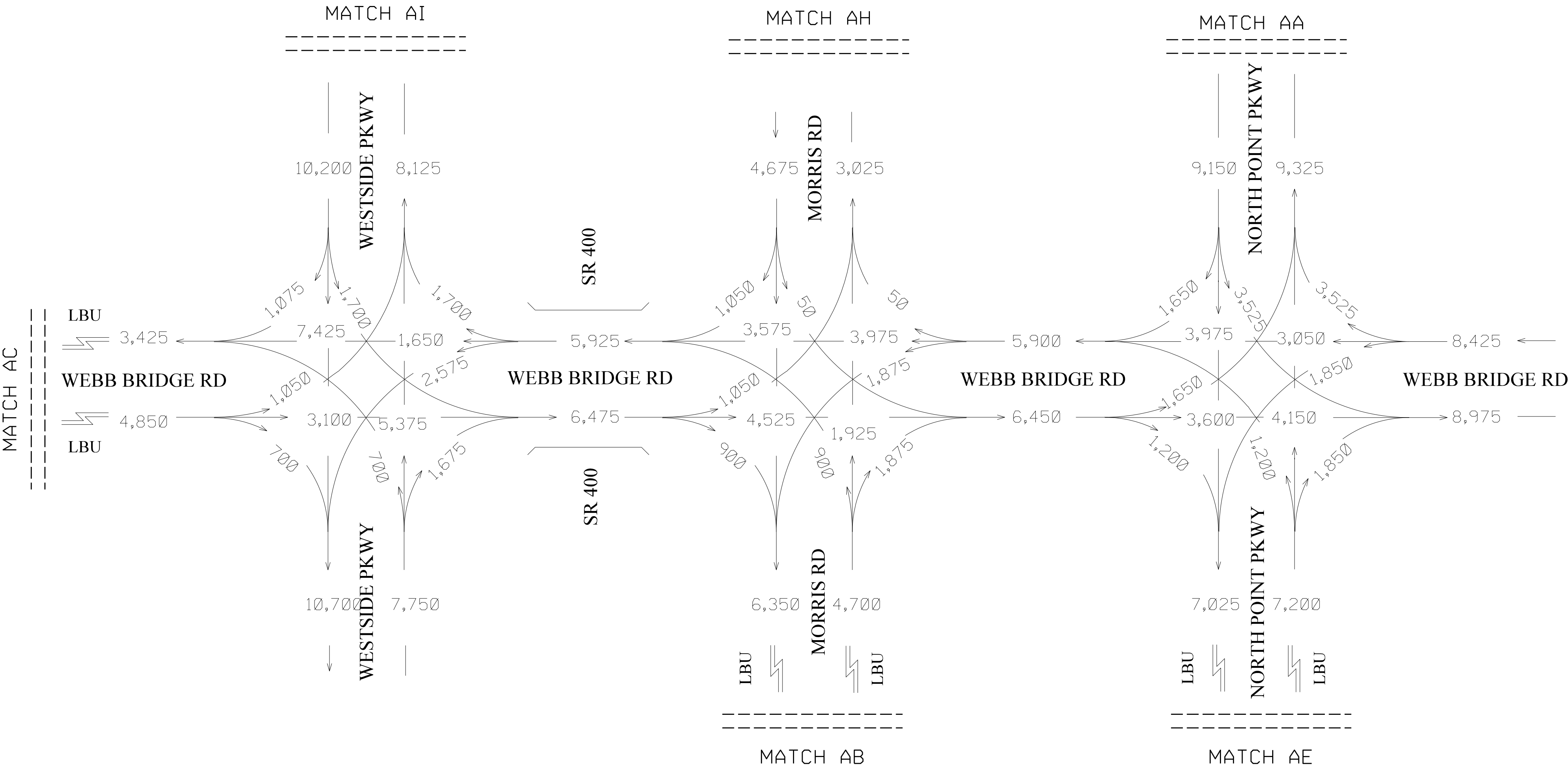
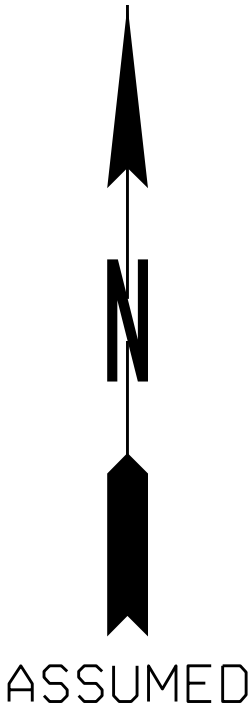
NOT TO SCALE

REVISION DATES

TRAFFIC DIAGRAM

SHEET 11 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	10-2043



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

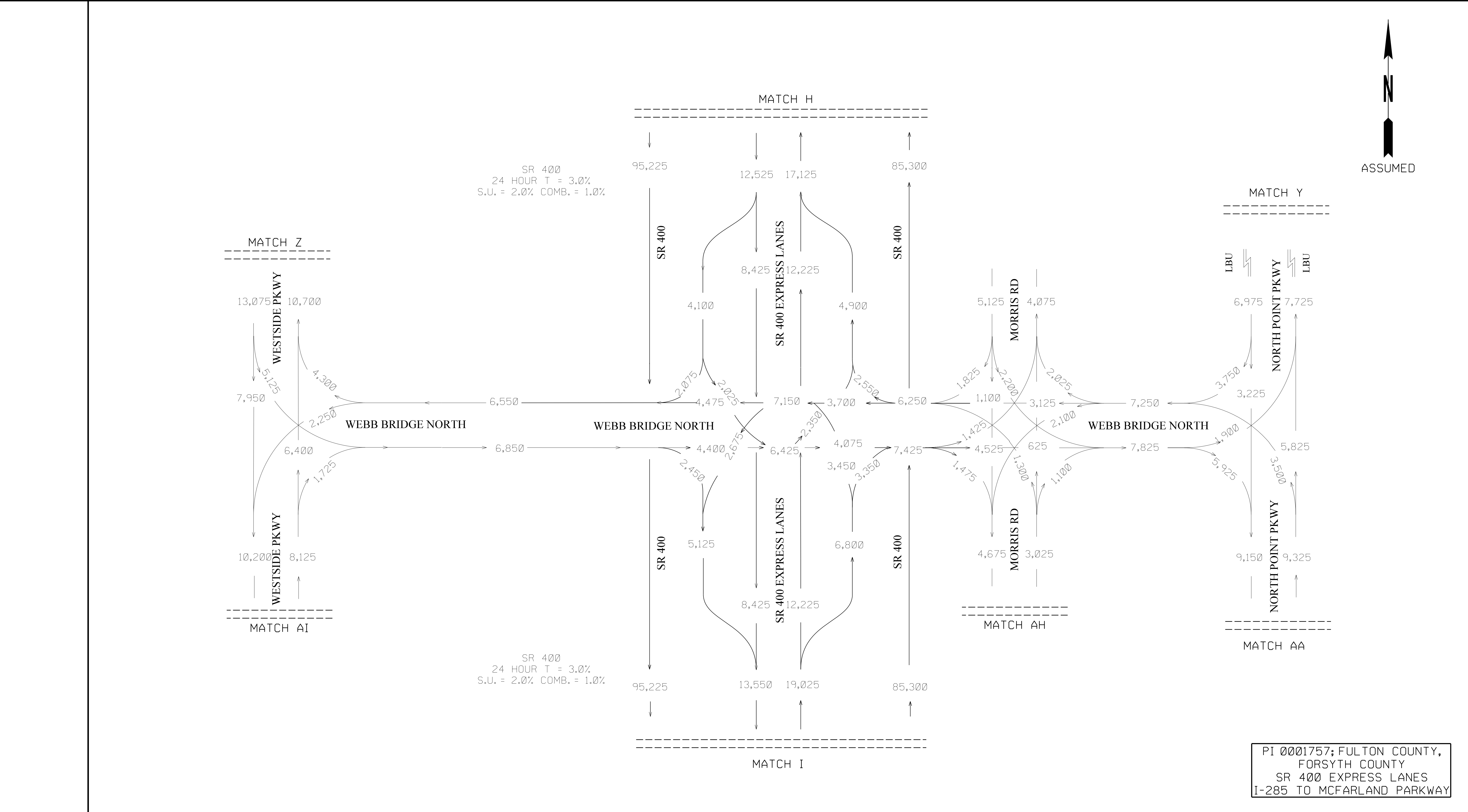
REVISION DATES

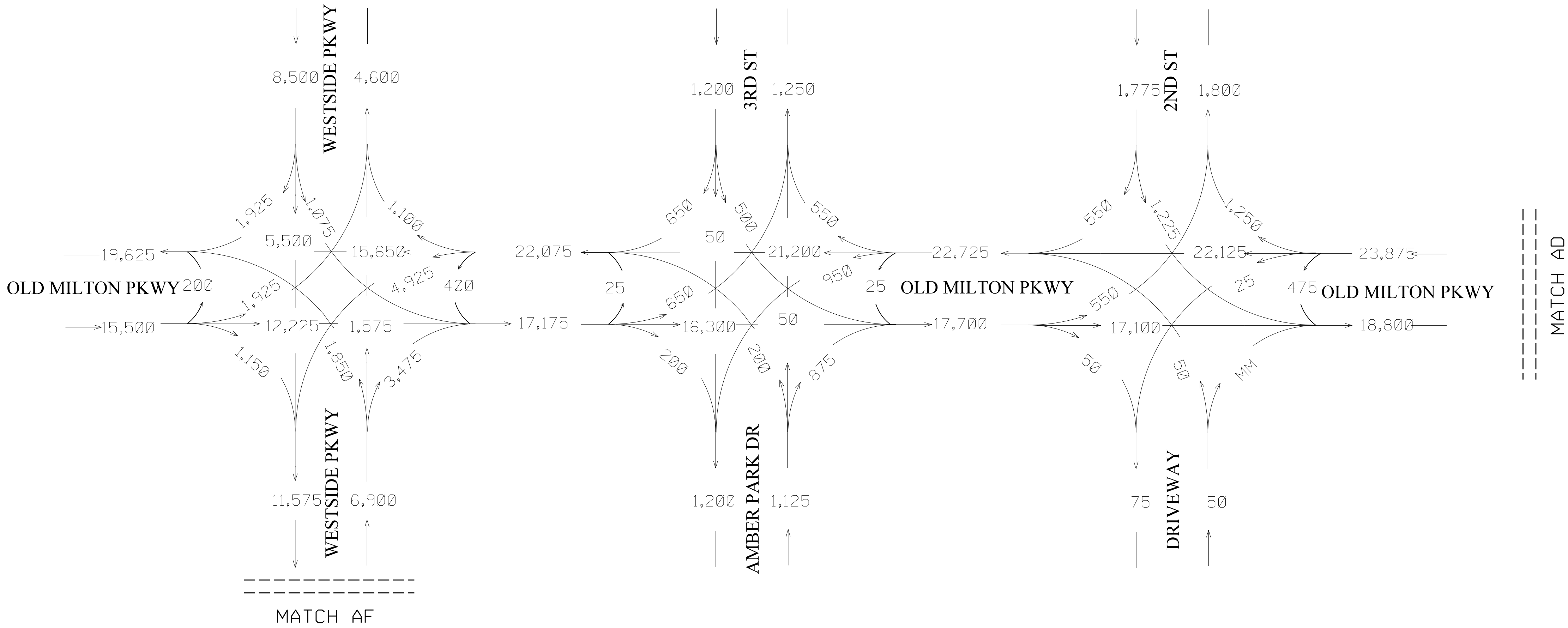
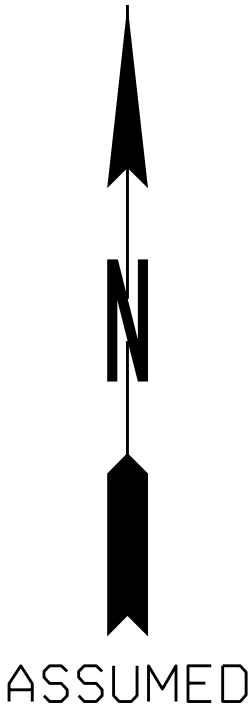
TRAFFIC DIAGRAM

SHEET 13 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2045





PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

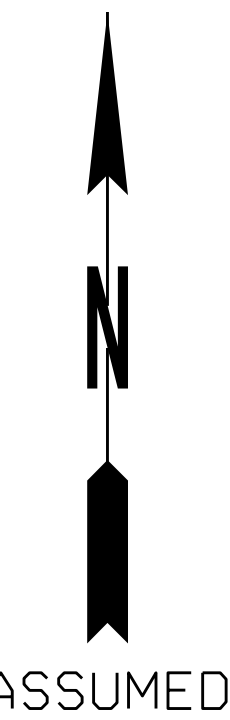
REVISION DATES

TRAFFIC DIAGRAM

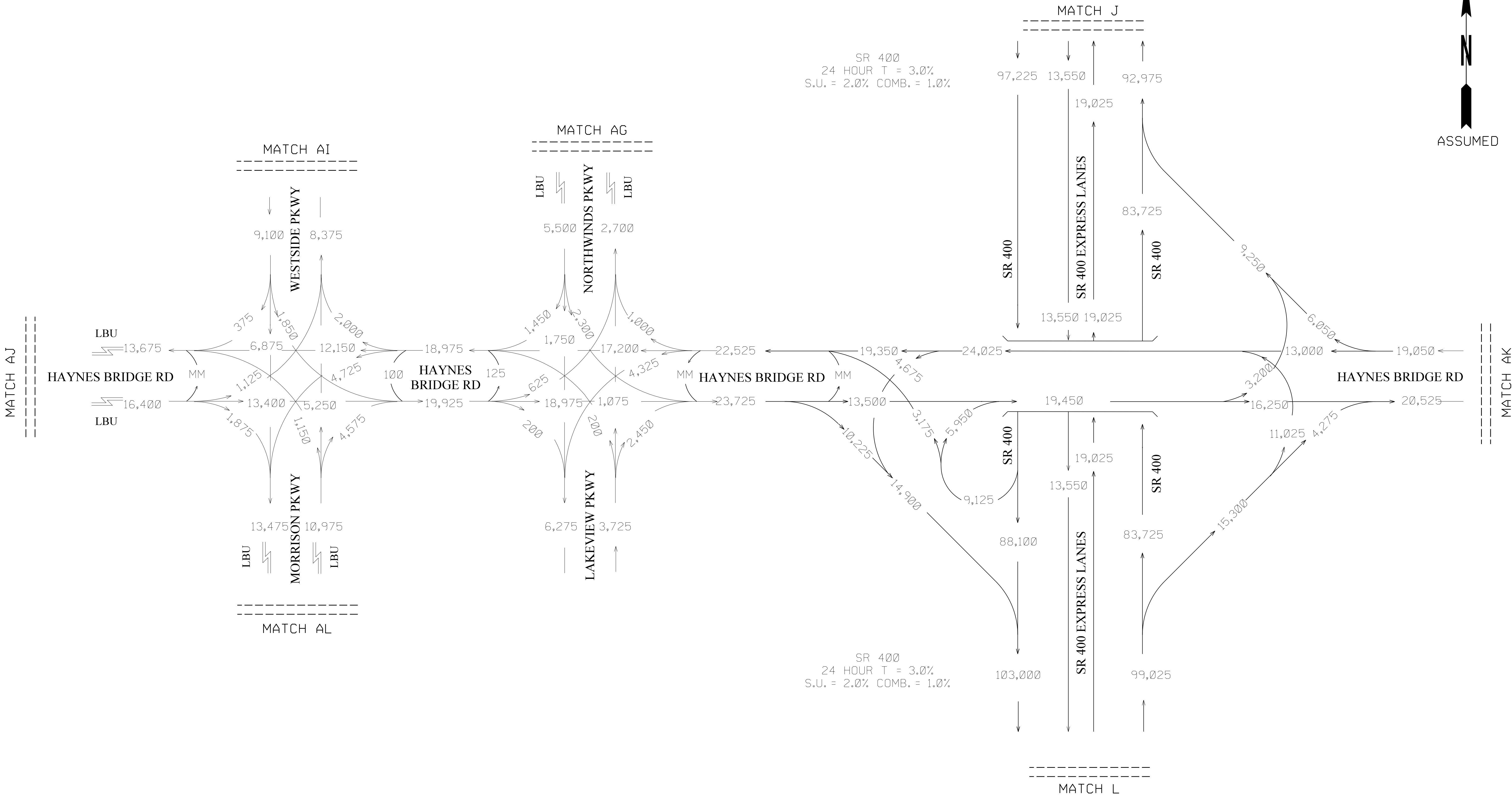
SHEET 15 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2047



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2048
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

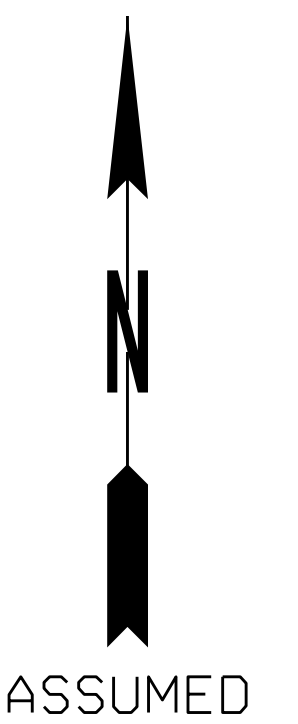
REVISION DATES

TRAFFIC DIAGRAM

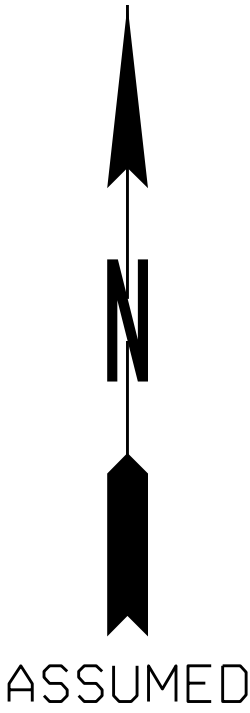
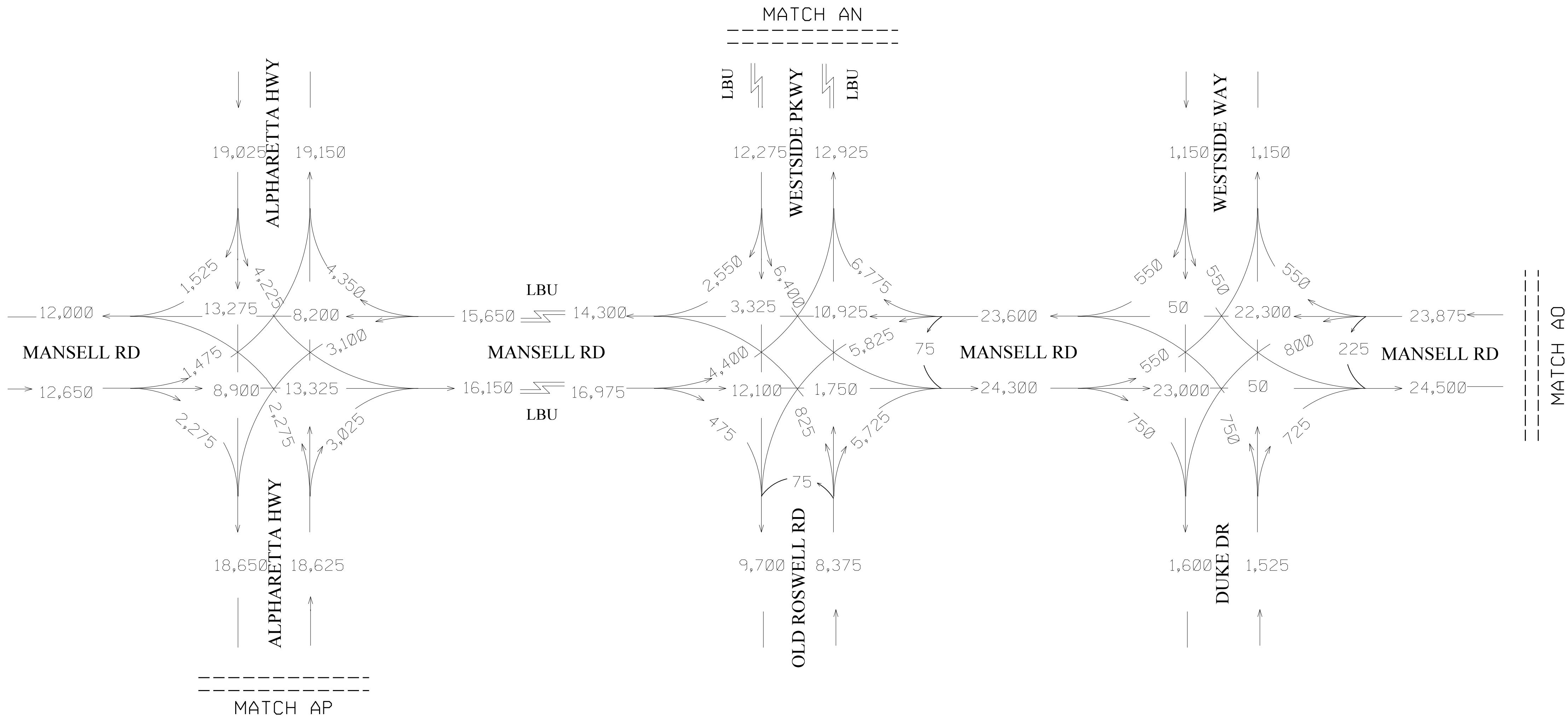
SHEET 17 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2049



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-2050
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

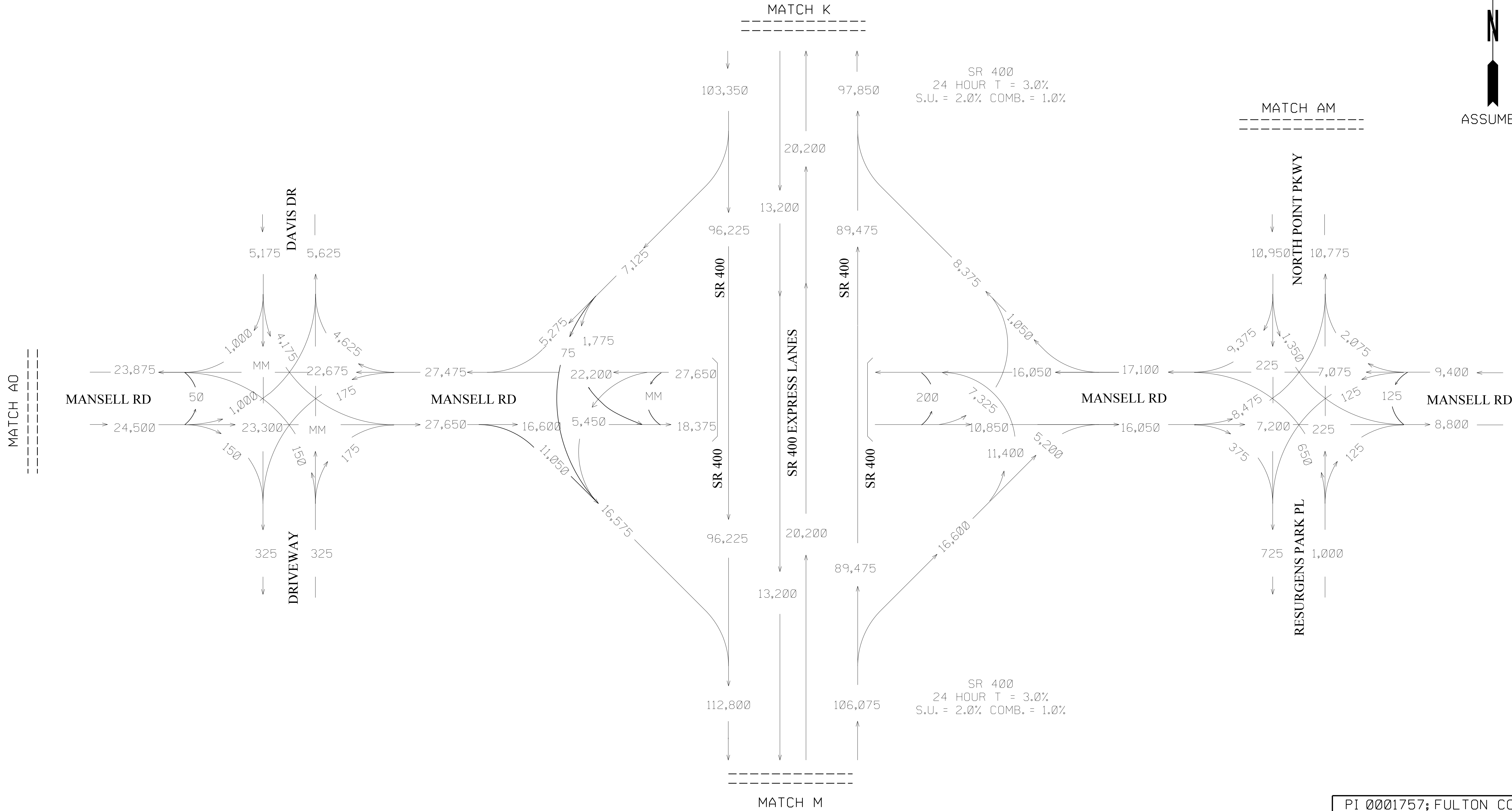
REVISION DATES

TRAFFIC DIAGRAM

SHEET 20 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2052



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2026 AADT
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

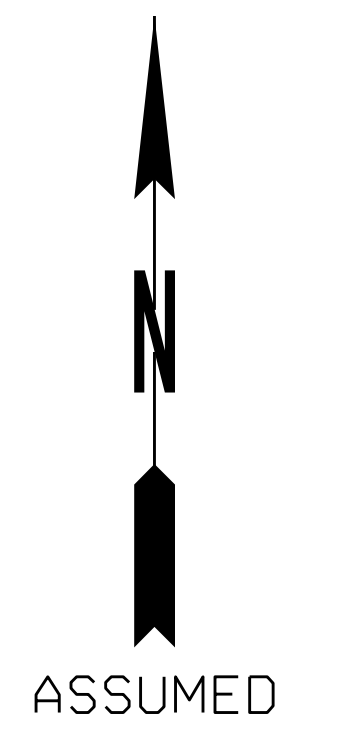
TRAFFIC DIAGRAM

SHEET 21 OF 32

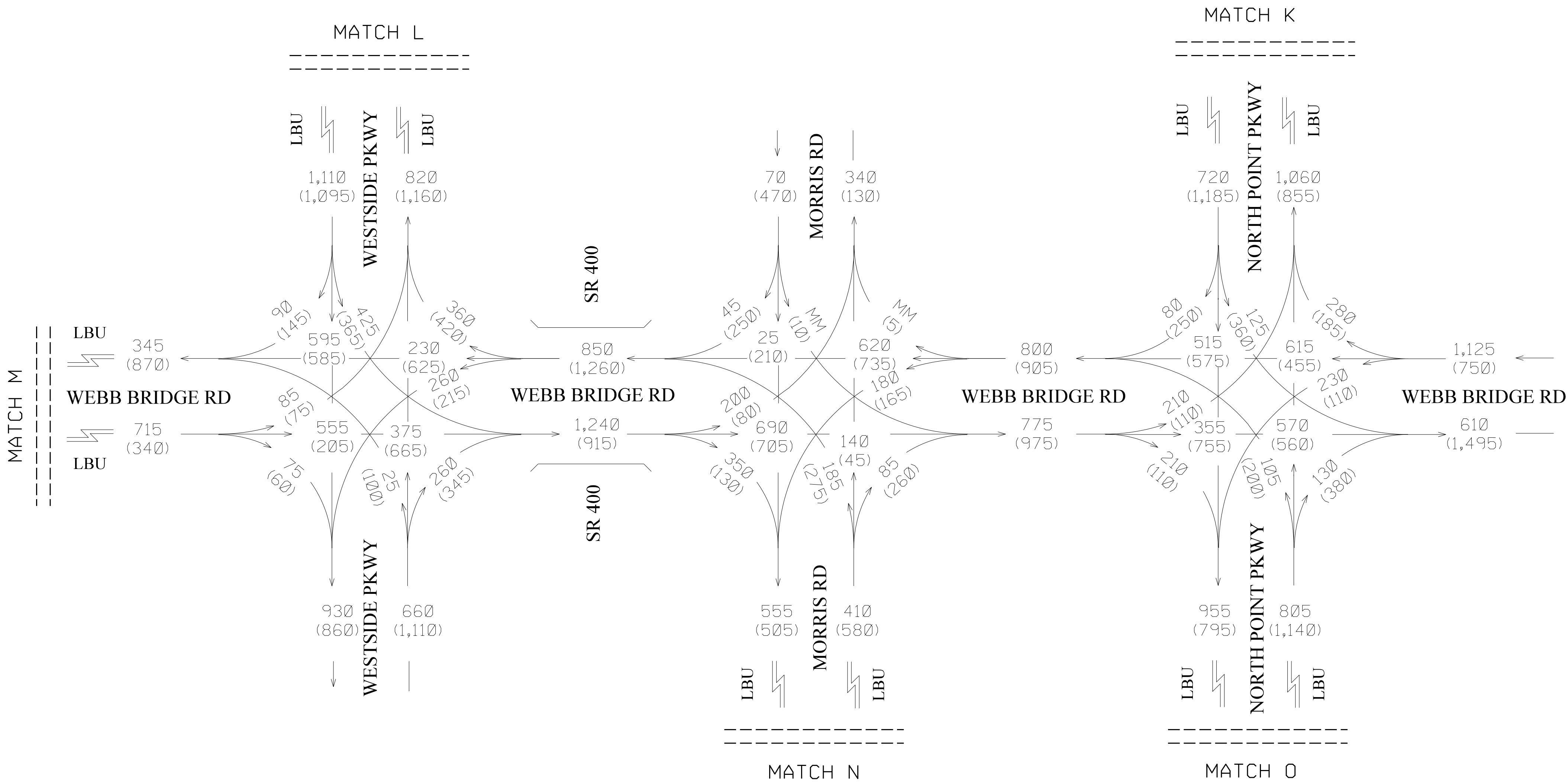
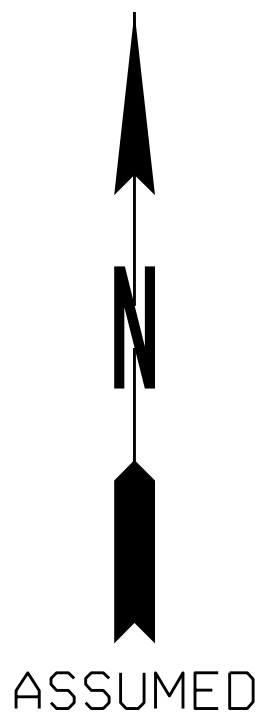
CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-2053





PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

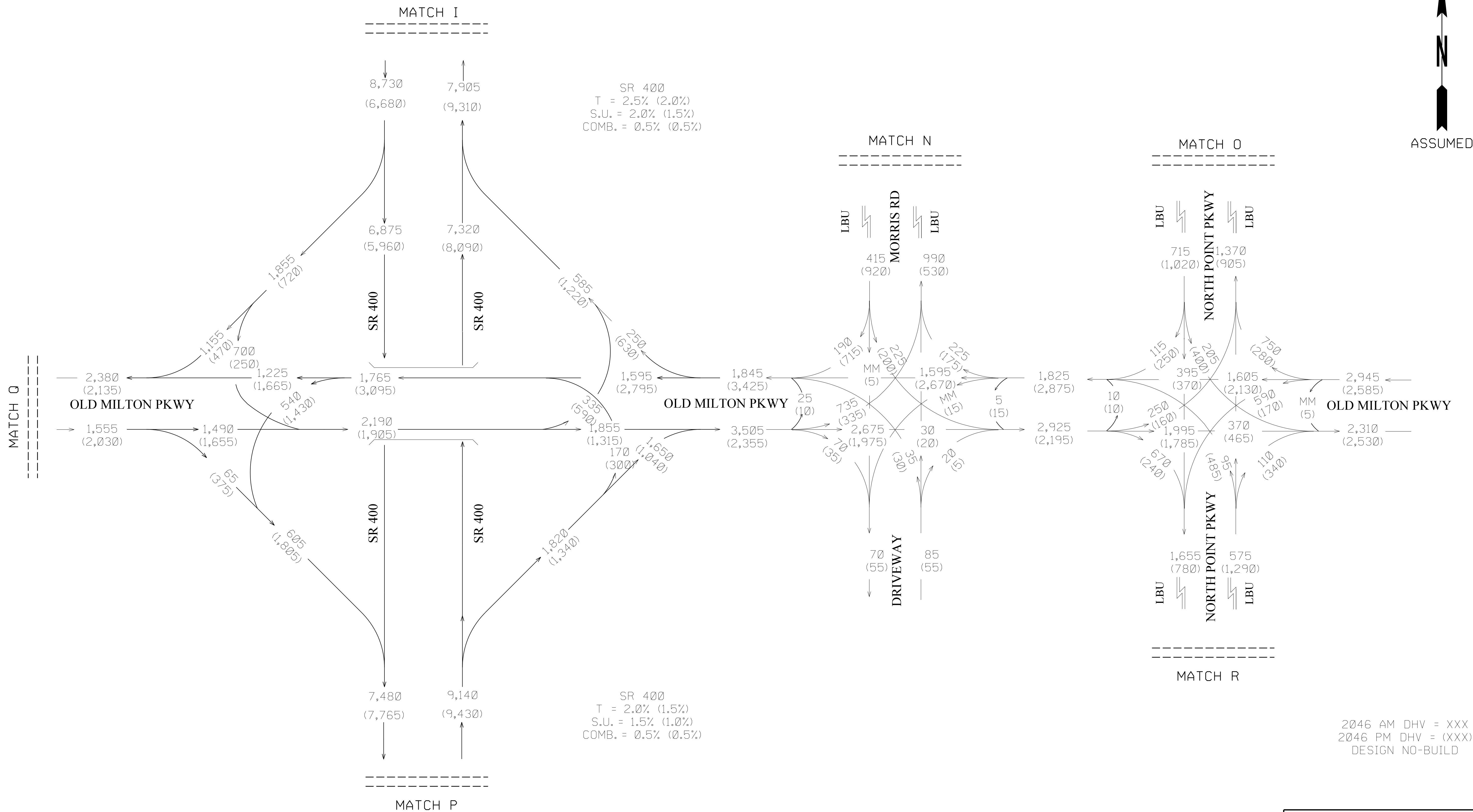
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 9 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3009



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

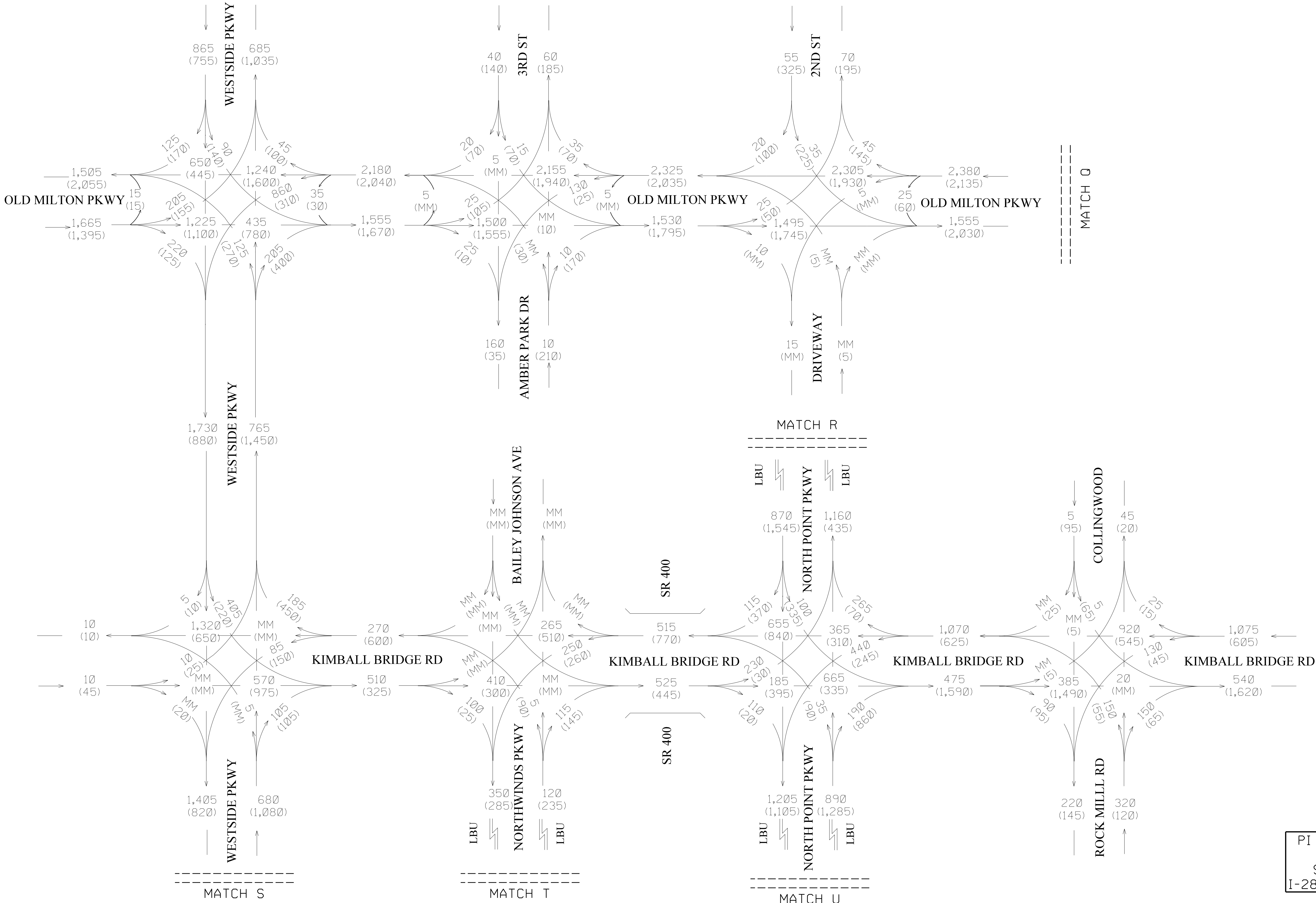
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 10 OF 25

CHECKED:	BJS/JMA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

10-3010



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

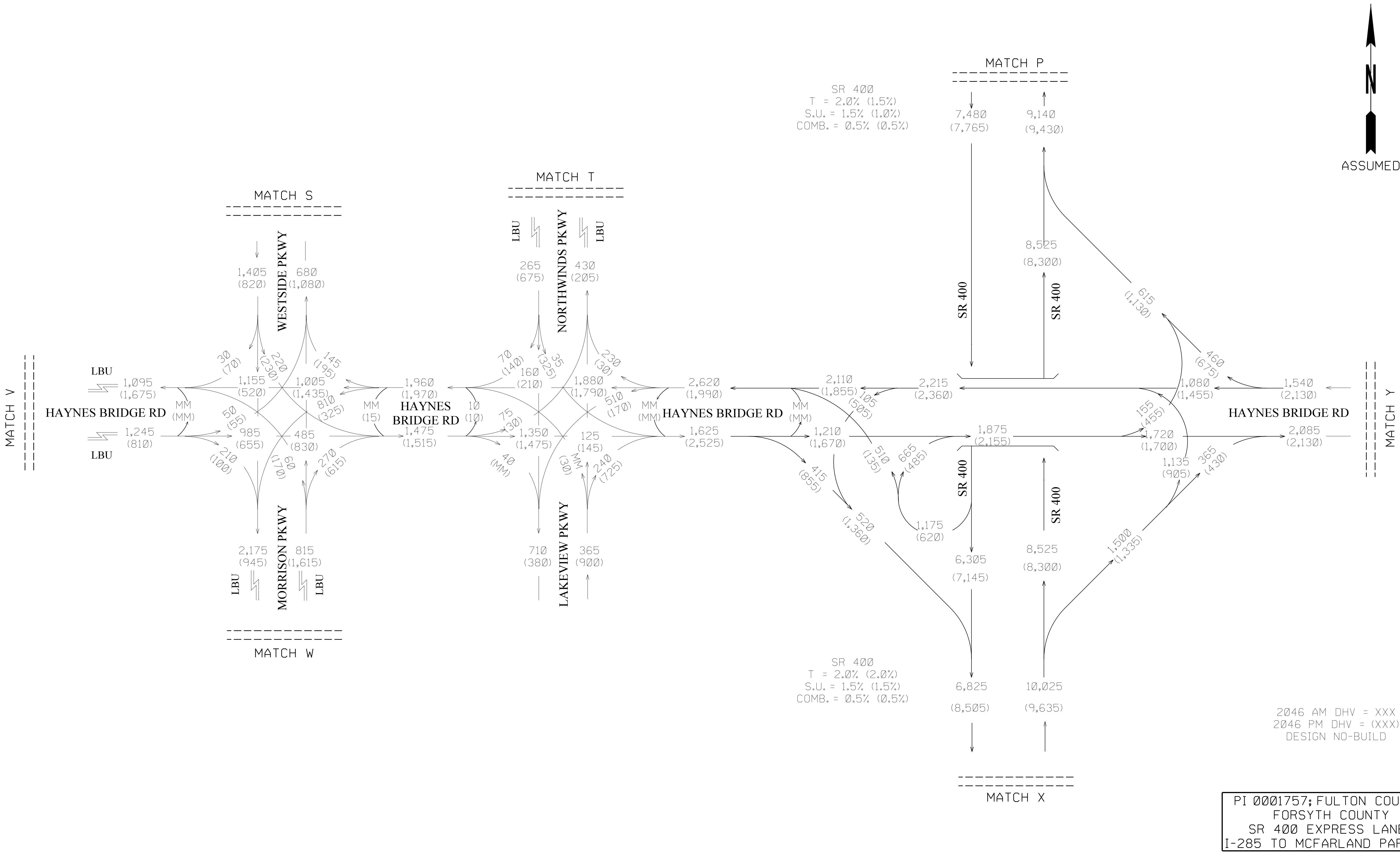
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 11 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3011



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

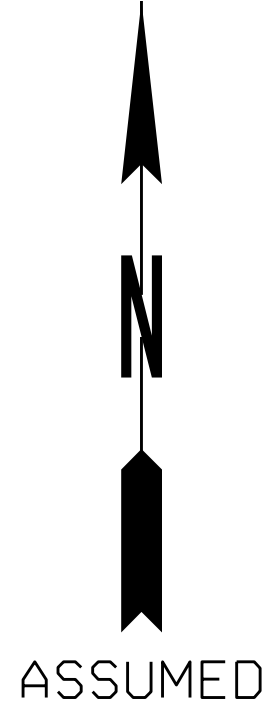
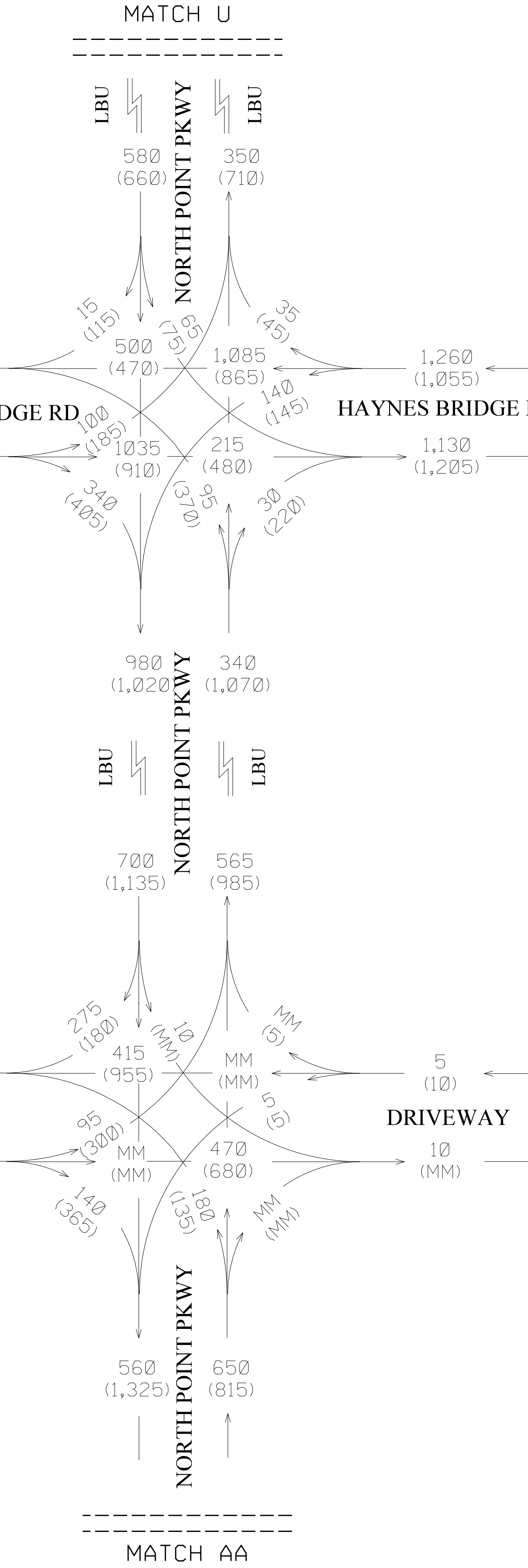
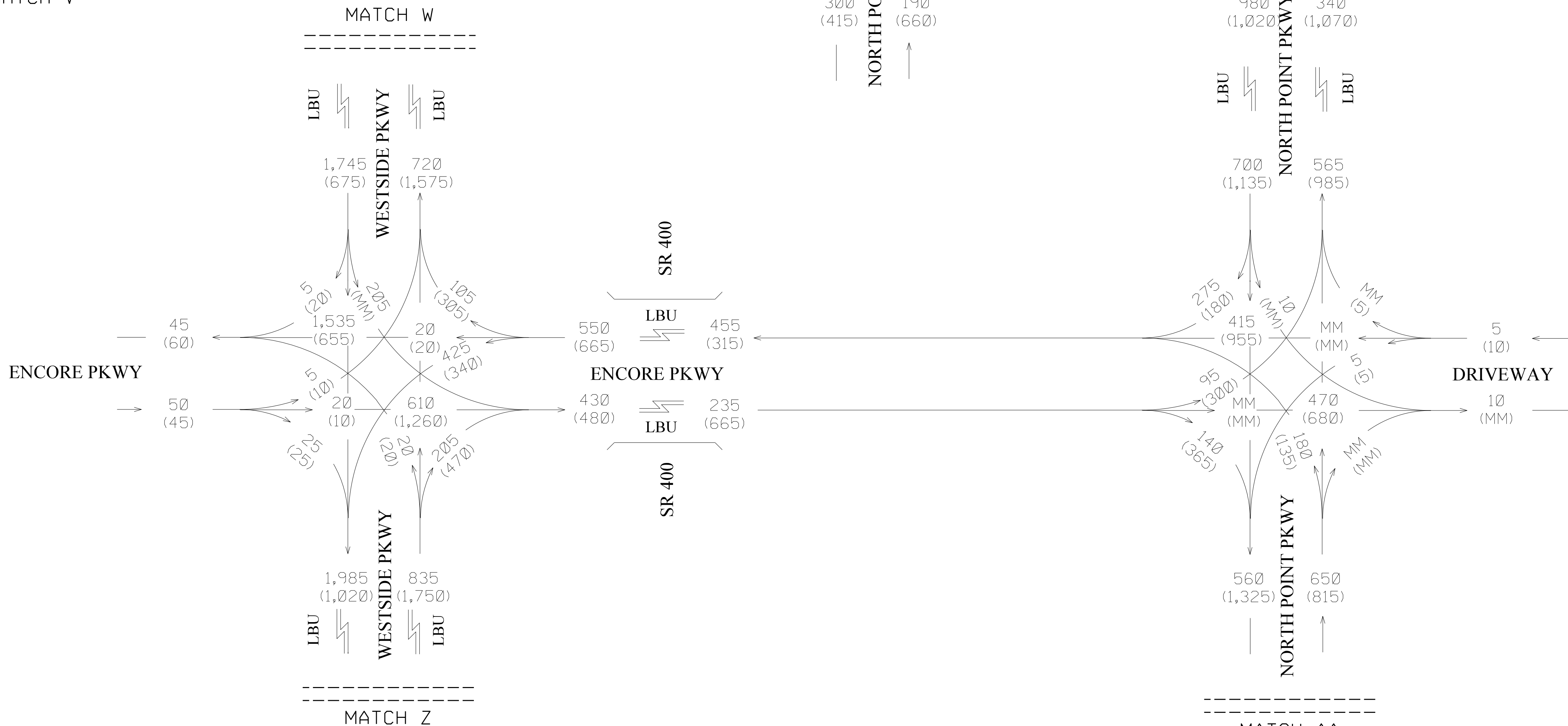
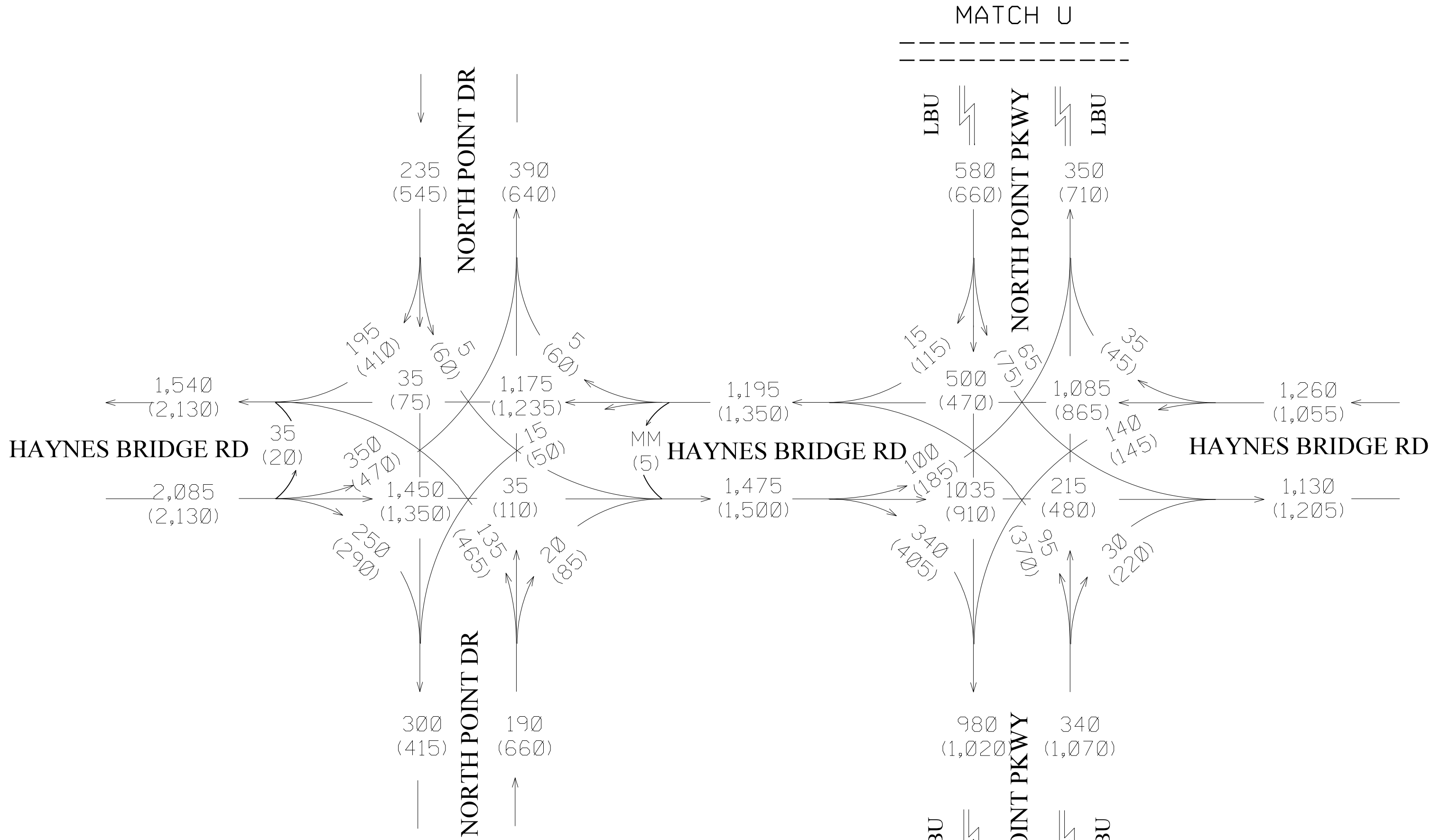
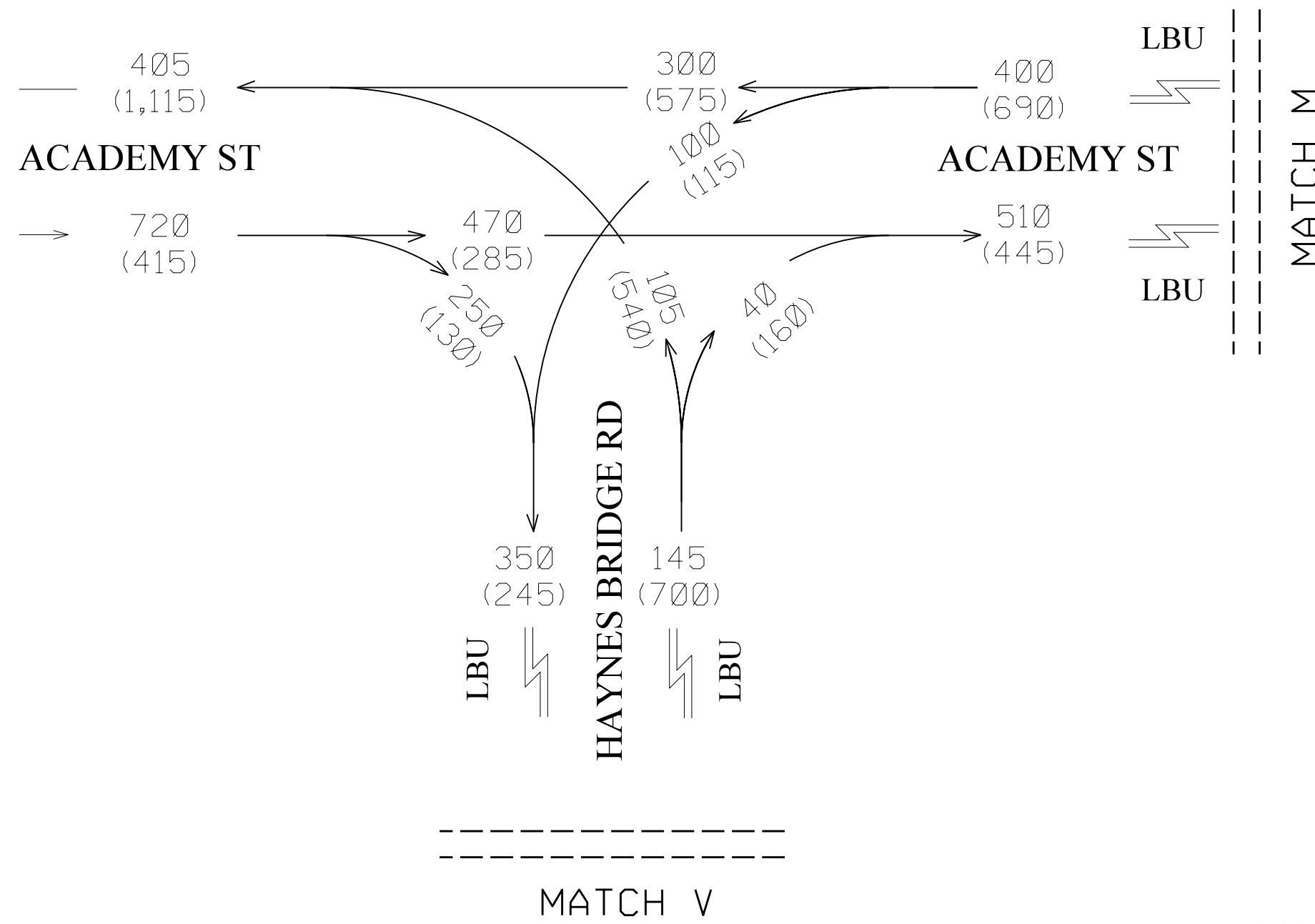
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 12 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3012



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

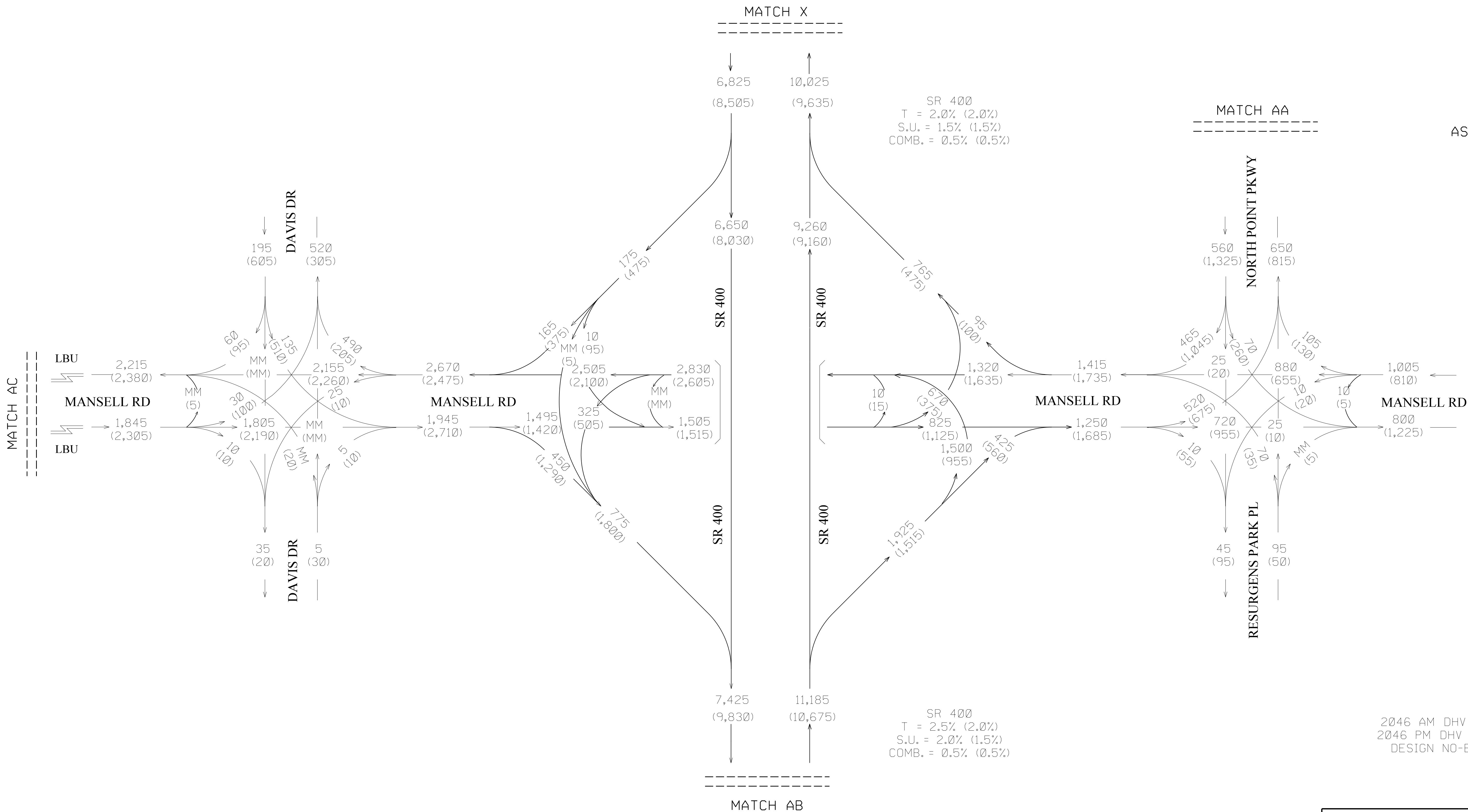
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 13 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3013



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

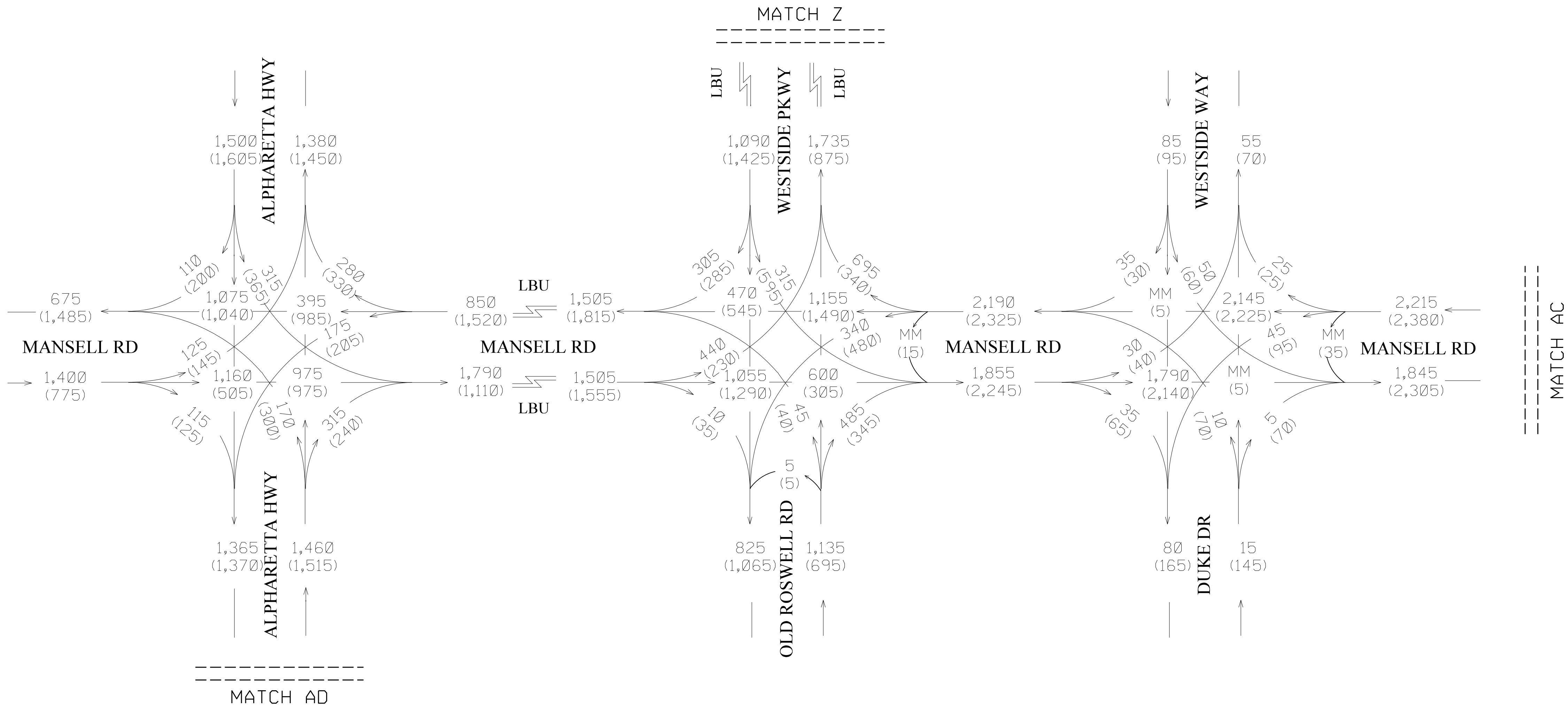
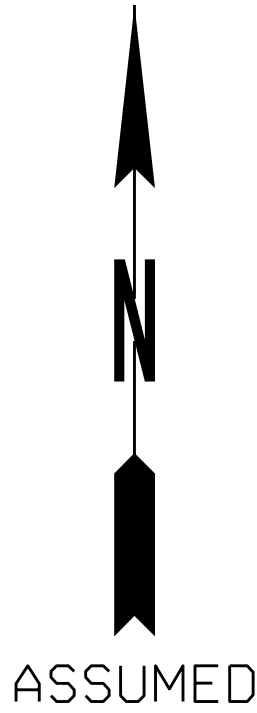
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 14 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3014



2046 AM DHV = XXX
2046 PM DHV = (XXX)
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

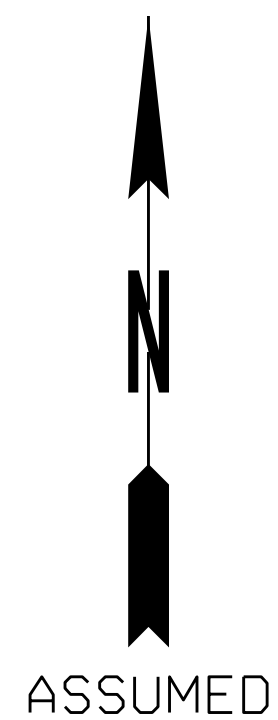
6/25/2019		
6/28/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) DHV
SHEET 15 OF 25

CHECKED:	BJS/JWA	DATE:	7/3/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JWA	DATE:	8/8/2019	

10-3015



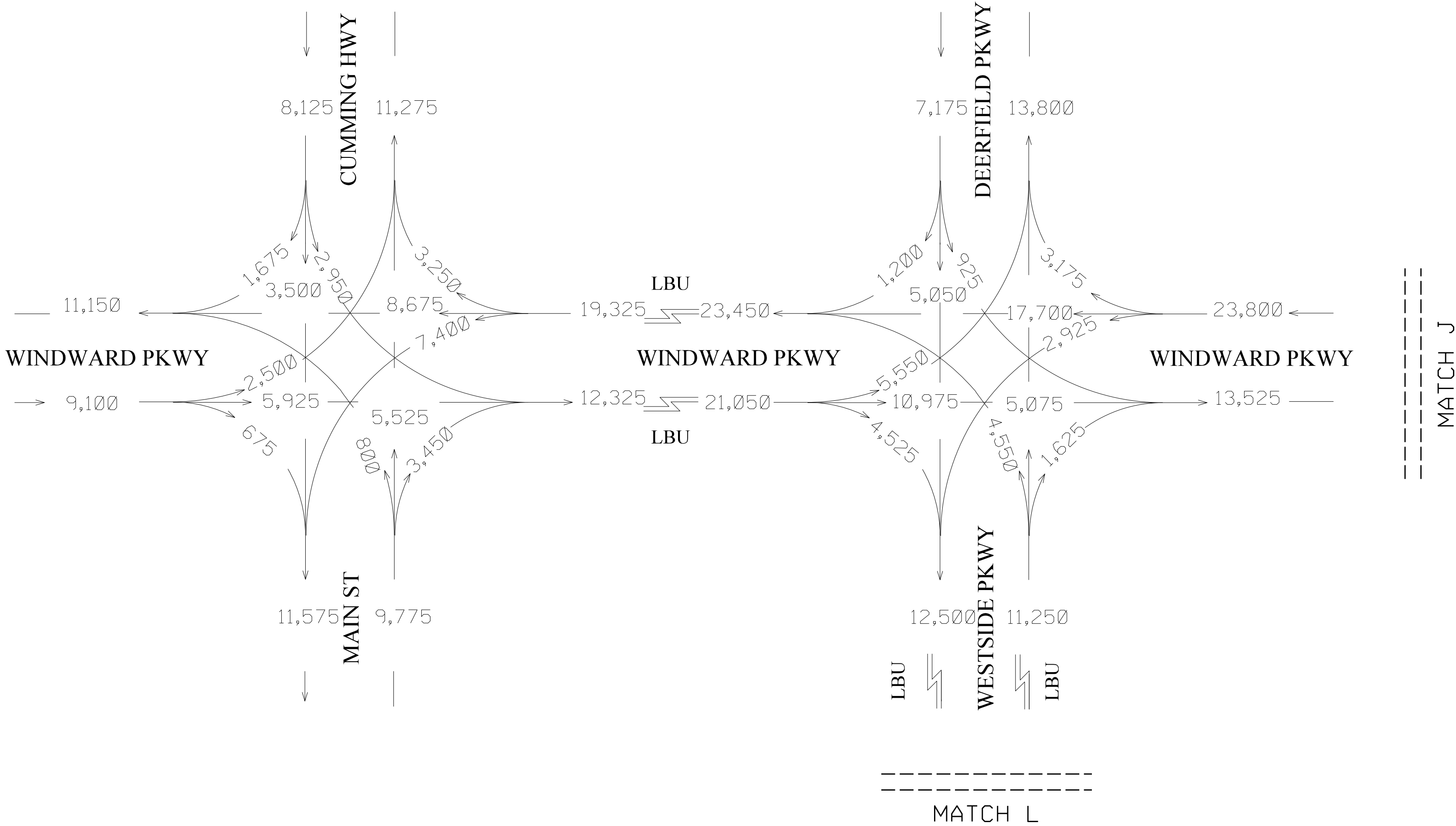
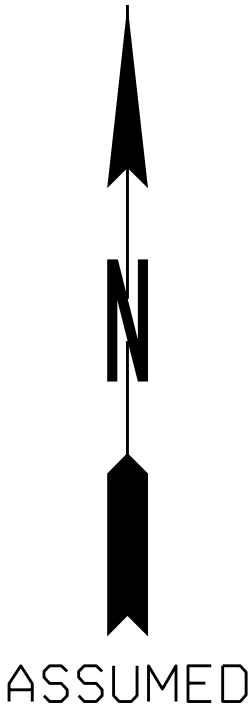
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

NOT TO SCALE

TRAFFIC DIAGRAM

NO-BUILD (2046) AADT
SHEET 7 OF 25

CHECKED:	JMA	DATE:	6/24/2019	DRAWING No. 10-3032
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	



2046 AADT = XXX
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

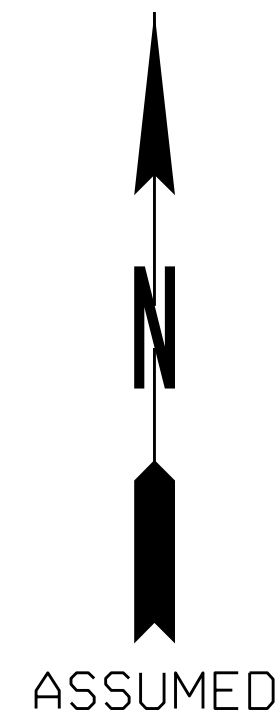
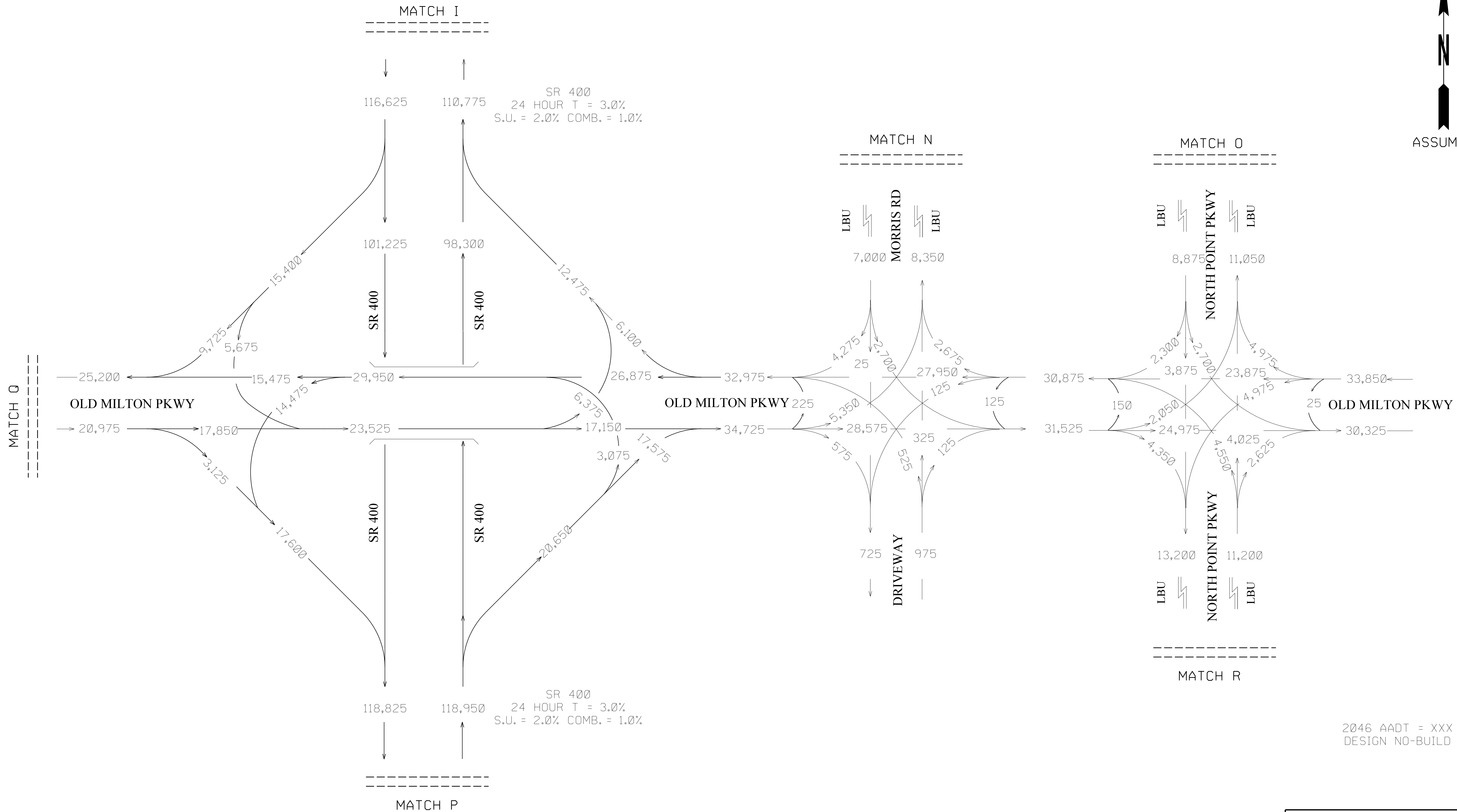
6/20/2019

TRAFFIC DIAGRAM

NO-BUILD (2046) AADT
SHEET 8 OF 25

CHECKED:	JMA	DATE:	6/24/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

10-3033



2046 AADT = XXX
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

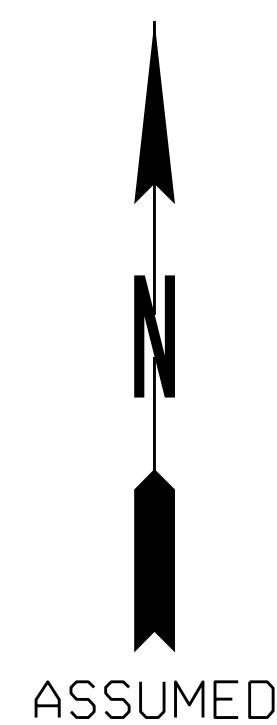
6/20/2019		
6/24/2019		

TRAFFIC DIAGRAM

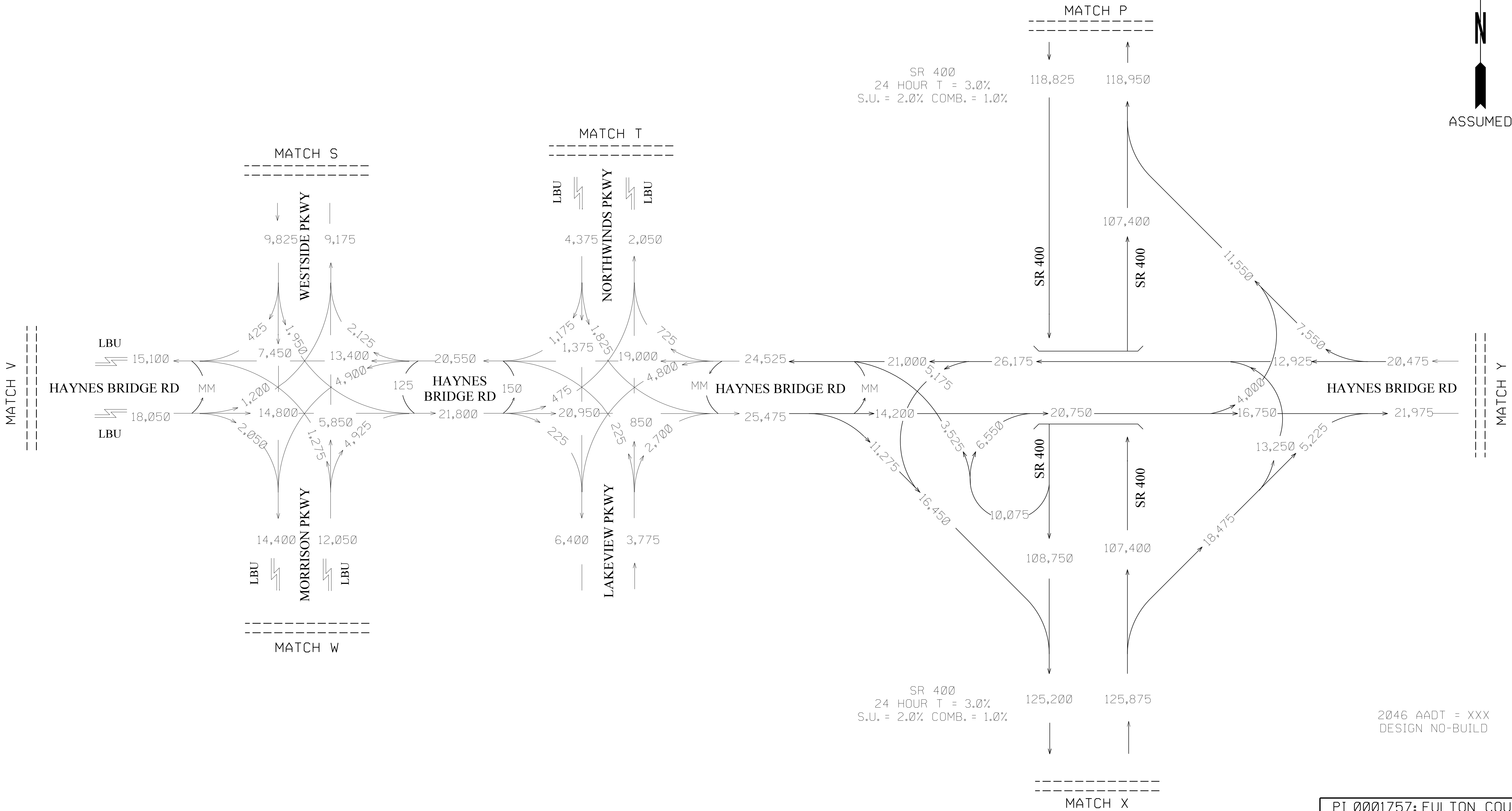
NO-BUILD (2046) AADT
SHEET 10 OF 25

CHECKED:	JMA	DATE:	6/24/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

10-3035



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

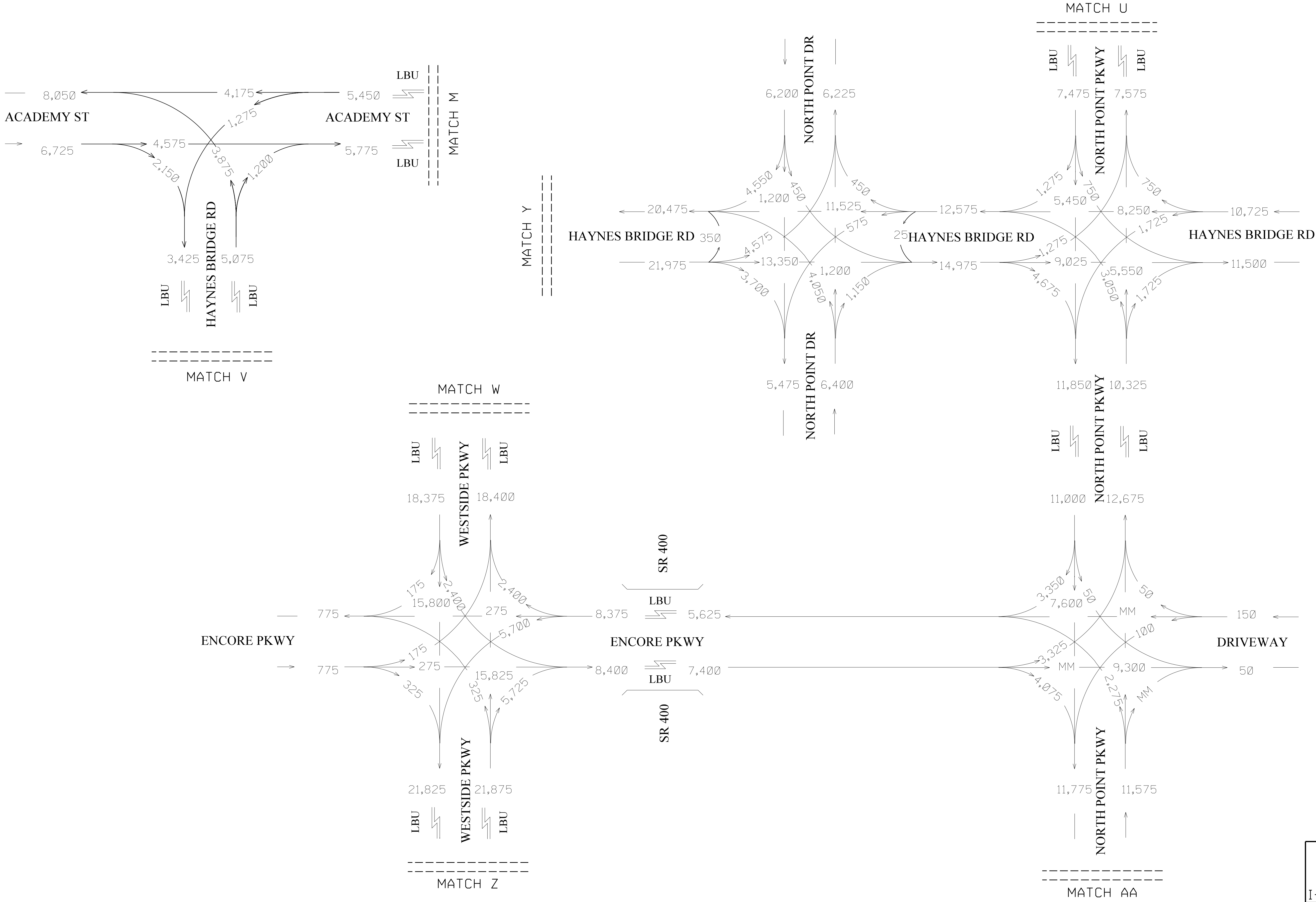
6/20/2019		
6/24/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) AADT
SHEET 12 OF 25

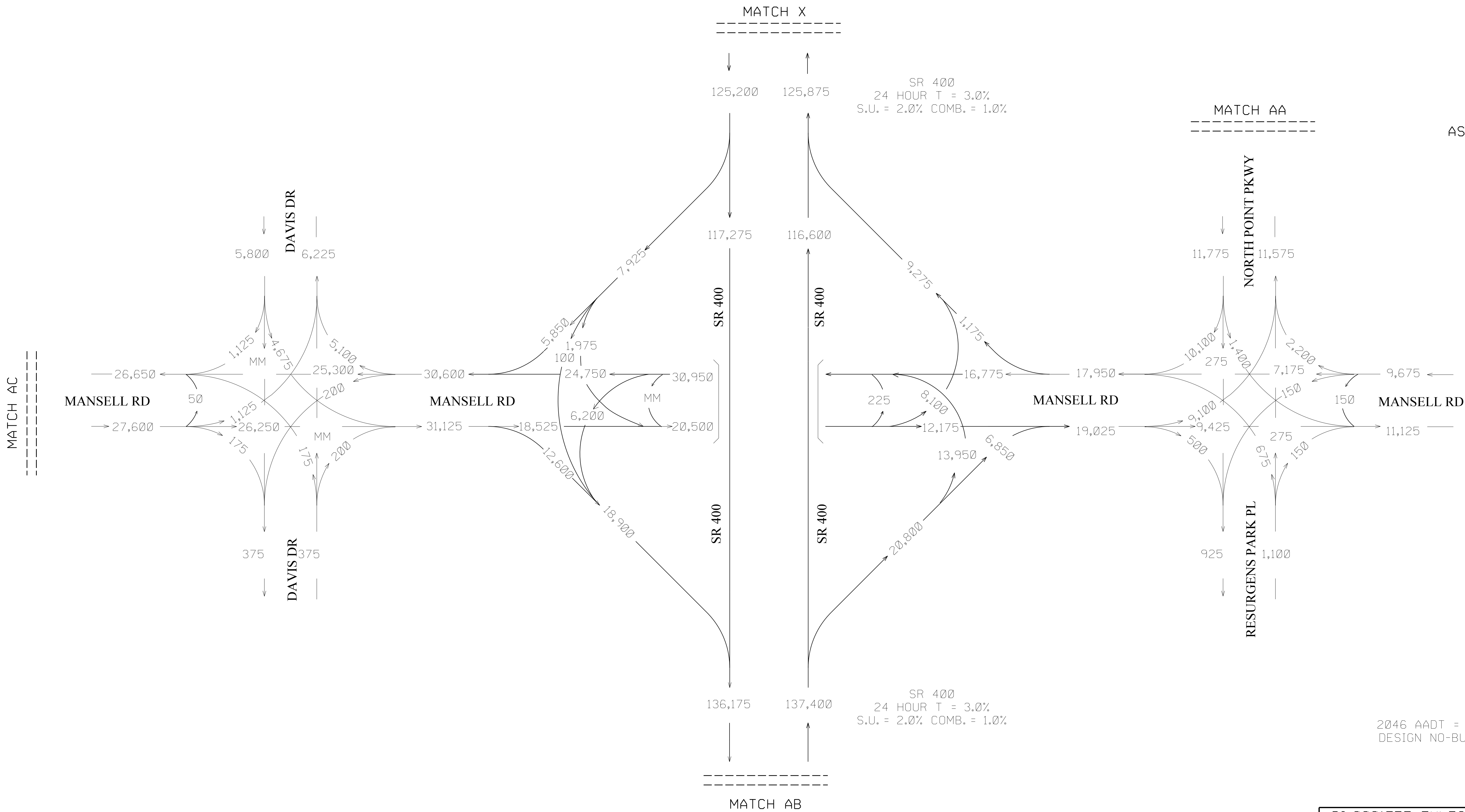
CHECKED:	JMA	DATE:	6/24/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

10-3037



2046 AADT = XXX
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY



2046 AADT = XXX
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

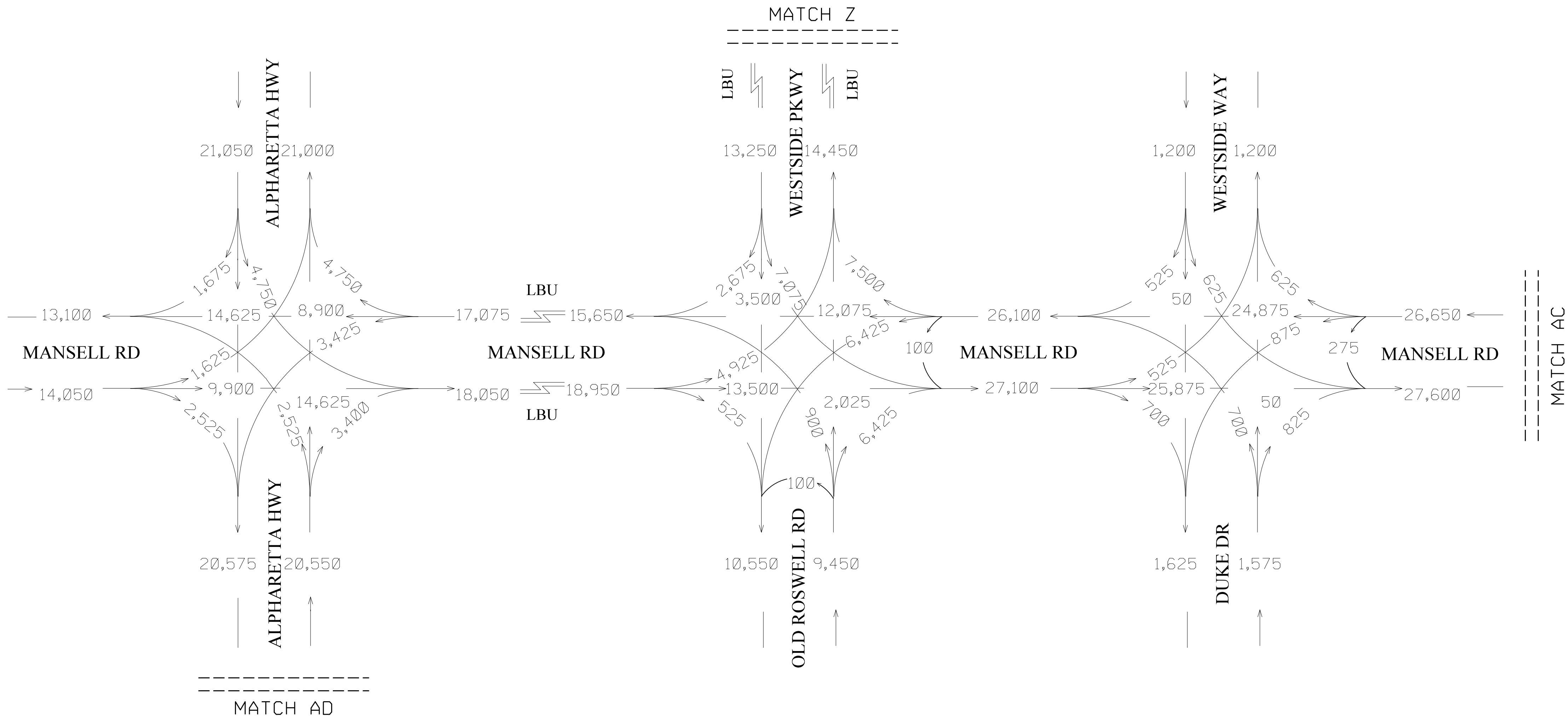
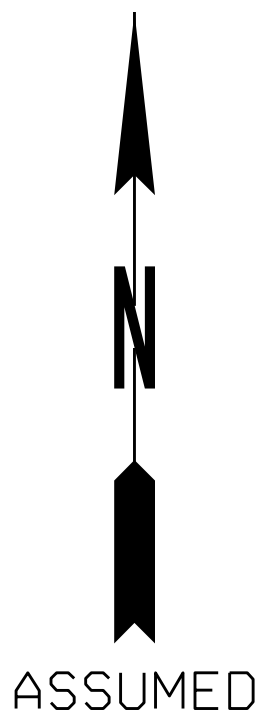
6/20/2019		
6/24/2019		

TRAFFIC DIAGRAM

NO-BUILD (2046) AADT
SHEET 14 OF 25

CHECKED:	JMA	DATE:	6/24/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

10-3039



2046 AADT = XXX
DESIGN NO-BUILD

PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

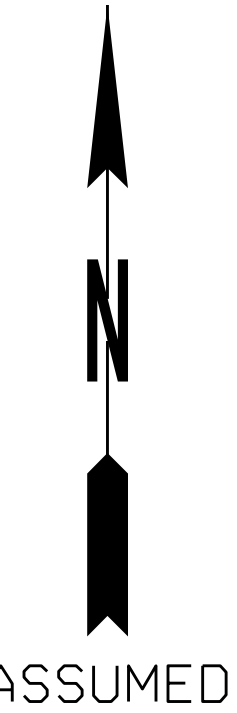
6/21/2019		

TRAFFIC DIAGRAM

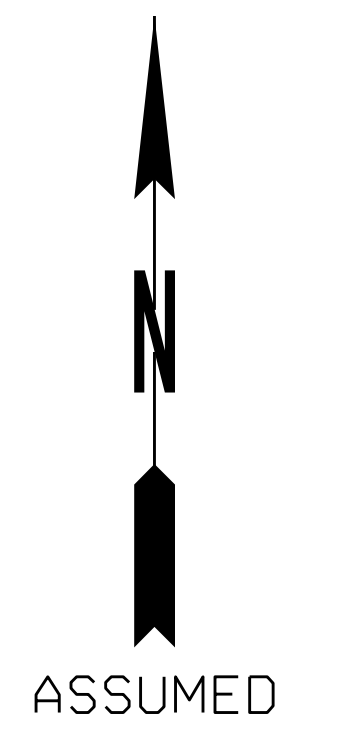
NO-BUILD (2046) AADT
SHEET 15 OF 25

CHECKED:	JMA	DATE:	6/24/2019	DRAWING No.
BACKCHECKED:	SCJ	DATE:	8/8/2019	
CORRECTED:	SCJ	DATE:	8/8/2019	
VERIFIED:	JMA	DATE:	8/8/2019	

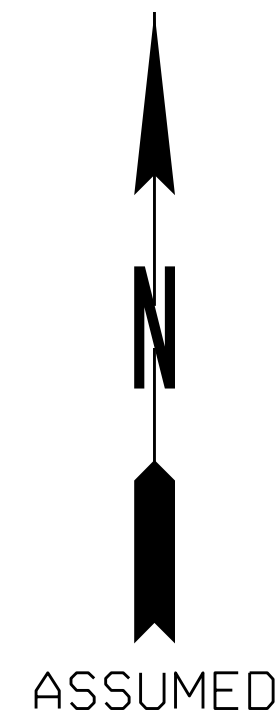
10-3040



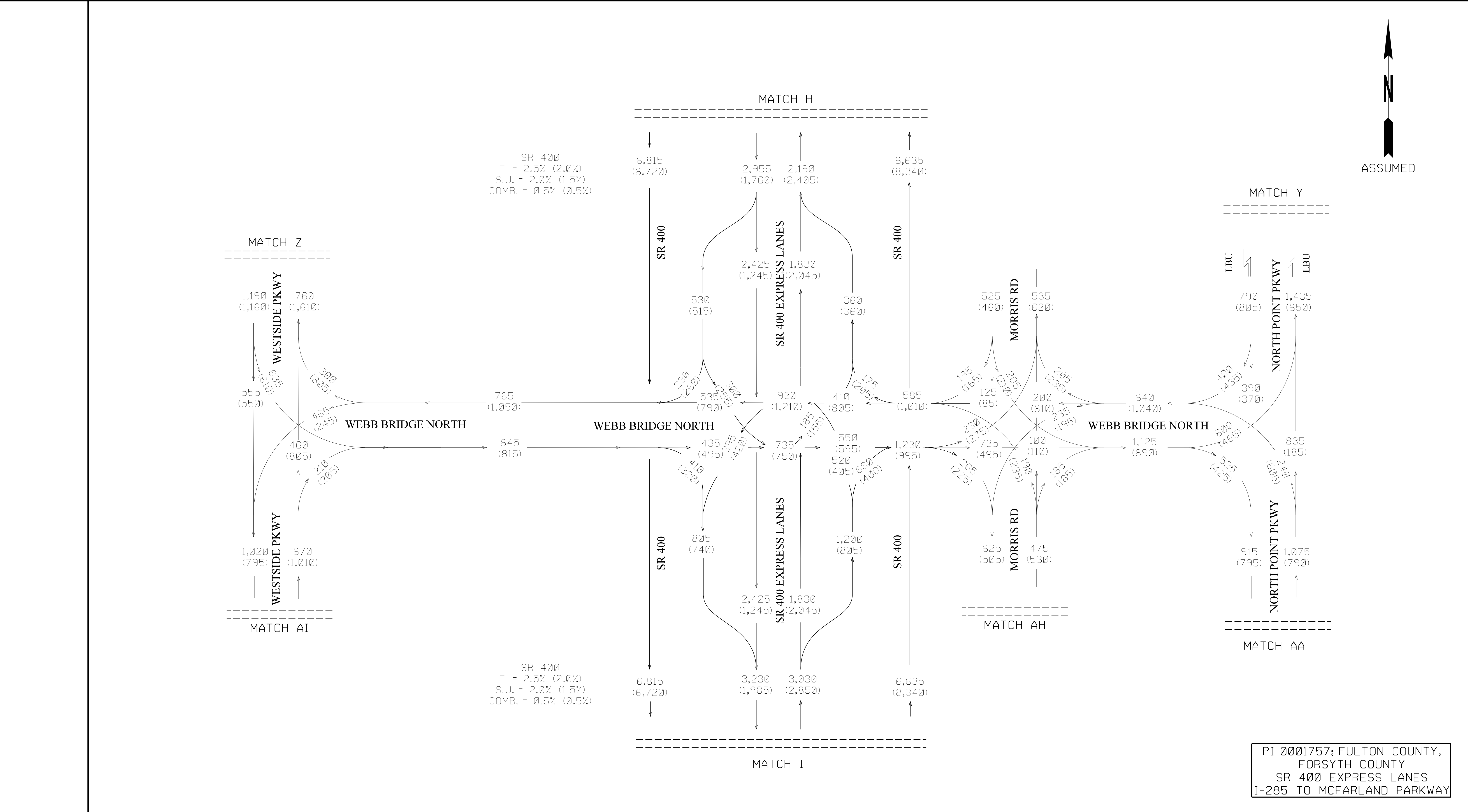
CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4010
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4011
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4013
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 DHV
AM (PM)
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

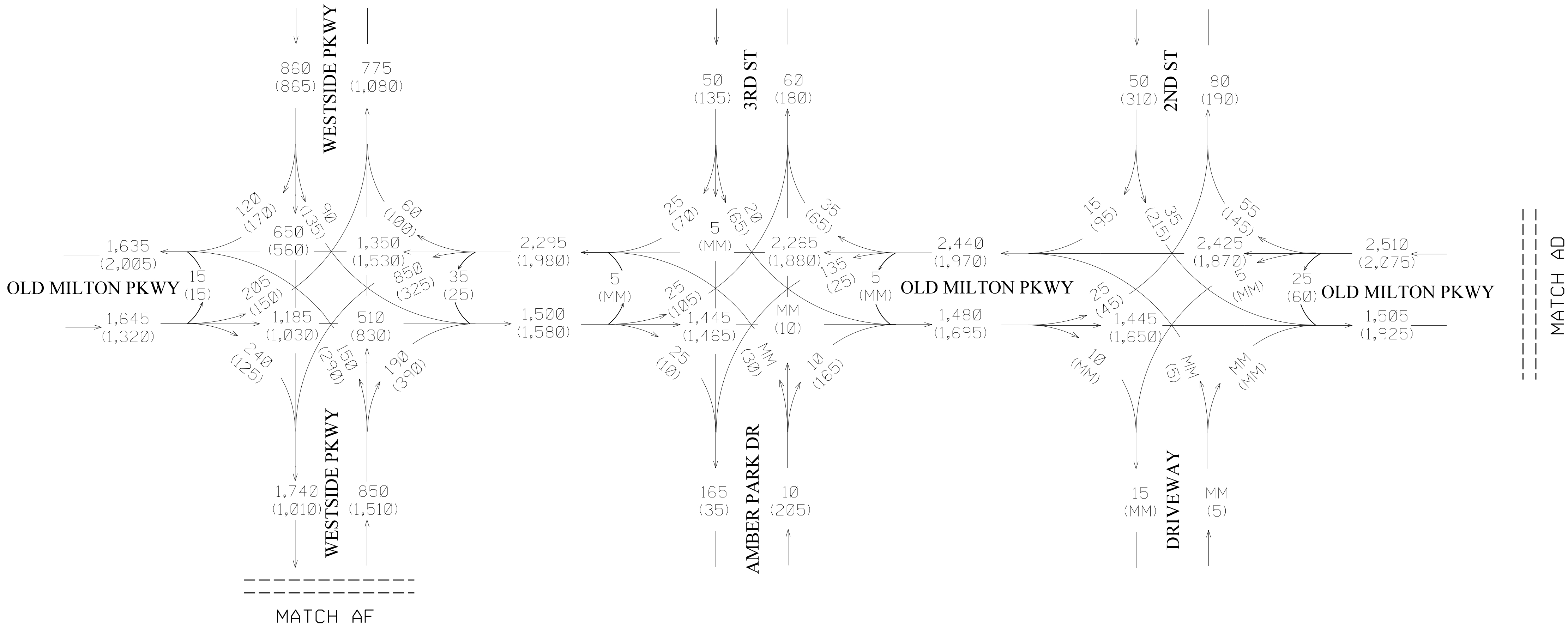
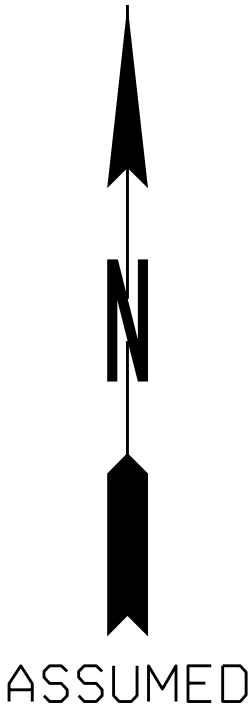
REVISION DATES

TRAFFIC DIAGRAM

SHEET 14 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4014



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 DHV
AM (PM)
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

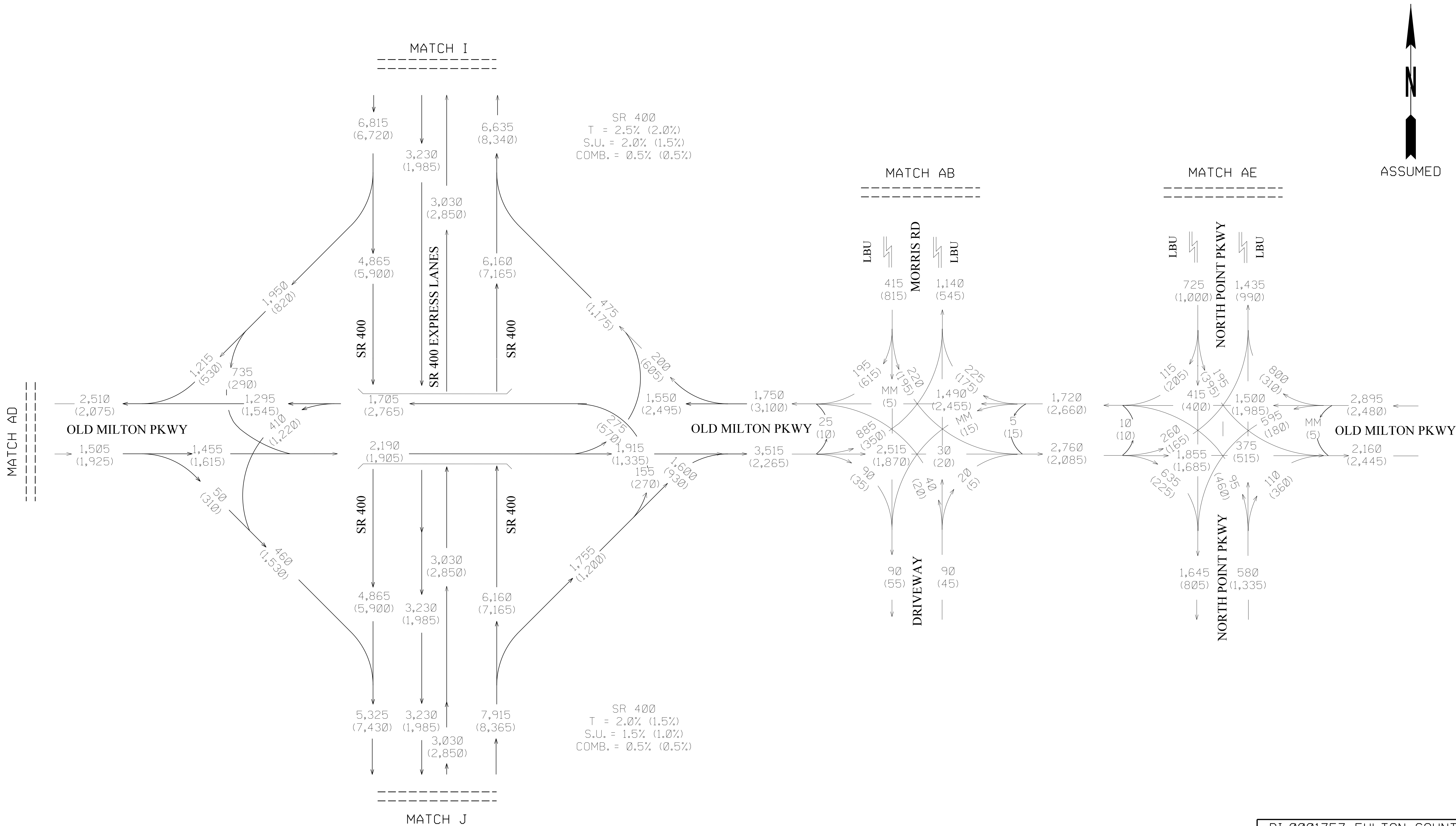
REVISION DATES

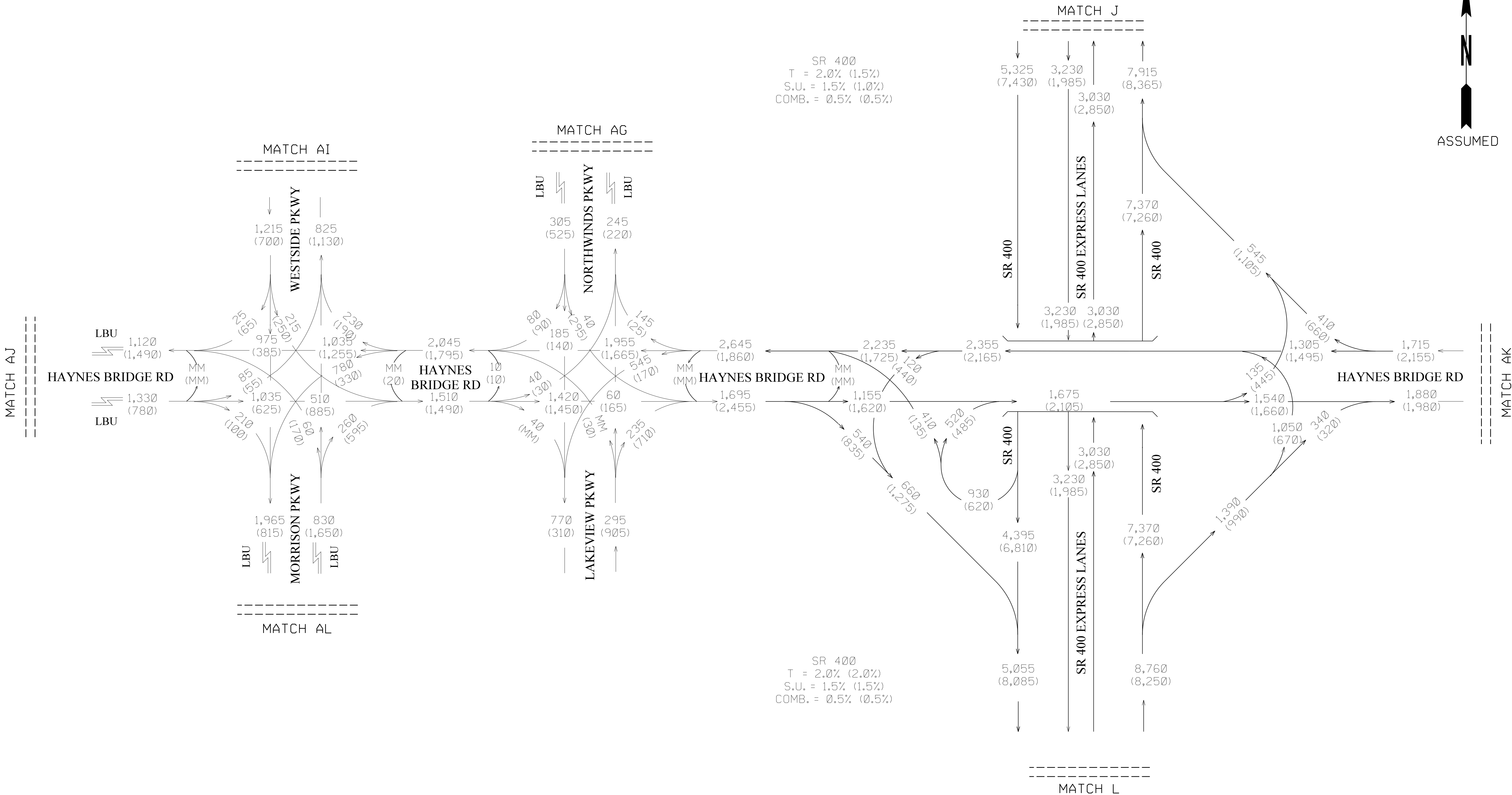
TRAFFIC DIAGRAM

SHEET 15 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4015





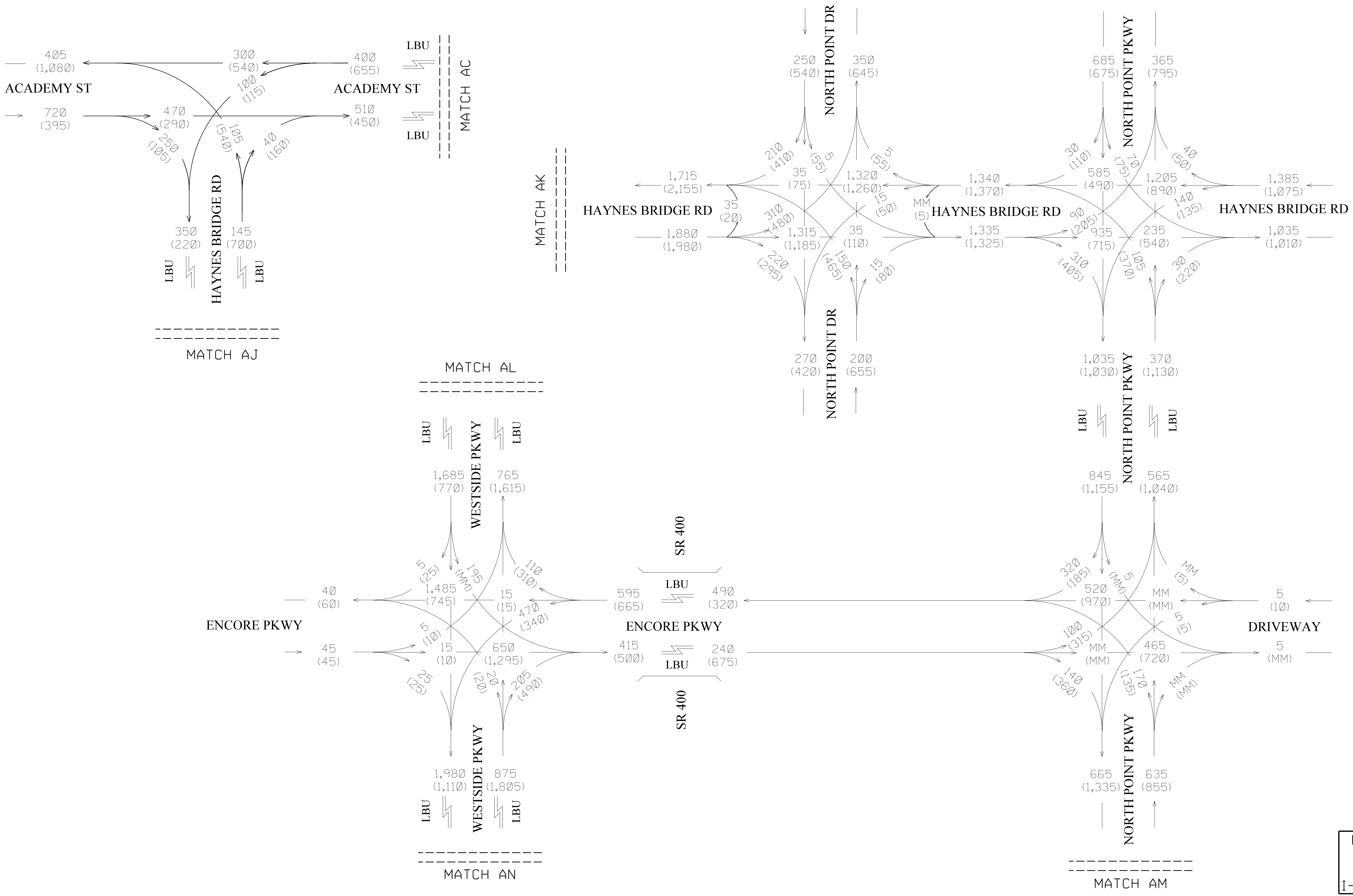
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 DHV
AM (PM)
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES			TRAFFIC DIAGRAM		
			SHEET 17 OF 32		
CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.	
BACKCHECKED:	JMA	DATE:	10/14/19	10-4017	
CORRECTED:	SCJ	DATE:	10/22/19		
VERIFIED:	JMA	DATE:	10/31/19		



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 DHV
AM (PM)
BUILD



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

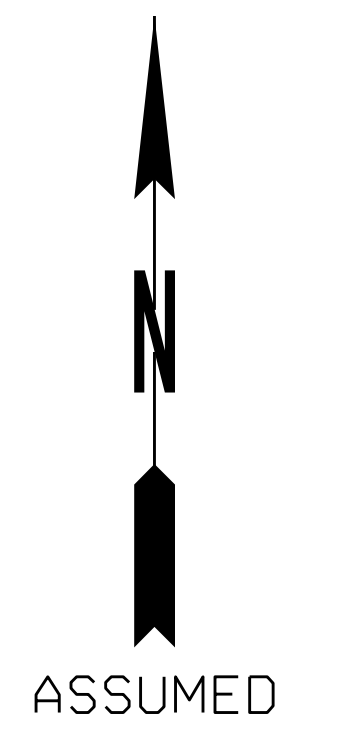
REVISION DATES

TRAFFIC DIAGRAM

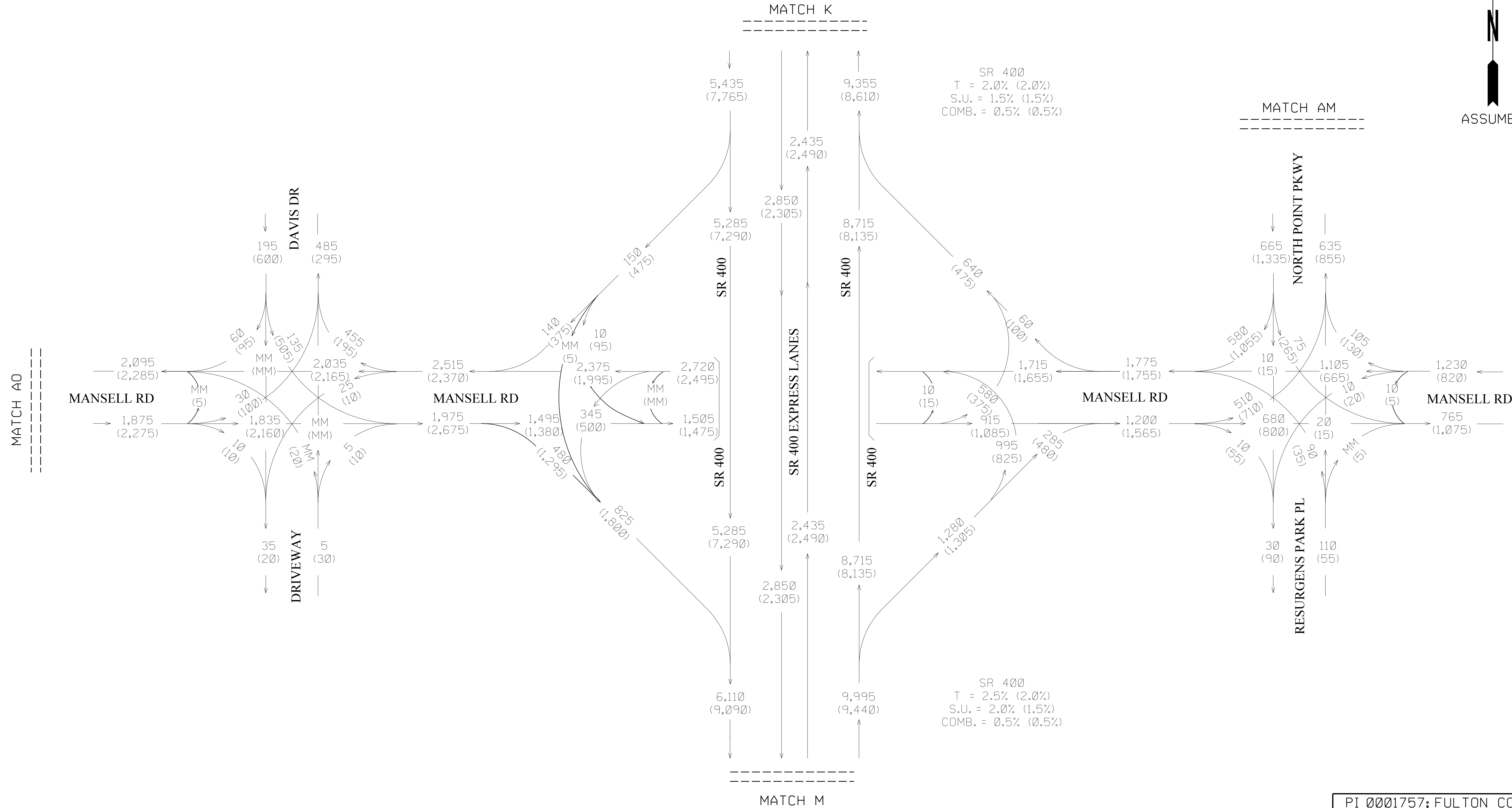
SHEET 18 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4018



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4020
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

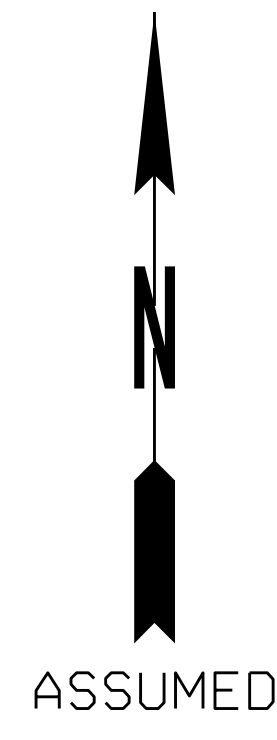


2046 DHV
AM (PM)
BUILD

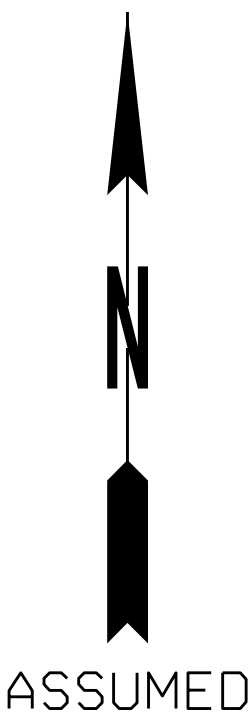
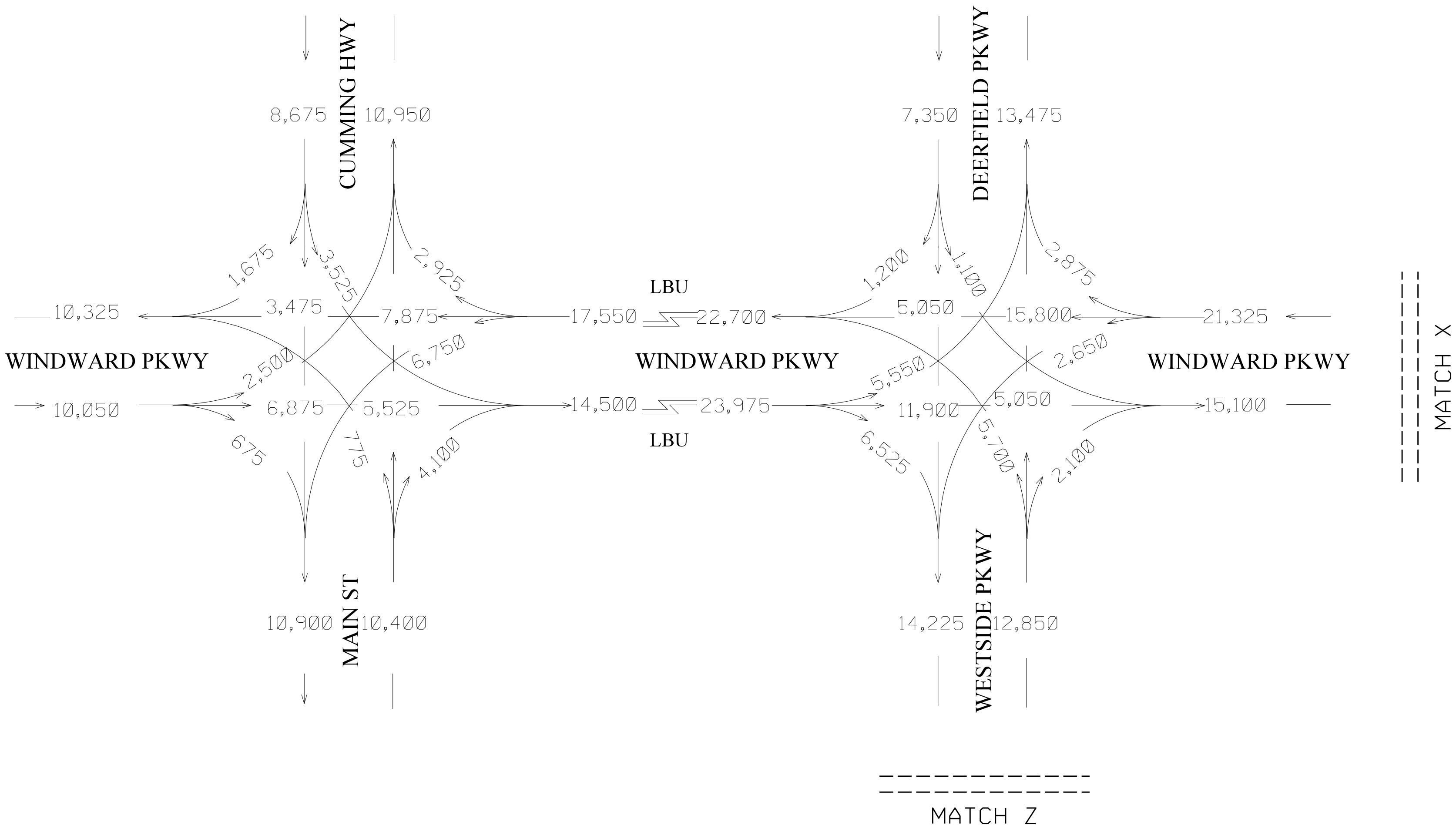
AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES			TRAFFIC DIAGRAM		
			SHEET 21 OF 32		
CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.	
BACKCHECKED:	JMA	DATE:	10/14/19	10-4021	
CORRECTED:	SCJ	DATE:	10/22/19		
VERIFIED:	JMA	DATE:	10/31/19		



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4042
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

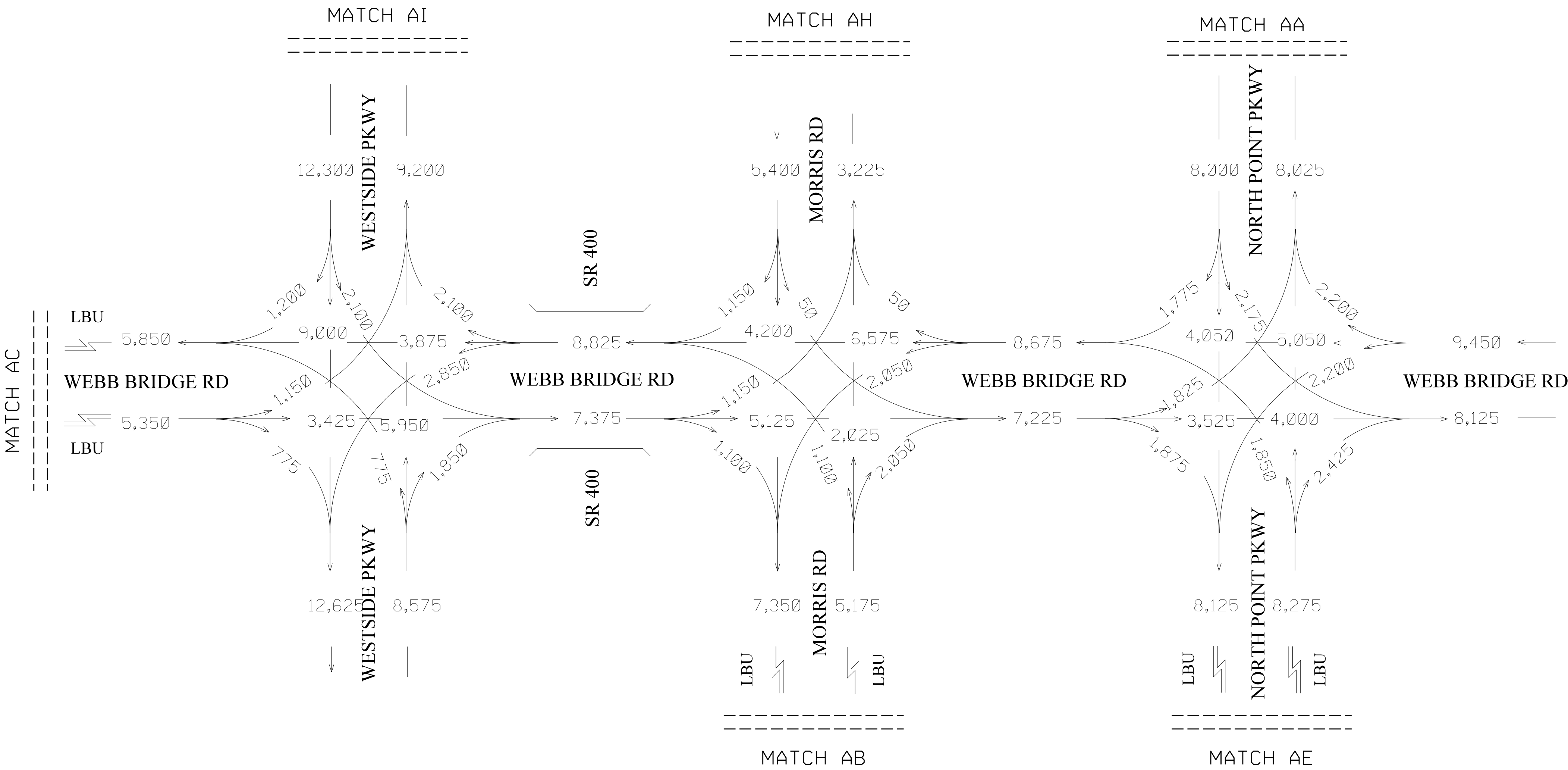
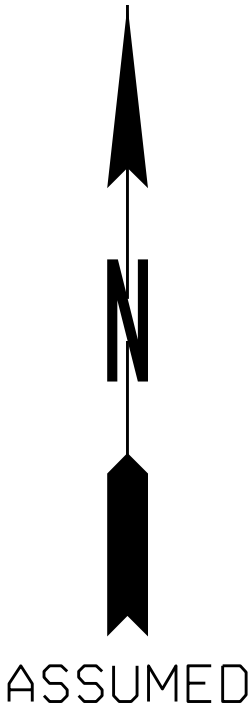
REVISION DATES

TRAFFIC DIAGRAM

SHEET 11 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4043



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

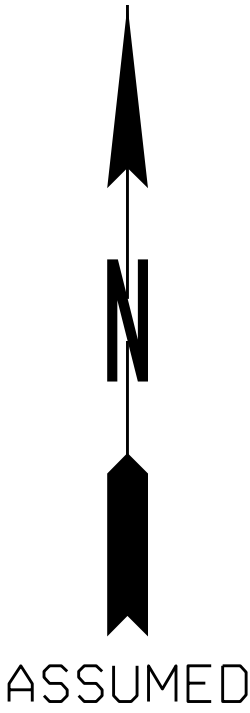
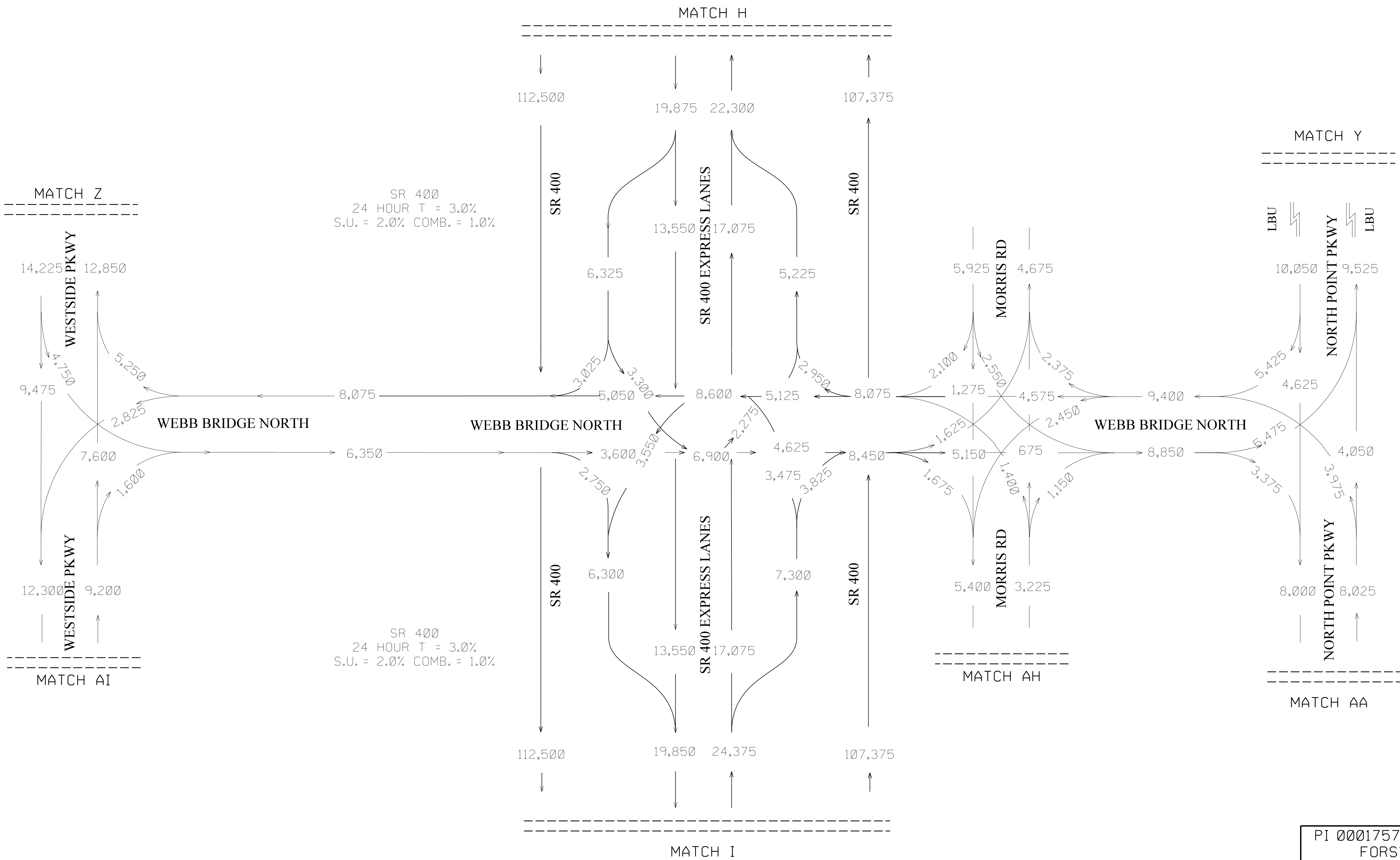
REVISION DATES

TRAFFIC DIAGRAM

SHEET 13 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4045



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

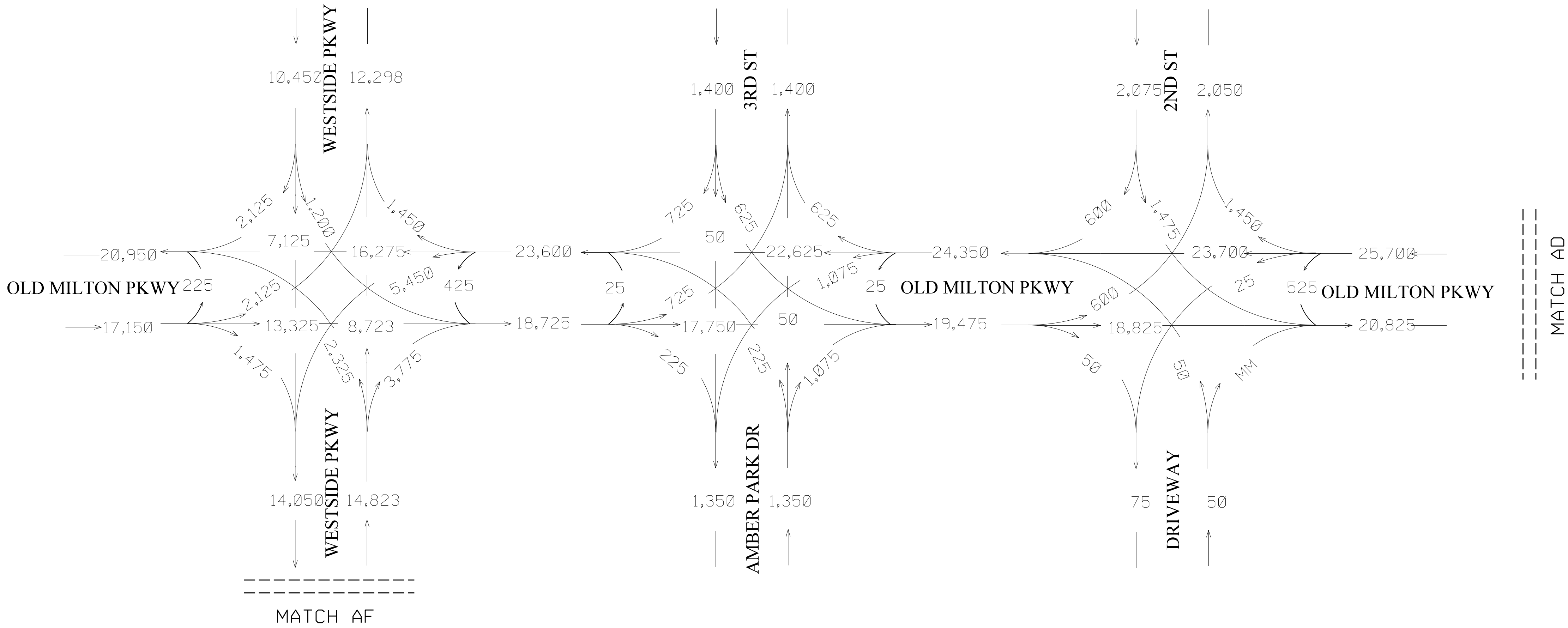
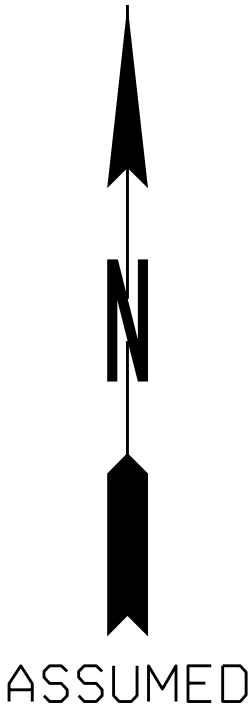
REVISION DATES

TRAFFIC DIAGRAM

SHEET 14 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4046



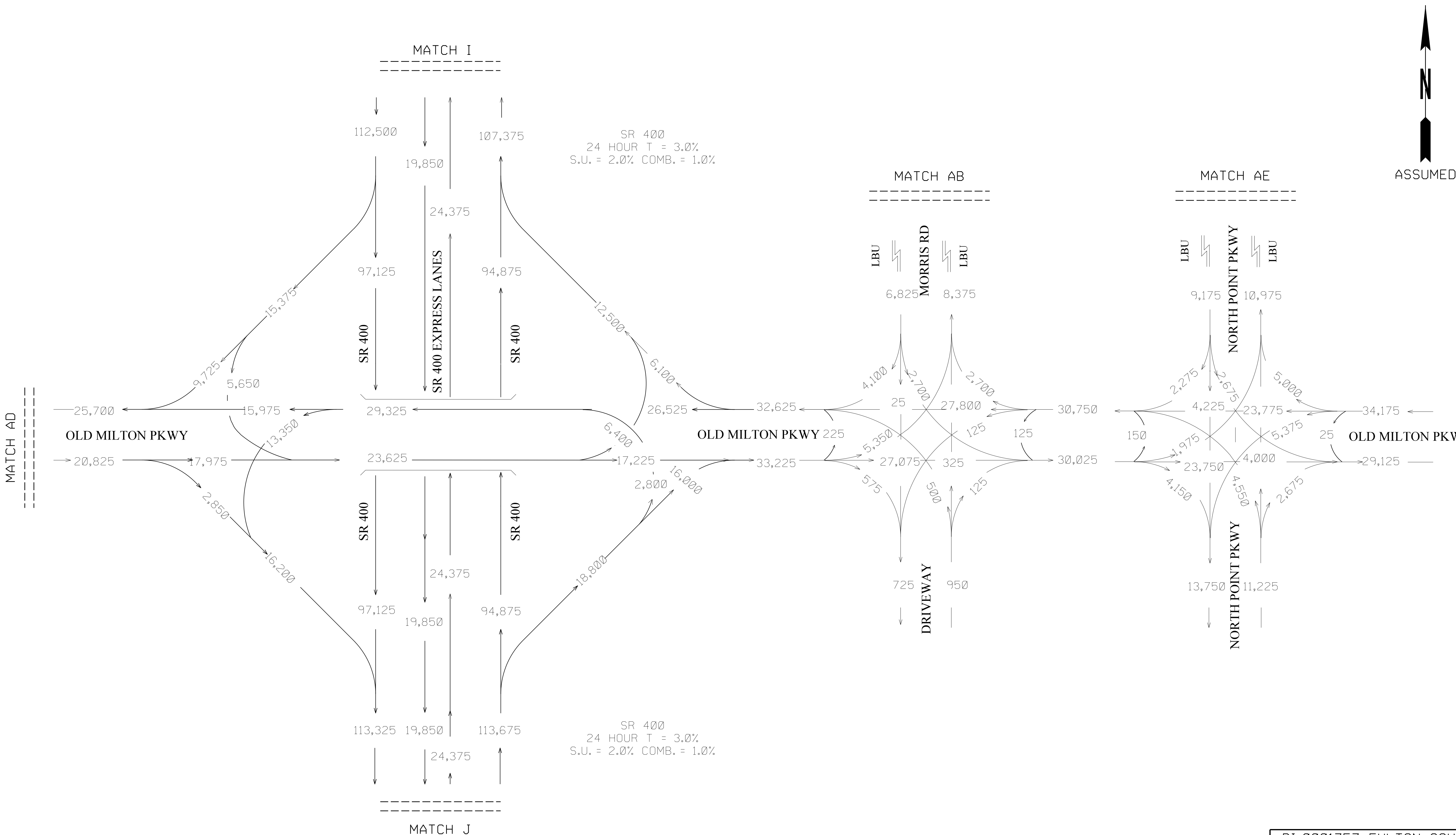
PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM
ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES			TRAFFIC DIAGRAM		
			SHEET 15 OF 32		
CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.	
BACKCHECKED:	JMA	DATE:	10/14/19	10-4047	
CORRECTED:	SCJ	DATE:	10/22/19		
VERIFIED:	JMA	DATE:	10/31/19		



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

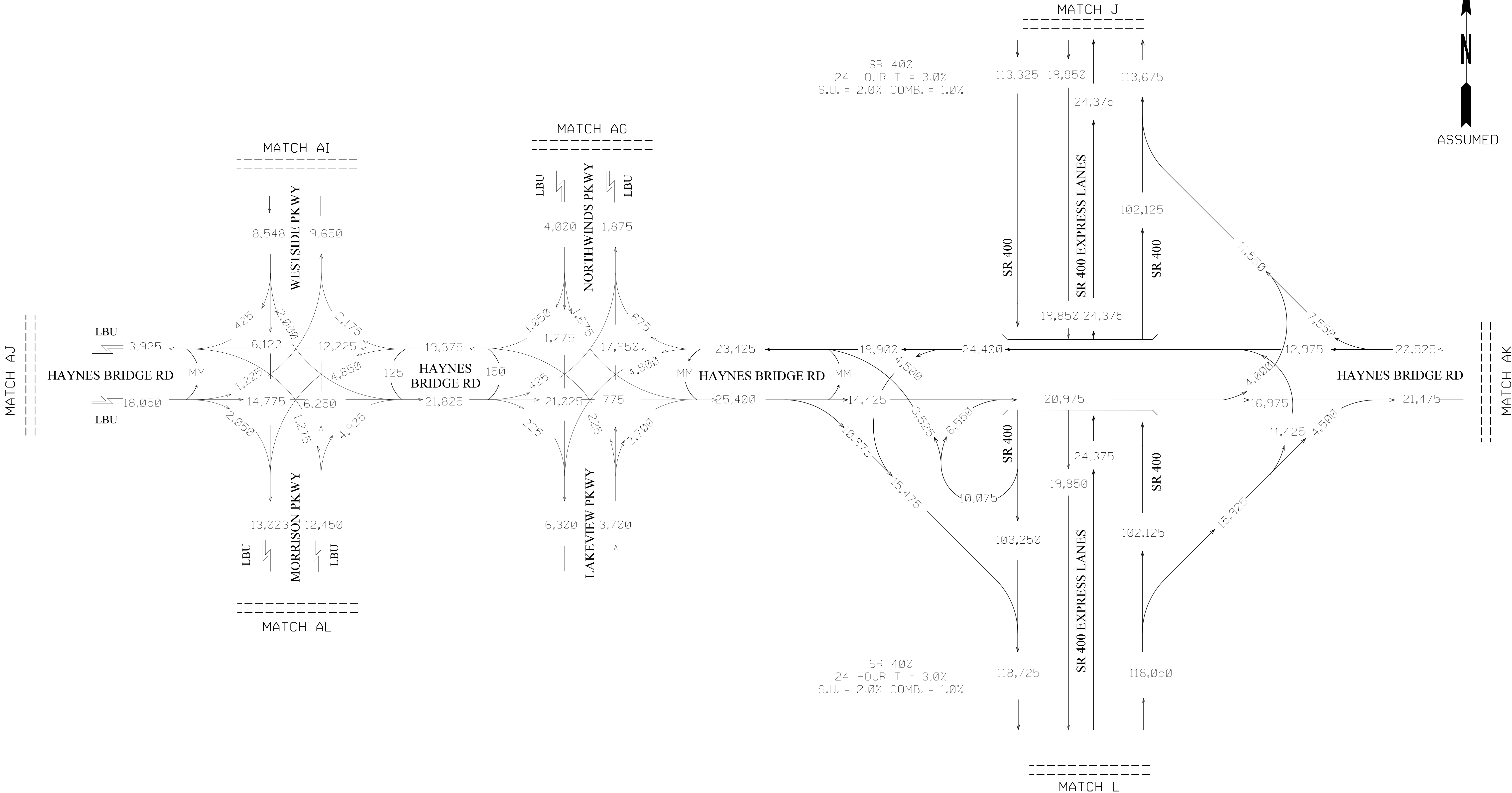
REVISION DATES

TRAFFIC DIAGRAM

SHEET 16 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4048



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

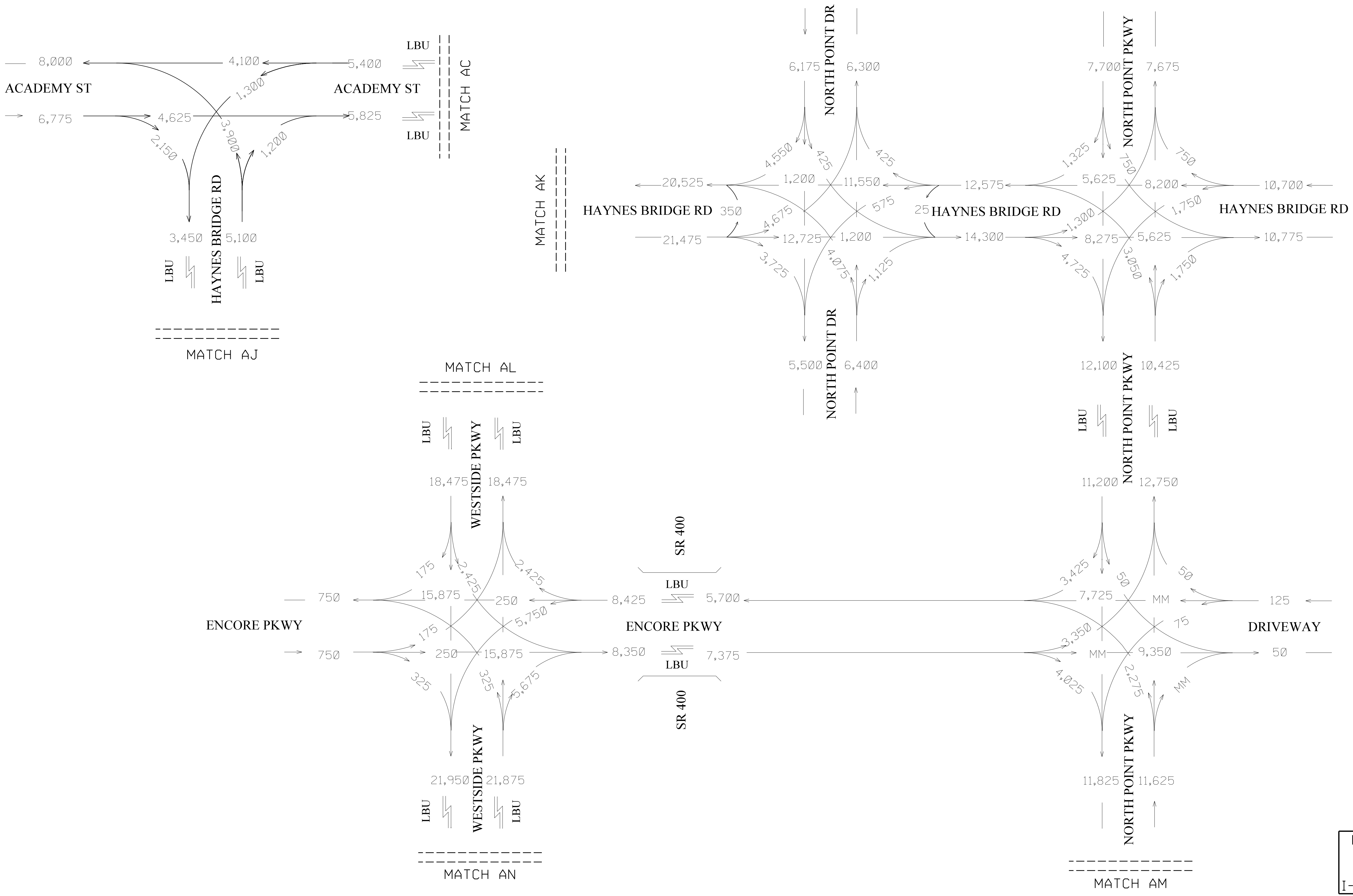
TRAFFIC DIAGRAM

SHEET 17 OF 32

CHECKED:	SCJ	DATE:	09/25/19
BACKCHECKED:	JMA	DATE:	10/14/19
CORRECTED:	SCJ	DATE:	10/22/19
VERIFIED:	JMA	DATE:	10/31/19

DRAWING No.

10-4049



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD

AECOM

ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

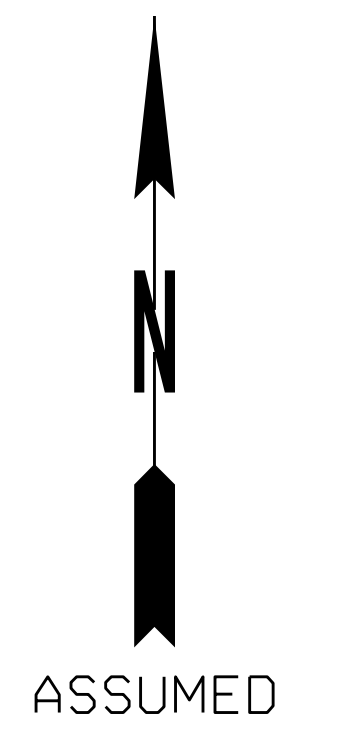
REVISION DATES

TRAFFIC DIAGRAM

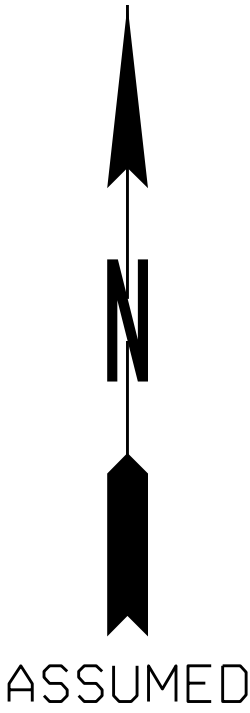
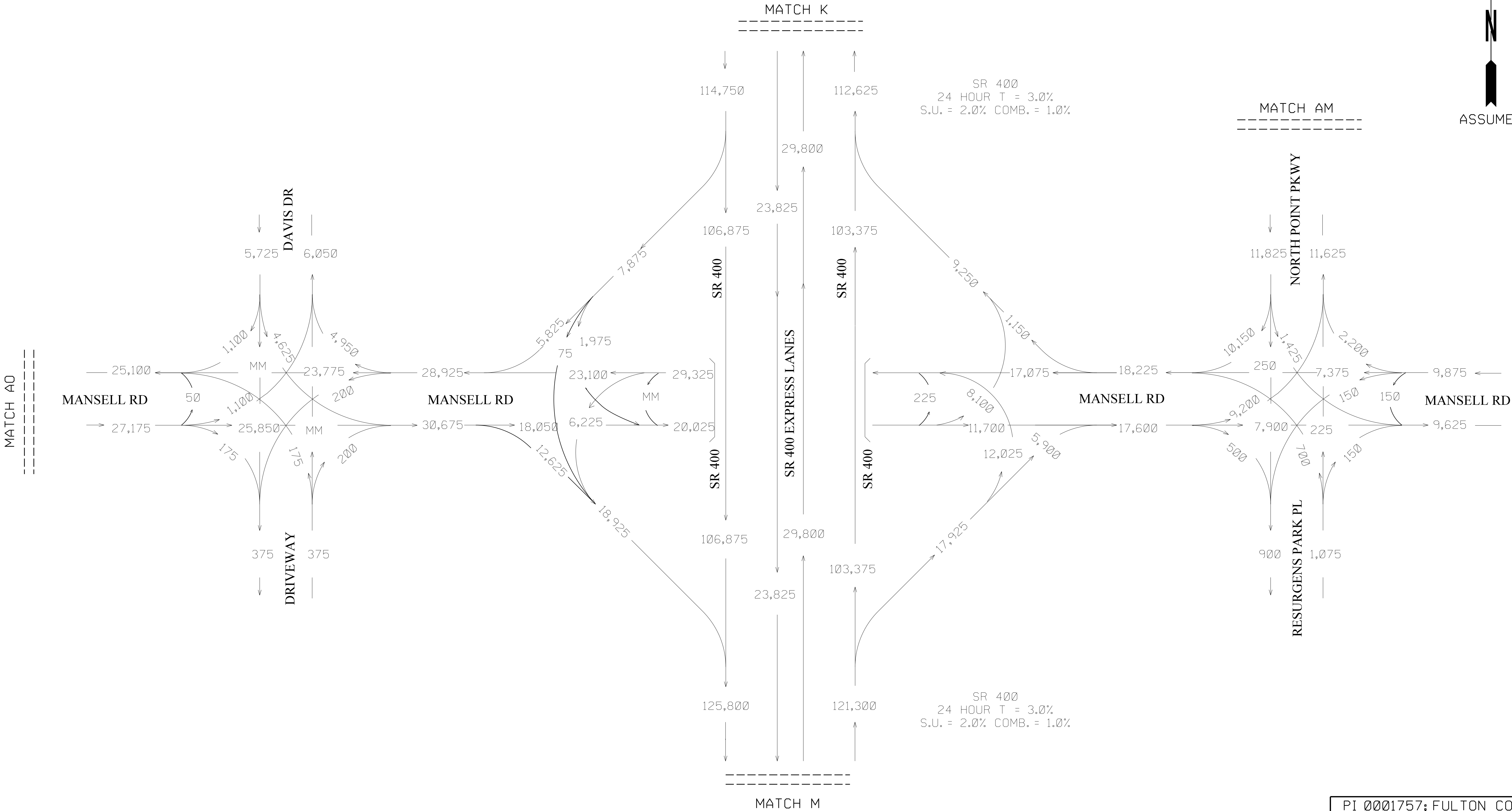
SHEET 18 OF 32

CHECKED:	SCJ	DATE:	09/25/19	DRAWING No.
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	

10-4050



CHECKED:	SCJ	DATE:	09/25/19	DRAWING No. 10-4052
BACKCHECKED:	JMA	DATE:	10/14/19	
CORRECTED:	SCJ	DATE:	10/22/19	
VERIFIED:	JMA	DATE:	10/31/19	



PI 0001757; FULTON COUNTY,
FORSYTH COUNTY
SR 400 EXPRESS LANES
I-285 TO MCFARLAND PARKWAY

2046 AADT
BUILD



ONE MIDTOWN PLAZA
1360 PEACHTREE STREET NE, SUITE #500
ATLANTA, GEORGIA 30309
TEL: (404) 965-9600 FAX: (404) 965-9605

NOT TO SCALE

REVISION DATES

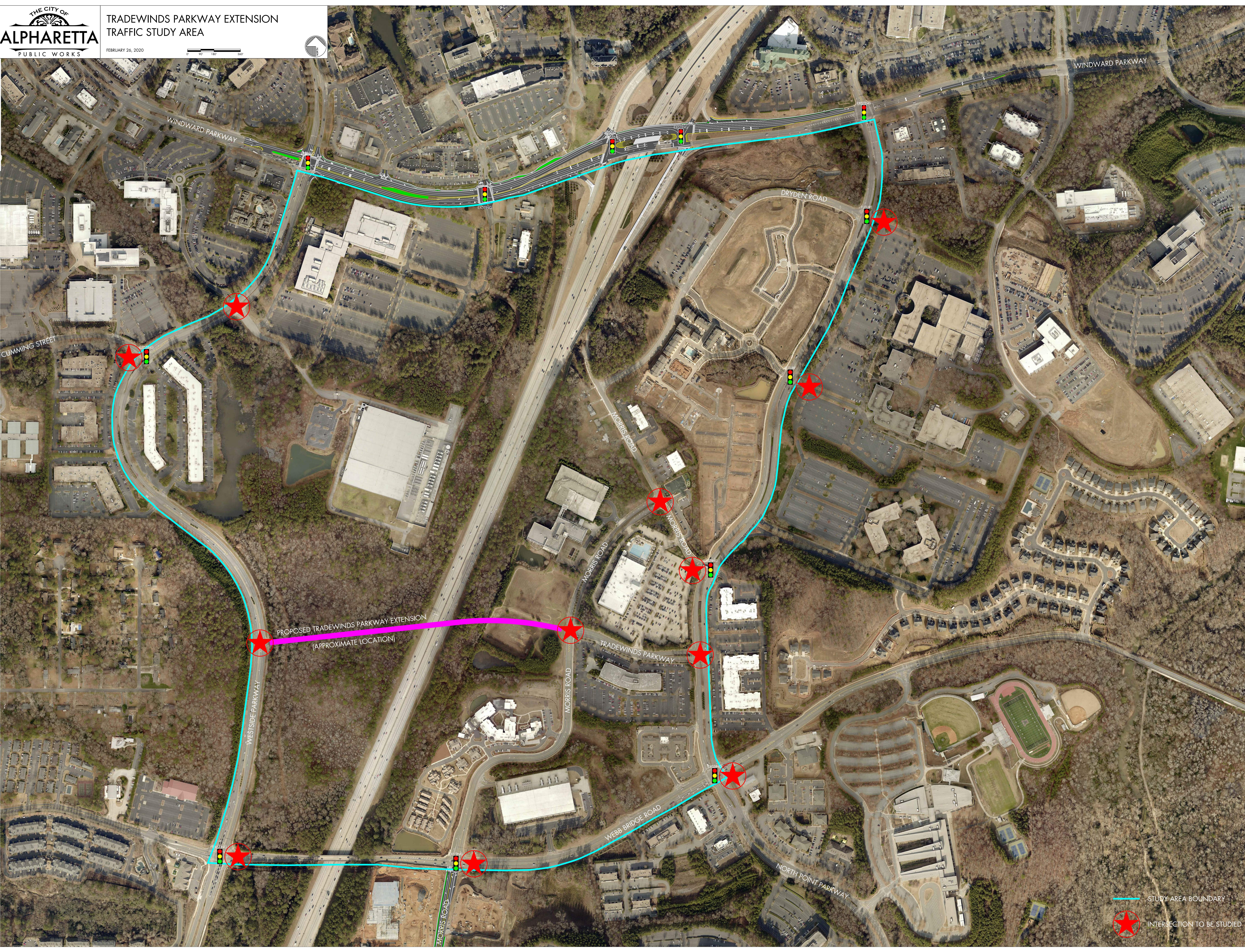
TRAFFIC DIAGRAM

SHEET 21 OF 32

CHECKED:	SCJ	DATE:	09/25/19
BACKCHECKED:	JMA	DATE:	10/14/19
CORRECTED:	SCJ	DATE:	10/22/19
VERIFIED:	JMA	DATE:	10/31/19

DRAWING No.

10-4053





City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Sponsored By: Mayor Gilvin & Mayor Pro Tem Mitchell

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: ITSMYTOWN ALPHARETTA MOBILE APP
(SPONSORED BY: GILVIN, MITCHELL)

II. RECOMMENDATION:

Award a contract to ITSimple in an amount not to exceed \$129,600 for a three-year subscription for use of the company's ItsMyTown mobile app. Payment would be made on an annual basis in an amount not to exceed \$43,200 per year.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY
OPRT. BUDGET: NO

TOTAL PROJECT COST: THE TOTAL FISCAL IMPACT ASSOCIATED
WITH THIS ITEM WOULD BE A MAXIMUM OF \$43,200 PER YEAR FOR A
TOTAL COST OVER THE THREE-YEAR TERM OF \$129,600.

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>

IV. REPORT IN BRIEF:

This item is the consideration of a proposal from IT Simple for use, under a subscription agreement, of the company's ItsMyTown mobile app.

The City previously entered into a two-year pilot program with ITSimple for use of its first generation mobile application, a client-specific, dedicated app providing numerous functions. During the course of the pilot, the company continued to refine the product and also developed a second version of the app that is more streamlined to provide a reduced number of services that were most frequently used / requested.

The current proposal would establish the City of Alpharetta as a user of this "second generation" product for a period of three (3) years.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Alpharetta - ITsimple Agreement - 18Aug20

SERVICES AGREEMENT

The following Services Agreement ("Agreement") between the City of Alpharetta, located at 2 Park Plaza, Alpharetta, GA 30009 ("City") and ITsimple LC, a Georgia LLC, located in 12150 Morris Rd, Alpharetta, GA 30005 ("ITsimple"), together "The Parties", is entered into as of "The Effective Date".

WHEREAS, ITsimple will provide Content Management Services to the City, as described in Exhibit A and is specifically incorporated herein by reference.

1. Agreement Term

- 1.1. The term of this Agreement commences on The Effective Date of August 19, 2020.
- 1.2. This Agreement Term is for a period of three (3) years.
- 1.3. This Agreement shall automatically renew past the Agreement Term on an annual basis for a one (1) year term under this Agreement.

2. Services

- 2.1. ITsimple will provide access to the Services on a software-as-a-service basis. ITsimple is providing usage subscription for the ITsimple Community Engagement Platform, SpotlightCMS that includes:
 - 2.1.1. A dedicated tenant on It'sMyTown, the official mobile app for local governments as described in Exhibit A.
 - 2.1.2. A secure customer administrative portal (GUI) for real-time updates of information and services (text, photos, web links) to the mobile app, It'sMyTown. The portal includes:
 - 2.1.2.1. A multi-factor authentication feature for enhanced access security.
 - 2.1.2.2. Role based access controls for the administrator(s) on staff to add/remove users and assign per module access, as needed (cross departmental).
- 2.2. ITsimple will provide the following services as part of this Agreement:

Online Services	Comments	Inclusion
Hosting	Front and backend Mobile app, portal and data	Included
Technical support	For portal users on staff	Included
Maintenance	Ongoing mobile OS versions support, developer accounts and security updates	Included

Training	Online training for portal uses on staff ¹	Included
Customer success	Our friendly team will be happy to serve you as needed	Included
Ongoing enhancements	Sourced by ITsimple i.e. feature enhancements and modifications for logic and design	Included
Artwork and graphics	For It'sMyTown	Included

2.3. ITsimple represents and warrants that it shall not collect confidential Personal Information from City representatives or users of the mobile app.

2.3.1. ITsimple further covenants and agrees that if, and to the extent, such confidential Personal Information comes into its possession, it shall:

2.3.1.1. keep and maintain all confidential Personal Information in strict confidence, using such degree of care as is appropriate to avoid unauthorized access, use or disclosure.

2.3.1.2. not sell, rent, transfer, distribute, or otherwise disclose or make available confidential personal information for ITsimple's own purposes or for the benefit of any third party without prior written consent from the City, with the exception of ITsimple company merger or transfer of ownership.

2.3.2. ITsimple shall provide notices or link to all users of the mobile app for its privacy policy.

2.3.3. The obligations set forth in this section survive the termination of this Agreement.

3. Remuneration and Payments

3.1. An annual not-to-exceed subscription fee of \$43,200 for the term as referenced in Section 1.2 above. ITsimple doesn't limit the number of users on staff.

3.2. ITsimple will invoice the City annually for each year. Payment is due upon receipt.

3.3. In case of non-payment, ITsimple reserves the right to determine whether it will continue the services as described in Exhibit A under its own discretion. Non-payment is considered a breach of a material obligation under this Agreement.

3.4. Non-payment will not alleviate the City of its obligations under this Agreement.

3.5. Termination of this Agreement will not alleviate the City of payment of any outstanding invoices or invoices relating to this Agreement and generated within 30 days after termination of this Agreement.

4. Ownership

4.1. With the exception of the City's trademarks and logos, ITsimple shall be the sole and exclusive owner of any and all ITsimple materials, including the software and all intellectual property rights in and to them and their derivative works and improvements

¹ Being a local Alpharetta business, we are offering our training and any necessary support sessions in Alpharetta sites, as needed and with full compliance for COVID-19 social distancing official guidelines. This stands for future need past the pandemic for the life of this Agreement.

RAF

(as each of those terms is defined and applied under Title 17 and Title 35 U.S.C., respectively) by whomever developed or created them.

- 4.2. No ownership of any ITsimple materials including the software or the intellectual property rights in and to them shall be transferred to the City. "Intellectual Property Rights" shall mean any and all proprietary rights or moral rights in any trademarks, copyrights, trade secrets, patents and patent applications, renewals, extensions, continuations, divisions or reissues, in whole or in part, now or hereafter in force, and any foreign counterparts.

5. Termination

- 5.1. If either Party fails to perform any of its material obligations under this Agreement and does not cure such failures within forty-five (45) days after being given written notice specifying the nature of the failure, then the non-defaulting Party may, by giving written notice to the other Party, terminate all services as of date specified in such notice of termination.
- 5.2. Payment obligations under this Agreement will survive the termination of this Agreement.
- 5.3. Notwithstanding any other provision or provisions of this Agreement, pursuant to O.C.G.A. § 36-60-13, this Agreement will terminate immediately and absolutely if the City determines that adequate funds are not appropriated or granted or funds are de-appropriated such that the City cannot fulfill its obligations under the Agreement.

6. Warranties and Limited Liabilities

- 6.1. ITsimple makes no, and disclaims all representations or warranties, express or implied, at law or in equity (including without limitation any warranty of merchantability, fitness, for a particular purpose, title or no infringement) to City or to any other person, with respect to ITsimple's services, ITsimple materials, or any other services or materials provided hereunder by ITsimple, its contractors, subcontractors or anyone under ITsimple's control.
- 6.2. Neither ITsimple nor the City shall have any liability to the other Party for any indirect, special, consequential damages, under any theory of liability (whether legal or equitable).
- 6.3. While the content posted by the app users' is governed by ITsimple's Terms of Use, ITsimple may not be able to control the exact nature of this content. ITsimple reserves the right to edit or delete inappropriate content with consent of the City, but does not have an obligation to do so.
- 6.4. Although ITsimple may from time to time make enhancements or bug fixes to the software, it is under no obligation to make any particular modifications, enhancements or bug fixes; provided, however, failure to provide necessary and reasonable fixes in a timely manner shall authorize City to terminate this Agreement upon forty five (45) days written notice.

7. Arbitration, Governing Law and Venue

- 7.1. The Parties agree that any dispute or controversy arising out of or in connection with this Agreement shall be referred to arbitration for final and binding resolution. Either Party may initiate arbitration of the dispute by the filing of an application for resolution by one arbitrator appointed by and in accordance with the rules of the American Arbitration Association. The arbitration shall be conducted in Fulton County, GA. The award in the arbitration shall be final, binding and non-appealable. The award may be entered as a final, non-appealable judgment in Fulton County, GA. Each Party specifically agrees and acknowledges that this section is a material term of this Agreement and acknowledges that it would not enter into this Agreement in the absence of this section. Each Party warrants and represents to the other Party that this section is valid and enforceable and the other Party will incur damages if such representation is false.
- 7.2. This Agreement shall be governed by, and construed and interpreted in accordance with the laws of the State of Georgia in the United States of America.
- 7.3. The Parties agree that, in the event litigation relating to this Agreement is filed by either Party, the non-prevailing Party in such litigation will pay the prevailing Party's costs resulting from the litigation, including reasonable attorneys' fees and costs.

8. Indemnification and Hold Harmless

- 8.1. To the extent permitted by law, the Parties agree to indemnify each other for their own negligence. The City will hold ITsimple harmless for any City content related claims; provided such content has not been altered by ITsimple without City permission or that the City is aware of this alteration before the content is released.
- 8.2. To the extent permitted by law, no right or remedy specified in this Agreement shall be waived by either Party except by giving notice as defined in Section 15.

9. Authorized Contacts

- 9.1. The Parties whose name and signature appear at the signature block of this Agreement acknowledge that they are authorized to sign and amend this Agreement on behalf of their respective entities.
- 9.2. Neither Party has, and shall not hold itself out as having, any authority to enter into any contract or create any obligation or liability on behalf of, in the name of, or binding upon the other Party.
- 9.3. The Parties agree that each is acting as an independent contractor under this Agreement and nothing in this Agreement shall be deemed or construed to create the relationship of partnership, joint venture or employer-employee between the Parties.
- 9.4. The Parties agree that each Party may reference the other Party as a customer or vendor, including using the customer name, service marks, licenses, trademarks, logos, sales and marketing materials, and website. Any reference to the ITsimple software, its features or its product, will be accompanied by a reference that it is provided by ITsimple.

RAF

10. Amendments

- 10.1. Amendments to this Agreement will be in writing and will become part of this Agreement when both Parties have authorized the amendment by way of their authorized signature.
- 10.2. Amendments shall be given as a notice as defined in Section 15.

11. Paragraph Headings, Substitutions and Interpretations

- 11.1. Paragraph headings, numbers, letters and emphasis marks have been inserted for convenience of reference only, and if there is any conflict between any such headings, numbers, letters or emphasis marks and the text of this Agreement, the text shall control.
- 11.2. Any plural can be substituted as singular and any singular reference can be substituted as plural.
- 11.3. The final Agreement may be executed in one or more counterparts. Each counterpart shall be considered an original and all counterparts taken together shall be considered one and the same instrument.
- 11.4. This Agreement, inclusive of the Exhibits and Amendments, to which they are inextricably linked, constitutes the entire Agreement between the Parties regarding the subject matter hereof and supersedes any letters of intent, memorandums of understanding, confidentiality contracts, and other contracts and communications, oral or written, between the Parties regarding such subject matter.

12. Assignment

- 12.1. ITsimple may assign this Agreement and will notify the City within 30 days thereof.
- 12.2. This Agreement is transferable and survives transfer of ownership of either Party.

13. Publicity and Promotion

- 13.1. The City agrees to promote the services and mobile app on the City online resources (website, social media) and marketing materials; at City public events and appearances; and public signage.
- 13.2. ITsimple will provide the art work and designs, as needed.

14. Confidentiality

- 14.1. The Parties agree to use all non-public information in strict confidence during the term of this Agreement and upon termination of this Agreement, except in the instance where attorneys need to be informed for the purpose of arbitration.

15. Notice

- 15.1. Any notice to be given hereunder, including any notice of a change of address, shall be in writing to the other Party via (I) express delivery service with signature confirmation receipt, or (II) via email to ITsimple to Ask@ITsimple.io or to the City to bregus@alpharetta.ga.us with email reply confirming receipt by receiving Party. Notices

RAF

shall be deemed given on the date of signature confirmation receipt from (I) express delivery service or (II) date of email reply confirming receipt by receiving Party.

16. Severability

- 16.1. If any provision is found to be unenforceable, the remainder of this Agreement is still valid. The remainder of this Agreement shall be construed as if such invalid or unenforceable provision had never been a part of this Agreement and in a manner so as to carry out this Agreement as nearly as possible the Parties' original intent.

In Witness whereof, the Parties have executed this Agreement by their duly Authorized Representatives:

ITsimple, LC

The City of Alpharetta, GA

Signature: Ron A. Freeman

Signature: _____

Name: Ron A. Freeman

Name: _____

Title: Founder

Title: _____

Date: 8/19/2020

Date: _____

---INTENTIONALLY LEFT BLANK---

Exhibit A

ITsimple is providing a usage subscription for the ITsimple Community Engagement Platform, SpotlightCMS, that includes access to its SaaS based Content Management System, a dedicated tenant on its mobile app for local governments It'sMyTown and a secure administrative customer Portal.

A list of the available functionalities on SpotlightCMS and It'sMyTown

Feature	Mobile	Comments
Pick design colors	Yes	8 available theme colors you control
Real-time alerts	Yes	Push notifications. Immediate and scheduler
Alerts quick view banner	Yes	Showcasing last five alerts in a slider
Public meetings	Yes	Add meetings to calendar, link agendas and minutes
Directory	Yes	Staff, elected officials, services
Local events	Yes	Push notifications, save to calendar, share, dial, navigate
Newsflash	Yes	Push notifications, Including quick email feedback button
About page	Yes	Description, pictures, link a video
Departments	Yes	Leader name, headshot, description, picture, link a video
Elected officials	Yes	Bio, contact, joint and individual page
Elected officials blogs	Yes	Including quick email feedback button
Online services	Yes	Quick connect your current web services (i.e. open records, e-bills, permit request forms, etc.)
Public places listings	Yes	Parks, library, community centers, museum, public pool, arts center, etc.
Local businesses listings	Yes	Automatic web feed, location based, quick navigation, dial and, go-to website with a tap
Local dine places listings	Yes	Automatic web feed, location based, quick navigation, dial and, go-to website with a tap
Public parking locations	Yes	Location proximity based, quick navigation
Report issue	Yes	Citizen request feature. Location and camera enabled. Manager dashboard, performance reports

Contact the City Hall	Yes	Quick connect buttons
Social media Integration	Yes	Simultaneously publish to Facebook, Twitter by checking a box in our portal. No more multiple logins
Administrative portal users	Yes	Unlimited secure portal users (staff). Role and module based access controls by admin
ADA compliance	Yes	WCAG 2.0 and the latest revision 508

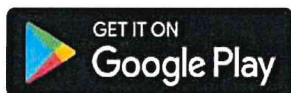


It'sMyTown is for everyone

Access to services, notifications, news and events
Local businesses, restaurants, and more

Download **It'sMyTown**

The official local government app



itsmy.town

No Registration

RAF



City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Council

Submitted By:

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: CONFIRMATION OF COUNCIL'S APPROVAL FROM EXECUTIVE SESSION:
JOINT REPRESENTATION AND COST SHARING AGREEMENT

II. RECOMMENDATION:

The recommendation is for Mayor and Council to confirm approval of the Joint Representation and Cost Sharing Agreement.

III. REPORT IN BRIEF:

During the August 10, 2020 Executive Session Meeting, Mayor and Council unanimously voted to authorize the Mayor to execute the attached Joint Representation and Cost Sharing Agreement.

The IGA states that the City will agree to share certain legal fees and costs associated with the representation of the Cities in any and all actions including Court filings against Fulton County regarding CARES Act funding.

IV. ALTERNATIVES:

V. ATTACHMENTS:

City of Alpharetta Joint Representation and Cost Sharing Agreement

JOINT REPRESENTATION AND COST SHARING AGREEMENT

This Joint Representation and Cost Sharing Agreement ("Agreement") sets forth the terms under which the Cities of Roswell, Alpharetta, Sandy Springs, Johns Creek, Milton East Point, College Park, Hapeville, City of South Fulton, Palmetto, Union City, Chattahoochee Hills, Fairburn and Mountain Park ("Cities") agree to jointly engage and to share certain legal fees and costs associated with the representation of the Cities in any and all actions including Court filings against Fulton County regarding CARES Act funding. The effective date of this Agreement is the date the Agreement is signed by the Cities. If the Cities sign the Agreement on different dates then the later date is the effective date.

RECITALS

Whereas, Cities are all qualified municipalities located within Fulton County that provide governmental services that were directly affected by COVID-19; and

Whereas, through the Coronavirus Relief Fund, the CARES Act was meant to provide for payments to State, Local and Tribal governments to cover unbudgeted expenditures that are necessary due to the public health emergency with respect to COVID-19 for the period beginning March 1, 2020 and ending December 30, 2020; and

Whereas, Fulton County received one-hundred four million dollars (\$104,000,000.00) based on its population under the Coronavirus Relief Fund; and

Whereas, all of Fulton County's population is within the Cities heretofore mentioned and in the City of Atlanta, which received CARES money directly from the federal government; and

Whereas, Fulton County is proposing to only disperse to the Cities the amount of two million five hundred thousand dollars (\$2,500,000.00) in total; and

Whereas, Cities believe that the use of funds is intended to assist State and Local governments to meet the costs associated with responding to COVID-19 through the end of 2020; and

Whereas, Fulton County provides very limited governmental services required to respond to COVID-19 within the Cities that was not already budgeted for within the Fulton County budget, but received funding based on the populations of the Cities; and

Whereas, the Cities are providing the necessary services within their jurisdictions without any relief from the cataclysmic drain on their budgets;

Now, therefore, Cities desire to address this inequity and failure of Fulton County to properly disperse funds received from the federal government for services provided by

the Cities to the very population for which Fulton County received such federal funds, the Parties agree as follows:

AGREEMENT

The parties hereby agree:

1. The above recitals are true and are hereby incorporated by reference.
2. Cities agree to be represented by one party or firm (to be agreed upon by all parties) in addressing all COVID-19 funding related issues with Fulton County and the State of Georgia, if necessary.
3. Each City shall be entitled to full representation, but shall be free to make decisions in the best interests of their citizens.
4. All pleadings and motions shall be provided to each City for review before same are filed with the Court.
5. Each City shall be responsible for the costs of representation based on their population as provided in the latest Local Option Sales Tax certification.
6. The Agreement to share fees and costs according to this percentage or ratio shall apply to all invoices concerning the Joint Representation issued on or after the effective date of this Agreement.
7. Nothing in this Agreement shall constitute a waiver of the parties' right to contest the amounts billed.
8. The Parties intend that they shall be jointly represented in this matter with an aim of providing consistent advice and direction. Each City, however, retains the independent ability to reach agreement with Fulton County to settle the matter in the best interest of their citizens, provided they shall be responsible for all associated proportionate costs up to and until such settlement is final, provided seven (7) advance notice of any proposed settlement reached by the settling City is provided to the non-settling Cities.
9. The Cities wish to advance joint, unified legal theories and litigation strategy. Based on the potential claims, legal positions and defenses that the Cities anticipate would be contested were litigation to proceed, currently the Cities do not foresee any potential for the interests of the Cities to diverge in a manner that would prevent joint representation. However, Cities cannot rule out the possibility that potential conflicts might arise in the

future including but not limited to the possibility that settlement overtures might be made that would benefit one City at the expense of others, creating a direct conflict of interest.

Cities and their City Attorneys will constantly monitor the situation to evaluate whether potential or actual conflicts of interests are developing. Each City hereby agrees to advise the remaining Cities if, at any time, it feels a conflict has arisen that precludes effective joint representation. Were such conflicts to develop, then it might become impossible for joint representation, and because of future conflicts, one or more of the Cities might need to disassociate and retain separate counsel. In that event, such City or Cities shall immediately provide notice to the remaining Cities and forego any future representation in this matter by such firm or party representing the remaining parties.

With some exceptions, the law requires that an attorney not disclose confidential communications or secrets of a client - a doctrine often known as the "attorney-client privilege." However, where clients consent to joint representation, the law imputes a waiver of such confidentiality as between the joint clients, absent other agreements of the clients. As applied to this case, each City acknowledges and agrees in advance that any confidential information presented shall be subject to disclosure to the other Cities.

10. This Agreement is the entire agreement between the Cities with respect to the subject matter hereof and supersedes all prior and contemporaneous oral and written agreement and discussion. This Agreement may not be altered or modified except in writing by a document signed by all the Parties.

11. This Agreement shall be governed by and construed according to the laws of the State of Georgia with venue in the Superior Court of Fulton County.

12. The Parties do not intend to create any third-party beneficiaries to this Agreement.

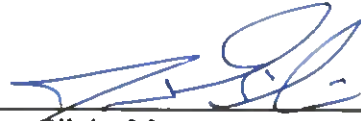
13. The individuals signing this Agreement on behalf of each Party represent and warrant that they have full authority and are duly authorized to do so on behalf of the City they represent.

14. The Parties acknowledge that each City and its counsel have reviewed and revised this Agreement and that no rule of construction to the effect that any ambiguities are to be resolved against the drafting Party shall be employed in the interpretation of this Agreement.

15. This Agreement may be executed in counterparts. The counterparts shall together comprise a single Agreement.

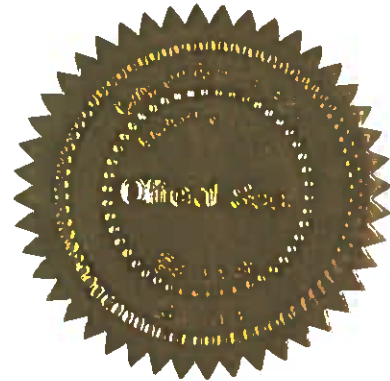
[SIGNATURE PAGE OF
THE CITY OF ALPHARETTA TO
JOINT REPRESENTATION AND COST SHARING AGREEMENT]

CITY OF ALPHARETTA, GEORGIA

By: 
Jim Gilvin, Mayor

Approved as to form and
legal sufficiency:


C. Sam Thomas, City Attorney





City Council Meeting & Public Hearing STAFF REPORT

Submitting Department: Recreation and Parks

Submitted By: Morgan Rodgers

Sponsored By:

Meeting Date: August 24, 2020

I. AGENDA ITEM TITLE: REDEVELOPMENT PLANS FOR UNION HILL PARK

II. RECOMMENDATION:

Discussion on Union Hill Park and how to activate the Park short-term and long-term.

III. REPORT IN BRIEF:

At the January 2020 Mayor and City Council retreat, staff was asked to bring a workshop item to Council to discuss redevelopment plans for Union Hill Park to include interim and long range strategies for activating the Park

IV. ALTERNATIVES:

V. ATTACHMENTS:

2017 Union Hill Park Plan



Union Hill Park will provide the city of Alpharetta residents a much wider variety of spaces and programs, than is currently offered in the park. The Big Creek Greenway Trailhead is located off the main plaza adjacent to the existing parking lot. Union Hill will accommodate parking for park visitors, and Greenway users, as well as provide city maintenance storage facilities. The maintenance shed and equipment storage building have been located at the northwest end of the parking lot behind a new landscape buffer. Closest to Union Hill Road will be four volleyball courts and an open lawn area that can become a basketball half-court and/or skate park at a future date. The court space will offer after-dark activities by the introduction of site lighting. The option to take up nightly activities will result in greater year-round use. The pavilion/stage located on the main plaza will have restrooms, drinking fountains, and offer opportunities for community plays, concerts, and other social gatherings as well as providing bicycle amenities. A series of terraced walls offer seating for the public venues and in front of the terrace is open lawn seating up to the stage/pavilion. Inner and outer walking loops are presented; the larger walking path moves around the outer perimeter of the park, and measures approximately one half mile in length. The play area is devoted and designed to encourage all ages play. Pavilions are nestled alongside the walking trails providing an intimate escape into nature. Two new rain garden bioretention areas are proposed in the park, the existing stormwater facility will receive enhancements.



Union Hill Park
Option of Probable Costs

ITEM	TOTAL	ROUNDED TOTALS
Site Preparation & Earthwork		
Removal and disposal of any existing items on site including both hockey rinks and the concession stand, clearing and grubbing for existing landscape spaces and along trails. Earthwork is items consist of rough and fine grading and soil cuts and disposal and fill to properly prepare the site for appropriate drainage.	Subtotal	\$464,000.00
Erosion Control		
This will account for costs required to properly implement practices for successful erosion control, sediment control and soil stabilization on site during time of construction.	Subtotal	\$66,000.00
Water & Stormwater		
Stormwater included costs for detention/retention ponds, bioretention areas, or conveyance systems necessary to provide appropriate drainage. Connections to services for park structures is also accounted for in the budget. Sewer connection is included.	Subtotal	\$16,000.00
Site Work		
Site work will account for site items including re-striping of existing parking lot and ADA and electric car parking stalls, colored or natural concrete and paver walkways, plaza pavers around pavilions, waterfalls and retaining walls, trails and boardwalks, and sport courts. Electrical is also included in site costs for the relocation of all existing lines as required and providing services to proposed facilities including restroom facilities, pavilions, and shelters.	Subtotal	\$466,000.00
Electrical		
Site lighting is included around the active play. The walking trails and amphitheater will have pedestrian lighting for evening and night events. Electric car charging hubs are included.	Subtotal	\$466,000.00
Site Furnishings		
The furnishings will include waste receptacles and recycling receptacles, benches, bench seating, open table seating, play structures, park signage, and bike racks and maintenance facilities.	Subtotal	\$215,500.00
Structures		
Structures will include main stage/pavilion with restroom facilities, two drinking fountains, the Big Creek Greenway Trailhead dock, pavilions, the maintenance shed and the greenway equipment storage facilities.	Subtotal	\$715,000.00
Landscape		
The landscape category includes all plant materials, seeding, sodding and bulk materials for landscape spaces, i.e. mulch, sand, topsoil, premium planting mix for bioretention rain gardens. Engineered wood floor for play area surfacing is also included.	Subtotal	\$241,000.00
	Subtotal	\$2,443,500.00
	Project Subtotal	\$2,443,500.00
	20% Contingency	\$488,700.00
	20% G&P/Pre-Mgmt/Mobilization/Working & Insurance	\$488,700.00
	10% Survey/Design & Engineering	\$244,350.00
	Total	\$3,665,200.00
	Add Alternative: Future skate park and basketball court.	
	Total with Add Alternative	\$3,909,500.00



UNION HILL PARK CONCEPTUAL MASTERPLAN



OCTOBER 10, 2017

Copyright © 2017 by Pond & Company. All rights reserved.
No copies or distribution of this document is allowed without
the express written consent of Pond & Company.