



PLANNING COMMISSION MEETING OCTOBER 6, 2016

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

I. WORKSHOP

II. CALL TO ORDER

III. ROLL CALL

IV. APPROVAL OF MEETING MINUTES

a. September 7, 2016 Meeting Minutes

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. PUBLIC HEARING

a. MP-16-11/CLUP-16-07/Z-16-09 Sharp Residential Townhomes/Windward Pod 20A

Consideration of a request to rezone approximately 13.7 acres from O-I (Office-Institutional) and CUP (Community Unit Plan) to CUP in order to develop 95 townhomes. An amendment to the Windward Master Plan Pod 20A to add 'Dwelling, 'For-Sale' Attached' to the list of permitted uses is requested, as well as, a change to the Comprehensive Land Use Plan from 'Corporate Campus Office' to 'High Density Residential'. The property is located behind Union Hill Park at the southwest corner of McGinnis Ferry Road and Union Hill Road and is legally described as being located in Land Lots 1038, 1039, 1048 & 1049, 2nd District, 1st Section, Fulton County, Georgia.

b. Z-16-12 1530 Rucker Road

Consideration of a request to rezone approximately 1 acre from AG (Agriculture) to R-12 (Dwelling, 'For-Sale' Residential) in order to subdivide the property into 3 lots. The property is located at 1530 Rucker Road and is legally described as being located in Land Lot 1273, 2nd District, 2nd Section, Fulton County, Georgia.

c. CU-16-06 Vision Warriors/Group Home

This item has been deferred by the property owner. It will not be heard on October 6, 2016.
Consideration of a request for a conditional use to allow a 'Group Dwelling' within an existing commercial building. The property is located at 1497/1499 Alpharetta Highway and is legally described as Land Lots 597 and 600, 1st District, 2nd Section, Fulton County, Georgia

d. Z-16-10/CU-16-08/V-16-24 Southerton/72 Thompson Street

Consideration of a request to rezone 0.3 acres from O-P (Office-Professional) to DT-LW (Downtown Live-Work) in order to develop 3 single-family detached homes. A conditional use is requested to increase the allowable density and a variance from UDC Appendix A, Section 3.7.3 to reduce the minimum lot size for detached homes and a variance from UDC Section 2.5.5 (D) to allow for crushed stone to be used for internal private streets is requested. The property is located at 72 Thompson Street and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

VIII. ADJOURNMENT



PLANNING COMMISSION MEETING MINUTES MEETING OF SEPTEMBER 7, 2016

PUBLISHED: Friday, October 7, 2016
Department of Community Development
WWW.ALPHARETTA.GA.US
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I. CALL TO ORDER

II. ROLL CALL

- Commission Members Present
 - Francis Kung'u (Chairperson)
 - Kyle Caswell (Vice-Chair)
 - Fergal Brady
 - Karen Cashion
 - Larry Attig
 - John Goss
- Commission Members Absent
 - Karen Richard
 - Rob Partee
 - Ben Burnett
- Staff Present
 - Kathi Cook, Director of Community Development
 - James Drinkard, Assistant City Administrator
 - Michael Woodman, Senior Planner

- Eric Graves, Senior Traffic Engineer, Planner
- Elle Taylor, Boards Assistant
- Larry Price, Telecommunications Manager
- Simit Patel, Network Administrator

III. APPROVAL OF MEETING MINUTES

a. August 4, 2016

- ❖ Commission Member Cashion offered a motion to approve
 - The motion received a second from Commission Member Brady
 - The motion passed by vote (5-0-1)(Attig)

b. July 13, 2016

- ❖ Commission Member Caswell offered a motion to approve
 - The motion received a second from Commission Member Attig
 - The motion passed by vote (6-0)

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

a. Z-16-01/V-16-02 Pence/Old Rucker Road

Kathi Cook, Director of Community Development presented.

The applicant, Robert Forrest, requests a change in zoning for 10.66 acres from AG (Agriculture) to R (Dwelling 'For-Sale', Residential) for the purpose of subdividing two (2) properties into six (6) single-family detached lots. The subject properties are located at 850 and 860 Old Rucker Road.

Director Cook discussed:

- Proposed land swap (0.10 acres) with the property located at 840 Old Rucker Road to allow for a better lot configuration of Lot 6, as shown on the applicant's site plan.
- Zoning of surrounding properties
- R and R-22 zoning districts - Because the surrounding area primarily consists of AG-zoned properties, the R zoning district is the most appropriate zoning district for the subject properties.
- Recent Zoning Approvals on nearby properties
- Site Plan Analysis –
 - Currently the properties are developed with two (2) existing homes, several accessory structures and a concrete driveway that will be removed. The applicant has stated that impervious area will be minimized by requiring all driveways to be pervious (pavers or

gravel material). Also, all homes will have rain barrels or cisterns installed.

- A stream runs along the east property line and includes a 35' state tributary buffer, 100' City undisturbed buffer, and 150' City impervious setback. The applicant's tree assessment identified several specimen trees on the subject property with large groups of the specimen trees concentrated on the north, east and south sides of the property, especially within the stream buffer. The applicant's lot layout and building footprints minimize impacts to existing specimen trees.
- Traffic
- Proposed Elevations
- Standards for Zoning Changes
- Citizen Participation Plan –
 - The report submitted by the applicant states that property owners within 500' were contacted by letter, phone, email, and personal visits regarding the applicant's intent. The report states that some property owners generally support the request while another property owner will not support the request, if additional traffic is shown on Old Rucker Road.

Director Cook stated, Staff has reviewed the applicant's proposal and finds that it can support the applicant's request for rezoning. The R zoning district allows minimum one (1) acres lots, which is consistent with the Very Low Density Residential Comprehensive Land Use Plan designation of the subject properties. In addition, the Very Low Density Residential designation allows for densities of 1-2 dwelling units per acre. The applicant's request is for 0.56 dwelling units per acre, which is less than the Comprehensive Land Use Plan designation and consistent with the rural character of the area. The minimum lot size depicted of one (1) acre (average lot size of 1.2 acres) is smaller than some of the adjacent properties; however, Staff recommends architectural standards, as well as site conditions to preserve the rural character of the area.

Staff recommended approval with the following conditions:

1. The property to be rezoned shall have an "R" zoning classification with single-family detached minimum lot sizes of one (1) acre. Density shall not exceed 0.56 dwelling units per acre.
2. Property shall be subdivided substantially as depicted on the 6-lot site plan prepared by Jones Consulting Group, dated 8/29/16, except that the site shall meet all City requirements and lot yield is not guaranteed.
3. Provide minimum 5-foot landscape strips along the west and south property lines of the 10.66-acre parcel.
4. Driveways shall be crushed stone to minimize impacts to specimen trees.
5. Homes shall be a historic architectural style and substantially similar to renderings provided by the applicant, with final approval by Staff.
6. Layout and home placement shall minimize impacts to specimen trees shown to be in 'Fair' to 'Good' condition as identified in the tree assessment prepared by Arboguard, dated 4/29/16, as approved by Staff.
7. Trees of Quality as determined by the City Arborist to be designed around during individual lot permitting. This will require the trees and house layouts on the neighboring lots to be considered in order to properly save trees.
8. Additional encroachment in to the CRZ of trees to be saved will be allowed as long as innovative techniques are implemented in order to reduce the impacts of encroachment as approved by the City Arborist.

9. If stormwater management is determined to be required, it shall be located on a separate lot as approved by Staff.
10. The applicant shall assess the vegetative condition of the 35-foot state buffer and 100-foot undisturbed city buffer. A buffer enhancement planting plan shall be prepared, as approved by Staff, and implemented during land disturbance activities.
11. Subdivision plat shall identify and assign maintenance responsibility of property containing stream and stream buffers and shall note that the parcel cannot be developed with a residential dwelling unit.
12. Applicant shall be responsible to repair and/or replace existing gravel roadway impacted by construction traffic as determined by Staff prior to each home CO.

There was discussion from the Board concerning:

- Maintenance of the Gravel Road
- Recent Zoning Approvals on Old Rucker Road

Rob Forrest, Applicant presented.

There was discussion from the Board concerning:

- Average lot size
- Number of homes currently on Old Rucker Road
- Renderings of Proposed Elevations
- Price Points
- Saving of Fruit Trees on Property

Chairman Kung'u opened the floor to Public Comment at 7:00 p.m.

In Favor: None

In Opposition:

1. Fiorini Assunta, 755 Old Rucker Road
2. Christine Zimmerman, 151 Arrowood Ct
3. Taryn Jones, 800 Old Rucker Road

Concerns:

1. 755 Old Rucker Road is on National Historic Register
2. No Compelling Reason to change
3. No AG Zoning remaining
4. Detrimental to unique character of the area
5. Precedent setting
6. Safety of Children
7. Traffic
8. Stream feeds into wells. What precautions will be taken to protect water supply

Nuetral:

1. Jonna Beiletti, 840 Old Rucker Road
2. David Johnson, 875 Rucker Road

Concerns:

1. Potential Variances with developers/property owners who purchase the lots
2. Well on property line, risk and responsibility of possible contamination
3. Possible future need for access to Old Rucker Road

There was discussion from the Board on:

- Need for Compromise and Balance for character to remain
- Establishing Controls
- Staff enforcing Code and Conditions
- No compelling reason to rezone out of concern for what may happen in the future
- Property Owners' Rights
- Good fit for the Area
- Neighbors' concerns
- Individual nature of Stormwater could be problematic
- Need for attention to be paid to grading and development to protect individual property owners
- Detention pond
- Water Quality

After discussion and Applicant rebuttal:

- ❖ Commission Member Caswell offered a motion to approve subject to the conditions made by Staff
 - The motion received a second from Commission Member Attig
 - The motion passed by vote (4-2)(Cashion, Goss)

b. MP-16-06/V-16-16 Academy Sports

Kathi Cook, Director of Community Development, presented. The applicant, Academy Sports, requests an amendment to the North Point Business Center Master Plan (a.k.a. Georgia 400 Master Plan) Pod 1 to increase the permitted stand-alone retail density to a total of 78,000 square feet in order to allow for the construction of a 62,943 square foot big box retail building. The subject property is located on the north side of North Point Drive and west of Haynes Bridge Road.

Director Cook Discussed:

- Approval of master plan amendment MP-11-02 on June 2011.
- Three (3) commercial outparcels have been developed in Pod 1 along Haynes Bridge Road,

including Pollo Tropical (3,974 square feet), Chipotle (2,247 square feet), and Zoe's Kitchen and Corner Bakery (6,682 square feet). Based on the existing retail/restaurant development, 33,097 square feet of retail/restaurant use remains in Pod 1.

- Vision of Blueprint North Fulton and North Fulton CID as **“Regional office with integrated residential development is proposed for the areas closer to Georgia 400 interchanges, where office buildings and retail currently dominate the landscape.”**
- North Point Activity Center Design Guidelines - **The purpose of the North Point Activity Design Guidelines is to encourage new development and redevelopment within the commercial areas that foster greater pedestrian connectivity and spaces; buildings and landscaping that contribute to the physical definition of thoroughfares and public gathering spaces.”**
- Office Development Under Construction or Land Disturbance Permit Review
- Conceptual Plan Analysis –

A review of the applicant's site plan and building elevations revealed several inconsistencies with the regulations and provisions of UDC Section 3.7 North Point Activity Center Guidelines. For the purpose of referencing the applicable site regulations, Staff has determined that North Point Drive is a Type C Corridor/Street. If the applicant's request is approved, site plan and building elevations should comply with the following regulations and provisions:

1. Building shall face streets with a primary entrance opening directly onto adjacent public sidewalk or greenspace.
 2. Minimum building setback shall be 0' and maximum building setback shall be 10' from the required sidewalk area along North Point Drive.
 3. Surface parking must be located behind or beside primary buildings. If parking is located to the side it shall be screened and shall not be clearly visible from the public right-of-way or adjacent sidewalk. No parking or driveways parallel to the roadway shall be allowed between primary buildings and the public right of way.
 4. Minimum Furniture Zone Width (buffer between roadway/curb and sidewalk) shall be 6'.
 5. Minimum sidewalk width along North Point Drive shall be 15'.
 6. Transportation systems shall include potential greenway links to corresponding facilities abutting the development and direct sidewalk connections to pedestrian facilities along major corridors. Pedestrian and bicycle networks shall be interconnected internally and provide access to all formal greenspaces, and transit loading areas on the site or adjacent to the site.
 7. Ground floor commercial facilities along roadways shall have no less than 25% and no more than 65% clear glass along the roadway facades.
- Zoning regulations for Type C Streets UDC Section 3.7.5
Information was not provided on the applicant's site plan to verify compliance with the items below. Development plans should also comply with the following North Point Activity Center Guidelines regulations and provisions:
 1. Sidewalks, decorative street lights and cross walks, benches, planters, kiosks, trash receptacles, bicycle racks and other street furniture along major corridors (Mansell, Haynes Bridge, North Point Parkway, Westside Parkway, Encore Parkway) should maintain coordinated appearance in keeping with the Blueprint North Fulton Design Guidelines (attached). Within individual developments, lights and cross walks, benches, planters, kiosks, trash receptacles, bicycle racks and other street furniture items should be incorporated throughout the development and subject to approval by the City of Alpharetta may be of a different style than the Blueprint North Fulton Design Guidelines to provide a unique character within the development itself.

2. For each proposed development, design guidelines related to building setbacks, architecture, materials, and permitted colors must be submitted to the City of Alpharetta for review and approval.
3. Street and Pedestrian Lighting Spacing shall be 50 feet on center.
4. Street Tree Requirement shall be 50 feet on center.
5. Minimum 15% of the total lot area (minimum 1.38 acres) shall be greenspace. Greenspace shall consist of two types: natural and formal. Natural greenspace shall consist of floodplains, steep slopes, wetlands, and large specimen trees. Formal greenspace shall consist of greens, commons, and parks that are defined by building walls, streets, and street trees and shall be publicly accessible during typical operating hours (daylight hours). At least 30% (0.41 acres) of the required greenspace (Item 1 above) shall be set aside as formal greenspace. Views of formal greenspace shall be maximized by locating such areas in highly visible locations as often as possible. Formal greenspaces must be bordered on one side by a public roadway with all appropriate sidewalk facilities.
6. A sculpture and/or landscaped focal point should be located on prominent sites of the development, such as street intersections, traffic roundabouts, development entrances, or in formal greenspaces (see definition under "Greenspace").
 - Traffic Study provided by the Applicant
 - Standards for Master Plan Amendments
 - *North Point Business Center Master Plan Pod 1 was designated for office use to complement the surrounding retail uses. The proposed retail use is not suitable because it will add vehicle trips to the surrounding roadway network at the same peak times when traffic congestion already occurs.*
 - *There are not substantial reasons why the property cannot be used for office use. Comprehensive Plan Land Use Strategy 6.2 states, "Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate campus business environment." The subject parcel is located within a ¼-mile of the interchange at Georgia 400 and Haynes Bridge Road. In addition, Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.*
 - *The zoning proposal is not supported by new or changing conditions. Comprehensive Plan Land Use Strategy 6.2 states, "Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate campus business environment." The subject parcel is located within a ¼-mile of the interchange at Georgia 400 and Haynes Bridge Road. In addition, Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.*
 - *The proposed master plan amendment does not reflect a reasonable balance as it conflicts with the vision set forth in the North Point Business Center Master Plan, North Point Activity Center LCI, Blueprint North Fulton, Comprehensive Plan, and UDC Section 3.7 North Point Activity Center Guidelines.*

- *The property can be used for office use as envisioned in the North Point Business Center Master Plan. The subject parcel is located within a 1/4-mile of the interchange at Georgia 400 and Haynes Bridge Road. In addition, Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, the subject property remains a viable office parcel.*
- *The proposed retail use is inconsistent with several Comprehensive Plan strategies, including the following: Land Use Strategy 6.2: Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate campus business environment (as described in Part 2: Character-Area Focus for individual Character Areas). Land Use Strategy 9.5: Maintain the visual aesthetics of GA-400 by preserving and enhancing the tree buffer and prohibiting retail at the interchanges.*
- Staff Concurrences
- Proposed Master Plan Amendment and site design is in conflict with vision of North Point Business Center Master Plan, North Point Activity Center LCI, Blueprint North Fulton, Comprehensive Plan, and UDC Section 3.7 North Point Activity Center Guidelines.
- Proposed big box retail development is in direct conflict with many of the goals, policies, and strategies in the Comprehensive Plan as it relates to developments in the North Point Activity Center and in areas along the Georgia 400 corridor and interchanges. The applicant's request fails to meet the following Land Use and Transportation strategies:
- Justification that property remains a viable office parcel.

Staff's recommendation was to Deny MP-16-06 Academy Sports/North Point Business Center request for a master plan amendment.

If approved, the following conditions are recommended:

1. Retail/Restaurant uses in Pod 1 shall be restricted to a maximum of 78,000 square feet. Required parking for each use shall be met on-site.
 2. The following uses shall be prohibited within the Master Plan area:
 - a) Adult bookstore and adult entertainment facility
 - b) Advertising display manufacturing and billboard advertisement
 - c) Auto body shop
 - d) Auto service repair facilities
 - e) Clairvoyant, fortune teller, tarot card reader or comparable
 - f) Massage therapy
 - g) Pawn shop
 - h) Tattoo/piercing salon
 - i) Gasoline service station
 - j) Car wash
 - k) Spa services
 - l) Nail salon
3. The site development plans shall meet all regulations and provisions of UDC Section 3.7 North Point Activity Center Guidelines. Regulations and provisions for the Type 'C' Corridor/Street shall apply to the proposed development.
4. Applicant shall submit development, landscape, and lighting plans to the Design Review Board for approval. Plans submitted shall include illumination standards and identify decorative fixture types to be used along roadways, pedestrian paths, parking lots, etc. A sign package shall also be submitted to the Design Review Board for approval.

5. Design Review Board shall review building elevations. Building elevations shall meet all requirements and recommendations of UDC Section 3.7 North Point Activity Center Guidelines. Each building elevation shall consist of a minimum 50% brick or stone.
6. Provide architectural screening of loading and utility areas. No trash enclosures, loading areas or “back of house” functions shall be visible from public rights-of-way or the Private Drive.
7. Retaining walls visible from public rights-of-way or the Private Drive shall be faced with brick or stone as approved by the Design Review Board.
8. The two (2) corners at the primary site entrance off North Point Drive (aligned with North Point Court) shall be designed with a minimum 1,500 square foot (total both corners) formal green space area, as approved by Staff.
9. Provide a tree-lined and landscaped pedestrian access through the parking lot from the Private Drive to the building entrance. Shade trees to be spaced based upon the mature size of the canopy on both sides of pathway with shrubs in between as approved by Staff.
10. Provide central landscaped islands throughout the parking areas for additional tree plantings and stormwater as approved by Staff.
11. A 10’ landscape strip shall be provided along the Private Drive.
12. Detention pond shall be heavily landscaped with evergreen material to provide an opaque screen on all sides.
13. Configuration of driveways/intersections shall require approval by the City Transportation Engineer.
14. Sidewalk along North Point Drive shall be extended off-site to connect with the sidewalk at the entrance to the Residence Inn (to the west). Impact fee credits shall be provided for the off-site sidewalk improvement.
15. A sidewalk connection shall be required between the sidewalk along North Point Drive to the front door.
16. The 5' sidewalk along the Private Road shall meet sidewalk and planter strip requirements for local public roadways.
17. Provide a pedestrian connection across Private Drive to adjacent outparcel properties. Pedestrian crossings shall be in ramped brick pavers for traffic control.

There was discussion from the Board:

- Bioswells
- Parking Lot
- Parking Reduction
- Additional Greenspace in North Point Activity Center
- Potential alternate Locations in the City of Alpharetta

Don Rolader and Peter Kessels, and Abdul Amir presented for the Applicant:

- No Applicant for office on the property for past 10 years
- Area is intense commercial node
- Stormwater Management
- Limited visibility from GA 400 due to grade
- Limited Visibility from Haynes Bridge Rd
- Need for larger space than Sports Authority space
- Site Plan
- Total SF 64000
- Grading Challenges
- Background on Academy Sports
- Elevations

- Sidewalks
- Streetscape
- Connection points
- Traffic Study
- Reduction in am pm peak Traffic 70% for this use.
- Proposed changes to Staff Conditions if approved

Chairman Kung'u opened the floor to Public Comment at 8:21 p.m.

1. Wendy Butler, Esq, 1359 Brawley Circle, NE, Brookhaven, GA 30309
(Representing NorthPoint Mall)
2. Nick Nicolosi, NorthPoint Mall Management
Concerns:
 1. Master Plan, CID, LCI approved documents
 2. Traffic in change of Use
 3. Lateness of new Site Plan – need more time to review to make an informed decision
 4. Traffic Study
 5. New Access on Rock Mill Road
 6. Staff Concerns
 7. Size of Building
 8. Orientation of Building

Applicant gave a rebuttal:

- 78000 SF is total of Academy Sports with other parcels
- No major changes to Site Plan
- Use is less of Traffic Impact than original use

There was discussion from the Board:

- Board unable to adequately review Traffic Study due to timing of submittal
- No compelling reason not to support Staff recommendations
- Original Master Plan
- Not following LCI
- Comprehensive Land Use Plan Update

After discussion:

- ❖ Commission Member Cashion offered a motion to deny the item
 - The motion received a second from Commission Member Brady
 - The motion passed by vote (6-0)

c. **MP-16-08/V-16-18 Marriott Courtyard/Parkway 400**

Michael Woodman, Senior Planner presented consideration of a request to amend the Parkway 400 Master Plan Pod C to allow an additional hotel and to allow a porte-cochere to encroach upon the front setback in order to develop a 115-room Marriott Courtyard Hotel. Variances are requested from UDC Section 2.2 to increase the maximum impervious area in the O-I district and from UDC Section 2.5.1 (B) to reduce the required parking. The property is located on the west side of Amber Park Drive south of Old Milton Parkway and is legally described as Land Lot 804, 1st District, 2nd Section, Fulton County, Georgia.

Mr. Woodman discussed:

- Parkway 400 Master Plan(MP-98-01) - Hotel use was not shown in the master plan's permissible and conditional uses table.
- Nylo Hotel 2007 Denial
- Even Hotel Approval immediately to the west of the subject site
- Denial of MP-15-06/V-15-12 on February 2, 2016
- Current proposal is the same request that was denied with the exception of a feasibility study to support the proposed use.
- Site Plan
 - Setbacks
 - UDC Parking Requirement
 - Opportunities to design around existing trees
 - Proposed Elevations
- Staff Concerns with Market Study
 - The study relies on future office development at Avalon (225,000 SF), Parkway 400 (720,000 SF), The Edison (200,000 SF), Northwinds (1,200,000 SF). With the exception of The Edison, Staff has no information regarding eminent office development at any of the other listed locations. At the same time, the City has experienced a loss of office properties to other uses, such as assisted living facilities, residential, and hotel.
 - The study notes the lack of full-service and select-service hotel rooms to accommodate occupied office space in the North Fulton submarket. However, the City has 923 select-service rooms with 252 more rooms expected in the next year (total of 1,175 rooms). Only one (1) full-service hotel (318 rooms) is located in the City. Even with the opening of the Avalon Autograph Hotel (330 rooms) in the next year, full-service hotels should be the priority for future hotel development in the City.
 - The study compares the proposed hotel against its selected 'competitive set' of main competitors and secondary competitors, which includes seven (7) select-service hotels, five (5) limited-service hotels, and one (1) select-service hotel in the City of Milton. However, Staff looks at the City as a whole and there are ten (10) limited-service hotels and a full-service hotel that have not been factored into the study. In addition, the Home2 Suites is nearly groundbreaking, but was not considered in the study.
- Standards for Master Plan Amendments
 - *While the master plan amendment to add of hotel use may be complementary to adjacent office and retail/restaurant uses, the entitlement of an additional*

hotel use may adversely impact occupancy rates of hotels in the City. There are currently 13 sites in the City entitled for hotel use, of which one (1) is under construction and three (3) are close to breaking ground.

- *Parkway 400 Master Plan Pod C is designation for office use. Comprehensive Plan Land Use Strategy 6.2 states, “Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate campus business environment.” The subject property is within 1/3-mile of the Georgia 400 interchange at Old Milton Parkway. In addition, Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.*
 - *The zoning proposal is not supported by new or changing conditions. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.*
 - *The property can be used for office use as envisioned in the Parkway 400 Master Plan. The subject property is within 1/3-mile of the Georgia 400 interchange at Old Milton Parkway. In addition, Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area at 9.30%. Demand for office, especially in North Fulton, continues to grow. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.*
 - *The proposed hotel use is consistent with the Comprehensive Land Use Plan designation of the subject property, which is Corporate Campus Office.*
- Variance Requirements
- *There are no extraordinary or exceptional conditions pertaining to the subject property that justify the need for the applicant’s requested variances. The property is likely too small to accommodate the proposed development. However, the applicant has provided a hotel design publication that estimates parking needs based on number of rooms, occupancy rate, and number/percentage of people arriving by car. Using this formula yields a requirement for 74 parking spaces. While the proposed 113 parking spaces should provide sufficient parking for the proposed hotel, parking shortages may occur during times of maximum occupancy of the hotel. If the applicant’s request is approved, a zoning condition is recommended to address parking shortages.*
 - *Unified Development Code parking, setback, and impervious area requirements do not create a hardship for the applicant. The property is likely too small to accommodate the proposed development. However, additional parking could be provided off-site with a shared parking*

agreement and pervious pavers could be used to off-set the increase in impervious area.

- *If a parking shortage is identified, additional parking can be accommodated off-site through a shared parking agreement. In addition, pervious pavers are recommended to off-set the increase in impervious area.*

- Concurrences:

- Concerns about adding another select-service hotel use to the Parkway 400 Master Plan given the number of existing hotels, entitled hotel sites, and hotels under construction or soon to break ground. In addition, there is an imbalance in the number of full-service versus limited- and select-service hotels.
- Property remains a viable Office Parcel
- If approved, conditions are recommended that enhance the site's landscape and hardscape design and address potential parking shortages. Also, special attention should be given to the building architecture and materials in order to create a building that contributes to the sense of place in the Parkway 400 Master Plan and Old Milton Parkway corridor.

There was discussion from the Board:

- Competition
- Age of current properties
- 5 year projection for demand

Steve Smith and Dick Meyrick presented for the Applicant.

- Strong Hotel Market
- Reasons for choosing the Site
- Background of Company
- Hospitality helps drive Office development
- Addressed Staff concerns with Traffic Study

John Hagee, Heinz Office Building gave reasons why he thought Hotel is a good use for this property.

Chairman Kung'u opened the floor to Public Comment at 9:46 p.m.

In Opposition:

1. Alexander Williamson, 12535 Wexcroft Lane

Reason:

Potential Problems with Parking Plan

Steve Spetnagel, 360 Fairleaf Court, Property Owner of proposed property as well as Bagel Boys explained changes on revised site plan were based on requests from Staff.

There was discussion from the Board:

- Possible objections to Staff Conditions – Applicant stated there may be objections to parking

- plan and Tree Saves
- No shared Parking Agreement
- Anticipated time of Construction
- Dynamics of this property has need for Hotel
- Age of Existing Hotels

After discussion:

- ❖ Commission Member Caswell offered a motion to approve subject to the conditions made by Staff
 - The motion received a second from Commission Member Brady
 - The motion passed by vote (6-0)

VII. ADJOURNMENT

Chairman Kung'u adjourned the meeting at 10:07 p.m.



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: MP-16-11/CLUP-16-07/Z-16-09 SHARP RESIDENTIAL TOWNHOMES/WINDWARD

PLANNING COMMISSION: OCTOBER 6, 2016
CITY COUNCIL: OCTOBER 24, 2016

II. RECOMMENDATION:

Approve MP-16-11/CLUP-16-07/Z-16-09 Sharp Residential Townhomes/Windward subject to the following conditions:

1. 'Dwelling, 'For-Sale' Attached' shall be a permitted use in Pod 20A with a maximum density of 5.97 dwelling units per acre.
2. Property shall be developed substantially as depicted on the zoning plan prepared by Forsite Group, dated 8/31/2016.
3. Development shall be gated. Pedestrian access shall be unrestricted.
4. Residential structures shall be similar to elevations presented by the applicant with final approval by Staff. Residential structures shall have a minimum 50% brick or stone on all 4 sides. Additional architectural elements, such as decorative windows, mullions, recessed windows, off sets, entry features, etc., shall be required as approved by Staff.
5. Pedestrian connections shall be provided to Union Hill Road, Union Hill Park, and the multi-use path.
6. Minimum 5' sidewalks shall be required on both sides of the main entrance street.
7. Internal sidewalks shall be a minimum 5' sidewalk, minimum 4' planting area with street trees, and pedestrian scale lighting.
8. All buildings shall have connectivity to the sidewalk system.
9. No on-street parking shall be permitted.
10. A minimum 30' undisturbed and/or replanted buffer shall be provided along all property lines adjacent to non-residential uses. The applicant shall save specimen trees and significant tree groupings within the undisturbed and/or replanted buffer, as approved by the City Arborist. Side and rear setbacks may be included within the buffer. All the above as approved by Staff.
11. A heavily landscaped streetscape shall be provided at the project entrance off Union Hill Road and along the main entrance street.
12. Developer shall dedicate a 20' easement and construct a 12' multi-use trail through the outer limits of the City's 150' impervious setback with connections to Union Hill Park, the proposed townhome community, and to the property line at the northeast corner of the site. A minimum of 1 perpendicular stream crossing shall be provided. Location, construction, and material as approved by Staff. Trail will be incorporated into the Big Creek Greenway trail system and shall meet the typical section standards and include landscaping, pedestrian lighting, benches, trash cans, and emergency call box as approved by Staff.
13. If a building permit is not issued by October 24, 2017, the uses permitted for Pod 20A shall revert to the original approvals.
14. Current flood plain information shall be required for Land Disturbance Permit and may impact lot yield.
15. Minimum 10% of the property shall be developed for useable open space. Open space may include a dog walk, trail system, and/or recreation field area.
16. Patios shall not encroach upon the 150' impervious setback.
17. Driveways shall provide a minimum 18' between garage and back of sidewalk.
18. Developer shall be responsible to realign and construct Little Pine Trail as approved by Staff. The City will dedicate sufficient land to accommodate the realignment of Little Pine Trail. Impact fee credits shall be provided.
19. Replant the stream buffer where sparse to buffer standards with native trees, shrubs, and groundcover plants. Plantings shall be 80% evergreen and 20% deciduous. Recompense tree planting can be used to count towards the stream buffer replanting.
20. All trees shown to be saved on site plan prepared by Forsite Group, dated 8/31/2016, shall be saved.

21. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
22. Developer shall provide a statement on the final plat and in the HOA declarations and covenants stating that adjacent properties are not subject to meeting residential noise requirements.
23. Provide a decorative fence along the south, west and northwest property lines. Fence shall serve the purpose of providing screening and security and shall be constructed of low-maintenance material as approved by Staff.

III. REPORT IN BRIEF:

The applicant, Sharp Residential, is requesting an amendment to Pod 20A of the Windward Master Plan to add 'Dwelling, 'For-Sale' Attached' as a permitted use and to add 3.46 acres in Pod 20A in order to allow for 82 townhomes in a gated community on 13.73 acres. The applicant also requests a change in zoning on a 3.46-acre tract from O-I (Office-Institutional) to CUP (Community Unit Plan), as well as a change to the Comprehensive Land Use Plan from 'Corporate Campus Office' to 'High Density Residential'.

IV. ATTACHMENTS:

- Site Plan
- Applicant's Proposed Performance Standards
- Rendering

DISCUSSION

The submitted request, if approved, will allow for 82 townhomes on 13.73 acres, with a density of 5.97 dwelling units per acre. The undeveloped property is located to the rear of Union Hill Park at the southwest corner of McGinnis Ferry Road and Union Hill Road. Windward Master Plan Pod 20A is 10.27 acres and is zoned CUP. An adjacent 3.46-acre undeveloped parcel of land, which is zoned O-I, is proposed to be incorporated into Windward Master Plan Pod 20A.

Properties surrounding the subject property are zoned CUP, with the exception of undeveloped O-I and AG properties located to the north and east. Surrounding CUP properties are mainly Business Center pods within the Windward Master Plan including Equifax to the north, Merrill Lynch Wealth Management to the west, General Electric Capital Corporation to the southwest, and E-Trade Financial and an office/warehouse flex space building

to the south. In addition, a High Density Residential pod is located to the east of the property and is developed as The Ascent at Windward apartments.

Windward Pod 20A has a land use designation of Business Center, which allows office-institutional, research and development, office-professional and some light industrial uses such as bakery, day care facility, distribution center, light manufacturing, and research laboratory. The 3.46-acre O-I property was entitled for office use in Fulton County and later annexed into the City in 2006 (A-05-06).

The Windward Master Plan allows single-family attached use within Medium Density Residential and High Density Residential pods with maximum densities of six (6) and ten (10) units per acre, respectively. The Master Plan states that “In most instances, high density uses are Master Planned as transition areas between low or medium density residential and Business Center areas.” Development standards for pods designated High Density Residential require a maximum height of three (3) stories and a 100’ undisturbed buffer adjacent to non-residential development.

The Windward Master Plan identifies a maximum residential development of 5,022 dwelling units. To date, 3,184 dwelling units have been constructed in Windward. Another 430 dwelling units are entitled in Pod 66, which brings the total number of dwelling units in Windward to 3,614.

As shown in the table below, the Windward Master Plan has been amended on six (6) occasions to allow residential development.

File #	Project Name	Pod	Requested Change	Outcome	Date
MP-15-07 / CLUP-15-08 / V-15-21	Duke Realty Webb Bridge Rd Subdivision	66	15 Single-Family Detached homes	Approved	05/23/16
MP-15-04 / V-15-08	Windward Mill	66	31,400SF retail/rest, 500,000SF office, 125-250 room hotel (3,000SF meeting space), 25,800 SF retail, 191 Townhomes, 200 For-Sale Condos, 24 Live-work townhomes	Approved	07/27/15
MP-13-02 / CLUP-13-09 / V-13-22	Windward Pod 66	66	91 Single-Family Detach Homes	Approved	01/27/14
MP-07-08 / CLUP-07-08	Windward Mill	66	80,000SF retail, 800,000SF office, 250-room hotel (10,000SF meeting space), 400 For-Sale Condos	Approved	04/28/08
MP-06-06 / CLUP-06-05 / V-06-23	Hunley Estates	6	5 Rental Villas and 17 Single-Family Detached Homes	Approved	12/12/06
MP-99-03	Hunter Blair Homes	73	48 Single-Family Detached Homes	Approved	07/26/99

SITE PLAN

The submitted site plan depicts 82 townhome units with a 0.30-acre central amenity area, including a pool. Eleven (11) guest parking spaces are shown in the vicinity of the central amenity area. Access to the site is shown from Little Pine Trail, which is a short stretch of public right-of-way serving Union Hill Park and the subject property. 5' sidewalks are proposed on one (1) side of the main entrance street and on the outside perimeter of the internal loop street. The development is proposed as a gated community.

Proposed development standards:

- Minimum unit width – 24 feet
- Minimum heated floor area – 2,000 square feet
- Maximum building height – 40 feet
- Each unit will have a 2-car enclosed garage
- Minimum 18-foot driveway from the back of sidewalk to the garage door
- Minimum interior building setbacks:
 - 0' front
 - 0' side
 - 0' rear
- Minimum distance between buildings – 20 feet
- Minimum setback along exterior – 30 feet
- Minimum landscape buffer along exterior (graded and replanted) – 30 feet

A 30' graded and replanted landscape buffer is depicted on the applicant's site plan adjacent to non-residential properties. The Unified Development Code (UDC) requires non-residential and 'For-Rent' residential properties to provide a 50' undisturbed buffer when located adjacent to a residential use. Since the applicant is requesting a change in use and adjacent properties are already developed with non-residential uses, Staff recommends a condition that the subject property include undisturbed and/or replanted buffers along all property lines.

3.91 acres (28.5% of the property) of open space is provided along the northeast side of the property and includes a multi-use trail. The multi-use trail is proposed within the stream buffer and provides connections to the proposed development, Union Hill Park, and adjacent properties. The majority of the open space is unusable space due to the steep topography, stream buffers, and floodplain.

According to the applicant, the 3-story townhomes will be approximately 2,600 square feet with prices ranging from \$500,000 to \$550,000. The applicant's proposed building elevations appear to depict a mix of materials, including brick, stone, siding, shake and board and batten. The applicant has stated that all improved areas, not including the building footprints, will be maintained by a mandatory homeowner association as common area and all undeveloped area will be maintained as open space.

TRAFFIC

The applicant submitted trip generation figures for the proposed project and staff calculated the same for the existing use of Pod 20A. As shown in the table below, the proposed use will decrease PM Peak Hour traffic in the area by 255 – 320 trips as compared to the property being developed under office and/or light industrial use. Densities of 23,000 square feet per acre in Pod 20A and 7,181.41 square feet per acre on the O-I parcel were assumed for the purpose of calculating the existing use trip generation.

Trip Generation – Pod 20A Existing (Office/Light Industrial) vs. Proposed (Townhomes)

Land Use	Size	24 Hour Two-Way Volume	AM Peak Hour	PM Peak Hour
Townhomes (Proposed)	82 units	542	44	51
Office (Existing)	261,058 SF	2,793	404	371
Light Industrial (Existing)	261,058 SF	2,201	291	306

SCHOOLS

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

FULTON COUNTY SCHOOLS – 82 Townhome Residential Units

School	Single Family Average #
Creek View Elementary School	4 to 24 students
Webb Bridge Middle School	1 to 9 students
Alpharetta High School	3 to 18 students
TOTAL	8 to 51 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 51 school age children. Numbers provided by Fulton County Schools show that Creek View Elementary School and Alpharetta High School have capacity; however, Webb Bridge Middle School is currently over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: The proposed residential use is compatible with Union Hill Park. The applicant proposes buffers to screen the use from adjacent properties, as well as to address any noise concerns from non-residential uses. In addition, the development promotes connectivity by placing homes in proximity of jobs and recreational opportunities, as well as providing pedestrian-oriented infrastructure.

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

Response: The proposal will not adversely affect the existing use or usability of adjacent or nearby properties, if conditions are included requiring pedestrian-oriented infrastructure, buffers to address screening/security and noise, architectural standards, and protection of the tree canopy.

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

Response: The proposed development will not have significant impacts on the natural environment. The applicant's site plan respects the existing stream along the north side of the property. In addition, Staff proposes conditions to protect the tree canopy.

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

Response: The property could be developed under the Business Center land use designation, which allows office-institution, research and development, office-professional and light industrial uses. However, the property is nearly two (2) miles from the Windward Parkway and Georgia 400 interchange and lacks street frontage on Union Hill Road and McGinnis Ferry Road. These factors impact the viability of the property being developed as

a non-residential use. In addition, the proposed use promotes connectivity by placing homes in proximity of jobs and recreational opportunities, as well as providing pedestrian-oriented infrastructure.

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

Response: The proposed change in use from office and light industrial to residential will result in an increase demand on parks and recreational programs, fire and police, and school facilities. However, the use will produce fewer vehicular trips and the proposed multi-use path will become an extension of the Big Creek Greenway and trailhead at Union Hill Park.

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

Response: The subject property is located in close proximity to the Windward Plaza Development Node, as identified in the 2035 Comprehensive Plan, which calls for mixed use patterns that provide jobs and services within walking distance of residences, preserve open spaces, and make public transportation more effective.

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

Response: The request to change the use of Pod 20A from office and light industrial to residential reflects a reasonable balance as the use complements Union Hill Park and promotes connectivity. The applicant proposes buffers to address screening and noise abatement from adjacent properties.

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

Response: The property can be developed as an office or light industrial use. However, the proposed residential use would complement Union Hill Park and promote connectivity.

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

Response: The zoning proposal does not meet the Comprehensive Land Use Plan designation of the property, which is Corporate Campus Office. The applicant proposes to amend the Comprehensive Land Use Plan designation of the property to High Density Residential.

COMPREHENSIVE LAND USE PLAN

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

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

Response: The subject property is located nearly two (2) miles away from the interchange at Windward Parkway and Georgia 400 and may be more suited for residential development. If approved for a change in use, conditions are recommended requiring screening/security, protection of the tree canopy, infrastructure to promote connectivity, and architectural standards.

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

Response: The applicant's proposal promotes connectivity and is consistent with several land use, transportation, housing, and community services and facilities strategies in the City's Comprehensive Plan.

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

Response: Residential development will generate a greater demand on certain public facilities and services, such as parks and recreation, public safety, and schools. However, vehicular traffic will be significantly reduced by the proposed change in use.

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

Response: The proposed designation would not impact the public health, safety and welfare, as long as conditions are included to require appropriate screening/security, tree protection, connectivity, and architectural standards.

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

Response: Not applicable.

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

Response: Not applicable.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's requests for master plan amendment, comprehensive land use plan amendment and rezoning. The proposed residential use provides for connectivity between homes, jobs, services, and recreation through its placement and pedestrian-oriented infrastructure. In addition, architectural and site standards are recommended as a conditions to ensure a quality product, promote connectivity, protect natural features, and maintain the security of adjacent business center properties.

When the Windward Master Plan was developed, residential areas were laid out to be separated from non-residential areas by major flood plain areas, planned open space, or transportation corridors. The City's vision for this area has evolved as reflected in the City's Comprehensive Plan and the subsequent master plan amendment for the Windward Mill mixed-use development. The Comprehensive Plan describes the Windward Neighborhood Character Area by stating the following:

"Future development should emphasize connectivity and maintenance of existing character by creating a more pedestrian-friendly environment by linking sidewalks and encouraging bicycle use with infrastructure that makes biking safe and convenient. This complete transportation system should link residential areas to the broader community and major destinations such as schools, Big Creek Greenway, Webb Bridge Park, commercial clusters, adjacent activity centers, corridors, etc."

As identified in the 2035 Comprehensive Plan, the subject property is located within the Windward Plaza Development Node, which is a Tier 3 node to be developed as smaller-scale, village-style hubs of activity that maintain the character of their surrounding areas. The Windward Plaza Development Node calls for mixed use patterns that provide jobs and services within walking distance of residences, preserve open spaces, and make public transportation more effective. In addition, the proposed development is consistent with the goals, policies, and strategies in the Comprehensive Plan, including the following land use, transportation, housing, and community services and facilities strategies:

LU Strategy 2.2: Promote development that is pedestrian-oriented and minimizes vehicular trips.

LU Strategy 5.1: Ensure that roads and sidewalks designed for new suburban neighborhood developments connect with adjacent established neighborhoods to provide connectivity to parks, greenspace, community amenities and commercial services.

LU Strategy 8.1: Allow mixed use patterns that will create activity nodes in appropriate areas, as established by the Future Development Map, that provide jobs and services within walking distance of residences, preserve open spaces, and make public transportation more effective.

T Strategy 1.2: Support transit friendly streets, bicycle routes and walkable communities that provide linkages to activity centers within the city.

T Strategy 2.4: Encourage an interconnected public sidewalk and trail network within new developments and enhance connectivity area wide by linking new sidewalks and trails to existing sidewalks and trails in adjacent neighborhoods. In addition, the system should link residential areas to commercial, schools, employment centers, transit and parks.

T Strategy 2.6: While examining new development proposals, assess their ability to offer transportation alternatives and reduce the number of vehicular trips.

H Strategy 1.3: Review residential plans and master plans (existing and proposed) to determine their response to providing a variety of housing choices as to size and costs.

H Strategy 1.5: Promote subdivisions that foster a sense of community and promote pedestrian mobility, the natural environment, community recreation and public open space.

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

CSF Strategy 3.2: Continue expansion of the City's Greenway Program including the northernmost segment extending to the city limits.

CSF Strategy 3.7: Encourage developers to build recreational opportunities in conjunction with new development, and encourage permanent protection of open space for future generations to enjoy.

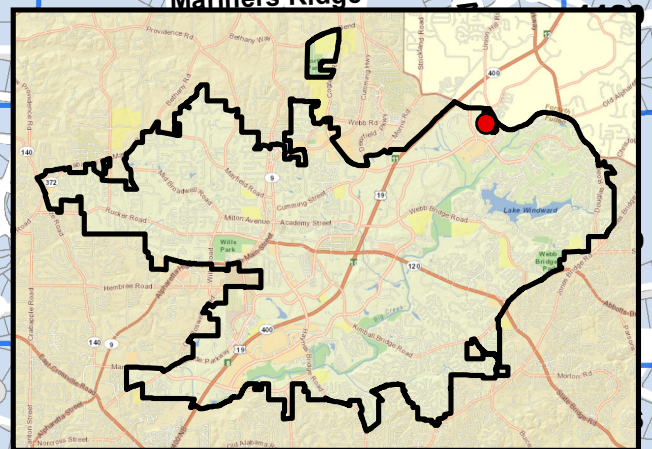
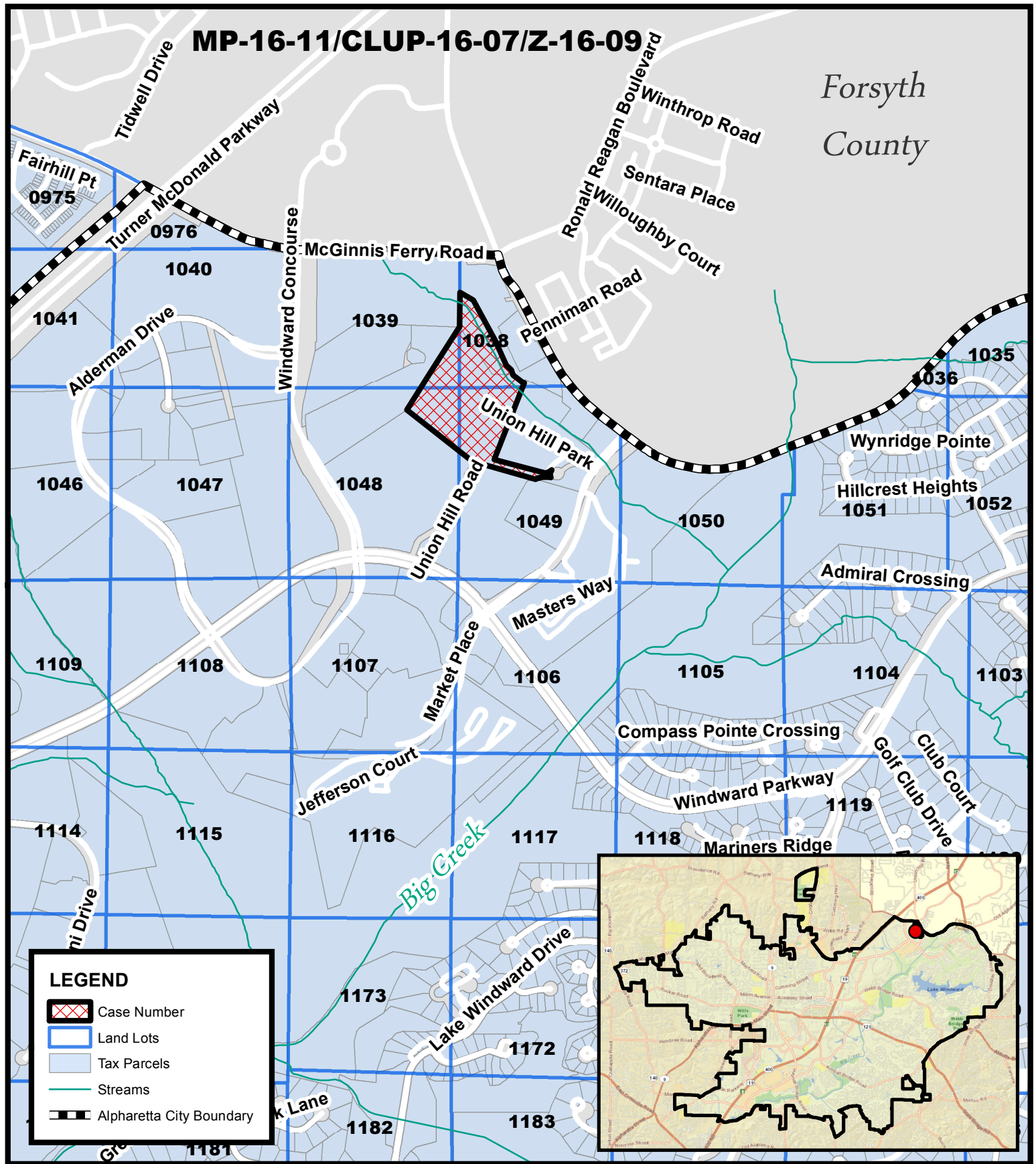
The applicant's proposed development promotes connectivity by locating within ¼-mile of the commercial node at Windward Plaza, locating within a short walking distance to business center employers, and providing links to the Big Creek Greenway and Union Hill Park. While townhome development is prevalent in many areas of the City, the only other entitled townhomes in the Windward area are located at the Windward Park (F.K.A. Windward Mill) in Pod 66. In addition, the subject property is located nearly two (2) miles from the interchange at Windward Parkway and Georgia 400 and does not have street frontage on Union Hill Road or McGinnis Ferry Road. Therefore, the viability of the property to be developed as an office and/or light industrial use is limited.

While the change in use will result in a higher demand on government services than that generated by non-residential development, traffic associated with a residential development will reduce the impact on the area's transportation infrastructure.

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 and notifying of a public participation meeting on August 9, 2016. According to the applicant's public participation meeting sign-in sheet, only the applicant and their representatives attended the meeting and there were no comments. A letter from Carter Validus, dated September 28, 2016, was sent to the City to express concerns over the proposed development. The adjacent property owner, which operates data centers, has concerns over security, noise complaints from future residents due to operation of emergency generators, impacts to infrastructure, and water runoff.

In addition, the applicant has met with the Windward Business Center Association (WBCA) and the Windward Community Services Association (WCSA). The WBCA has indicated that they cannot legally provide a letter of support until an agreement has been executed and recorded for the subject property to join the WBCA. The applicant has stated that they are in agreement with the terms for joining the WBCA. The WCSA does not support the master plan amendment to change the use of Pod 20 A to residential use.

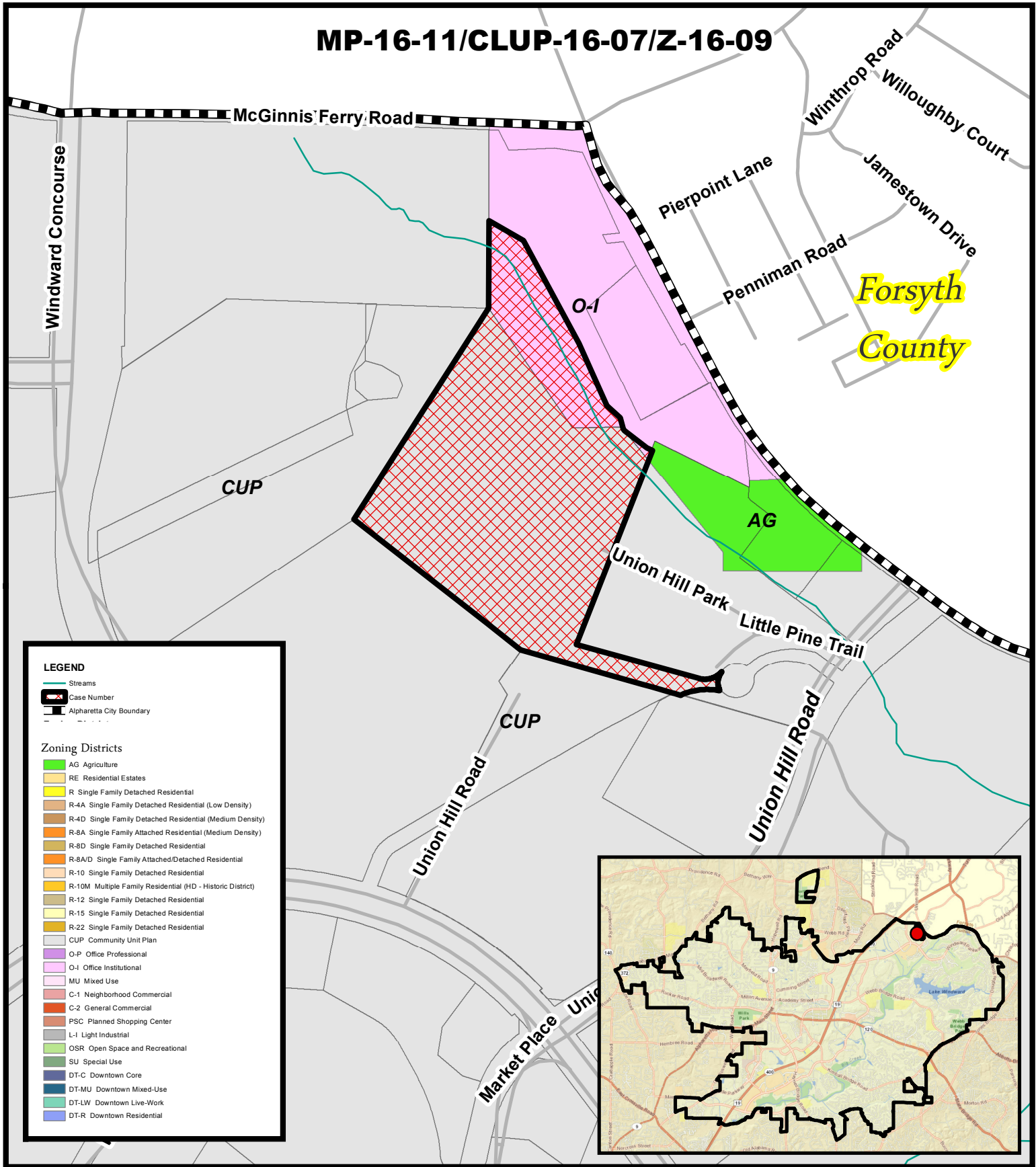


Location Map
Sharp Residential Townhomes
Windward Pod 20A

MP-16-11/CLUP-16-07
Z-16-09
D/LL: 2/1/1038, 1039
1048, 1049
PC: 09/07/16
CC: 09/26/16

Location Map Provided by:
Community Development - GIS

MP-16-11/CLUP-16-07/Z-16-09



**MP-16-11/CLUP-16-07
Z-16-09**

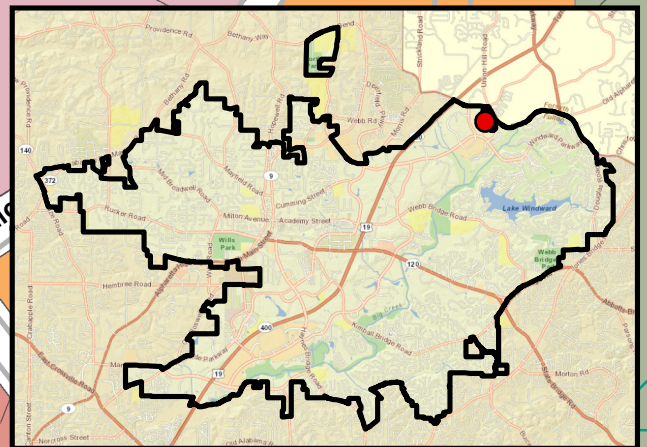
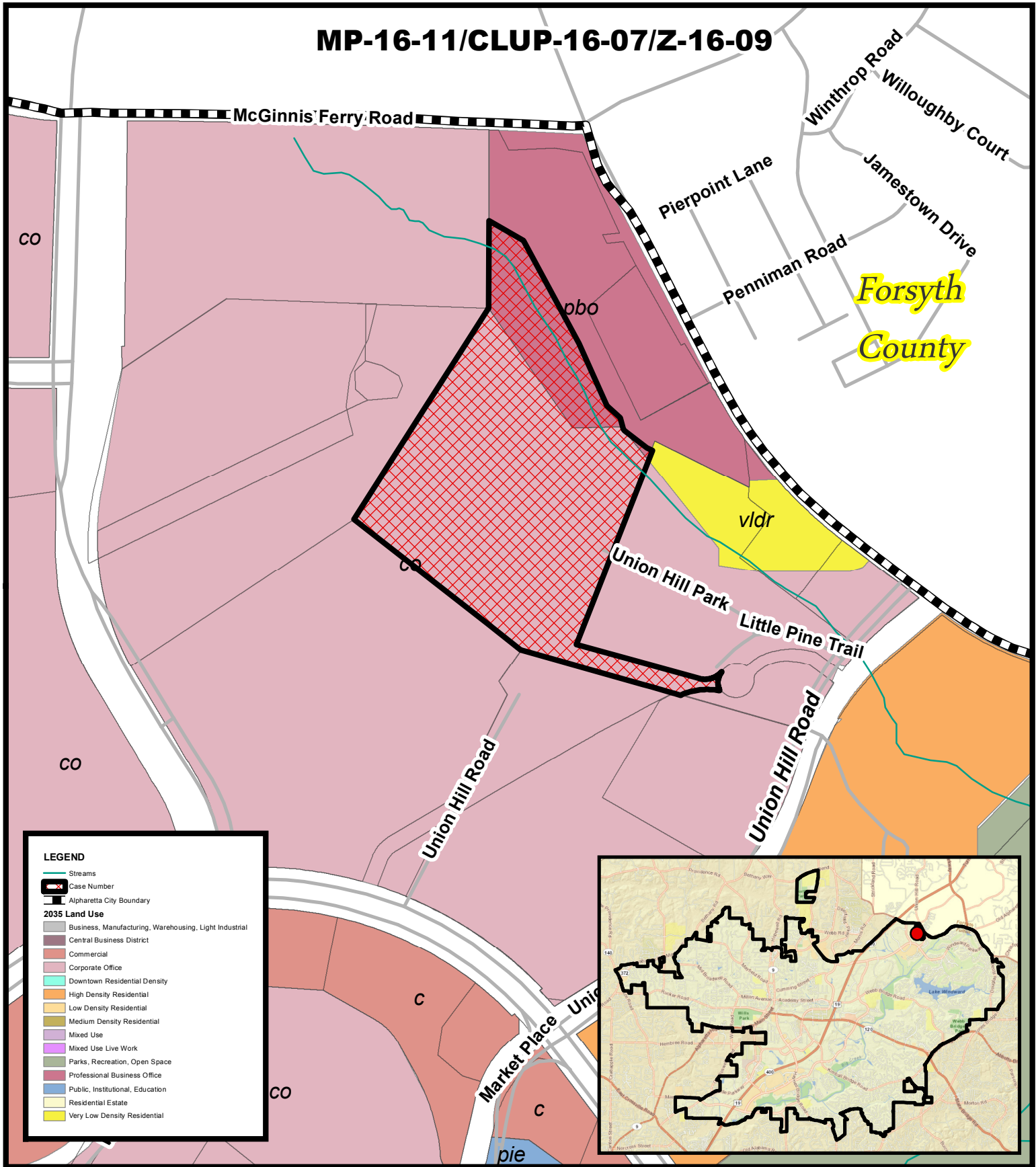
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1048, 1049
PC: 09/07/16
CC: 09/26/16**

**Location Map Provided by:
Community Development - GIS**



**Zoning Map
Sharp Residential Townhomes
Windward Pod 20A**

MP-16-11/CLUP-16-07/Z-16-09



MP-16-11/CLUP-16-07
Z-16-09

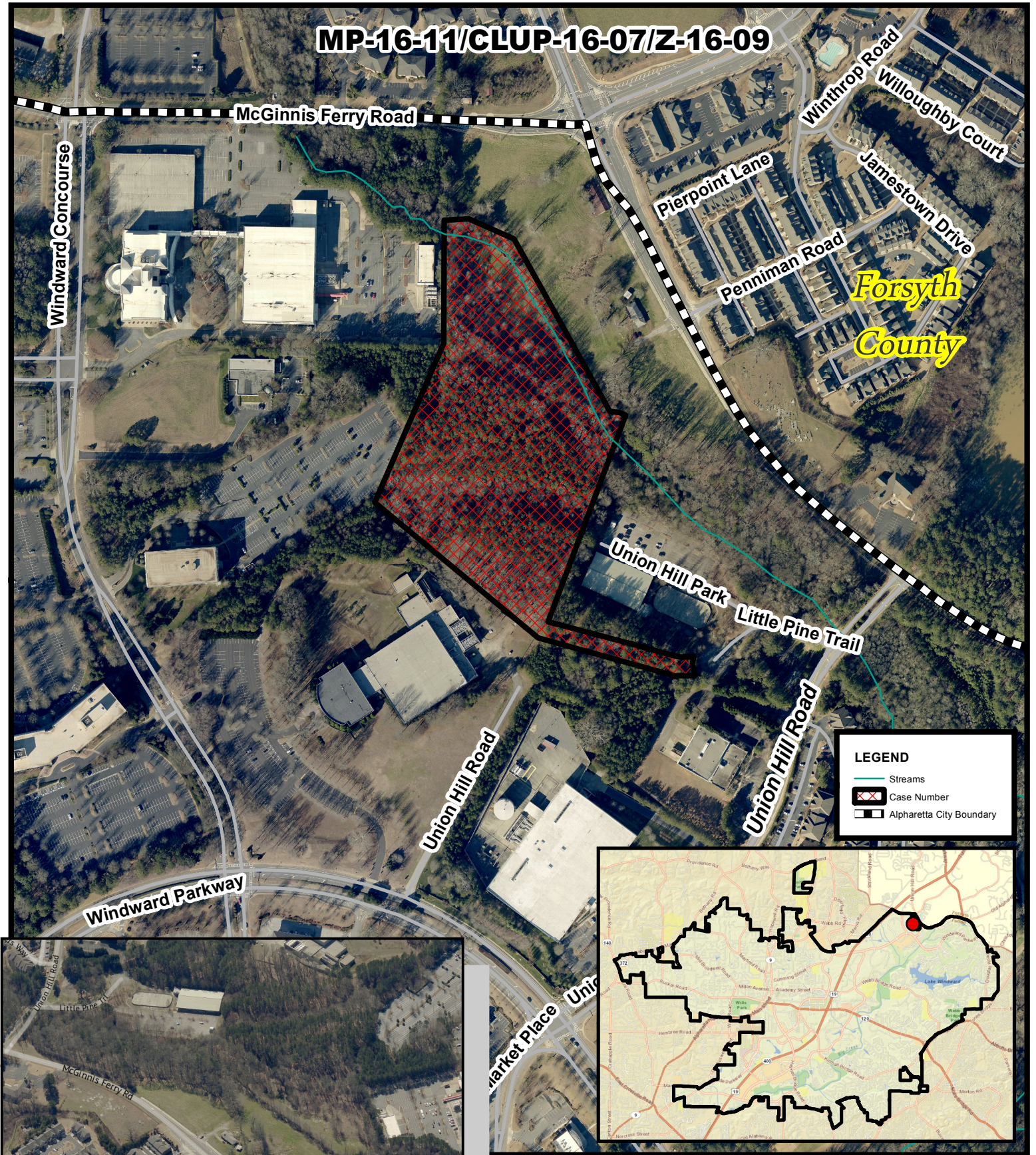
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PC: 09/07/16
CC: 09/26/16

Location Map Provided by:
Community Development - GIS



2030 Land Use
Sharp Residential Townhomes
Windward Pod 20A

MP-16-11/CLUP-16-07/Z-16-09



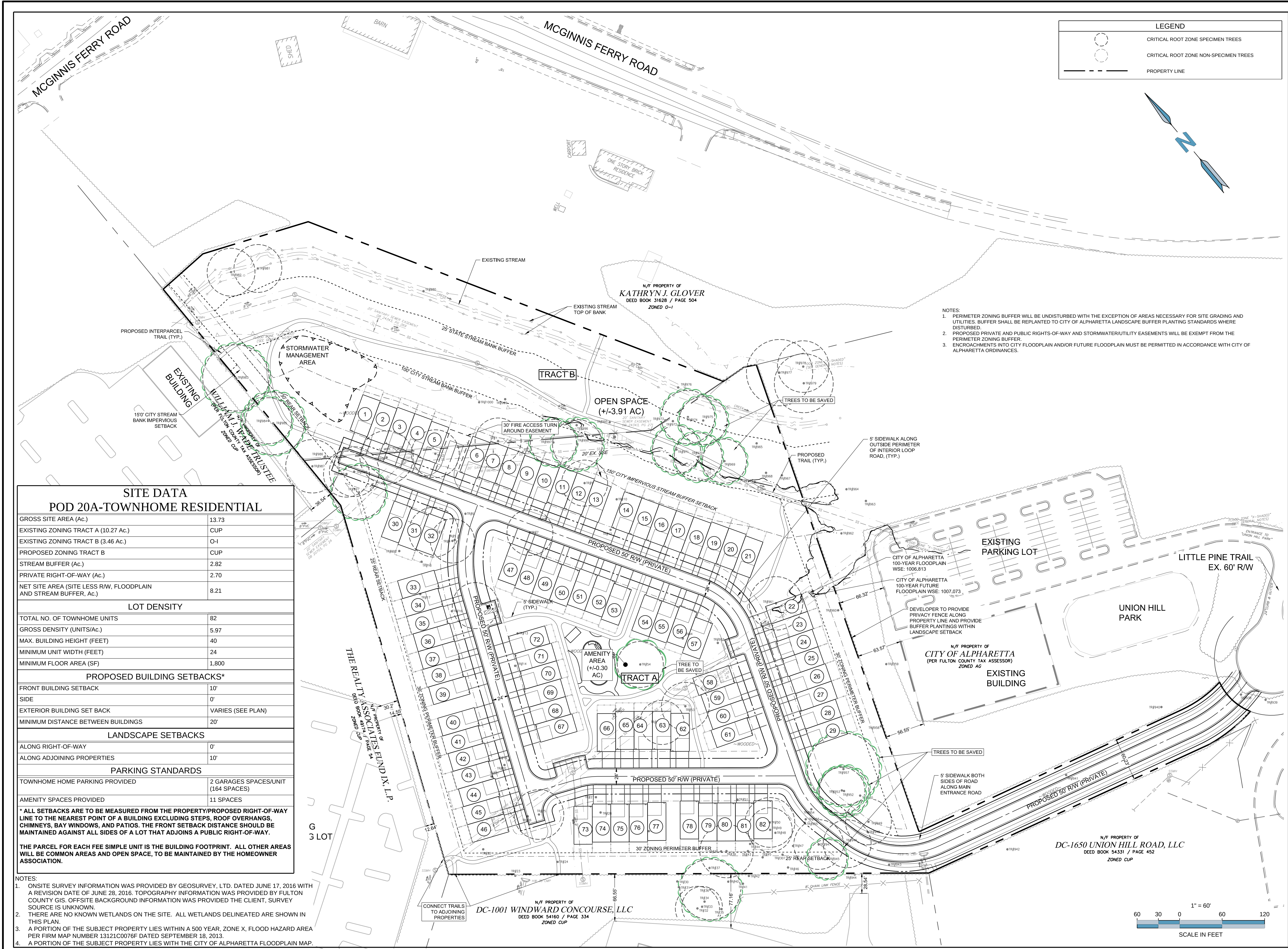
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Z-16-09**

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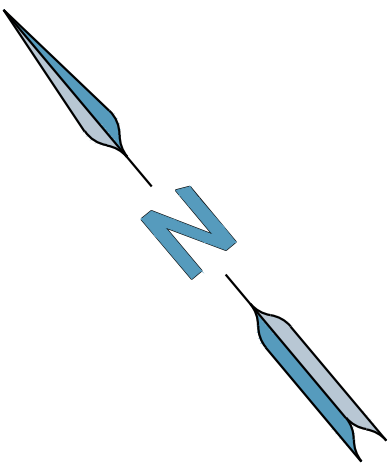
**Location Map Provided by:
Community Development - GIS**



**Aerial Map
Sharp Residential Townhomes
Windward Pod 20A**



LEGEND	
	CRITICAL ROOT ZONE SPECIMEN TREES
	CRITICAL ROOT ZONE NON-SPECIMEN TREES
	PROPERTY LINE



- NOTES:
1. PERIMETER ZONING BUFFER WILL BE UNDISTURBED WITH THE EXCEPTION OF AREAS NECESSARY FOR SITE GRADING AND UTILITIES. BUFFER SHALL BE REPLANTED TO CITY OF ALPHARETTA LANDSCAPE BUFFER PLANTING STANDARDS WHERE DISTURBED.
 2. PROPOSED PRIVATE AND PUBLIC RIGHTS-OF-WAY AND STORMWATER/UTILITY EASEMENTS WILL BE EXEMPT FROM THE PERIMETER ZONING BUFFER.
 3. ENCROACHMENTS INTO CITY FLOODPLAIN AND/OR FUTURE FLOODPLAIN MUST BE PERMITTED IN ACCORDANCE WITH CITY OF ALPHARETTA ORDINANCES.

SITE DATA	
POD 20A-TOWNHOME RESIDENTIAL	
GROSS SITE AREA (Ac.)	13.73
EXISTING ZONING TRACT A (10.27 Ac.)	CUP
EXISTING ZONING TRACT B (3.46 Ac.)	O-1
PROPOSED ZONING TRACT B	CUP
STREAM BUFFER (Ac.)	2.82
PRIVATE RIGHT-OF-WAY (Ac.)	2.70
NET SITE AREA (SITE LESS R/W, FLOODPLAIN AND STREAM BUFFER, Ac.)	8.21
LOT DENSITY	
TOTAL NO. OF TOWNHOME UNITS	82
GROSS DENSITY (UNITS/AC.)	5.97
MAX. BUILDING HEIGHT (FEET)	40
MINIMUM UNIT WIDTH (FEET)	24
MINIMUM FLOOR AREA (SF)	1,800
PROPOSED BUILDING SETBACKS*	
FRONT BUILDING SETBACK	10'
SIDE	0'
EXTERIOR BUILDING SET BACK	VARIES (SEE PLAN)
MINIMUM DISTANCE BETWEEN BUILDINGS	20'
LANDSCAPE SETBACKS	
ALONG RIGHT-OF-WAY	0'
ALONG ADJOINING PROPERTIES	10'
PARKING STANDARDS	
TOWNHOME HOME PARKING PROVIDED	2 GARAGES SPACES/UNIT (164 SPACES)
AMENITY SPACES PROVIDED	11 SPACES
* ALL SETBACKS ARE TO BE MEASURED FROM THE PROPERTY/PROPOSED RIGHT-OF-WAY LINE TO THE NEAREST POINT OF A BUILDING EXCLUDING STEPS, ROOF OVERHANGS, CHIMNEYS, BAY WINDOWS, AND PATIOS. THE FRONT SETBACK DISTANCE SHOULD BE MAINTAINED AGAINST ALL SIDES OF A LOT THAT ADJOINS A PUBLIC RIGHT-OF-WAY.	
THE PARCEL FOR EACH FEE SIMPLE UNIT IS THE BUILDING FOOTPRINT. ALL OTHER AREAS WILL BE COMMON AREAS AND OPEN SPACE, TO BE MAINTAINED BY THE HOMEOWNER ASSOCIATION.	

- NOTES:
1. ONSITE SURVEY INFORMATION WAS PROVIDED BY GEOSURVEY, LTD. DATED JUNE 17, 2016 WITH A REVISION DATE OF JUNE 28, 2016. TOPOGRAPHY INFORMATION WAS PROVIDED BY FULTON COUNTY GIS. OFFSITE BACKGROUND INFORMATION WAS PROVIDED THE CLIENT, SURVEY SOURCE IS UNKNOWN.
 2. THERE ARE NO KNOWN WETLANDS ON THE SITE. ALL WETLANDS DELINEATED ARE SHOWN IN THIS PLAN.
 3. A PORTION OF THE SUBJECT PROPERTY LIES WITHIN A 500 YEAR, ZONE X, FLOOD HAZARD AREA PER FIRM MAP NUMBER 13121C0076F DATED SEPTEMBER 18, 2013.
 4. A PORTION OF THE SUBJECT PROPERTY LIES WITH THE CITY OF ALPHARETTA FLOODPLAIN MAP.

ENGINEER:

FORESITE
group

Foresite Group, Inc.
5185 Peachtree Pkwy.
Suite 240
Norcross, GA 30092

o | 770.368.1399
f | 770.368.1944
w | www.fg-inc.net

DEVELOPER:

SHARP
SHARP RESIDENTIAL

CONTACT: MATT STOKES

PROJECT:

McGINNIS FERRY RD
RESIDENTIAL
CITY OF ALPHARETTA, GA

SEAL:

GEORGIA LEVEL II CERTIFIED
PROFESSIONAL # 0000047463
EXPIRATION DATED: 11/16/2016

REVISIONS	DATE
1 - LAYOUT REVISIONS - BUFFER/TREE SAVE	08/31/2016
PROJECT MANAGER:	JAN
DRAWING BY:	LKM
JURISDICTION:	ALPHARETTA
DATE:	06/30/2016
SCALE:	AS SHOWN
TITLE:	

ZONING
AMENDMENT
PLAN

SHEET NUMBER:

C-1

COMMENTS:

PRELIMINARY

JOB/FILE NUMBER:

836.001



McGINNIS FERRY

FRONT ELEVATION

FORESITE
group

SHARP
SHARP RESIDENTIAL

0 5 10
MAY - 25 - 2016
1004551

Pod 20A-Residential Townhome District Performance Standards

Maximum 82 lots on 13.73 acres with a Gross density of approximately 5.97 units per acre.

Units will be Fee Simple attached, with the building footprint the individual lots; all other improved areas will be maintained by a mandatory homeowner association as “common area” and all undeveloped area will be maintained as “open space”.

PERFORMANCE STANDARDS

- Minimum unit width – 24 feet
- Minimum Heated Floor Area (2,000 sf)
- Maximum building height – 40 feet
- Each unit will have a 2 car enclosed garage
- Each unit will have a minimum of 18 feet of driveway from the back of sidewalk to the building face or 20 feet from the back of the curb to the building when there is no sidewalk
- Setbacks, excluding steps, roof overhangs, chimneys, bay windows, and patios:
 - 0' front
 - 0' side
 - 0' interior rear

*** ALL SETBACKS ARE TO BE MEASURED FROM THE PROPOSED PRIVATE RIGHT-OF-WAY LINE TO THE NEAREST POINT OF A BUILDING EXCLUDING STEPS, ROOF OVERHANGS, CHIMNEYS, BAY WINDOWS, AND PATIOS. THE FRONT SETBACK DISTANCE SHOULD BE MAINTAINED AGAINST ALL SIDES OF A LOT THAT ADJOINS A PRIVATE RIGHT-OF-WAY.**

THE PARCEL FOR EACH FEE SIMPLE UNIT IS THE BUILDING FOOTPRINT. ALL OTHER AREAS WILL BE COMMON AREAS AND OPEN SPACE, TO BE MAINTAINED BY THE HOMEOWNER ASSOCIATION.

- Minimum distance between buildings – 20 feet.
- Minimum setback from exterior boundary line – 30 feet
- Minimum graded and replanted buffer along exterior boundary line – 30 feet, excluding access drives, utilities, private streets, and other means of ingress and egress.

STREETS AND SIDEWALKS

5' Sidewalks are proposed on one side of the main entrance street. 5' sidewalks are proposed on the outside perimeter of the internal loop street. Within the development, sidewalks may be placed against the back of curb along rows of townhomes at driveways.

Minimum street width is 24 feet, back of curb to back of curb.

All streets within the development will be private and will be the responsibility of the homeowner's association to maintain.

AMENITIES

An amenity area for use of residents will be located within Pod 20A.

On-street parking will be allowed for the amenity area.

On-street parking will be the responsibility of the homeowner's association to maintain.

Taylor, Elicia

From: Ethan Underwood <eunderwood@mhtlegal.com>
Sent: Tuesday, October 04, 2016 7:44 PM
To: Cook, Kathi; Woodman, Michael; Taylor, Elicia
Cc: Matt Stokes (matt.stokes@sharpres1.com); Samantha Fraser
Subject: Sharp Residential - Windward CUP
Attachments: Ethan Underwood.vcf; RE: Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09/V-16-23; FW: Alpharetta - General Electric Company Data Center ; RE: E*TRADE - 1650 Union Hill Road - rezoning hearing

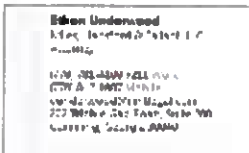
FYI, we have repeatedly attempted to meet with and discuss our application with parties who submitted letters of concern. None have responded in any way.

Kind regards,

J. Ethan Underwood



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
Office: 770-781-4100 | Fax: 770-781-9191 | Mobile: 770-842-1007
eunderwood@mhtlegal.com | www.mhtlegal.com



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Taylor, Elicia

From: Ethan Underwood <eunderwood@mhtlegal.com>
Sent: Tuesday, October 04, 2016 7:30 PM
To: david.herr@etrade.com
Cc: gmorganstern@goetzfitz.com; Matt Stokes (matt.stokes@sharpres1.com); Samantha Fraser
Subject: RE: E*TRADE - 1650 Union Hill Road - rezoning hearing
Attachments: Ethan Underwood.vcf

Mr. Herr:

Our firm represents Sharp Residential, LLC regarding the proposed residential development behind Union Hill Park in Alpharetta, Georgia. The City provided to us your contact information.

We appreciate your correspondence, as we have attempted to communicate with all nearby property owners via letter, public participation meeting, and via visits by our client to the adjoining properties.

It is our understanding you represent E-Trade Financial Corporation regarding this matter, and that it has concerns regarding the proposed residential use of the subject property. Specifically, we understand your client has concerns regarding security and noise generated by the proposed development, as well as the impact of the project upon traffic and utility services. We have addressed them, as well as other issues raised by neighbors in the last week, below:

TRAFFIC: The subject property's sole access is via Little Pine Trail; because of this limited access and topographical challenges, the property is not suitable for development for commercial use. In addition, the City intends to convert Union Hill Park to a trailhead for a multi-use trail. While road improvements will be made to Union Hill Road to accommodate this use, traffic in this area will increase significantly with that improvement. Traffic from Sharp Residential's development will be negligible in comparison.

SECURITY: With these park improvements, we believe the presence of residents in the area should actually improve security in the area. At present, Union Hill Park is used for suspicious activities. Redevelopment of this park as a trailhead is likely to increase visitors significantly, and the presence of residents on the subject property will greatly increase the security of the area and deter park/greenway users from wandering onto the subject property and onto the lands of the adjoining businesses. Locating homes along the common boundary with existing commercial uses significantly decreases the number of people ever to venture to this common boundary line from the north.

To deter trespassing onto the adjoining commercial properties, the Applicant is willing to install attractive fencing, behind significant buffer plantings. These buffers and fencing will protect the privacy of the adjoining businesses better than would vacant woodland accessed through a public park.

NOISE: Noise from the proposed residential development will be mitigated by the proposed zoning buffers. Likewise, noise from generators on adjoining commercial properties will be mitigated by these same zoning buffers. Also, the Applicant is willing to agree to a reasonable requirement for disclosure to home buyers that they adjoin commercial uses.

ENVIRONMENTAL SAFETY: As to the diesel generators and fuel storage on adjoining commercial properties, the Applicant is not aware how often these generators are used, but as long as the commercial tenants comply with fuel storage laws, there is no safety or environmental concern to the future residents.

STABILITY OF UTILITIES: The Applicant and the future residents have a vested interest in maintenance of power utilities, and will observe all regulations during and after construction of the project to preserve existing utility services. It is our understanding that adjoining data centers each have dedicated power lines and Sharp Residential's project will access power via completely separate connections.

STORMWATER RUNOFF: Stormwater flows from the commercial properties through the proposed residential property. Natural flowage will not be impeded; the Applicant will observe all regulations during and after construction of the project regarding stormwater design.

We certainly understand the concerns you and your neighbors have expressed, and our goal is that your client may continue to peacefully use its property, while allowing the subject property to finally be developed for a feasible use.

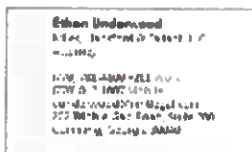
We would like to discuss how we can address your concerns in person or via telephone. Please let us know when would be convenient for use to discuss this zoning.

Kind regards,

J. Ethan Underwood



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
Office: 770-781-4100 | Fax: 770-781-9191 | Mobile: 770-842-1007
eunderwood@mhtlegal.com | www.mhtlegal.com



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From: Woodman, Michael [mailto:mwoodman@alpharetta.ga.us]
Sent: Friday, September 30, 2016 2:38 PM
To: Ethan Underwood; Matt Stokes; Taylor, Elicia
Cc: Cook, Kathi
Subject: FW: E*TRADE - 1650 Union Hill Road - rezoning hearing

FYI - Letter of objection from E-Trade.

From: Herr, David [<mailto:david.herr@etrade.com>]

Sent: Friday, September 30, 2016 2:31 PM

To: Woodman, Michael <mwoodman@alpharetta.ga.us>

Cc: Gerald H. Morganstern - Goetz Fitzpatrick LLP (gmorganstern@goetzfitz.com) <gmorganstern@goetzfitz.com>

Subject: E*TRADE - 1650 Union Hill Road - rezoning hearing

Michael,

Please see attached letter from E*TRADE Financial Corporation.

Regards,

Dave

Dave Herr | Director, Associate General Counsel

E*TRADE Financial Corporation

671 North Glebe Road | Arlington, VA 22203

Tel: (703) 236-8155 | Fax: (571) 227-0205

david.herr@etrade.com

This e-mail is the property of E*TRADE Financial Corporation. It is intended only for the person or entity to which it is addressed and may contain information that is privileged, confidential, or otherwise protected from disclosure. Distribution or copying of this e-mail, or the information contained herein, by anyone other than the intended recipient is prohibited. If you have received this e-mail in error, please immediately notify the sender by e-mail at david.herr@etrade.com and telephone at (703) 236-8155. Please delete and destroy any copies of this e-mail.

Taylor, Elicia

From: Ethan Underwood <eunderwood@mhtlegal.com>
Sent: Tuesday, October 04, 2016 7:40 PM
To: joshua.hill1@ge.com
Cc: Matt Stokes (matt.stokes@sharpres1.com); Samantha Fraser
Subject: FW: Alpharetta - General Electric Company Data Center
Attachments: Ethan Underwood.vcf

Mr. Hill:

I am following up on my telephone call to you last Thursday.

Our firm represents Sharp Residential, LLC regarding the proposed residential development behind Union Hill Park in Alpharetta, Georgia. The City provided to us your contact information.

We appreciate your correspondence, as we have attempted to communicate with all nearby property owners via letter, public participation meeting, and via visits by our client to the adjoining properties.

It is our understanding you represent GE Company regarding this matter, and that it has concerns regarding the proposed residential use of the subject property. Specifically, we understand your client has concerns regarding security and noise generated by the proposed development, compatibility of uses and utility services. We have addressed them, as well as other issues raised by neighbors in the last week, below:

COMPATILITY OF USES: The subject property's sole access is via Little Pine Trail; because of this limited access and topographical challenges, the property is not suitable for development for commercial use. In addition, the City intends to convert Union Hill Park to a trailhead for a multi-use trail. While road improvements will be made to Union Hill Road to accommodate this use, traffic in this area will increase significantly with that improvement. Traffic from Sharp Residential's development will be negligible in comparison.

SECURITY: With these park improvements, we believe the presence of residents in the area should actually improve security in the area. At present, Union Hill Park is used for suspicious activities. Redevelopment of this park as a trailhead is likely to increase visitors significantly, and the presence of residents on the subject property will greatly increase the security of the area and deter park/greenway users from wandering onto the subject property and onto the lands of the adjoining businesses. Locating homes along the common boundary with existing commercial uses significantly decreases the number of people ever to venture to this common boundary line from the north.

To deter trespassing onto the adjoining commercial properties, the Applicant is willing to install attractive fencing, behind significant buffer plantings. These buffers and fencing will protect the privacy of the adjoining businesses better than would vacant woodland accessed through a public park.

NOISE: Noise from the proposed residential development will be mitigated by the proposed zoning buffers. Likewise, noise from generators on adjoining commercial properties will be mitigated by these same zoning buffers. Also, the Applicant is willing to agree to a reasonable requirement for disclosure to home buyers that they adjoin commercial uses.

ENVIRONMENTAL SAFETY: As to the diesel generators and fuel storage on adjoining commercial properties, the Applicant is not aware how often these generators are used, but as long as the commercial tenants comply with fuel storage laws, there is no safety or environmental concern to the future residents.

STABILITY OF UTILITIES: The Applicant and the future residents have a vested interest in maintenance of power utilities, and will observe all regulations during and after construction of the project to preserve existing utility services. It is our understanding that adjoining data centers each have dedicated power lines and Sharp Residential's project will access power via completely separate connections.

STORMWATER RUNOFF: Stormwater flows from the commercial properties through the proposed residential property. Natural flowage will not be impeded; the Applicant will observe all regulations during and after construction of the project regarding stormwater design.

We certainly understand the concerns you and your neighbors have expressed, and our goal is that your client may continue to peacefully use its property, while allowing the subject property to finally be developed for a feasible use.

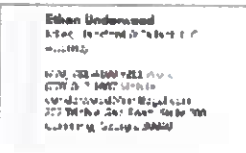
We would like to discuss how we can address your concerns in person or via telephone. Please let us know when would be convenient for us to discuss this zoning.

Kind regards,

J. Ethan Underwood



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
Office: 770-781-4100 | Fax: 770-781-9191 | Mobile: 770-842-1007
cunderwood@mhtlegal.com | www.mhtlegal.com



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From: Woodman, Michael [mailto:mwoodman@alpharetta.ga.us]
Sent: Thursday, September 29, 2016 8:31 AM
To: Matt Stokes; Ethan Underwood
Cc: Taylor, Elicia
Subject: FW: Alpharetta - General Electric Company Data Center

FYI - Another objection letter.

Michael A. Woodman, AICP
Senior Planner

City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009
(678) 297-6072
www.alpharetta.ga.us

From: Hill, Joshua (GE Global Operations) [mailto:Joshua.Hill1@ge.com]
Sent: Wednesday, September 28, 2016 8:55 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Alpharetta - General Electric Company Data Center

Mr. Woodman –

I'm counsel to General Electric Company. I have attached a letter regarding our opposition to Sharp Residential, LLC's application for rezoning to enable the construction of a high density residential development adjacent to our site in Alpharetta.

Your prompt response is greatly appreciated.

Josh

Joshua R. Hill
Senior Counsel - Real Estate
GE
Global Operations - Properties

T + 1.203.316.7384
D + 8*228.7384
joshua.hill1@ge.com
www.ge.com

800 Long Ridge Road
Stamford, CT 06927-4000
General Electric Company

GE imagination at work

Please consider the impact on the environment before printing this message.

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Taylor, Elicia

From: Ethan Underwood <eunderwood@mhtlegal.com>
Sent: Wednesday, September 28, 2016 4:22 PM
To: mpastel@wczlaw.net
Cc: Jill Pritchett; Kyle Shaughnessy; Samantha Fraser; Matt Stokes
Subject: RE: Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09/V-16-23
Attachments: City of Alpharetta - Woodman 09.28.16.pdf

Mr. Pastel:

We are following up on our correspondence below. Also, the City of Alpharetta forwarded to us a copy of your letter of concern, attached.

We would be pleased to discuss with you and your client how we can address its concerns. Please let us know when would be a convenient time for a meeting or call.

Kind regards,

- Ethan

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From: Ethan Underwood
Sent: Friday, September 23, 2016 2:20 PM
To: 'mpastel@wczlaw.net'
Cc: Samantha Fraser
Subject: Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09/V-16-23

Mr. Pastel:

Thank you for contacting us regarding the above-referenced application. We appreciate your correspondence, as we have attempted to communicate with all nearby property owners via letter, public participation meeting, and via visits by our client to the adjoining properties; however, your telephone call is the first we have received from an adjoining property owner.

It is our understanding you represent Carter Validus in this matter, and that it has concerns regarding the proposed residential use of the subject property. Specifically, we understand your client has concerns regarding security and noise

generated by the proposed development. At the same time, we understand that your client has concerns as to whether the future residents would be offended by noise from your client's properties.

Sharp residential is providing a substantial buffer around the perimeter of the subject property, and we understand there are existing security fences along your client's properties. Both of these improvements should address your client's issues. The presence of residents in the area should also help to alleviate the rather unsavory condition of Union Hill Park, and complement the Greenway Trail being constructed in the area.

As we strive for harmony between neighbors, we would like to discuss with you and your client how we can better understand and address its concerns. We would also like to know whether the concerns you expressed are those of Carter Validus, or of any of its tenants. Our goal is that your client may continue to peacefully use its property, while allowing the subject property to finally be developed for a feasible use.

At your request, please find attached a copy of the application being considered by the City of Alpharetta. It was revised to reduce the number of units requested from 95 to 82.

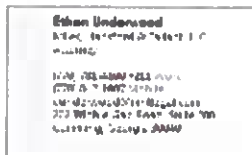
Please let us know when would be convenient for our clients to discuss this zoning.

Kind regards,

J. Ethan Underwood



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
Office: 770-781-4100 | Fax: 770-781-9191 | Mobile: 770-842-1007
eunderwood@mhtlegal.com | www.mhtlegal.com



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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: Sharp Residential, LLC

Contact Name: Miles Hansford & Tallant, LLC- Ethan Underwood

Telephone: 770-781-4100

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

Public Participation Letters were mailed via certificate of mailing on August 1, 2016, notifying adjacent and nearby property owners ⁺

of the proposed conditional use application. A copy of the public participation letter and a copy of the mailing receipts are

attached hereto as Exhibit "A". A public participation meeting was held on August 9, 2016 at 6:30 PM at the North Park Adult

Activity Center. A copy of the public participation sign-in sheet is attached hereto as Exhibit "B". A summary of the issues raised by

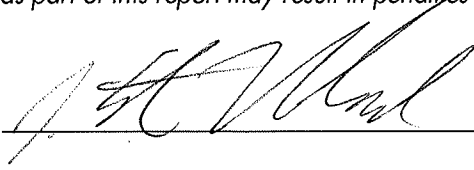
adjoining property owners and the Applicant's response is attached hereto as Exhibit "C".

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: Supplemental
9/29/2016

Print Form

Exhibit "C"
Summary of the Issues/Questions Raised and the Applicant's Responses during the Public Participation Meeting

No issues were raised by the public at the public participation meeting, which was held on August 9, 2016, as no one but the Applicant and its attorney attended.

Since the Applicant submitted its initial public participation report on August 17, 2016, the Applicant and its representatives have corresponded with the following interested parties and addressed the issues raised as described below:

A. Correspondence with Interested Parties.

1. Windward Business Center Association:

The Applicant corresponded on June 8, 2016, with Joann Stubblefield, Attorney for the WBCA, and then with Kim Matherly, Manager of the WBCA on June 15, 2016 regarding the proposed development. Ms. Matherly responded by sending to the Application a confirmation of assessment amounts on June 22, 2016.

On September 22, 2016, Ms. Matherly responded that the WBCA could issue a letter of non-opposition for the proposed development if the Applicant would sign and record an agreement that the property would be subject to the operating agreement of the WBCA after the zoning of the property to a residential use (see email, attached). The property is currently subject to the operating agreement of the WBCA, and will remain so if the property is zoned for residential use; however, the Applicant has no authority to record any agreement affecting the subject property until it is zoned, and the Applicant has purchased the land.

2. Windward Community Services Association:

The Applicant met with members of the board of the WCSA on August 24, 2016 to discuss the Application. The Applicant understands the WCSA is not necessarily opposed to the proposed residential use. However, the board of the WCSA responded to the Applicant on August 26, 2016 that, on principal, it opposes any amendment of the Windward Master Plan.

3. GE Digital:

On September 02, 2016, Jim Kretzmer, with GE Digital met with Matt Stokes (of Sharp Residential, LLC) to discuss the application. Copies of correspondence with Mr. Kretzmer are attached.

4. E-Trade:

On August 6, 2016, Darren Hray with CBRE, which manages 1650 Union Hill Rd for E-Trade and IBM of Georgia, met with Matt Stokes(of Sharp Residential, LLC) to discuss the application. Mr. Hray expressed concern that electrical utilities not be interrupted during development.

5. Equifax:

On August 8, 2016, Craig Kent with Equifax corresponded with Matt Stokes(of Sharp Residential, LLC) to discuss the application. Copies of correspondence with Mr. Kent are attached.

6. Carter Validus:

Carter Validus is a REIT headquartered in Florida. Carter Validus is the parent entity of companies, which own Fulton County Tax Parcels: 21 556010480215 & 21 556010480090. These properties adjoin the southern boundary of the proposed development and are leased to E-Trade and GE Company, respectively.

Attorney, Marvin Pastel contacted the Applicant's attorney, Ethan Underwood, on September 23, 2016 to request a copy of the zoning application. Mr. Pastel stated he represents Carter Validus, which has concerns as to whether the proposed residential use will create security issues, and whether residential use is suitable in light of the fact the tenant data centers store diesel fuel on premises to run backup generators. Mr. Pastel also stated the generators can be noisy. Mr. Underwood provided to Mr. Pastel an email response, dated September 23, 2016, addressing these concerns and requested a meeting to discuss the Application (see email attached).

On September 28, 2016, Mr. Pastel issued to the City of Alpharetta a letter expressing the concerns stated above. Again Mr. Underwood sent to Mr. Pastel an email requesting a meeting to discuss the Application (see email attached). As of the date of this report, Mr. Pastel has not responded.

7. General Electric Company:

On behalf of General Electric Company, Attorney, Joshua Hill issued to the City of Alpharetta a letter, dated September 28, 2016, expressing similar concerns voiced in Mr. Pastel's letter. Mr. Underwood telephoned Mr. Hill and left a voicemail message requesting a meeting to discuss the Application (see email attached). As of the date of this report, Mr. Hill has not responded.

8. Miscellaneous.

Mr. Stokes telephoned and left voicemail messages for Plantation Pipeline and Bank of America, but received no responses.

B. Summary of Responses.

- 1. Membership in the WBCA:** The Applicant is agreeable to a zoning condition that the subject property must remain part of the WBCA if zoned to a residential use.
- 2. Security:** As the subject property has limited access, only through Union Hill Park, it is not suitable for development for commercial use. At present, Union Hill Park is used for suspicious activities, and is slated for redevelopment as a trailhead for a public greenway trail. As use of the park is likely to increase significantly, the potentially illicit use of surrounding undeveloped lands is likely to increase. Consequently, the presence of

residents on the subject property will greatly increase the security of the area and deter park/greenway users from wandering onto the subject property and onto the lands of the adjoining businesses. Locating homes along the common boundary of the subject property and Tax Parcels: 21 556010480215 & 21 556010480090 significantly decreases the number of people ever to venture to this common boundary line from the north.

To deter trespassing onto the adjoining commercial properties, the Applicant is willing to install attractive fencing along the common boundaries with commercial businesses, behind buffer plantings. These buffers and fencing will protect the privacy of the adjoining businesses better than would vacant woodland accessed through a public park.

3. **Noise:** Noise from the proposed residential development will be mitigated by the proposed zoning buffers. Likewise, noise from generators on adjoining commercial properties will be mitigated by these same zoning buffers. Also, the Applicant is willing to agree to a reasonable requirement for disclosure to home buyers that they adjoin commercial uses.
4. **Environmental Safety:** As to the diesel generators and fuel storage on adjoining commercial properties, the Applicant is not aware how often these generators are used, but as long as the commercial tenants comply with fuel storage laws, there is no safety or environmental concern to the future residents.
5. **Stability of Power Utilities:** The Applicant and the future residents have a vested interest in maintenance of power utilities, and will observe all regulations during and after construction of the project to preserve existing utility service.
6. **Stormwater Runoff:** The Applicant will observe all regulations during and after construction of the project regarding stormwater design.

Ethan Underwood

From: Matt Stokes <matt.stokes@sharpres1.com>
Sent: Thursday, September 29, 2016 2:01 PM
To: Ethan Underwood
Subject: Fwd: Sharp Townhomes/Windward
Attachments: image001.gif

Sent from my iPad

Begin forwarded message:

From: Kimbrle Matherly <kmatherly@pmgcommercial.com>
Date: September 22, 2016 at 3:54:39 PM EDT
To: 'Matt Stokes' <matt.stokes@sharpres1.com>
Subject: RE: Sharp Townhomes/Windward

Matt,

I spoke with jo Anne. The Association cannot give a letter until we have the agreement and it is recorded. It needs to be signed by Sharp, the Seller and WBCA. Once that is received, the association can issue the letter.

Sorry.....

Kimbrle Matherly, Broker
PMG Commercial
284 South Main Street
Suite 700
Alpharetta, GA 30009
678-366-2221
678-669-1721 FAX
<http://www.pmgcommercial.com>



From: Matt Stokes [<mailto:matt.stokes@sharpres1.com>]
Sent: Thursday, September 22, 2016 3:08 PM
To: Kimbrle Matherly <kmatherly@pmgcommercial.com>
Subject: FW: Sharp Townhomes/Windward

See below

From: Woodman, Michael [<mailto:mwoodman@alpharetta.ga.us>]
Sent: Thursday, September 22, 2016 9:48 AM
To: Matt Stokes <matt.stokes@sharpres1.com>; Ethan Underwood <eunderwood@mhtlegal.com>
Cc: Taylor, Elicia <etaylor@alpharetta.ga.us>
Subject: Sharp Townhomes/Windward

Matt,

Had an opportunity to sit down with Kathi this morning regarding this project. Overall, I believe we will be recommending approval with conditions. However, I need you to work on a few items.

- Provide a market study showing that townhomes are needed in Windward. This is very important to have before the Council meeting. Council has asked for this information previously as it relates to townhomes.
- The elevations provided are likely not going to cut it. We would recommend more masonry, architectural details, offsets, etc. Take a look at the neighborhoods in Windward to identify style and materials that are compatible. FYI - The apartments across the street are not a good example.
- Please forward WBCA approval letter. I cannot find it in email or our files.
- What was the result of your meeting with WCSA? Please provide an update. If they approved, please send the letter.

Thanks,

Michael A. Woodman, AICP
Senior Planner

City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009
(678) 297-6072
www.alpharetta.ga.us

Matt Stokes

From: Matt Stokes
Sent: Monday, August 08, 2016 8:22 AM
To: Craig S. Kent (craig.kent@equifax.com)
Subject: Proposed Sharp Residential Community within Windward Business Association
Attachments: Proposed Sharp Community.kmz; McGinnis Ferry Residential_2016-05-25.pdf

Craig – Thanks for taking my call on Friday. Please find the attached concept site plan and product for our proposed community. I have already met with E*Trade regarding the project. I have also included a site location pin that will work via google earth.

→ VIA PHONE CALL

I look forward in speaking with you further regarding this. You can reach me via email or on my cell at 770-940-2374.

Thanks

Matt Stokes – VP Land Acquisition and Development

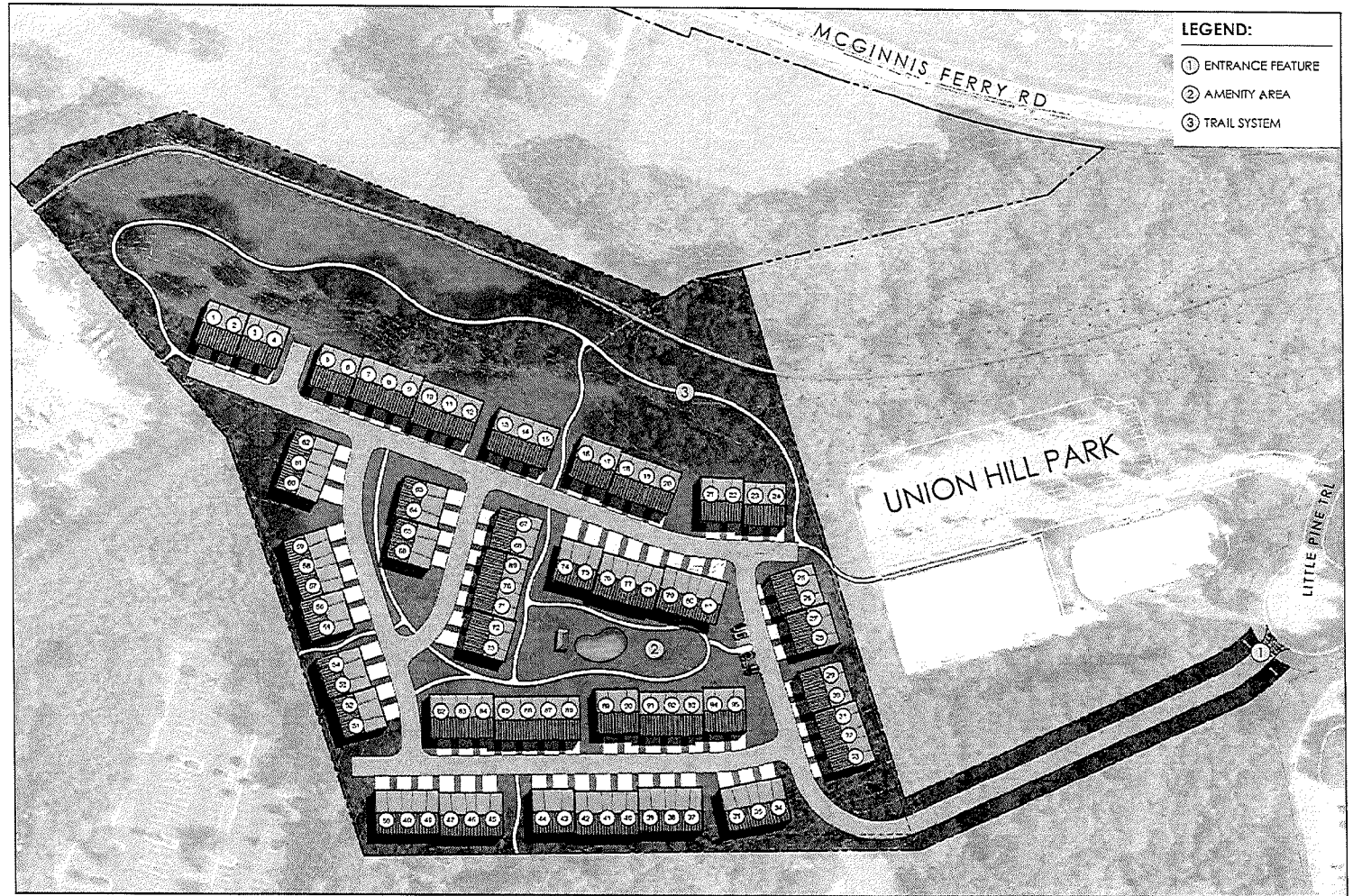
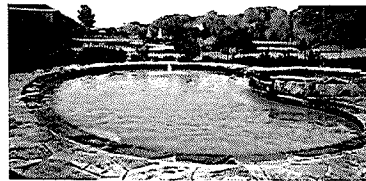
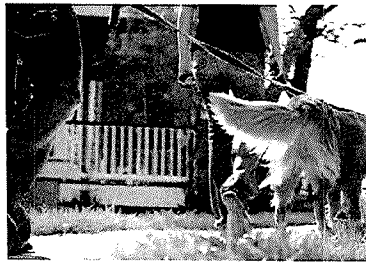
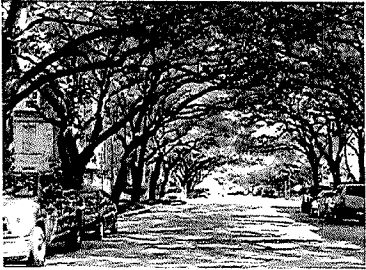
4080 McGinnis Ferry Road, Suite 701

Alpharetta, Georgia 30005

770-518-4896 x108



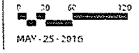
- PHONE CALL DISCUSSING THE PROJECT.
- REMINDED HIM OF THE PUBLIC PARTICIPATION MEETING.



McGINNIS FERRY

MASTER PLAN

FORESITE





McGINNIS FERRY

FRONT ELEVATION

FORESITE



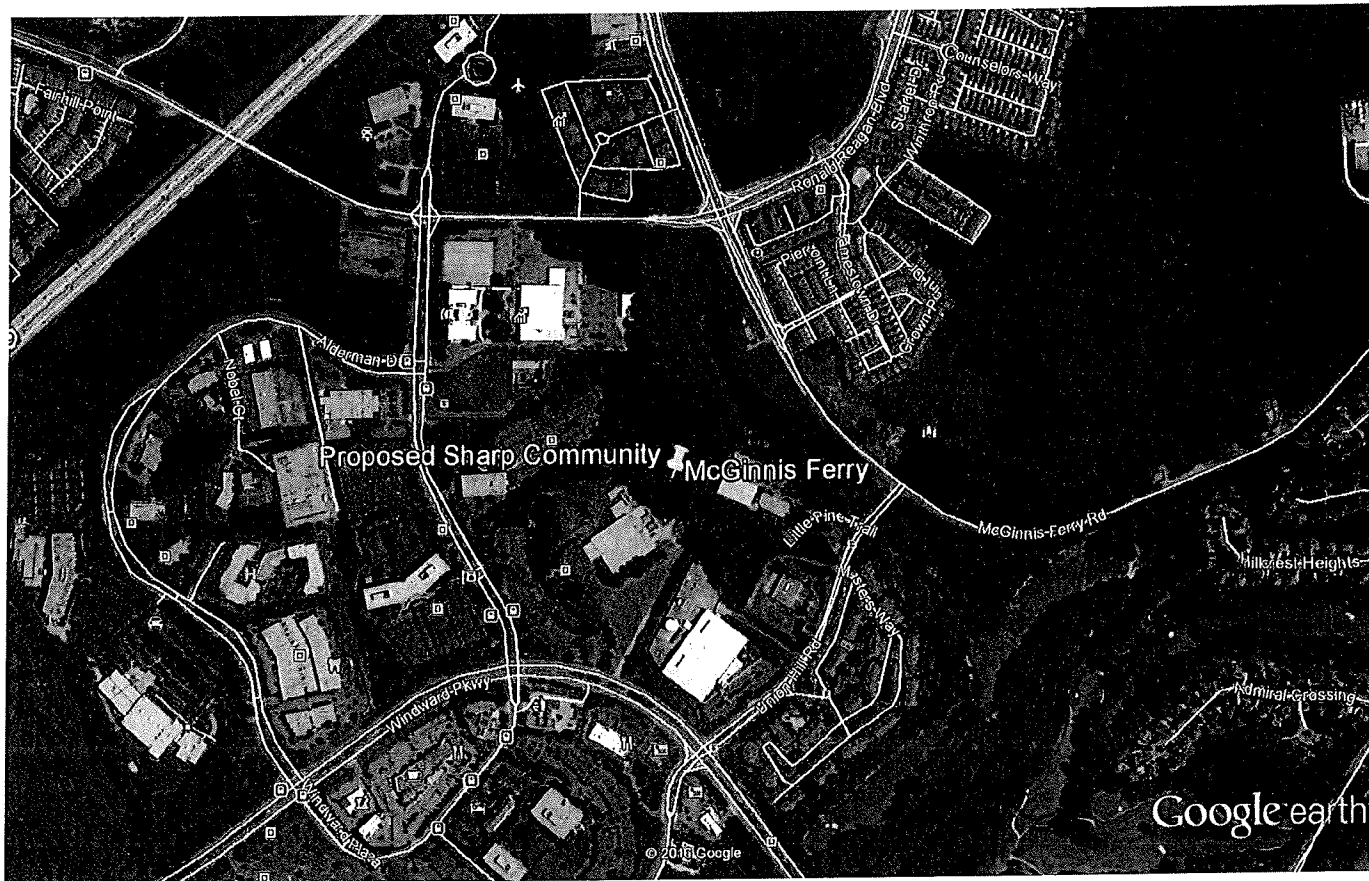


McGINNIS FERRY

ENTRANCE FEATURE

FORESITE





Google earth



Matt Stokes

From: Craig Kent <craig.kent@equifax.com>
Sent: Monday, August 08, 2016 11:13 AM
To: Matt Stokes
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Can you send me the address having issues with google earth thanks

Craig S. Kent
Senior Facility Manager
Colliers Facility Solutions
for Equifax Global Real Estate
1505 Windward Concourse, 41Q
Alpharetta, GA 30005
770.740.4319 direct
678.898.8683 cell
770.740.6692 fax
craig.kent@equifax.com

From: Matt Stokes [mailto:matt.stokes@sharpres1.com]
Sent: Monday, August 08, 2016 8:22 AM
To: Craig Kent
Subject: [IE] Proposed Sharp Residential Community within Windward Business Association

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I look forward in speaking with you further regarding this. You can reach me via email or on my cell at 770-940-2374.

Thanks

Matt Stokes – VP Land Acquisition and Development
4080 McGinnis Ferry Road, Suite 701
Alpharetta, Georgia 30005
770-518-4896 x108



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Matt Stokes

From: Matt Stokes
Sent: Monday, August 08, 2016 11:36 AM
To: 'Craig Kent'
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

There is no physical address for the property. Here is a screen shot from the tax assessors web site. The site is highlighted in red. If still an issue, I can meet you at Union Hill Park and show you the physical location.



http://qpublic9.qpublic.net/qpmap4/map.php?county=ga_fult



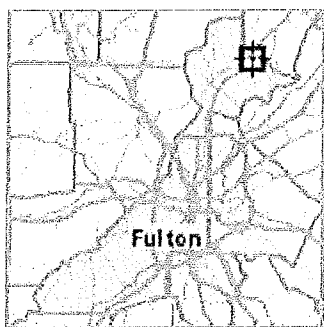
Forsyth Co



Controls

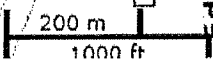
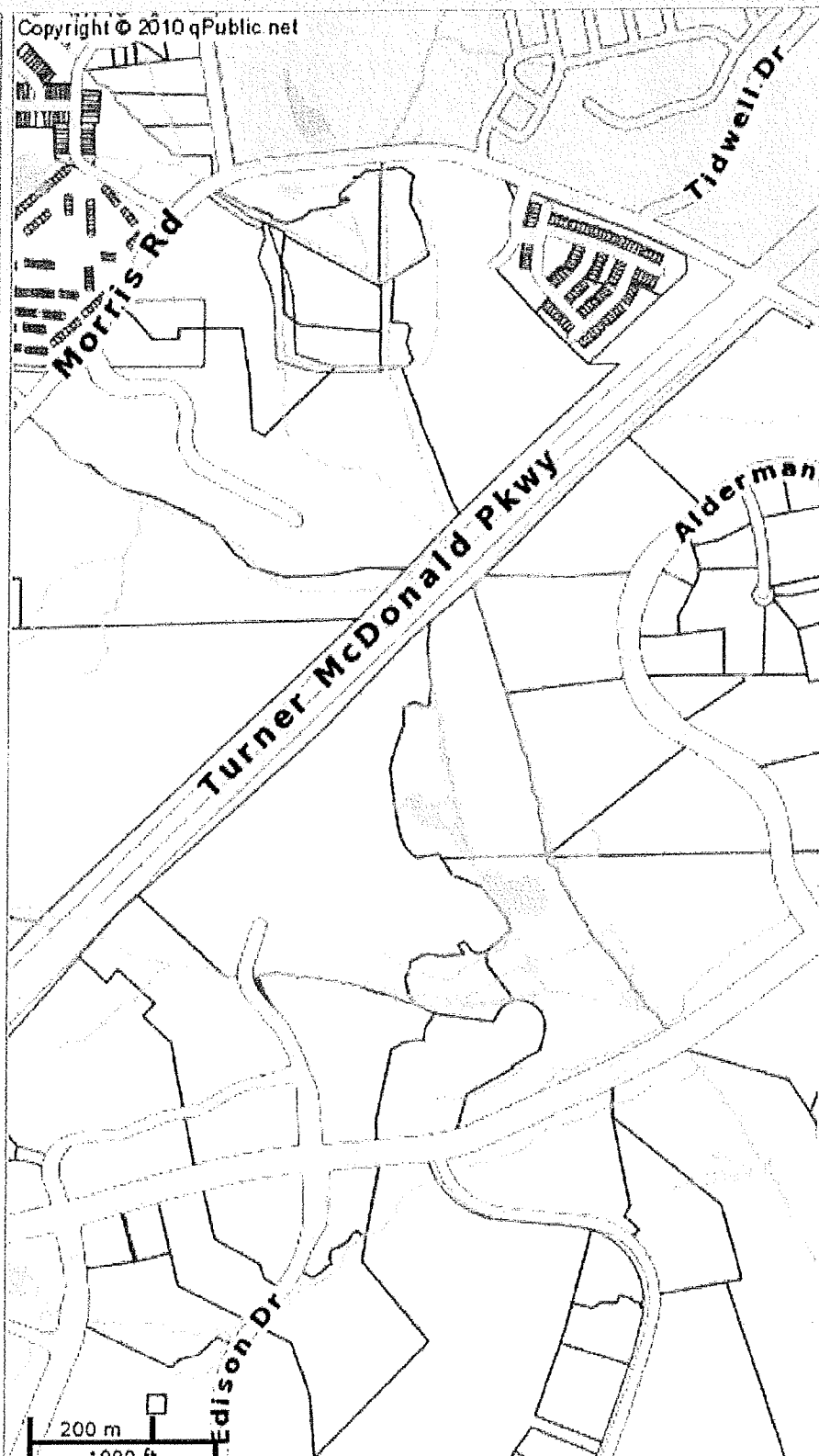
Available Layers

- ☒ Parcels
- ☐ Dimensions
- ☐ Parcel Numbers
- ☐ Address #
- ☐ Yearly Sales
- ☒ Roads
- ☐ Flood Map
- ☒ Lakes & Rivers
- ☐ Aerial Photos



[Show Scale](#)

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Sent: Monday, August 08, 2016 11:13 AM
To: Matt Stokes <matt.stokes@sharpres1.com>
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Can you send me the address having issues with google earth thanks

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Thanks

Matt Stokes – VP Land Acquisition and Development
4080 McGinnis Ferry Road, Suite 701
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770-518-4896 x108



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Matt Stokes

From: Craig Kent <craig.kent@equifax.com>
Sent: Monday, August 08, 2016 11:50 AM
To: Matt Stokes
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Call me pls

- LEFT MESSAGE

Craig S. Kent
Senior Facility Manager
Colliers Facility Solutions
for Equifax Global Real Estate
1505 Windward Concourse, 41Q
Alpharetta, GA 30005
770.740.4319 direct
678.898.8683 cell
770.740.6692 fax
craig.kent@equifax.com

From: Craig Kent
Sent: Monday, August 08, 2016 11:12 AM
To: 'Matt Stokes'
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

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Matt Stokes

From: Matt Stokes
Sent: Friday, August 19, 2016 8:09 AM
To: 'Craig Kent'
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Craig – just wanted to follow up with you on the information that I sent over a couple of weeks ago and see if the owner had any questions regarding.

Thanks

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To: Matt Stokes <matt.stokes@sharpres1.com>
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

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Matt Stokes

From: Craig Kent <craig.kent@equifax.com>
Sent: Tuesday, August 23, 2016 6:50 AM
To: Matt Stokes
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Would you have time to meet me at the site?

Craig S. Kent
Senior Facility Manager
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Sent: Monday, August 08, 2016 11:50 AM
To: Matt Stokes <matt.stokes@sharpres1.com>
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Call me pls

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Matt Stokes

From: Matt Stokes
Sent: Tuesday, August 23, 2016 7:07 AM
To: Craig Kent
Subject: Re: Proposed Sharp Residential Community within Windward Business Association

Sure. When? — NO RESPONSE

Sent from my iPhone

On Aug 23, 2016, at 6:49 AM, Craig Kent <craig.kent@equifax.com> wrote:

Would you have time to meet me at the site?

Craig S. Kent
Senior Facility Manager
Colliers Facility Solutions
for Equifax Global Real Estate
1505 Windward Concourse, 41Q
[Alpharetta, GA 30005](mailto:craig.kent@equifax.com)
[770.740.4319](tel:770.740.4319) direct
[678.898.8683](tel:678.898.8683) cell
[770.740.6692](tel:770.740.6692) fax
craig.kent@equifax.com

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Sent: Friday, August 19, 2016 8:09 AM
To: Craig Kent
Subject: [IE] RE: Proposed Sharp Residential Community within Windward Business Association

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4080 McGinnis Ferry Road, Suite 701
Alpharetta, Georgia 30005
770-518-4896 x108
<image001.jpg>
www.sharppresidential.com

From: Craig Kent [<mailto:craig.kent@equifax.com>]
Sent: Monday, August 08, 2016 11:50 AM

To: Matt Stokes <matt.stokes@sharpres1.com>

Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Call me pls

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From: Craig Kent

Sent: Monday, August 08, 2016 11:12 AM

To: 'Matt Stokes'

Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Can you send me the address having issues with google earth thanks

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<image004.jpg>

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Matt Stokes

From: Matt Stokes
Sent: Tuesday, September 13, 2016 1:39 PM
To: 'Craig Kent'
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Craig – Do you know when the next time the generator will be used / tested? I want to go to our property and see the noise factor.

Thanks

Matt Stokes – VP Land Acquisition and Development

4080 McGinnis Ferry Road, Suite 701

Alpharetta, Georgia 30005

770-518-4896 x108



From: Craig Kent [mailto:craig.kent@equifax.com]
Sent: Monday, August 08, 2016 11:50 AM
To: Matt Stokes <matt.stokes@sharpres1.com>
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Call me pls

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Colliers Facility Solutions
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Matt Stokes

From: Craig Kent <craig.kent@equifax.com>
Sent: Tuesday, September 13, 2016 2:29 PM
To: Matt Stokes
Subject: Re: [IE] RE: Proposed Sharp Residential Community within Windward Business Association

Mon sept 26 at 6am. I suggest you bring a DB meter

Thanks

Craig S. Kent
Senior Facility Manager
Colliers Facility Solutions
for Equifax Global Real Estate
1505 Windward Concourse, 41Q
Alpharetta, GA 30005
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Thanks

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<image002.jpg>
www.sharppresidential.com

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<image003.jpg>
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Matt Stokes

From: Matt Stokes
Sent: Monday, September 26, 2016 6:16 AM
To: Craig Kent
Subject: Re: [IE] RE: Proposed Sharp Residential Community within Windward Business Association

They still starting it up? - GOT TO THE SITE AT 5:45AM. GENERATOR WAS
NOT STARTED
Sent from my iPhone

On Sep 13, 2016, at 2:29 PM, Craig Kent <craig.kent@equifax.com> wrote:

Mon sept 26 at 6am. I suggest you bring a DB meter

Thanks

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<image002.jpg>
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From: Craig Kent [<mailto:craig.kent@equifax.com>]
Sent: Monday, August 08, 2016 11:50 AM
To: Matt Stokes <matt.stokes@sharpres1.com>

Subject: RE: Proposed Sharp Residential Community within Windward Business Association

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craig.kent@equifax.com

From: Craig Kent
Sent: Monday, August 08, 2016 11:12 AM
To: 'Matt Stokes'
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Can you send me the address having issues with google earth thanks

Craig S. Kent
Senior Facility Manager
Colliers Facility Solutions
for Equifax Global Real Estate
1505 Windward Concourse, 41Q
Alpharetta, GA 30005
770.740.4319 direct
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From: Matt Stokes [<mailto:matt.stokes@sharpres1.com>]
Sent: Monday, August 08, 2016 8:22 AM
To: Craig Kent
Subject: [IE] Proposed Sharp Residential Community within Windward Business Association

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I look forward in speaking with you further regarding this. You can reach me via email or on my cell at 770-940-2374.

Thanks

Matt Stokes – VP Land Acquisition and Development
4080 McGinnis Ferry Road, Suite 701
Alpharetta, Georgia 30005

770-518-4896 x108

<image003.jpg>

www.sharpresidential.com

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Matt Stokes

From: Craig Kent <craig.kent@equifax.com>
Sent: Monday, September 26, 2016 6:17 AM
To: Matt Stokes
Subject: Re: [IE] Re: [IE] RE: Proposed Sharp Residential Community within Windward Business Association

Let me check

Craig S. Kent
Senior Facility Manager
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On Sep 26, 2016, at 6:16 AM, Matt Stokes <matt.stokes@sharpres1.com> wrote:

They still starting it up?

Sent from my iPhone

On Sep 13, 2016, at 2:29 PM, Craig Kent <craig.kent@equifax.com> wrote:

Mon sept 26 at 6am. I suggest you bring a DB meter

Thanks

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From: Craig Kent [<mailto:craig.kent@equifax.com>]
Sent: Monday, August 08, 2016 11:50 AM
To: Matt Stokes <matt.stokes@sharpres1.com>
Subject: RE: Proposed Sharp Residential Community within Windward Business Association

Call me pls

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Sent: Monday, September 26, 2016 6:19 AM
To: Matt Stokes
Subject: Re: [IE] Re: [IE] RE: Proposed Sharp Residential Community within Windward Business Association

Sorry our error Monday October 3 apologize

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Matt Stokes

From: Kretzmer, Jim (GE Digital) <Jim.Kretzmer@ge.com>
Sent: Friday, September 02, 2016 12:07 PM
To: Matt Stokes
Subject: Proposed Development on Union Hill Road

Mr Stokes,

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I was recently made aware of the proposed development and would like to discuss it with you to exchange information, especially before the Planning Commission Public Hearing on Wednesday.

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Can you please give me a call on my mobile phone when you have a few minutes?

Thanks,

Jim Kretzmer
Leader, Facilities and Operations
GE Digital
Global Operations CoreTech

T +1 678 526 6200
M +1 770 855 4151
jim.kretzmer@ge.com

1001 Windward Concourse
Alpharetta, Georgia 30005 USA

Thomas Edison: "Opportunity is missed by most people because it is dressed in overalls and looks like work."

GE imagination at work

PHONE CALL 9-2-16 → SPOKE ABOUT THE PROJECT AND THAT
WE POSTPONED THE PLANNING COMMISSION
MEETING FROM SEPTEMBER UNTIL OCTOBER.
TOLD HIM I WOULD SEND OUR LAYOUT
& LOCATION TO HIM. SENT VIA EMAIL
SAME DAY.

Matt Stokes

From: Matt Stokes
Sent: Friday, September 02, 2016 1:02 PM
To: 'Kretzmer, Jim (GE Digital)'
Subject: RE: Proposed Development on Union Hill Road
Attachments: Proposed Sharp Community.kmz; McGinnis Ferry Residential_2016-05-25.pdf

Jim – It was nice speaking with you this afternoon. Please find the attached conceptual layout and product. We are most likely going to have a reduction in the amount of units. Let me know what other information you or your company may need from me regarding. You can reach me via email or on my cell at 770-940-2374.

Thanks

Matt Stokes – VP Land Acquisition and Development
4080 McGinnis Ferry Road, Suite 701
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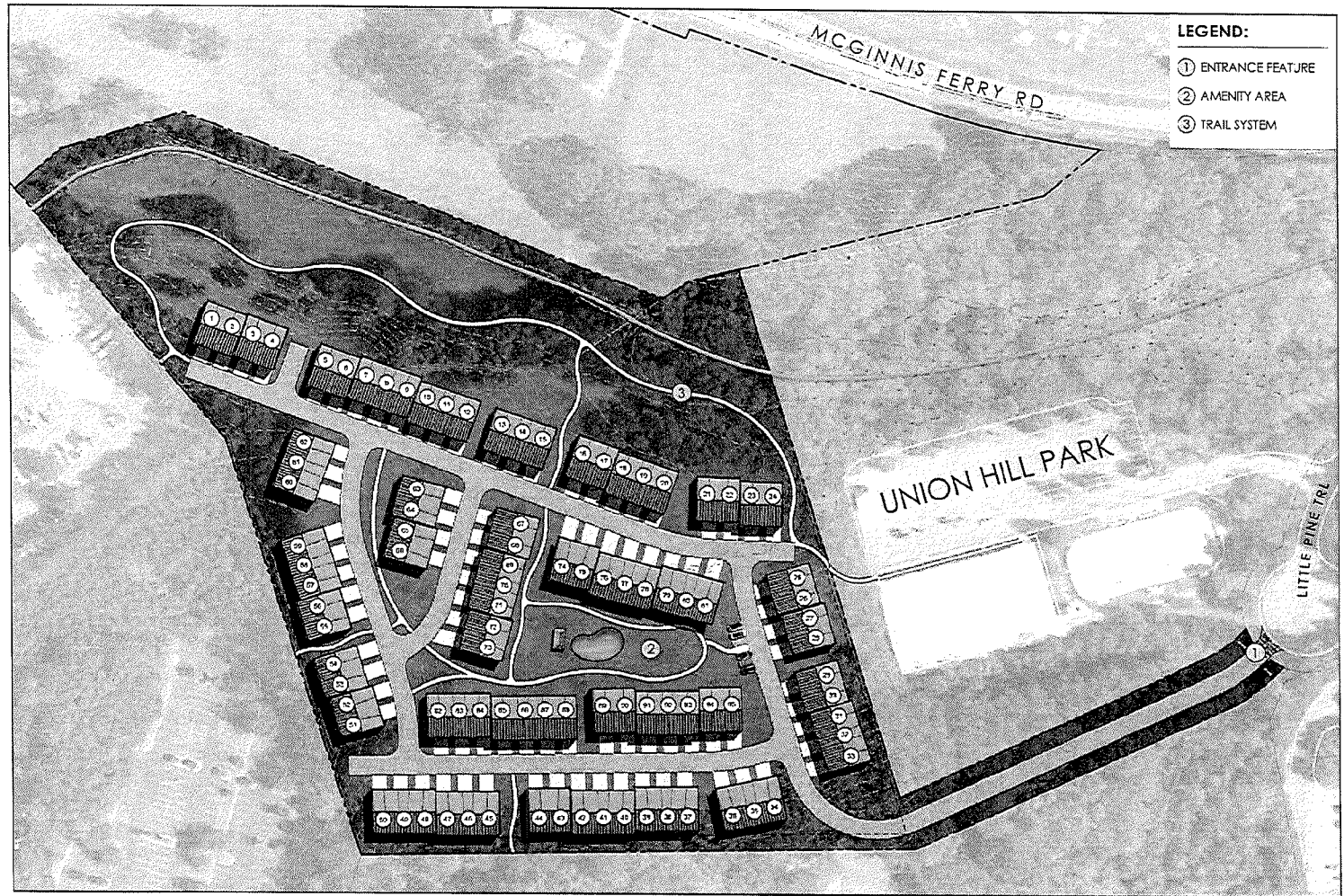
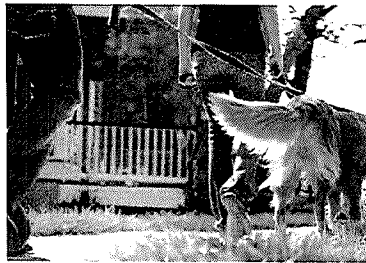
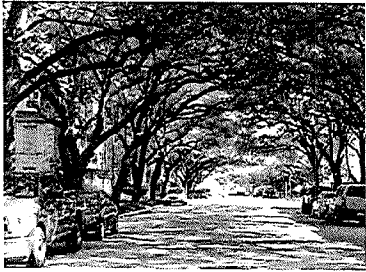
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McGINNIS FERRY

MASTER PLAN

FORESITE



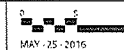
0 20 40 120
MAY 25, 2016



McGINNIS FERRY

FRONT ELEVATION

FORESITE

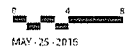


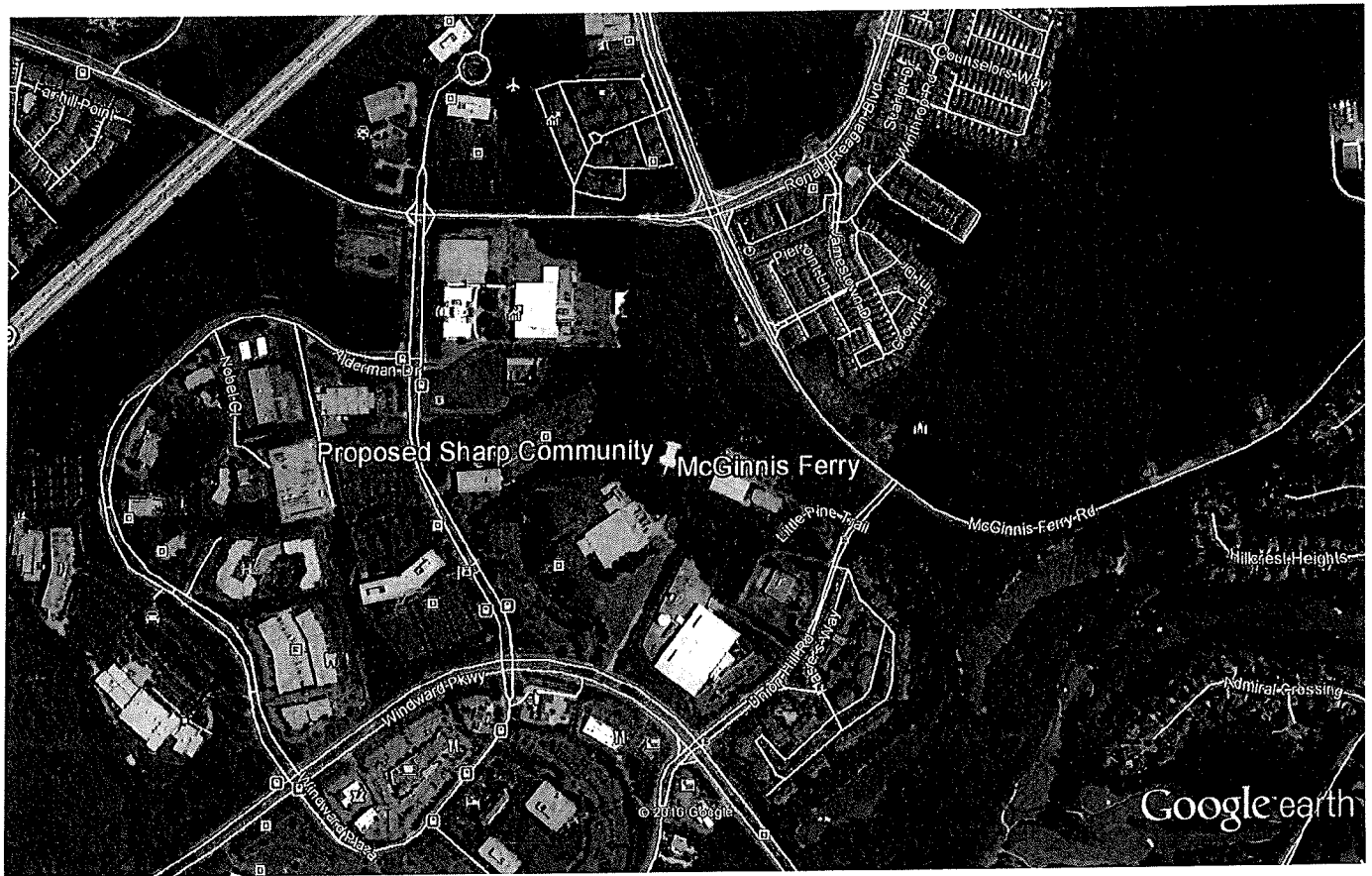


McGINNIS FERRY

ENTRANCE FEATURE

FORESITE





Google earth



Matt Stokes

From: Matt Stokes
Sent: Thursday, September 08, 2016 11:34 AM
To: 'Kretzmer, Jim (GE Digital)'
Subject: RE: Proposed Development on Union Hill Road

Jim – Is there a time next week we could get together to fire up the generator?

Matt Stokes – VP Land Acquisition and Development
4080 McGinnis Ferry Road, Suite 701
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770-518-4896 x108



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Thomas Edison: "Opportunity is missed by most people because it is dressed in overalls and looks like work."

GE imagination at work

Matt Stokes

From: Kretzmer, Jim (GE Digital) <Jim.Kretzmer@ge.com>
Sent: Monday, September 12, 2016 12:56 PM
To: Matt Stokes
Subject: RE: Proposed Development on Union Hill Road

Hi Matt,
Sorry for not getting back to you sooner.

- ~~MEET~~
MET W/ JIM AT THEIR OFFICE SO
WE COULD EVALUATE THE GENERATOR
NOISE.

We have a regularly scheduled generator test tomorrow, 9/13.

Give me a call and we can make arrangements if you would like to observe.

- GENERATOR IS OVER
100' THRU A BUFFER
FROM WHERE OUR
UNITS WOULD BE

Jim

770-855-4151

From: Matt Stokes [mailto:matt.stokes@sharpres1.com]
Sent: Thursday, September 08, 2016 11:34 AM
To: Kretzmer, Jim (GE Digital) <Jim.Kretzmer@ge.com>
Subject: EXT: RE: Proposed Development on Union Hill Road

- TALKED ABOUT TESTING
FREQUENTLY

- REVIEWED ELEVATION
DIFF. BETWEEN OUR
PROPERTY AND THEIRS

Jim – Is there a time next week we could get together to fire up the generator?

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GE imagination at work

Matt Stokes

From: Matt Stokes
Sent: Tuesday, September 27, 2016 7:40 AM
To: Kretzmer, Jim (GE Digital)
Subject: RE: Proposed Development on Union Hill Road

Are you starting the generator again today at 12pm? My owner wants to come by if you are.

Matt Stokes – VP Land Acquisition and Development
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Matt Stokes

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Sent: Tuesday, September 27, 2016 8:05 AM
To: Matt Stokes
Subject: RE: Proposed Development on Union Hill Road

Hey, Matt.

We do not have one scheduled for today, as we ran them this past Sat and Sun.

The next scheduled run in 10/16 around 1 PM.

Jim

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Marvin P. Pastel, Esq
Dir. tel 404.844.5641
Dir fax: 404.844.5701
Email: mpastel@wczlaw.net



Winter Capriola Zenner, LLC
One Securities Centre
3490 Piedmont Road NE
Suite 800
Atlanta, Georgia 30305
tel 404 844 5700
fax 404 844 5701
wczlaw.net

September 28, 2016

Via email (mwoodman@alpharetta.ga.us)

Michael Woodman
City of Alpharetta, Community Development
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

**Re: Rezoning – Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09
Request to Reschedule Meeting**

Dear Mr. Woodman:

This law firm represents Carter Validus. We have been asked to contact the City of Alpharetta Planning Commission regarding Sharp Residential, LLC's application for rezoning, MP-16-11/CLUP-16-07/Z-16-09 Sharp Residential Townhomes/Windward Pod 20A, which is scheduled to be considered at a public hearing on October 6, 2016 at 6:30 pm.

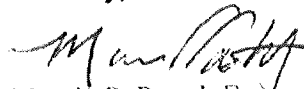
Carter Validus is the owner of two parcels adjacent to the property which Sharp Residential is seeking to rezone to permit the development of a high density townhome community in an area which is zoned CUP and O-I. Carter Validus, as well as tenants of the Carter Validus properties, have serious concerns about the potential impact that such a rezoning would have on the area and would like to voice those concerns to the Planning Commission. In order for Carter Validus and its tenants to further look into this issue and fully participate in the public hearing on this matter, we are requesting that the Planning Commission remove this item from the agenda for the October 6th meeting and move it to the November Planning Commission Meeting.

In the event that the Planning Commission will not reschedule the hearing for consideration of this rezoning application, we would like to call your attention to some of the concerns we have with permitting a high-density residential development in this area. This area was developed as a data center district in the 1990s. The businesses using this area as a data center maintain emergency backup generators which are tested regularly and would operate in the event of an emergency, and which generate a great deal of noise which is likely to generate complaints from residential owners. Ensuring that these generators are operational is crucial to these businesses, and they have no contingencies in place to prevent the operation of these generators. Additionally, the introduction of a residential element on this property poses security issues for these businesses, including the possibility of people observing proprietary equipment, children potentially trespassing in the area, and the fact that large capacities of diesel fuel are kept onsite to operate the backup generators. There are also environmental issues based on potential changes to the topography and water runoff facilities, and concerns with the impact on the infrastructure in the area, which includes a dedicated electrical line to the area we would not like to see affected by residential development. Additionally, the facilities currently located in the area have been designated as critical infrastructure by the United States Department of Homeland Security due to their importance to the functioning of society and the economy. In short, the area is well-suited for commercial and/or industrial uses, but is inconsistent with high-density residential use. There are no benefits to the proposed residential development

being located in this area, and rezoning the property to permit high-density residential use is likely to lead to conflict between the existing commercial occupants and future residents.

I hope that you will grant this request and reschedule the hearing on this rezoning. If the date of the meeting is not changed, I hope that the Planning Commission will take the issues in this letter under advisement in making its decision whether or not to permit rezoning of the Property.

Sincerely,



Marvin P. Pastel, Esq

cc: Karlton Holston



GE
Global Operations – Properties

Joshua R. Hill
Senior Counsel

800 Long Ridge Road
Stamford, CT 06924-4000

September 28, 2016

Via email (mwoodman@alpharetta.ga.us)

Michael Woodman
City of Alpharetta
Community Development
Alpharetta City Hall
2 Park Plaza
Alpharetta, GA 30009

**RE: Sharp Residential LLC
Rezoning – MP-16-11/CLUP-16-07/Z-16-09
Request to Reschedule Public Hearing**

Dear Mr. Woodman:

I am counsel to General Electric Company (“GE”). As you may know GE leases a 180,000 square foot building located at 1001 Windward Concourse, Alpharetta, Georgia 30005 (the “**Building**”). The Building is a mission critical site for GE as it houses significant data center capabilities.

It has come to our attention that Sharp Residential, LLC has filed an application for rezoning (the “**Application**”) to enable the construction of a high density residential development adjacent to the Building (the “**Development**”). We are also aware that there is a public hearing regarding the Application scheduled for October 6, 2016.

GE has serious concerns about the impact of the Application and we would like to have the opportunity to further investigate this matter and participate in a public hearing in a meaningful manner. We request that the Planning Commission remove this matter from its agenda for the October 6 meeting and reschedule the same for the November Planning Commission meeting to enable GE and other concerned businesses the necessary time to prepare a fully developed response to the Application.

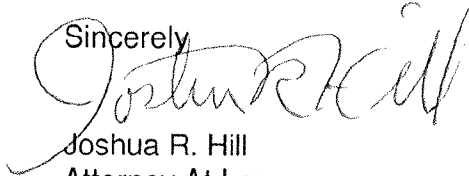
To underscore the importance of our request to reschedule this matter I have set forth a sample of GE's concerns regarding the Application and potential Development:

1. This area was developed as a commercial/office use district with an emphasis on data center usage. GE and surrounding businesses utilize large backup generators and diesel supply tanks required for data center power interruptions. These generators are regularly tested at various hours of the day and night creating significant noise. This is not in keeping with adjacent residential uses.

2. Data centers require high reliability components incorporated into facility infrastructure relying on the fact that surrounding properties are developed similarly. The Department of Homeland Security has given a special designation to facilities in the area due to their strategic importance. Berms surround many buildings and the buildings themselves are situated to minimize attraction to passersby and to protect important infrastructure. An adjacent residential use would cause additional security risk to the Building and other surrounding data centers.
3. GE has serious concerns about the stability of power lines during and after construction of any proposed residential development.
4. Lastly, changing the zoning as requested in the Application may dissuade other potential data center users from acquiring and developing adjacent properties hampering the momentum of Alpharetta as a growing technology city. This could have a negative impact on local business culture and the overall community of Alpharetta.

Residential usage in this area is inconsistent with the current commercial use and will likely cause a serious increase in operational and other risks to GE. We hope that you will reschedule the meeting on the Application as requested herein and take the issues raised above under advisement.

Sincerely,



Joshua R. Hill
Attorney At Law



GE
Global Operations – Properties

Joshua R. Hill
Senior Counsel

800 Long Ridge Road
Stamford, CT 06924-4000

September 28, 2016

Via email (mwoodman@alpharetta.ga.us)

Michael Woodman
City of Alpharetta
Community Development
Alpharetta City Hall
2 Park Plaza
Alpharetta, GA 30009

**RE: Sharp Residential LLC
Rezoning – MP-16-11/CLUP-16-07/Z-16-09
Request to Reschedule Public Hearing**

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GE has serious concerns about the impact of the Application and we would like to have the opportunity to further investigate this matter and participate in a public hearing in a meaningful manner. We request that the Planning Commission remove this matter from its agenda for the October 6 meeting and reschedule the same for the November Planning Commission meeting to enable GE and other concerned businesses the necessary time to prepare a fully developed response to the Application.

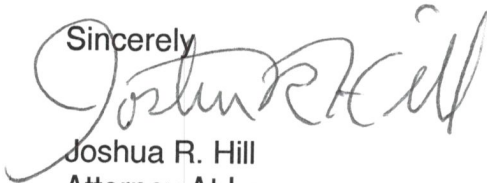
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Residential usage in this area is inconsistent with the current commercial use and will likely cause a serious increase in operational and other risks to GE. We hope that you will reschedule the meeting on the Application as requested herein and take the issues raised above under advisement.

Sincerely



Joshua R. Hill
Attorney At Law

Marvin P. Pastel, Esq.
Dir. tel 404.844.5641
Dir fax: 404.844.5701
Email: mpastel@czlaw.net



WINTER CAPRIOLA ZENNER
attorneys at law

Winter Capriola Zenner, LLC
One Securities Centre
3490 Piedmont Road NE
Suite 800
Atlanta, Georgia 30305
tel 404.844.5700
fax 404.844.5701
wczlaw.net

September 28, 2016

Via email (mwoodman@alpharetta.ga.us)

Michael Woodman
City of Alpharetta, Community Development
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

**Re: Rezoning – Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09
Request to Reschedule Meeting**

Dear Mr. Woodman:

This law firm represents Carter Validus. We have been asked to contact the City of Alpharetta Planning Commission regarding Sharp Residential, LLC's application for rezoning, MP-16-11/CLUP-16-07/Z-16-09 Sharp Residential Townhomes/Windward Pod 20A, which is scheduled to be considered at a public hearing on October 6, 2016 at 6:30 pm.

Carter Validus is the owner of two parcels adjacent to the property which Sharp Residential is seeking to rezone to permit the development of a high density townhome community in an area which is zoned CUP and O-I. Carter Validus, as well as tenants of the Carter Validus properties, have serious concerns about the potential impact that such a rezoning would have on the area and would like to voice those concerns to the Planning Commission. In order for Carter Validus and its tenants to further look into this issue and fully participate in the public hearing on this matter, we are requesting that the Planning Commission remove this item from the agenda for the October 6th meeting and move it to the November Planning Commission Meeting.

In the event that the Planning Commission will not reschedule the hearing for consideration of this rezoning application, we would like to call your attention to some of the concerns we have with permitting a high-density residential development in this area. This area was developed as a data center district in the 1990s. The businesses using this area as a data center maintain emergency backup generators which are tested regularly and would operate in the event of an emergency, and which generate a great deal of noise which is likely to generate complaints from residential owners. Ensuring that these generators are operational is crucial to these businesses, and they have no contingencies in place to prevent the operation of these generators. Additionally, the introduction of a residential element on this property poses security issues for these businesses, including the possibility of people observing proprietary equipment, children potentially trespassing in the area, and the fact that large capacities of diesel fuel are kept onsite to operate the backup generators. There are also environmental issues based on potential changes to the topography and water runoff facilities, and concerns with the impact on the infrastructure in the area, which includes a dedicated electrical line to the area we would not like to see affected by residential development. Additionally, the facilities currently located in the area have been designated as critical infrastructure by the United States Department of Homeland Security due to their importance to the functioning of society and the economy. In short, the area is well-suited for commercial and/or industrial uses, but is inconsistent with high-density residential use. There are no benefits to the proposed residential development

being located in this area, and rezoning the property to permit high-density residential use is likely to lead to conflict between the existing commercial occupants and future residents.

I hope that you will grant this request and reschedule the hearing on this rezoning. If the date of the meeting is not changed, I hope that the Planning Commission will take the issues in this letter under advisement in making its decision whether or not to permit rezoning of the Property.

Sincerely,



Marvin P. Pastel, Esq

cc: Karlton Holston

Marvin P. Pastel, Esq.
Dir, tel 404.844.5641
Dir fax: 404.844.5701
Email: mpastel@wczlaw.net



Winter Capriola Zenner, LLC
One Securities Centre
3490 Piedmont Road NE
Suite 800
Atlanta, Georgia 30305
tel 404.844.5700
fax 404.844.5701
wczlaw.net

October 3, 2016

City of Alpharetta Planning Commission
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

Re: Rezoning – Sharp Residential, LLC (“Sharp”) - MP-16-11/CLUP-16-07/Z-16-09

Response to Reservation of Constitutional and Legal Rights

Dear City of Alpharetta Planning Commission:

This law firm represents Carter Validus, which owns two parcels of property adjacent to the property that is the subject of Sharp’s application for rezoning. As part of the Application, Sharp submitted a Reservation of Constitutional and Legal Rights asserting that (1) the current zoning of the Subject Property affords no reasonable use of the Subject Property, (2) the current zoning provides no benefit to the public, and (3) a denial of the Application would be arbitrary and capricious and would violate Sharp’s constitutional rights. Carter Validus will briefly respond to the legal and constitutional issues raised.

The standard for determining whether a denial of a rezoning application constitutes an unconstitutional taking is whether the current zoning classification is justified by a substantial relation to the public health, safety, morality, or general welfare. *Guhl v. Holcomb Bridge Road Corp.*, 238 Ga. 322 (1977). In applying that standard, *Guhl* established six relevant factors to guide courts when looking into the validity of the zoning, namely (1) the existing uses and zoning of nearby property; (2) the extent to which property values are diminished by the particular zoning restrictions; (3) the extent to which the destruction of property values of the owner promotes the health, safety, morals, or general welfare of the public; (4) the relative gain to the public weighed against the hardship imposed upon the property owner; (5) the suitability of the subject property for the zoned purposes; and (6) the length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property.

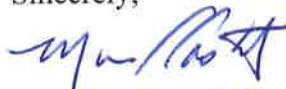
The effect of these factors is clear—when the public derives a substantial benefit from the existing zoning of a piece of property, failure to rezone the property is not an unconstitutional taking. *Jervy v. City of Marietta*, 274 Ga. 754 (2002). Applying the above factors to the current situation clearly supports a finding that the public substantially benefits from the existing zoning of this property, and the development of a high-density residential property in center of this commercial area poses serious threats to the continued viability of the area for its existing uses.

The property owned by Carter Validus was originally developed as a data center, and that remains the primary use of the property. As part of its development, this area was given a dedicated reinforced electrical supply to support the continuous operation of data centers. Occupants like General Electric and E*Trade house key parts of their infrastructure in this area, and they maintain emergency generators (and vast quantities of diesel fuel to operate those generators) on the premises. These generators must be ready to use at all times, which requires regular testing and maintenance, and the generators are incredibly loud when they are being operated, in a manner that would lead to complaints and nuisance claims from residential owners. The construction of a high-density residential development adjacent to these properties is incompatible with the existing use and zoning of the nearby property, and keeping high-density residential use out of the middle of this area promotes public health and safety by reducing potential security risks to the existing occupants, and by avoiding the dangers implicit in having a significant number of residents living adjacent to heavy equipment and diesel fuel. It is also likely to dissuade other potential data center users from developing adjacent properties which would be detrimental to Alpharetta's growth as a technology city. These ideas and objections to the rezoning of the Subject Property are further developed in those letters sent to the Planning Commission by General Electric and E*Trade as well.

In short, the current zoning and existing use of property within this area provides substantial benefits to the public, and the City would well within its legal rights to deny this rezoning to protect the existing uses and preserve these benefits. By contrast, permitting the rezoning and proposed development of the Subject Property poses serious potential issues with the continued use of the surrounding area, including security, environmental, and operational concerns, as well as other negative impacts, such as increased traffic in an area which already experiences heavy congestion and strain on the existing infrastructure.

Sharp's Reservation of Constitutional and Legal Rights contains no facts or citations to authority to support the idea that the failure to rezone the property would constitute an unconstitutional taking or that there are no valid grounds for the City of Alpharetta to deny the Application, and should not impact the Planning Commission's analysis or decision on this rezoning. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Marvin P. Pastel".

Marvin P. Pastel, Esq.

cc: Michael Woodman (mwoodman@alpharetta.ga.us)



Via email (mwoodman@Alpharetta.ga.us)

September 30, 2016

Michael Woodman, Senior Planner
City of Alpharetta, Community Development
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

Re: Rezoning — Sharp Residential, LLC - MP-16-11/CLUP-16-07/Z-16-09
Objections, Questions and Request to Reschedule Meeting

Dear Mr. Woodman:

We write this letter regarding Sharp Residential, LLC's application for rezoning, MP-16-11/CLUP-16-07/Z-16-09 Sharp Residential Townhomes/Windward Pod 20A, which is scheduled to be considered at a public hearing on October 6, 2016 at 6:30 pm.

E*TRADE FINANCIAL CORPORATION ("ETFC") was the former owner of and now leases property at 1650 Union Hill Road, adjacent to the property which Sharp Residential is seeking to rezone to permit the development of a high density townhome community in an area which is zoned CUP and O-I. This is a data center district and is being used for that purpose by ETFC. In addition, ETFC subleases a portion of its space, also for use as a data center. Our subtenant has just been apprised to the rezoning request and has not had time to review and react to the proposal. The information kept on this property is highly confidential and our concerns relate to cyber security and physical security. We do not believe we have sufficient information to present our position at the hearing schedule for October 6th and respectfully request that the hearing be rescheduled to the November meeting. We also wish to provide necessary information to our subtenant.

Data centers contain confidential and sometimes classified information that could be attacked or lost, due to temperature changes or failure of water and electricity supply for even seconds. Emergency systems are in place to prevent this. We are concerned about the impact of dense residential town homes on water and electricity. Further, their nearness to our facility and the ease of viewing or trespassing onto our property from the proposed road is of great concern.

The facilities currently located in the area have been designated as critical infrastructure by the United States Department of Homeland Security due to their importance to the functioning of society and the economy. The entry to the proposed development is via Little Pine Trail a little used cul-de-sac. This short dead-end road will become a busy street adding hundreds of cars to the area, as well as school buses and delivery trucks. Union Hill Road which leads to Little Pine Trail is already a high-traffic road and the adverse impact will be significant.

Last, data centers have significant emergency power systems. The generators create a noise level that is likely to be objectionable to adjacent residents.

We agree with our neighbors that the area is well-suited for commercial and/or industrial uses, but is inconsistent with high-density residential use. There are no benefits to the proposed residential development being located in this area, and rezoning the property to permit high-density residential use is likely to lead to conflict between the existing commercial occupants and future residents.

We also hope that the commission will take into account our concerns at the October meeting if it is not rescheduled. However, we sincerely hope the meeting can be rescheduled so we, together with our subtenant (if they wish) and other interested parties, can make a more complete presentation.

Very truly yours,

E*TRADE FINANCIAL CORPORATION

/s/

By: David Herr
Director, Associate General Counsel

7/1/16

Sharp Residential Townhomes/Windward

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: Miles Hansford & Tallant, LLC - J. Ethan Underwood

Telephone: 770-781-4100

Address: 202 Tribble Gap Road

Suite: 200

City Cumming

State: GA

Zip: 30040

Fax: 770-781-9191

Mobile Tel: _____

Email: eunderwood@mhtlegal.com

Subject Property Information:

Address: Windward Parkway, Alpharetta, GA

Current Zoning: CUP + O-I

District: 2

Section: 1

Land Lot: 1038, 1039, 1040

Parcel ID: 21-556010380233 & p/o 21-556010380076

1048 + 1049

Proposed Zoning: CUP

Current Use: Vacant Land

This Application For (Check All That Apply):☐ Conditional Use☒ Master Plan Amendment☒ Rezoning☐ Master Plan Review☒ Variance☐ Public Hearing☒ Comprehensive Plan Amendment☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

Dwelling, 'For-Sale', Attached.

Applicant's Request (Please itemize the proposal):

The Applicant requests:

- 1) The subject property be zoned from O-I & CUP to CUP to allow the construction of a 95-unit townhome community.
- 2) The subject property be designated on the Future Development Map as High Density Residential.
- 3) A variance be granted to allow the addition of 3.461 acres to an existing CUP zoning.
- 4) The Windward Master Plan be amended to incorporate the subject properties as Pod 20A.

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

The Applicant seeks to develop a 95-unit townhome community on the subject property.

7/1/16

Sharp Residential Townhomes/Windward

PROPERTY OWNER AUTHORIZATION

* Property Owner Information:

Contact Name: JOHN LIE-NIELSEN Telephone: 678-428-7520

Address: 510 STAGHORN CT. Suite: _____

City ALPHARETTA GA. State: GA Zip: 30004

Authorization:

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

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

☐ Annexation

☐ Special Use

☒ Rezoning

☐ Conditional Use

☐ Variance

☐ Master Plan

☐ Land Use Application

☐ Other _____

Identify Authorized Applicant:

Name of Authorized Applicant: SHARP RESIDENTIAL Telephone: 770-518-4896

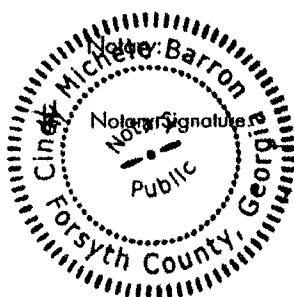
Address: 4080 MCGINNIS FERRY ROAD Suite: 701

City ALPHARETTA State: GA Zip: 30005

So Sworn and Attested:

* Owner Signature: [Signature] VICE PRESIDENT.

Date: 6/28/16



Cindy Michelle Barron

Date: 6-28-16

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: SHARP RESIDENTIAL, 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: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

Description of Contribution: N/A Value: N/A

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: 7-1-16

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The use of the subject property as a single-family, attached residential development, will be compatible with surrounding properties by providing a transitional land use between City park uses and commercial uses.

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

The proposed use will not negatively affect the use or value of surrounding properties, in that the surrounding properties are subject to the Windward Master Plan, which contemplates a mix of commercial, residential, and public uses.

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

No, the current zoning classification of the subject property has been unused for a substantial time. The subject property would have a reasonable economic use if zoned to a transitional use, as proposed by the Applicant.

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

Assuming each of the 95 proposed homes will facilitate 2.5 persons per household, the population increase is anticipated to be a total 238 persons, which would be phased in over an anticipated 3-year period. With regard to traffic, a traffic impact statement is enclosed and incorporated herein by reference.

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

The projected impact on schools and utilities will be in keeping with projected growth. Assuming each of the 95 proposed homes will facilitate 0.75 students per household persons per residence, the proposed development is anticipated to generate a total 72 new students, which would be phased in over an anticipated 3-year period.

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

The proposed use is consistent with the Comprehensive Plan and the Future Development Map. The property is located within the Windward Activity Center Character Area, which calls for an "overall mixed-use environment" with high-density residential uses to complement "the office character of the area." However, the Subject Property is designated as Corporate Campus Office and Professional/Business Office on the FDM, necessitating a CLUP.

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

The Subject Property is located near the McGinnis Ferry thoroughfare on the northern boundary of the Windward Master Plan (specifically, within POD 20). The property is adjoined to the east by Union Hill Park. All surrounding properties are zoned CUP, except for an O-I zoned tract to the north. The Applicant seeks to incorporate a portion of this norther tract into the Windward Master Plan.

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

The Applicant seeks a variance to allow the addition of 3.461 acres to an existing CUP zoning. The Subject Property is irregular in shape, and there is not 100 acres of undeveloped property contiguous to the Subject Property that could be zoned CUP. Unless the requested variance is approved, the Subject Property cannot be developed in an economically viable manner.

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

The Zoning Code standard requiring that at least 100 acres be zoned to the CUP district is intended for large scale projects that are being developed as part of a cohesive development scheme. The Subject Property appears to have been zoned as parts of at least two (2) larger projects; however, commercial and park developments and the expansion of adjoining rights-of-way have isolated the Subject Property such that it cannot meet the minimum acreage requirement.

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

The Subject Property is a 13.734 acre tract, currently zoned O-I & CUP. The portion of this property zoned O-I is 3.461 acres. This O-I property is separated from McGinnis Ferry Road by a stream. This barrier makes development of the O-I property infeasible without it being combined with the 10.273 acre, CUP tract. Unless the variance and zoning of the 3.461 acres is approved, this tract will be undevelopable.

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.

Approval of the proposed variance would not create a safety hazard or noxious condition, and would facilitate the UDC's intent to develop a viable residential use on the Subject Property.

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.

7/1/16

Sharp Residential Townhomes/Windward

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: Sharp Residential, LLC

Contact Name: Miles Hansford & Tallant, LLC- J. Ethan Underwood

Telephone: 770-781-4100

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

Owners of properties located within 500 ft of the subject property ☒ Affected government departments

City Officials

Interested parties noted on any list provided by City

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.

The Applicant will notify interest parties of and conduct a public participation meeting to discuss the application. The Applicant will contact any other persons of whom it becomes aware have an interest in the application. Interested parties are encouraged to contact the Applicant via telephone, email, letter, and personal meetings to discuss the application.

Sharp Residential Townhomes/Windward



Ethan Underwood

Re:	Applicant:	Sharp Residential, LLC
	Subject Property:	13.734 Acres Designated as Fulton County Tax Parcel(s): 21-556010380233 & p/o 21-556010380076
	Current Zoning:	O-I & CUP
	Proposed Zoning:	CUP, with CLUP Amendment, Master Plan Amendment, and Variance to minimum area to zone to CUP
	Proposed Use:	Townhome Community
	ROW Access:	Little Pine Trail

Pursuant to Section 36-67A-3 of the Official Code of Georgia Annotated, adopted by the Georgia General Assembly, effective July 1, 1986, please be advised that Miles, Hansford & Tallant, LLC has given no campaign contributions to local officials of Alpharetta.

Sincerely,

Ethan Underwood

Ethan Underwood
eunderwood@mhtlegal.com**RESERVATION OF CONSTITUTIONAL AND LEGAL RIGHTS**

Re: Applicant: Sharp Residential, LLC
Subject Property: 13.734 Acres Designated as Fulton County Tax Parcel(s): 21-556010380233 & p/o 21-556010380076
Current Zoning: O-I & CUP
Proposed Zoning: CUP, with CLUP Amendment, Master Plan Amendment, and Variance to minimum area to zone to CUP
Proposed Use: Townhome Community
ROW Access: Little Pine Trail

This Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the land use application (including any request for zoning, conditional use permit and variances)(the "Application") of the Applicant and the owners of the Subject Property and to put the City of Alpharetta on notice of the Applicant's assertion of its constitutional and legal rights.

The Applicant has filed a timely application, has provided all required information and has submitted the appropriate application fees. The application meets all judicial and statutory requirements for approval.

The Current Zoning of the Subject Property is unconstitutional in that it affords no reasonable use of the Subject Property and no resulting benefit to the public from designation under this zoning classification. The Applicant and the owners of the Subject Property have filed the Application to remedy this unconstitutionality.

A refusal by the City of Alpharetta to approve the Application, as requested by the Applicant, will impose a disproportionate hardship on the Applicant and owners of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property under any other zoning classification and no resulting benefit to the public from designation to any other classification.

Any provisions in the City of Alpharetta Unified Development Code (the "UDC") that classify, or may classify, the Subject Property into any non-requested zoning classification or zoning classification that does not permit the Proposed Use as a matter of right, or at a density less than as requested by the Applicant, are, or will be, unconstitutional in that they will constitute a taking of the Applicant's and owners' property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended, and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is suitable for development under the Proposed Zoning district requested by the Applicant and it is not suitable for development under any other zoning classification, including without limitation the Current Zoning category of the Subject Property, or at a density or use less than that requested by the Applicant. A denial of the Application, as requested by the Applicant, will constitute an arbitrary and capricious act by the City of Alpharetta without any basis for such, and will constitute an abuse of discretion



Page 2 of 2
July 1, 2016

in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the City of Alpharetta to approve the Application, as requested by the Applicant, will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

The City of Alpharetta cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the UDC. To do so will constitute a taking of the Subject Property as set forth above, and also amount to an unlawful delegation of the Board's authority in response to neighborhood opposition, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended. Any zoning conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and property owners that do not serve to ameliorate the negative impacts of the development are invalid and void. As such, the Applicant and owners reserve the right to challenge any such zoning conditions and other restrictions. The Applicant and owners also reserve the right to challenge any unlawful exactions, whether they are in the form of illegal impact fees or otherwise.

Furthermore, this Reservation also constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the City of Alpharetta and all other agents of the City on notice of the Applicant's and owners' intent to seek monetary damages and attorney's fees against the City of Alpharetta for any rezoning action, zoning condition, illegal impact fee and any other unlawful restrictions and exactions that are imposed on the Subject Property, the Applicant and the owners.

Finally, the Applicant and owners assert that the UDC, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant's request based upon provisions illegally adopted will deprive the Applicant and owners of due process under the law.

By filing this Reservation, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Applicant and owners respectfully request that this Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Application, and we ask that the City of Alpharetta include this Reservation with the Applicant's other application documents. The Applicant and owners reserve the right to amend and supplement this Reservation at any time.

Sincerely,

Ethan Underwood,
Attorney for the Applicant



202 Tribble Gap Road | Suite 200 | Cumming, Georgia 30040
770-781-4100 | www.mhtlegal.com

Ethan Underwood
eunderwood@mhtlegal.com

LETTER OF INTENT FOR LAND USE APPLICATION

Re: **Applicant:** **Sharp Residential, LLC**
 Subject Property: **13.734 Acres Designated as Fulton County Tax Parcel(s): 21-556010380233 & p/o 21-556010380076**

 Current Zoning: **O-I & CUP**
 Proposed Zoning: **CUP, with CLUP Amendment, Master Plan Amendment, and Variance to minimum area to zone to CUP**

 Proposed Use: **Townhome Community**
 ROW Access: **Little Pine Trail**

This statement is intended to comply with the application procedures established by The City of Alpharetta, GA for submittal of applications for land use approval as required by the City of Alpharetta Unified Development Code (the "UDC"), City of Alpharetta Public Hearing Application Requirements, and other City of Alpharetta Ordinances and Standards and is intended to serve as the Letter of Intent required by the UDC. As part of this Letter of Intent, the Applicant asserts the statements contained in the Public Hearing Application package, submitted herewith incorporated herein by reference, and as may be amended (the "Application"), describing justification for the requested zoning and for any request of variances, in any, as if such were fully stated herein.

The Applicant proposes to develop a 95-unit townhome community on the Subject Property. The Subject Property is adjoined by Union Hill Park to the east (zoned CUP), commercial development to the south and west (also zoned CUP), and is bounded to the north by undeveloped land zoned O-I. The northernmost 3.461 acres of the Subject Property is zoned O-I, with the remaining 10.273 acres zoned CUP. This 3.461 acres of the Subject Property is separated from McGinnis Ferry Road by a stream. This barrier makes development of the O-I property infeasible without it being combined with the 10.273 acre, CUP tract.

The Proposed Use is consistent with the Comprehensive Plan and the Future Development Map. Located in the Windward Activity Center character area of the Alpharetta 2030 Comprehensive Plan, the Subject Property is depicted as Corporate Campus Office and Professional/Business Office on the Comprehensive Plan. However, the Windward Activity Center character area calls for an "overall mixed-use environment," with high-density residential uses to complement "the office character of the area." To accomplish this, the Applicant proposes to utilize the CUP zoning category, and develop 95 townhomes lots on 13.734 acres, yielding a density of 6.92 units per acre. As this proposed use constitutes High Density Residential under the Comprehensive Plan, a modification of the Comprehensive Plan is required.

7/1/16

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July 1, 2016

The Subject Property is also subject to the Windward Master Plan. The Applicant proposes to establish the Subject Property as a new Pod 20A-Residential Townhome District, subject to the Performance Standards for Pod 20A, attached and incorporated with this Letter of Intent.

Finally, the Applicant has submitted with this Letter of Intent, and incorporates herein, a Trip Generation Report demonstrating there will be less than 100 peak hour vehicle trips. As such, no traffic study is required, unless otherwise determined to be necessary by the Department of Engineering and Public Works.

The Applicant respectfully requests that the Application, as requested by the Applicant, be approved. The Applicant also reserves the right to amend this statement and the Application by supplementing further responses and documents.

Sincerely,



Ethan Underwood,
Attorney for the Applicant

Pod 20A-Residential Townhome District Performance Standards

Maximum 95 lots on 13.73 acres with a Gross density of approximately 6.92 units per acre.

Units will be Fee Simple attached, with the building footprint the individual lots; all other improved areas will be maintained by a mandatory homeowner association as "common area" and all undeveloped area will be maintained as "open space".

PERFORMANCE STANDARDS

- Minimum unit width – 24 feet
 - Minimum Heated Floor Area (1,800 sf)
 - Maximum building height – 35 feet
 - Each unit will have a 2 car enclosed garage
 - Each unit will have a minimum of 18 feet of driveway from the back of sidewalk to the building face.
 - Setbacks, excluding steps, roof overhangs, chimneys, bay windows, and patios:
 - 10' front
 - 5' side
 - 15' rear
- * ALL SETBACKS ARE TO BE MEASURED FROM THE PROPERTY/PROPOSED RIGHT-OF-WAY LINE TO THE NEAREST POINT OF A BUILDING EXCLUDING STEPS, ROOF OVERHANGS, CHIMNEYS, BAY WINDOWS, AND PATIOS. THE FRONT SETBACK DISTANCE SHOULD BE MAINTAINED AGAINST ALL SIDES OF A LOT THAT ADJOINS A PUBLIC RIGHT-OF-WAY.**
- Minimum distance between buildings – 20 feet.
 - Minimum setback along exterior – 15 feet
 - Minimum Landscape Setback along exterior – 10 feet

STREETS AND SIDEWALKS

5' Sidewalks are proposed on both sides of the street. Within the development, sidewalks may be placed against the back of curb along rows of townhomes at driveways.

Minimum street width is 24 feet, back of curb to back of curb.

AMENITIES

An amenity area for use of residents, to include a pool, will be located within Pod 20A.

On-street parking will be allowed for the amenity area. On-street parking will be the responsibility of the homeowner's association to maintain.

Residential Condominium/Townhouse - McGinnis Ferry Road Residential

Calculation of Anticipated Project Trips

Based upon methodology from ITE's *Trip Generation*, 9th Edition (2012)

Copyright 2012, Foresite Group, Inc.

Project Land Use	Project Density	Project Trips			ITE Code	Variable	Equation Used ¹	In/Out Distribution
		Total	Inbound	Outbound				
Residential Condominium/Townhouse	95 DU				230	Dwelling Units		
	Daily	615	308	307			$\ln(T) = 0.87\ln(X) + 2.46$	50% / 50%
	AM Peak Hour	50	8	42			$\ln(T) = 0.80\ln(X) + 0.26$	17% / 83%
	PM Peak Hour	58	39	19			$\ln(T) = 0.82\ln(X) + 0.32$	67% / 33%
Reductions for Pass-By Trips								
	Daily	0	0	0				
	AM Peak Hour	0	0	0				
	PM Peak Hour	0	0	0				
TOTAL PROJECT TRIPS								
	Daily	615	308	307				
	AM Peak Hour	50	8	42				
	PM Peak Hour	58	39	19				

Note:

¹ Where: T = Trips; X = Density by Variable

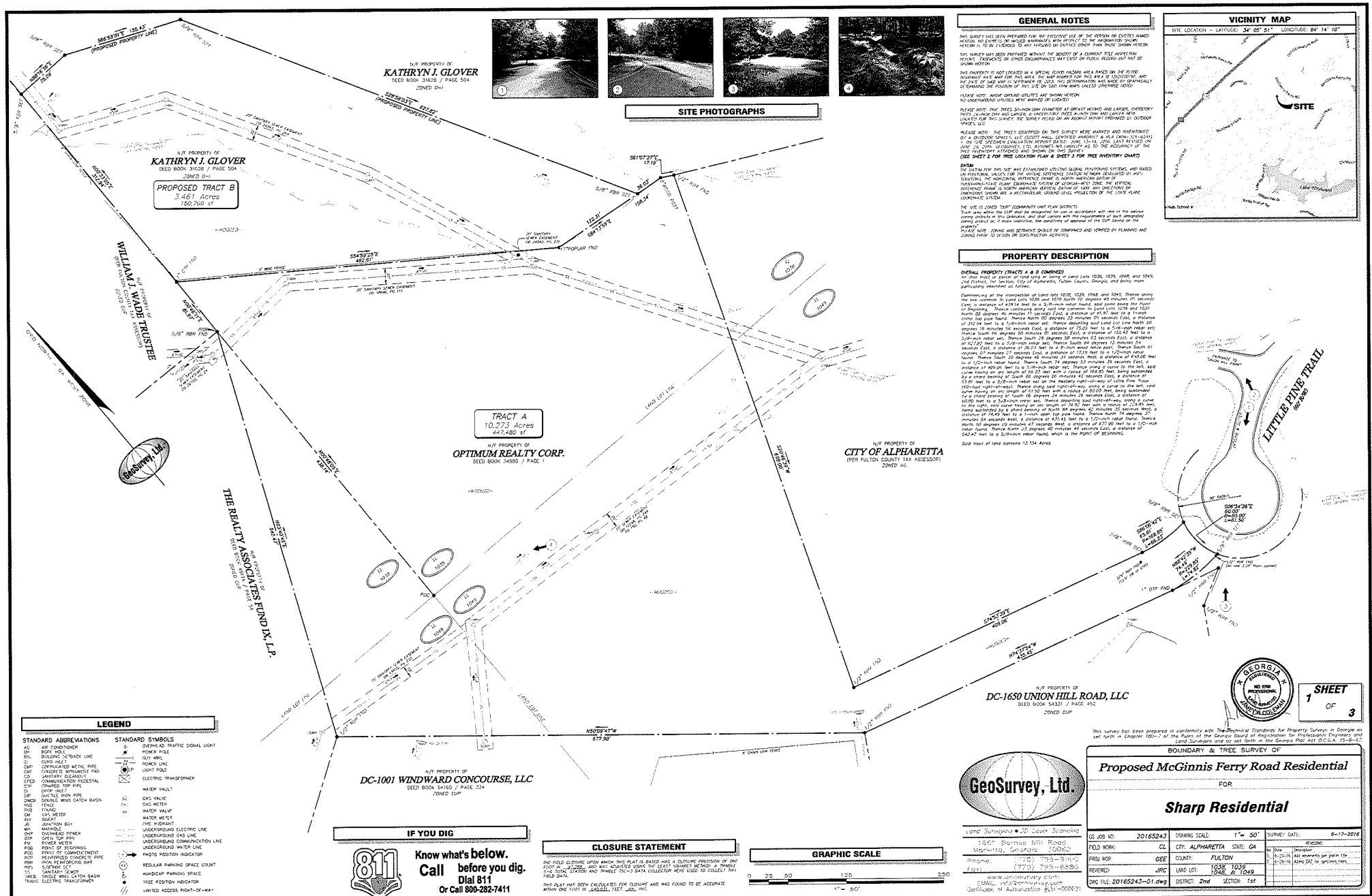
Legal Description

All that tract or parcel of land lying or being in Land Lots 1038, 1039, 1048, and 1049, 2nd District, 1st Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

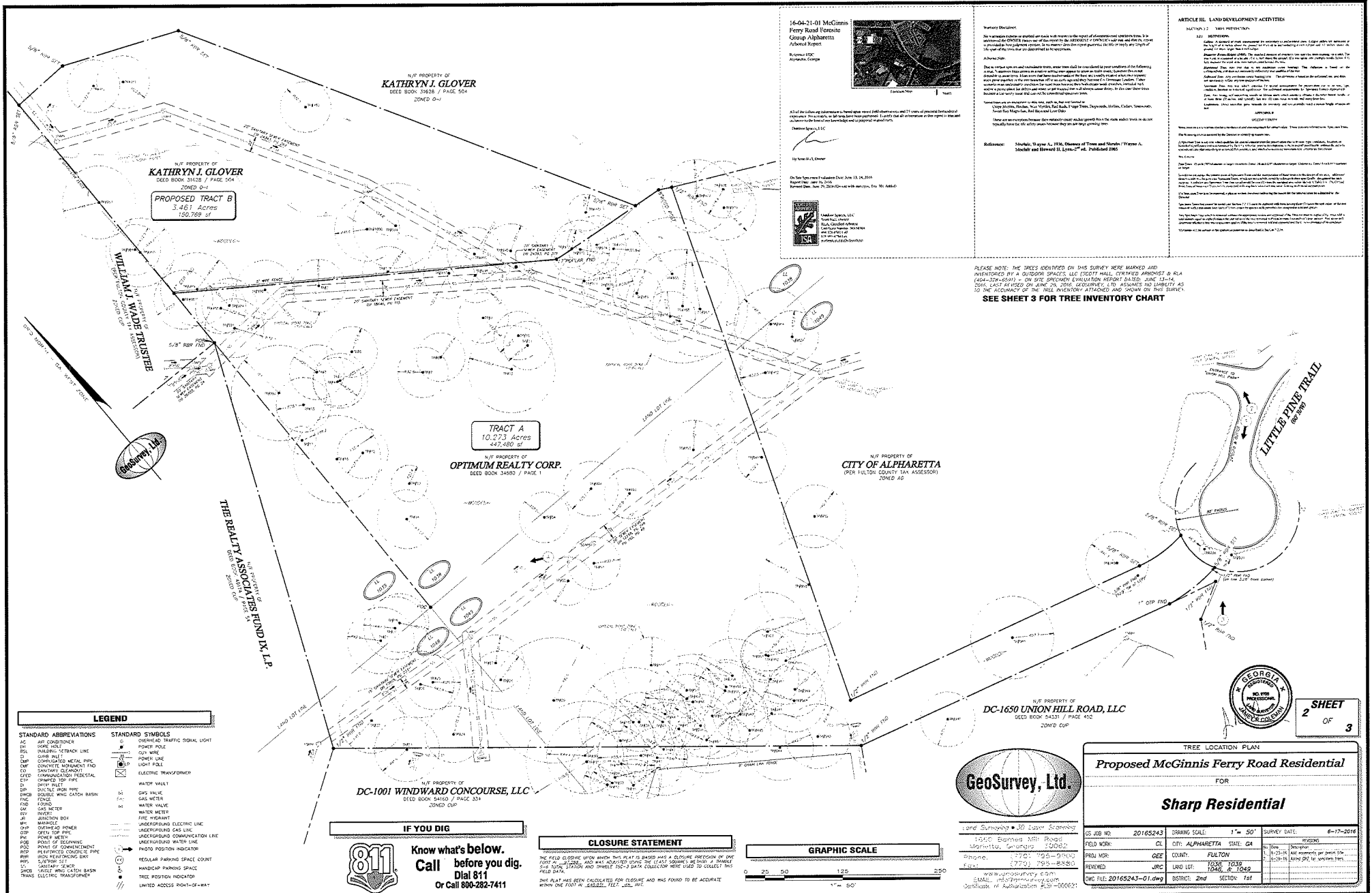
Commencing at the intersection of Land lots 1038, 1039, 1048, and 1049, Thence along the line common to Land Lots 1038 and 1039 North 00 degrees 48 minutes 05 seconds East, a distance of 438.14 feet to a 5/8-inch rebar found, said point being the **POINT OF BEGINNING**; Thence continuing along said line common to Land Lots 1038 and 1039 North 00 degrees 46 minutes 11 seconds East, a distance of 81.97 feet to a 1-inch crimp top pipe found; Thence North 00 degrees 33 minutes 05 seconds East, a distance of 312.94 feet to a 5/8-inch rebar set; Thence departing said Land Lot Line North 88 degrees 16 minutes 56 seconds East, a distance of 75.09 feet to a 5/8-inch rebar set; Thence South 66 degrees 58 minutes 01 seconds East, a distance of 155.43 feet to a 5/8-inch rebar set; Thence South 28 degrees 58 minutes 03 seconds East, a distance of 627.82 feet to a 5/8-inch rebar set; Thence South 84 degrees 13 minutes 59 seconds East, a distance of 36.03 feet to a 8-inch wood fence post; Thence South 61 degrees 07 minutes 27 seconds East, a distance of 17.19 feet to a 1/2-inch rebar found; Thence South 20 degrees 46 minutes 39 seconds West, a distance of 698.00 feet to a 1/2-inch rebar found; Thence South 74 degrees 53 minutes 39 seconds East, a distance of 409.06 feet to a 5/8-inch rebar set; Thence along a curve to the left, said curve having an arc length of 66.23 feet with a radius of 169.85 feet, being subtended by a chord bearing of South 86 degrees 06 minutes 42 seconds East, a distance of 65.81 feet to a 5/8-inch rebar set on the Westerly right-of-way of Little Pine Trace (60-foot right-of-way); Thence along said right-of-way, along a curve to the left, said curve having an arc length of 61.50 feet with a radius of 80.00 feet, being subtended by a chord bearing of South 06 degrees 34 minutes 26 seconds East, a distance of 60.00 feet to a 5/8-inch rebar set; Thence departing said right-of-way, along a curve to the right, said curve having an arc length of 74.82 feet with a radius of 229.85 feet, being subtended by a chord bearing of North 88 degrees 42 minutes 35 seconds West, a distance of 74.49 feet to a 1-inch open top pipe found; Thence North 74 degrees 37 minutes 54 seconds West, a distance of 435.45 feet to a 1/2-inch rebar found; Thence North 50 degrees 09 minutes 47 seconds West, a distance of 677.90 feet to a 1/2-inch rebar found; Thence North 23 degrees 40 minutes 49 seconds East, a distance of 542.47 feet to a 5/8-inch rebar found, which is the **POINT OF BEGINNING**.

Said tract of land contains 13.734 Acres.

Sharp Residential Townhomes/Windward



Sharp Residential Townhomes/Windward



Sharp Residential Townhomes/Windward

Species Account
General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with *Quercus* Oaks, *Ericaceae* and small Pines. There is a lack of understory from such as *Saururus*, *Elymus*, *Thymus*, *Chenopodium*, *Chenopodium*, *Chenopodium* or the like in the early stages of the Climax Phase.
 (Revised 6/26/04 Tree found by Sawyer, August 2001)

Species Analysis
(General Observations: The site appears to be in between Pioneer and Chertan Phase of succession. The site is dominated with *Gymnosperms*, *Shrub* and *Small Trees*. There is a lack of *moderately* trees such as *Saururus*, *Myrica*, *Black Cherry* and *undergrowth* an indication of *moderate* or *late* in the early stages of the Chertan Phase.
(Revised 6-26-11 Tree Stand by Jarrold, Tagged M1)

Species Analysis
(General Observations: The site appears to be in late winter/summer and shows signs of succession. The site is dominated with Quercus sp. and Pinus sp. There is a lack of understory trees and no Saplings, Regeneration, Herbaceous, and no/very few indicators of succession or the site is in the early stages of the C/DA Phase.
(Dated 6-29-14 Tree Island Survey, Tagged 50)

Speeches Analysis
 (General Observations) The site appears to be in between Phase 1 and Phase 2 of succession. The site is dominated with *Overbury* (Juncus), *Hieracium* and small *Plant*. There is a lack of *ruderal* (such as *Sonchus*, *Oxycoccus*, *Black Cherry*) and underbrush an indication of *ruderal* or the site is in the early stages of the *Plant* Phase.
 (Record 6-28-14 Tree found by *Barrow*, *England* MI)

PLEASE NOTE: THE TREES IDENTIFIED ON THIS SURVEY WERE MARKED AND INVENTORIED BY A OUTDOOR SPACES, LLC (SCOTT HALL, CERTIFIED ARBORIST # RL4 (404-374-6581)) - ON SITE SPECIEMN EVALUATION REPORT DATED: JUNE 13-14, 2016. LAST REVISED ON JUNE 28, 2016. GEOSURVEY, LTD ASSUMES NO LIABILITY AS TO THE ACCURACY OF THE TREE INVENTORY ATTACHED AND SHOWN ON THIS SURVEY.

Species Analysis

(General Observations: The site appears to be in between Pioneer and Clinch Plums of metamorphosis. The site is dominated with Occuray Oaks, Hickories and small Pines. There is a lack of secondary trees such as Sourwoods, Dogwoods, Black Cherries and undergrowth on indication of maintenance at the site is in the early stages of the Clinch Plume.

(Revised 6-29-84 Tree found by Norweger, Tagged M1)

Spentires Analyse
(General Observations: The site appears to be in broad Pioneer and Pioneer Thru succession. The site is dominated by Overstory Oaks, Hickories and small Pines. There is a lack of understorey trees such as; Barberries, Dogwoods, Black Cherries and understorys as indication of disturbance or that the site is in the early stages of the Pioneer Phase.
(Revised 6-29-84 Tree listed by Surveyor, Tagged 391)

Species Analysis

(General Observation: The site appears to be in between Pioneer and Glassy Phase of succession. The site is dominated with *Gnaphalium* sp., *Impatiens* and small plants. There is a lack of undergrowth trees such as; *Swartzia*, *Dysoxylum*, *Black Cherry* and *Strobilanthus* an indication of maintenance at the site is in the early stages of the Glassy Phase.

(Revised 6-29-16 Text issued by NECTFOR, Tagged 201)

General Observations: The site appears to be in between Pioneer and Clinton Phases of outcrops. The site is dominated with Ordinary Onks, Hibernia and small Pine. There is a lack of ordinary trees such as: Sycamores, Dogwoods, Black Cherry and underbark an indication of maintenance or the site is in the early stages of the Clinton Phase.

3 **SHEET**
OF **3**

Proposed McGinnis Ferry Road Residential

Sharp Residential

GeoSurvey, Ltd.

2nd Surveying • 30 Exam Questions

1800 Barnes Hill Road
Madison, Wisconsin 53704

3000 1701 799-9999

Sec: (773) 795-8990

www.gossardity.com
Call 1-800-955-5555

Certificate of Authorization #LSI-00062

DS JOB NO:	20165243	DRAWING SCALE:	1" = 50'	SURVEY DATE:	6-17-2016
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FILE NO:	CL	CITY: ALPHARETTA	STATE: GA	PERSON
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PROJ: MEER	GFF	COUNTY: FULTON	Date: 10-25-16	Description: Add encumbrance per previous line
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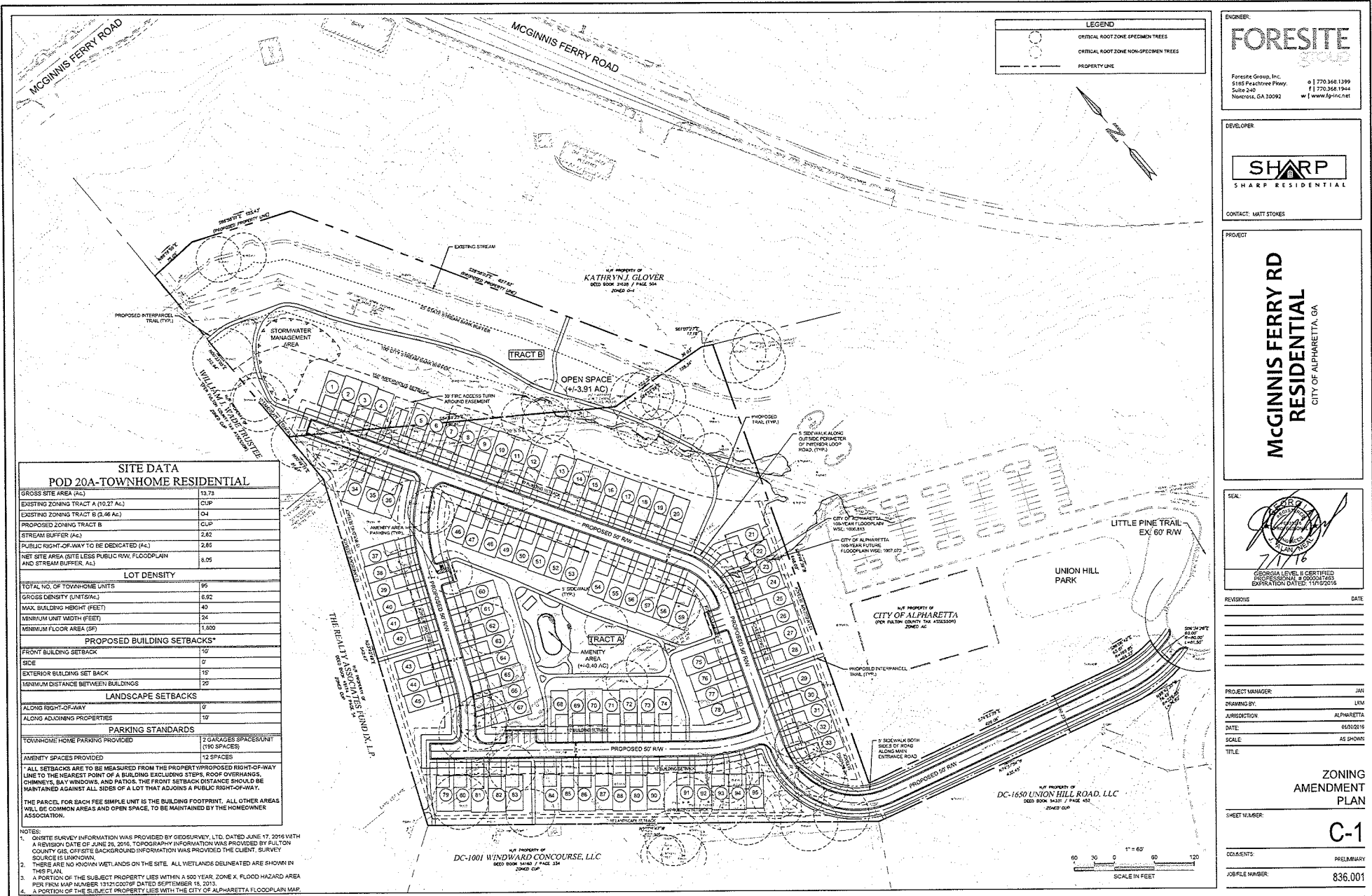
FILE NO: 20165243-01 dnc	DISTRICT: 2nd	SECTION: 1st
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7/1/16

Sharp Residential Townhomes/Windward



7/1/16

Sharp Residential Townhomes/Windward

16-04-21-01 McGinnis Ferry Road Foresite Group Alpharetta Arborist Report

Reference UDC
Alpharetta, Georgia



Location Map



All of the following information is based upon visual field observations and 25 years of practical horticultural experience. No scientific or lab tests have been performed. I certify that all information in this report is true and inclusive to the best of my knowledge and is prepared in good faith.

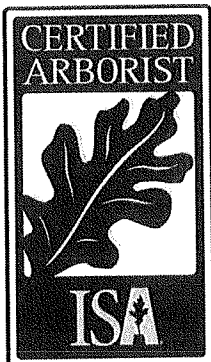
Outdoor Spaces, LLC

By Scott Hall, Owner

On Site Specimen Evaluation Date: June 13, 14, 2016

Report Date: June 16, 2016

Revised Date: June 29, 2016 (On site with surveyor, Tree 301 Added)



Outdoor Spaces, LLC
Scott Hall, Owner
RLA, Certified Arborist
Certificate Number: SO-5434A
404-328-6561 Cell
678-965-4784 Fax
scottandcyrena@bellsouth.net

Warranty Disclaimer:

No warranties express or implied are made with respect to the report of aforementioned specimen trees. It is understood the OWNER makes use of this report by the ARBORIST at OWNER's sole risk and that the report is provided as best judgment opinion. In no manner does this report guarantee the life or imply any length of life span of the trees that are determined to be specimens.

Arborist Note:

Due to certain species and undesirable traits, some trees shall be considered in poor condition if the following is true. Numerous trees grown in a native setting may appear to grow as multi-trunk; however this is not desirable in most trees. Most trees that have multi-trunks at the base are usually created when two separate trees grow together or the tree branches off at an early age and they become Co-Dominate Leaders. Either scenario is an undesirable condition for most trees because they both create weak crotches, included bark and/or a prime place for debris and water to get trapped that will always cause decay. In this case these trees become a life safety issue and can not be considered specimen trees.

Some trees are an exception to this rule, such as, but not limited to:

Crape Myrtles, Birches, Wax Myrtles, Red Buds, Fringe Trees, Dogwoods, Hollies, Cedars, Sourwoods, Sweet Bay Magnolias, Red Bays and Live Oaks.

These are an exception because they naturally create sucker growth from the roots and/or trunk or do not typically have the life safety issues because they are not large growing trees.

Reference: **Sinclair, Wayne A., 1936. Diseases of Trees and Shrubs / Wayne A. Sinclair and Howard H. Lyon.-2nd ed. Published 2005**

ARTICLE III. LAND DEVELOPMENT ACTIVITIES

SECTION 3.2 TREE PROTECTION

3.2.1 DEFINITIONS

Caliper. A standard of trunk measurement for understory or replacement trees. Caliper inches are measured at the height of 6 inches above the ground for trees up to and including 4 inch caliper and 12 inches above the ground for trees larger than 4 inch caliper.

Diameter Breast-Height (DBH). The standard measure of overstory tree size (for trees existing on a site). The tree trunk is measured at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, measure the trunk at its most narrow point beneath the split.

Hardwood Tree. Any tree that is not coniferous (cone bearing). This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

Softwood Tree. Any coniferous (cone bearing) tree. This definition is based on the colloquialism, and does not necessarily reflect any true qualities of the tree.

Specimen Tree. Any tree which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance. See additional requirements for Specimen Trees in Appendix B.

Tree. Any living, self-supporting woody or fibrous plant which normally obtains a diameter breast height of at least three (3) inches, and typically has one (1) main stem or trunk and many branches.

Understory. Those trees that grow beneath the overstory, and will generally reach a mature height of under 40 feet.

APPENDIX B

SPECIMEN TREES

Some trees on a site warrant special consideration and encouragement for conservation. These trees are referred to as Specimen Trees.

The following criteria are used by the Director to identify specimen trees.

A Specimen Tree is any tree which qualifies for special consideration for preservation due to its size, type, condition, location, or historical significance and is determined by the City Arborist, prior to development, to be in overall good health without the aid of a specialized care plan according to accepted ISA practices, and which also meets the minimum size criteria set forth below.

Size Criteria

Pine Trees: 30-inch (30") diameter or larger Overstory Trees: 24-inch (24") diameter or larger Understory Trees: 8-inch (8") diameter or larger

In order to encourage the conservation of Specimen Trees and the incorporation of these trees into the design of projects, additional density credit will be given for Specimen Trees, which are successfully saved by a design feature specifically designated for such purpose. Credit for any Specimen Tree thus saved would be two (2) times the assigned unit value shown in Table 3.4. The Critical Root Zone of Specimen Trees will be protected with hog-back/wire-back tree save fencing with metal support poles.

If a Specimen Tree is to be removed, a plan or written document indicating the reason for the removal must be submitted to the Director.

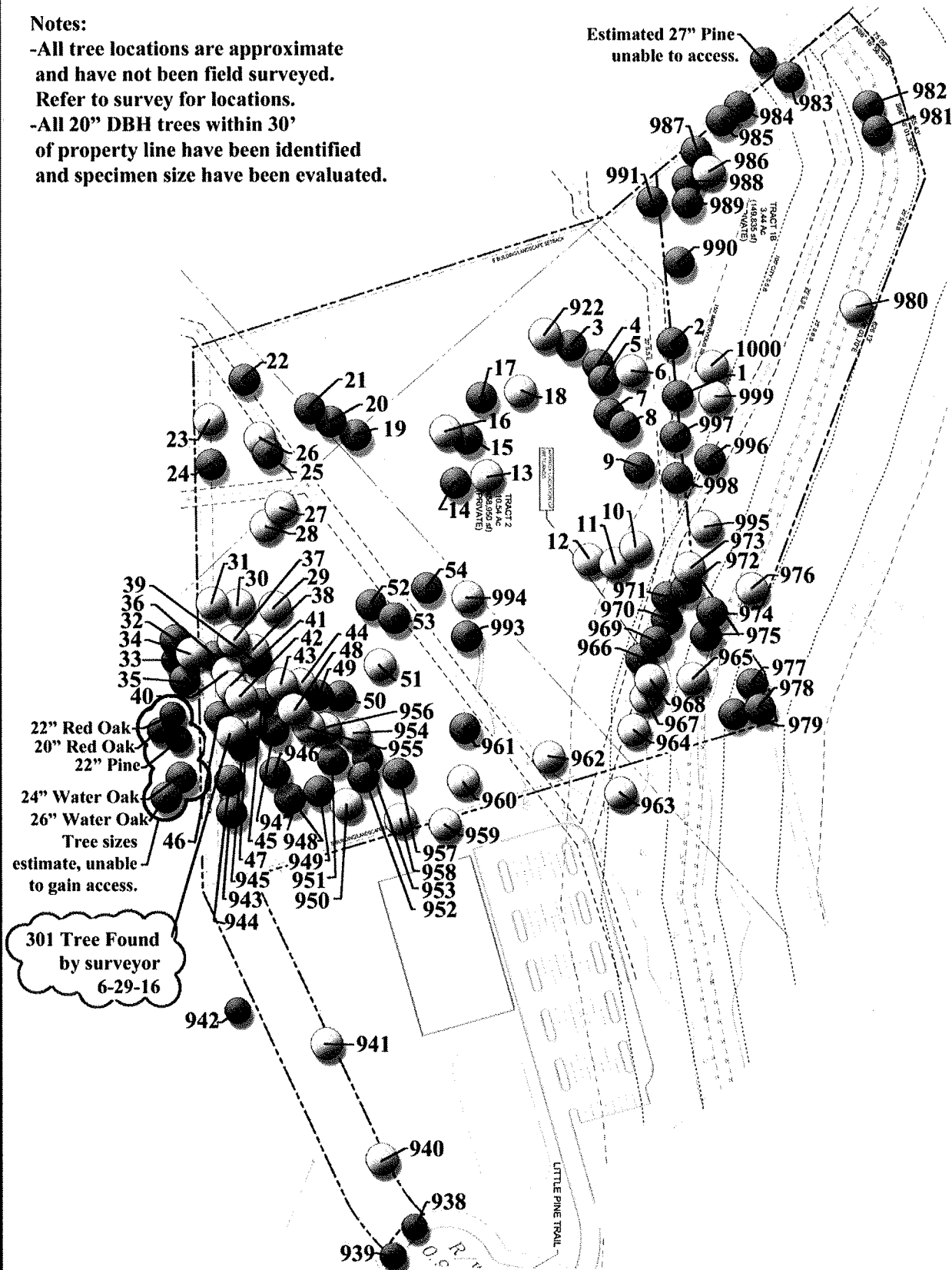
Specimen Trees that cannot be saved (see Section 3.2.13) must be replaced with trees having three (3) times the unit value of the tree removed with a minimum four-inch (4") tree caliper by species with potentials for comparable size and quality.

Any Specimen Tree which is removed without the appropriate review and approval of the Director must be replaced by trees with a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Size alone will determine whether a tree was a specimen quality if the tree is removed without approval and there is no evidence of its condition.

Violations will be subject to the applicable penalties as described in Section 3.2.19.

Notes:

- All tree locations are approximate and have not been field surveyed. Refer to survey for locations.
- All 20" DBH trees within 30' of property line have been identified and specimen size have been evaluated.



- Landscape/ Boundary Tree
- Specimen
- Non-Specimen

Not To Scale



North

**Specimen
Location Plan**

Specimen Analysis						
(General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
938	5" Tulip Poplar	Good	Good	No	Landscape Tree	
939	5" Tulip Poplar	Good	Good	No	Landscape Tree	
940	31" Pin Oak	Poor	Poor	No	Large cavity with decay. Due to condition tree is not a design consideration.	1
941	41" Tulip Poplar	Poor	Poor	No	Large cavity with decay. Due to condition tree is not a design consideration.	2
942	27" Pine	Fair	Fair	No	Border Tree	
943	32" Pin Oak	Fair	Fair	Yes	Due to condition, this tree should be taken into design consideration.	
944	33" Pin Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
945	36" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
946	26" Tulip Poplar	Fair	Fair	Yes	Due to condition, this tree should be taken into design consideration.	
947	27" Tulip Poplar	Fair	Fair	Yes	Due to condition, this tree should be taken into design consideration.	
948	31" Tulip Poplar	Fair	Fair	Yes	Due to structure/ condition tree is not a design consideration.	
949	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
950	43" (22"-27") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	3
951	28" Tulip Poplar	Fair	Fair	Yes	Due to structure/ condition tree is not a design consideration.	
952	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
953	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
954	37" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	4
955	28" Tulip Poplar	Poor	Poor	No	Several cavities with decay. Due to condition tree is not a design consideration.	5-6

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
956	27" Tulip Poplar	Poor	Poor	No	Cavity with decay. Apparent Phytophthora on root crown. Due to condition tree is not a design consideration.	7-8
957	39" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
958	49" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with decay in crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	
959	31" Red Maple	Poor	Poor	No	Several cavities with decay. Trunk Gall. Due to condition tree is not a design consideration.	9-11
960	25" Red Maple	Poor	Poor	No	Trunk Gall. Trunk sounds hollow with decay on trunk. Due to condition tree is not a design consideration.	12
961	29" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
962	25" Red Maple	Poor	Poor	No	Trunk Gall. Trunk sounds hollow. Due to condition tree is not a design consideration.	13
963	26" Red Maple	Poor	Poor	No	Multiple trunk galls. Due to condition tree is not a design consideration.	14
964	36" Red Maple	Poor	Poor	No	2 Co-Dominate Leaders with 1 dead/ broken and weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	15
965	56" Sycamore	Fair	Poor	No	3 Co-Dominate Leaders with weak crotches and included bark. Tulip Poplar is growing into trunk. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	16
966	25" Water Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
967	47" (18"-18"-17") Tulip Poplar	Fair	Poor	No	Three trees grown together creating 3 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	17
968	56" (26"-17"-17") Tulip Poplar	Fair	Poor	No	Three trees grown together creating 3 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	18
969	24" Sweet Gum	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
970	26" Sweet Gum	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
971	26" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
972	29" River Birch	Fair	Good	Yes	Due to condition, this tree should be taken into design consideration.	
973	19" River Birch	Good	Good	No	Is not considered an understory tree, therefore it does not meet the minimum size criteria for an overstory tree.	
974	29" Sycamore	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
975	26" Sycamore	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
976	18" River Birch	Good	Good	No	Is not considered an understory tree, therefore it does not meet the minimum size criteria for an overstory tree.	
977	36" Pine	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
978	28" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
979	32" Pine	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
980	25" Tulip Poplar	Fair	Good	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
981	34"(Estimated) Willow	Fair	Good	Yes	Due to species tree is not a design consideration.	
982	26" River Birch	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
983	36" Scarlet Oak	Good	Good	Yes	Tree is equipped with lightning protection. Due to condition, this tree should be taken into design consideration.	
984	25" Red Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
985	34" Red Oak	Good	Good	Yes	Tree is equipped with lightning protection. Due to condition, this tree should be taken into design consideration.	
986	36" Tulip Poplar	Poor	Poor	No	Large cavity with decay. Due to condition tree is not a design consideration.	19
987	29" Red Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
988	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
989	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
990	29" Shagbark Hickory	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
991	29" Water Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
992	47" (22"-20"-14") Tulip Poplar	Fair	Poor	No	Three trees grown together creating 3 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	20
993	25" Water Oak	Fair	Fair	Yes	Due to condition, this tree should be taken into design consideration.	
994	27" Tulip Poplar	Poor	Poor	No	Large hollow cavity with decay. Due to condition tree is not a design consideration.	21

Specimen Analysis						
(General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
995	27" Red Maple	Poor	Poor	No	Two trees grown together creating 2 Co-Dominate Leaders with active gummosis on trunk. Cavities and decay in trunk. Trunk sounds hollow. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	22-24
996	27" White Oak	Fair	Fair	Yes	Due to condition tree is not a design consideration.	
997	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
998	27" Hickory	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
999	42" (23"-25") Red Maple	Fair	Poor	No	Two trees grown together creating 2 Co-Dominate Leaders with weak crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	25
1000	32" Red Maple	Poor	Poor	No	Several cavities with decay. Due to condition tree is not a design consideration.	26-27
1	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
2	26" Red Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
3	27" Sweet Gum	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
4	24" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
5	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
6	25"(14"-8") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	28
7	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
8	24" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
9	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
10	24"(14"-10") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	29
11	24"(14"-9") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	30
12	43" (22"-21") Tulip Poplar	Fair	Poor	No	Two trees grown together creating 2 Co-Dominate Leaders with weak crotch and included bark. Several hollow cavities with decay. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	31-32
13	18" River Birch	Good	Good	No	Is not considered an understory tree, therefore it does not meet the minimum size criteria for an overstory tree.	
14	29" Water Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
15	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
16	43" (23"-18") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	33
17	14" Sourwood	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
18	27" (18"-14") Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	
19	29" Red Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
20	31" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	

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Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
21	33" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
22	32" Red Maple	Fair	Fair	Yes	Due to condition, this tree should be taken into design consideration.	
23	32" Red Maple	Poor	Poor	No	Large cavity with decay. Due to condition tree is not a design consideration.	34
24	28" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
25	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
26	33" Red Maple	Poor	Poor	No	2 Co-Dominate Leaders with decay in crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	35
27	28" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	36
28	29" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with decay in crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	37
29	62" Tulip Poplar	Fair	Poor	No	3 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	38
30	38" Tulip Poplar	Poor	Poor	No	Large cavity with decay. Due to condition tree is not a design consideration.	39
31	60" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with decay in crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	40

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
32	24" Water Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
33	22" White Oak	Good	Good	Yes	Boundary Tree. Due to condition, this tree should be taken into design consideration.	
34	46" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	41
35	26" Post Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
36	33" Red Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
37	34" Tulip Poplar	Poor	Poor	No	Deep cavity holding water with decay. Due to condition tree is not a design consideration.	42
38	54" (36"-24"-18") Tulip Poplar	Fair	Poor	No	Two trees grown together creating 3 Co-Dominate Leaders with weak crotch and included bark. Several hollow cavities with decay. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	43
39	29" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
40	43" (24"-20"-10") Tulip Poplar	Fair	Poor	No	3 Co-Dominate Leaders with hollow cavity in crotch and included bark. Tulip Poplar is growing into trunk. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	44
41	30" Tulip Poplar	Poor	Poor	No	Large hollow cavity with decay. Due to condition tree is not a design consideration.	45
42	46" Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Large cavity with decay and fruiting bodies. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	46-47

Specimen Analysis (General Observations: The site appears to be in between Pioneer and Climax Phase of succession. The site is dominated with Overstory Oaks, Hickories and small Pines. There is a lack of understory trees such as; Sourwoods, Dogwoods, Black Cherries and underbrush an indication of maintenance or the site is in the early stages of the Climax Phase. (Revised 6-29-16 Tree found by Surveyor, Tagged 301)						
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)
43	32" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	
44	25" Tulip Poplar	Fair	Poor	No	3 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	
45	26" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
46	33" Post Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
47	42" (22"-18") Tulip Poplar	Poor	Poor	No	Large cavity with decay. 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	48
48	47" Tulip Poplar	Poor	Poor	No	Active gummosis at union of crotch. 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Due to condition tree is not a design consideration.	49
49	24" Sweet Gum	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
50	27" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
51	42" Tulip Poplar	Poor	Poor	No	Fruiting body on roots. Severe decay in trunk from large broking limb.	50-51
52	24" Water Oak	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
53	26" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
54	25" Tulip Poplar	Good	Good	Yes	Due to condition, this tree should be taken into design consideration.	
301	31" Tulip Poplar	Poor	Poor	No	Cavity with decay. Apparent Phytophthora on trunk indicating trunk rot. Due to condition tree is not a design consideration.	52-53

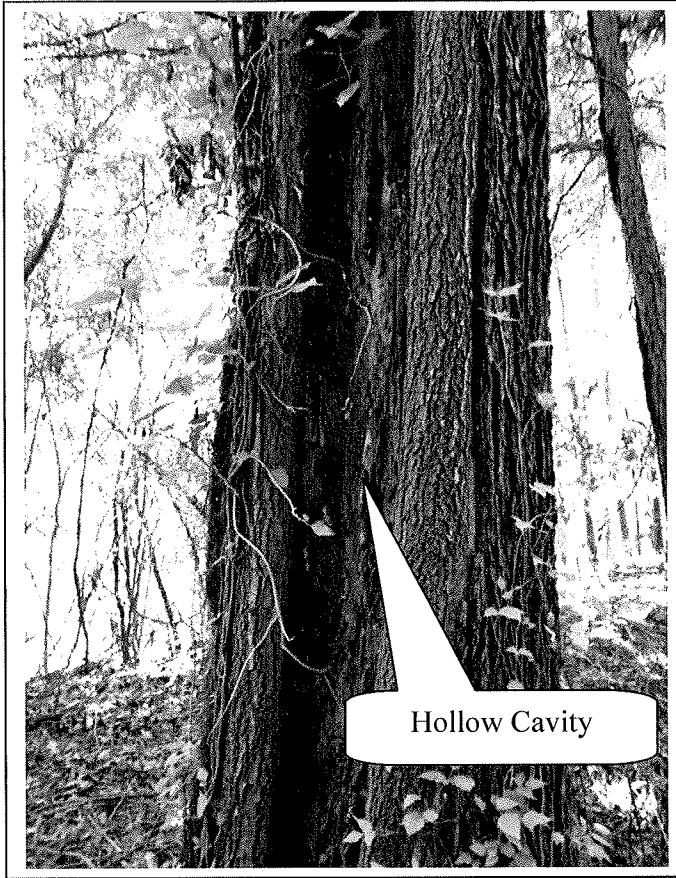


Photo 1

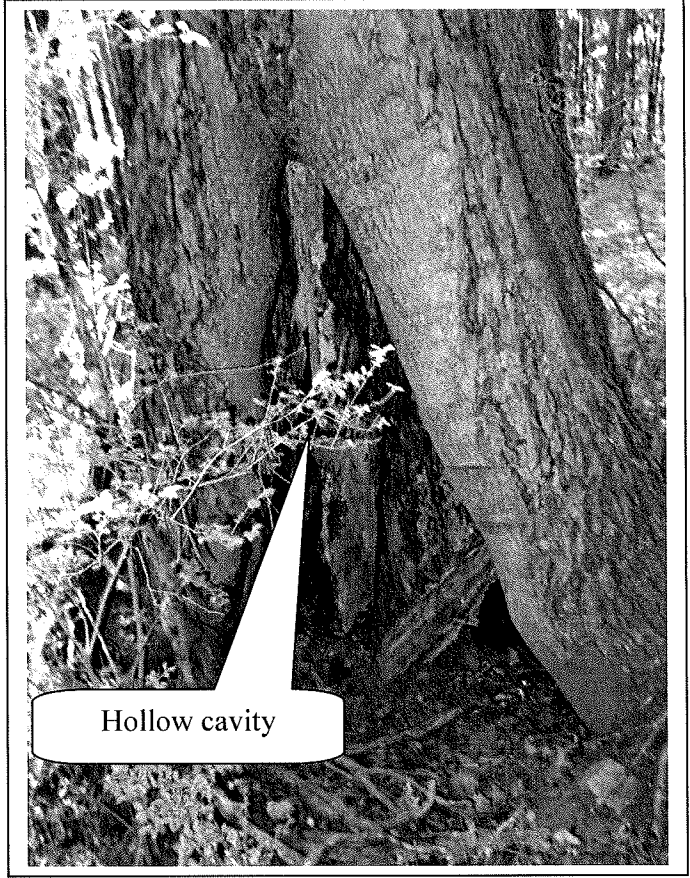


Photo 2



Photo 3

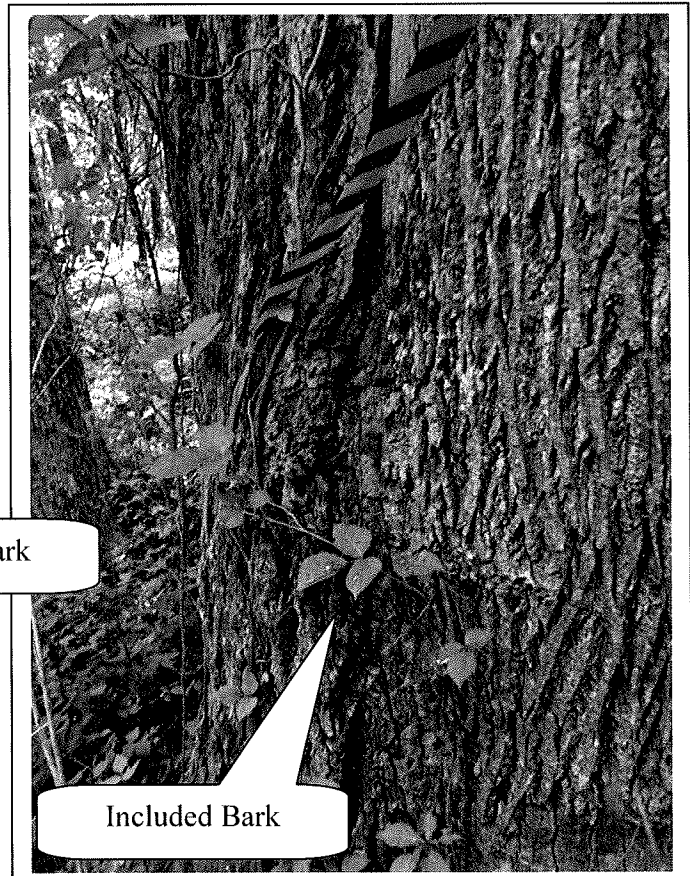


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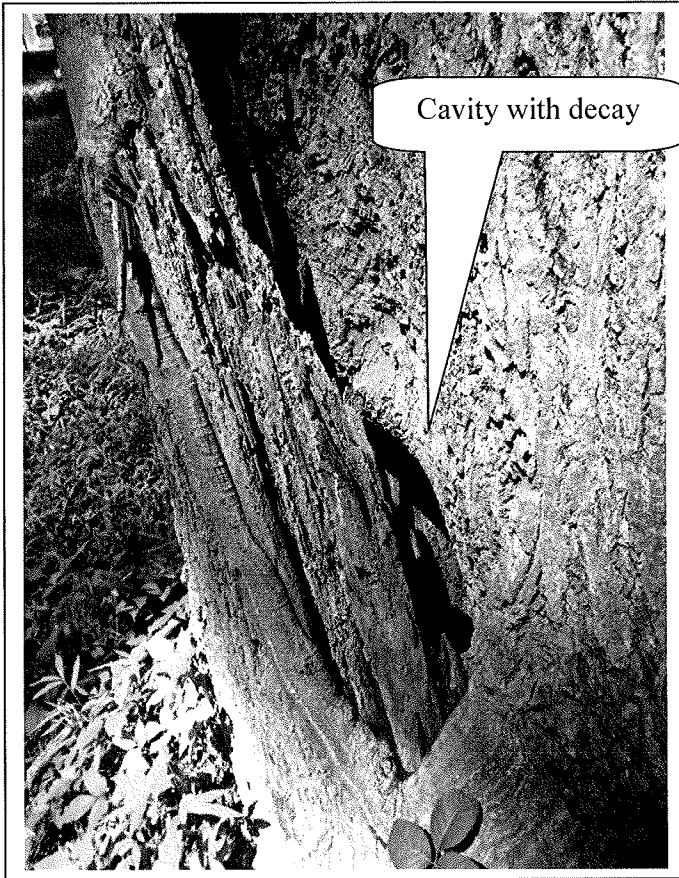


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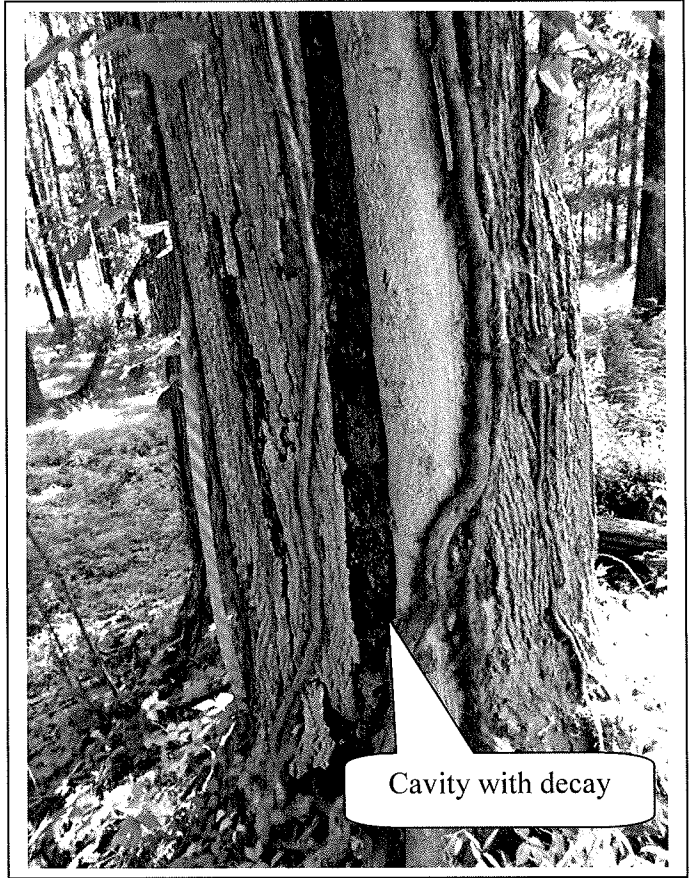


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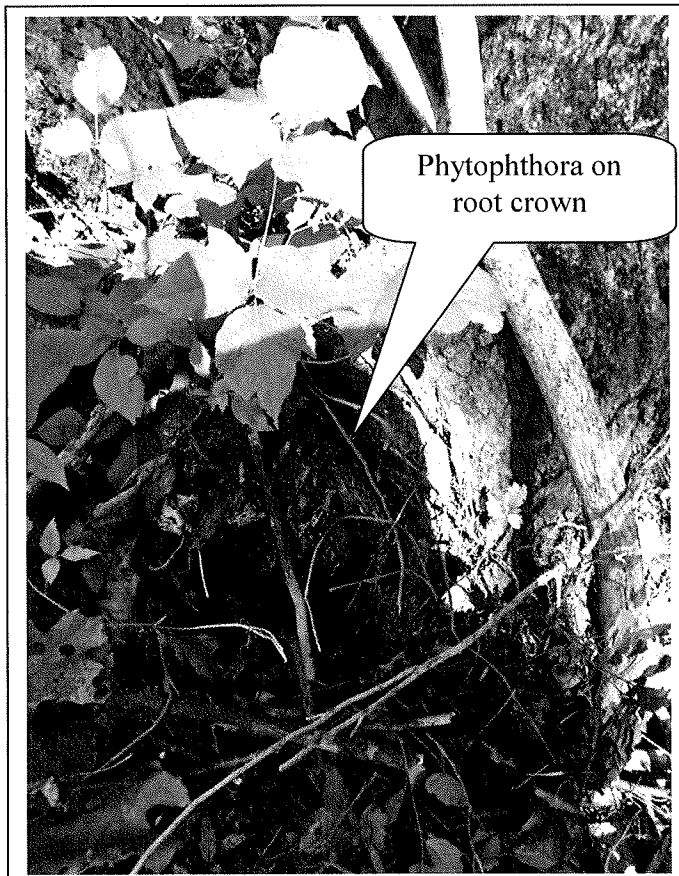


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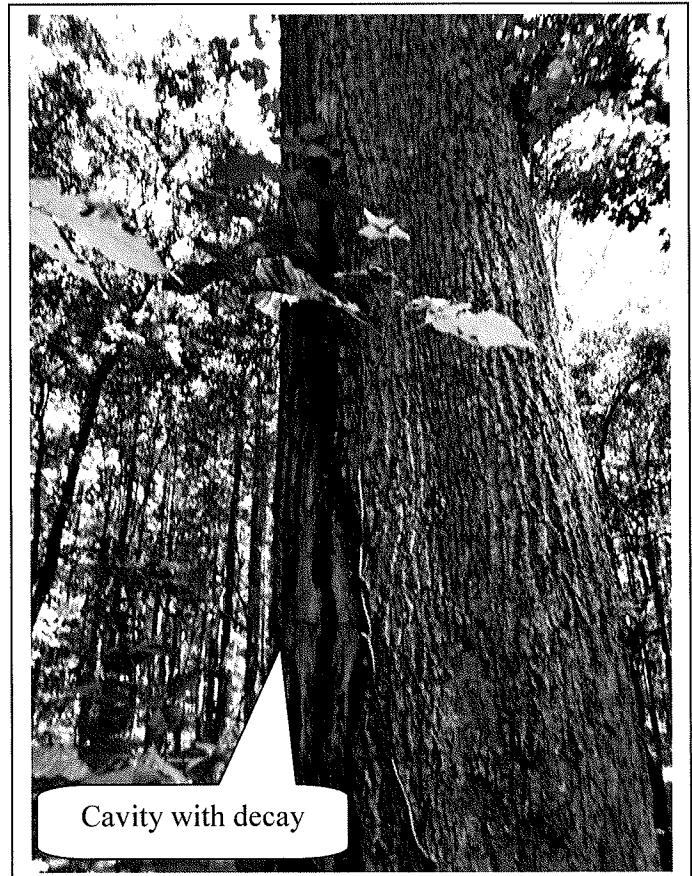


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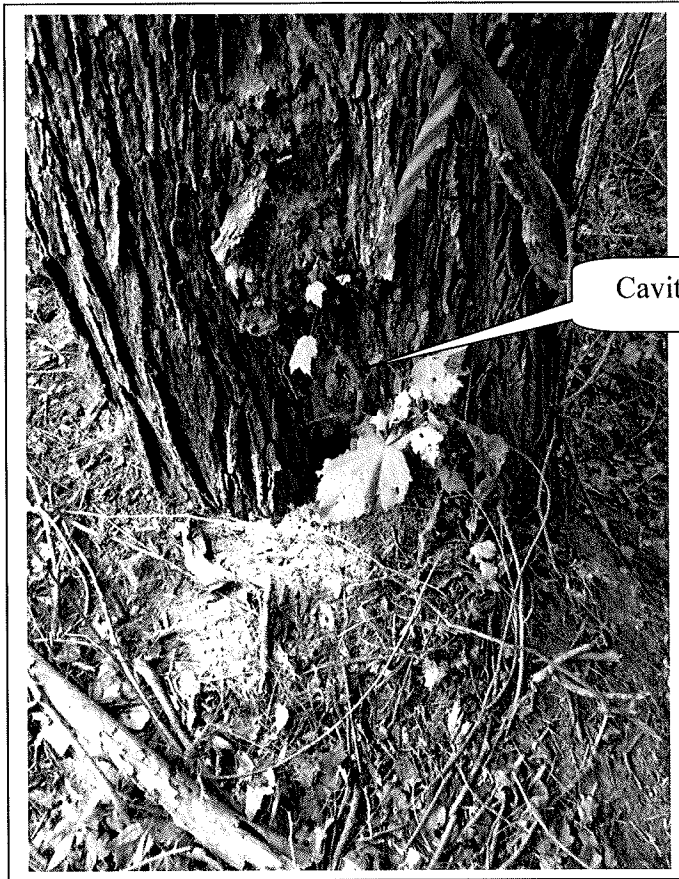


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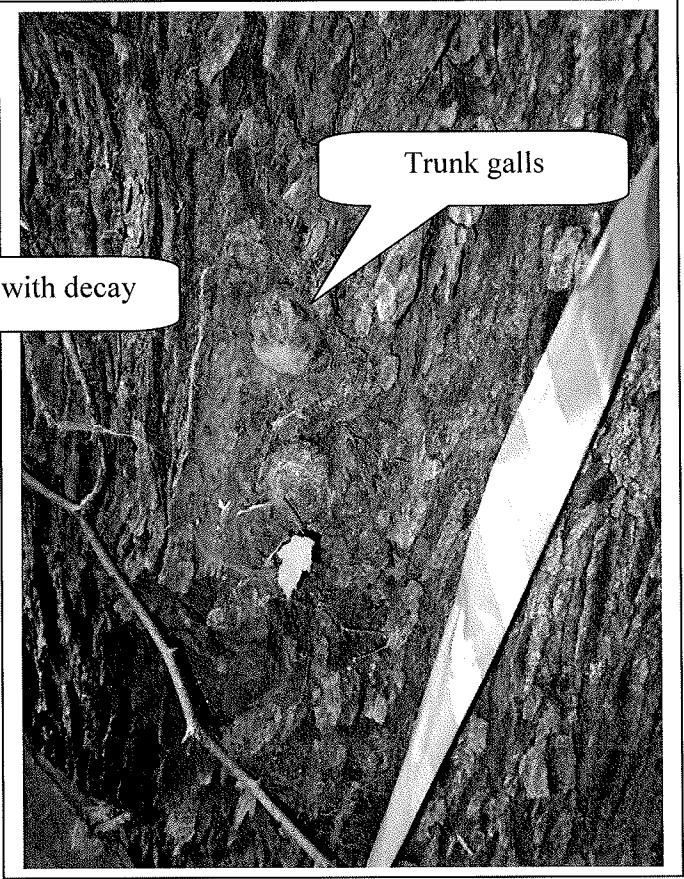


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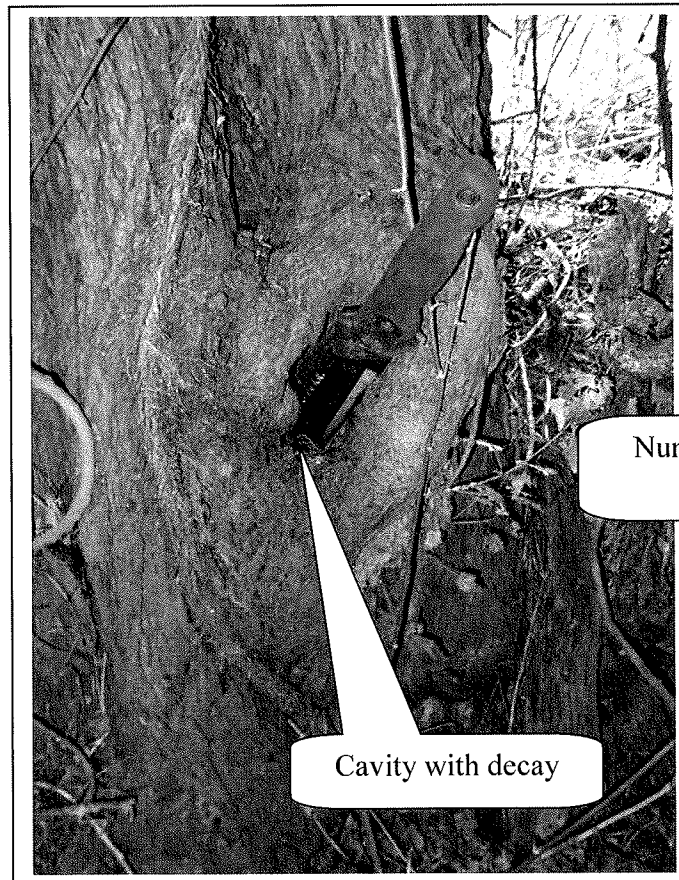


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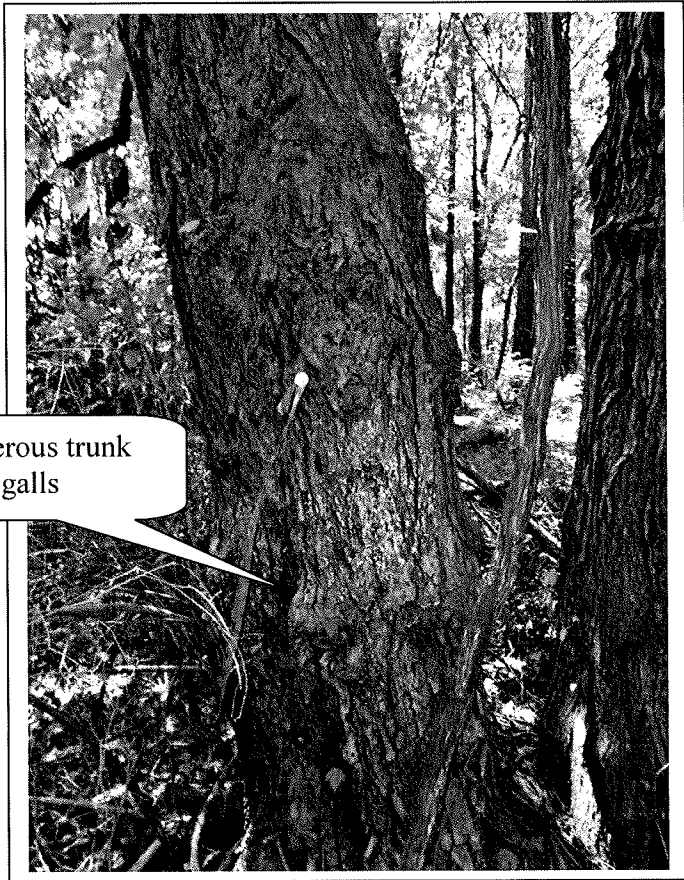


Photo 12



Photo 13

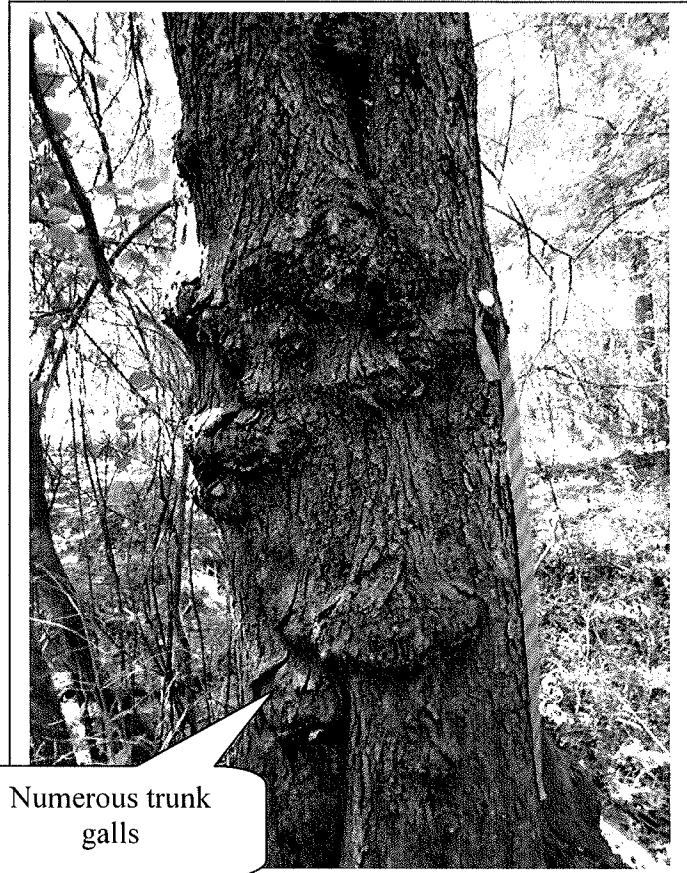


Photo 14

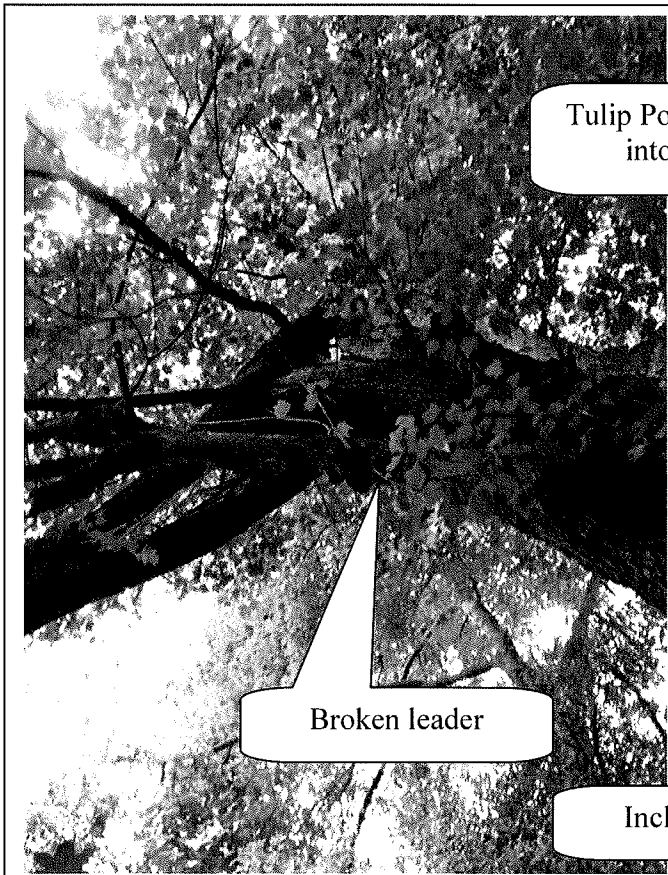


Photo 15

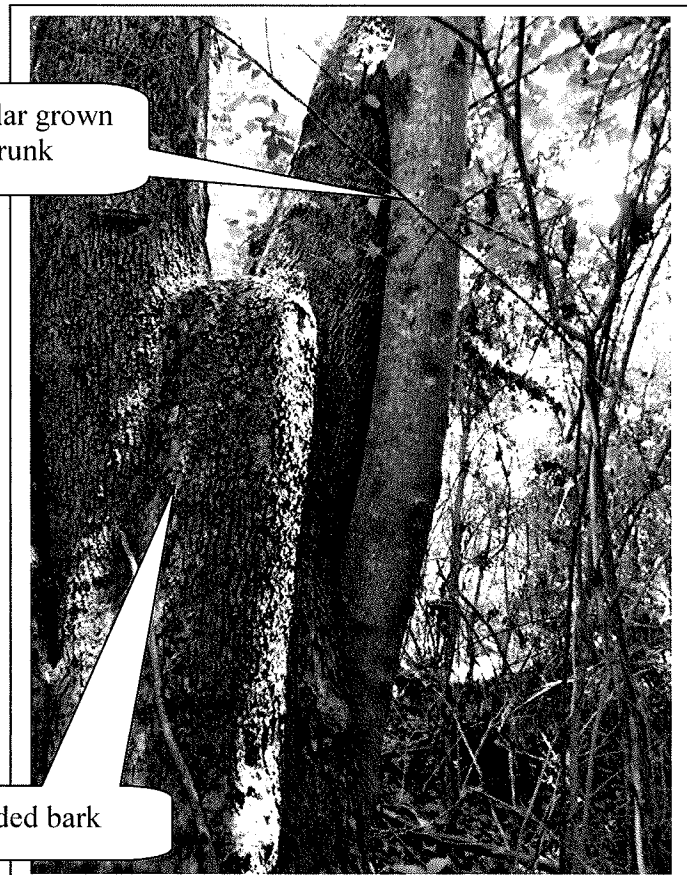


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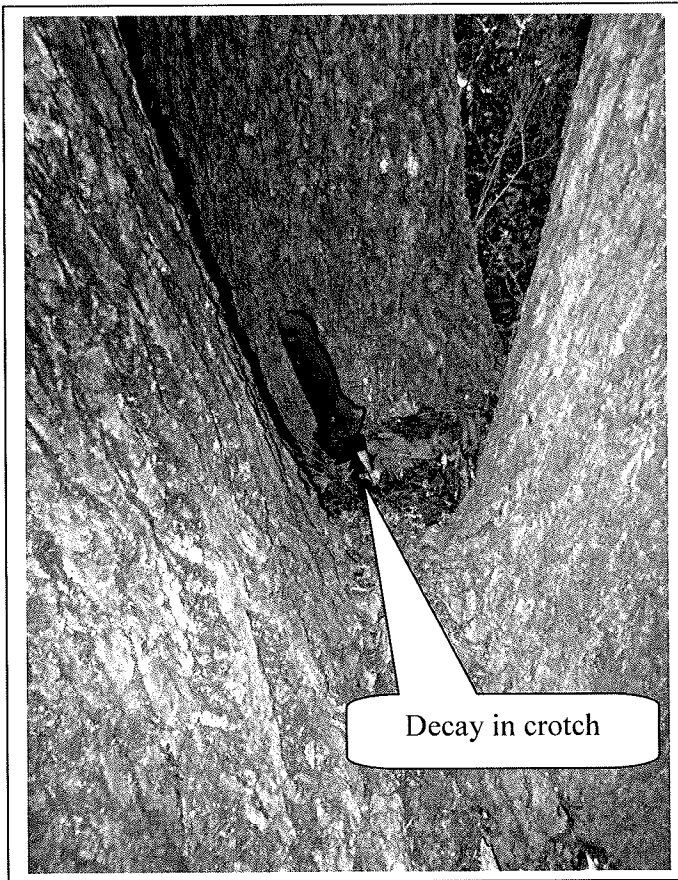


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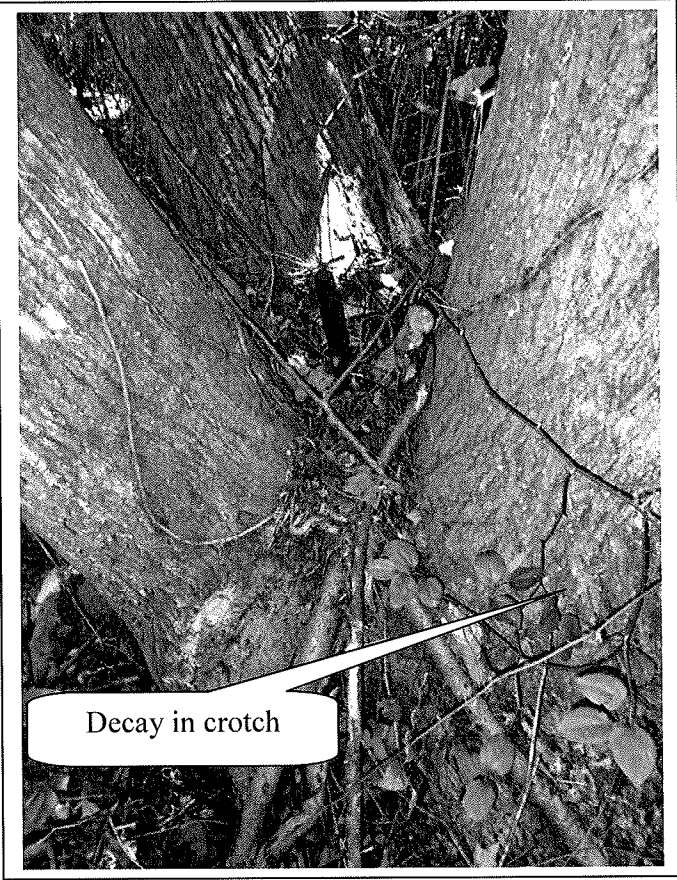


Photo 18

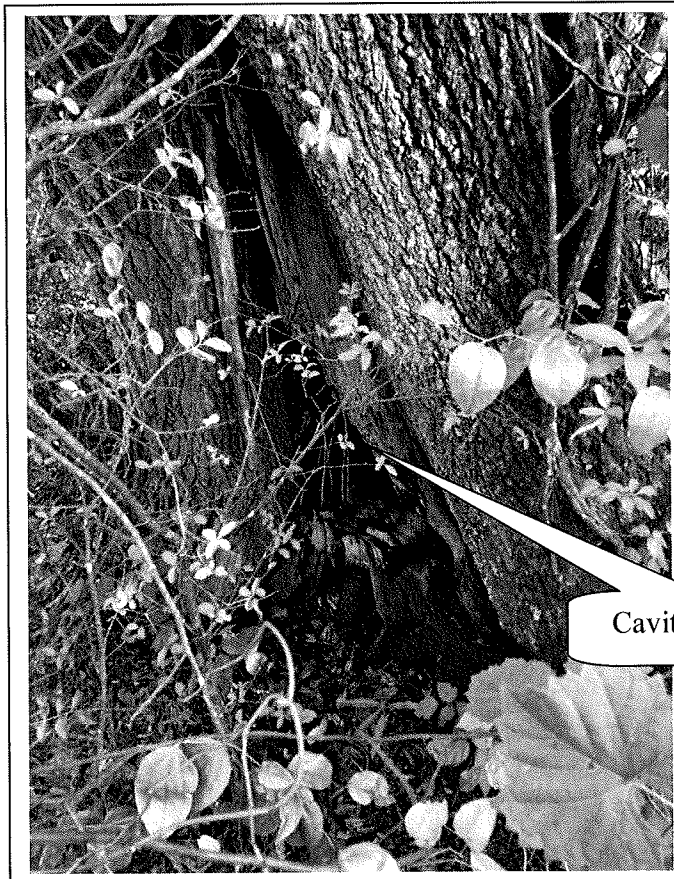


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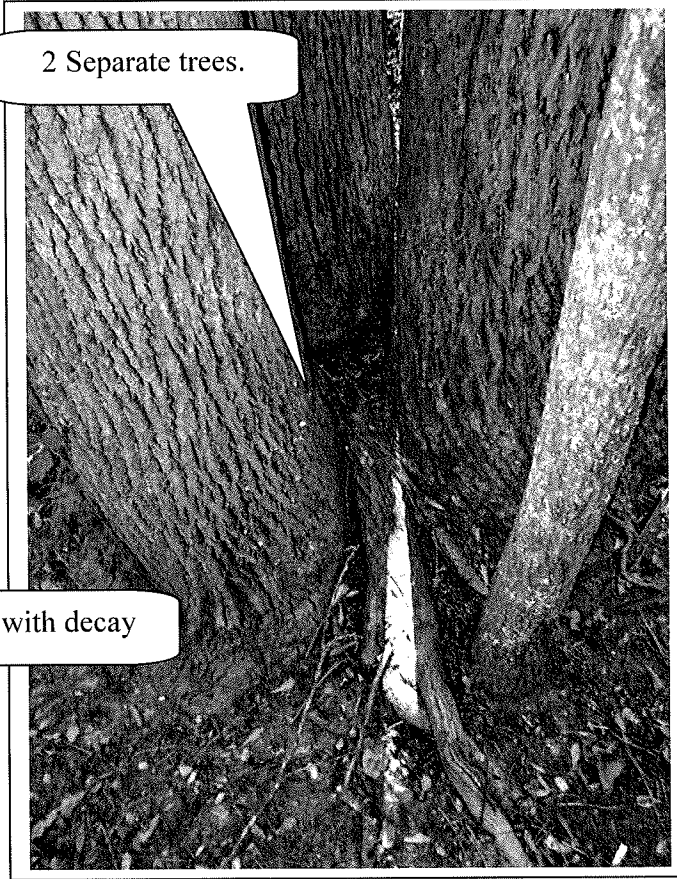


Photo 20

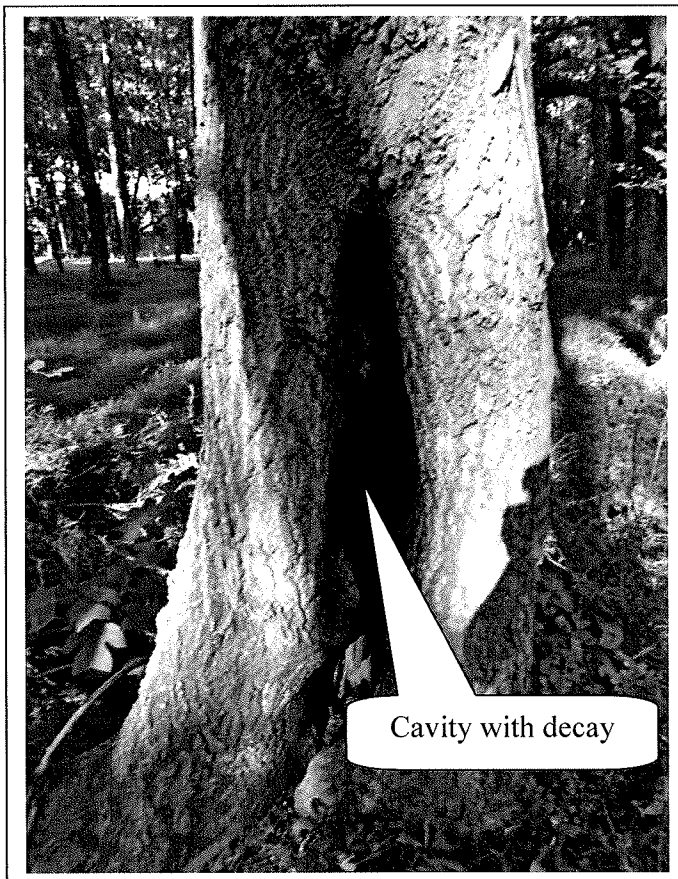


Photo 21



Photo 22

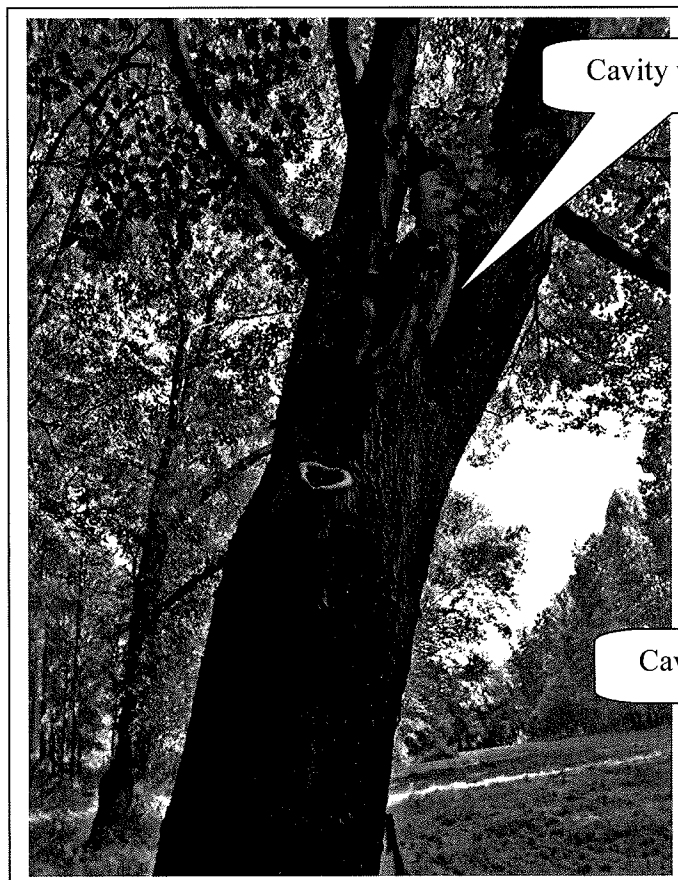


Photo 23

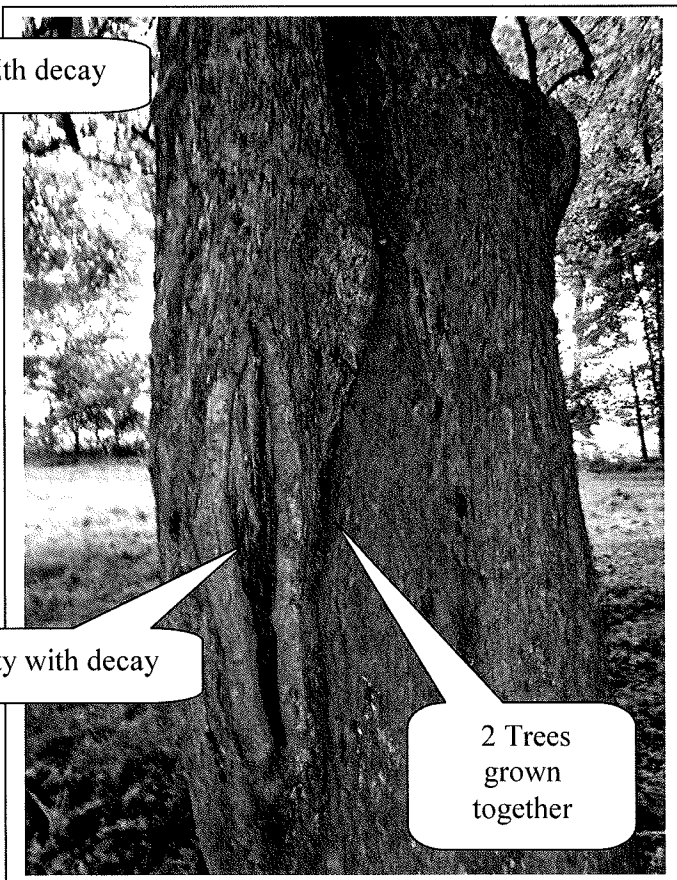
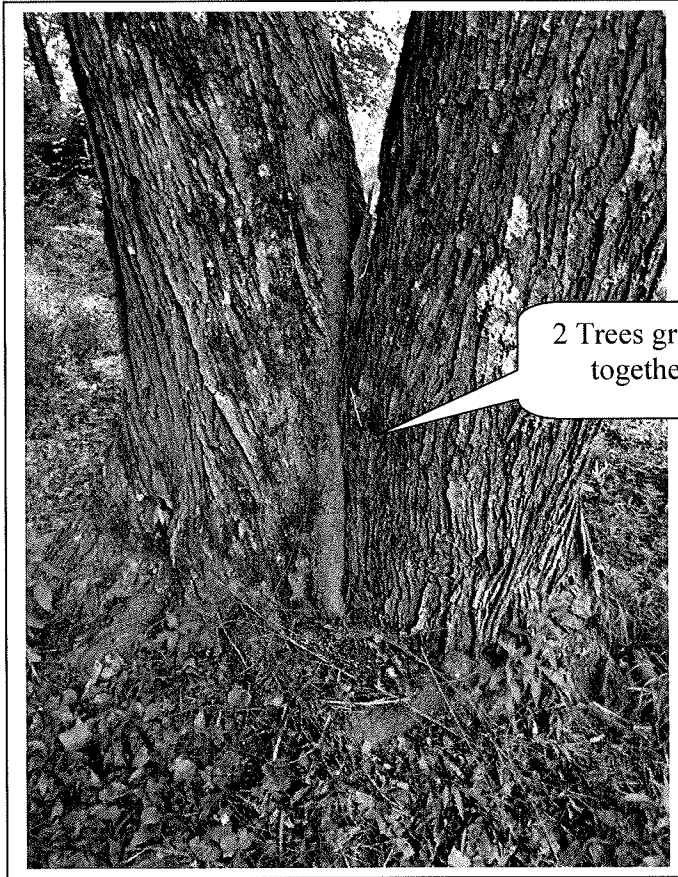
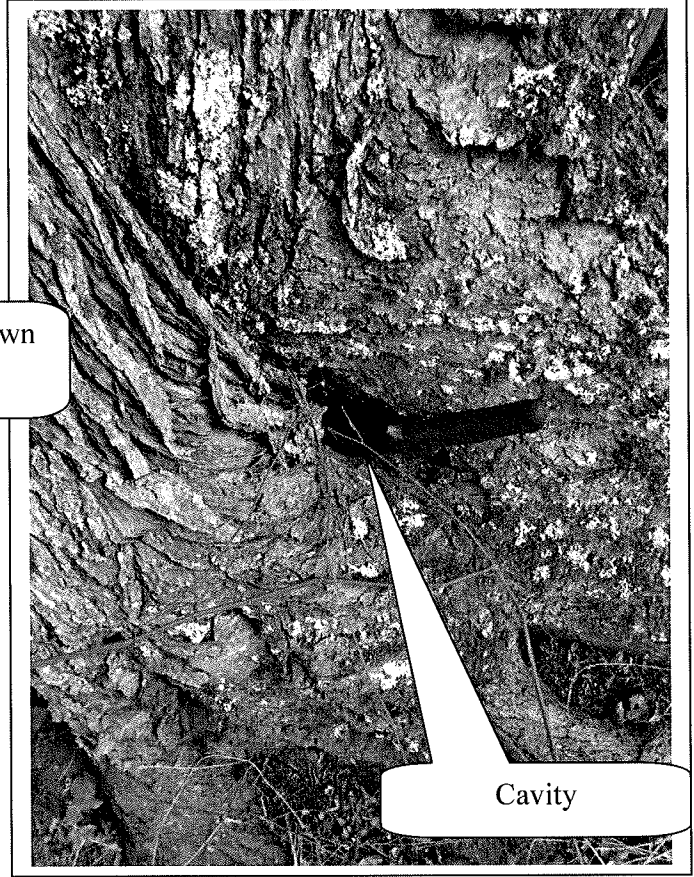


Photo 24



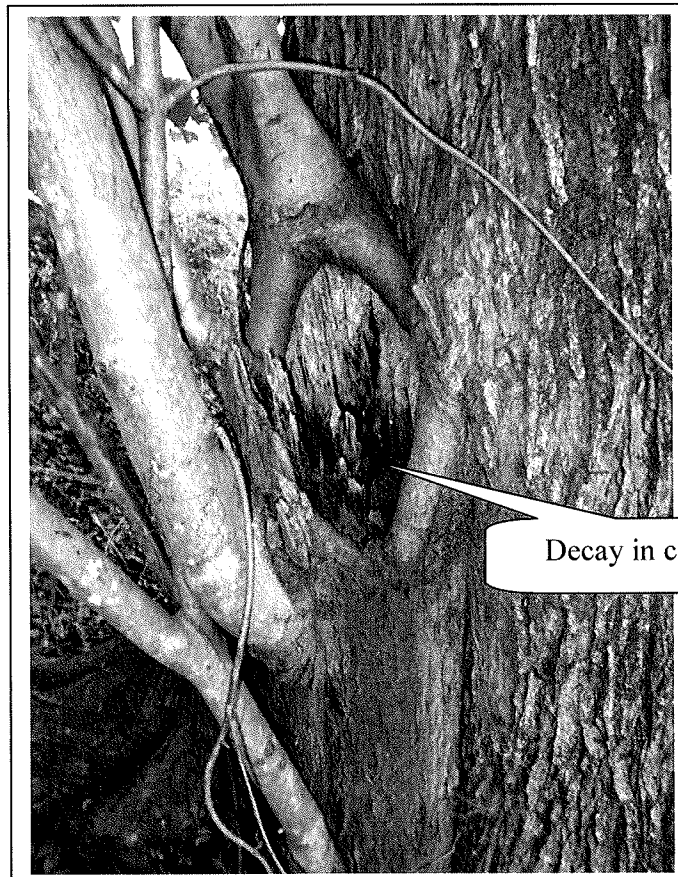
2 Trees grown together

Photo 25



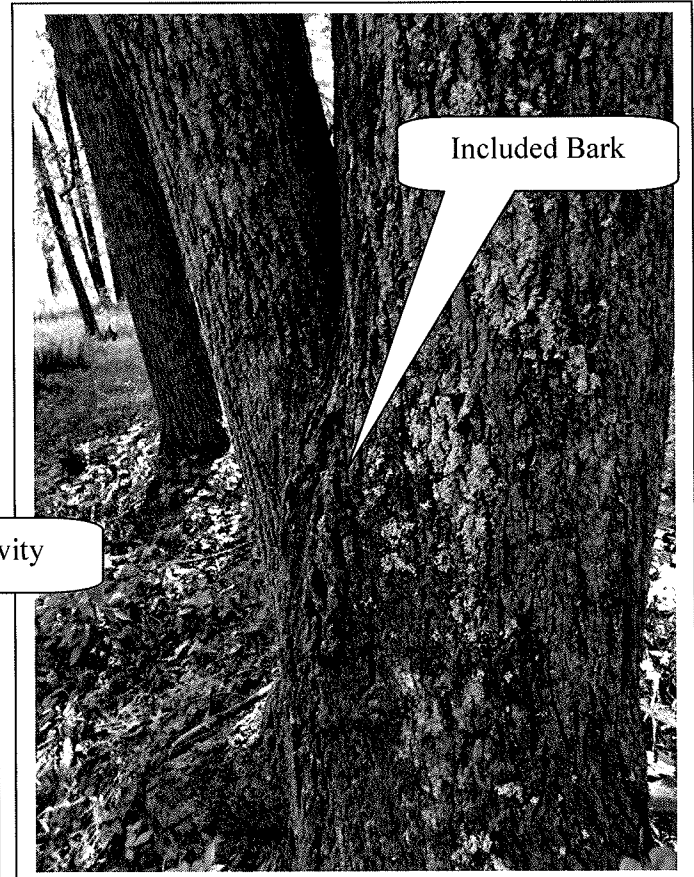
Cavity

Photo 26



Decay in cavity

Photo 27



Included Bark

Photo 28

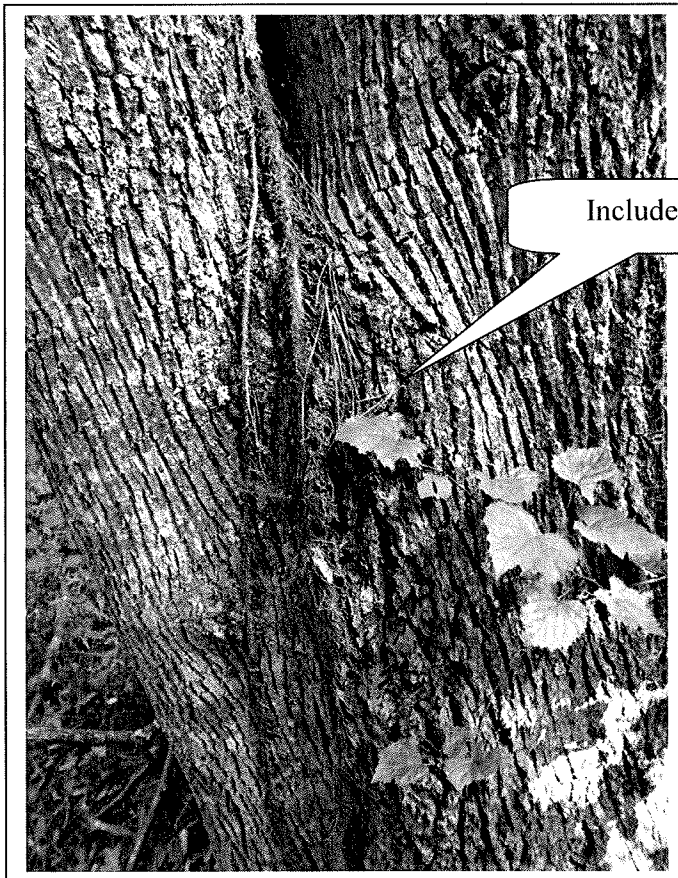


Photo 29

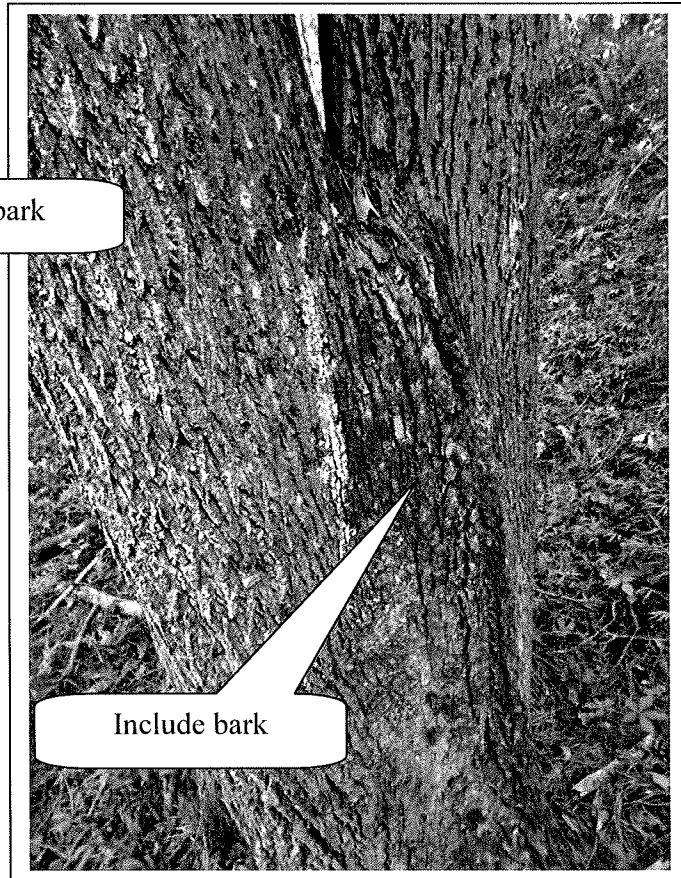


Photo 30

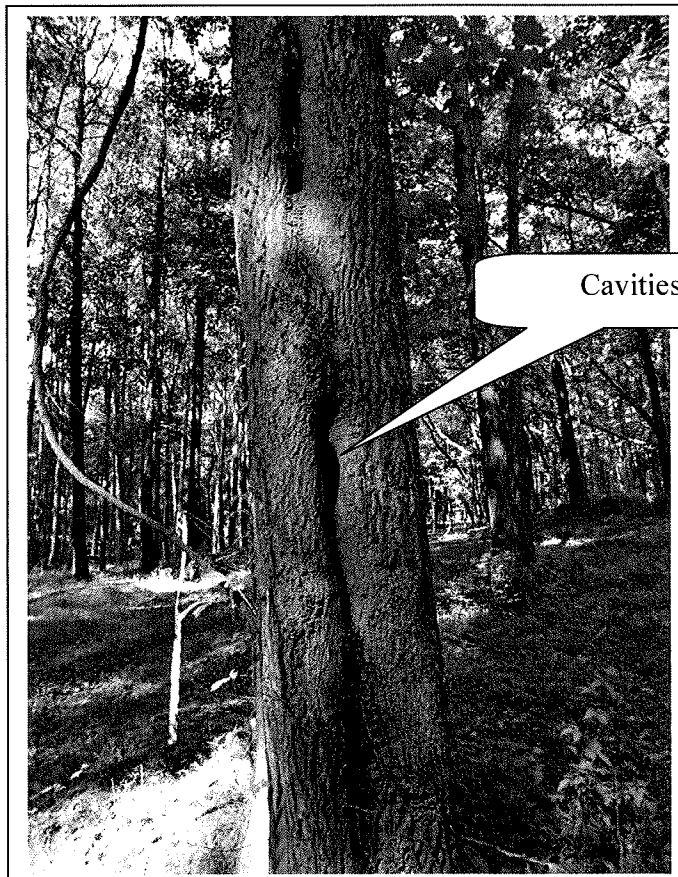


Photo 31

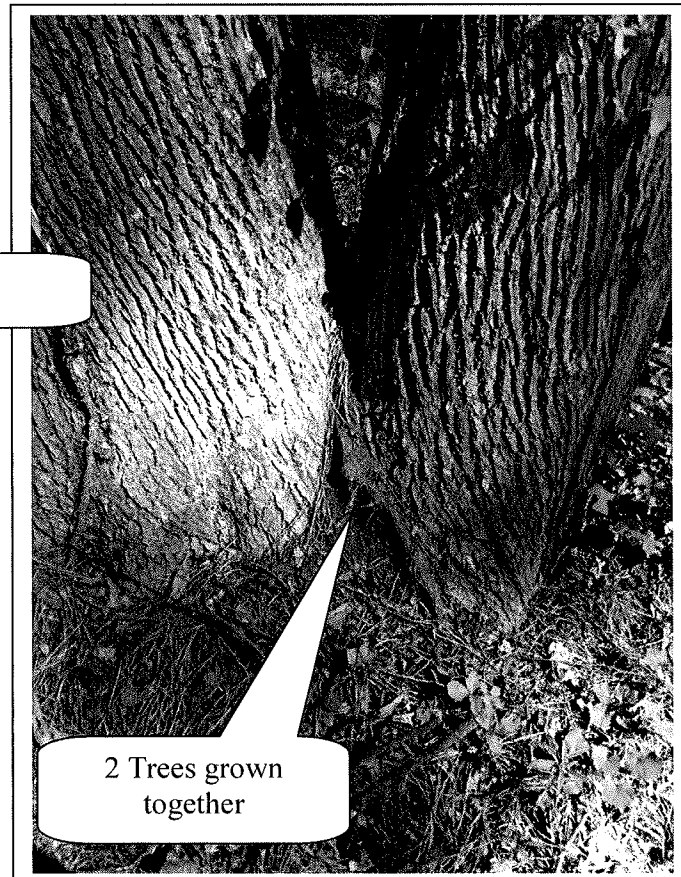


Photo 32



Photo 33

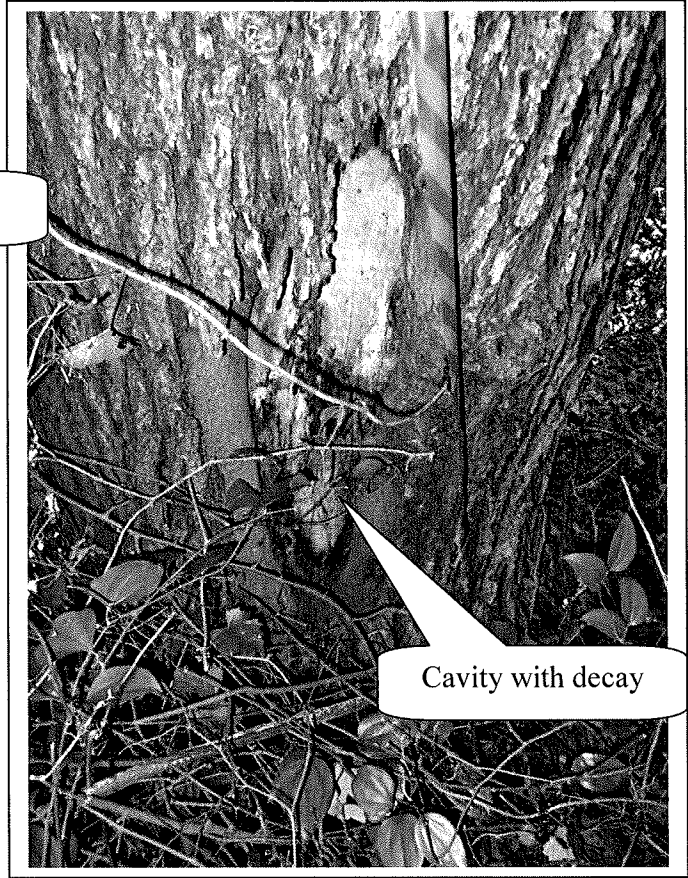


Photo 34

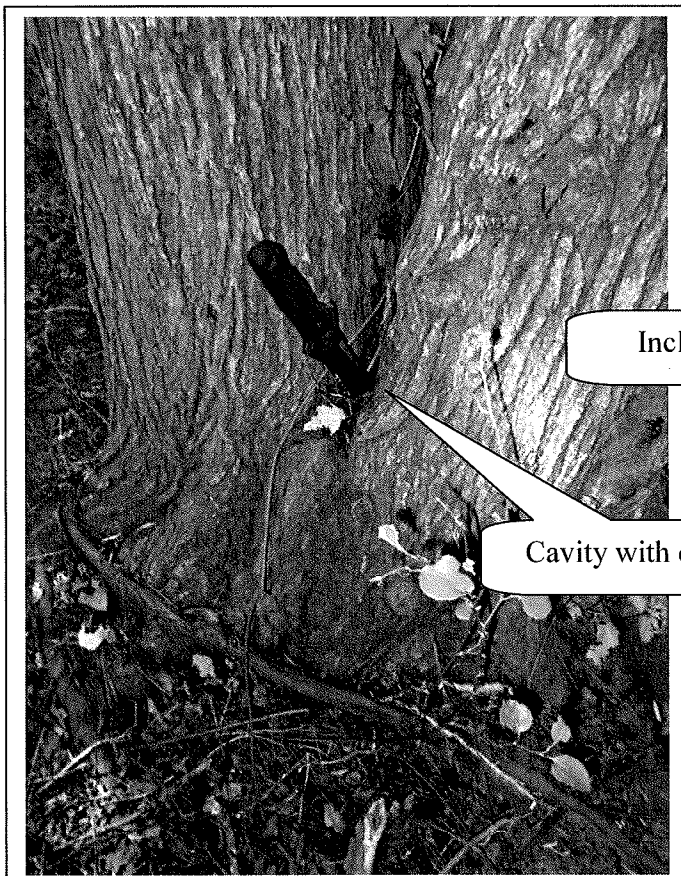


Photo 35

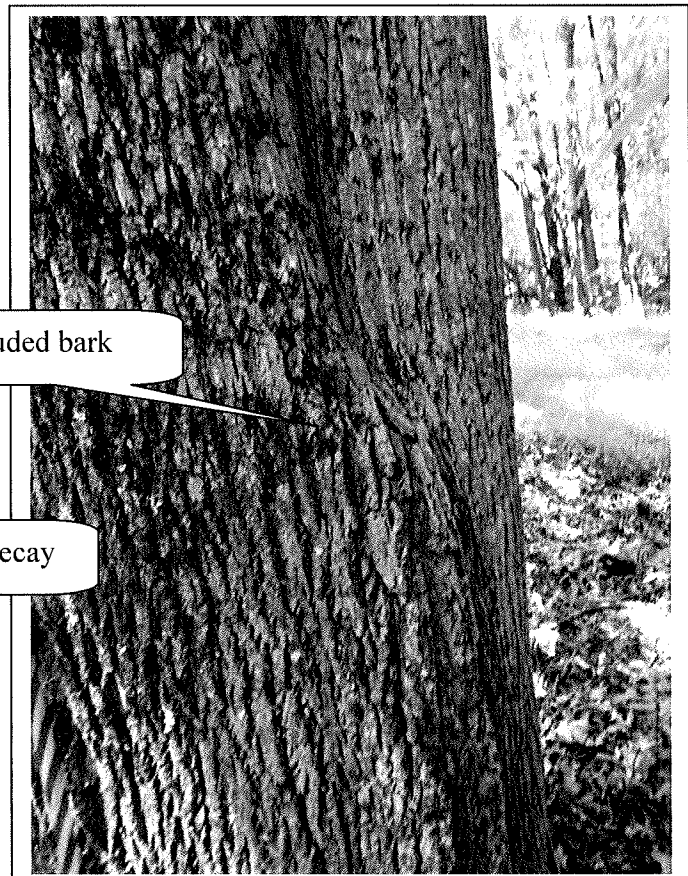


Photo 36

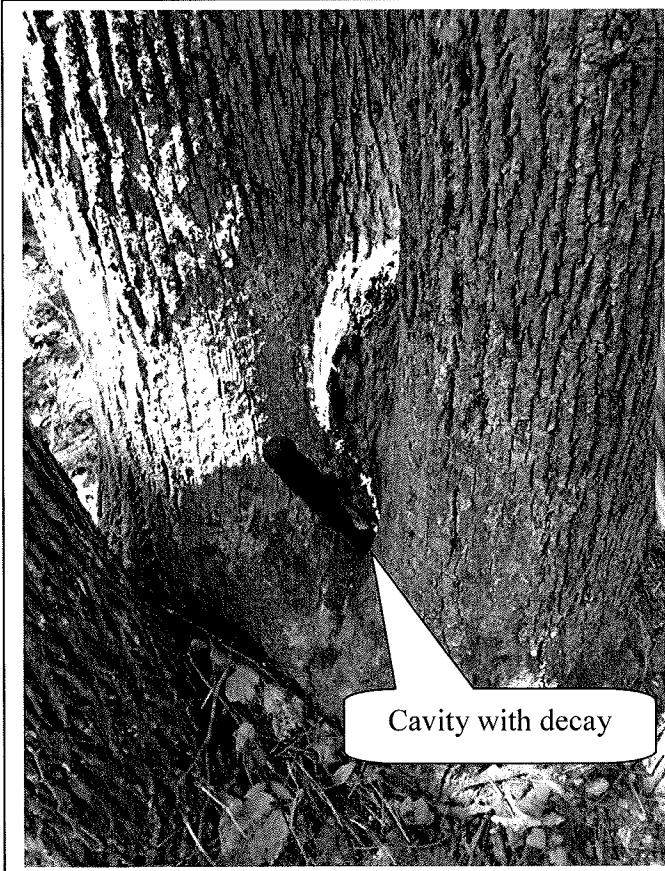


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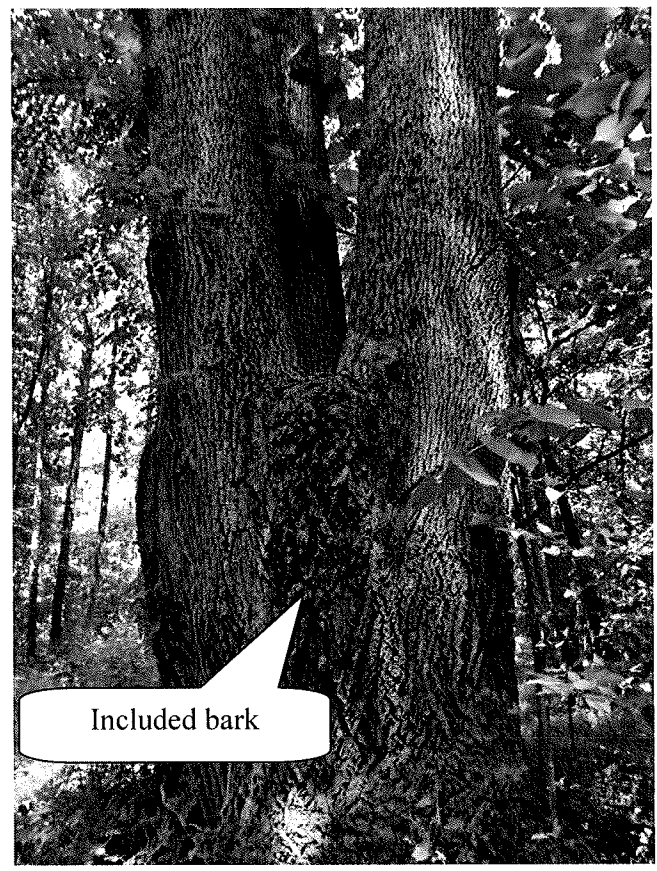


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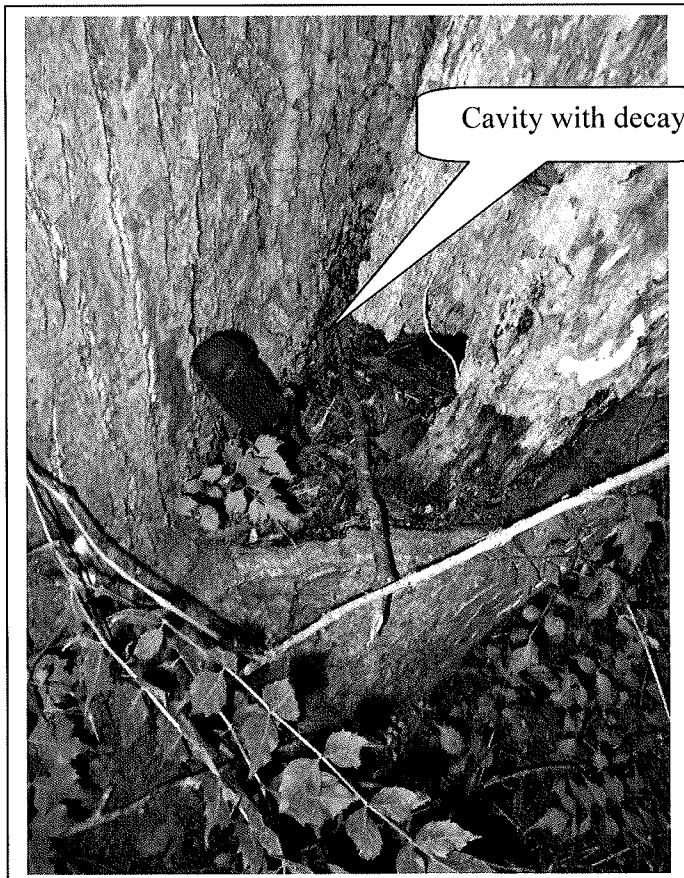


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Photo 40

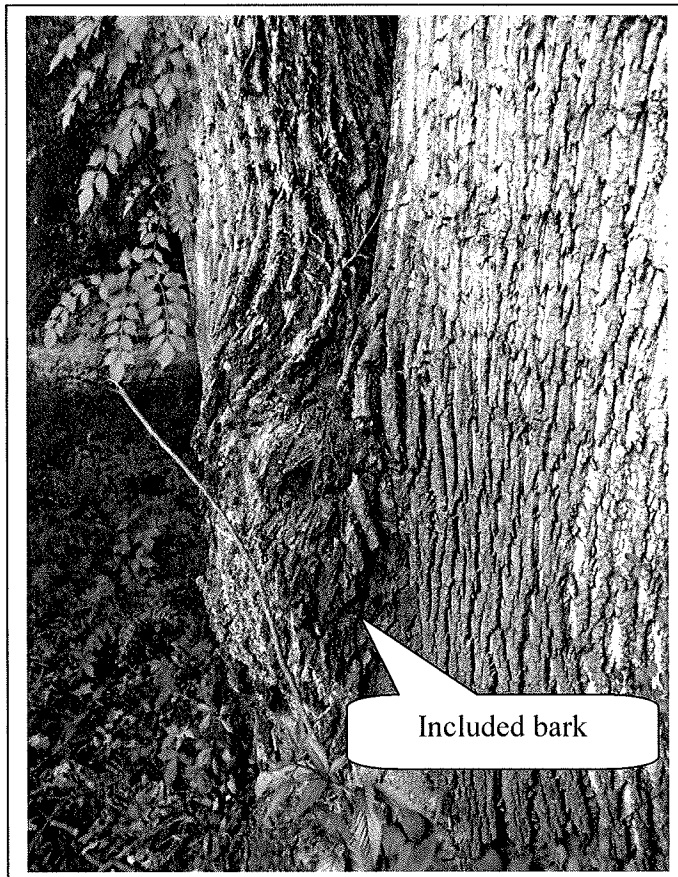


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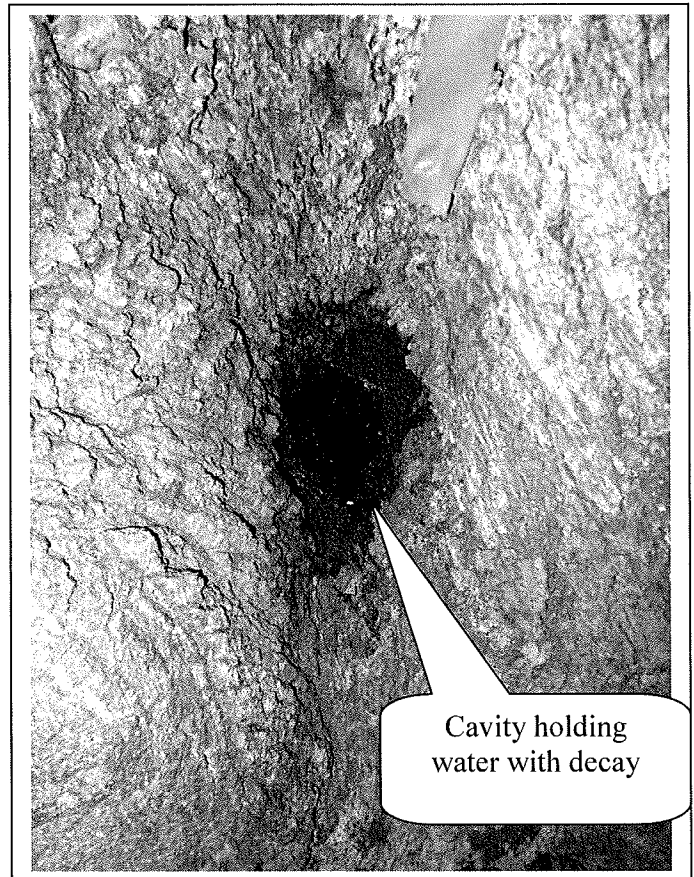


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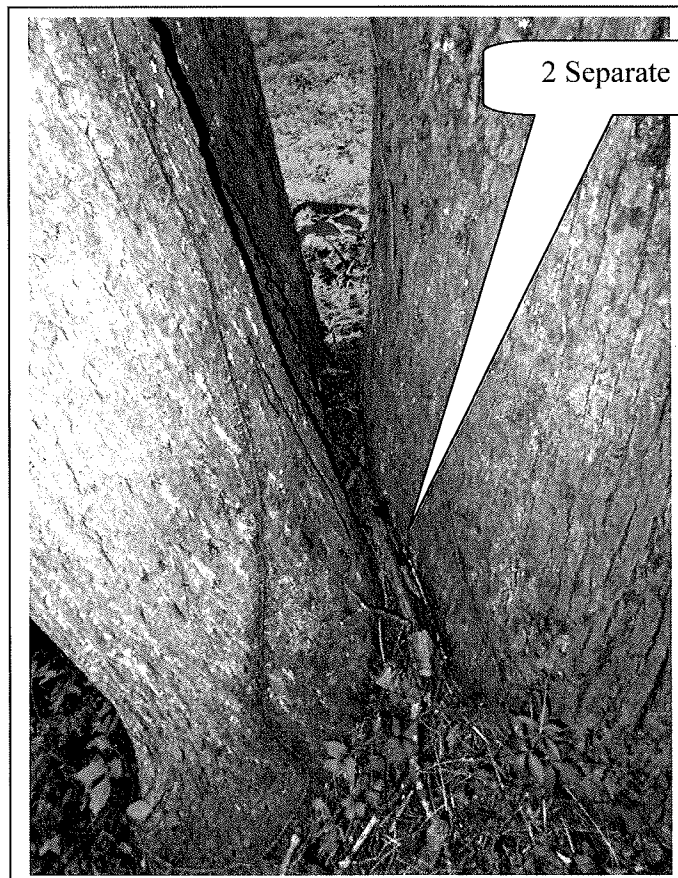


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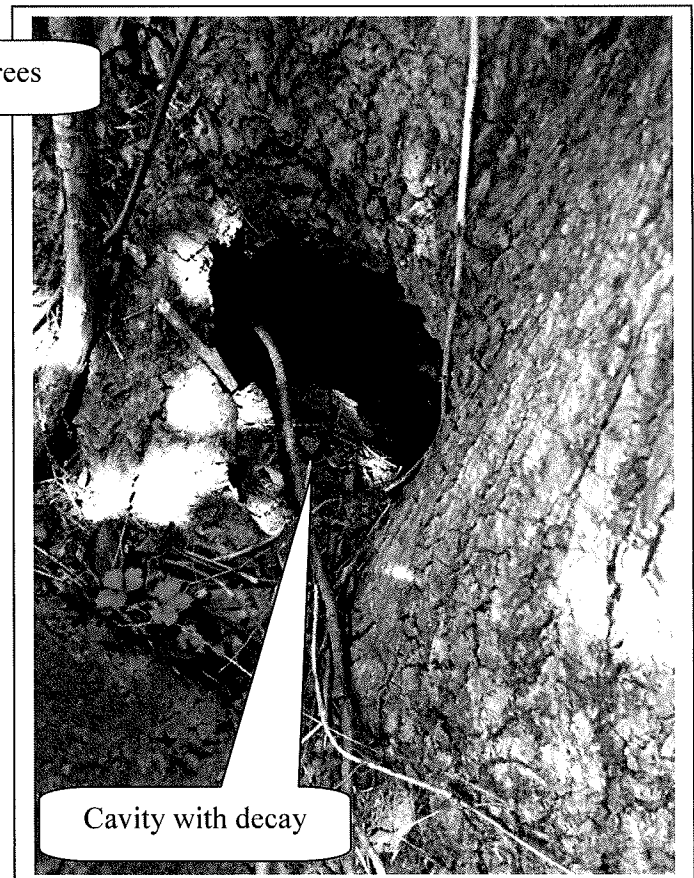


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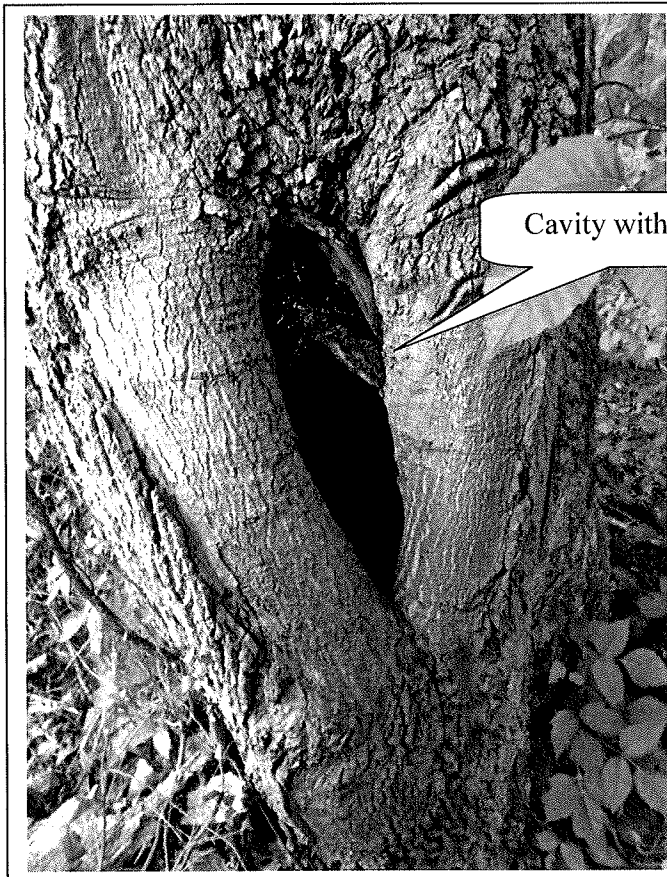


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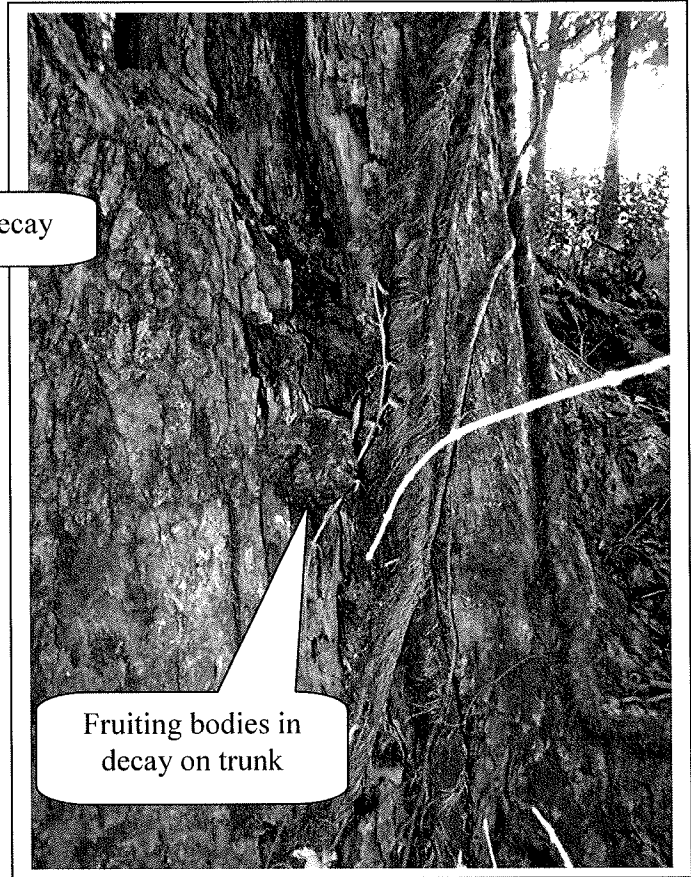


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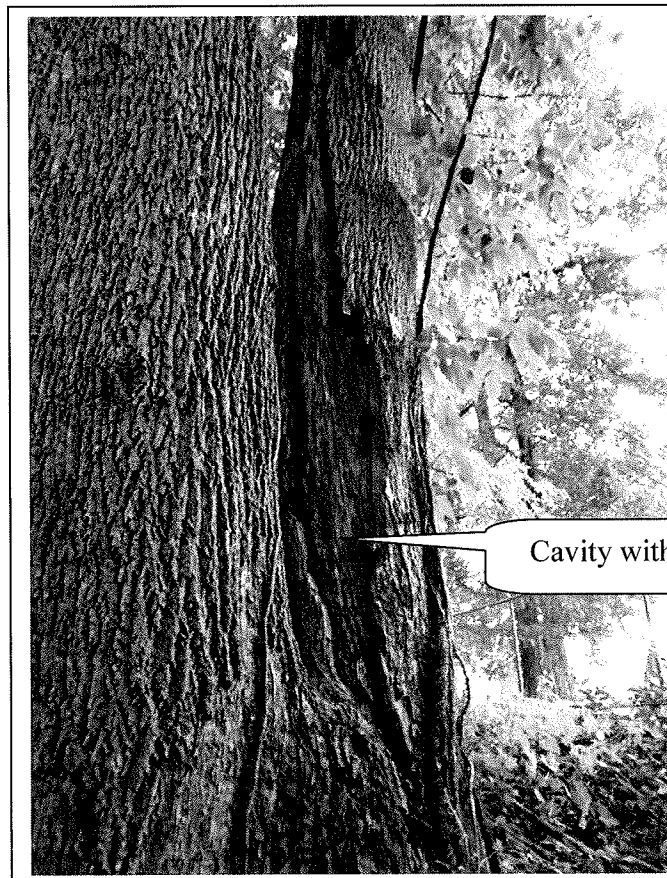


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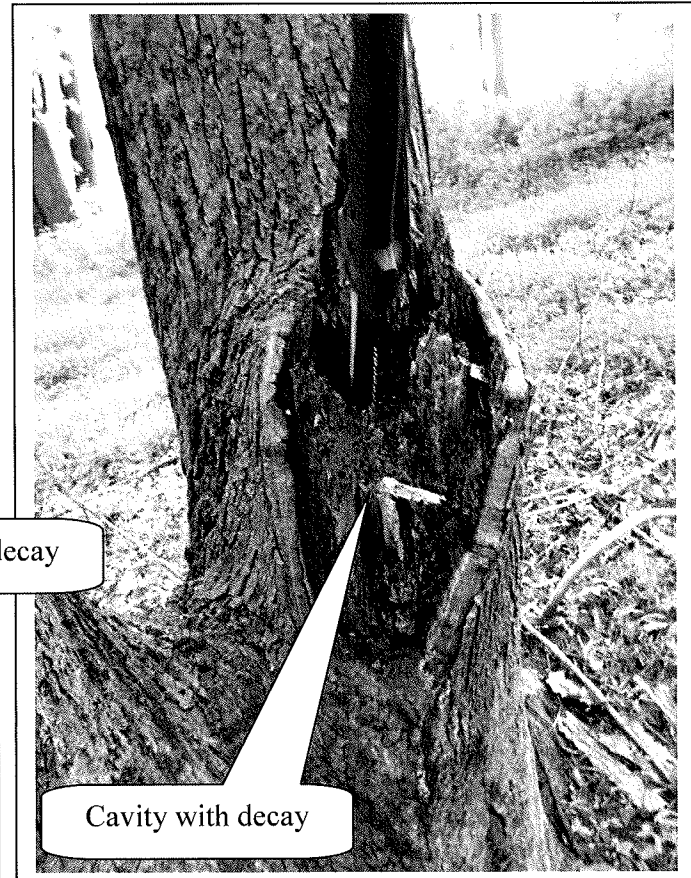
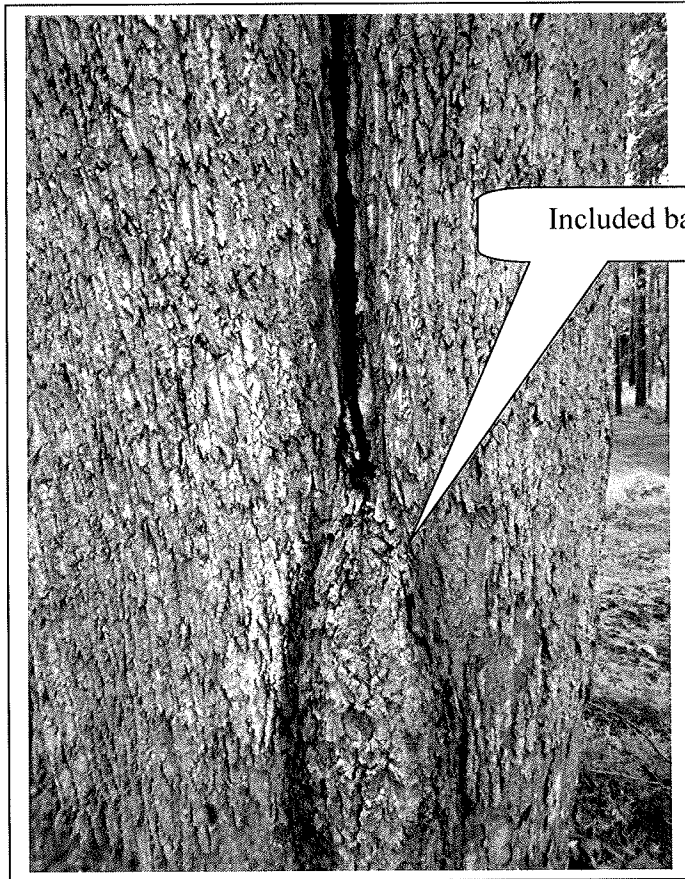
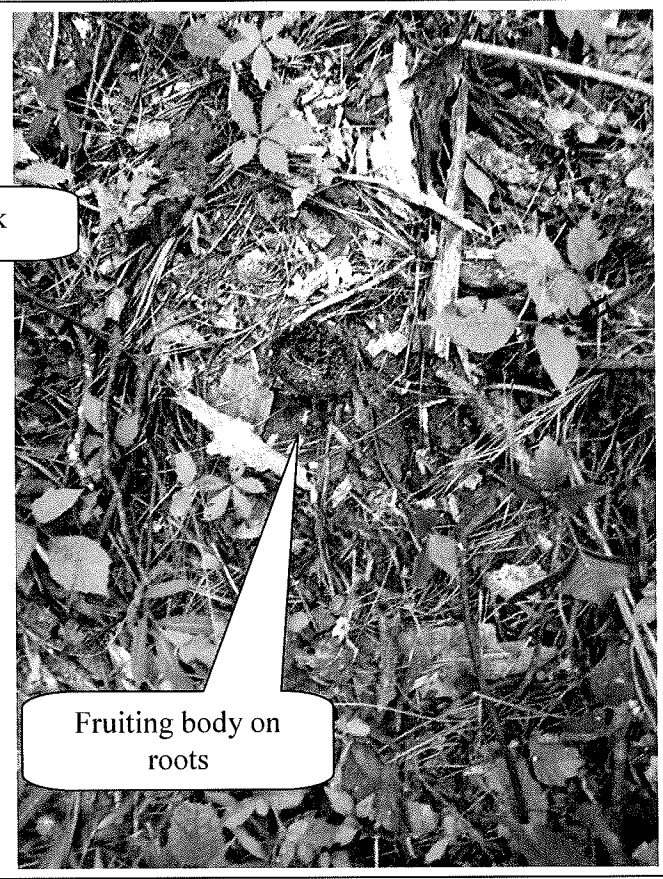


Photo 48



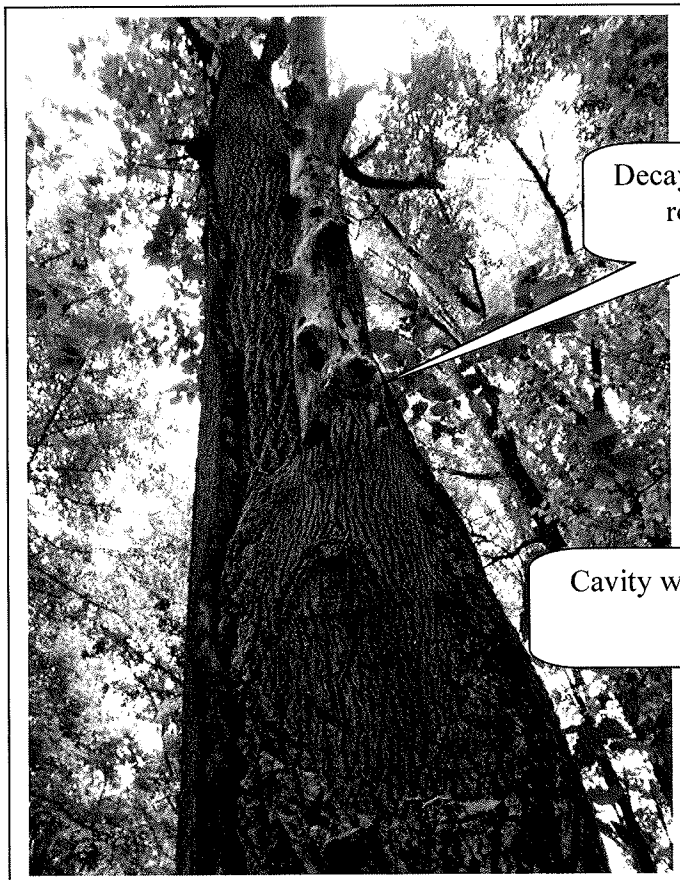
Included bark

Photo 49



Fruiting body on roots

Photo 50



Decay in trunk from rotting limb

Cavity with Decay

Photo 51

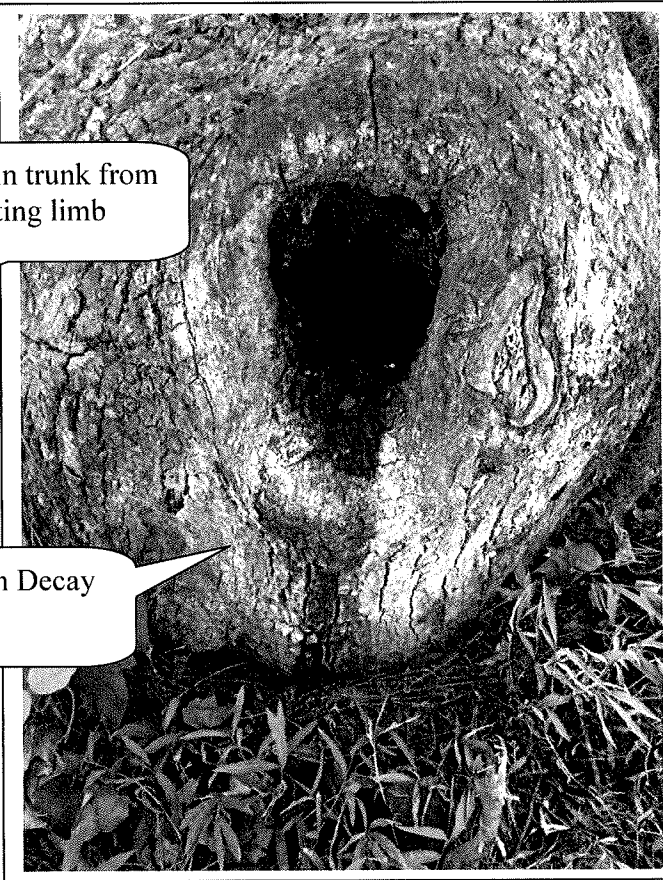


Photo 51

7/1/16

Sharp Residential Townhomes/Windward

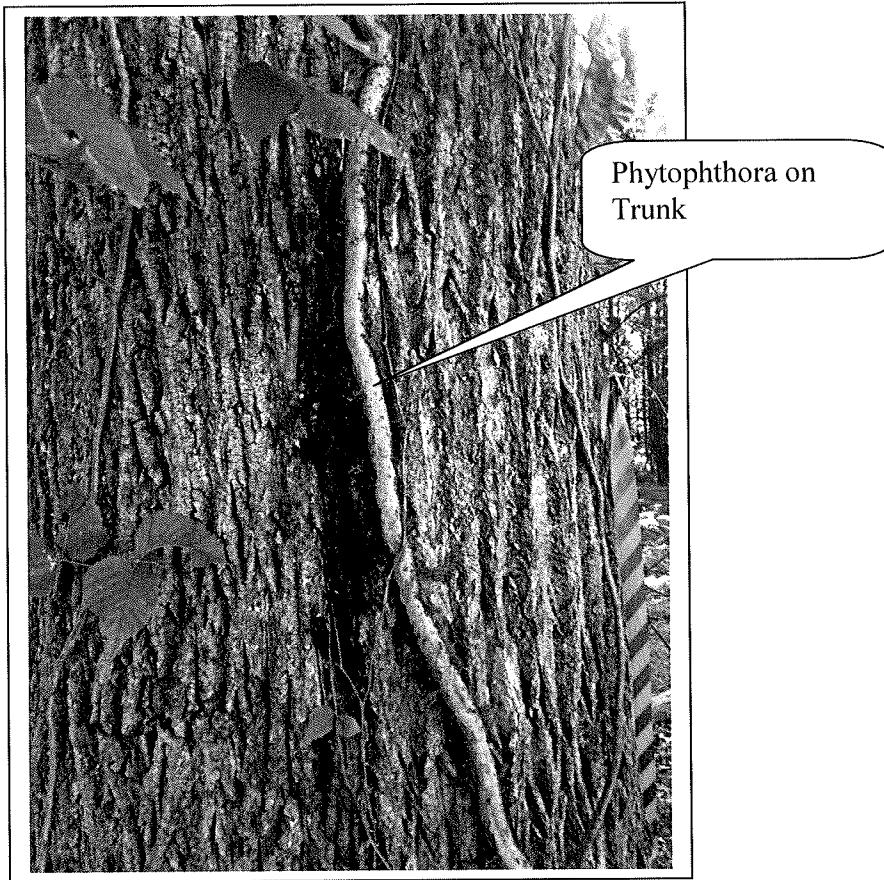


Photo 51



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: Z-16-12 1530 RUCKER ROAD

PLANNING COMMISSION: OCTOBER 6, 2016

CITY COUNCIL: OCTOBER 24, 2016

II. RECOMMENDATION:

Deny Z-16-12 1530 Rucker Road request for rezoning.

If approval is considered, subject to the following conditions:

1. The property to be rezoned shall have an "R-12" zoning classification with single-family detached minimum lot sizes of 12,000 square feet.
2. Property shall be subdivided into no more than 3 lots, with a density not to exceed 3 dwelling units per acre.
3. Homes shall contain not less than 1,600 square feet of floor space on the main floor, exclusive of any space in garages, carports, and finished basements. Two-story homes shall contain not less than 2,000 square feet of floor space in

habitable areas. In two-story homes, the main floor requirement may be reduced to not less than 1,000 square feet of area exclusive of the non-habitable areas.

4. Outbuildings shall be constructed of same material as the dwelling.
3. All homes shall be oriented to and shall only have access from Michaela Drive.
4. Existing driveway on Rucker Road shall be removed.
5. Provide minimum 10' landscape strips along Rucker Road and Michaela Drive and minimum 5' landscape strips along the north and east property lines.
6. Specimen trees shall be saved and home sites shall be laid out to minimize impact to the existing tree canopy, as determined by the City Arborist.
7. All elevations shall be a minimum 30% brick or stone, with final approval by Staff.
8. Same level of architectural details on all 4 sides, with final approval by Staff.
9. Homes shall have a front covered entry and shall be a minimum 6' in depth.
10. No unfinished wood on decks or porches shall be visible from Rucker Road or Michaela Drive.
11. Rucker Road frontage shall be coordinated with City roadway project to accommodate a 4' bike lane, 6' beauty strip, and 8' wide sidewalk.
12. If existing pool is to remain, it must meet all applicable zoning regulations and shall be heavily screened from Michaela Drive.
13. If stormwater management is determined to be required, it shall be located on a separate lot as approved by Staff.

III. REPORT IN BRIEF:

The applicant, Majidreza Sehizadeh, is requesting a change in zoning for one (1) acre from AG (Agriculture) to R-12 (Dwelling 'For-Sale', Residential) for the purpose of subdividing the subject property into three (3) single-family detached lots.

IV. ATTACHMENTS:

- Site Plan

DISCUSSION

The submitted request, if approved, will allow for three (3) single-family detached lots with a proposed density of 2.97 dwelling units per acre. The site is currently developed with one single-family detached home and a pool. The one (1) acre property is located on the northeast corner of Rucker Road and Michaela Drive.

Properties surrounding the subject parcel are zoned R-15 to the north, east and west and R-10 and R-15 to the south. Michaela Woods subdivision is located to the north and west and consists of 0.4-acre lots with a density of 1.66 dwelling units per acre. Arrowood subdivision is located to the south and consists of min. 30,000 square foot lots with a density of 1.31 dwelling units per acre. The R-15 property to the east is approximately one (1) acre and is developed with one (1) dwelling unit. Hedington Square subdivision was developed in unincorporated Fulton County as min. 5,000 – 9,000 square foot lots with a density of 3.4 dwelling units per acre.

The City's Comprehensive Plan reflects a Low Density Residential future land use designation for the property. Within that land use designation, the R-15 (minimum 15,000 square feet) and R-12 (minimum 12,000 square feet) zoning districts are shown as appropriate the zoning districts. The surrounding area is predominately zoned R-15 and the subject property is located at the entrance to the Michaela Woods subdivision, which is also zoned R-15. Therefore, the R-15 zoning district is the most appropriate zoning district for the subject property.

The adjacent property to the east, 1540 Rucker Road, was rezoned on 2015 from AG to R-15 to allow for redevelopment of the one (1) acre property with one (1) single-family detached home. The primary reason for the applicant's rezoning request was to allow for reduced building setbacks associated with the R-15 zoning district. Approval was granted subject to conditions, including that the property not be subdivided and that Rucker Road frontage be coordinated with the City's roadway project.

The submitted site plan depicts three (3) single-family detached lots with each lot having of lot size of approximately 14,600 square feet. All lots are shown oriented to and with access from Michaela Drive. Each lot has 140' of frontage on Michaela Drive. Building footprints are provided on the site plan to show how an appropriately-sized home can fit on each lot. The proposed site plan meets or exceeds the development standards in the R-12 zoning district, including the following building setbacks:

Front Setback – 30 feet
Side Setback – 10 feet (Rucker Road – 65 feet)
Rear Setback – 30 feet

The applicant provided a tree survey, but did not provide a tree assessment. The applicant's engineer has stated that all trees are considered to be in 'Good' condition and acknowledges that the lot layout and building footprints will need to be designed around specimen trees to have the least amount of impact.

Three (3) single-family detached homes will generate three (3) PM Peak Hour trips.

STANDARDS FOR ZONING CHANGES

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

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

Response: The zoning proposal would allow 'For-Sale' single-family detached homes, which is consistent with the use of adjacent and nearby properties.

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

Response: The proposal will not adversely affect the existing use or usability of adjacent or nearby properties, if conditions are included limiting the zoning of the property to R-15, protecting the tree canopy and requiring architectural standards.

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

Response: The proposed development will not have significant impacts on the natural environment. Staff proposes conditions to protect specimen trees and the tree canopy.

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

Response: The property is currently zoned AG and is developed with one (1) single-family detached home. One (1) additional 'For-Sale' single-family detached home is permitted on properties in the AG district with approval of a conditional use.

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

Response: Up to two (2) additional lots will not create a significant change in demand on public facilities or services.

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

Response: The adjacent property to the east was rezoned from AG to R-15 in 2015, which is consistent with the zoning of surrounding properties. The proposed R-12 zoning district is not supported by new or changing conditions.

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

Response: The request to rezone from AG to R-12 reflects a reasonable balance as the Comprehensive Land Use Plan designation of the subject property is Low Density Residential. However, the development pattern in the area is based on R-15 zoning, which is the most appropriate zoning district for the subject property.

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

Response: The Comprehensive Land Use Plan designation identifies a density of up to 3.63 dwelling units per acre, which is consistent with the applicant's request for 2.97 dwelling units per acre. However, the development pattern in the area is based on R-15 zoning, which is the most appropriate zoning district for the subject property.

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

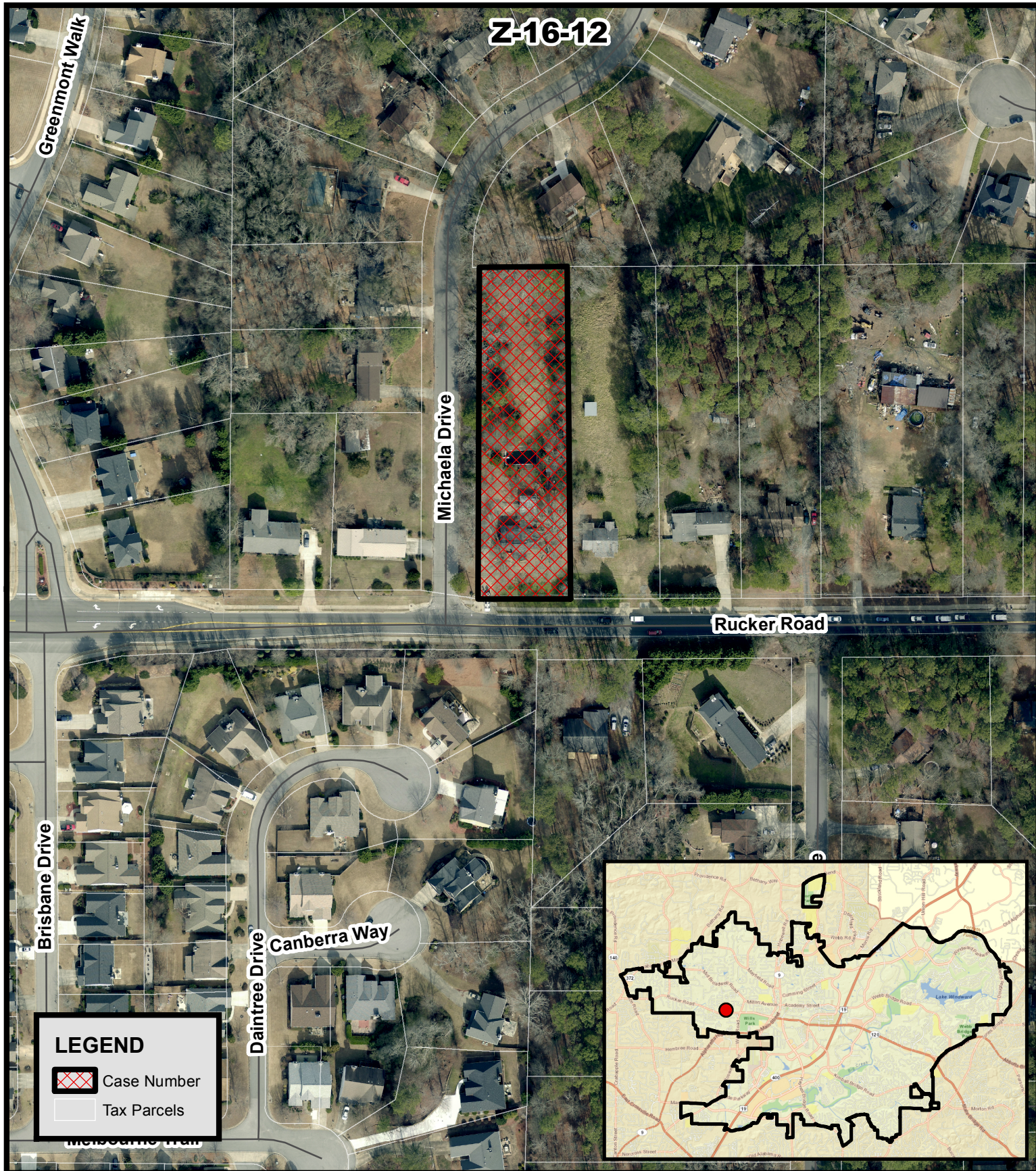
Response: The zoning proposal meets the Comprehensive Land Use Plan designation, which is Low Density Residential.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it cannot support the applicant's request for rezoning to R-12 given the surrounding development pattern, which is primarily R-15. However, Staff can support a rezoning to R-15 with a subdivision of the property into no more than two (2) lots. In addition, architectural standards, tree protection and landscaping conditions are recommended to protect the character of the area.

CITIZEN PARTICIPATION PLAN

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



Z-16-12

Michaela Drive

Rucker Road

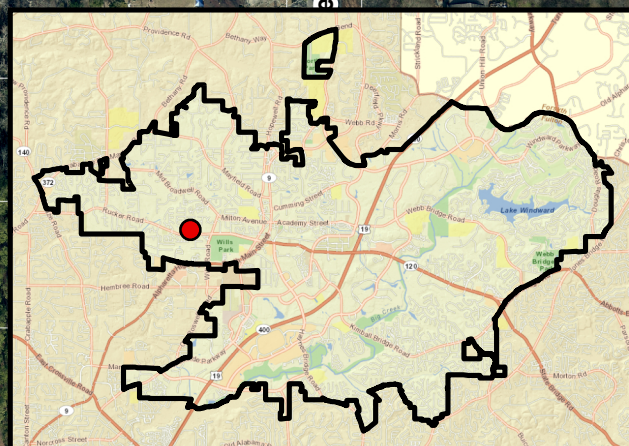
Brisbane Drive

Daintree Drive

Canberra Way

LEGEND

- X Case Number
- Tax Parcels

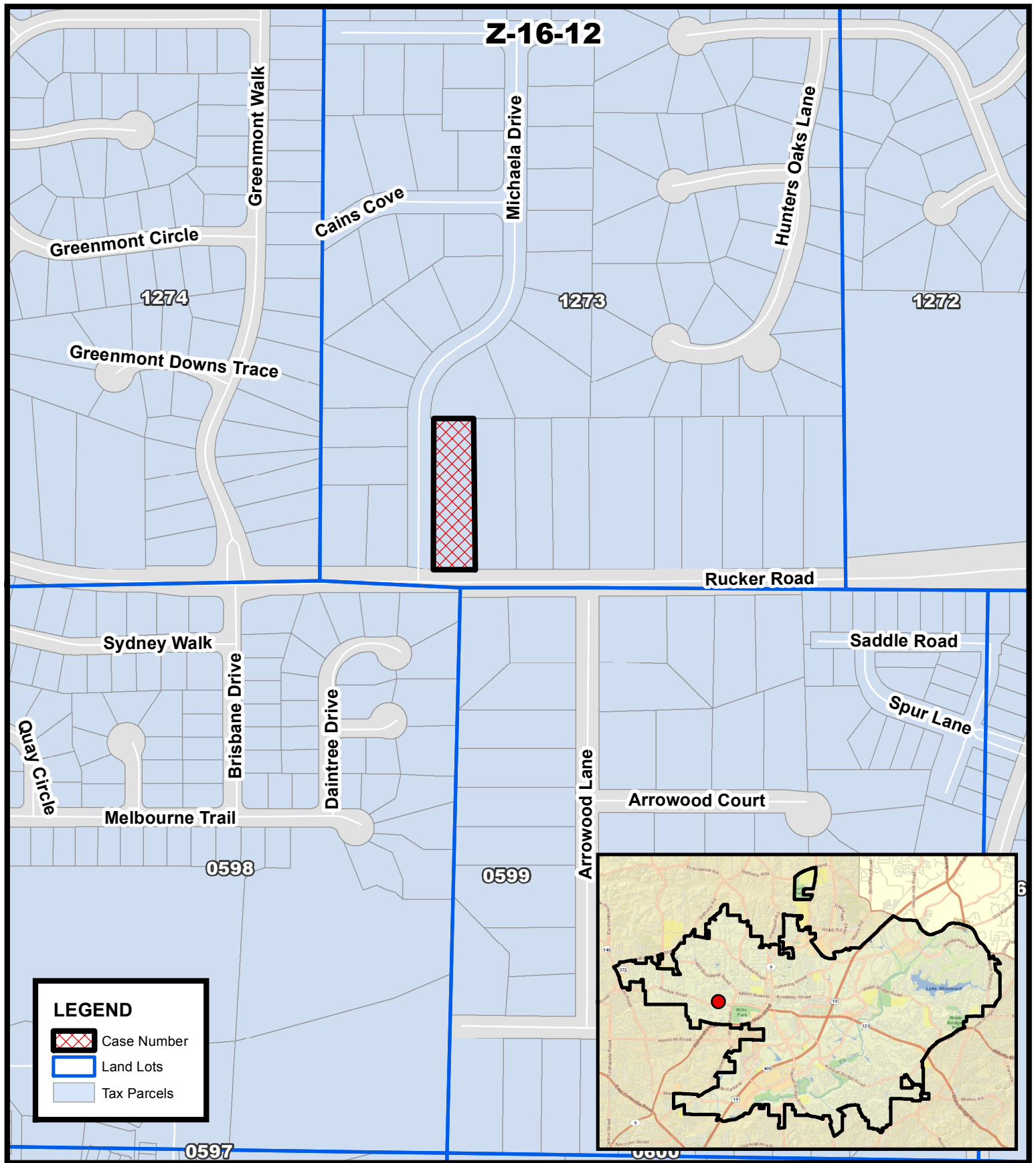


Aerial Map **1530 Rucker Road**



Z-16-12
D/LL: 2/2/1273
PC: 10/06/16
CC: 10/24/16

Location Map Provided by:
Community Development - GIS



Location Map **1530 Rucker Road**

Z-16-12
D/LL: 2/2/1273
PC: 10/06/16
CC: 10/24/16



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 minimum of twenty (20) working days prior to the scheduled Public Hearing. Failure to do so will result cancellation of the scheduled hearing.

Public Hearing or Project Name: 1530 Rucker Road, Alpharetta GA, 30009

Contact Name: Majidreza Sehlizadeh

Telephone: 404-550-8115

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 certified letters were mailed out. No one mailed or called to raise any issues or concerns. Copy of the letter that was sent out is attached.

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 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: Majid Sehlizadeh

Date: 09,16,2016

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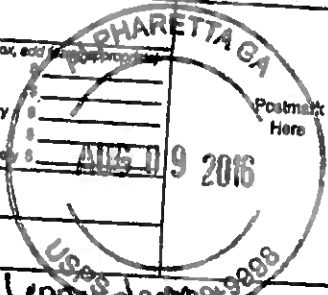
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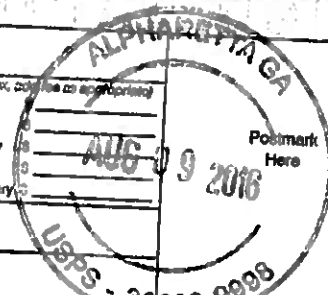
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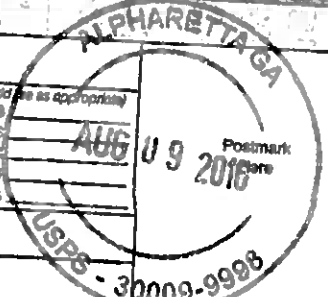
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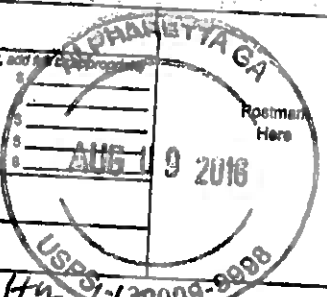
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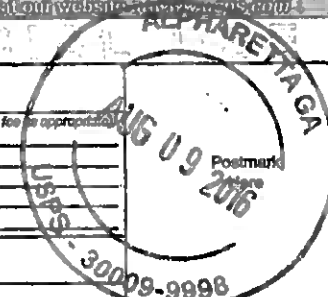
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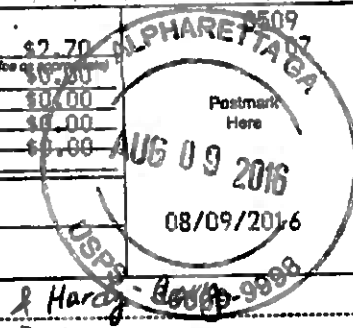
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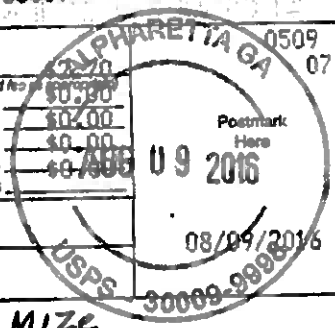
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Postage	\$0.47
Total Postage and Fees	\$6.47
Sent To <u>Somers Michael & Hardy</u>	
Street and Apt. No., or PO Box No. <u>120 Michaela Drive</u>	
City, State, ZIP+4® <u>Alpharetta, GA 30009</u>	
PS Form 3800, April 2013 PSN 7530-02-000-9000-9998	



7016 0910 0001 4978 5385

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT <i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com	
ALPHARETTA, GA 30009	
Certified Mail Fee	\$3.30
Extra Services & Fees (check box, and fee if applicable)	\$2.70
☒ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.47
Total Postage and Fees	\$6.47
Sent To <u>Robert H. Mize</u>	
Street and Apt. No., or PO Box No. <u>1560 Rucker Road</u>	
City, State, ZIP+4® <u>Alpharetta, GA 30009</u>	
PS Form 3800, April 2013 PSN 7530-02-000-9000-9998	



Here is a list of the names and addresses of the neighbor's.

1. Robert H Mize 5060 Rucker Rd
2. ZHL Realty LLC 1510 Rucker Rd
3. David Rodriguez 1540 Rucker Rd
4. Frederick & Bettie 1550 Rucker Rd
5. Maxime & Leonard Mabry 1604 Rucker Rd
6. Michael M Burke 1535 Rucker Rd
7. James F Standridge 1580 Rucker Rd
8. Somers Michael & Hardy Cay 120 Michaela Dr
9. James L Hayes 171 Michaela Dr
10. Brian R Larsen 140 Michaela Dr
11. Brian R Larsen 150 Michaela Dr
12. Cheryl Roberts 151 Michaela Dr
13. Dourado Tonea 130 Michaela Dr
14. Micah D Millican 160 Michaela Dr

Majidreza Sehizadeh

1530 Rucker Road, Alpharetta, GA 30009

Cell phone: (404) 550-8115

Email: majidsehi@hotmail.com

August 9, 2016

Mr. Brian R. Larsen
150 Michaela Drive
Alpharetta, Georgia 30009

RE: Rezoning Request for Property at **"1530 Rucker Road"**

Dear Mr. Larsen:

I am your neighbor from 1530 Rucker Road in Alpharetta. My property is approximately one acre and has a building that I have been living in since November 2013. The current zoning of my lot is AG-1 which is agricultural. I have requested to rezone my property to make it more compatible with the surrounding properties. My requested zoning is R-12 which is residential. After rezoning I plan to subdivide the property to three one-third acre lots for single family residential use.

As you may have noticed, currently there is an old building with car port plus other outdated storage sheds and a dilapidated swimming pool on the property. I propose to remove the existing structures and build a new home with approximately 3500 square feet of space in each of the three lots after subdividing the property. I am confident that the planned overhaul will not only enhance the aesthetics but also increase the surrounding property values. Now, the single house on the property is on septic. I intend to provide public water and sewer services to all three lots. Also, currently access to my property is from a curb cut on Rucker Road. I propose to abandon that driveway and create safer access from Michaela Drive. I believe this change will help improve traffic on Rucker Road. Lastly, I want to highlight that I love the existing specimen trees on my property and will do all that I can to protect them.

As required by the City of Alpharetta, I have filed an application and requested for a public hearing regarding the referenced change. The public hearing on this matter will be held on October 6, 2016 at the City of Alpharetta located at 2 Park Plaza, Alpharetta, GA 30009. In the meantime, if you have any questions regarding the process, you may contact the City of Alpharetta Community Development Department by calling 678-297-6070.

I appreciate your time and will be glad to answer any questions or concerns you may have regarding the proposal. Please feel free to contact me by phone at 404-550-8115 or by email or mail by September 1, 2016. My contact information is provided at the top of this page. I look forward to hearing from you and appreciate your input. Thank you so much!

Yours truly,

Majidreza "Majid" Sehizadeh (Your Neighbor)

8/5/16

JN:16 259

GENERAL NOTES:

1: This Plat has been prepared without the benefit of a current title report. Easements or encumbrances may exist that are not shown on this plat.

2: This plat is subject to any restrictions, easements, covenants or restrictions that may exist either written or unwritten.

3: Underground utilities not shown hereon may exist. The Surveyor does not take responsibility for absence or presence of any such utilities.

4: No Geodetic monuments were found within 500 feet of this site

5: This Plat has been prepared for the exclusive use of the person(s) or entities named hereon.

ZONING: AG

IMPERVIOUS SURFACES:

GRAVEL = 2,139 SQ. FT.
HOUSE = 1,239 SQ. FT.
PORCH = 65 SQ. FT.
DECK = 109 SQ. FT.
CONC. PAD = 1500 SQ. FT.
SHED = 632 SQ. FT.
POOL = 726 SQ. FT.
TOTAL IMPERVIOUS = 6,410 SQ. FT. (14.6%)
TOTAL LOT = 43,978 SQ. FT.

REFERENCE: PB 103 PG 60
PB 118 PG 107
DB 6338 PG 86
DB 53329 PG 671

FLOOD HAZARD NOTE: THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS DEFINED BY FIRM MAP OF FULTON COUNTY 13121C0054F DATED SEPTEMBER 18, 2013

SURVEY DATA:

TYPE OF SURVEY: TOPOGRAPHIC
SOURCE OF TITLE DESCRIPTION FOR SUBJECT PROPERTY: DB 53329 PG 671
PROPERTY OWNER AT TIME OF SURVEY: MAJIDREZA SEHIZADEH
PARCEL NUMBER: 22 4500 1273 0223

WEST PROPERTY LINE IS BEARING BASIS FROM DB 53329 PG 671

TOTAL AREA: 43,978 SQ FT, 1.01 AC

CALCULATED PLAT CLOSURE: 1:291,745

FIELD DATA:

DATE OF FIELD SURVEY 5-19-2015

THE CALCULATED POSITIONAL TOLERANCE BASED ON REDUNDANT LINEAR MEASUREMENTS OF OBSERVED POSITIONS WAS FOUND TO BE 0.015 FEET

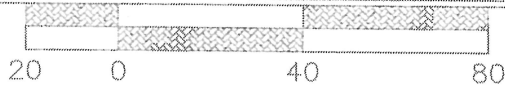
EQUIPMENT:
ELECTRONIC TOTAL STATION

SURVEY FOR
MAJID SEHIZADEH

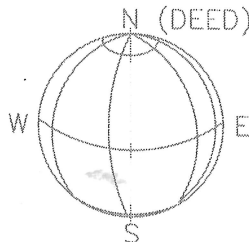
1530 RUCKER ROAD

CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA
LAND LOT 1273, DIST 2, SECT 2
DATE: MAY 23, 2015

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. 15-6-67. AUTHORITY O.C.G.A. SECS. 15-6-67, 43-15-4, 43-15-6, 43-15-19, 43-15-22.



1" = 40'



LEGEND

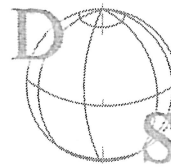
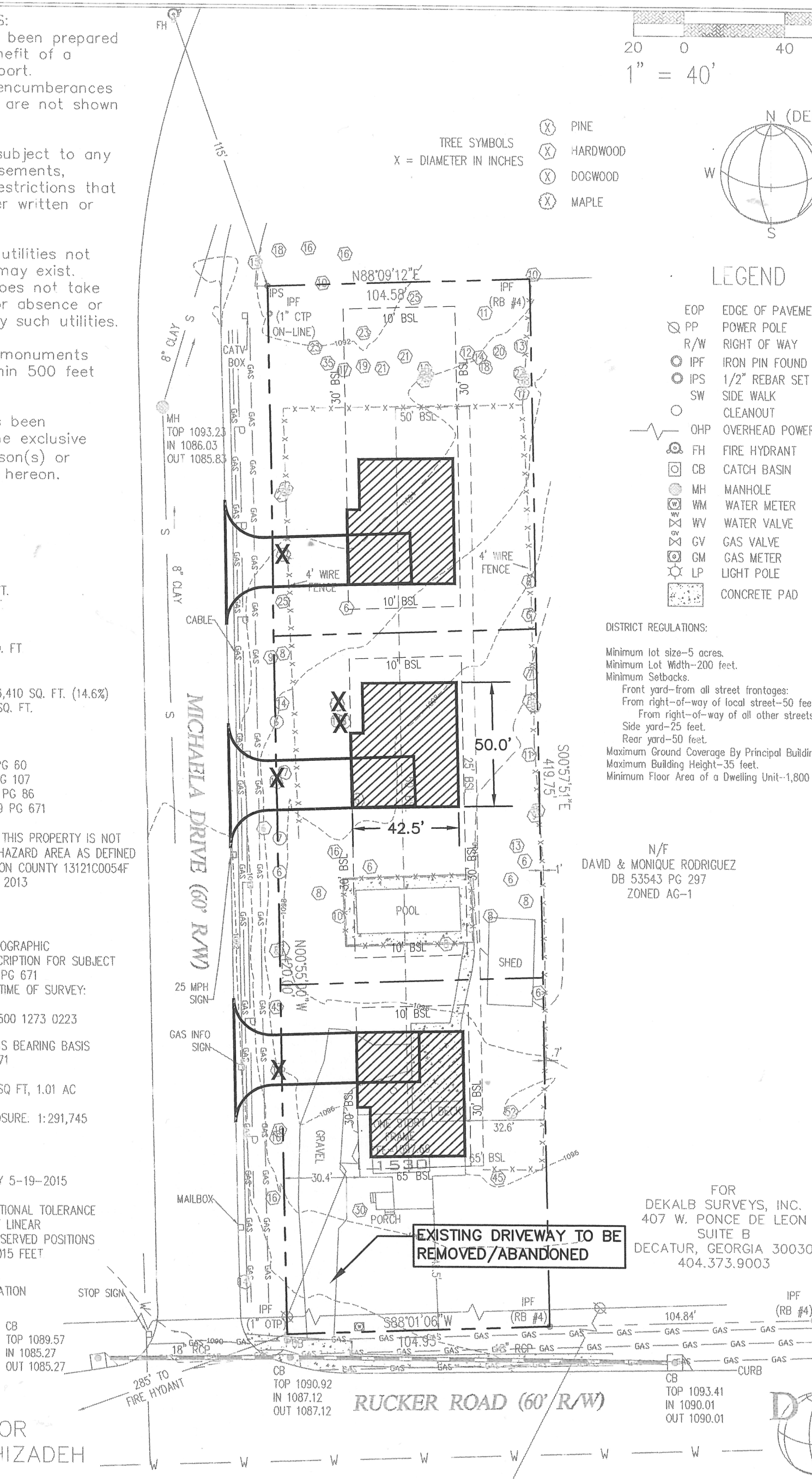
- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
- SW SIDE WALK
- CLEANOUT
- OHP OVERHEAD POWER
- FH FIRE HYDRANT
- CB CATCH BASIN
- MH MANHOLE
- WM WATER METER
- WV WATER VALVE
- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD

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.

N/F
DAVID & MONIQUE RODRIGUEZ
DB 53543 PG 297
ZONED AG-1

FOR
DEKALB SURVEYS, INC.
407 W. PONCE DE LEON
SUITE B
DECATUR, GEORGIA 30030
404.373.9003



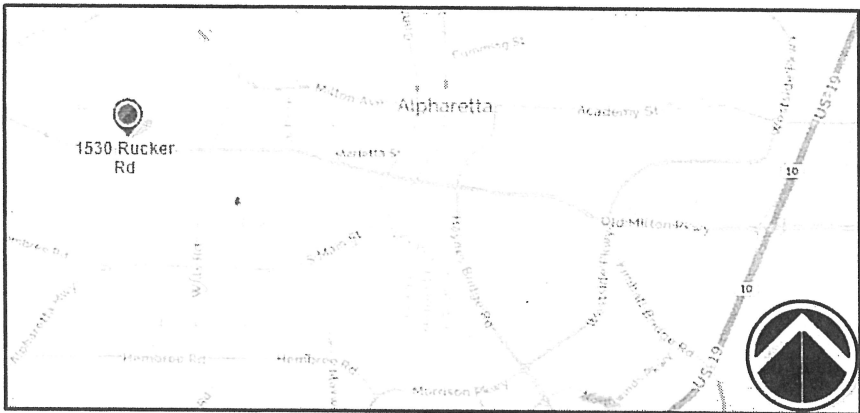
www.dekalbsurveys.com

EXISTING CONDITIONS
WITH NEW BUILDING

C1.0

8/5/16

1530 Rucker Rd



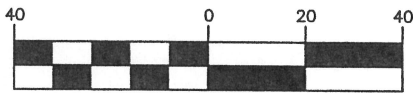
LOCATION MAP (N.T.S)

- TREE SYMBOLS
X = DIAMETER IN INCHES
- (X) PINE
 - (X) HARDWOOD
 - (X) DOGWOOD
 - (X) MAPLE

N/F
ROBERTS CHERYL G
DB 06338 PG 86
ZONED R15

LEGEND

- EOP EDGE OF PAVEMENT (CURB)
- PP POWER POLE
- R/W RIGHT OF WAY
- IPF IRON PIN FOUND
- IPS 1/2" REBAR SET
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- CLEANOUT
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- MH MANHOLE
- WM WATER METER
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- GV GAS VALVE
- GM GAS METER
- LP LIGHT POLE
- CONCRETE PAD



(IN FEET)

1 inch = 40 ft.

DISTRICT REGULATIONS:

- Minimum lot size-5 acres
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- 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.
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- Maximum Building Height-35 feet.
- Minimum Floor Area of a Dwelling Unit-1,800 square feet.

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LOCATED IN A FLOOD HAZARD AREA AS DEFINED
BY FIRM MAP OF FULTON COUNTY 13121C0054F
DATED SEPTEMBER 18, 2013

N/F
DAVID & MONIQUE RODRIGUEZ
DB 53543 PG 297
ZONED AG-1

TOTAL AREA: 43,978 SQ FT, 1.01 AC
CALCULATED PLAT CLOSURE: 1:291,745

	CURRENT	PROPOSED
ZONING	AG-1	R-12
MIN. LOT SIZE	5 AC	12,000 SF
MIN. LOT WIDTH	200 FT	80 FT
MIN. SETBACK		
FRONT YARD- ROW LOCAL STREET	50 FT	30 FT
FRONT YARD- ROW OTHER STREETS	65 FT	65 FT
SIDE YARD	25 FT	10 FT
REAR YARD	50 FT	30 FT
MAX. GROUND COVERAGE BY BLDG.	25%	25%
MAX. BUILDING HEIGHT	30 FT	30 FT
MIN. DWELLING FLOOR AREA	1,800 SF	1,500 SF

1530	SITE AREA	43,978 SF	
	SITE ACRE	1.01 AC.	
		3%	
LOT 1	SITE AREA		14680 SF
	SITE ACRE		0.34 AC.
	BLDG COVERAGE		14%
LOT 2	SITE AREA		14664 SF
	SITE ACRE		0.34 AC.
	BLDG COVERAGE		14%
LOT 3	SITE AREA		14634 SF
	SITE ACRE		0.34 AC.
	BLDG COVERAGE		14%

1530 RUCKER ROAD

CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA
LAND LOT 1273, DIST 2, SECT 2
DATE: MAY 23, 2015

SITE PLAN

C2.0

GENERAL NOTES: 8/5/16

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EQUIPMENT:
ELECTRONIC TOTAL STATION

SURVEY FOR
MAJID SEHIZADEH

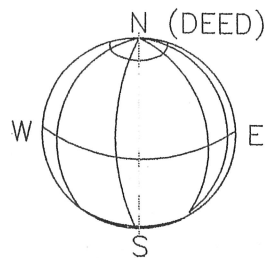
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CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA
LAND LOT 1273, DIST 2, SECT 2
DATE: MAY 23, 2015

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1530 Rucker Rd
20 0 40 80
1" = 40'

TREE SYMBOLS
X = DIAMETER IN INCHES
(X) PINE
(X) HARDWOOD
(X) DOGWOOD
(X) MAPLE



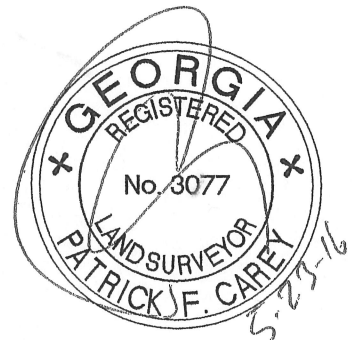
LEGEND

EOP	EDGE OF PAVEMENT (CURB)
PP	POWER POLE
R/W	RIGHT OF WAY
IPF	IRON PIN FOUND
IPS	1/2" REBAR SET
SW	SIDE WALK
CLEANOUT	CLEANOUT
OHP	OVERHEAD POWER
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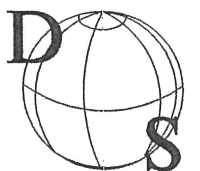
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N/F
DAVID & MONIQUE RODRIGUEZ
DB 53543 PG 297
ZONED AG-1



FOR
DEKALB SURVEYS, INC.
407 W. PONCE DE LEON
SUITE B
DECATUR, GEORGIA 30030
404.373.9003



www.dekalbsurveys.com

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WRITTEN PERMISSION OF THIS
SURVEYOR

8/5/16

Z-16-12

CITY OF ALPHARETTA

1530 Rucker Rd

FOR OFFICE USE ONLY

PUBLIC HEARING APPLICATION

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: Majidreza Sehizadeh

Telephone: 404-550-8115

Address: 1530 Rucker Road

Suite: _____

City Alpharetta

State: GA

Zip: 30009

Fax: _____

Mobile Tel: 404-550-8115

Email: majidsehi@hotmail.com

Subject Property Information:

Address: 1530 Rucker Road

Current Zoning: AG

District: 2

Section: 2

Land Lot: 1273

Parcel ID: 22 4500 1273 0223

Proposed Zoning: R-12

Current Use: AG-1

This Application For (Check All That Apply):☐ Conditional Use☐ Master Plan Amendment☒ Rezoning☐ Master Plan Review☐ Variance☒ Public Hearing☐ Comprehensive Plan Amendment☐ Other (Specify): _____

8/5/16

Z-16-12

1530 Rucker Rd

PROPERTY OWNER AUTHORIZATION

Property Owner Information:Contact Name: Majidreza SehizadhTelephone: 404-550-8115Address: 1530 Rucker Road

Suite: _____

City AlpharettaState: GAZip: 30009Authorization:

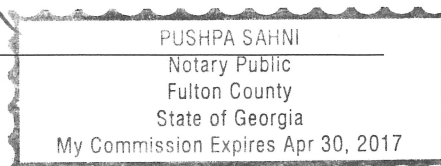
I do solemnly swear and attest, subject to criminal penalties for false swearing, that I am the legal owner, as reflected in the records of Fulton County, Georgia, of the property identified below, which is the subject of the attached Application for Public Hearing before the City of Alpharetta, Georgia.

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: Majidreza SehizadehTelephone: 404-550-8115Address: 1530 Rucker Road

Suite: _____

City AlpharettaState: GAZip: 30009So Sworn and Attested:Owner Signature: Majidreza SehizadehDate: Aug 4, 2016Notary: Pushpa SahniNotary Signature: PS SahniDate: 8/4/16

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Presently, all properties surrounding the subject property are zoned residential with single family homes. The requested modification will make the subject property compatible with the surrounding properties.

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

Currently, there is an old delapidated building and carport plus other impaired storage sheds and a distressed swimming pool on the property. After rezoning, the owner intend to build a modern home with approximately 3500 square feet of heated space in its place. The needed makeover will enhance aesthetics and increase the surrounding property values.

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

No. The current zoning is agricultural and not compatible with the surrounding properties. Present zoning does not meet today's minimum standards either.

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

Currently, the owner's family reside in the one acre property. The change will increase the number of families from one to three. The amount of traffic increase will be insignificant due to the minimal change it presents.

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

The change is increase of two single family residentials homes that translates to minimal impact to the schools. Water, sewer, gas, and other utilities are available with sufficient capacity. Based on the proposed request, impacts to utilities are negligible as well.

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

The Future Land Use Map shows the project site area as Low Density Residential which is consistent with the requested zoning.

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

The owner is proposing to abandon/close the existing driveway access to property from Rucker Road. The proposed change will improve Rucker Road traffic. New driveways to three lots will be from Michaela Drive. Michaela Drive is a "NO O UTLET" minor road with limited traffic .

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

8/5/16

Z-16-12

1530 Rucker Rd

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: Re-zoning Request for 1530 Rucker Road

Contact Name: Majidreza Sehizadeh

Telephone: 404-550-8115

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

Property owners at 120 Michaela Drive

Property owners at 1510 Rucker Road

Property owners at 130 Michaela Drive

Property owners at 1540 Rucker Road

Property owners at 140 Michaela Drive

Property owners at 1550 Rucker Road

Property owners at 150 Michaela Drive

Property owners at 1560 Rucker Road

Property owners at 160 Michaela Drive

Property owners at 1580 Rucker Road

Property owners at 151 Michaela Drive

Property owners at 1535 Rucker Road

Property owners at 171 Michaela Drive

Property owners at 1604 Rucker Road

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.

By letter, email, or telephone.

8/5/16

1530 Rucker Rd

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: Re-zoning Request for 1530 Rucker Road

Contact Name: Majidreza Sehizadeh

Telephone: 404-550-8115

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

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

☐

Letter

☐

Personal Visits

☐

Telephone

☐

Group Meeting

☐

Email

☐

Other (Please Specify) _____

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

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

Signature of Authorized Agent: _____

Date: _____

Print Form

8/5/16

Z-16-12
1530 Rucker Rd

Legal description

All that tract or parcel of land lying and being in land lot 1273 of the 2nd district, 2nd section of Fulton County, Alpharetta, Georgia and being more particularly described as follows:

Beginning at the intersection of the northern right of way of Rucker Road (60'r/w) and the eastern right of way of Michaela Drive (60'r/w) and proceeding thence North 0 degrees 55 minutes 00 seconds West a distance of 420.00 feet along Michaela Drive;

Thence North 88 degrees 09 minutes 12 seconds East a distance of 104.58 feet to an iron pin found:

Thence South 0 degrees 57 minutes 51 seconds East a distance of 419.75 feet to an iron pin found on the northerly right of way of Rucker Road;

Thence along said right of way South 88 degrees 01 minutes 06 seconds West a distance of 104.93 feet to the point of beginning.

8/5/16

Z-16-12
1530 Rucker Rd

Amir S. Fallahi, P.E., CFM

12883 Deer Park Lane, Alpharetta, GA 30004

Cell phone: (404) 409-9640

Email: asfallahi@msn.com

August 4, 2016

Mr. Michael Woodman, AICP – Senior Planner
The City of Alpharetta
Department of Community Development
2 Park Plaza
Alpharetta, Georgia 30004

RE: Rezoning Request (1530 Rucker Road)
(Property Owner: Majidreza Sehizadeh)

Dear Mr. Woodman:

As required, attached you will find one original and ten sets of completed Public hearing Application and supporting documents for a rezoning request for property located within the City of Alpharetta, Georgia. The request is to rezone a 1.01 acre property at 1530 Rucker Road with current use of AG-1 to proposed zoning of R-12. The intent is to subdivide the property to three 1/3 are lots for single family residential use. Presently, all properties surrounding the subject property are zoned residential with single family homes. The requested modification will make the subject property compatible with the neighboring properties.

Currently, there is an old dilapidated building with car port plus other outdated storage sheds and a distressed swimming pool on the property. The owner plans to subdivide the property and build three modern homes with approximately 3500 square feet of heated space with up-to-date amenities. The owner is confident that the planned overhaul will enhance aesthetics and increase the surrounding property values. Currently, the single house on the property is on septic. The owner intends to provide water and sewer services to all three lots. At present, access to the property is from Rucker Road. Due to proximity of the existing curb cut to the nearest intersection (Michaela Drive) that presents safety concerns and to help improve traffic on Rucker Road (the main thoroughfare), the property owner offers to abandon the driveway from Rucker Road in favor of three separate driveways from Michaela Drive. Michaela Drive is a "No Outlet" minor road with limited traffic and therefore the additional driveways will introduce little impact to that road.

Lastly, please consider that the property was recently surveyed by a registered land surveyor and all trees greater than six inches in diameter including non-specimen trees were located. Also, sizes and types of all trees were documented. I conducted a follow up site walk checking the survey and can confirm that none of the surveyed trees appear to be in poor health.

8/5/16

Z-16-12
1530 Rucker Rd

Based on the provided information above and supplementary supporting documents in the completed application packet, we respectfully request approval of the proposed rezoning application. I hope that the provided information is satisfactory to process this application. Please feel free to contact me or Mr. Sehizadeh at (404)409-9640 or (404)550-8115 respectively, with any questions or concerns.

We appreciate your favorable recommendation on this matter. Thank you.

Regards,

Amir Fallahi

Amir Fallahi

MAJED
Sehizadeh
Aug 5, 2016
M. Sehizadeh





CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: Z-16-10/CU-16-08/V-16-24 SOUTHERTON/72 THOMPSON STREET/DT-LW

PLANNING COMMISSION: OCTOBER 6, 2016
CITY COUNCIL: OCTOBER 24, 2016

II. RECOMMENDATION:

Approve Z-16-10/CU-16-08/V-16-24 Southerton/72 Thompson Street/DT-LW subject to the following conditions:

1. The property to be rezoned shall have a "DT-LW" zoning classification with detached minimum lot sizes of 1,500 square feet.
2. Property shall be developed substantially in accordance with the submitted plan labeled Hedgewood, dated 7/21/2016. However, lot yield depicted is not guaranteed and subject to meeting all City Code requirements and conditions of zoning.
3. Setback shall be:
 - Front Setback (Thompson Street) – 10 feet
 - Side Setback – 0 feet
 - Rear Setback – 3 feet (no alley) and 10 feet (alley)
4. Residential lots shall not include any portion of the State or City stream buffer. Stream buffers shall be located on common area and be maintained by the HOA.
5. All units along Thompson Street shall be oriented to the street with their front door facing Thompson Street.
6. Architecture shall be similar to the Voysey project (Hedgewood Homes) architecture and as submitted by the applicant, as approved by Staff. Residential lots shall have formal gardens and stone walls, with final approval by Staff.
7. Visible privacy fence shall be prohibited along Thompson Street and the multi-use path.
8. Reasonable effort shall be made to incorporate specimen trees, trees of quality, and groupings of smaller trees into the site plan as approved by Staff. Site configuration and density may change based on compliance with this condition.
9. Impacts to off-site trees shall be minimized. The owner(s) of off-site trees shall be notified of any encroachment greater than 10% or as directed by the City Arborist. This notification shall include a letter from the project Arborist detailing the extent of the encroachment and possible outcomes.
10. Applicant shall obtain an inter-parcel access agreement with the Voysey/Aycock project for access as shown on the submitted site plan.
11. Applicant shall continue the Thompson Street typical section, which includes 10' travel lanes, on-street parking, 8' brick paver sidewalks to match the City brick paver sidewalks on Haynes Bridge Road, street trees, and pedestrian lighting as approved by Staff.
12. Pedestrian-scale lighting and amenities shall be required throughout the development.
13. Dedicate a public access easement to the City and construct a 12' multi-use path along the eastern property line to provide a connection between the multi-use path along the stream and Thompson Street sidewalk as approved by Staff. Multi-use path shall be ADA accessible and construction shall be the same used for the Voysey project. The path shall meet the Thompson Street Linear Park standards, including landscaping and low-level path lighting as approved by Staff.
14. A stone or paver edging material shall be required around the perimeter of internal roads to maintain rock base.
15. Crushed stone areas visible from Thompson Street shall be screened with heavy landscaping and/or decorative walls.
16. Structural design and calculations appropriate for garbage truck and fire apparatus shall be provided.
17. Each property owner shall sign an affidavit stating that they are aware that this is a private drive and the maintenance is solely the responsibility of the HOA to make sure the City does not take any liability for this. The applicant shall submit all executed affidavits to the Department of Community Development.

III. REPORT IN BRIEF:

The applicant, Stephanie Southerton, is requesting a change in zoning for 0.3 acres from O-P (Office-Professional) to DT-LW (Downtown Live-Work) to allow for three (3) single-family, detached lots. A conditional use is requested to increase the allowable density and variances are requested from Unified Development Code (UDC) Appendix A, Section 3.7.3 to reduce the minimum lot size for detached homes and from UDC Section 2.5.5 (D) to allow for crushed stone to be used for internal private streets.

IV. ATTACHMENTS:

- Site Plan
- Architectural Elevations

DISCUSSION

The submitted request, if approved, will allow for the construction of three (3) single-family detached homes at a density of ten (10) dwelling units per acre. The subject property is located on the north side of Thompson Street, just east of Haynes Bridge Road and adjacent to the Voysey and Aycock properties. The applicant has an agreement with Hedgewood Homes for access through and to become an extension of the Voysey project. Hedgewood Homes will construct the applicant's proposed development. The development will be similar in design, size, and construction as the Voysey project and will be incorporated into the Voysey HOA.

The subject property is zoned O-P and is developed with a single-family detached brick ranch home. The property is surrounded by the Aycock property (DT-LW) to the west and north, 82 Thompson Street (O-P) to the east, and the Thompson Street Flats/Kairos Development (DT-LW) to the south.

A total of 80 single-family detached (SFD) homes have been approved along the Thompson Street corridor, with Old Milton Holdings (Cheeley) approved for 31 SFD homes and Hedgewood/Aycock approved for 49. Approved

densities along Thompson Street range from 6.8 dwelling units per acre at Edward Andrews Townhomes up to ten (10) dwelling units per acre at Thompson Street Flats. Including the Hedgewood development, which was approved as part of the 25-acre City Center rezoning, the overall density along Thompson Street is 5.21 dwelling units per acre. Excluding the Hedgewood development, the overall density of Thompson Street is 7.91 dwelling units per acre.

The site plan submitted depicts three (3) single-family detached lots with rear-loaded garages and one (1) detached garage. All homes front on Thompson Street and include garden areas in the front yard. The proposed minimum lot size is 1,500 square feet and the minimum lot width is 25 feet. The proposed overall minimum building setbacks are as follows:

Front Setback (Thompson Street) – 10 feet
Side Setback – 0 feet
Rear Setback – 3 feet (no alley) and 10 feet (alley)

Access is shown through the Voysey/Aycock site to the west and internal street and driveways are shown to be crushed stone. Although not depicted on the site plan, the applicant has indicated that detention will be provided on-site, likely through an underground vault.

The applicant's arborist report identifies specimen trees on the site. However, the site will likely require fill in order to complete the Thompson Street streetscape and tie into the Voysey project. Also, Thompson Street is a pedestrian-oriented corridor, which requires the homes to be oriented and pulled up to the street. Therefore, some specimen tree removal may be justified to comply with the Alpharetta Downtown Code requirements.

A variance is requested from UDC Appendix A, Section 3.7.3 DT-LW Dimensional standards, to reduce the minimum lot size for detached lots from 2,500 to 1,500 square feet. The Voysey project has similar lot sizes, but was rezoned to the MU (Mixed-Use) zoning district as part of the City Center zoning. The adjacent Aycock property was recently rezoned to DT-LW and approved for a variance to reduce the minimum lot size to 1,500 square feet, in order to tie into the Voysey development.

UDC Section 2.5.5 (D) Design Criteria, requires off-street parking lots, whether public or private, to be graded and surfaced with concrete or asphalt on an approved base and maintained in good condition free of weeds, dust, trash and debris. The applicant is seeking a variance to allow the interior street and driveway sections to be constructed on crushed stone, which is a continuation of the sections approved for the Voysey project on April 24, 2016. The crushed stone will be used with an engineered grid system supporting the travel lands and crushed stone will be used outside of the travel lane. The crushed stone section for the heavy duty travel lanes will have the 95% subgrade compaction, 6" graded aggregate base, a 6" terrace grid backfilled with #57 stone and 1/2" of #89 stone (crusher run). They are proposing the heavy duty section cover a 16' travel lane; however, the Fire Marshall may require a wider section. The applicant has acknowledged that community streets are private and will be maintained by the Voysey HOA and that an affidavit will be required from the homeowner acknowledging maintenance.

TRAFFIC

The proposed project, consisting of three (3) single-family detached homes, would generate three (3) PM Peak Hour Trips.

SCHOOLS

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

FULTON COUNTY SCHOOLS – 3 Single-Family Detached Residential Units

School	Estimated # New FCS Students Generated
Manning Oaks Elementary School	0 – 1
Hopewell Middle School	0 – 1
Alpharetta High School	0 – 1
Total	0 – 3

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 0 – 3 school age children. Manning Oaks Elementary School and Alpharetta High School can meet demand; however, Hopewell Middle School is shown to be over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: The proposed rezoning will permit a use that is consistent with the Downtown Master Plan and Comprehensive Land Use Plan designation of the property.

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

Response: The proposed rezoning will not adversely affect adjacent and nearby properties. The applicant proposes to become an extension of the adjacent Voysey project.

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

Response: The proposed development respects the on-site stream buffers and conditions are recommended to protect the tree canopy.

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

Response: Development of the property for an office use under the O-P zoning district would be difficult due to the stream buffer and undisturbed buffers required between residential and non-residential uses. The Downtown Master Plan update reflects a new vision for the Thompson Street corridor and the proposed DT-LW zoning is consistent with that vision.

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

Response: The proposed use will not have significant impacts on public facilities or services.

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

Response: The Downtown Master Plan update reflects a new vision for the Thompson Street corridor. The proposed DT-LW zoning district is consistent with that vision, as well as, the Comprehensive Land Use Plan designation of the property.

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

Response: The request to rezone the property from O-P to DT-LW reflects a reasonable balance as the proposed zoning is consistent with the Comprehensive Land Use Plan designation of the property, which is Mixed Use Live Work.

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

Response: Development of the property for an office use under the O-P zoning district would be difficult due to the stream buffer and undisturbed buffers required between residential and non-residential uses. The Downtown Master Plan update reflects a new vision for the Thompson Street corridor and the proposed DT-LW zoning is consistent with that vision.

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

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

CONDITIONAL USE REVIEW CRITERIA

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

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

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

Response: The subject property will not have direct access onto Thompson Street. Access to the site will occur through the Aycock property to the west and will utilize the Voysey driveway on Thompson Street.

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 applicant's site plan accommodates off-street parking and screening.

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

Response: The Downtown Master Plan allows densities of up to eight (8) dwelling units per acre along Thompson Street and greater densities with approval of a conditional use. The applicant's request will become an extension of the Voysey and Aycock properties. The overall density of all three (3) properties is just over eight (8) dwelling units per acre.

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 Downtown Master Plan allows densities of up to eight (8) dwelling units per acre along Thompson Street and greater densities with approval of a conditional use. The applicant's request will become an extension of the Voysey and Aycock properties. The overall density of all three (3) properties is just over eight (8) dwelling units per acre.

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 Downtown Master Plan allows densities of up to eight (8) dwelling units per acre along Thompson Street and greater densities with approval of a conditional use. The applicant's request will become an extension of the Voysey and Aycock properties. The overall density of all three (3) properties is just over eight (8) dwelling units per acre.

VARIANCE REVIEW CRITERIA

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

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

Response: The subject property is within the Downtown Overlay where architecture, site layout and landscaping are key components to a successful development. The proposed internal crushed stone enhances the architectural theme and will be maintained by the HOA. The proposed minimum lot size is consistent with the lot sizes approved on the adjacent Voysey and Aycock properties.

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

Response: The applicant could provide minimum 2,500 square foot lots and pave the internal streets and driveways, but requests relief to maintain continuity with the Voysey and Aycock properties. The Voysey project was rezoned to MU (Mixed Use) in conjunction with the City Center project rezoning, which did not include minimum lot size requirements.

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

Response: Not applicable.

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

Response: Approval will not cause substantial detriment to the public good, if conditions are in place requiring architectural review and the engineered grid system along the travel paths.

CONCURRENCES

Staff has reviewed the application and is in general agreement with the requests for rezoning, conditional use and variances. The proposed rezoning to DT-LW is consistent with the vision in the Downtown Master Plan update and Comprehensive Land Use Plan designation of the subject property. Architectural and landscaping guidelines and conditions will ensure a quality development in Downtown Alpharetta. The proposed project will be developed in a similar manner to the Voysey project, including a multi-use trail connection from the 12' multi-use path along the City stream buffer to the Thompson Street sidewalk.

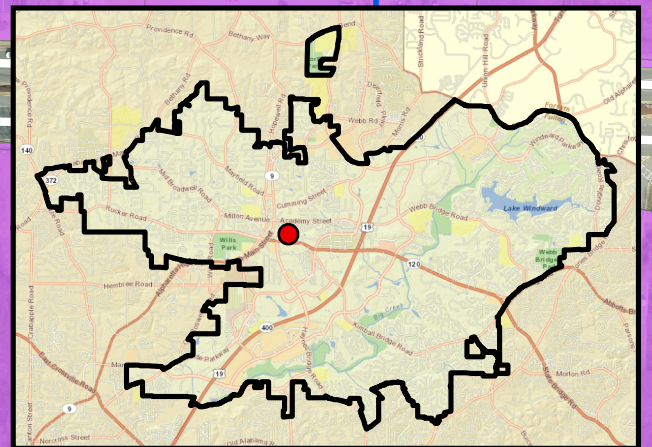
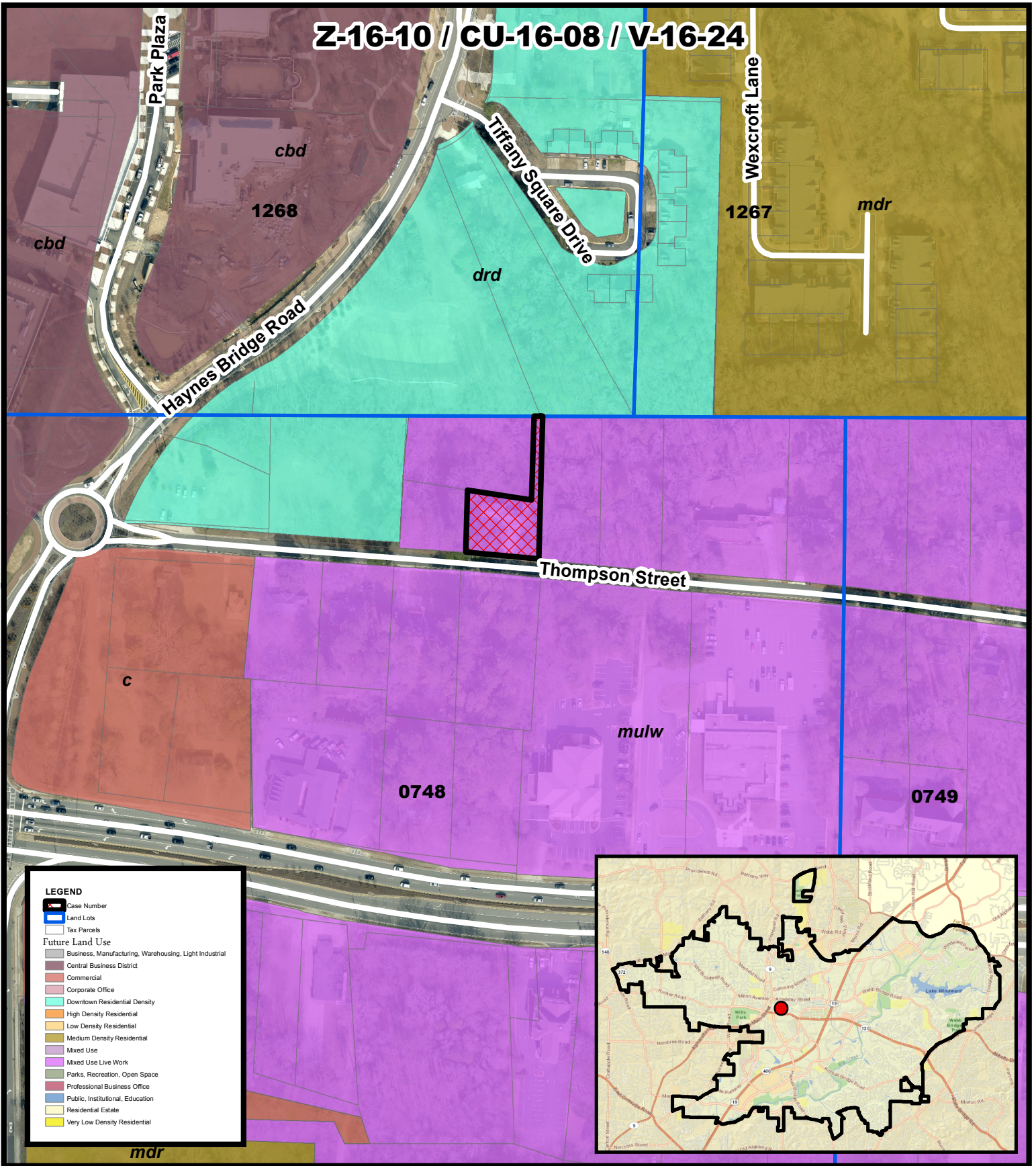
The Downtown Master Plan allows densities of up to eight (8) dwelling units per acre along Thompson Street and greater densities with approval of a conditional use. The applicant's request will allow for the property to be constructed as an extension of the Voysey/Aycock development. The overall density of all three (3) properties is just over eight (8) dwelling units per acre.

The request to reduce the minimum lot size is consistent with the minimum lots size approved for the Voysey/Aycock development. With regard to the variance for crushed stone, the internal streets and driveways will require yearly maintenance for grading and top dressing, which will be paid for by the Voysey HOA. Additionally, internal streets and driveways will be heavily screened from Thompson Street.

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.

Z-16-10 / CU-16-08 / V-16-24



Z-16-10 / CU-16-08 / V-16-24

D/LL: 1/2/748

PC: 10/06/16

CC: 10/24/16

**2030 Land Use
Southerton**

72 Thompson Street



**Location Map Provided by:
Community Development - GIS**

Z-16-10 / CU-16-08 / V-16-24

Tiffany Square Drive

Wexcroft Lane

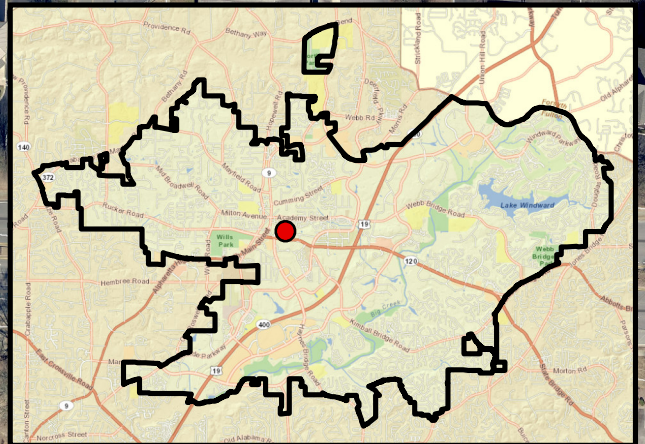
Haynes Bridge Road

Thompson Street

Old Milton Parkway

LEGEND

-  Case Number
-  Tax Parcels



Z-16-10 / CU-16-08 / V-16-24

D/LL: 1/2/748

PC: 10/06/16

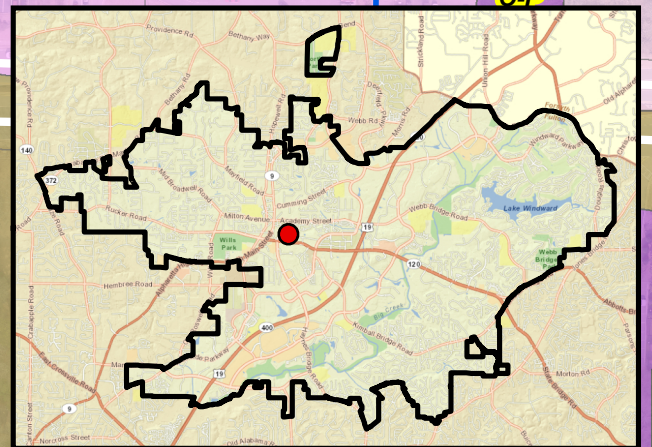
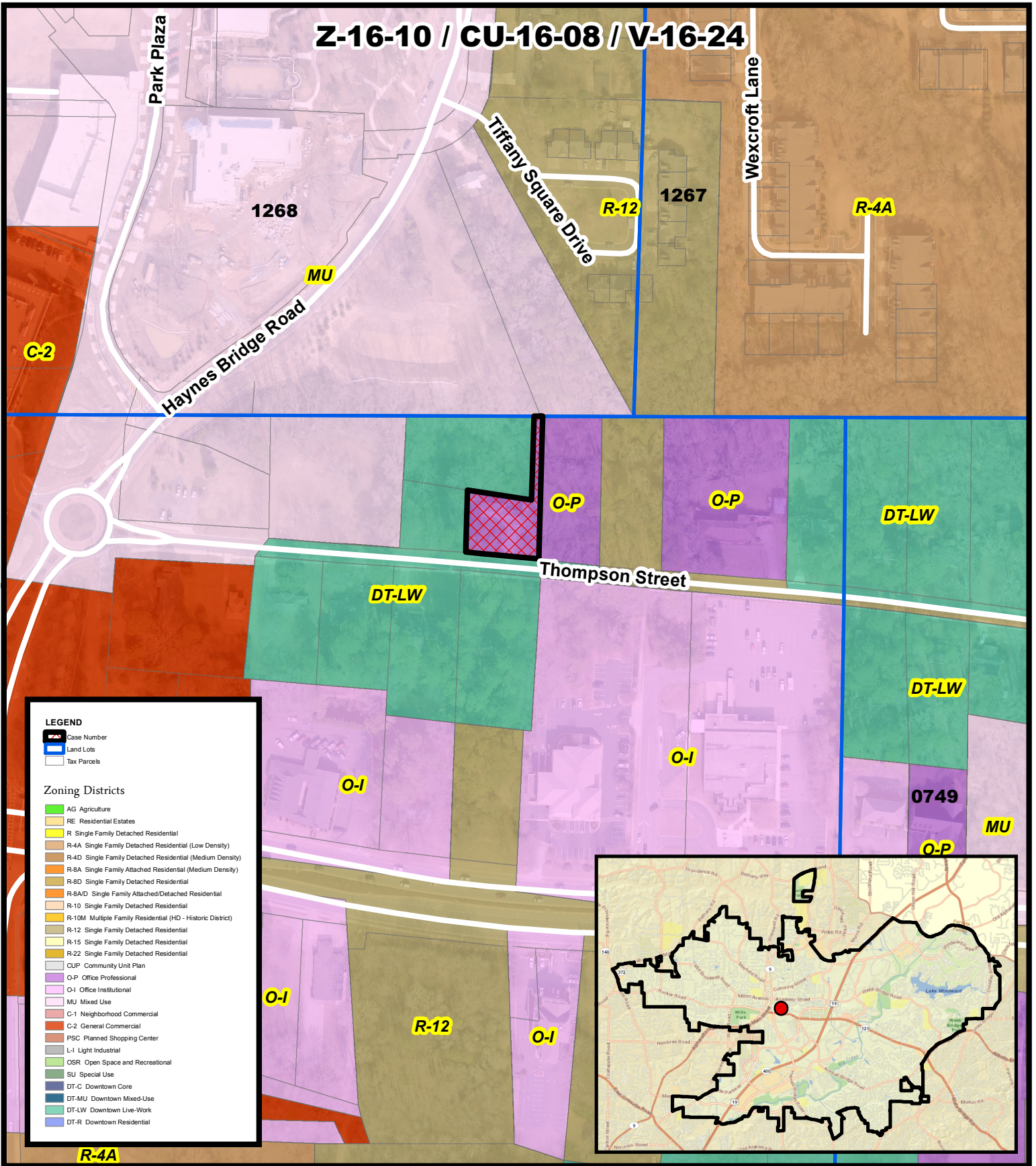
CC: 10/24/16



**Aerial Map
Southerton
72 Thompson Street**

**Location Map Provided by:
Community Development - GIS**

Z-16-10 / CU-16-08 / V-16-24



Z-16-10 / CU-16-08 / V-16-24

D/LL: 1/2/748

PC: 10/06/16

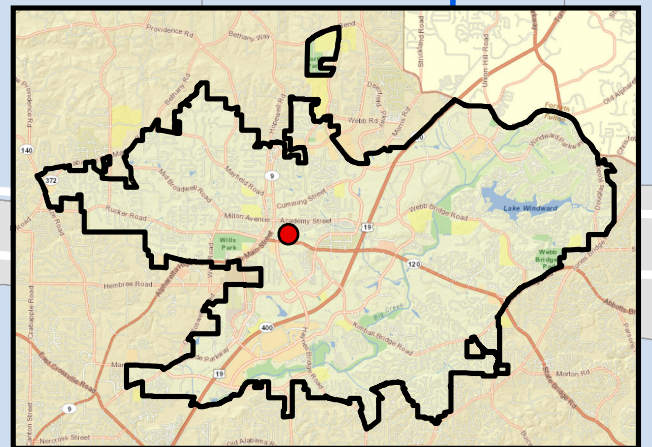
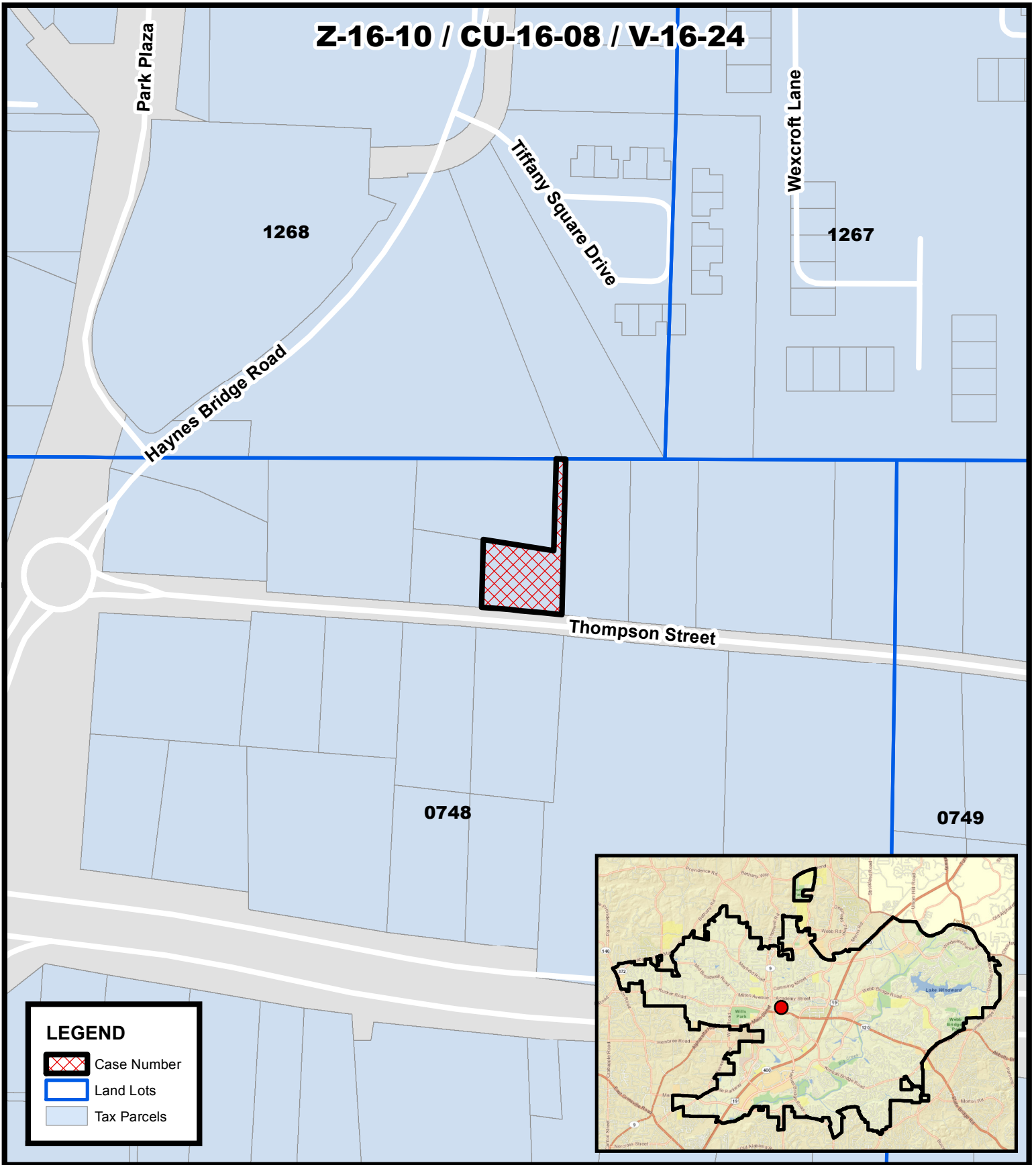
CC: 10/24/16



Zoning Map **Southerton** **72 Thompson Street**

Location Map Provided by:
Community Development - GIS

Z-16-10 / CU-16-08 / V-16-24



Z-16-10 / CU-16-08 / V-16-24

D/LL: 1/2/748

PC: 10/06/16

CC: 10/24/16



Location Map
Southernton
72 Thompson Street

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: 21610 - CU - 1608 - V1624

Contact Name: Stephanie Southerton Telephone: 770 - 639-0567

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

Stephanie Southerton

Date:

9/15/16.

Print Form

Stephanie Southerton
641 North Ave. NE
Atlanta, Ga. 30308

Sept. 15, 2016

Re: Rezoning application of Stephanie Southerton,
a .20 acre parcel of land located on Thompson St.,
to DT-LW for the construction of single family
residential homes.

Dear Property Owner,

I have filed an application to the City of Alpharetta to zone the property to Downtown Residential- Live-Work (DR-LW). The property contains a brick home converted to office space that was the former location of North Fulton Chiropractic Ctr. It contains .20 acres at the address of 72 Thompson St. The plan calls for 3 beautiful single family homes built with Hedgewood design with adherence to the City Masterplan. The homes will have balconies fronting Thompson St., with hidden rear auto entries utilizing a gravel path that adjoins Aycock and Hedgewood properties.

The Planning Commission meeting is scheduled for October 6th 2016 at 6:30 at Alpharetta City Hall, 2 Park Plaza, Alpharetta, Ga. 30009. The City Council meeting is scheduled for October 24th 2016 at 6:30 at City Hall.

If you have any questions or would like additional info., please don't hesitate to contact me at 770-639-0567 or email me at ssoutherton@bellsouth.net.

Sincerely,

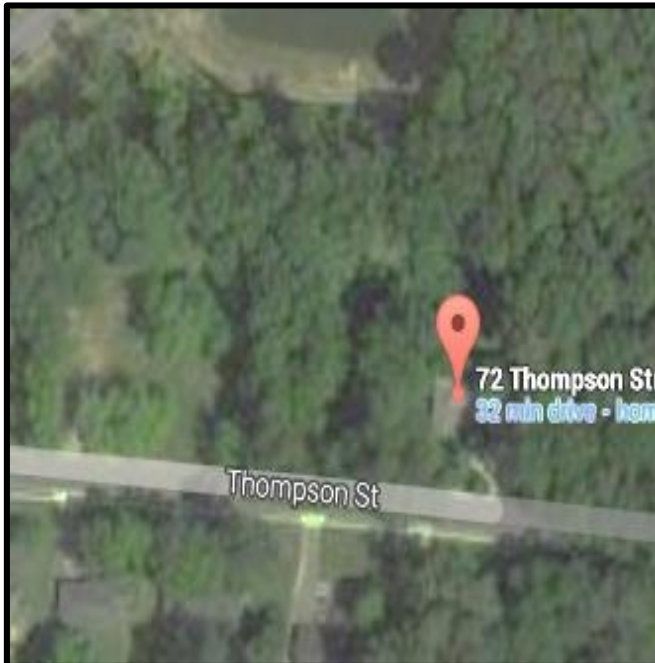


Stephanie Southerton
Property Owner

Tree Inventory & Analysis

Project:

72 THOMPSON STREET



On-Site Evaluation Date (s):

JULY 22, 2016

Report Date:

JULY 24, 2016

DESCRIPTION OF PROJECT SITE

The subject property is 0.299 acres located at 72 Thompson street Alpharetta Georgia. There is a structure located on the property, with open areas and mixed hardwood spaced throughout the property.

EVALUATION BASED ON

Evaluation is based upon field observation and practical horticulture and arboriculture experience. No sub-grade or internal coring investigation was performed on the subject trees. Photos of damage or defect, are included (Exhibit A)

CONDITION DEFINED

GOOD: Tree has excellent vigor and is actively growing without any serious pathogenic problems. Tree exhibits a structural form that is safe and typical of the species.

FAIR: Tree is in moderate health, but may have a minor pathogenic problem. Tree may have minor structural defects and may not exhibit optimal form for the species in an urban environment. A tree in fair condition may not react favorably to site developments or additional stress.

POOR: Tree's vigor is low to moderate. It may also have moderate to severe structural defects or a form that is undesirable for the species. Some trees in poor condition are not recoverable and could degrade into a state of advanced decline leading to death. Some poor trees are in severe decline.

NONSPECIMEN / DDH: Tree is Poor, not of specimen quality per standards of jurisdictional code, Dead, Diseased and/or Hazardous per professional opinion of this Arborist.

INVASIVE: Trees that are non-indigenous to the Atlanta area, Piedmont region.

HAZARDOUS: Tree with uncorrectable defects severe enough to pose present danger to people or buildings under normal conditions, as determined by an Arborist or Forester.

DBH: Diameter of trunk in inches, measured at 4.5' above average soil level. Where split, tree is measured at narrowest point below split.

SPLIT: Trunk splits into two trunks or is two trees growing together at a point of inclusive bark. See Arborist note last page of report.

Tree # 948 **BOUNDARY TREE** **Species** PINE **Size (DBH)** 26

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: IVY, HIGH CANOPY



Tree # 949 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 25

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: IVY, HYDRANGEA VINE, HIGH CANOPY



Tree # 950 **BOUNDARY TREE** **Species** PINE **Size (DBH)** 22

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: HYDRANGEA VINE, HIGH CANOPY



Tree # 951 **Species** PINE **Size (DBH)** 22

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: IVY, HIGH CANOPY



Tree # 952 **BOUNDARY TREE** **Species** OAK **Size (DBH)** 22

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

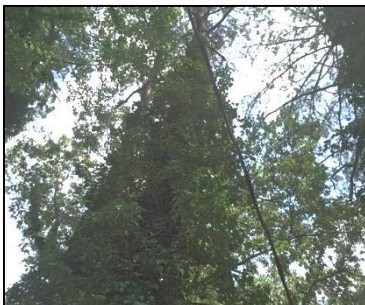
Notes: IVY, HIGH CANOPY



Tree # 953 **Species** PINE **Size (DBH)** 20

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: IVY, HIGH CANOPY



Tree # 954

Species PINE

Size (DBH) 22

GOOD	FAIR	☒	POOR	Non-Specimen	DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak	Attachment	Codominant	
Included Bark	Open Wound	Broken	Branches	Included Bark	
Decay	Dead Branches	Dead	Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip	Dieback	Canker/Gall	
Roots/Sight Conditions			Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes: IVY, HIGH CANOPY



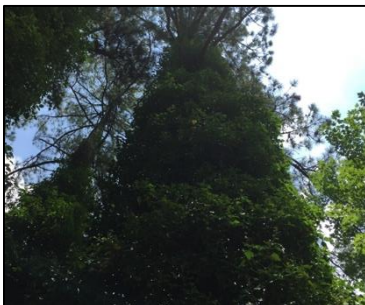
Tree # 955

Species PINE

Size (DBH) 20

GOOD	FAIR	☒	POOR	Non-Specimen	DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak	Attachment	Codominant	
Included Bark	Open Wound	Broken	Branches	Included Bark	
Decay	Dead Branches	Dead	Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip	Dieback	Canker/Gall	
Roots/Sight Conditions			Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

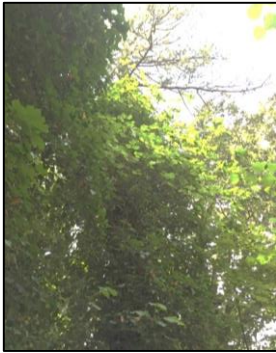
Notes: HYDRANGEA VINE, HIGH CANOPY



Tree # 956 **Species** PINE **Size (DBH)** 22

GOOD	FAIR	☒	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes: VINE, HIGH CANOPY



Tree # 957 **LANDSCAPE TREE** **Species** MAPLE **Size (DBH)** 5

GOOD	☒	FAIR	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes:



Tree # 958 LANDSCAPE TREE Species MAPLE Size (DBH) 4

GOOD ☒		FAIR	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes:



Tree # 959 LANDSCAPE TREE Species ELM Size (DBH) 5

GOOD ☒		FAIR	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes:



Tree # 960 LANDSCAPE TREE Species ELM Size (DBH) 6

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

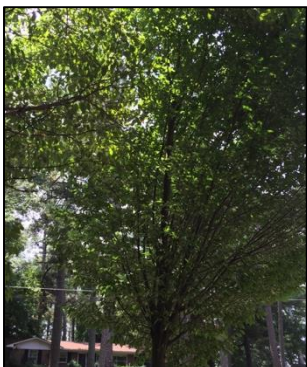
Notes: WOODPECKER DAMAGE



Tree # 961 LANDSCAPE TREE Species ELM Size (DBH) 5

GOOD		FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes:



Tree # 962

Species DOGWOOD

Size (DBH) 13

GOOD ☐	FAIR ☐	POOR ☐	Non-Specimen ☒	DBH ☒
Canopy		Trunk		
Multi-Leaders ☐	Conk/Mushroom ☐	Weak Attachment ☐	Codominant ☐	
Included Bark ☐	Open Wound ☐	Broken Branches ☐	Included Bark ☐	
Decay ☐	Dead Branches ☒	Dead Branches ☐	Heartwood Decay ☐	
Canker/Gall ☐	Unbalanced Crown ☒	Tip Dieback ☐	Canker/Gall ☐	
Roots/Sight Conditions		Lightning Damage ☐	Ooze ☐	
Surface Roots ☐	Target ☐	Conk/Mushroom ☐		
Root Decay ☐	Slope ☐	Open Wound ☐		

Notes:



Tree # 963

Species POPLAR

Size (DBH) 34

GOOD ☐	FAIR ☒	POOR ☒	Non-Specimen ☐	DBH ☐
Canopy		Trunk		
Multi-Leaders ☐	Conk/Mushroom ☐	Weak Attachment ☐	Codominant ☐	
Included Bark ☐	Open Wound ☐	Broken Branches ☐	Included Bark ☐	
Decay ☐	Dead Branches ☐	Dead Branches ☐	Heartwood Decay ☐	
Canker/Gall ☐	Unbalanced Crown ☐	Tip Dieback ☐	Canker/Gall ☐	
Roots/Sight Conditions		Lightning Damage ☐	Ooze ☐	
Surface Roots ☐	Target ☐	Conk/Mushroom ☐		
Root Decay ☐	Slope ☐	Open Wound ☐		

Notes:



Tree # 964

Species POPLAR

Size (DBH) 22

GOOD	FAIR	☒	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes: CODOMINANT IN FRONT



Tree # 965

Species POPLAR

Size (DBH) 27

GOOD	FAIR	☒	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes: CODOMINANT IN FRONT



Tree # 966 **BOUNDARY TREE** **Species** SWEET GUM **Size (DBH)** 20

GOOD		FAIR	☒	POOR	Non-Specimen	DDH
Canopy			Trunk			
Multi-Leaders	Conk/Mushroom	Weak	Attachment	Codominant		
Included Bark	Open Wound	Broken	Branches	Included Bark		
Decay	Dead Branches	Dead	Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip	Dieback	Canker/Gall		
Roots/Sight Conditions			Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom				
Root Decay	Slope	Open Wound				

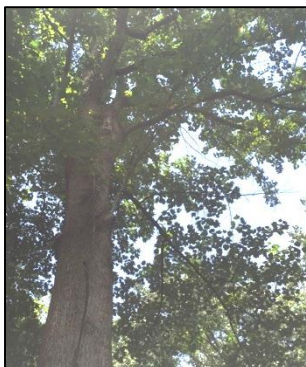
Notes: OLD PRUNE AND GIRDLE STYLE WOUNDS - HEALED



Tree # 967 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 40

GOOD		☒	FAIR	POOR	Non-Specimen	DDH
Canopy			Trunk			
Multi-Leaders	Conk/Mushroom	Weak	Attachment	Codominant		
Included Bark	Open Wound	Broken	Branches	Included Bark		
Decay	Dead Branches	Dead	Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip	Dieback	Canker/Gall		
Roots/Sight Conditions			Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom				
Root Decay	Slope	Open Wound				

Notes:



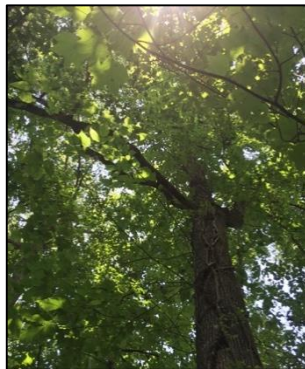
Tree # 968

Species SWEET GUM

Size (DBH) 25

GOOD	☐	FAIR	☒	POOR	☐	Non-Specimen / DDH	☐
Canopy				Trunk			
Multi-Leaders	☐	Conk/Mushroom	☐	Weak Attachment	☐	Codominant	☐
Included Bark	☐	Open Wound	☐	Broken Branches	☐	Included Bark	☐
Decay	☐	Dead Branches	☐	Dead Branches	☐	Heartwood Decay	☐
Canker/Gall	☐	Unbalanced Crown	☒	Tip Dieback	☐	Canker/Gall	☐
Roots/Sight Conditions				Lightning Damage	☐	Ooze	☐
Surface Roots	☐	Target	☐	Conk/Mushroom	☐		☐
Root Decay	☐	Slope	☐	Open Wound	☐		☐

Notes: IRREGULAR BRANCHING



Tree # 969

Species SWEET GUM

Size (DBH) 27

GOOD	☒	FAIR	☐	POOR	☐	Non-Specimen / DDH	☐
Canopy				Trunk			
Multi-Leaders	☐	Conk/Mushroom	☐	Weak Attachment	☐	Codominant	☐
Included Bark	☐	Open Wound	☐	Broken Branches	☐	Included Bark	☐
Decay	☐	Dead Branches	☐	Dead Branches	☐	Heartwood Decay	☐
Canker/Gall	☐	Unbalanced Crown	☐	Tip Dieback	☐	Canker/Gall	☐
Roots/Sight Conditions				Lightning Damage	☐	Ooze	☐
Surface Roots	☐	Target	☐	Conk/Mushroom	☐		☐
Root Decay	☐	Slope	☐	Open Wound	☐		☐

Notes:



Tree # 970 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 20

GOOD		☒	FAIR	POOR	Non-Specimen/DBH
Canopy			Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant		
Included Bark	Open Wound	Broken Branches	Included Bark		
Decay	Dead Branches	Dead Branches	Heartwood Decay		
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall		
Roots/Sight Conditions		Lightning Damage	Ooze		
Surface Roots	Target	Conk/Mushroom			
Root Decay	Slope	Open Wound			

Notes:



Tree # 971 **Species** PINE **Size (DBH)** 21

GOOD	FAIR	☒	POOR	Non-Specimen/DBH
Canopy			Trunk	
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes:



Tree # 972 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 24

GOOD ☒		FAIR	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes:



Tree # 973 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 32

GOOD ☒		FAIR	POOR	Non-Specimen/DBH
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes: ADJACENT TO EXISTING DRIVEWAY



Tree # 974 **BOUNDARY TREE** **Species** PINE **Size (DBH)** 21

GOOD	☐	FAIR	☐	POOR	☐	Non-Specimen / DDH	☒
Canopy				Trunk			
Multi-Leaders	☐	Conk/Mushroom	☐	Weak Attachment	☐	Codominant	☐
Included Bark	☐	Open Wound	☐	Broken Branches	☐	Included Bark	☐
Decay	☐	Dead Branches	☐	Dead Branches	☐	Heartwood Decay	☐
Canker/Gall	☐	Unbalanced Crown	☐	Tip Dieback	☐	Canker/Gall	☐
Roots/Sight Conditions				Lightning Damage	☐	Ooze	☐
Surface Roots	☐	Target	☒	Conk/Mushroom	☐		☐
Root Decay	☐	Slope	☐	Open Wound	☐		☐

Notes: LEAN, WALL AGAINST BASE OF TREE



Tree # 975 **BOUNDARY TREE** **Species** PINE **Size (DBH)** 28

GOOD	☐	FAIR	☒	POOR	☐	Non-Specimen / DDH	☐
Canopy				Trunk			
Multi-Leaders	☐	Conk/Mushroom	☐	Weak Attachment	☐	Codominant	☐
Included Bark	☐	Open Wound	☐	Broken Branches	☐	Included Bark	☐
Decay	☐	Dead Branches	☐	Dead Branches	☐	Heartwood Decay	☐
Canker/Gall	☐	Unbalanced Crown	☐	Tip Dieback	☐	Canker/Gall	☐
Roots/Sight Conditions				Lightning Damage	☐	Ooze	☐
Surface Roots	☐	Target	☐	Conk/Mushroom	☐		☐
Root Decay	☐	Slope	☐	Open Wound	☐		☐

Notes: VERY HIGH CANOPY, WALL AGAINST BASE



Tree # 976 **BOUNDARY TREE** **Species** POPLAR **Size (DBH)** 25

GOOD	FAIR	POOR	Non-Specimen/ DDH	☒
Canopy		Trunk		
Multi-Leaders	Conk/Mushroom	Weak Attachment	Codominant	
Included Bark	Open Wound	Broken Branches	Included Bark	
Decay	Dead Branches	Dead Branches	Heartwood Decay	
Canker/Gall	Unbalanced Crown	Tip Dieback	Canker/Gall	
Roots/Sight Conditions		Lightning Damage	Ooze	
Surface Roots	Target	Conk/Mushroom		
Root Decay	Slope	Open Wound		

Notes: WATER SPROUTS, WOODPECKER DAMAGE



Tree # **Species** **Size (DBH)**

GOOD	☐	FAIR	☐	POOR	☐	Non-Specimen / DDH	☐
Canopy				Trunk			
Multi-Leaders	☐	Conk/Mushroom	☐	Weak Attachment	☐	Codominant	☐
Included Bark	☐	Open Wound	☐	Broken Branches	☐	Included Bark	☐
Decay	☐	Dead Branches	☐	Dead Branches	☐	Heartwood Decay	☐
Canker/Gall	☐	Unbalanced Crown	☐	Tip Dieback	☐	Canker/Gall	☐
Roots/Sight Conditions				Lightning Damage	☐	Ooze	☐
Surface Roots	☐	Target	☐	Conk/Mushroom	☐		☐
Root Decay	☐	Slope	☐	Open Wound	☐		☐

Notes:

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Analysis prepared by:

E. Tyrone Casteel, ISA Certified Arborist
Certificate Number: SO-5646A
Mondo Land Planning + Design, LLC



Warranty Disclaimer:

No warranties expressed or implied are made with respect to the report of aforementioned specimen trees. It is understood the OWNER makes use of this report by the ARBORIST at OWNER'S sole risk and that the report is provided as best judgment opinion. In no manner does this report guarantee the life or imply any length of life span of the trees that are determined to be specimens.

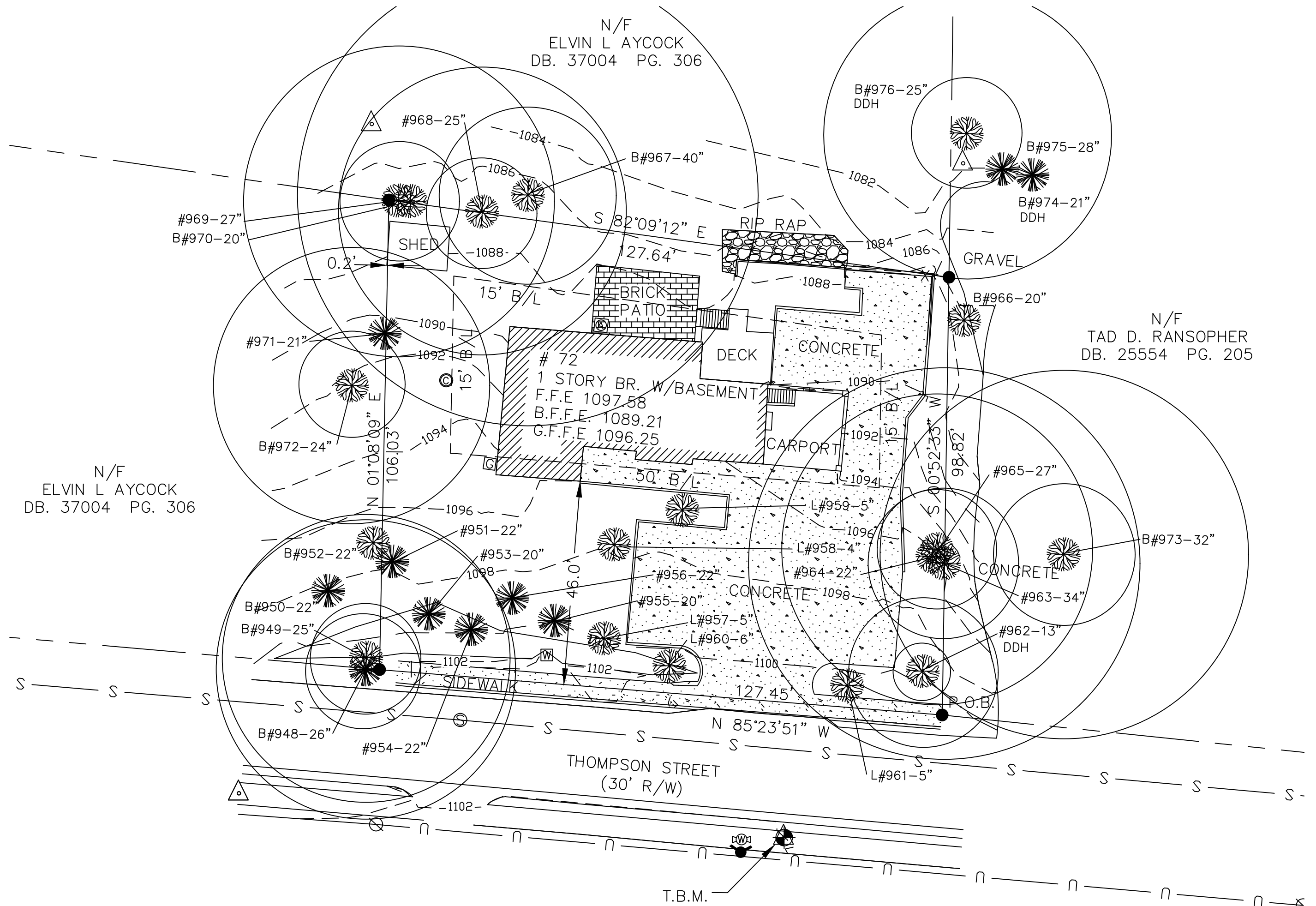
Arborist Note:

Due to certain species and undesirable traits, some trees shall be considered in poor condition if the following is true. Numerous trees grown in a native setting may appear to grow as multi-trunk; however this is not desirable in most trees. Most trees having multi-trunks at the base are usually created when two separate trees grow together or the tree branches off at an early age and the separate trunks become Co-Dominate Leaders. Either scenario is an undesirable condition for most trees because they both create weak crotches, included bark and/or a prime place for debris and water to get trapped that will eventually cause decay. In this case these trees become increasingly hazardous and can not be considered specimen trees.

Some trees are an exception to this rule, such as, but not limited to: Birch, Wax Myrtle, Red Bud, Dogwood, Holly, Cedar, Sourwood, small Magnolia, Red Bay and Live Oak. Said are an exception because they naturally create sucker growth from the roots and/or trunk or do not typically grow to a large enough size to become an increased hazard.

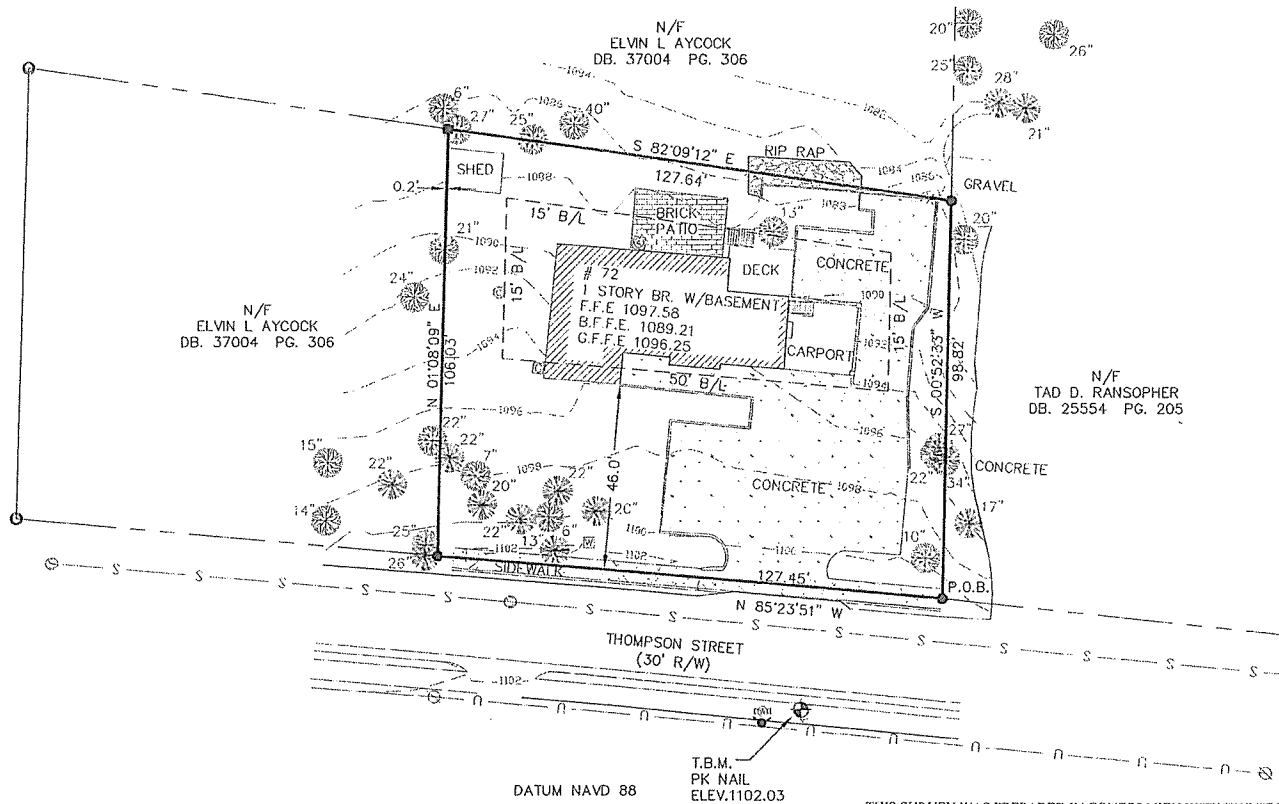
Reference: Sinclair, Wayne A., 1936. Diseases of Trees and Shrubs/ Wayne A. Sinclair and Howard H. Lyon. - 2nd ed. Published 2005

N/F
TAD D. RANSOPHER
DB. 25554 PG. 205



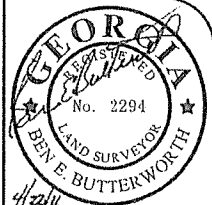
LEGEND:

- PROPERTY CORNER FOUND (AS NOTED)
- 1/2" REBAR WITH CAP SET LSF# 839
- R/W MONUMENT
- ▲ FIRE HYDRANT
- ⊠ WATER METER
- ⊞ WATER VALVE
- ⊙ POWER POLE
- ⊛ LIGHT POLE
- ⊛⊙ POWER/LIGHT POLE
- C GUY WIRE
- ⊠ POWER METER
- ⊠ POWER BOX
- ⊠ A/C UNIT
- ⊙ MANHOLE
- ⊙ CLEAN OUT
- ⊙ CATCH BASIN
- ⊙ JUNCTION BOX
- ⊙ OUTFLOW STRUCTURE
- ⊠ DRAINAGE INLET
- ⊠ GAS METER
- ⊞ GAS VALVE
- ⊠ CABLE BOX
- ⊠ TELEPHONE BOX
- ⊠ SIGNAL CONTROL BOX
- ⊙ SIGN
- W- WATER LINE
- U- OVERHEAD UTILITY LINE
- S- SEWER LINE
- G- GAS LINE
- C- CABLE LINE
- T- TELEPHONE LINE
- X- FENCE LINE
- 920- CONTOUR LINE
- BSL BUILDING SETBACK LINE
- CONC. CONCRETE
- EOP EDGE OF PAVEMENT
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- P/L PROPERTY LINE
- R/W RIGHT-OF-WAY
- D.E. DRAINAGE EASEMENT
- O.H. OVERHANG
- CNT CANTILEVER
- DB DEED BOOK
- PB PLAT BOOK
- PG PAGE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- ⊙ HARDWOOD TREE



GRID NORTH
GEORGIA WEST ZONE
NAD 1983
SCALE: 1"=30'

BOUNDARY, TREE,
TOPOGRAPHIC,
SURVEY
PREPARED FOR: STEPHANIE SOUTHERTON
LAND LOT 748, 1ST DISTRICT
2ND SECTION, CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA - 04/22/16



FOR THE FIRM
BOUNDARY ZONE, INC.
LSF #839
NOT VALID WITHOUT
ORIGINAL SIGNATURE

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. 15-6-67.

THIS SURVEY WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY.

THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS OR ENTITY NAMED HEREON AND DOES NOT EXTEND TO ANY UNNAMED PERSON WITHOUT A RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.

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TOTAL AREA: 0.299 ACRES / 13,004 SQUARE FEET

BOUNDARY REFERENCE: DEED BOOK 51828, PAGE 422, FIELDWORK PERFORMED ON 04/07/16

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 135,234 FEET.

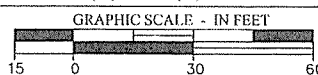
THIS PLAT HAS BEEN PREPARED USING A TRIMBLE 5603 ROBOTIC TOTAL STATION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 30,516 FEET, AND ANGULAR ERROR OF 03 SECONDS PER ANGLE POINT, AND WAS ADJUSTED USING COMPASS RULE.

BOUNDARY
zone, inc.
1 AND SURVEYING SERVICES
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LAND PLANNING

SURVEYING LANDSCAPE ARCHITECTURE LAND PLANNING
WWW.BOUNDARYZONE.COM (770) 271-5772 (919) 363-9276

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494 SOUTH LEE STREET, SUITE 1
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ALPHARETTA
215 PEACHTREE STREET, SUITE 400
ALPHARETTA, GEORGIA 30005
MARIETTA
1875 TOWN & COUNTRY, SUITE 100
MARIETTA, GA 30067
DALLAS
2205 CANTERBURY DRIVE, APT. 205
NORTH CAROLINA 27523



PROJECT
1711401

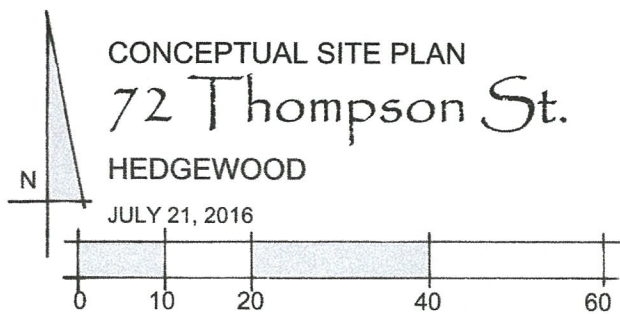
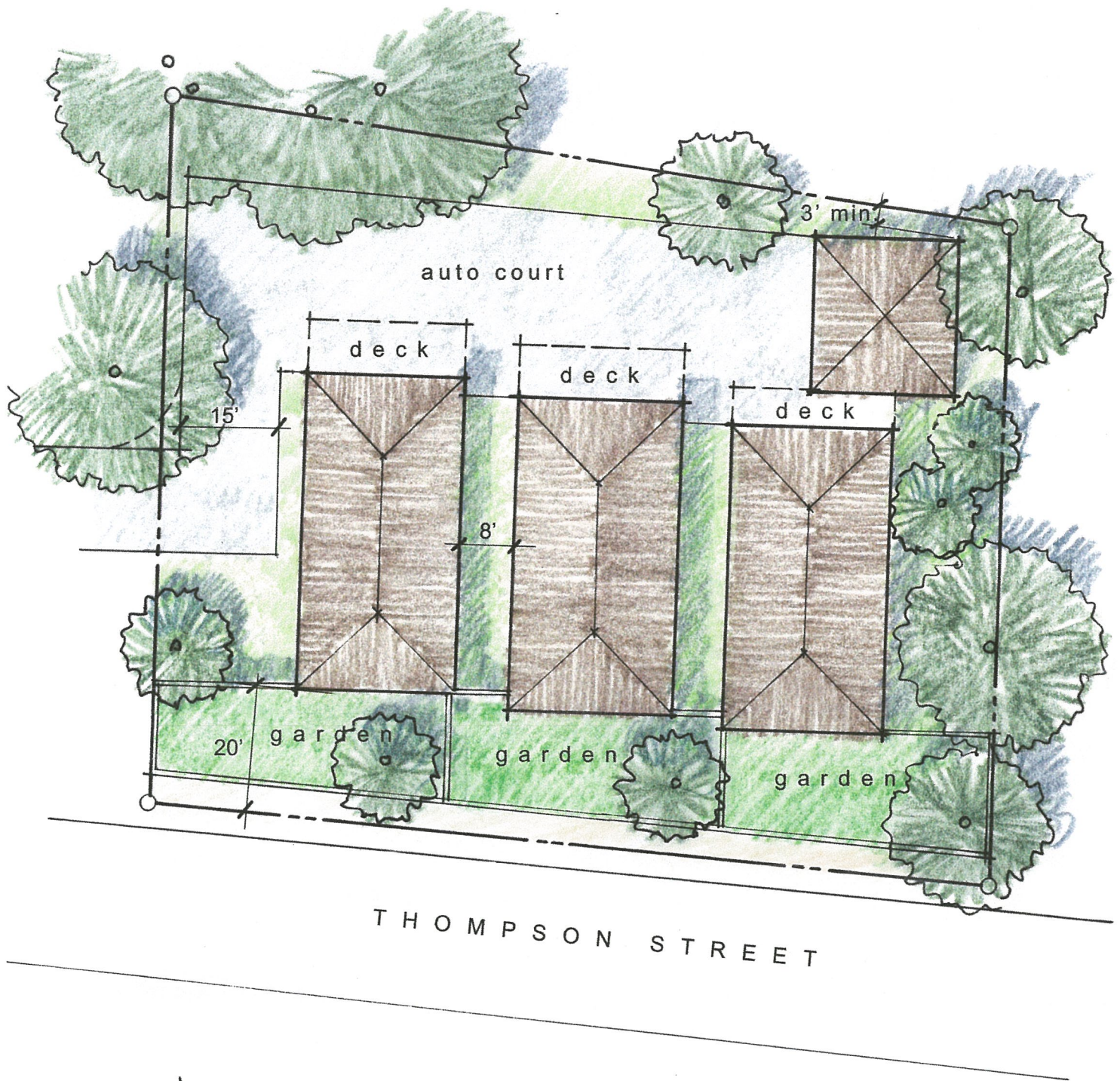
SHEET
1 OF 1

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 748, 1ST DISTRICT, 2ND SECTION OF FULTON COUNTY, CITY OF ALPHARETTA, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A ½ INCH REBAR SET ON THE NORTHERLY RIGHT OF WAY OF THOMPSON STREET, 551.93 FEET FROM THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF HAYNES BRIDGE ROAD, FORMERLY KNOWN AS BROOKE STREET, WITH THE NORTHERLY RIGHT OF WAY OF THOMPSON STREET, THENCE LEAVING SAID RIGHT OF WAY AND RUNNING NORTH 01 DEGREES 08 MINUTES 09 SECONDS EAST 106.03 FEET ALONG A LINE COMMON TO PROPERTY NOW OR FORMERLY OWNED BY ELVIN AYCOCK TO A ½ INCH REBAR SET; THENCE CONTINUING ALONG PROPERTY NOW OR FORMERLY OWNED BY ELVIN AYCOCK SOUTH 82 DEGREES 09 MINUTES 12 SECONDS E 127.64 FEET TO A ½ INCH REBAR SET; THENCE ALONG A LINE COMMON TO LANDS OWNED BY TAD RANSOPHER SOUTH 00 DEGREES 52 MINUTES 33 SECONDS WEST 98.82 FEET TO A ½ INCH REBAR SET ON THE NORTHERLY RIGHT OF WAY OF THOMPSON STREET; THENCE NORTH 85 DEGREES 23 MINUTES 51 SECONDS WEST 127.45 FEET ALONG SAID RIGHT OF WAY TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 0.299 ACRES OF LAND.



2024



8/12/16

MP-16-13/Z-16-11/CU-16-19/V-16-25

SOUTHERTON/72 THOMPSON ST

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: Stephanie Southerton Telephone: 770-639-0567Address: 641 North Ave. NE Suite: _____City: Atlanta State: GA Zip: 30308 Fax: _____Mobile Tel: 770-639-0567 Email: SSoutherton@bellsouth.net

Subject Property Information:

Address: 72 Thompson Street Current Zoning: _____District: 1st Section: 2 of Land Lot: 748 Parcel ID: _____Proposed Zoning: D.T. CW Current Use: Commercial/Residential

This Application For (Check All That Apply):

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

APPLICANT REQUEST AND INTENT

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

To build 3 single family detached homes.

Applicant's Request (Please itemize the proposal):

- ① rezone to DFLW and divide into 3
- ② individual parcels for 3 single family detached homes.
- ③ update variance
- ④ lot size reduction to accommodate 3 homes on .299 acres

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

Enhance downtown Alpharetta
as well as enhance Thompson Street.

8/12/16

PROPERTY OWNER AUTHORIZATION

SOUTHERTON/72 THOMPSON ST

need
more
il

Property Owner Information:

Contact Name: Stephanie Southerton Telephone: 770-639-0567

Address: 641 North Ave NE Suite: 3401

City: Atlanta State: GA Zip: 30308

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: Stephanie Southerton Telephone: 770-639-0567

Address: 641 ~~22A~~ North Ave. Suite: 3401

City: Atlanta State: GA Zip: 30308

So Sworn and Attested:

Owner Signature: Stephanie Southerton Date: 7/7/16

Notary:

Notary Signature: Margaret H Evans Date: 7/7/16

8/12/16

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SOUTHERTON/72 THOMPSON ST

DISCLOSURE FORM

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

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

Name of Applicant or Opponent: _____

Subject Public Hearing Case: _____

Campaign Contribution Information:

NA-

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

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

Name of Official: _____

Position: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Description of Contribution: _____

Value: _____

Campaign Contribution Information:

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

Signature: _____

Stephanie Southerton

Date: _____

8/10/16

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

New construction will continue the enhancement of Thompson Street

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

Will raise property value + generate more tax dollars for Alpharetta.

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

- needs to be divided into 3 parcels instead of the current 1 parcel.
- needs rezoning
- conditional use update
- applying for variance

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

minimal, we would rear load.

Extending to the Alley that is being built by hedge wood + add onto Mr. Aycock.

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

Generate tax dollars to schools + use of local utilities

comparing - Further helping Alpharetta generate income

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

Proposal would be more conducive to Alpharetta's

comprehensive plan, than the ~~prop state~~ current state of existing property.

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

Thompson Street is currently improving it's condition and our proposal will continue improvement.

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

8/12/16

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SOUTHERTON/72 THOMPSON ST

I am requesting to rezone 72 Thompson to DTLW. As it stands now this address will be an eyesore to the upcoming plans for this street, the plans for Hedgewood properties to enhance and continue to add to all of the progress the city of Alpharetta envision. That is why, in collaboration with Hedgewood I wish to rezone to have 3 single family homes, that will rear load extending the alley that will be built by Hedgewood and Aycock properties. I will extend that alley if allowed, using crushed stone for the driveways. Hedgewood properties will be building these homes with the integrity and upscale design they are well known for.

Thank you for your Consideration.

8/12/16

MP-16-13/Z-16-11/CU-16-19/V-16-25
SOUTHERTON/72 THOMPSON ST

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.

THERE ARE NO EXCEPTIONAL
CONDITIONS PERTAINING TO THIS PROPERTY
RELATED TO ITS SIZE, SHAPE OR TOPOGRAPHY

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

NO HARDSHIP WOULD BE CREATED
BY APPLICATION OF THE ZONING CODE STANDARD

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

THERE ARE NO CONDITIONS
PECULIAR TO THIS PROPERTY

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

TO THE CONTRARY, RELIEF WOULD CONTRIBUTE GREATLY TO
THE CITY OF ALPHARETTA DOWNTOWN MASTER PLAN OF A
WALKABLE LIVE/WORK COMMUNITY

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.

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SOUTHERTON/72 THOMPSON ST

The property is currently zoned OP, with a brick 50 yr old home converted into a medical office. The Alpharetta downtown master plan envisions Thompson St. to be a tasteful, walkable mixed use corridor capable of joining Avalon and downtown. This rezoning will allow this property to meet these expectations by providing 3 beautiful homes built by Hedgewood. The homes will be designed with enviable landscaping blended with Hedgewood signature street frontage porches/balconies with rear loading.

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

AA

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

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SOUTHERTON/72 THOMPSON ST

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: _____

Contact Name:

Stephanie Southerton

Telephone:

770-639-0567

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.

please

see attached list

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



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.

personal email / telephone

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SOUTHERTON/72 THOMPSON ST

ACADEMY PARK NEIGHBORHOOD ASSN INC
Or Current Property Owner
P O BOX 87363
ATLANTA GA 30337

ANDRADE DANIEL J & KANDICE M
Or Current Property Owner
4003 TIFFANY SQUARE
ALPHARETTA GA 30004

AYCOCK ELVIN L
Or Current Property Owner
185 THOMPSON ST
ALPHARETTA GA 30004

BENNETT JOE T
Or Current Property Owner
4002 TIFFANY SQUARE
ALPHARETTA GA 30201

BLACKWELL BERT L & JOYCE
Or Current Property Owner
71 THOMPSON ST
ALPHARETTA GA 30004 1723

BUCKLEY KERRY M TR
Or Current Property Owner
1985 SOUTHERS CIR
SUWANEE GA 30024

BURGAMY SCOTT E & BURGAMY REBECCA L
Or Current Property Owner
1011 FOUNTAIN GLEN DR
LAWRENCEVILLE GA 30043

CHANDLER ALLYSON B
Or Current Property Owner
4006 TIFFANY SQ
ALPHARETTA GA 30009

COCHRAN KATIE N & GAUT MARY N E
Or Current Property Owner
51 THOMPSON ST
ALPHARETTA GA 30004

COCHRAN KATY N & MELVIN D
Or Current Property Owner
61 THOMPSON ST
ALPHARETTA GA 30004

DREYFUS PROPERTIES L L C
Or Current Property Owner
6094 ODELL ST
CUMMING GA 30040

EATON JOANNE
Or Current Property Owner
12526 WEXCROFT LN
ALPHARETTA GA 30004

EICKHOFF ROBERT W & NIKKI C
Or Current Property Owner
12513 WEXCROFT LANE
ALPHARETTA GA 30009

FOOS JOSEPH F FOOS MARILYN W
Or Current Property Owner
P O BOX 1313
ALPHARETTA GA 30009

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

GREEN RESIDENTIAL LLC
Or Current Property Owner
2660 GRASSVIEW DR
ALPHARETTA GA 30004

HOM LLC
Or Current Property Owner
11785 NORTHFALL LANE SUITE 510
ALPHARETTA GA 30009

JONES KEITH A & JILL A
Or Current Property Owner
122 THOMPSON ST
ALPHARETTA GA 30004

MC KNIGHT CAROLYN S
Or Current Property Owner
4040 DUNAGAN RD
GAINESVILLE GA 30507 8089

MELROSE RICHARD MELROSE BEVERLEY DAWN
Or Current Property Owner
12522 WEXCROFT LN
ALPHARETTA GA 30009 8761

MORGAN REBECCA
Or Current Property Owner
4005 TIFFANY SQ
ALPHARETTA GA 30009

MOSS LESLIE MOSS RHONDA
Or Current Property Owner
112 THOMPSON ST
ALPHARETTA GA 30004

NOEL DIANE H
Or Current Property Owner
911 KINGHORN DR NW
KENNESAW GA 30152

NOEL RAYMOND E
Or Current Property Owner
911 KINGHORN DR NW
KENNESAW GA 30152

RANSOPHER TAD D
Or Current Property Owner
82 THOMPSON ST
ALPHARETTA GA 30004

ROBERT M STEVENS LIVING TRUST THE
Or Current Property Owner
12511 WEXCROFT LANE
ALPHARETTA GA 30009

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

RONALD D & LINDA J COLEMAN TRUST AGREEMENT
THE
Or Current Property Owner
514 WHITE PELICAN CIR
VERO BEACH FL 32963

SCOTT ROBERT J & SCOTT NANCY H
Or Current Property Owner
12524 WEXCROFT LANE
ALPHARETTA GA 30009

SPURLOCK SHERI R
Or Current Property Owner
4004 TIFFANY SQUARE DR
ALPHARETTA GA 30201

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MP-16-13/Z-16-11/CU-16-19/V-16-25
SOUTHERTON/72 THOMPSON ST

SPURLOCK SHERI RENEE
Or Current Property Owner
4008 TIFFANY SQUARE DR
ALPHARETTA GA 30009

STATE BANK & TRUST COMPANY
Or Current Property Owner
4219 FORSYTH RD
MACON GA 31208

STATURE PROPERTIES LLC
Or Current Property Owner
675 SEMINOLE AVE SUITE 301
ATLANTA GA 30307

SULLIVAN BEVERLY A
Or Current Property Owner
138 MOSSLAND DR
PERRY GA 31069 9213

TIFFANY SQUARE HOMEOWNERS ASSOC INC
Or Current Property Owner
4004 TIFFANY SQ
ALPHARETTA GA 30009 3768

TORTORELLO MICHAEL F
Or Current Property Owner
12515 WEXCROFT LN
ALPHARETTA GA 30009

UNITED STATES POSTAL SERVICE
Or Current Property Owner
1735 NORTH BROWN RD SUITE 200
LAWRENCEVILLE GA 30043 8153

VELASQUEZ BEATRIZ
Or Current Property Owner
4011 TIFFANY SQUARE
ALPHARETTA GA 30004

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SOUTHERTON/72 THOMPSON ST

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: _____

Contact Name: _____ Telephone: _____

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

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

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

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

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

Signature of Authorized Agent: _____ Date: _____

Print Form