



CITY COUNCIL MEETING & PUBLIC HEARING MARCH 28, 2022

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

- I. CALL TO ORDER
- II. ROLL CALL
- III. PLEDGE TO THE FLAG
- IV. PRESENTATIONS & PROCLAMATIONS
 - A. Planning Commission Service Award & Proclamation - Larry Attig
- V. CONSENT AGENDA
 - A. Council Meeting Minutes (Meeting of 3/21/2022)
- VI. PARTNERSHIP UPDATES
 - A. MARTA GA 400 Update
- VII. PUBLIC HEARING
 - A. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street
Consideration of a rezoning from C-2 (General Commercial) to DT-R (Downtown Residential) to allow for 1 'For-Sale' single-family detached home on 0.72 acres in the Downtown Overlay. A variance is requested to reduce buffer requirements. The property is located at 182 Marietta Street and is legally described as being located in Land Lots 694 & 1270, 1st District, 2nd Section, Fulton County, Georgia.
 - B. PH-22-01 / Unified Development Code Text Amendments - Research/Development, Laboratory, Athletic Facility & Fitness Studio and Driveways
Consideration of text amendments to the Unified Development Code (UDC) to add definitions, uses and regulations associated with Research & Development, Laboratory, Athletic Facility & Fitness Studio, and Driveways.
 - C. PH-22-02 / 63 South Main Street Parking In-Lieu
This item has been withdrawn by the applicant and will not be discussed or considered during tonight's meeting.
Consideration of a request to allow vehicular parking requirements for approximately thirteen (13) parking spaces to be satisfied through payment of parking in-lieu fees. The property is located at 63 South Main Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.
- VIII. NEW BUSINESS
 - A. Alpha Loop Downtown Link - Planning Services Task Order
 - B. RFP 22-110 Landscape Maintenance and On-Call Construction Services for Parks
 - C. Approval of Design Contract for Wacky World Restrooms at Wills Park
 - D. Wills Park Maintenance Facility Construction
This item has been deferred by Staff to the April 18, 2022 City Council Meeting, and will not be discussed or considered during tonight's meeting.

- E. Resolution - City Solicitor**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia providing that the position of City Solicitor will be occupied by a full-time, at-will City employee; providing for the term of the City Solicitor; and for other purposes.
- F. Resolution to Authorize the Use of Eminent Domain - 13075 Tidewater Crossing**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13075 Tidewater Crossing, Alpharetta Georgia (Tax parcel No.:21 -5680-1033-085-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- G. Resolution to Authorize the Use of Eminent Domain - 5015 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5015 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1033-073-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- H. Resolution to Authorize the Use of Eminent Domain - 5035 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5035 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-071-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- I. Resolution to Authorize the Use of Eminent Domain - 5055 Tidewater Way**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5055 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-069-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- J. Resolution to Authorize the Use of Eminent Domain - 13013 Dartmore Avenue**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13013 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-096-3) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
- K. Resolution to Authorize the Use of Eminent Domain - 13033 Dartmore Circle**
A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13033 Dartmore Circle, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-091-4) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

IX. PUBLIC COMMENT

X. REPORTS

XI. ADJOURNMENT TO EXECUTIVE SESSION



**A PROCLAMATION BY THE MAYOR AND COUNCIL
OF THE CITY OF ALPHARETTA, GEORGIA**

"Larry Attig"

- WHEREAS:** **Larry Attig** is a long-time resident of the City of Alpharetta; he and his wife, Margo, planted roots in Alpharetta during 1978, and ever since, he has been a lover and ambassador for our wonderful City;
- WHEREAS:** **Larry Attig**, and his wife, Margo, are known for the beautiful garden at their home, which features hundreds of species of plants, trees, vegetables, and hundreds of gorgeous hydrangeas. The couple was even featured on an episode of the PBS Emmy-award winning show, "Growing a Greener World;"
- WHEREAS:** **Larry Attig**, as an Alpharetta entrepreneur, has owned and operated several businesses to serve our community: Statebridge Stables, Village Coffee House, Nature's Rainbow Flower Shop, and Nature's Veranda Container Gardens;
- WHEREAS:** **Larry Attig** was one of the Founders of the Downtown Alpharetta Farmer's Market and has been a major contributor for the growth and success of the Market. During the first season, there were only seven booths in one small area of the Downtown. Now, the Farmer's Market showcases over a hundred local vendors and sprawls throughout the entire Alpharetta City Center;
- WHEREAS:** **Larry Attig** joined with other downtown business owners in 1993 to create the Downtown Alpharetta Business Association which connected downtown businesses at the time when North Point Mall first opened. In 2004, the Downtown Alpharetta Trade Association formed, and Mr. Attig served as a founding member and president. Mr. Attig also served on the Board of Directors for the Alpharetta Business Association;
- WHEREAS:** **Larry Attig** served on the City of Alpharetta's Planning Commission for the past eight years. Mr. Attig has been (and continues to be) an advocate for the City of Alpharetta, especially in the Downtown. Additionally, Mr. Attig served as a member of the 2030 Comprehensive Plan Steering Committee, and he was integral in the planning and development of Alpharetta City Center and the 2003 Alpharetta Downtown Master Plan. Throughout the planning process, Mr. Attig voiced his opinion that Downtown should have a water feature, beautiful landscaping, and create a place for local business to thrive – all of which was brought to life and is enjoyed by our residents daily.
- NOW THEREFORE:** We, the Mayor and City Council of the City of Alpharetta do hereby thank Larry Attig for his tireless support and service to our City. We wish him continued success, and we are proud to have him as part of our community.

SO PROCLAIMED THIS 28TH DAY OF MARCH 2022.

Jim Gilvin, Mayor

Lauren Shapiro, City Clerk



STAFF REPORT

Submitting Department: City Clerk

Submitted By: Lauren Shapiro

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: COUNCIL MEETING MINUTES (MEETING OF 3/21/2022)

II. RECOMMENDATION:

Approve the City Council meeting minutes from March 21, 2022 as part of the Consent Agenda.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

IV. REPORT IN BRIEF:

City Clerk, Lauren Shapiro, attended, recorded, and prepared a synopsis of the pertinent information that occurred during the City Council meeting on March 21, 2022.

V. ALTERNATIVES:

VI. ATTACHMENTS:

CC Meeting Minutes 3.21.2022



City Council Meeting & Public Hearing

MARCH 21, 2022

Office of the City Clerk

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

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

I. CALL TO ORDER

- Mayor Gilvin called the meeting to order at 6:30 p.m.

II. ROLL CALL

- **Council Members**
 - Mayor Jim Gilvin
 - Donald F. Mitchell
 - Brian Will
 - Douglas J. DeRito
 - John Hipes
 - Jason Binder
- **Council Members Absent**
 - Mayor Pro Tem Dan Merkel
- **Staff**
 - Bob Regus, City Administrator
 - Mike Stacy, City Attorney
 - James Drinkard, Asst. City Administrator
 - Lauren Shapiro, City Clerk
 - Kathi Cook, Director of Community and Economic Development
 - John Robison, Director of Public Safety
 - Morgan Rodgers, Director of Recreation, Parks & Cultural Services
 - Peter Sewczwicz, Director of Public Works

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

- A. Council Meeting Minutes (Meeting of 3/7/2022)

B. Alcoholic Beverage License Applications

1. PH-22-AB-04 ZA Lawrenceville Gas, LLC

3325 Old Milton Parkway, Alpharetta, GA 30005

Convenience Store

Retail Package Sales

Beer, Wine, & Sunday Sales

Owner and Registered Agent: Hussein Sultan

2. PH-22-AB-05 Fogon and Lions, LLC

10 Roswell Street, Suite 100, Alpharetta, GA 30009

Restaurant

Consumption on Premises

Liquor, Beer, Wine, & Sunday Sales

Owner: Fogon and Lions, LLC

Registered Agent: Julio Delgado

3. PH-22-AB-06 July Moon, LLC

d/b/a July Moon Bakery & Café

230 South Main Street, Suite Z, Alpharetta, GA 30009

Restaurant

Consumption on Premises

Beer, Wine, & Sunday Sales

Owner: July Moon, LLC

Registered Agent: Hanh Crose

- ❖ Council Member Hipes requested that the Council Meeting Minutes from 3/7/2022 be removed from the Consent Agenda.
 - Mayor Gilvin removed the Council Meeting Minutes from 3/7/2022 from the Consent Agenda.
- ❖ Council Member Mitchell offered a motion to approve the Consent Agenda, consisting of the Alcoholic Beverage License Applications.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- ❖ Council Member Binder offered a motion to approve Council Meeting Minutes from 3/7/2022.
 - Council Member Mitchell seconded the motion.
 - The motion was approved (5-0-1, as Council Member Hipes abstained from voting since he was not present during the 3/7/2022 City Council meeting).

V. BOARDS & COMMISSIONS APPOINTMENTS

A. Natural Resources Commission – Beth Ott

- ❖ Council Member DeRito offered a motion to approve the appointment of Beth Ott as an alternate commissioner to the Natural Resources Commission.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

VI. PUBLIC HEARING

A. V-21-31 / 11380 State Bridge Waiting Period Variance

Consideration of a variance to reduce the waiting period for City Council consideration of a public hearing request on the same property from 12 to 6 months. The property is located at 11380 State Bridge Road and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve V-21-31 Kimball Plaza/11380 State Bridge Road request for waiting period variance.
- The CZIM was held on February 9, 2022. There were no public comments.
- The submitted request, if approved, would allow the applicant to move forward with a public hearing request for City Council consideration on the same property within six (6) months of a previous Council action. The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road.
- City Council took action on a public hearing request for conditional use (CU-21-09 Alpharetta Liquor & Wine) on the property on September 20, 2021. The applicant is currently seeking a change to previous conditions of zoning to add medical office as a permitted use.
- The applicant, Richard Wernick (3366 Carverton Lane, Alpharetta, GA 30022), came forward to speak on behalf of this application.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve V-21-31 Kimball Plaza/11380 State Bridge Road request for waiting period variance.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

B. PH-21-22 / 11380 State Bridge Road Change of Condition

Consideration of a change to conditions of zoning to allow medical office use in a commercial shopping center. The property is located at 11380 State Bridge Road and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.

- Director of Community and Economic Development, Kathi Cook, came forward to present this item.
- Staff is recommending that Mayor and Council approve PH-21-22 Kimball Plaza/11380

State Bridge Road, subject to the following conditions (Changes shown in red underline):

Modified Condition related to file #Z-17-08/V-17-19 State Bridge Road/Mashinchi

3. Permitted uses on the property shall be restricted to ~~non-medical~~ office and general retail. Up to 50% of the building may be used for medical office use, limited to doctor, dental, and optometry office (no clinic).

- The CZIM was held on February 9, 2022. There were no public comments.
- The submitted request, if approved, would allow for a change to conditions of zoning related to the 9,464 square foot Kimball Plaza strip shopping center. The requested change would allow for up to 50% of the center to be used for medical office use. The subject property is located at 11380 State Bridge Road at the northeast corner of State Bridge Road and Kimball Bridge Road in the Kimball Plaza shopping center.
- The 1.15-acre property is zoned C-1 (Neighborhood Commercial) and is developed as Kimball Plaza, which is a new 1-story, 9,464 square foot strip center building. Surrounding properties are zoned C-1, except the property to the east and south is City of Johns. Georgia Clinic and U-Store Climate Controlled Storage are located to the north, a commercial strip center and City of Johns Creek are located to the east, Honda Carland Service Center is located to the west and City of Johns Creek to the south. The Comprehensive Land Use Plan designation of the property is 'Commercial'.
- Staff compared ITE (Institute of Transportation Engineers) average rates for uses typically found in a strip shopping center to average rates for a medical use. As shown in the table below, a medical use would generate similar if not less trips than other common strip center retail uses.

Use	Average PM Peak Hour Rate (vehicles/1,000 GLS)
Medical/Dental Office (Proposed)	3.46
Variety Store	6.84
Pharmacy (w/out drive-thru)	8.51
Hair Salon	1.21
Copy/Print Center	2.78
High Turn Over Sit-Down Restaurant	9.77

- Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for changes to previous conditions of zoning. The proposed medical office use would generate fewer or similar number of vehicular trips than other strip center retail uses. If approved, it is recommended that medical office use be limited to doctor, dental and optometry office (no clinic).
- Director Cook shared that if the applicant had more information about the type of urgent care that would occupy the space, they would feel more comfortable adding that use, but would prefer to only add urgent care with staff's approval, and if they could not agree with the applicant's proposal for that use to come back before City Council.
- The applicant, Richard Wernick (3366 Carverton Lane, Alpharetta, GA 30022), came forward to speak on behalf of this application.
 - The applicant also requested to add the use hair salon, medical spa (botox treatments with no massage therapy), and urgent care to the approved uses for this

location.

- The applicant later withdrew his request to add medical spa, because that request would be approved under medical office, but continued with the request to add hair salon and urgent care.

City Council Discussion

- Council Member Hipes shared that he would like to change “general retail” to “retail sales and services” to distinguish the type of retail permitted within the development.
- Mayor Gilvin shared that historically, traffic has been an issue at this location because of the internal traffic patterns (egress and ingress).

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve PH-21-22 / 11380 State Bridge Road Change of Condition, subject to the following condition:
Modified Condition related to file #Z-17-08/V-17-19 State Bridge Road/Mashinchi
3. Permitted uses on the property shall be restricted to urgent care (subject to staff approval), hair salon, office, and retail sales and services. Up to 50% of the building may be used for medical office use, limited to doctor, dental, and optometry office, but not a clinic.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

VII. NEW BUSINESS

A. FY 2022 Landscape Improvements – Kimball Bridge Road and Other Locations

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve the award of FY 2022 Landscape Improvements to Russell Landscape for \$254,025.43 and authorize the Mayor to execute all necessary documents for the purchase, installation, and watering of shrubs, groundcovers, and other plants along Kimball Bridge Road and other city locations.
- Kimball Bridge Road tree planting has been completed and the project is ready to move on to the next landscape phase. The proposed landscape additions along the corridor include approximately 12,000 groundcovers, shrubs, and ornamental grasses. These items will be installed within planting areas from the west side of North Point Parkway to Waters Road. The planting areas were prepped with soil and mulch during the tree planting phase. Plant selections include shrubs such as Loropetalum and Abelia varieties, flowering perennials such as black-eyed Susan and purple cone flower, ornamental grasses such as pink muhly grass and feather reed grass, and groundcovers such as creeping lilytuf and 'Emeral Pink' phlox.
- The work proposal was provided in accordance with the City's On-Call Landscape Installation Contract with Russell Landscape (#22-104/22-105). Pricing has been reviewed by City staff and is found to be competitive based on current market conditions.

City Council Discussion

- Council Member Will inquired about the dead or dying trees on Westside Parkway.

- Mayor Gilvin suggested for Director Sewczwicz to look into ingress and egress at the future pocket park to be constructed on Kimball Bridge Road.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve the award of FY 2022 Landscape Improvements to Russell Landscape for \$254,025.43 and authorize the Mayor to execute all necessary documents for the purchase, installation, and watering of shrubs, groundcovers, and other plants along Kimball Bridge Road and other city locations.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

B. Wills Park Survey

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve TerraMark Land Surveying, Inc.'s proposal for a boundary and partial topographic survey of Wills Park in an amount not to exceed \$95,475.00 and authorize the Mayor to execute all necessary documents.
- The approval of this proposal is for a boundary and partial topographic survey of Wills Park necessary for the design of improvements associated with the 2021 Parks Bond.
- Under this proposal, the scope of work will include a survey of the full park boundary (encompassing approximately 116 acres) and a detailed topographic survey of approximately 85 acres including the park area to the north of the east-west stream and the adjacent roadways. TerraMark will also merge the 2019 survey of the Equestrian Center side into their survey work to provide the City with a single survey of the entire park. This survey will be utilized in the design of various improvements identified in the Parks Bond, including the gateway entrances, the pedestrian spine, Wacky World renovations, Waggy World renovations, parking expansions, stream restorations, and disc golf modifications.
- TerraMark Land Surveying, Inc. is currently under contract with the City to provide on-call survey services (Contract #19-110). Once approved, work on the survey can begin immediately and is anticipated to be complete within 12 weeks.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve TerraMark Land Surveying, Inc.'s proposal for a boundary and partial topographic survey of Wills Park in an amount not to exceed \$95,475.00 and authorize the Mayor to execute all necessary documents.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

C. Pedestrian Bridge Repair

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- Staff is recommending that Mayor and Council approve change order one for an amount not to exceed \$166,000.00 to E&D Contracting Services, Inc. for the Pedestrian Bridge Repairs, and authorize the Mayor to execute all necessary documents.

- The abutments of the pedestrian bridges located east of Haynes Bridge Road have become compromised. A tree was uprooted during a storm while construction of the Alpha Loop was underway. The Public Works Department has implemented stabilization techniques for the area, but more work needs to be done to protect the existing pedestrian bridge. The southern abutment of the pedestrian bridge has minimal protection from potential undermining of existing footings for the bridge abutments. Any significant undermining of footings and abutments is an immediate threat to the structural integrity of the pedestrian bridge.
- In order to prevent further issues and protect the existing abutments, Public Works reached out to three vendors to obtain a cost for an engineered solution. Heath and Lineback was the winning firm and are currently the design team working on the raised boardwalk section of the Greenway off Mansell Rd. Their designed solution is to re-establish the bank and line the area with fabric-formed revetment mats. Revetment mats can be easily installed without the use of heavy equipment or grading. Revetment mats allow you to plant grasses and other perennial vegetation within their voids to provide a much more aesthetically pleasing repair.
- Public Works agreed with the proposed repair since the revetment mats provide a much simpler installation without the need for heavy equipment, provide structural longevity and can be much more aesthetically appealing than other hard armoring solutions. The second bridge has minimal work associated with it. Public Works and the Contractor recommend installing additional rip-rap to protect the bridge abutments.
- The total cost associated with the western bridge is \$130,000 and the eastern bridge is \$36,000.
- Public Works would like to issue E&D Contracting Services Inc, a change-order to their current bridge maintenance contract to expedite the much needed repairs.
- The duration of expected repairs should take approximately one month to complete, dependent on weather.

Public Comment:

- There were no public comments.
 - ❖ Council Member DeRito offered a motion to approve change order one for an amount not to exceed \$166,000.00 to E&D Contracting Services, Inc. for the Pedestrian Bridge Repairs, and authorize the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).
- City Attorney, Mike Stacy, explained the process of the next twelve (12) Resolutions to Authorize the Use of Eminent Domain. City Attorney Stacy explained that the City is in negotiations with property owners, will continue those negotiations, and last, the City hopes that most (if not all) of the following properties will end in a friendly acquisition. In order to meet the project and Georgia Condemnation Law deadlines, the City does need to resolve to condemn.

D. Resolution to Authorize the Use of Eminent Domain – 0 Dartmore Circle

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 0 Dartmore Circle, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-137-5) for Road Project - McGinnis Ferry Road

Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
 - ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 0 Dartmore Circle, Alpharetta Georgia (Tax parcel No.:21-5680-1054-137-5) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

E. Resolution to Authorize the Use of Eminent Domain – 245 Fieldstone Path

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 245 Fieldstone Path, Alpharetta Georgia (Tax parcel No.:21-5691-1110-017-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
 - ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 245 Fieldstone Path, Alpharetta Georgia (Tax parcel No.:21-5691-1110-017-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

F. Resolution to Authorize the Use of Eminent Domain – 4915 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4915 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-044-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
 - ❖ Council Member Will offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4915 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-044-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Binder seconded the motion.

- The motion was approved unanimously (6-0).

G. Resolution to Authorize the Use of Eminent Domain – 4925 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4925 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1034-043-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4925 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21 -5680-1034-043-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

F. Resolution to Authorize the Use of Eminent Domain – 4935 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4935 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-042-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 4935 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1034-042-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

G. Resolution to Authorize the Use of Eminent Domain – 5025 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5025 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1033-072-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire

Certain Property Located at 5025 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1033-072-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- Council Member DeRito seconded the motion.
- The motion was approved unanimously (6-0).

H. Resolution to Authorize the Use of Eminent Domain – 5065 Tidewater Way

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5065 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1054-068-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 5065 Tidewater Way, Alpharetta Georgia (Tax parcel No.:21-5680-1054-068-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (6-0).

I. Resolution to Authorize the Use of Eminent Domain – 13029 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13029 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-092-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13029 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-092-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

J. Resolution to Authorize the Use of Eminent Domain – 13037 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13037 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-090-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Will offered a motion to approve a resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13037 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-090-6) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).

K. Resolution to Authorize the Use of Eminent Domain – 13045 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13045 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-089-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member Binder offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13045 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-089-8) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (6-0).

L. Resolution to Authorize the Use of Eminent Domain – 13049 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13049 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-088-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13049 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21-5680-1054-088-0) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Binder seconded the motion.
 - The motion was approved unanimously (6-0).

M. Resolution to Authorize the Use of Eminent Domain – 13053 Dartmore Avenue

A Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13053 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-087-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.

- City Attorney, Mike Stacy, read the resolution aloud.

Public Comment:

- There were no public comments.
 - ❖ Council Member Mitchell offered a motion to approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia to Authorize the Use of Eminent Domain to Acquire Certain Property Located at 13053 Dartmore Avenue, Alpharetta Georgia (Tax parcel No.:21 -5680-1054-087-2) for Road Project - McGinnis Ferry Road Widening from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (6-0).

VIII. PUBLIC COMMENT

- There were no public comments.

IX. REPORTS

- There were no reports.

X. ADJOURNMENT TO EXECUTIVE SESSION

- ❖ Council Member Binder offered a motion to adjourn to executive session.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (6-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 8:04 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Submitting Department: Administration

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: MARTA GA 400 UPDATE

II. RECOMMENDATION:

This item is being presented for informational purposes. No action is requested.

III. REPORT IN BRIEF:

Representatives from the Metro Atlanta Rapid Transit Authority (MARTA) will provide an update on their plans for expansion of transit relative to the GA400 Express Lanes Project.

IV. ALTERNATIVES:

V. ATTACHMENTS:

MARTA + GA400 FINAL



MARTA GA 400 BRT

City of Alpharetta Work Session

March 28, 2022



Agenda

Project Background & Status

Station Concepts

TOD Opportunities

Funding Strategy

Discussion

LEGEND

- MARTA Existing Alignment/Stations
- BRT in Express Lanes Alignment/Stations

Map showing the proposed BRT alignment from Dunwoody to Roswell, passing through Sandy Springs and North Springs. The alignment is shown in purple with station markers. The map includes major roads (I-400, I-285, US-92) and surrounding areas (Dunwoody, Sandy Springs, Roswell, North Springs, North Point Mall, Old Milton Parkway, Windward Parkway, Alpharetta, Johns Creek, Sandy Springs, Roswell Rd, Rucker Rd, Milton, Forsyth, Gwinnett, DeKalb, Cobb, Fulton). A scale bar indicates distances up to 2 miles. An inset map shows the location of the study area within the Atlanta region.

The MARTA Team



Marcus Arnold – *Project Background & Status*

Project Manager, Planning

- 20 years of experience
- Transportation planning and major capital transit expansion



Jacob Vallo – *TOD Opportunities*

Senior Director, Transit Oriented Development + Real Estate + Arts in Transit

- 23 years of experience
- Commercial real estate development, investment and capital raising

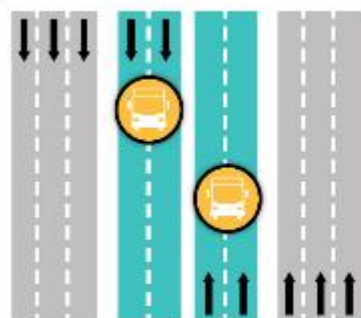
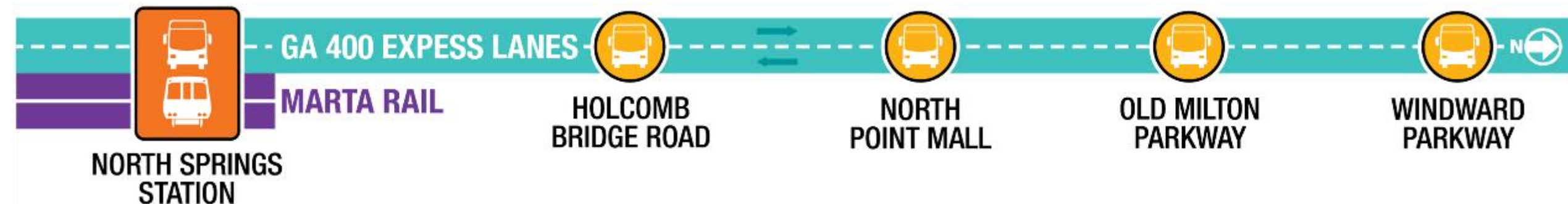


Colleen Kiernan – *Funding Strategy*

Senior Director, Government & Community Affairs

- 20 years of experience
- Policy and advocacy

GA 400 BRT – Project Summary



12 miles of Bus Rapid Transit

on planned express lanes on GA 400, from North Springs station to Windward Parkway



Rapid and Reliable Service

Managed to maintain speeds that ensure on-time performance



Attractive Stations

Attractive and comfortable stations that offer shelter, seating, off-board fare payment, level boarding and convenient pedestrian access



Fast and Frequent

Service every 5 – 10 minutes in express lanes to provide rail-like user experience



\$100 million in State Funding

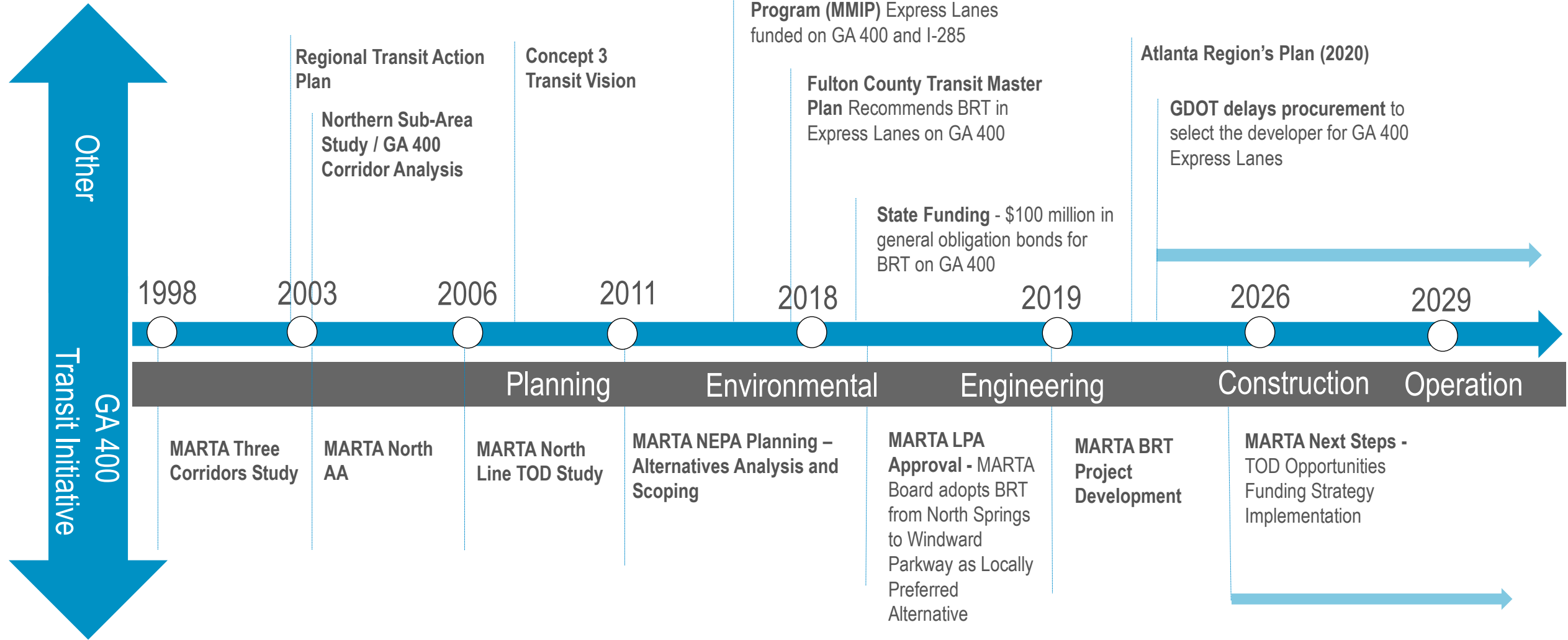
Advances the development of BRT with integration with GDOT's express lanes



Next Steps

Finalize station and park-and-ride area locations,
Advance station design,
Complete environmental review and
Identify funding sources

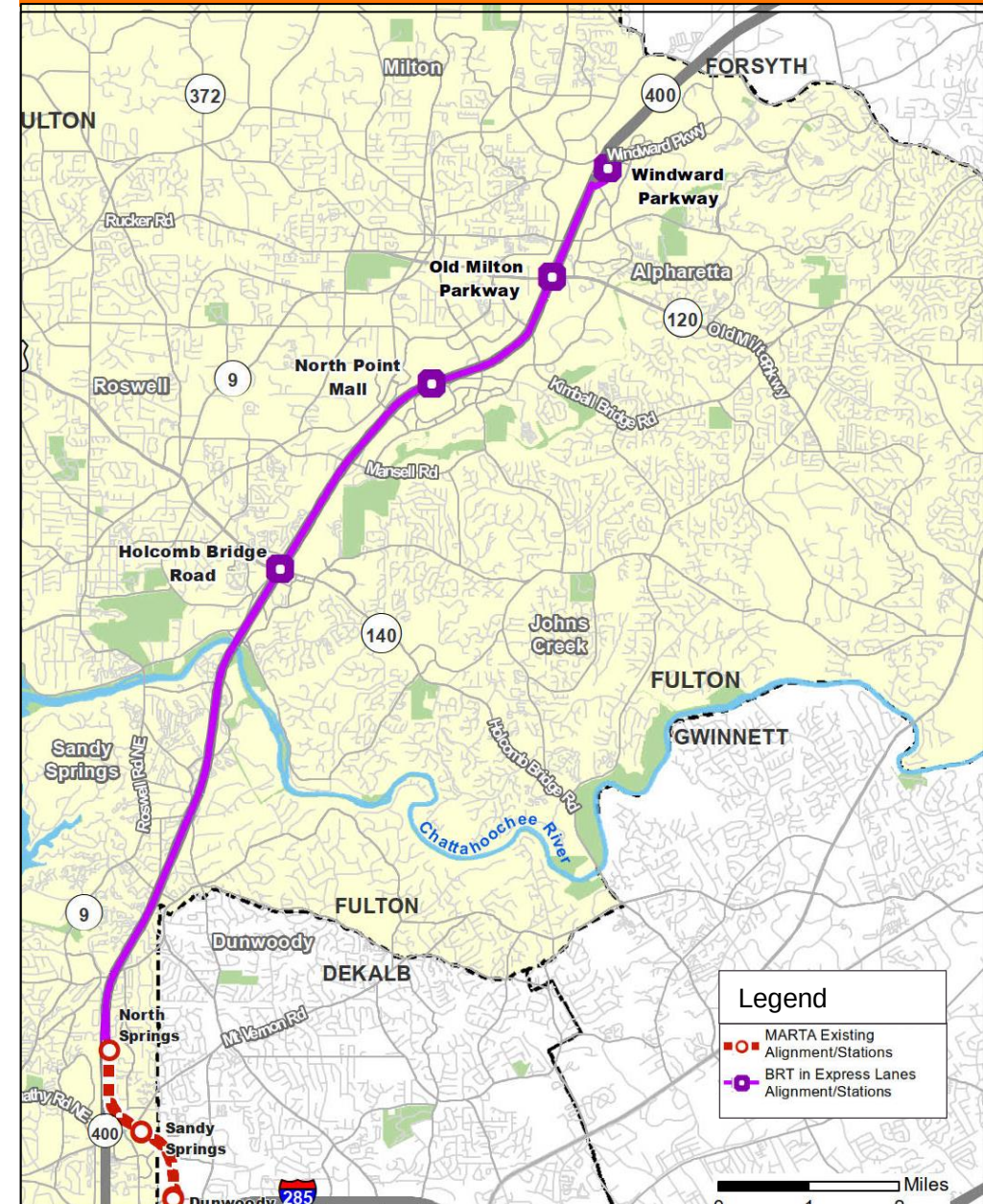
Project Timeline



Status of GA 400

- GDOT delayed the developer selection for the GA 400 Express Lanes in August 2021
- Station bulb-outs are included in the GDOT Express Lanes EA, approved by FHWA
- MARTA will conduct NEPA for the park & ride lots and access points separately
- Conceptual design
 - Holcomb Bridge Road
 - North Point Mall
 - Windward Parkway Stations
- Activities under way
 - Assessment of TOD opportunities
 - Conceptual design for Old Milton Parkway Station
 - Updates to ridership model

March 27, 2022



GDOT SR 400 Express Lanes Procurement Schedule

- March 2022 – Notice of Intent to Advertise/Industry Forum
- March 2022 – Advertise Request for Qualifications (RFQ)
- August 2022 – Announce Shortlist/Finalist Firm
- September 2022 – Release Draft Request for Proposals (RFP)
- March 2023 – Release Final RFP
- June 2023 – Proposals Due
- August 2023 – Developer Selection



Legend

- MARTA Existing Alignment/Stations
- BRT in Express Lanes Alignment/Stations

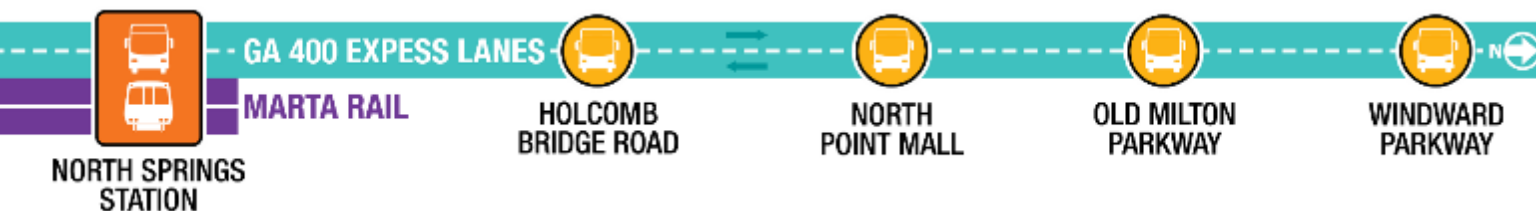


Station Concepts

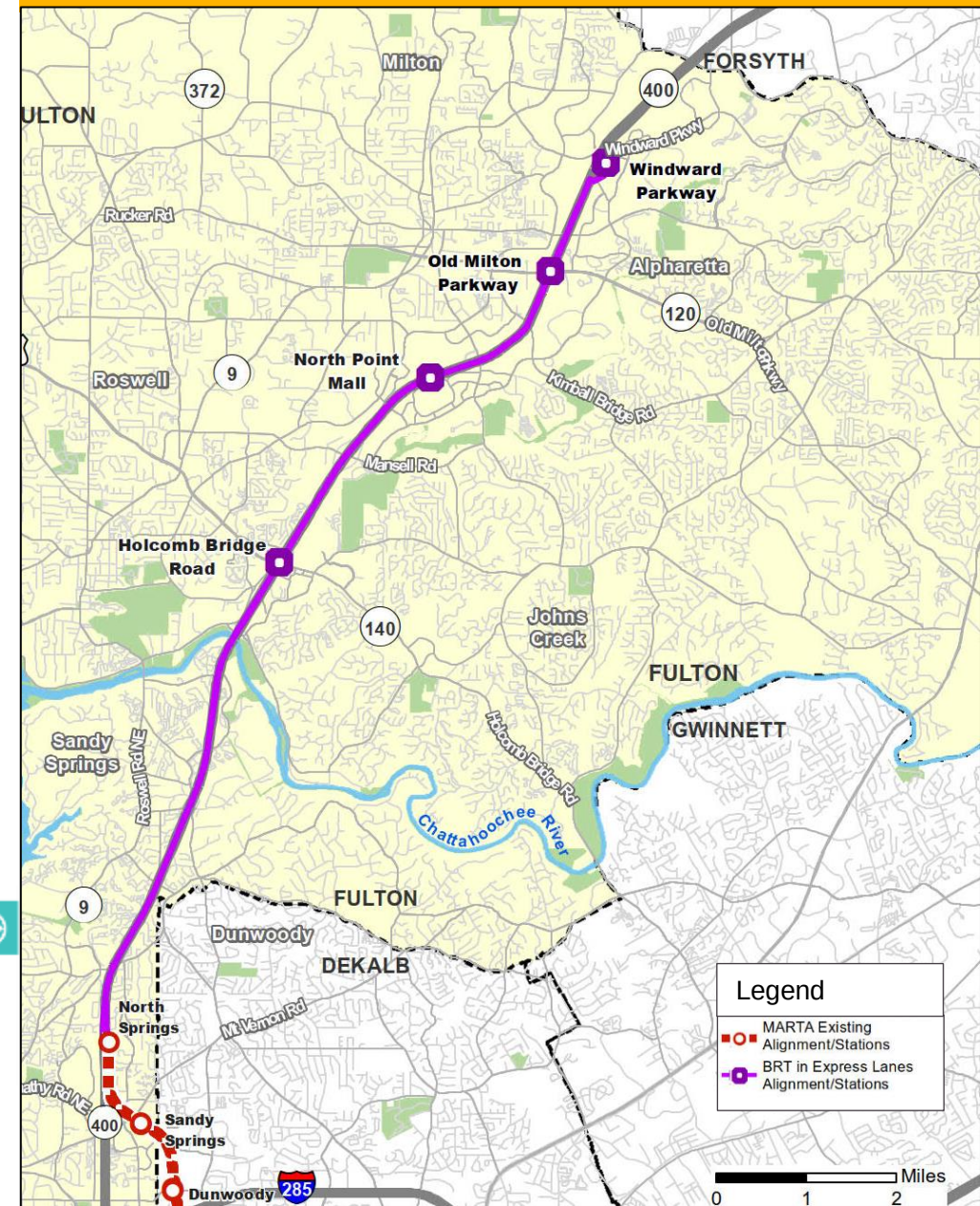


Station Locations

- Windward Parkway
- Old Milton Parkway
- North Point Mall
- Holcomb Bridge Road
- North Springs

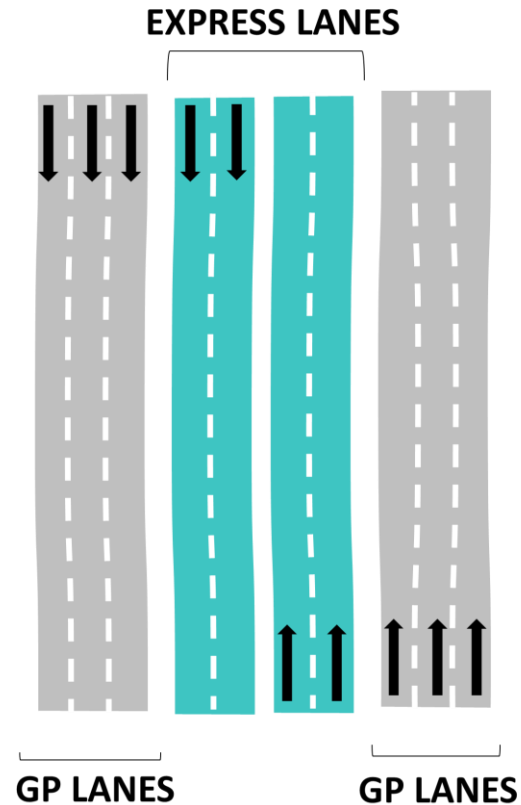


March 27, 2022

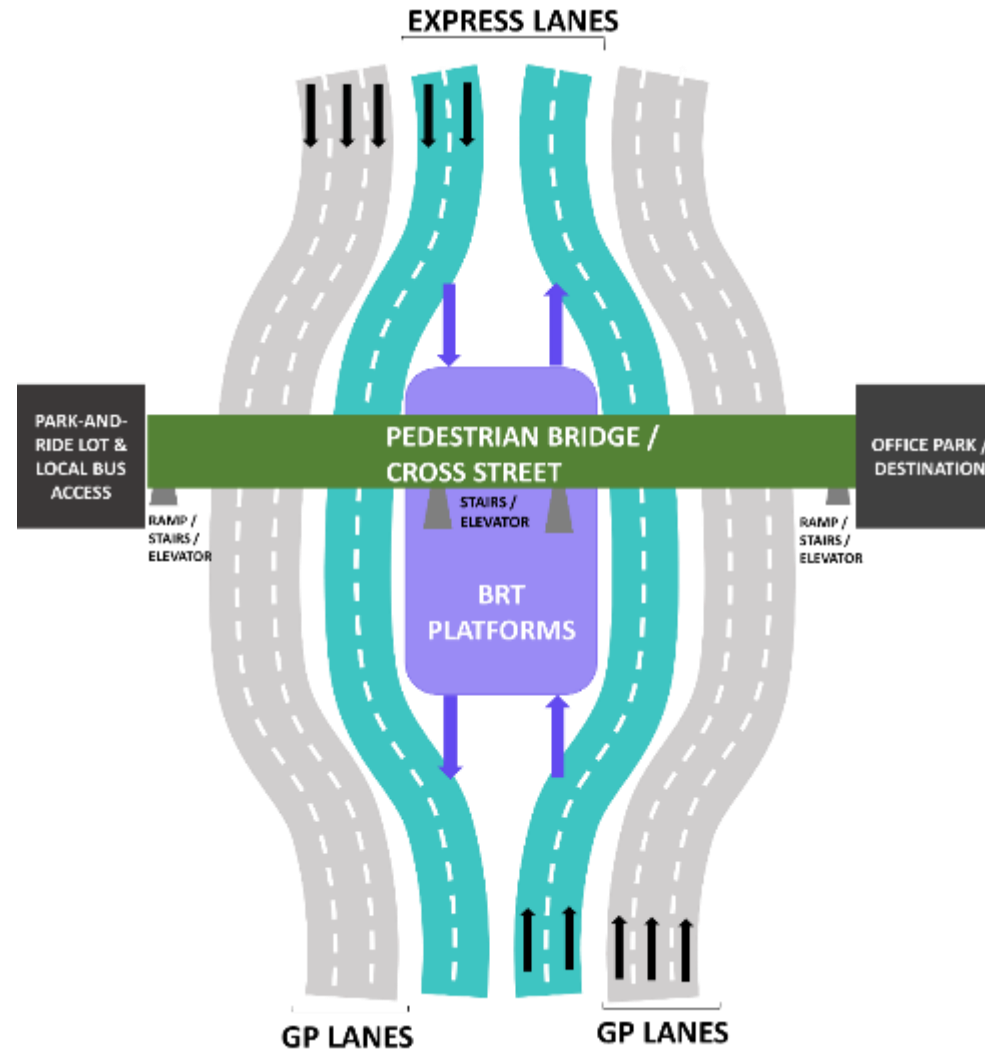


Integration of BRT in Express Lanes

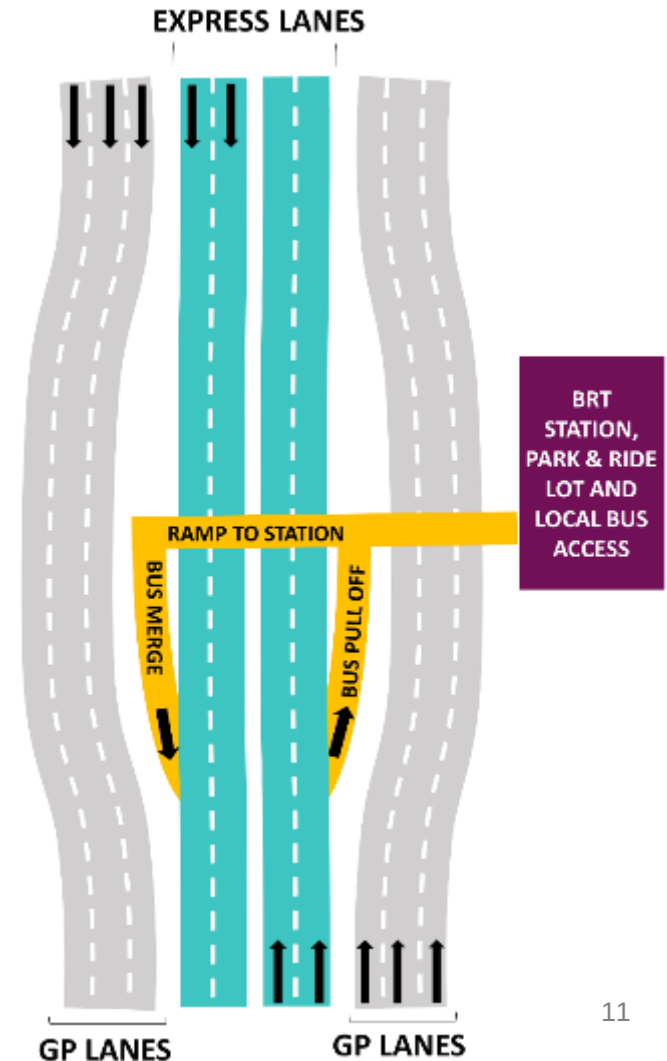
GA 400 Express Lanes



Inline Stations



Windward Parkway Station





GA 400 Station Renderings



GA 400 Station Renderings

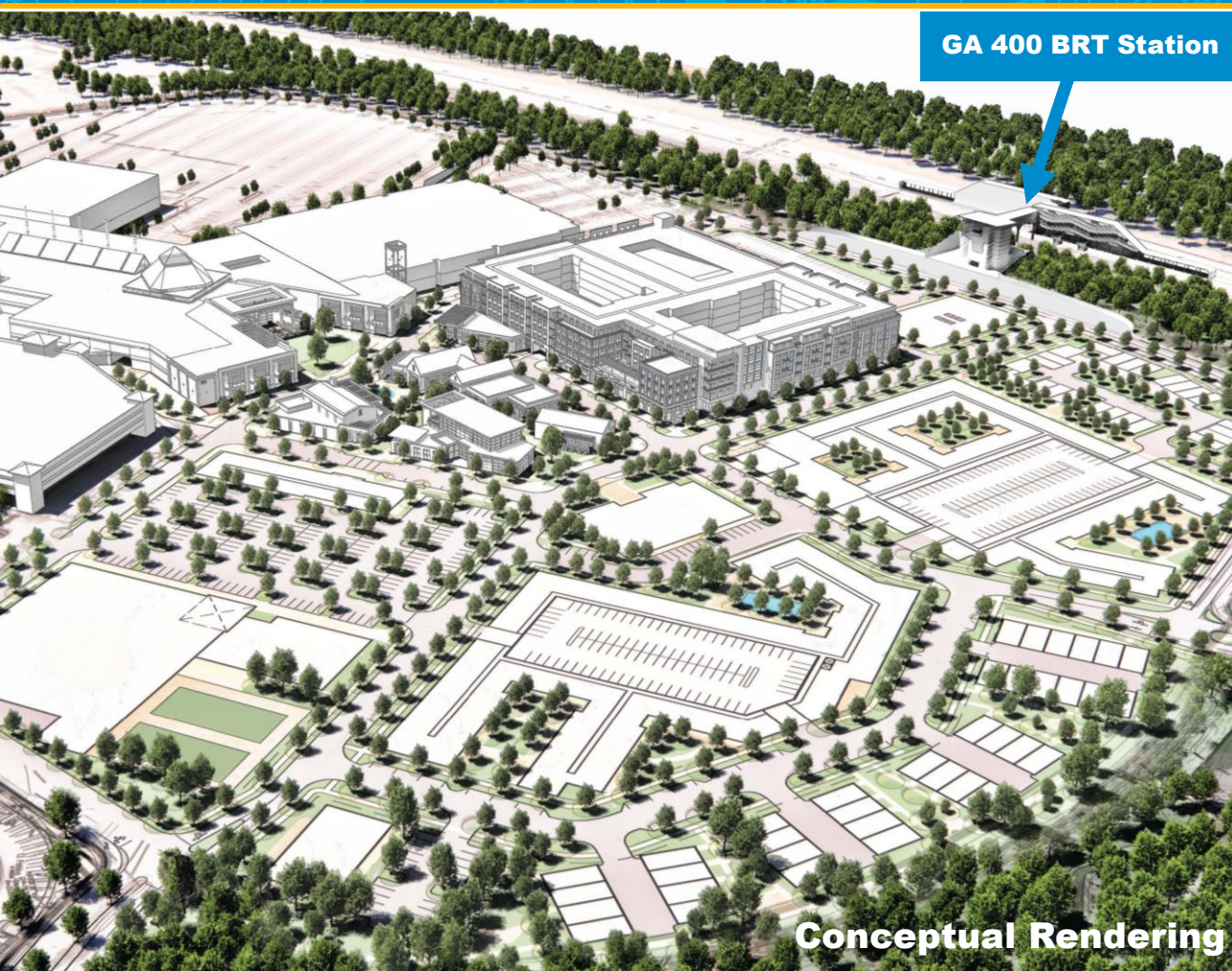


GA 400 Station Renderings



GA 400 Station Renderings

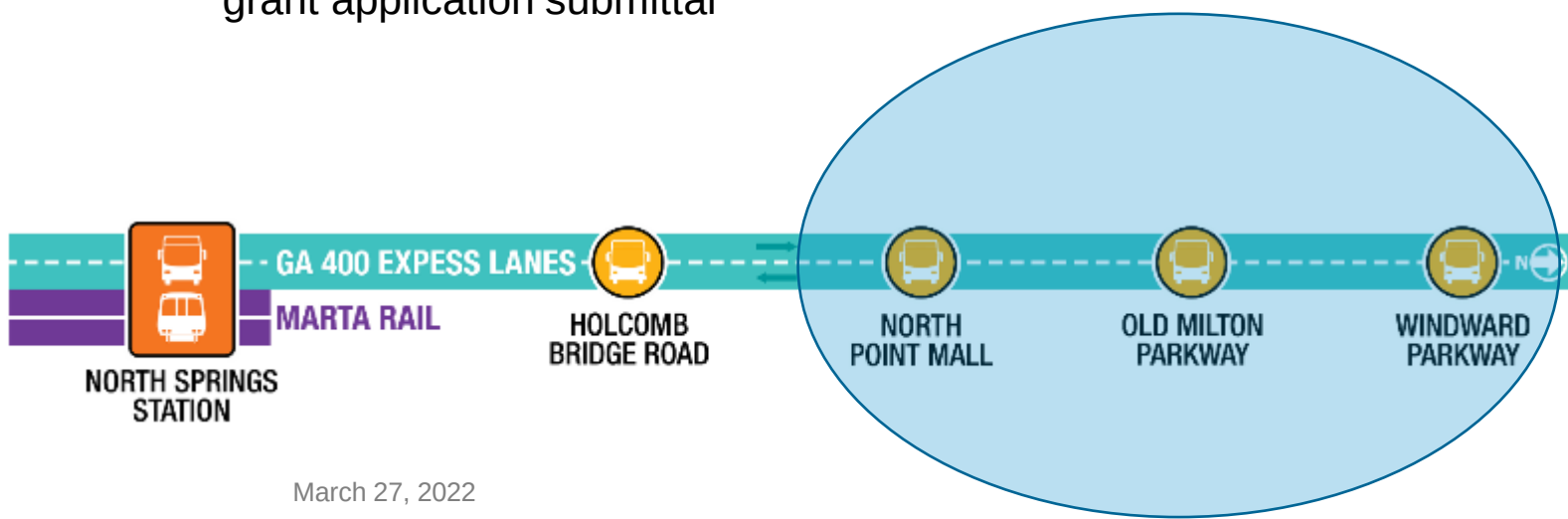
Economic Development through Transit Oriented Development Opportunities



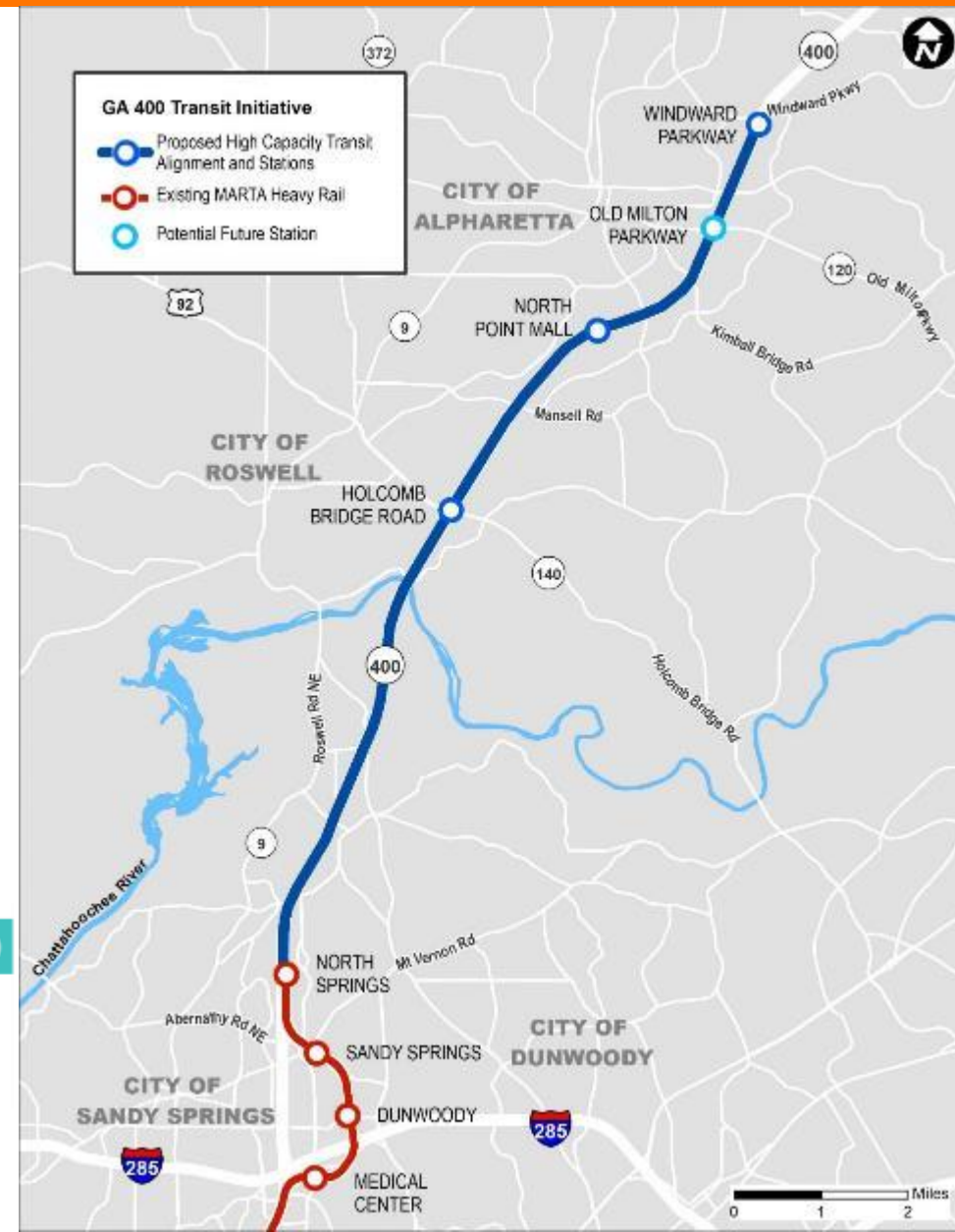
Conceptual Rendering

A Cohesive Approach

- Transit Investment → Enhance property values and taxes in corridor
- Transit Investment → Economic development
- Enhance other public investments in the corridor
- Utilize and program with jurisdictions the park and ride lots
- More Density → Increase Ridership and ROI
- TOD Land Use Policies / Planning → Enhance Federal Funding grant application submittal



March 27, 2022





TOD Density and Use Preference

MARTA does **NOT** control use or density, jurisdictions/municipalities do



Low Density



Mid Density



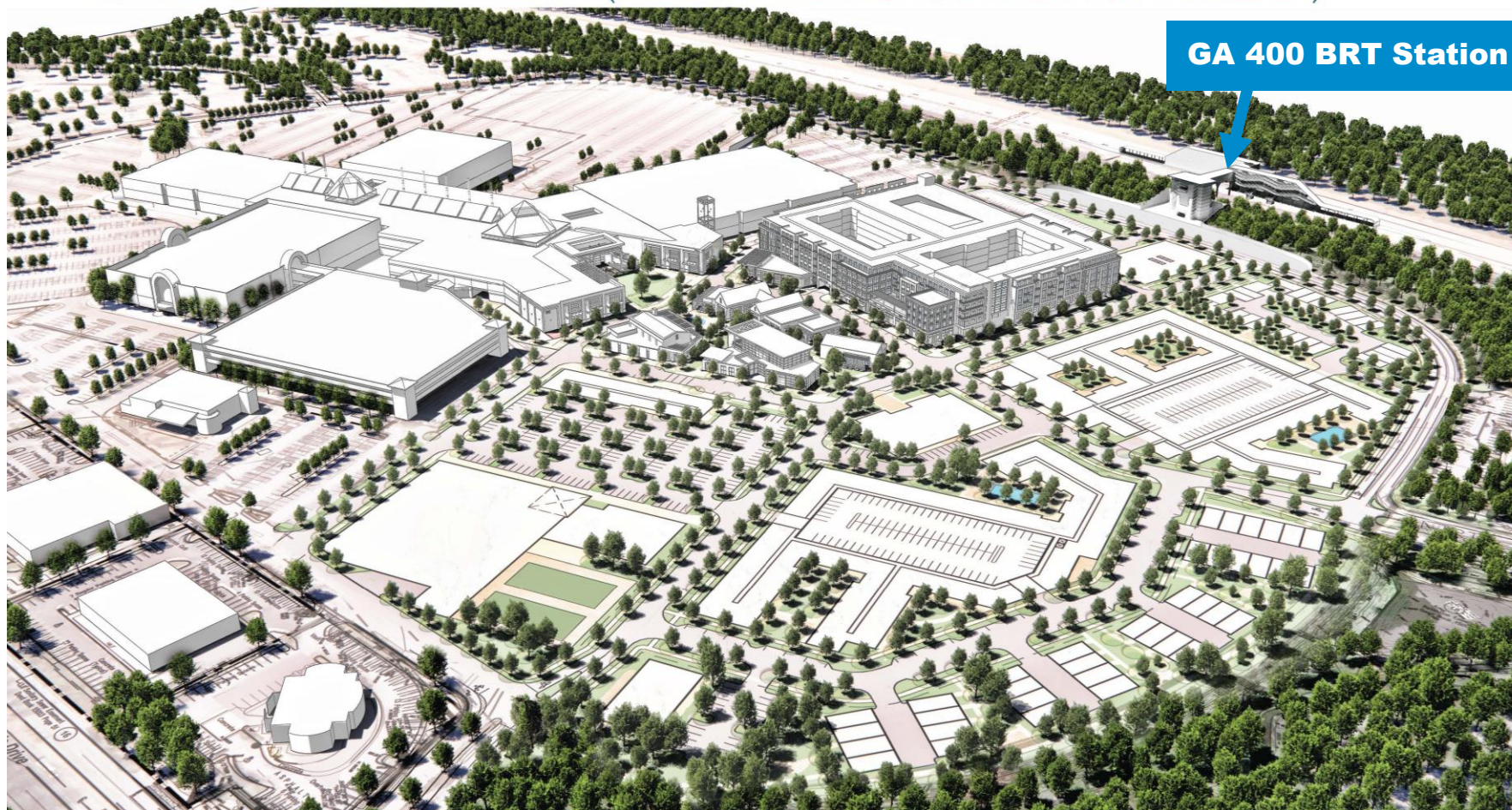
High Density

TOD Properties



North Point Mall Conceptual Rendering

AERIAL CONCEPTUAL VIEW - (PHASE 1 VERTICAL MASSING & STREETS)



Transit station added by MARTA, not part of rezoning application.

March 27, 2022

©2021 Torti Gallas + Partners | Grimke School, 1923 Vermont Ave NW
2nd Floor, Washington, DC 20001 | 301.588.4800



TRADE MARK



studioOutside

Kimley»Horn

REZONING APPLICATION EXHIBITS
NORTH POINT MALL - ALPHARETTA, GA

16

20



Old Milton Parkway



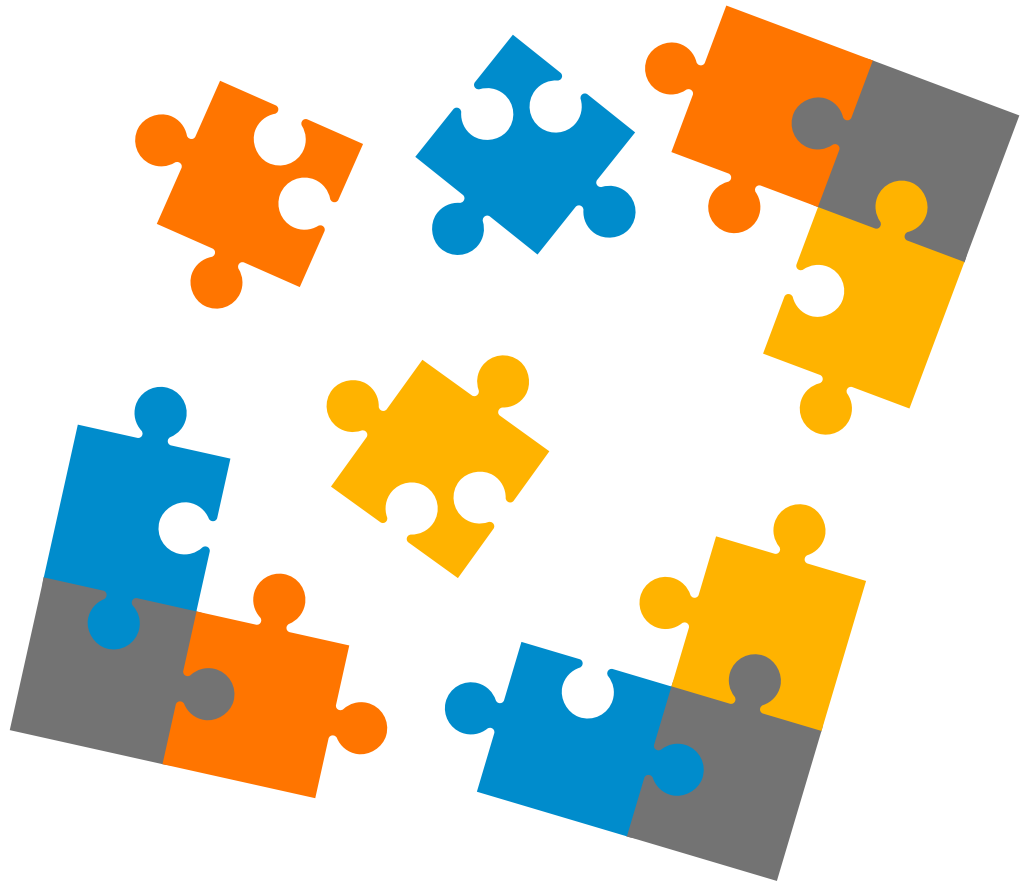
March 27, 2022

Windward Parkway ULI Atlanta Center for Leadership mTAP

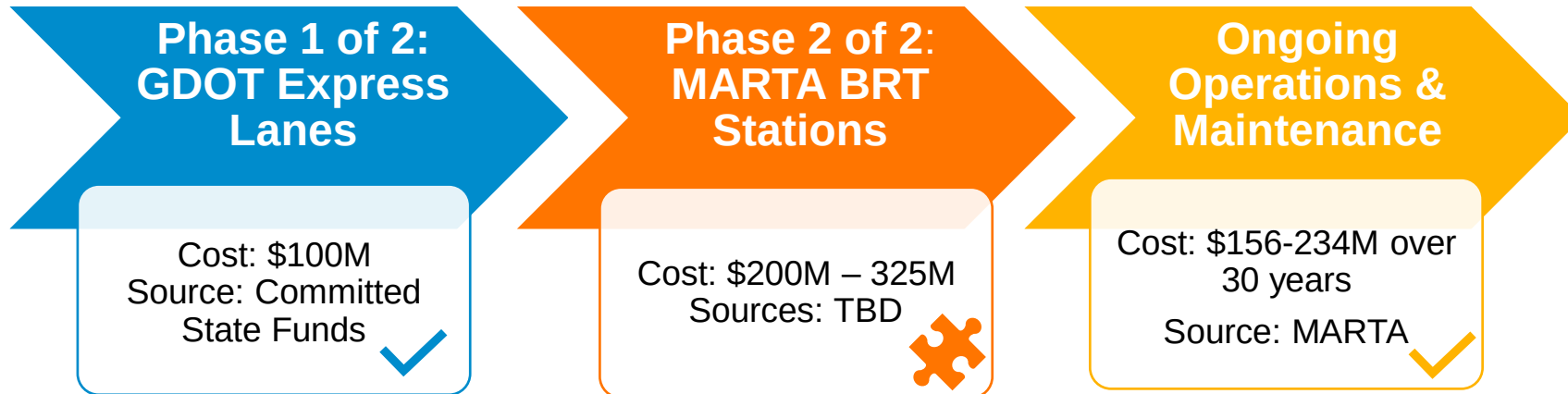




Funding Strategy



GA 400 Phasing and Cost



GA 400 Phasing and Cost

Phase 1: GDOT Express Lanes

Cost: \$100M
Source: Committed
State Funds ✓

BRT-Supportive Components of GDOT Express Lanes project

- In-line station right-of-way
- Station foundations and access to Express Lanes
- Communications duct bank
- Lighting

GA 400 Phasing and Cost

Phase 2: MARTA BRT Stations

Cost: \$200-325M
Source: TBD

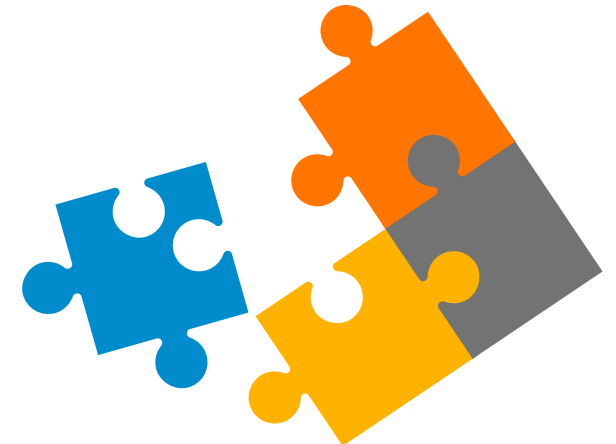


BRT Stations and Passenger Access

- Station Structures
- Station Lighting
- Shelters and Amenities
- Elevators and Stairs
- Park and Ride ROW and Construction

Phase 2 Funding Strategy Menu of Options

Competitive Federal Grants	GDOT-Controlled FHWA Sources	ARC-Controlled FHWA Sources	State Sources	Local Sources	Other Sources
Small Starts	- STBG-Statewide - CMAQ - NHPP - Carbon Reduction	- STBG-Urban - CMAQ	- State Bonds - General Fund - Transit Trust Fund - Transportation Trust Fund	- Sales Tax - General Funds - Bonds	- TOD Financing - Value Capture (TAD) - Public-Private - Partnerships



Phase 2 Funding Strategy

A Closer Look at Competitive Federal Grants

Program	Amount Available	Eligible Uses
FTA Small Starts	\$150M max award per project; \$400M max project size	New or extended fixed-guideway or bus rapid transit service
RAISE	\$25M max award per project	Broad range of surface transportation, including transit projects

Phase 2 Funding Strategy

A Closer Look at GDOT-Controlled FHWA Sources

Program	Amount Available	Eligible Uses
Surface Transportation Block Grant (STBG) Statewide	~360M/year statewide	Broad eligibility for highway and transit projects
Congestion Mitigation & Air Quality (CMAQ)*	~\$70M/year Typical awards are between \$1M and \$5M	Projects that can demonstrate a reduction in vehicle-related emissions, such as construction of new transit service or new bike/ped facilities, or O&M costs for the first three years of new transit service
National Highway Performance Program (NHPP)	~775M/year statewide	Improvements to the National Highway System, including GA-400
Carbon Reduction	\$40M/year statewide	Transit projects, trail facilities, and congestion management technologies that reduce carbon emissions

Phase 2 Funding Strategy

A Closer Look at ARC-Controlled FHWA Sources

Program	Amount Available	Eligible Uses
Surface Transportation Block Grant (STBG) Urban	~80M/year statewide Typical awards are between \$1M and \$5M	Broad eligibility for highway and transit projects
Congestion Mitigation & Air Quality (CMAQ)	~\$70M/year Typical awards are between \$1M and \$5M	Projects that can demonstrate a reduction in vehicle-related emissions, such as construction of new transit service, new bike/ped facilities, or O&M costs for the first three years of new transit service

Phase 2 Funding Strategy

A Closer Look at State Sources

Program	Amount Available	Eligible Uses
State Bonds	Varies	Transit capital projects listed in the Atlanta Region's Plan and put forth to the Legislature by the ATL Board
State Transit Trust Fund (For-Hire Ground Transportation Fees)	Pre-pandemic revenue projections were \$25M-\$45M/year; 1 st year of collections raised \$7.5M in 2020	Transit capital projects
State Transportation Trust Fund (Heavy Vehicle Impact Fee, EV Fee, and Hotel/Motel Fees)	No more than 10% of trust fund revenues can be used on transit	Typically allocated to GDOT for administering Xpress and state transit programs outside metro Atlanta, which were previously funded via the state's general fund

Phase 2 Funding Strategy

Example Small Starts Funded Project

Seattle RapidRide G Line (Madison Street BRT)

Funding Strategy:

Small Starts Grant	\$60M in Federal Funds
CMAQ	\$9M in Federal Funds
Connecting Washington Grant	\$2M in State Funds
Sound Transit	\$36M in Local Funds
City of Seattle	\$23M in Local Funds
King County	\$3M in Local Funds
Total Project	\$133M



Phase 2 Funding Strategy

Example Small Starts Funded Project

METRO Gold Line BRT, St Paul, MN

Funding Strategy:

New Starts Grant	\$189M in Federal Funds
State	\$2M in State Funds
Ramsey County	\$111.5M in Local Funds
Washington County	\$111.5M in Local Funds
County Transit Improvement Board	\$6M in Local Funds
Total Project	\$420M



Phase 2 Funding Strategy

Example Non-CIG Funded Project

DART Silver Line Rail Expansion, Dallas, TX

Funding Strategy:

RRIF Loan	\$908M in Federal Funds
FTA Formula	\$3.3M in Federal Funds
CMAQ	\$36M in Federal Funds
STBG Urban	\$100M in Federal Funds
Local (DART, municipalities, ads)	\$87.7M in Local Funds
Total Project	\$1.14B

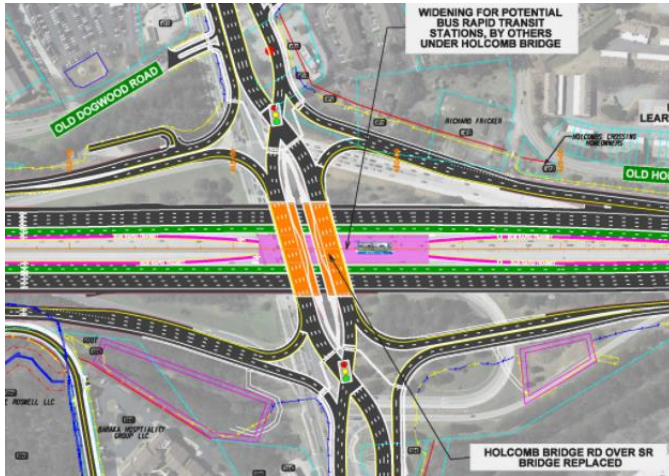


Phase 2 Funding Strategy

Example Funding Partnerships

Holcomb Bridge Diverging Diamond Interchange

- GDOT/City of Roswell Partnership
- Incorporated into GA 400 Express Lanes Project with local contribution



Bankhead Rail Station Transformation

- State/MARTA Partnership
- Transit Trust Fund appropriated by GA Legislature, plus MARTA contribution



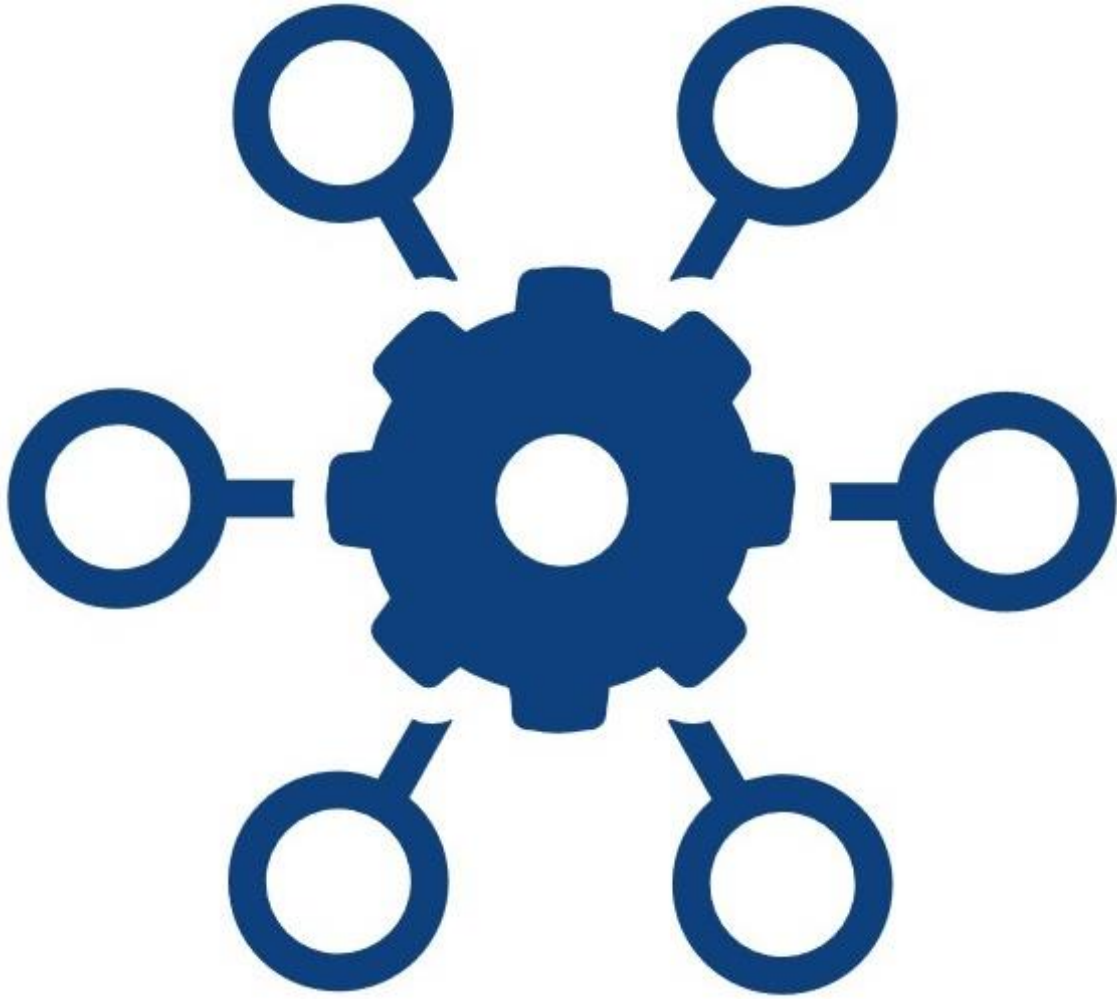
Encore Parkway Bridge & Pedestrian Improvements

- Partnership between the City of Alpharetta, North Fulton CID, ARC, and GDOT
- Began as an LCI Study





Discussion



Recap

- TOD opportunities
 - Support economic growth
 - Better access
 - Increased ridership
- High quality design
 - Comfortable and convenient stations
 - Ease of use for pedestrians
 - Modern amenities
- Funding paths
 - Mix of local, state, and federal funds





Upcoming Coordination

- Continue discussion of funding commitments
- Convene Policy Working Group
- GDOT Express Lanes Project integration

Upcoming Project Activity

- TOD market assessment
- Conceptual design of stations, parking, and access
- Update ridership projections and operations plan





Thank You





CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: Z-22-01/V-22-03 WEXLER/182 MARIETTA STREET

CITY COUNCIL:

MARCH 28, 2022

This item was considered at the 3/2/2022 Planning Commission meeting. Staff recommended approval subject to 10 conditions. There were no public comments. After discussion, Planning Commission recommended approval subject to staff's recommended conditions. Vice Chair Brady requested that building height be updated in the staff report to reflect the latest elevation. Vote 6-0

II. RECOMMENDATION:

Approve Z-22-01/V-22-03 WEXLER/182 MARIETTA STREET, subject to the following conditions:

1. Approximately 0.71 acres shall be zoned DT-R and limited to 1 single-family detached home. Site shall be developed substantially similar to the submitted site layout, labeled Exhibit A, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
2. Home elevation shall be substantially similar to the submitted home elevation, labeled Exhibit B, with final approval by the Downtown Consultant and DRB.
3. Home and garage shall maintain a minimum 20' front setback, 10' side setback and 10' rear setback.
4. Landscape strip along Marietta Street shall be planted with shade trees as a continuation of what has been planted or designed in the Downtown and outside of utility easements and overhead utilities, as approved by Staff.
5. A decorative low wall, metal fencing or hedge with columns shall frame the front yard.
6. A 10' planted buffer shall be provided along the east, south, and west property lines and planted with a mix of evergreen trees and shrubs. Existing trees within the 10' buffers identified to be in Good condition shall be saved, with final approval by Staff.
7. Property owner shall improve Marietta Street frontage with a 6' planter planted with street trees, 6' sidewalk and decorative pedestrian lighting, as approved by Staff.
8. Property owner acknowledges that redevelopment of the properties to the east and west with a commercial or mixed-use development shall not require a buffer adjacent to the subject property.
9. Home, accessory structures and infiltration shall be positioned on the property to have the least impact to existing trees along the west and south property lines, as approved by Staff.
10. Fences and walls visible from the public right-of-way shall be decorative, as approved by Staff. Unfinished wood fences and decks shall not be visible from the street.

III. REPORT IN BRIEF:

The applicants, Andrew and Kourtney Wexler, are requesting a rezoning and variance to allow for the construction of one (1) 'For-Sale' single-family detached home on 0.71 acres in the Downtown. A rezoning is requested from C-2 (General Commercial) to DT-R (Downtown Residential) and a variance is requested to reduce buffers. The subject property is located at 182 Marietta Street on the south side of Marietta Street and just west of Marjean Way.

DISCUSSION

The submitted request, if approved, would allow for the construction of one (1) 'For-Sale' single-family detached home on 0.71 acres in the Downtown. The applicant proposes a rezoning from C-2 (General Commercial) to DT-R (Downtown Residential) and a variance to reduce undisturbed buffers. The subject property is located at 182 Marietta Street on the south side of Marietta Street and just west of Marjean Way.

The property is developed with a single-family detached home that has been converted to a Contractor's Office (Sutton's Service Appliance Repair). Surrounding properties are zoned C-2 to the east and south, O-P (Office-Professional) to the west and R-8A (Dwelling, 'For-Sale' Attached) to the north. Windsong townhomes are located to the north, 172 Marietta Street (former residence converted to business use) to the east, 204 Marietta Street (Gibraltar Real Estate Services – former residence converted to business use) to the west and Alpharetta Beach House office development to the south. The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed single-family detached home.

A variance is requested to reduce the 50' undisturbed buffers required adjacent to commercial properties. Commercially zoned land abuts the subject property on the east, south and west sides. In most cases, non-residential properties provide the undisturbed buffers. But, since the applicant proposes a rezoning to allow residential use, the buffer requirement becomes the applicant's responsibility. The property to the rear, Alpharetta Beach Houses, already provides a buffered area which ranges in width from 25' to 60'. The properties to the east and west have been converted to commercial uses and could redevelop in the future under the current zoning, C-2 and O-P, or through rezoning to a Downtown zoning district.

SITE PLAN

According to the applicant, the home will be two (2) stories and approximately 5,000 square feet. A driveway with Porte cochere is proposed on the east side of the home leading to a garage at the rear of the property. The garage and driveway will accommodate the required resident and guest parking. The home is depicted with a 40' front setback (not including the covered entry) and a minimum fifteen-foot (15') side setback. The garage at the rear of the property is depicted with an eight-foot (8') side setback and 22' rear setback. DT-R allows a minimum ten-foot (10') front setback, zero-foot (0') side setback (ten-feet (10') between structures), and ten-foot (10') rear setback.

The applicant's arborist identified five (5) specimen-sized Oaks in the front yard of the property, of which all are in Poor condition and should not be considered for preservation. Additional trees are identified in the arborist report that are in good condition and have potential for preservation. The applicant has indicated that they intend to save the stand of trees along the west side of the property and along the rear property line.

BUILDING ELEVATION

The applicant submitted inspiration photos and an elevation depicting the home in the Neoclassical or Beaux Arts style. The City's Downtown Consultant reviewed the inspiration photos and believes the style complies with the Downtown Overlay architectural regulations.

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 requested zoning, DT-R, is consistent with the future land use designation of the property and surrounding area, which is 'Mixed Use'. The north side of Marietta Street is developed with residential uses (townhomes and single-family detached) and the south side of Marietta Street is developed with single-family detached homes that have been converted to commercial uses.

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

Response: The future land use of the property allows for single use development, residential and commercial, and mixed-use development. The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties if a condition is approved absolving the properties to the east and west from buffer requirements should those properties redevelop with commercial or mixed-use development.

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

Response: The applicant's proposal should not adversely affect the natural environment. The applicant intends to save the stand of trees along the west and south property lines.

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

Response: The property is zoned C-2, which allows auto-oriented uses and other heavy commercial uses that are inconsistent with the vision for the area to become a mixed-use, walkable environment. The future land use of the property allows for single use development, residential and commercial, and mixed-use development.

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

Response: The zoning proposal would not cause an excessive burden on public facilities and services. The requested rezoning would allow one (1) single-family detached home.

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

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

of the property allows for single use development, residential and commercial, and mixed-use development.

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 zoning proposal reflects a reasonable balance. The applicant's proposal is compatible with the future land use of the property, which allows for single use development, residential and commercial, and mixed-use development.

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

Response: The property is zoned C-2, which allows auto-oriented uses and other heavy commercial uses that are inconsistent with the vision for the area to become a mixed-use, walkable environment. The future land use of the property allows for single use development, residential and commercial, and mixed-use development.

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

Response: The Comprehensive Land Use Plan designation of the property is 'Mixed Use', which allows the proposed DT-R zoning district.

VARIANCE REVIEW CRITERIA

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

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

Response: There are not exceptional conditions pertaining to the property due to its size, shape or topography. However, in most cases undisturbed buffers are not applicable on 'For-Sale' residential properties. If approved, a condition is recommended absolving the properties to the east and west from buffer requirements if those properties redevelop with commercial or mixed-use development.

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

Response: The subject property is just under 150' wide, which once the buffers are applied would leave less than 50' of area for development. The future land use of the property allows for single use development, residential and commercial, and mixed-use development. The application of the ordinance would discourage residential development along Marietta Street, which already has a residential presence.

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

Response: The subject property is just under 150' wide, which once the buffers are applied would leave less than 50' of area for development. The future land use of the property allows for single uses, residential and commercial, and mixed-use development. The application of the ordinance would discourage residential development along Marietta Street, which already has a residential presence.

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

Response: Approval of the variance should not cause substantial detriment to the public good. The buffer requirement would discourage residential development along Marietta Street, which already has a residential presence. If approved, a condition is recommended absolving the properties to the east and west from buffer requirements if those properties redevelop with commercial or mixed-use development.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that the request for rezoning and variance do not conflict with the established review criteria. The zoning proposal is consistent with the vision of the Downtown Master Plan and comprehensive land use plan designation of the property. The Mixed-Use future land use designation of the property allows for single use development, residential and commercial, as well as mixed-use development.

Application of the 50' undisturbed buffer requirement would discourage residential development along Marietta Street, which already has a residential presence and feel. If approved, a condition is recommended absolving the properties to the east and west from buffer requirements if those properties redevelop with commercial or mixed-use development.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the applicant has spoken to several residents and property owners in the general vicinity of the property and that feedback has been positive. Two (2) letters of support were provided by the applicant from residents in Victoria Square.

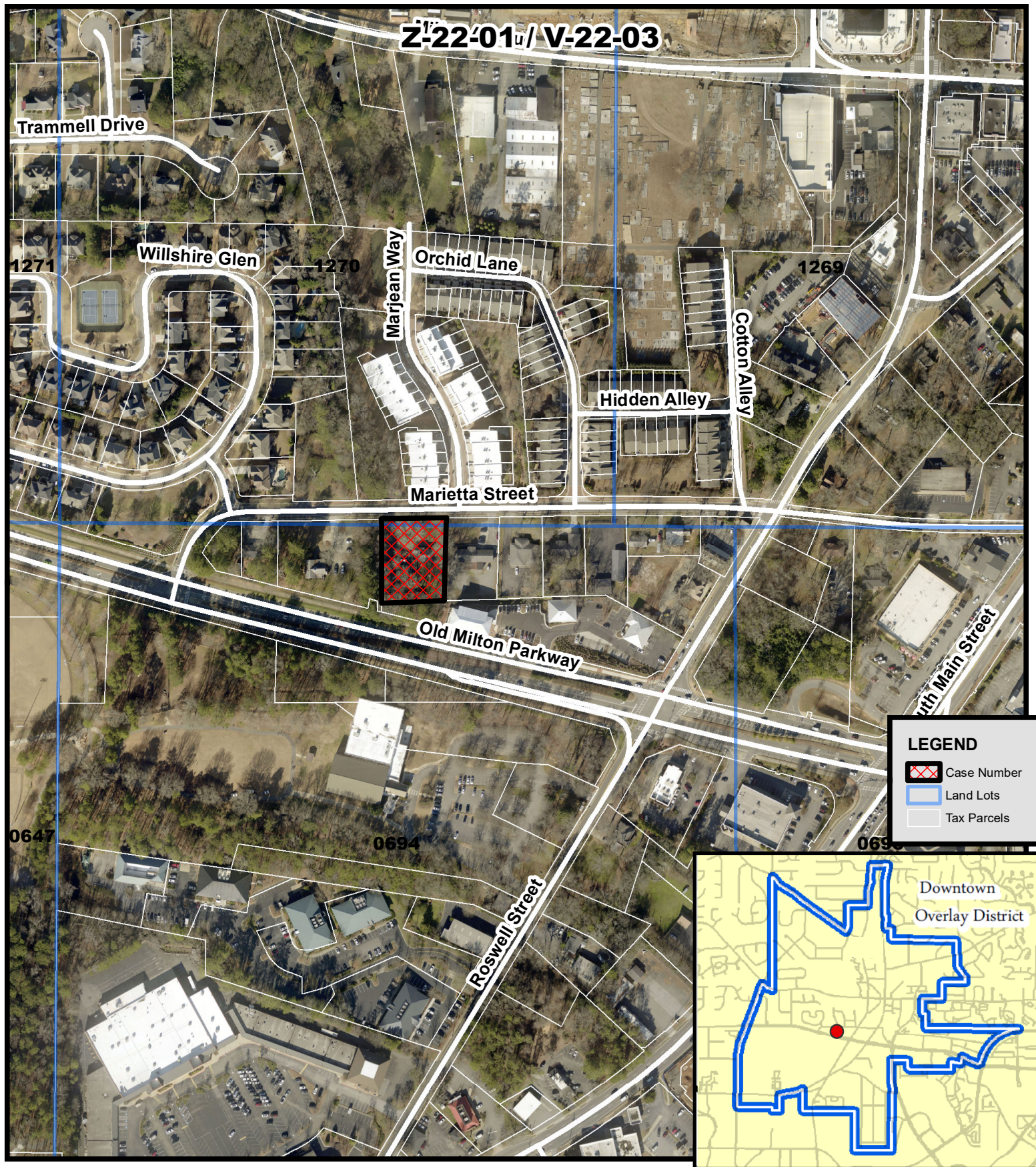
The Alpharetta Beach Houses property owner (adjacent property to the south) provided a letter of support to the City. The commercial property owner to the west has concerns that the rezoning request could impact their ability to redevelop in the future.

COMMUNITY ZONING INFORMATION MEETING

CZIM was held on February 9, 2022. There were no public comments.

IV. ATTACHMENTS:

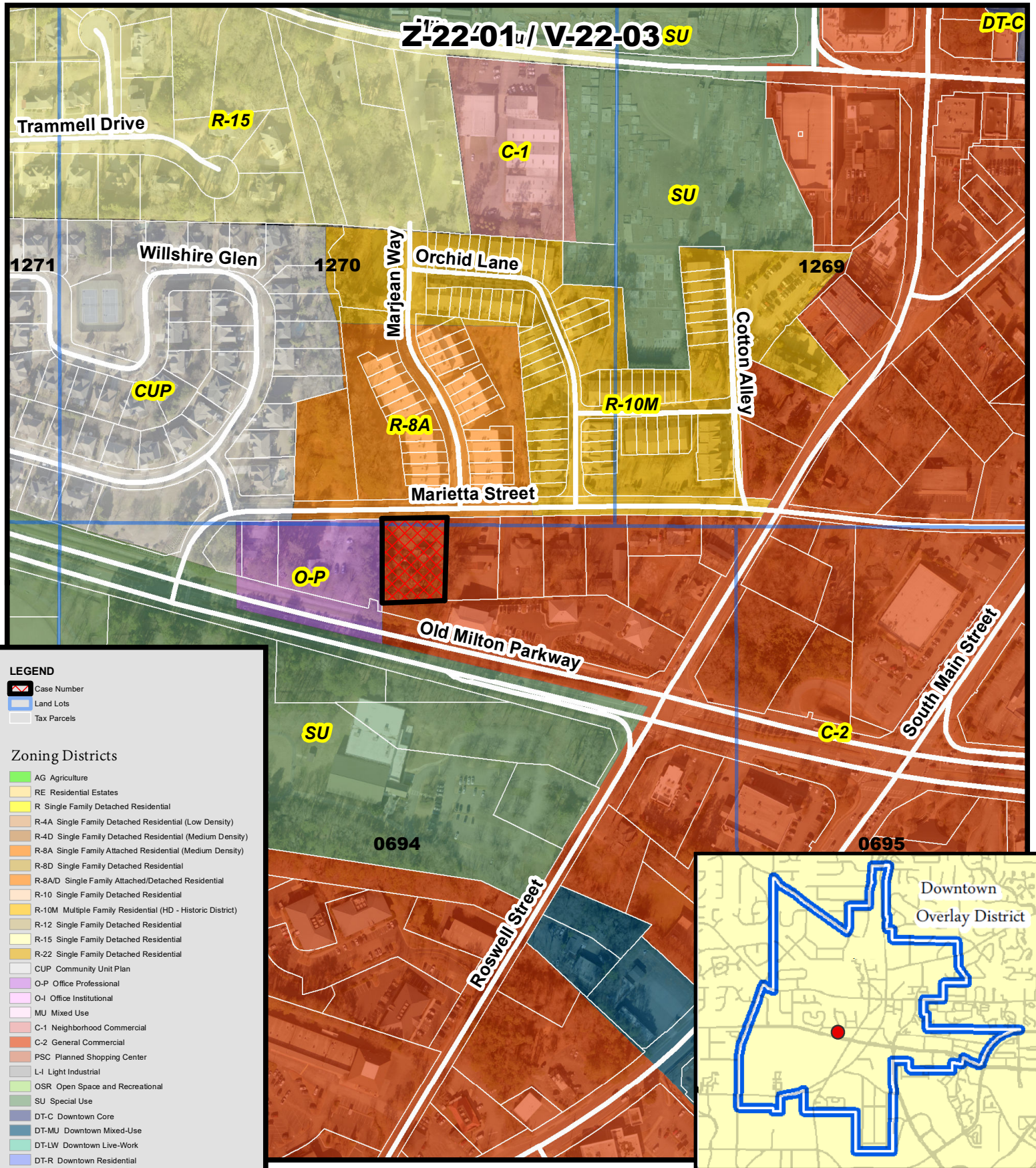
- Exhibit A – Site Layout
- Exhibit B – Inspiration Photos



Aerial Map
Wexler
182 Marietta Street

Z-22-01 / V-22-03
D/LL: 1/2/694
PC: 3/03/22
CC: 3/28/22

Location Map Provided by:
Community Development - GIS



Zoning Map
Wexler
182 Marietta Street

Z-22-01 / V-22-03
D/LL: 1/2/694
PC: 3/03/22
CC: 3/28/22



Z-22-01_u / V-22-03

Trammell Drive

ldr

cbd

pie

1271

Willshire Glen

1270

Marjean Way

Orchid Lane

1269

cbd

ldr

drd

Hidden Alley

Cotton Alley

Marietta Street

mu

Old Milton Parkway

cbd

cbd

pie

0694

0695

Roswell Street

mu

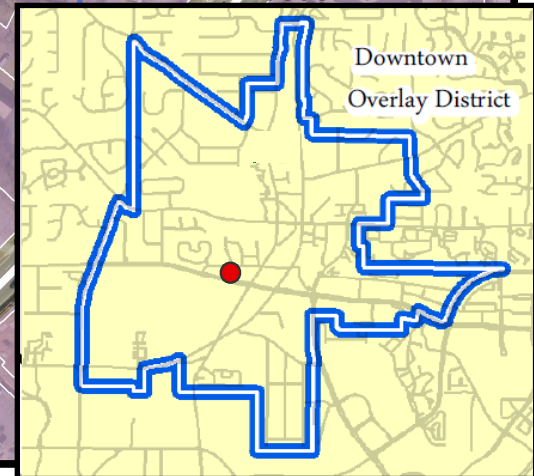
C

LEGEND

- Case Number
- Land Lots
- Tax Parcels

Future Land Use

- Business, Manufacturing, Warehousing, Light Industrial
- Central Business District
- Commercial
- Corporate Office
- Downtown Residential Density
- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Mixed Use Live Work
- Parks, Recreation, Open Space
- Professional Business Office
- Public, Institutional, Education
- Residential Estate
- Very Low Density Residential



Z-22-01 / V-22-03

D/LL: 1/2/694

PC: 3/03/22

CC: 3/28/22

Future Land Use
Wexler
182 Marietta Street

Location Map Provided by:
Community Development - GIS



Z-22-01_u / V-22-03

Trammell Drive

1271

Willshire Glen

1270

Marjean Way

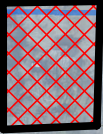
Orchid Lane

1269

Hidden Alley

Cotton Alley

Marietta Street



Old Milton Parkway

0647

0694

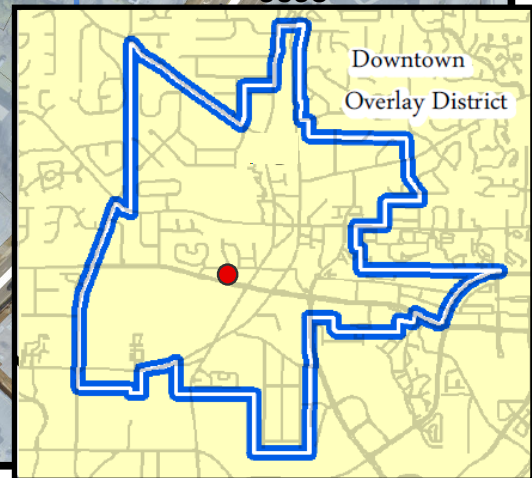
0695

Roswell Street

South Main Street

LEGEND

-  Case Number
-  Land Lots
-  Tax Parcels



Location Map

Wexler

182 Marietta Street

Z-22-01 / V-22-03

D/LL: 1/2/694

PC: 3/03/22

CC: 3/28/22

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

Exhibit A- Site Layout

LEGEND AND SYMBOLS USED

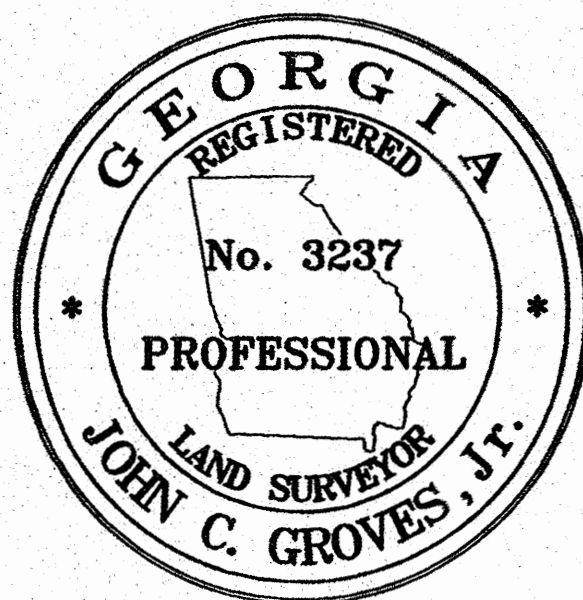
- IPF - Iron Pin Found
- IPS - Iron Pin Set (1/2" Capped Rebar)
- RBF - Rebar Found
- OTF - Open Top Pipe Found
- CTF - Crimped Top Pipe Found
- MON - Monument Found
- CMF - Concrete Monument Found
- CP - Calculated Point
- ⊗ PP - Power Pole
- ⊗ LP - Light Pole
- ⊗ PED - Utility Pedestal
- ⊗ FH - Fire Hydrant
- ⊗ WM - Water Meter
- ⊗ WV - Water Valve
- ⊗ GM - Gas Meter
- ⊗ SMH - Sewer Manhole
- ⊗ CB - Catch Basin
- DI - Drop Inlet
- ⊗ C/O - Cleanout
- ⊗ PBX - Power Box
- ⊗ Deciduous Tree
- ⊗ Coniferous Tree
- CMP - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- R/W - Right of Way
- N~F - Now or Formerly
- DB, PG - Deed Book and Page
- PB, PG - Plat Book and Page
- POB - Point of Beginning

SURVEYOR'S CERTIFICATION

This survey is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel. the recording information of the document(s), map(s), plat(s) or other instrument(s) which created the parcel(s) are stated hereon. Recordation of this survey does not imply approval of the local jurisdiction, availability of permits, compliance with local regulations or requirements, nor suitability for any use or purpose of the land.

Further, the undersigned land surveyor certifies that this map, plat or plan complies with the minimum 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 OCGA 15-6-67.

John C. Groves, Jr. RLS 3237



AREA
30,784 SQ.FT.
0.71 ACRES

FOOTHILLS
LAND SURVEYING, LLC

8450 KNOX BRIDGE HWY
CANTON, GA 30114
(678) 533-8637
www.foothillslandsurveying.com
GA LSF #1152

BOUNDARY SURVEY
PREPARED FOR
ANDREW & KOURTNEY WEXLER

LOCATED IN LAND LOT 694
1ST DISTRICT, 2ND SECTION
FULTON COUNTY, GEORGIA

DATE:	12/2/21
SCALE:	1"=20'
DRAWING:	21-325
COORD:	
REVISIONS:	
SHEET #:	1 of 1

SURVEYOR'S NOTES:

1. The field data upon which this plat is based has a relative positional accuracy of 0.02 feet.
2. This plat has been calculated for closure and has a mathematical error of 1: 300,000+.
3. Field angles and measurements acquired for the production of this plat were obtained on 12/2/21 using a Leica TCRP 1203 Total Station.
4. This plat was prepared without benefit of a current title examination. Easements or other encumbrances may exist which are not shown hereon. All matters pertaining to title are excepted.
5. No provisions have been made to secure the delineation of any wetlands, historical, or cultural features that may exist on this property.
6. Information regarding the reputed presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants, his contractors and/or his agents shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information shown hereon as to such underground installations.
7. The certification, as shown hereon, is purely a statement of professional opinion based on knowledge, information and belief; and based on existing field evidence and documentary evidence available. The certification is not an expressed or implied warranty or guarantee.

N~F
PROVIDENCE PARTNERS GROUP LLC
DB 29774, PG 399

N~F
172 MARIETTA ST LLC
DB 54591, PG 263

N~F
ALPHARETTA BEACH HOUSE LLC
DB 52906, PG 170

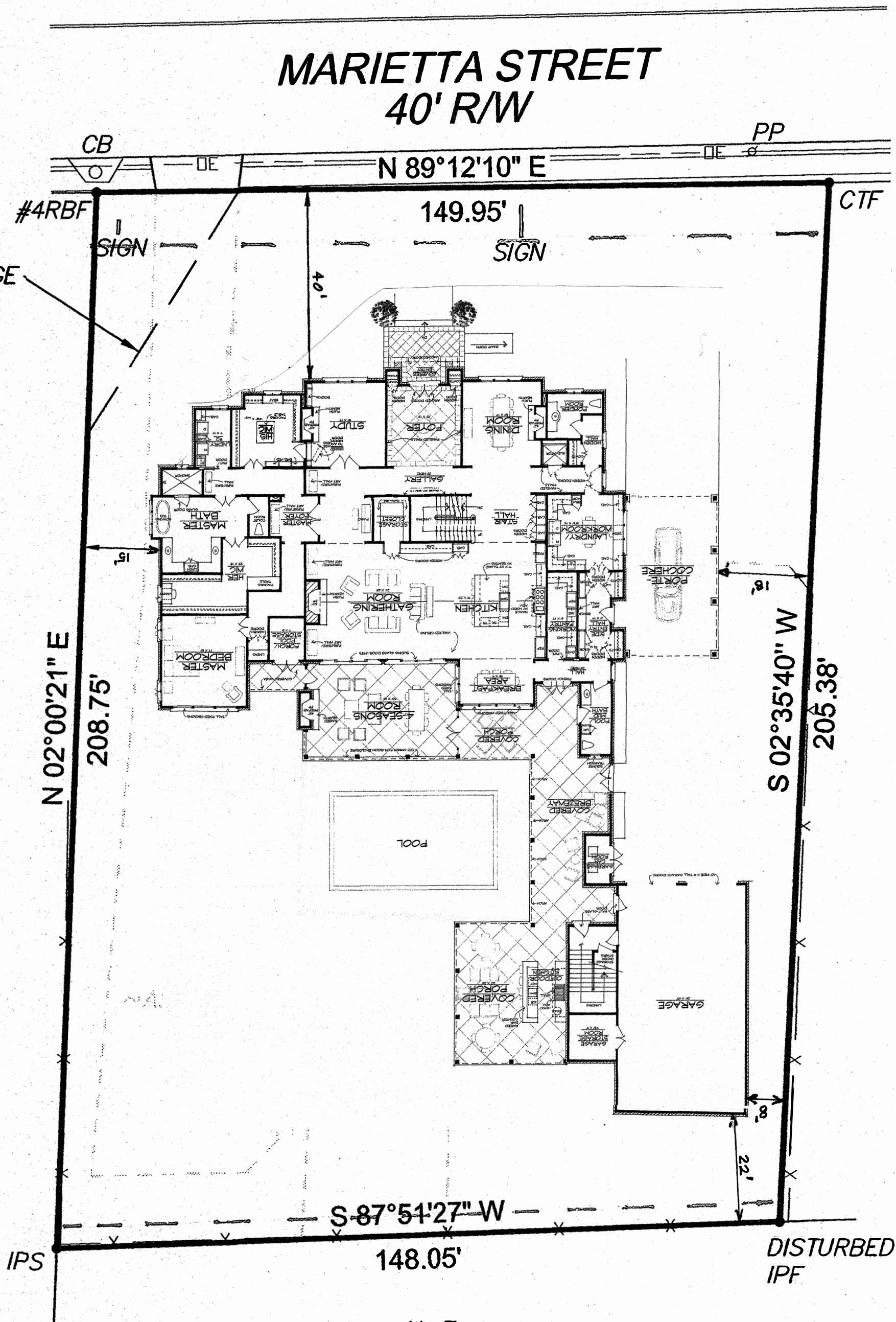
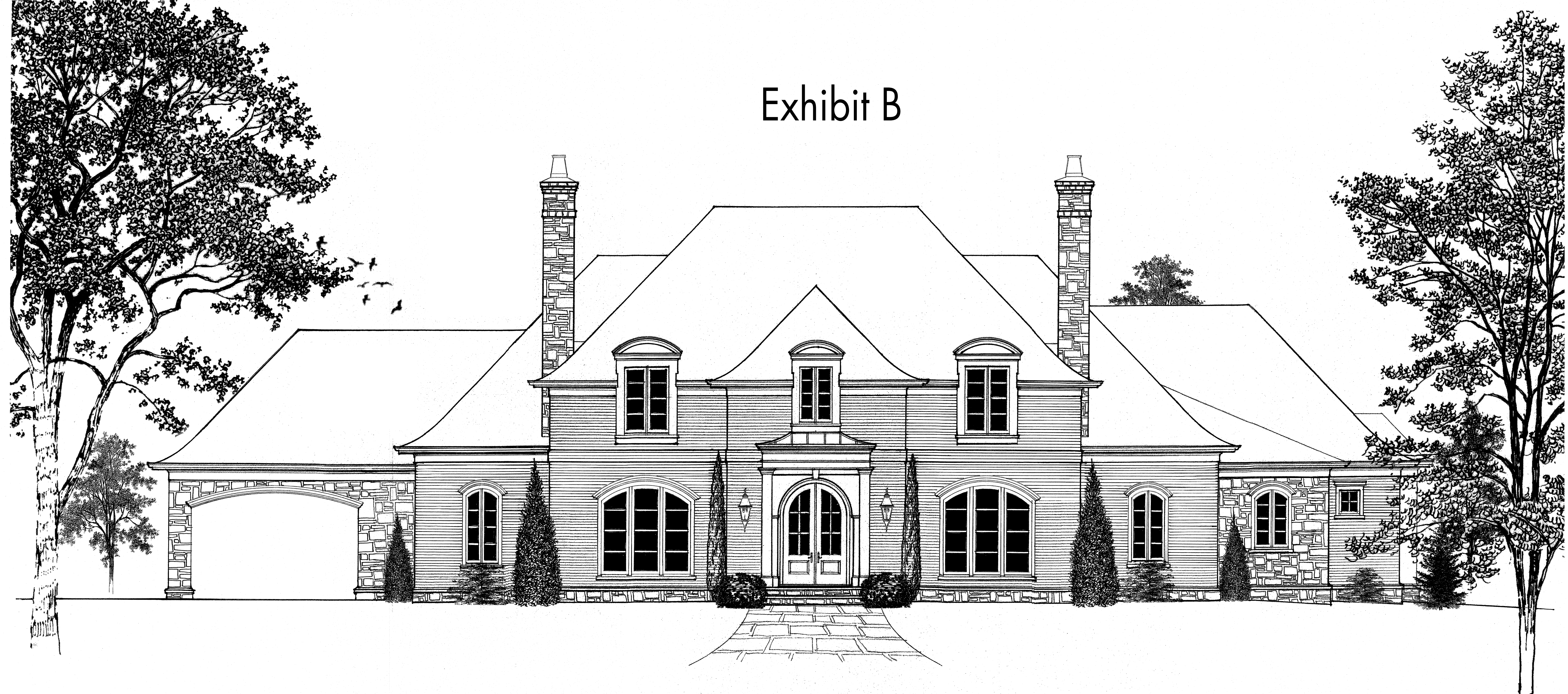


Exhibit B



Preliminary Front Elevation

Approximate Scale: 1/4" = 1'-0"

WEXLER RESIDENCE

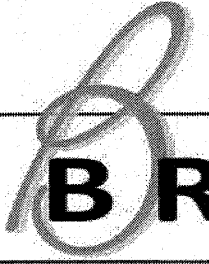
182 Marietta Street Alpharetta, Georgia 30009

© Copyright 2022 Timothy Bryan, LLC

Preliminary Plans are subject to slight adjustments during the preparation of the Construction Drawings, which will show the actual dimensions and plan information. These drawings are not released to be used as Construction Drawings.

678-366-5880

www.BryanPlans.com

TIMOTHY  BRYAN, LLC
RESIDENTIAL PLANNING COMPANY

03-10-2022



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by Planning Commission, but not quoted or paraphrased. This document includes limited presentation by Planning Commission and invited speakers in summary form. The public is advised that the tapes recorded at said meeting are a matter of public record and are available upon request.

I. Staff Members Present:

- a. Michael Woodman
- b. Ben Kern

II. Items:

- a. V-21-31 / PH-21-22 Kimball Plaza – 11380 State Bridge Road
 - i. The applicant was unable to present but was available to answer question via chat. Michael Woodman presented the item.
 - ii. Requesting a variance to reduce the waiting period from September 2021.
 - iii. The applicant is asking for a change to the condition to allow for a medical use in addition to the retail use.Public Comments: there were no public comments for this item.
- b. MP-21-11 / Bridge Road Holdings, LLC
 - i. The applicant, David Belle Isle, was not present for this meeting. Michael Woodman presented the item.
 - ii. The applicant is requesting to bring this property into the Preston Glen Master Plan.
 - iii. 19,000 sq foot, 2 story building with medical and retail.Public Comments: there were no public comments for this item.
- c. Z-22-01 / V-22-03 / Wexler / 182 Marietta Street
 - i. The applicant, Kourtney Wexler, presented this item.
 - ii. The request is to rezone from C2 to DTR to build a single-family home.Public Comments: there were no public comments for this item.
- d. CLUP-21-06 / Z-21-10 / PH-21-20 / V-22-04 / Alcovy Haynes Bridge Road and Jon Scott Drive



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

i. Ethan Underwood, the attorney for the applicant, presented this item.

ii. 20-unit development- mixture of detached, single-family units, townhomes, and semi-attached

iii. 3,000 sq feet minimum size

iv. \$1,000,000 + prices

v. There will be a barrier wall at the 5-foot landscape strip.

vi. Wants this to be a new wave of high-end housing.

Public Comments: chat comments (see next section)

-I don't think the development of the single-family residential units should be allowed. You can change the commercial side, but the price of the homes will bump up our property taxes. (resident of 469 Karen Drive) *We understand it's bringing some change. Is your concern traffic or that the houses are too expensive?* I'm concerned about the density of the project. You already have townhomes across the street.

-I am very opposed to this project. I don't believe it aligns with the city's 2040 Comprehensive Plan, nor does it align with the goals of the Council. The citizens want to preserve our tree canopy and improve walkability. We want to protect natural areas of land. This will impact traffic as well. (resident off Haynes Bridge Road)

III. Chat Comments:

COMMENT THREAD BEGAN WITH ALCOVY HAYNES BRIDGE DEVELOPMENT:

18:10:53 From Jim to Everyone:

I oppose this development

18:10:58 From Taylor to Everyone:

agree

18:12:02 From Jim to Everyone:

too much concentration of home in this area

18:12:34 From Adeniyi to Everyone:

How much is the square footage and cost of the houses and townhomes?

18:14:45 From Kimberly's iPhone to Everyone:

Does anyone know what this will do to our property values? Do the residents truly get a say so?

18:16:10 From Jim Siegel to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

This will raise your property values. Why would you be opposed?

18:17:48 From Leslie Carpenter to Everyone:

I don't feel the density of this proposal is sufficient to cause the destruction of our single family subdivision

18:17:48 From Linda Bilderback to Everyone:

Linda Bilderback I am for this new developement. Maybe you could state what the current zoning lot size is now. I live on Haynes Bridge

18:18:05 From Kimberly's iPhone to Everyone:

I do live in Alpha Park and have lived here for 30 years. The development is to large.

18:18:53 From Jim to Everyone:

we are looking for single family home on each lot as is now

18:19:01 From Leslie Carpenter to Everyone:

deforestation, water reclamation, sewage and trash removal...

18:19:45 From Leslie Carpenter to Everyone:

6 to 12 separation of residences is way to close,

18:21:06 From Leslie Carpenter to Everyone:

why not buy everybody out at the valuable price increase that you are speaking of

18:23:57 From Kimberly's iPhone to Everyone:

Yes

18:24:00 From Leslie Carpenter to Everyone:

is police to be increased

18:24:24 From Kimberly's iPhone to Everyone:

What is the next step?

18:24:28 From Leslie Carpenter to Everyone:

is fire dept on board with this

18:24:57 From Adeniyi to Everyone:

What is the timeline for building these out..?

18:25:45 From Leslie Carpenter to Everyone:

why not make a subdivision all along the south of devore along Haynes bridge

18:26:06 From Kimberly's iPhone to Everyone:

We can attend the meeting?

18:26:20 From Adeniyi to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

Why not increase the green space between the single family detached houses by 50% and reduce the number of town homes?

18:27:31 From danielle west to Ben Kern (Direct Message):

Thank you for taking the time to share these details with us! I love how Alpharetta is evolving!

18:27:37 From Leslie Carpenter to Everyone:

just the commercial zoned Haynes bridge side

18:27:38 From Jim Siegel to Everyone:

Will the city of Alpharetta force a repaving of Devore Road?

18:28:21 From Kimberly's iPhone to Everyone:

Can I go to City Hall and pick up today's attachment's?

18:28:23 From Ben Kern to danielle west(Direct Message):

You're welcome Danielle - glad to be able to keep you in the loop!

18:28:30 From Leslie Carpenter to Everyone:

make a strip along Haynes bridge & keep out of alpha park

18:29:05 From Adeniyi to Everyone:

Why not also increase the width of the road and add bike paths as part of the development and pay for it?

18:31:04 From Adeniyi to Everyone:

Devore

18:31:34 From Leslie Carpenter to Everyone:

a long strip of commercial should be developed for a strip of row houses

18:31:44 From Adeniyi to Everyone:

Need to ICT ease the Devore road width due to impact

18:32:05 From Adeniyi to Everyone:

Need to increase width of Devore

18:33:07 From Adeniyi to Everyone:

Width of Devore road is more important not side walk due to impact

18:36:27 From Adeniyi to Everyone:

Totally agree on having lots of trees more than what is here

18:37:04 From Leslie Carpenter to Everyone:

so 11 residences where there is 3

18:37:26 From Adeniyi to Everyone:

All trees planned need to be reflected in site plan

18:37:46 From Randy Blasch (he, him, his) to Everyone:



Community Zoning Information Meeting
February 9, 2022
Department of Community Development
Via Zoom
6:00 PM

We were told when Alpha Park was rezoned that Alpharetta would not allow the development to be changed piecemeal. How is this consistent with that?

18:39:14 From Adeniyi to Everyone:

Single family homes are more desirable than town homes

18:39:30 From Leslie Carpenter to Everyone:

that's it for me , for now

18:40:39 From Leslie Carpenter to Everyone:

signs were posted for the Monday night meeting?

18:40:40 From Kimberly's iPhone to Everyone:

I was unaware of Monday's meeting

18:40:55 From danielle west to Everyone:

Thanks again!!

18:41:31 From Kimberly's iPhone to Everyone:

I would like to meet with someone and I believe many of us would like to meet

18:41:32 From Randy Blasch (he, him, his) to Everyone:

This affects ALL Of Alpha Park, so it would appreciated if we were ALL included

18:42:00 From Kimberly's iPhone to Everyone:

I never received a letter and I live in the middle

18:42:18 From Leslie Carpenter to Everyone:

[REDACTED]

18:42:54 From Ethan Underwood to Everyone:

EUNDERWOOD@MHTLEGAL.COM

IV. Meeting Ended

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.

Wexler- 182 Marietta Street

Public Hearing or Project Name: _____

Kourtney and Andrew Wexler

(k) 678.361.2203

Contact Name: _____

Telephone: **(a) 678.464.1152**

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

We have received a lot of positive feedback about rezoning this property.

-Please see the attached exchange from someone who received our letter.

-We have received a lot of verbal support from our neighbors at Victoria Square.

-Jeff Harris, President of Windsong Townhomes, directly across the street from the property is in favor of the rezoning. He is communicating with the residents to draft a formal letter of support, if everyone agrees.

-Mr. Penn Hodges, the developer behind the property is in favor of this rezoning and has emailed Kathi Cook his support.

- I, Kourtney Wexler, initiated an in person visit with the property owners adjacent to the property. The property owner at 204 Marietta Street wanted to talk with City, so he contacted Kathi Cook with questions. I don't know the results of that exchange.

-We haven't been successful in reaching 172 Marietta Street as they don't frequent the location often.

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

11:17



iMessage
Wed, Jan 26, 5:04 PM

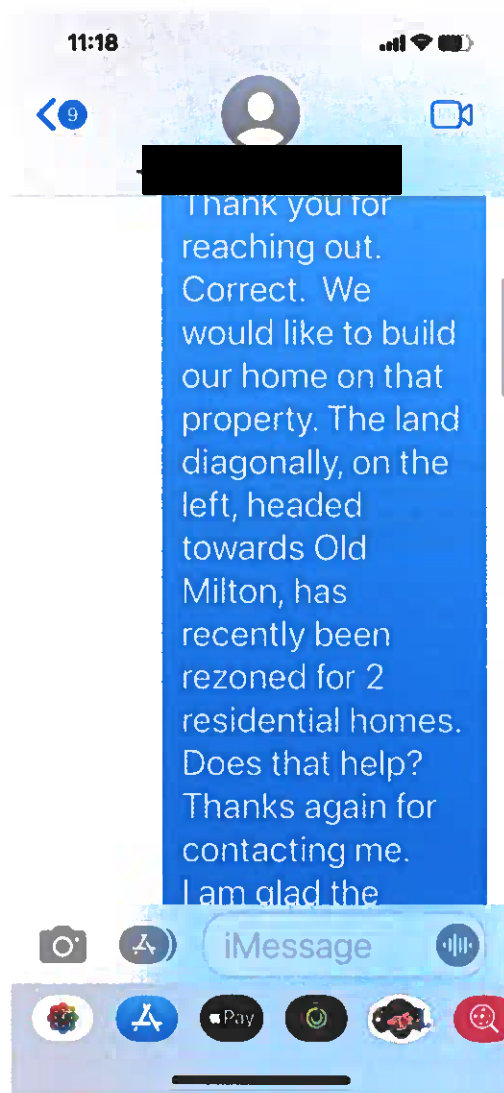
Hi Kourtney, I got your rezoning notification. Quick question, are you rezoning 182 Marietta for one single-family detached home or something different, thank you. Keith

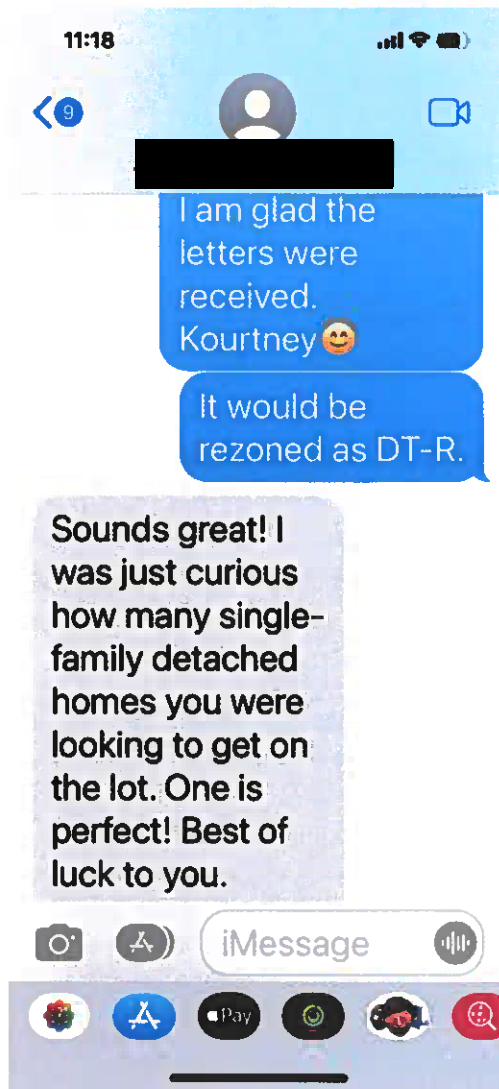
Hi Keith,
Thank you for



iMessage







11:18



homes you were
looking to get on
the lot. One is
perfect! Best of
luck to you.

Thank you for
getting back to
me!

Thank you so
much.
We are certainly
crossing our
fingers. 🙏



iMessage



From: [Woodman, Michael](#)
To: [Callum, Alexandra](#)
Subject: FW: upcoming planning comm -22-01/v-22-03 182 Marietta St
Date: Thursday, February 24, 2022 9:07:42 AM

From: [REDACTED]
Sent: Thursday, February 24, 2022 8:45 AM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: upcoming planning comm -22-01/v-22-03 182 Marietta St

CAUTION: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello Michael,

My name is Lauren Holmes. I am emailing you regarding the Variance request regarding 182 Marietta St. I am an owner in Victoria Sq. subdivision. I believe with .72 acres of land a builder/developer has plenty of space to build one home. I do not agree with giving them less of a buffer. I believe this will lead to other developers/builders to come in and ask later for this to continue down the street and we will turn into Thompson St with large homes on top of each other. This will add to more congestion and cut-throughs on Marietta St. I know it sounds ridiculous being a townhome community and talk "on top of each other" but we enjoy a quiet life where we are located and do not want what is happening in downtown to move into our quiet area. I know from past experience after a buffer is reduced the developer/builder comes back and then asks to increase density since it will become a DT-R and that designation allows more density.

I would like to email the planning commission prior to the March 3rd meeting and to the Council before it moves to them. I did not find any of those emails on the Alpharetta website. Can you direct me to that or send those to me?

Thank you,

Lauren Holmes
12010 Orchid Lane
Alpharetta, Ga 30009

From: [Woodman, Michael](#)
To: [Callum, Alexandra](#)
Subject: FW: 182 Marietta Street
Date: Tuesday, February 22, 2022 8:40:48 AM

Alex – For the file, public comment

From: penn hodge [REDACTED] >
Date: February 7, 2022 at 8:46:17 PM EST
To: Andrew Wexler <andrew_wexler@hotmail.com>, "Cook, Kathi" <Kcook@alpharetta.ga.us>
Subject: Fwd: 182 Marietta Street

CAUTION: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Kathi,

We fully support Andrew's rezoning. We should all be proud he has pick downtown Alpharetta to live in.

Best regards
Penn

Penn Hodge
131 Roswell Street
Suite B201
Alpharetta, Georgia 30009

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Sorry for typos and errors, I have bad eyes and ADHD.

On Feb 4, 2022, at 3:21 PM, Andrew Wexler
<andrew_wexler@hotmail.com> wrote:

Penn,

Great to hear from you. I hope you and your family are well. We are working to get the zoning changed on the lot so we do not own it yet. It would be great to get a letter of

support for our change. Can you send me the information on the parcel?

Best,
Andrew

Sent from [Mail](#) for Windows

LEGEND AND SYMBOLS USED

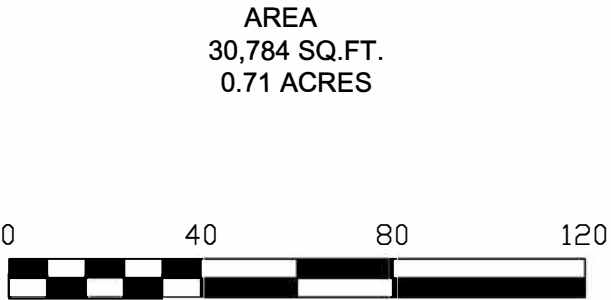
- IPF - Iron Pin Found
- IPS - Iron Pin Set (1/2" Capped Rebar)
- RBF - Rebar Found
- OTF - Open Top Pipe Found
- CTF - Crimped Top Pipe Found
- MON - Monument Found
- CMF - Concrete Monument Found
- CP - Calculated Point
- ♂ PP - Power Pole
- ⌘ LP - Light Pole
- ⊖ PED - Utility Pedestal
- ⚡ FH - Fire Hydrant
- ⊙ WM - Water Meter
- ⌘ WV - Water Valve
- ◇ GM - Gas Meter
- ⊙ SMH - Sewer Manhole
- ⊖ CB - Catch Basin
- DI - Drop Inlet
- ⊙ C/O - Cleanout
- ⊠ PBX - Power Box
- ⊙ Deciduous Tree
- ⊙ Coniferous Tree
- CMP - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- R/W - Right of Way
- N~F - Now or Formerly
- DB, PG - Deed Book and Page
- PB, PG - Plat Book and Page
- POB - Point of Beginning

SURVEYOR'S CERTIFICATION

This survey is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel. the recording information of the document(s), map(s), plat(s) or other instrument(s) which created the parcel(s) are stated hereon. Recordation of this survey does not imply approval of the local jurisdiction, availability of permits, compliance with local regulations or requirements, nor suitability for any use or purpose of the land.

Further, the undersigned land surveyor certifies that this map, plat or plan complies with the minimum 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 OCGA 15-6-67.

John C. Groves, Jr. RLS 3237



FOOTHILLS
LAND SURVEYING, LLC

8450 KNOX BRIDGE HWY
CANTON, GA 30114
(678) 533-8637
www.foothillslandsurveying.com
GA LSF #1152

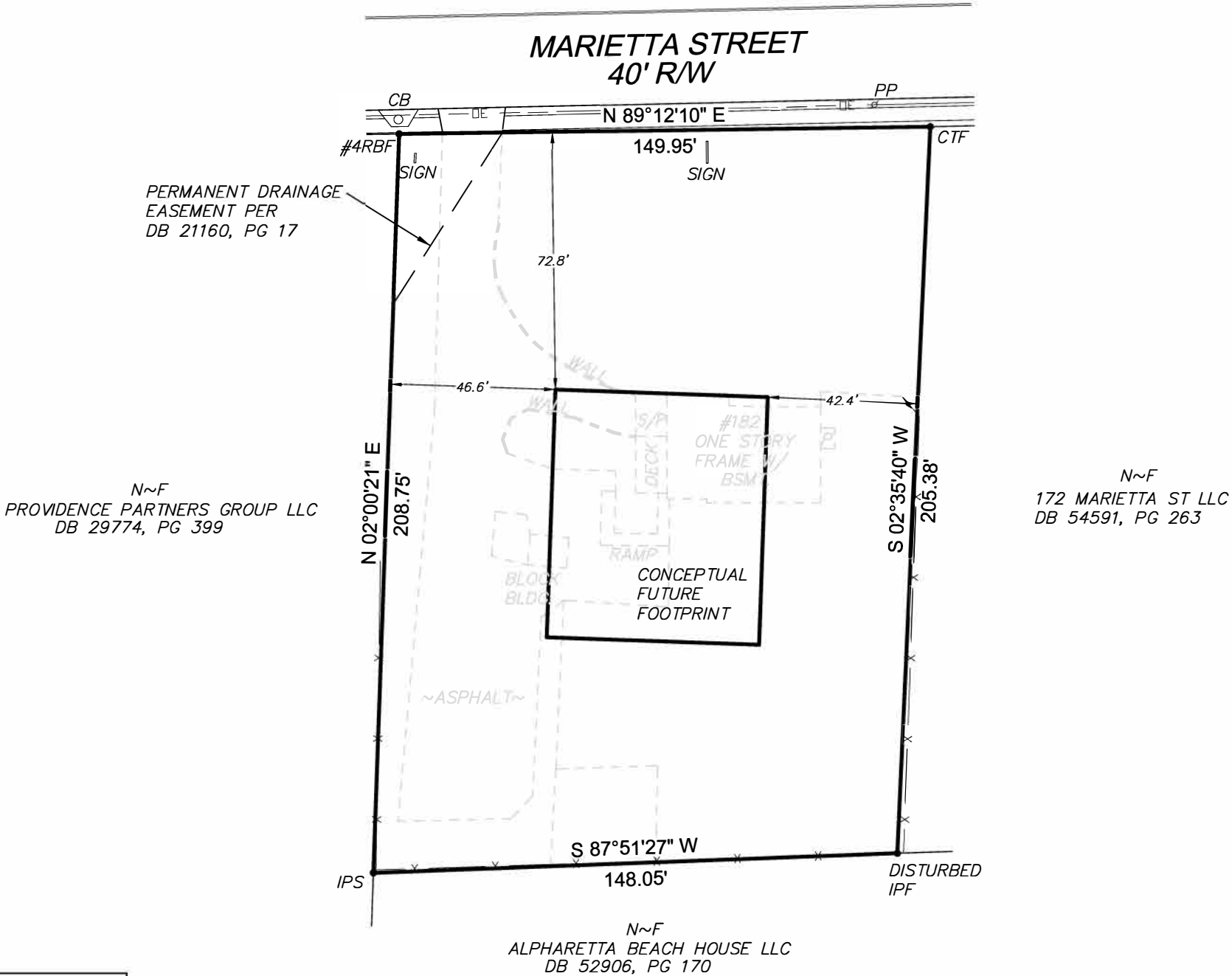
BOUNDARY SURVEY
PREPARED FOR
ANDREW & KOURTNEY WEXLER

LOCATED IN LAND LOT 694
1ST DISTRICT, 2ND SECTION
FULTON COUNTY, GEORGIA

DATE:	12/2/21
SCALE:	1"=40'
DRAWING:	21-325
COORD:	
REVISIONS:	
SHEET #:	1 of 1

SURVEYOR'S NOTES:

- The field data upon which this plat is based has a relative positional accuracy of 0.02 feet.
- This plat has been calculated for closure and has a mathematical error of 1: 300,000+.
- Field angles and measurements acquired for the production of this plat were obtained on 12/2/21 using a Leica TCRP 1203 Total Station.
- This plat was prepared without benefit of a current title examination. Easements or other encumbrances may exist which are not shown hereon. All matters pertaining to title are excepted.
- No provisions have been made to secure the delineation of any wetlands, historical, or cultural features that may exist on this property.
- Information regarding the reputed presence, size, character, and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his employees, his consultants, his contractors and/or his agents shall hereby distinctly understand that the surveyor is not responsible for the correctness or sufficiency of this information shown hereon as to such underground installations.
- The certification, as shown hereon, is purely a statement of professional opinion based on knowledge, information and belief; and based on existing field evidence and documentary evidence available. The certification is not an expressed or implied warranty or guarantee.





2158 Bolton Rd. NW
Atlanta GA 30318

Office (404) 799 5472

Mobile (404) 444-0003

todd@bottetree.com

www.bottetree.com

12 January 2022

Arborist Letter
Steve Laboda
Capstone Building Group
SITE: 182 Marietta Street
Alpharetta, GA 30009

Dear Steve:

Thank you for having me out to the property to inspect the five primary Oak trees on the site listed above. I conducted a Level II inspection, which is primarily a visual observation of the trees. I believe that four of the five trees are in poor condition, and have listed the individual information below. Photos have been sent in a separate email.

1. 25" diameter Oak tree slight left of driveway: 20% deadwood in canopy.
2. Leaning 27" Oak tree left of driveway near the street and utility wires: Blown out top with heavily decayed stub at break point.
3. 20" Oak center of cluster: 15% of canopy has recently failed resulting in decay at top.
4. 28" Oak left of driveway closest to house: Decayed area at previous break or pruning cut. Blown out top. Crack running from the ground to 30' up the tree.
5. 28" Oak tree left of center of front yard: 28" Oak. 30% dead canopy with heavy decay in these dead limbs. Decay at base.

Sincerely,

Todd Harkleroad
404-444-0003 mobile
404-799-5472 office
404-334-3288 fax
ISA Certified Arborist
SO-5818A
ISA Tree Risk Assessment Qualification



Please note that Arborist Letters are to be considered Level II inspections (visual and general physical review of the tree) only and do not constitute a full aerial inspection nor a Resistograph analysis of the tree(s) listed.













2158 Bolton Rd. NW
Atlanta GA 30318

Office (404) 799 5472

Mobile (404) 444-0003

todd@bouttetree.com

www.bouttetree.com

23 February 2022

Arborist Letter
Steve Laboda
Capstone Building Group
SITE: 182 Marietta Street
Alpharetta, GA 30009

Dear Steve:

Thank you for having me out to the property to inspect the five primary Oak trees on the site listed above. I conducted a Level II inspection, which is primarily a visual observation of the trees. I believe that several of the trees are in poor condition, and warrant removal. Others appear to be in good condition, and of these, a few would benefit from protective measures during construction. Details follow in the list below. Photos have been sent in a separate email.

1. 10" Oak right front of house. Good condition.
2. 12" Hickory Right rear of house. Good condition.
3. 3" Japanese Maple right of house: Should be transplanted before construction, but in good condition.
4. 25" Oak tree right of driveway: Good condition. Care should be taken during current driveway removal, and a prescription will likely be needed.
5. 13" Hickory right rear of house, slight left of driveway: 20% dead canopy, damaged, decayed limbs, blown out central lead.
6. 12" Oak right of house, slight right of driveway: Good condition, likely to need a prescription.
7. 10" Mulberry tree, right of driveway approaching rear fence: Good condition, likely to need a prescription.
8. 12" Hickory right of driveway near rear fence: Good condition, likely to need a prescription.
9. 20" Oak tree at fence end of driveway, left side Good condition, likely to need a prescription.
10. 27" Oak tree at rear of house, center-right backyard: Decay at previous pruning cuts/limb breaks. 15% dead canopy. Large areas of peeling bark in lower 15' of the trunk, signs of decay at base. Likely a DDH tree.
11. 20" Sweetgum at center of rear fenceline: Good condition.
12. 12" Hickory at center of rear fenceline: Good condition.
13. A cluster of trees that are all in good condition: 10" Cherry, 8" Cherry, 8" Cherry, 10" Oak, 27" Water Oak.
14. LEFT NEIGHBOR'S 28" Oak: Fair condition. Exhibits 15% decline in canopy, numerous dead or broken limbs, several unhealed wounds from pruning or damage.
15. REAR BUFFER along Old Milton. This stand of trees appears to be in good condition, and based on the plans as presented to me, would likely have little to no impact by the construction.
16. RIGHT BUFFER to the right of the fence on client's property (ownership is not known to me): This stand of trees appears to be in good condition, and based on the plans as presented to me, would likely have little to no impact by the construction

Sincerely,



Todd Harkleroad
404-444-0003 mobile
404-799-5472 office
404-334-3288 fax
ISA Certified Arborist
SO-5818A
ISA Tree Risk Assessment Qualification



Please note that Arborist Letters are to be considered Level II inspections (visual and general physical review of the tree) only and do not constitute a full aerial inspection nor a Resistograph analysis of the tree(s) listed.











CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

Z-22-01

FOR OFFICE USE ONLY

Case #: PHA210069

PH #:

☐ Property Taxes & Code Violations Verified

☒ Fee Paid Initial: RA

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." Please note that a 3% convenience fee will be added to all credit card transactions.
5. Applications will be accepted 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: Andrew and Kourtney Wexler

Telephone: K- 678.361.2203
A- 678.464.1152

Address: 12051 Orchid Lane

Suite: _____

City: Alpharetta

State: GA

Zip: 30009

Fax: _____

Mobile Tel: K- 678.361.2203
A- 678.464.1152

Email: kourtney_wexler@hotmail.com
andrew_wexler@hotmail.com

Subject Property Information:

Address: 182 Marietta Street

Current Zoning: C-2

District: 1st

Section: 2nd

Land Lot: 694

Parcel ID: 12-2583-0694-004-9

Proposed Zoning: DT-R

Current Use: Suttons Service- Home Appliance Repair

This Application For (Check All That Apply):

☐ Conditional Use

☒ Rezoning

☐ Variance

☐ Exception

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other (Specify): _____

☐ Comprehensive Plan Amendment

APPLICANT REQUEST AND INTENT

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

The proposed use of the property would be the site of a single family custom built home. The proposed dwelling would be an approximately 5000 square foot, 2 story home with basement, garage, and pool.

Applicant's Request (Please itemize the proposal):

We are requesting you approve the following:

- 1- Rezoning of the property from C-2 to DT-R.
- 2- Approval of the custom built home, garage, and pool.

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

Our intent would be to rezone the property from C-2 to DT-R, so we may build a custom home for our family to occupy.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Tim Sutton Telephone: 770-318-3539
Address: 12094 Cotton Alley Suite: _____
City: ALPHARETTA State: GA Zip: 30009

Authorization:

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

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

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

Property Owner's Authorized Applicant (if applicable):

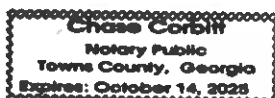
Name of Authorized Applicant: Andrew Wexler Telephone: 678-464-1152
Address: 12051 Orchid Lane Suite: _____
City: ALPHARETTA State: GA Zip: 30009

So Sworn and Attested:

Owner Signature: Tim Sutton Date: 12-28-21

Notary:

Notary Signature: [Signature] Date: 12-28-21



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: Andrew and Kourtney Wexler

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-1.

Signature: 

Date: 12.29.2021

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

Although Marietta Street consists of commercial properties, it is adjacent to residential properties on MarJean Lane, as well as the Victoria Square community.

201 Marietta Street recently was approved for 2 single family dwellings, which would be in alignment with the overall quaintness of downtown Alpharetta. (See photos of homes recently approved)

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

Rezoning this property will change the use of the property, but will not diminish the value of the surrounding properties. Building a custom home on this property will add character to the overall charm of Downtown Alpharetta while increasing property values to the communities around it.

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

It is unlikely, as this C-2 zoned property has been on and off the market since January 28, 2020. Therefore, it seems that in this market, if it hasn't sold under its current zoning, it is either grossly over priced or the need isn't there any more.

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

Because we are empty nesters, rezoning this property and approving a custom built home, would not increase the population or traffic. In fact, it would reduce the above mentioned concerns. In addition, it has the potential to reduce noise and air pollution also.

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

Rezoning this property and approving a custom built, single family dwelling, would not add to the school system population or utilities as we don't have any school aged children. We are not seeking to build this home and sell it. We want to build our home in this town we have been a part of since 1997.

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

The proposed rezoning will meet the criteria of Alpharetta's Comprehensive Plan and the future land use. Rezoning to DT-R protects the community even more than mixed use.

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

As the landscape of Alpharetta continues to evolve, we feel rezoning this property from C-2 to DT-R would be a positive alignment of the goals the city has forecasted.

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

CITIZEN PARTICIPATION FORM - PART A

This form must be completed and submitted with the applicant's completed Public Hearing Application. Applications submitted to the City of Alpharetta without a completed Citizen Participation Form - Part A will not be accepted.

Public Hearing or Project Name: _____

Andrew and Kourtney Wexler

k-678.361.2203

Contact Name: _____ Telephone: a-678.464.1152

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.

172 MARIETTA ST LLC
172 MARIETTA ST
ALPHARETTA GA 30009-1534

BALSANO DEBORAH
12028 ORCHID LANE
ALPHARETTA GA 30009

BROWN MICHAEL & RITA K
205 N ESPLANADE
ALPHARETTA GA 30009

CALAVAN MATTHEW C & CALAVAN
KATHERINE L
205 MARJEAN WAY
ALPHARETTA GA 30009

CIACCIA LOUIS & MARYANNE
12009 ORCHID LANE
ALPHARETTA GA 30009

DEARMAN BARBARA L
2090 WILSHIRE GLEN
ALPHARETTA GA 30004

FAY JAMES PATRICK & ELLEN TEDESCO
310 MARJEAN WAY
ALPHARETTA GA 30009

GAMBLE O NEILL CINDY
250 MARJEAN WAY
ALPHARETTA GA 30009

GILKEY SCOTT & ALICIA
2095 WILSHIRE GLEN
ALPHARETTA GA 30004

GRIFFIN DAUDA & TYLER DERRICK
305 MARJEAN WAY
ALPHARETTA GA 30009

ALPHARETTA BEACH HOUSE LLC
131 ROSWELL ST # B201
ALPHARETTA GA 30009

BARRANCA JOHN P & BARRANCA LISA A
12034 ORCHID LANE
ALPHARETTA GA 30009

BRUGNOLI ANDREW & CATHERINE A
12012 ORCHID LANE
ALPHARETTA GA 30009

CALLAWAY WILLIAM H JR
12038 ORCHID LANE
ALPHARETTA GA 30009

CLARK LOUISE
12044 ORCHID LANE
ALPHARETTA GA 30009

DEMETRIOU CLINTON A & DEMETRIOU JOY D
12024 ORCHID LANE
ALPHARETTA GA 30009

FOWLER SAMUEL WREN
12004 ORCHID LN
ALPHARETTA GA 30009

GANT STEPHEN
12036 ORCHID LANE
ALPHARETTA GA 30009

GOOD MICHAEL & ZARRINA
225 MARJEAN WAY
ALPHARETTA GA 30009

HANJI SANJAY & HANJI
2055 WILSHIRE GLEN
ALPHARETTA GA 30004

ARTHUR L ABBEY & BARBARA L LIVING TRUST
THE
260 MARJEAN WAY
ALPHARETTA GA 30009

BERG JOHANN
4951 MARK JOHN WAY
CUMMING GA 30040

BUONOCORE JENNIFER
12005 ORCHID LANE
ALPHARETTA GA 30009

CHLOMAV LLC
2365 WALL ST SUITE 120
CONYERS GA 30013

DAWSON JERRY W & GRACE
738 MUSTANG DR
HARTWELL GA 30643

DETCHEON TRACI L
2011 HIDDEN ALY
ALPHARETTA GA 30009

FOX LYDIA
12022 ORCHID LN
ALPHARETTA GA 30004

GEER WALTER I III
210 MARJEAN WAY
ALPHARETTA GA 30009

GRANGER STUART A
2006 HIDDEN ALY
ALPHARETTA GA 30009

HELLRIEGEL JOHN EDWARD & JUDITH TOWER
26 PEACHTREE CIR # 3
ATLANTA GA 30309

HENDRIX ANDREW J & MARES SARA
2085 WILLSHIRE GLN
ALPHARETTA GA 30009

HICKS MARJORIE LYNNE
12007 ORCHID LN
ALPHARETTA GA 30004

HINTON MICHAEL E
2007 HIDDEN ALY
ALPHARETTA GA 30009

HOLMES LAUREN L & MARK J
13900 HAGOOD RD
ALPHARETTA GA 30004

HUSKEY ALYSSA & BAIRD DONALD
12046 ORCHID LN
ALPHARETTA GA 30009

KANDLER KURT EUGENE
15130 TAYLOR RD
ALPHARETTA GA 30004

KEITH ELIZABETH
300 MARJEAN WAY
ALPHARETTA GA 30009

KOVALEV ANDREY & KAVALIOVA MARYIA
12003 ORCHID LANE
ALPHARETTA GA 30009

KRITEMAN LEWIS S & LAURA H
280 MARJEAN WAY
ALPHARETTA GA 30009

LETCHAS ARTHUR ET AL
240 MARJEAN WAY
ALPHARETTA GA 30009

LINCH KEITH E & JOHNSON TONYA G
270 MARJEAN WAY
ALPHARETTA GA 30009

MAGNOLIA DRIVE LLC
3360 MARLA BLVD NW
NORCROSS GA 30092

MINER JONATHAN S
12032 ORCHID LN
ALPHARETTA GA 30009

MOHAMED M YUSUF M & KHEDR SHEREEN M
4649 PERSIMMON DR
DUBLIN CA 94568-7646

MOORE WILLIAM & DEBORA A
220 MARJEAN WAY
ALPHARETTA GA 30009

MOSS LESLIE W
214 MARIETTA ST
ALPHARETTA GA 30004

NGUYEN NATHANIEL & DINH CHRISTINA
2060 WILLSHIRE GLEN
ALPHARETTA GA 30004

PARK JOAN H
12040 ORCHID LN
ALPHARETTA GA 30009

PATEL SHAILESHKUMAR & DAYALJI PATEL
MNESHA
2100 WILLSHIRE GLN
ALPHARETTA GA 30009

PAUL DAVID A & AMY L
12020 ORCHID LN
ALPHARETTA GA 30009-7989

PROVIDENCE PARTNERS GROUP LLC
204 MARIETTA ST
ALPHARETTA GA 30004

PRP LAND LLC & VICTORIA SQUARE
TOWNHOME ASSN INC
P.O. BOX 2458
ALPHARETTA GA 30023-2458

RATTARY DEBRA ANN
12002 ORCHID LANE
ALPHARETTA GA 30009

REINHARDT MICHAEL
12026 ORCHID LANE
ALPHARETTA GA 30009

RULAND MICHAEL & ELISA STEVENSON
320 MARJEAN WAY
ALPHARETTA GA 30009

SALVANHA JETHER
2065 WILLSHIRE GLN
ALPHARETTA GA 30009

SANDER ANN P
12008 ORCHID LN
ALPHARETTA GA 30009

SAUNDERS JEREMIE A SAUNDERS
MARCELLA M
12042 ORCHID LN
ALPHARETTA GA 30009-7989

SAWANT PRASHANT VASANT SAWANT ASHWINI
P
2070 WILLSHIRE GLEN
ALPHARETTA GA 30004

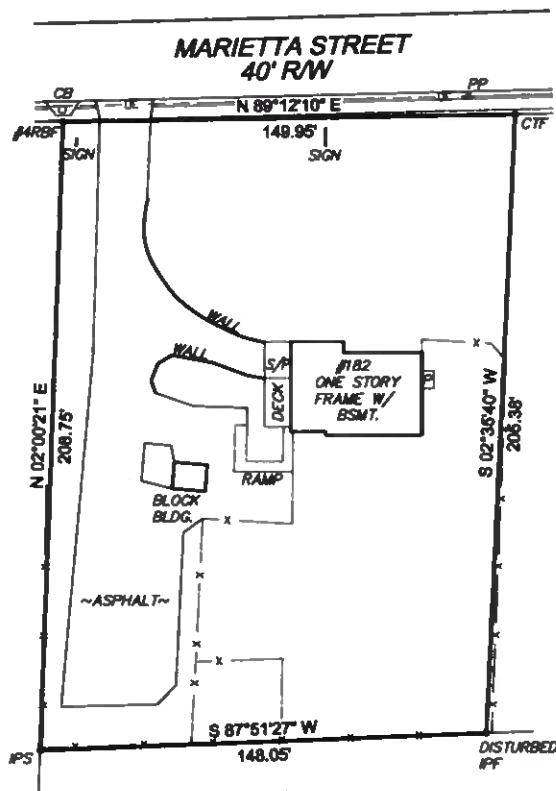
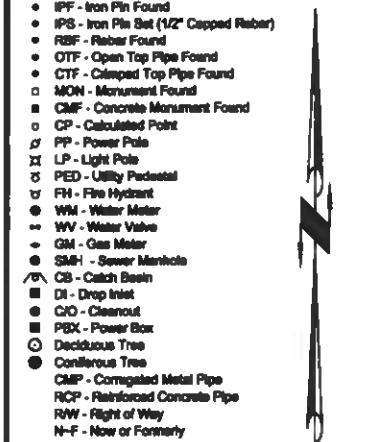
SEDG INVESTMENTS LLC
13050 BETHANY RD
ALPHARETTA GA 30009-1931

SHRIVASTAVA ASHWINI & SAHAY ALKA 2080 WILLSHIRE GLEN ALPHARETTA GA 30004	SPIEGEL AMY SUE 235 MARJEAN WAY ALPHARETTA GA 30009	SUTTON TIMOTHY E & MARY L 12094 COTTON ALY ALPHARETTA GA 30009-7983
TALON NEIGHBORHOODS LLC 1418 DRESDEN DR SUITE 200 ATLANTA GA 30319	TANG DARIN & TERI 245 MARJEAN WAY ALPHARETTA GA 30009	TAPP THOMAS C TAPP NADIA B 12011 ORCHID LN ALPHARETTA GA 30009
TKB2 PROPERTIES LLC 125 N CHRISTOPHERS RUN ALPHARETTA GA 30004	TRAINUM TIMOTHY WADE & TRAINUM KATARZYNA E 2105 WILLSHIRE GLN ALPHARETTA GA 30009	VANCE DAVID A 2000 HIDDEN ALLEY ALPHARETTA GA 30009-7986
VANSANT ROBERT SCOTT & STACEY O 215 MARJEAN WAY ALPHARETTA GA 30009	VICTORIA SQUARE TOWNHOME ASSOCIATION INC P.O. BOX 2458 ALPHARETTA GA 30023-2458	VICTORIA SQUARE TOWNHOME ASSOCIATION INC 7380 MCGINNIS FERRY RD SUITE 200 SUWANEE GA 30024
VIRGINIA N BURGESS REVOCABLE LIVING TRUST THE 152 MARIETTA ST ALPHARETTA GA 30004-1922	WALDORF WILLIAM 12006 ORCHID LANE ALPHARETTA GA 30009	WEISHAAR PAMELA & BISHOP LAUREN 12048 ORCHID LN ALPHARETTA GA 30009
WILLS COMMONS HOMOWNERS ASSOC INC P.O. BOX 2458 ALPHARETTA GA 30023-2458	WINDSONG TOWNHOME COMMUNITY ASSOCIATION INC 1418 DRESDEN DR SUITE 200 ATLANTA GA 30319	WOODY JOSEPH F & WOODY DESIREE L 230 MARJEAN WAY ALPHARETTA GA 30009

RESERVED FOR THE CLERK OF COURTS

LEGEND AND SYMBOLS USED

- IFF - Iron Pin Found
- IFS - Iron Pin Set (1/2" Capped Rebar)
- RBF - Rubber Found
- OTF - Open Top Pipe Found
- CTF - Capped Top Pipe Found
- MON - Monument Found
- CMF - Concrete Monument Found
- CP - Calculated Point
- ⚡ PP - Power Pole
- ⚡ LP - Light Pole
- ⚡ PED - Utility Pedestal
- ⚡ FH - Fire Hydrant
- WM - Water Meter
- WV - Water Valve
- GM - Gas Meter
- SMH - Sewer Manhole
- ⚡ CB - Catch Basin
- DI - Drop Inlet
- C/O - Cleanout
- PBX - Power Box
- Deciduous Tree
- Coniferous Tree
- CMF - Corrugated Metal Pipe
- RCP - Reinforced Concrete Pipe
- RAW - Right of Way
- N-F - Now or Formerly
- DB, PG - Dead Book and Page
- PB, PG - Plat Book and Page
- POB - Point of Beginning



NroF
172 MARIETTA ST LLC
DB 54591. PG 263

ALPHARETTA BEACH HOUSE LLC
DB 52906, PG 170

SURVEYOR'S CERTIFICATION

This survey is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel. The recording information of the document(s), map(s), plat(s) or other instrument(s) which created the parcel(s) are stated hereon. Recording of this survey does not imply approval of the local jurisdiction, availability of permits, compliance with local regulations or requirements, nor suitability for any use or purpose of the land.

Further, the undersigned land surveyor certifies that this map, plat or plan complies with the minimum 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 OCGA 15-6-67.


John C. Groves, Jr. BLS 3237



AREA
30,784 SQ.FT.
0.71 ACRES



BOUNDARY SURVEY
PREPARED FOR
ANDREW & KOURTNEY WEXLER

LOCATED IN LAND LOT 894
1ST DISTRICT, 2ND SECTION
FULTON COUNTY, GEORGIA

DATE:	12/2/21
SCALE:	1"=40'
DRAWING:	21-325
COORD:	
REVISIONS:	
SHEET #:	1 of 1



LOT 02

LOT 01

STREETSCAPE CONCEPT

201 MARIETTA ST.
ALPHARETTA, GA 30009

OWNER: FERGAL BRADY

03.31.21

Real Estate

[View Bill](#)[View bill image](#)

As of	12/28/2021
Bill Year	2021
Bill	2106208
Owner	SUTTON TIMOTHY E & MARY L
Parcel ID	12 -2583-0694-004-9

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2021	\$799.02	\$799.02	\$0.00	\$0.00	\$0.00
TOTAL		\$799.02	\$799.02	\$0.00	\$0.00	\$0.00



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

CITY COUNCIL SPONSOR: DAN MERKEL

I. AGENDA ITEM TITLE: PH-22-01 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – RESEARCH & DEVELOPMENT, LABORATORY, ATHLETIC FACILITY & FITNESS STUDIO AND DRIVEWAYS

CITY COUNCIL:

MARCH 28, 2022

This item was considered at the 3/2/2022 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 6-0

II. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Section 1.4 Definitions, Section 2.2 Permitted Use Districts and Regulations, Section 2.3 Supplementary Regulations, Section 2.5 Parking and Loading, and Appendix A: Alpharetta Downtown Code, Section 3.4 Uses Allowed by District, to add definitions, permitted uses and regulations related to Research and Development, Laboratory, Athletic Facility & Fitness Studio and Driveways.

DISCUSSION

Athletic Facility and Fitness Studio

It is recommended that 'Athletic Facility, Fitness Studio' be separated into two (2) distinct uses and that definitions be added for each use. The uses are proposed to be assigned as permitted or conditional uses in commercial, office, light industrial and mixed-use zoning categories.

Laboratory, Research or Commercial

'Laboratory, Research or Commercial' is a use that is identified in the UDC; however, there is currently no definition. The proposed definition cites the four (4) levels of laboratory biosafety established at the Federal level and limits laboratory containment to biosafety levels 1, 2 and 3.

Research and Development

In response to market demand for life sciences and biotechnology opportunities, a new use and definition is recommended for 'Research and Development'. The use is proposed as a permitted use in existing Office Buildings and Office Parks and where office is a permitted use within an existing master plan in the CUP (Community Unit Plan) and O-I (Office-Institutional) districts, as well as in the LI (Light Industrial) district.

Driveways and Curb Cuts

Text amendments are recommended to clarify that driveway access on double frontage lots should be from the lower classification street. In addition, an amendment is recommended to clarify that residential lot curb cuts or driveways may be closer than 300'

from a curb cut on an adjacent residential lot, but that an individual residential lot may not have more than one (1) curb cut per 300' of street frontage.

III. ATTACHMENTS:

- UDC Strike Through and Underline Edits

SECTION 1.4 DEFINITIONS

1.4.1 Use of words and phrases.

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

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

1.4.2 Defined terms.

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

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

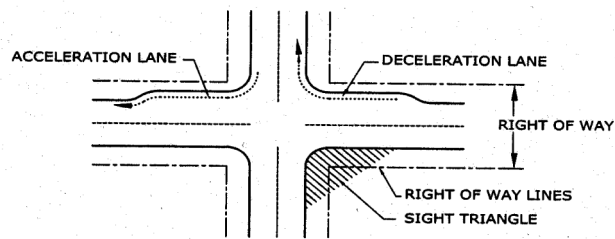


FIGURE 1

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

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

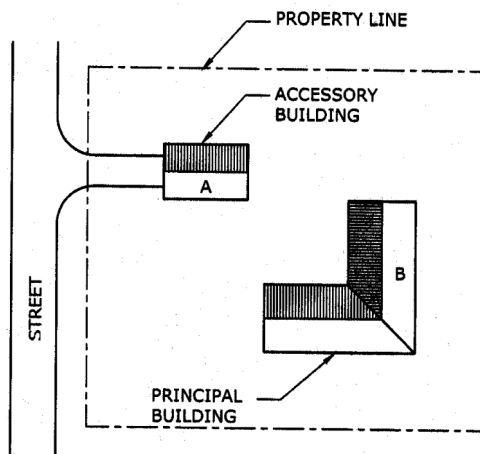


FIGURE 2

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

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

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

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

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

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

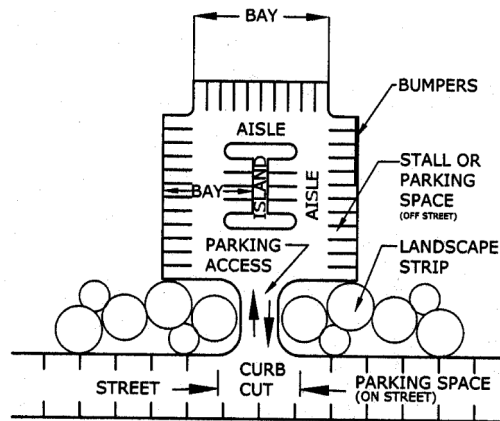


FIGURE 3

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

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

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

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

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

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

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

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

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

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

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

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

Assisted Living Facility. See Congregate Housing.

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

Athletic Facility. An establishment sometimes referred to as a health club or gym. These facilities are typically located in a large space containing special equipment, and may include indoor and/or outdoor courts (tennis, basketball, etc.) and swimming facilities, where people go to do physical exercise. Establishments tend to be general exercise facilities but often provide specialized classes. Businesses frequently include incidental related services such as, personal training, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Buildable Area. See "Lot Building Area."

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

City. The City of Alpharetta, Georgia.

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

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

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

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

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

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

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

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

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

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

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

Conditional Use. A use that generally would not be appropriate throughout a zoning district but which, if controlled as to visual appearance, number, area, height, location, or relation to abutting or nearby uses, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general

welfare. Such uses may be permitted only in zoning districts specified in this Ordinance and are subject to conditions and approval by the Mayor and Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

Day Care Center. Any establishment operated by an individual, partnership, society, agency, corporation, institution or group, and licensed by or registered with the State of Georgia as a group day care home or day care center, which enrolls therein for pay, for supervision and care, seven or more children or adults. Such facility may provide supervision, care, education, recreation and specialized programmings but does not provide overnight accommodations.

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

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

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

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

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

Discount Store. A retail store that sells new or used goods or products at prices lower than traditional retail outlets. Discount stores principally engage in offering a category of similar goods or a wide assortment of goods for sale to the general public. This includes, but is not limited to, swap shops, flea markets, antique malls, donation centers, surplus stores and thrift stores.

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

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

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

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

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

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

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

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

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

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

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

Dwelling, 'For-Sale'.

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

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

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

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

Egress. An exit.

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

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

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

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

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

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

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

Fitness Studio. An establishment where equipment or instruction is provided for a specialized activity related to physical well-being such as, personal training, dance, martial arts, boxing, yoga, barre and other forms of similar physical exercise. These facilities are typically located in a smaller space due to their focused specialty. Businesses frequently include incidental related services such as, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Group Home. A dwelling shared by four or fewer persons, excluding resident owner, (or no more than six persons including the resident owner), who live together as a single housekeeping unit and in a long term, family-like environment in which the resident owner, serving as the primary caregiver to the residents, provides care, education and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. 1. No group home shall be located within 2,000 ft. of another group home as measured at the property line. 2. A group home shall be limited to one structure and multiple structures located near one another shall not be considered components of one group home. Each structure shall meet distance requirements. The term "group home" shall not include a halfway house, a treatment center for alcoholism or drug abuse, and work release facility for convicts or ex-convicts, a home for detention and/or rehabilitation of juveniles adjudged delinquent or unruly and placed in custody of the state or other housing facilities serving as an alternate to incarceration. The term "group home" shall also not allow the use of a dwelling as an apartment or duplex. A "group home" shall not allow use of the dwelling as a home for individuals on parole, probation, or convicted and released from incarceration, for any crimes including child molestation, aggravated child molestation, or child sexual abuse, as defined in O.C.G.A. 16-6-4 or individuals required to register as sex offenders pursuant to O.C.G.A. 42-1-12. A group home may include a home for the handicapped. As used in this subsection, the term "handicapped" shall mean:

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

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

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

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

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

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

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

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

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

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

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

Ingress. Access or entry.

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

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

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

Laboratory, Research or Commercial (also see Research and Development). A facility that provides controlled conditions in which scientific or technological research, experiments, and measurement may be performed. At the Federal level, four levels of laboratory biosafety have been created. The levels denote the types of actions, administrative (procedures, training or physical controls (protective gear, filtration) that should be used to contain the agent(s) being worked with. Containment means protection of the lab workers, those in the building, and the greater environment. Containment level limited to biosafety levels 1, 2 and 3.

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

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

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

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

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

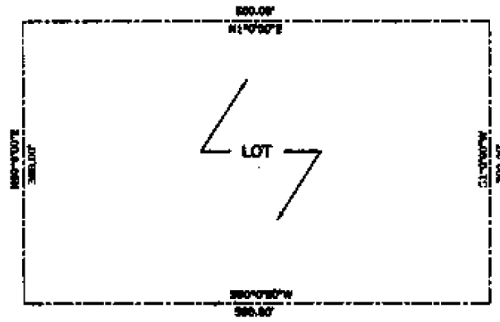


FIGURE 4

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

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

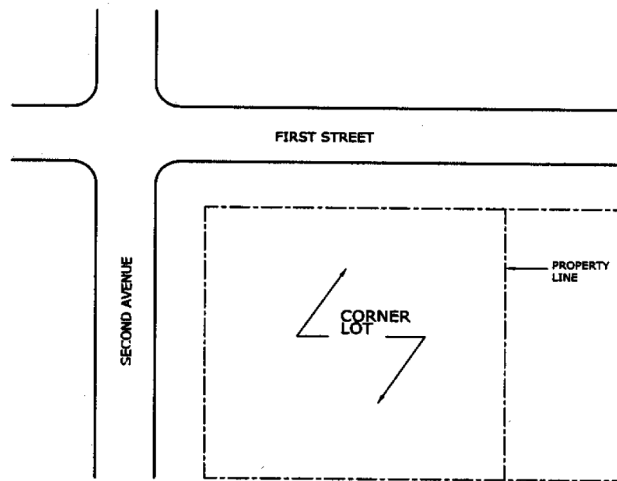


FIGURE 5

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

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

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

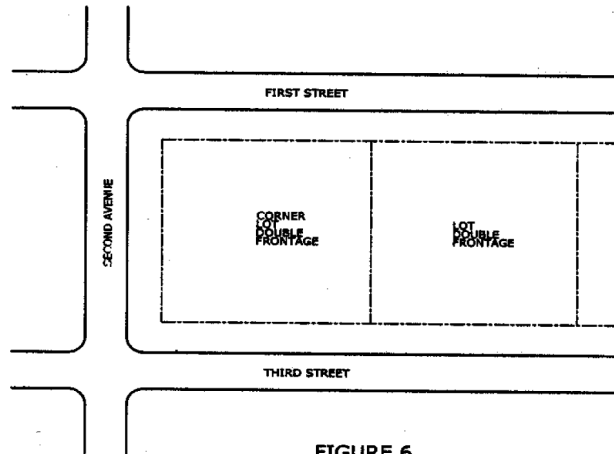


FIGURE 6

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

Lot Frontage. See "Frontage."

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

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

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

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

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

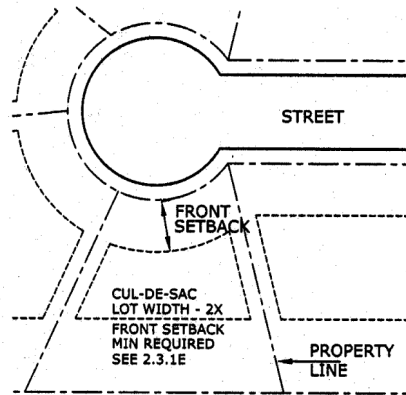


FIG 7

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

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

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

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

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

Massage Therapy. The manipulation and/or treatment of soft tissues of the body, including, but not limited to, the use of effleurage, petrissage, pressure, friction, tapotement, kneading, vibration, range of motion stretches, a system of structured touch, pressure, movement, and holding to the soft tissue of the body, and any other soft tissue manipulation whether manual or by use of massage apparatus, and may include the use of water, oils, lotions, creams, lubricants, salt glows or scrubs, hydrotherapy, heliotherapy, hot packs, cold packs or other topical preparations. Such business shall be located within a zoning category allowing retail use, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business. The term "massage" or "massage therapy" shall not include diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, or any service or procedure when performed by a person who is licensed by the state to practice chiropractic, physical therapy, podiatry or medicine. Further, the term "massage" or "massage therapy" shall not include the following when lawfully performed by a natural person licensed or certified by the state board of cosmetology while engaged in the practice authorized by such state license (or certificate of registration) in accordance with, and as further regulated by, the state licensing laws set forth in O.C.G.A. § 43-10-1 et seq.:

- (1) Touching of the scalp or face by a state-licensed barber or cosmetologist;
- (2) Touching of the hands or feet by a state-licensed nail technician or cosmetologist; and
- (3) Touching of the face, neck, décolletage, or arms by a state-licensed esthetician or cosmetologist. It shall be unlawful to establish a massage establishment in the city, unless said establishment is located:
 - (1) At least 300 feet from State Route 9;
 - (2) At least 300 feet from State Route 120; and

-
- (3) At least 300 feet from any parcel occupied by a house of worship, public or private elementary or secondary school/public park, state-licensed day care facility, or any residence.

The foregoing minimum distance requirements shall not apply to any massage establishment located within a mixed use development in the MU district. For the purpose of this subsection, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest point on a boundary line of the massage establishment parcel to the closest point on the State Route 9 or State Route 120 right-of-way, or to the closest point on a boundary line of any parcel containing a house of worship, public or private elementary or secondary school, public park, or residence.

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

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

Medical Cannabis Dispensary or Medical Marijuana Dispensary. Any business premises that sells, distributes, or otherwise dispenses "low THC oil" and/or any related "product" (as those terms are defined in O.C.G.A. § 16-12-200(12), (15)), pursuant to a "dispensing license" (as that term is defined by O.C.G.A. § 16-12-200(9)); provided, however, that any pharmacy (as that term is defined in O.C.G.A. § 26-4-5(30)(B)) that holds such a dispensing license shall not be deemed a Medical Cannabis Dispensary or Medical Marijuana Dispensary. Every such dispensary shall adhere to all applicable state and local laws, rules, regulations, and ordinances, including, but not limited to, O.C.G.A. §§ 16-12-200 to 16-12-236 and the rules and regulation promulgated by the Georgia Access to Medical Cannabis Commission. A Medical Cannabis Dispensary or Medical Marijuana Dispensary shall not be closer than 2,000 ft. to a day care center or early care or education program, public or private school, religious institution or place of worship, government building, park, residential dwelling, residential substance abuse diagnostic or treatment facility, any licensed drug or alcohol rehabilitation facility, or any other medical cannabis dispensary or medical marijuana dispensary, and the distance shall be measured from property boundary to property boundary.

Medical Cannabis Production Facility or Medical Marijuana Production Facility. Any business premises which produces and/or manufactures "low THC oil" and/or any related "product" (as those terms are defined in O.C.G.A. § 16-12-200(12), (15)), pursuant to a "Class 1 production license" or "Class 2 production license" (as those terms are defined by O.C.G.A. § 16-12-200(3), (4)). This use is a prohibited use in all zoning districts.

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

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

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

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

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

Motel. See "Hotel".

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

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

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

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

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

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

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

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

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

Nursery School. See "Day Care Center."

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

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

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

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

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

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

shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance. There are 2 types of open space: Civic space and Amenity space.

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

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

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

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

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

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

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

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

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

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

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

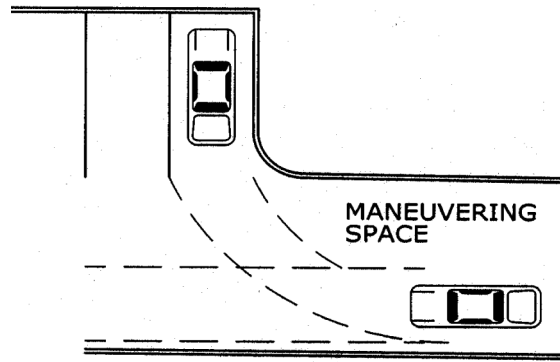


FIGURE 8

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

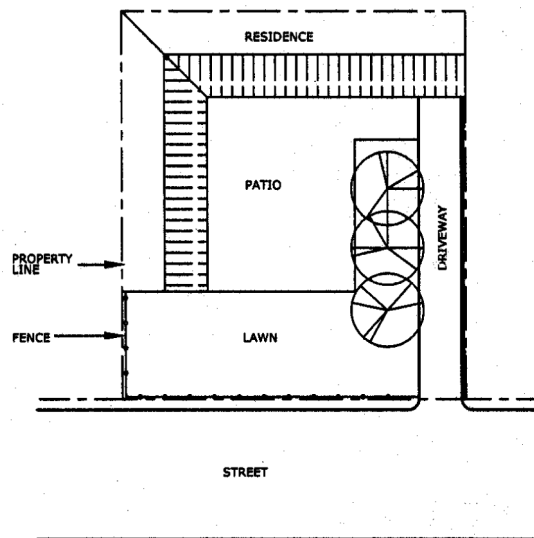


FIGURE 9

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

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

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

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

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

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

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

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

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

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

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

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

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

Portable. See Industrialized Buildings.

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

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

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

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

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

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

Recreation Facility. A place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities.

1. *Recreation Facilities, Indoor.* Recreational uses conducted almost wholly indoors, including bowling alley, skating rink, shooting range, health club, etc.
2. *Recreation Facilities, Outdoors.* Recreational uses conducted almost wholly outdoors, including ball fields, soccer, etc.

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

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

Research and Development. A use that includes activities that businesses undertake to innovate and introduce new products and services, such as biomedical, software and technology development and manufacturing, technically oriented services and training facilities, engineering and consulting, scientific laboratories and clean rooms, office and corporate headquarters. Incidental related commercial and services uses are permitted within this use. Space dedicated to manufacturing and laboratory activities shall be limited to no more than 50% of a building or development.

Residence. A dwelling unit.

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

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

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

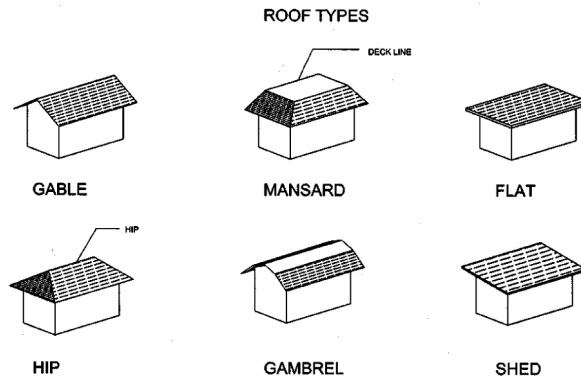
Retail Sales Establishment. A business principally engaged in offering a category of similar goods or products for sale to the general public, such as grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

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

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

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

Roof. The outside top covering of a building.



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

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

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

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

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

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

Setback, Front Cul-de-Sac.

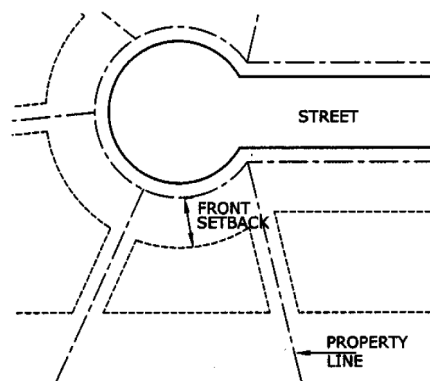


FIG 11

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

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

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

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

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

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

Smoke Shop and Tobacco Store. Any business premises dedicated to the display, sale, distribution, delivery, offering, furnishing, or marketing of tobacco, tobacco products, or instruments, vape products, or any combination thereof. Such businesses shall be located within a retail center and shall not be closer than 2,000 ft. to a school, religious institution, government building, park, residential dwelling or each other. Distance shall be measured by the straight-line distance from premises to premises. "Smoke shop and tobacco store" shall not include any grocery store, supermarket, convenience store or similar retail use that only sells conventional cigars, cigarettes, vape or tobacco as an ancillary sale (ten percent (10%) or less of total sales).

Spa Services. A business that provides services requiring a customer to disrobe, which may include non-medical massage, other personal services such as skin, nail, hair treatments, hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a zoning category allowing retail use, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business. The term "spa establishment" shall not include hospitals or other professional health care establishments separately licensed as such by the state.

It shall be unlawful to establish a spa establishment in the city, unless said establishment is located:

- (1) At least 300 feet from State Route 9;
- (2) At least 300 feet from State Route 120; and
- (3) At least 300 feet from any parcel occupied by a house of worship, public or private elementary or secondary school, public park, state-licensed day care facility, or any residence.

The foregoing minimum distance requirements shall not apply to any spa establishment located within a mixed use development in the MU district. For the purpose of this subsection, measurements shall be made in a straight line in all directions without regard to intervening structures or objects, from the closest point on a boundary line of the spa establishment parcel to the closest point on the State Route 9 or State Route 120 right-of-way, or to the closest point on a boundary line of any parcel containing a house of worship, public or private elementary or secondary school, public park, or residence.

Special Care Home. An accessory use in a 'For-Sale' dwelling occupied by one or more persons related by blood, adoption, guardianship or marriage and/or not more than three unrelated persons, some of whom are in need of special care, living together as a nonprofit housekeeping unit. The term "special care home" shall include a home for adolescents, a home for physically handicapped persons and a home for mentally handicapped persons. The term "special care home" shall not include the business of operating a boarding house, rooming house or other similar establishment. Additionally, the term shall not include a penal institution, any place for persons convicted of a crime or any place for persons found to be juvenile delinquents.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Tract. See "Lot."

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

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

Use, Accessory. See "Accessory Use."

Use, Conditional. See "Conditional Use."

Use, Principal. See "Principal Use."

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

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

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

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

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

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

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

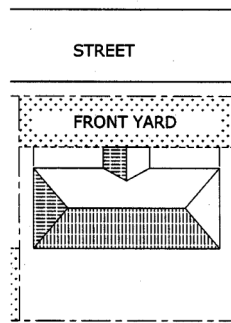


FIG 12

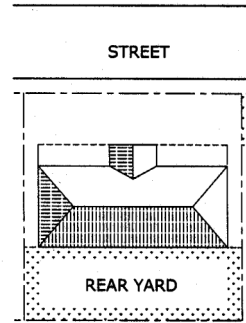


FIG 13

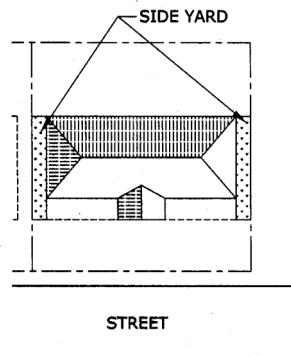


FIG 14

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

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

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

(Ord. No. 689, § 1, 6-2-2014 ; Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 704, § 1, 6-1-2015 ; Ord. No. 715 , § 1, 9-28-2015; Ord. No. 718 , § 1, 12-14-2015; Ord. No. 730 , § 1, 12-5-2016; Ord. No. 741 , § 1, 6-5-2017; Ord. No. 744 , § 1, 7-10-2017; Ord. No. 749 , § 1, 9-18-2017; Ord. No. 772 , § 1, 2-4-2019; Ord. No. 778 , § 1, 6-17-2019; Ord. No. 786 , § 1, 9-23-2019; Ord. No. 787 , § 1(Exh. A), 10-28-2019; Ord. No. 804 , § 1(Exh. A), 8-10-2020; Ord. No. 807 , § 1(Exh. A), 9-8-2020; Ord. No. 808 , § 1(Exh. A), 9-8-2020; Ord. No. 835 , § 1(Exh. A), 10-4-2021)

SECTION 2.2 a CONDITIONAL USE REVIEW CRITERIA

When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

1. Site design.
2. Property access.
3. Hours of operation of the business.
4. Vehicular trips generated by the use.
5. Impact of the use on surrounding properties.
6. Impact of the use on the natural features of the site.
7. Separation from similar uses and conflicting uses.

(Ord. No. 807 , § 2(Exh. B), 9-8-2020)

2.2.1 AG agriculture.

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

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

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

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

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Group Home.
5. Special Care Home in a detached 'For-Sale' dwelling.
6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.

-
7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Barns, stables and similar structures for the housing, repair, storing, or processing of farm products of the property.
 9. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 10. Signs, subject to all of the requirements regulating signage herein.
 11. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the AG district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential and Agricultural Uses.
 - a. Additional 'For-Sale' detached dwelling.
 - b. Greenhouse, Nursery.
 2. Business Uses.
 - a. Animal Hospital, Veterinarian.
 - b. Broadcasting (Radio or TV).
 - c. Builder's Equipment.
 - d. Carpenter Shop, Woodworking.
 - e. Equestrian Center.
 - f. Golf Course, Driving Range.
 - g. Kennel.
 - h. Special Event Facility.
 3. Semipublic Uses, Utilities.
 - a. Airport.
 - ~~b. Athletic Facility.~~
 - b. Auditorium.
 - c. Cemetery.
 - d. Church, Synagogue or any other religious institution.
 - e. Club or Lodge.
 - f. Country Club.
 - g. Heliport, Public/Private.
 - h. Utility Substation.
 - i. Wireless Tower.

D. *District Regulations.*

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

2.2.2 Re-residential estate.

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

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale' Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

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

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

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Group Home.
5. Special Care Home in a 'For-Sale' detached dwelling.
6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.
 - a. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - b. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - c. Signs, subject to all of the requirements regulating signage herein.

-
- d. Retaining walls and other site improvement structures approved as part of the development permit.
 - C. *Conditional Uses.* A property in the R-E district may be used for any of the following only upon approval as a conditional use by the City Council:
 - 1. Semipublic Uses, Utilities.
 - a. Church, Synagogue, or any other religious institutions.
 - b. Country Club.
 - c. Golf course, Driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - e. Bed and Breakfast.
 - f. Equestrian Center.

D. *District Regulations.*

Minimum Lot Size—3 acres.

Minimum Lot Width—100 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.

Accessory Structure setback see Sec. 2.3 (c).

(Ord. No. 730 , § 2, 12-5-2016; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.3 R-Dwelling, 'for-sale', residential.

- A. *Permitted Principal Uses.* A property in the R district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
 - 1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Detached.
 - 2. Semipublic Uses, Utilities.
 - a. Park or Playground.

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

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

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

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

1. Semipublic Uses, Utilities.
 - a. Bed and Breakfast.
 - b. Church, Synagogue, or any other religious institutions.
 - c. Country Club.
 - d. Golf course or golf driving range.
 - e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - f. Equestrian Center.

- D. *District Regulations.*

Minimum Lot Size—1 acre (43,560 square feet).

Minimum Lot Width—100 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.

Accessory Structure Setback see Sec. 2.3 (c).

(Ord. No. 730 , § 2, 12-5-2016; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

2.2.4 R-22 dwelling, 'for-sale', residential.

A. *Permitted Principal Uses.* A property in the R-22 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale' Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-22 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

C. *Conditional Uses.* A property in the R-22 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Semipublic Uses, Utilities.
 - a. Church, Synagogue or any other religious institution.
 - b. Country Club, Association or Lodge.

-
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Bed and Breakfast.
 - e. Golf Course, Driving Range.
 - f. Equestrian Center.

D. *District Regulations.*

Minimum Lot Size—22,000 square feet.

Minimum Lot Width—100 feet.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

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

Side yard—25 feet.

Rear yard—30 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,500 square feet.

Accessory Structures Setback see Sec. 2.3 (c).

(Ord. No. 730 , § 2, 12-5-2016; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

2.2.5 R-15 dwelling, 'for-sale', residential.

A. *Permitted Principal Uses.* A property in the R-15 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

- 1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Detached.
- 2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-15 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

- 1. Privacy and decorative fences and walls.
- 2. Home Occupation in a residence.
- 3. Family Day Care Home in a residence.

-
4. Group Home.
 5. Special Care Home in a 'For-Sale' detached dwelling.
 6. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 9. Signs, subject to all of the requirements regulating signage herein.
 10. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-15 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue or other religious institution.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - e. Bed and Breakfast.
 - f. Equestrian Center.
- D. *District Regulations.*
- Minimum Lot Size—15,000 square feet
- Minimum Lot Width—100 feet.
- Minimum Setbacks.
- Front yard—from all street frontages:
- From right-of-way of local street—35 feet.
- From right-of-way of all other streets—65 feet.
- Side yard—10 feet.
- Rear yard—25 feet.
- Maximum Ground Coverage By Principal Buildings—25%.
- Maximum Building Height—35 feet.
- Minimum Floor Area of a Dwelling Unit—1,500 square feet.
- (Ord. No. 730 , § 2, 12-5-2016; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

2.2.6 R-12 dwelling, 'for-sale', residential.

A. *Permitted Principal Uses.* A property in the R-12 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-12 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

C. *Conditional Uses.* A property in the R-12 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or any other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—12,000 square feet.

Minimum Lot Width—80 feet.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—30 feet.

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

Side yard—10 feet.

Rear yard—30 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,500 square feet.

Accessory Structure Setback see Sec. 2.3 (c).

2.2.7 R-10 dwelling, 'for-sale', residential.

A. *Permitted Principal Uses.* A property in the R-10 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-10 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

C. *Conditional Uses.* A property in the R-10 district may be used for any of the following only upon approval as a conditional use by the City Council:

-
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or any other religious institution.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—10,000 square feet.

Minimum Lot Width—75 feet.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—30 feet.

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

Side yard—10 feet.

Rear yard—25 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,500 square feet.

Accessory Structures Setback see Sec. 2.3 (c).

2.2.8 R-4A dwelling, 'for-sale', attached residential—Low density.

- A. *Permitted Principal Uses.* A property in the R-4A district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
 1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale' Attached.
 2. Semipublic Uses, Utilities.
 - a. Park or Playground.
- B. *Accessory Uses.* A property in the R-4A district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.

-
4. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 5. Clubhouse, swimming pool, or community recreation facilities serving a development.
 6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-4A district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—1 acre.

Maximum Density of Dwelling Units—4 per acre.

Minimum Lot Width—30 feet for each individual lot, if the development is subdivided or 30 feet for each dwelling unit.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

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

Side yard:

From lot line of adjacent property—20.

Between building groupings—20 feet.

Between individual lots, if the development is subdivided—none.

Rear yard—30 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,200 square feet.

2.2.8a R-4D dwelling, 'for sale' detached residential—Low density.

- A. *Permitted Principal Uses.* A property in the R-4D district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

-
1. Agricultural and Residential Uses.
 - a. Dwelling, Single-Family Detached.
 2. Semipublic Uses, Utilities.
 - a. Park or Playground.
- B. *Accessory Uses.* A property in the R-4D district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
1. Privacy and decorative fences and walls.
 2. Home Occupation in a residence.
 3. Family Day Care Home in a residence.
 4. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 5. Clubhouse, swimming pool, or community recreation facilities serving a development.
 6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-4D district may be used for any of the following only upon approval as a conditional use by the City Council.
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- D. *District Regulations.*
- Minimum Lot Size—5,000 sf.
- Maximum Density of Dwelling Units—4 per acre.
- Minimum Lot Width—50 ft.
- Minimum Setbacks.
- Front yard—from all street frontages.
- From right-of-way of local street—35 feet.
- From right-of-way of all other streets—65 feet.
- Side yard—5 feet.

Corner Side Yard—10 feet.

Rear yard:

With Rear Alley—0'.

No Rear Alley—20'.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,500 square feet.

(Ord. No. 692, § 1(Exh. 1), 7-21-2014)

2.2.9 R-8A/D dwelling, 'for-sale', attached/detached residential—Medium density.

A. *Permitted Principal Uses.* A property in the R-8A/D district may be used for those uses in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Attached and Detached.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-8A district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

C. *Conditional Uses.* A property in the R-8A district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.

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

D. *District Regulations.*

Minimum Lot Size—the development shall occupy a total of at least 1 acre Attached, 4,500 sq. ft. Detached. No minimum lot size is required for each dwelling unit within the development.

Maximum Density of Dwelling Units—8 per gross acre.

Minimum Lot Width—50 feet for each individual lot, if the development is subdivided or 30 feet for each dwelling unit.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

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

Side yard.

From lot line of adjacent property—5 feet.

Between building groupings—10 feet.

Between individual lots, if the development is subdivided—none.

Rear yard—W/Rear Alley—0', No Rear Alley—20'.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—1,200 square feet.

Rear Yard: Alley—0', No Rear Alley—20'

(Ord. No. 675, § 1, 6-3-2013)

2.2.10 R-10M dwelling, 'for-rent' or 'for-sale', residential.

A. *Permitted Principal Uses.* A property in the R-10M district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, 'For-Sale', Attached.
 - b. Dwelling 'For-Rent'.
 - c. Bed and Breakfast.
2. Semipublic Uses, Utilities.
 - a. Park or Playground.

B. *Accessory Uses.* A property in the R-10M district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

C. *Conditional Uses.* A property in the R-10M district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Business Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
2. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—the development shall occupy a total of at least one acre. No minimum lot size is required for each dwelling unit within the development.

Maximum Density of Dwelling Units—10 per gross acre.

Minimum Lot Width.

For the property to be developed—75 feet.

If the development is subdivided—20 feet for each individual lot, or 20 feet for each dwelling unit.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—35 feet.

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

Side yard.

From lot line of adjacent property—25 feet.

Between building groupings—20 feet.

Between individual lots, if the development is subdivided—none.

Rear yard—50 feet.

Maximum Coverage By Principal Buildings—none.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—none.

(Ord. No. 730 , §§ 3, 4, 12-5-2016)

2.2.11 CUP community unit plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

-
8. Signs, subject to all of the requirements regulating signage herein.
 9. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:
1. Agricultural and Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).
 - p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.

-
- v. Distillery.
 - w. Drug Store.
 - x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.
 - z. Extended stay hotel (see Section 2.7).
 - aa. Fitness Studio.
 - bb. Florist, Retail without Greenhouse.
 - cc. Funeral Home w/no cemetery or mausoleum.
 - dd. Golf, Miniature.
 - ee. Grocery Store.
 - ff. Hardware and Garden Supply Store.
 - gg. Hotel or Motel.
 - hh. Laboratory, Research or Commercial.
 - ii. Laundry, Self-Serve, Pick-up.
 - jj. Liquor Store.
 - kk. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
 - ll. Park, playground.
 - mm. Pet Day Care.
 - nn. Pet Grooming.
 - oo. Print Shop.
 - pp. Public Building.
 - qq. Recreation Facilities, Indoor and Outdoor.
 - rr. Rental Services Establishment without outside storage.
 - ss. Research and Development.
 - tt. Restaurant.
 - uu. Restaurant, with Drive-thru window.
 - vv. Retail Sales and Services Establishments not otherwise listed for this zoning district.
 - ww. Retail Establishment, Mixed Sales.
 - xx. School, Commercial.
 - yy. Shop or Studio, Craftsman/Artist.
 - zz. Spa Services.
 - aaa. Special Event Facility.
 - bbb. Theater, Cinema.

3. Wholesale, Storage and Industrial Uses.

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

4. Semipublic Uses, Utilities.

- a. Airport, public or private.
- b. Amphitheater.
- ~~c. Athletic Facility, Fitness Studio.~~
- c. Auditorium.
- d. Church, Synagogue.
- e. Club, association or lodge.
- f. Country Club.
- g. Fire Station.
- h. Golf Course, Driving Range.
- i. Heliport, public or private.
- j. Hospital.
- k. Library.
- l. Museum.
- m. Park or Playground.
- n. Power Station.
- o. School, Academic.
- p. Switching Station (Telecom).
- q. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- r. Wireless Tower.

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

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

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

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with

the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

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

(Ord. No. 718 , §§ 2, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.12 O-P office-professional.

This district is intended to provide for the development of business and professional offices, hospitals, medical and dental facilities and limited commercial activity.

- A. *Permitted Principal Uses.* A property in the O-P district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Residential Uses.
 - a. Bed and Breakfast.
 2. Business Uses.
 - a. Bank, Savings and Loan.
 - b. Barber Shop and Beauty Shop.
 - c. Clinic (medical/dental).
 - d. Contractor's office without outside storage.
 - e. Day care center.
 - f. Office (professional/administrative).
 3. Semipublic Uses, Utilities.
 - a. Park or Playground.
 4. The following support retail uses are allowed provided that they are located within an office building and (in total) do not constitute more than 25% of the floor area of the office building in which they are located:
 - a. Book store or Stationery.
 - b. Retail Establishment - limited to a Computer Supply Store, Jewelry Store (not to exceed 1,200 SF), Office Supply Store (not to exceed 1,200 SF), Optometrist/Eye Wear, Package Shipping/Mail Box Store, and Cell Phone Store.
- B. *Accessory Uses.* A property in the O-P district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

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

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

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

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

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

1. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Dry Cleaning Pick up station with drive-thru.
 - d. Fitness studio.
 - e. Florist.
 - f. Restaurant without drive-thru.
 - g. Shop or studio, Craftsman/Artist.
 - h. School Commercial.
 - i. Spa Services.
2. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Club, association or lodge.
 - d. Public Building.
 - e. School, Academic.

-
- f. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

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

(Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.13 O-I office-institutional.

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

- A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank, office or **research and development** use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

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

2. Business Uses.

- a. Bank, Savings and Loan.
- b. Broadcasting Studio (radio or TV).
- c. Clinic.
- d. Congregate Housing.
- e. Day Care Center.
- f. Drug Store.
- g. Office Building or Office Park (**Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan.**)
- h. Recreational Facilities (Indoor or Outdoor).

i. Research and Development.

j. Special Event Facility.

k. Theater, Cinema.

3. Semipublic Uses, Utilities.

a. Church, Synagogue.

b. Club, association or lodge.

c. Golf Course, Driving Range.

d. Heliport.

e. Hospital.

f. Library.

g. Museum.

h. Public Building.

i. School, Academic.

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

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

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

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

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

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

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

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

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

-
8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.
- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Animal Hospital, Small Animal.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.
 - i. Boutique Hotel.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Car Wash.
 - m. Contractor's Office without outside storage.
 - n. Convenience Market with or without gas pumps.
 - o. Dance Studio.
 - p. Distillery.
 - q. Dry Cleaning Pick-up Station.
 - r. Extended Stay Hotel (see Sec. 2.7).
 - s. Fitness Studio.
 - t. Florist, Retail without Greenhouse.
 - u. Funeral Home w/out cemetery or mausoleum.
 - v. Golf, Miniature, or Golf Driving Range.
 - w. Hotel/motel.
 - x. Laboratory, Research or Commercial.
 - y. Liquor Store.
 - z. Parking Lot, Commercial.
 - aa. Print Shop.

-
- bb. Restaurant.
 - cc. Restaurant, with Drive-thru window.
 - dd. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ee. School, Commercial.
 - ff. Spa Services.
3. Wholesale, Storage and Industrial Uses.
- a. Manufacturing, Light.
4. Semipublic Uses, Utilities.
- a. Airport.
 - b. Amphitheater.
 - ~~c. Athletic Facility.~~
 - d. Auditorium.
 - e. Country Club.
 - f. Fire Station.
 - g. Park or Playground.
 - h. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - i. Wireless Tower.

D. *District Regulations.*

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

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

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

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

required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

(Ord. No. 718 , §§ 3, 6, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.14 C-1 neighborhood commercial.

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

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Bank, Savings and Loan.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Carpet and Rug Sales.
 - h. Clinic.
 - i. Dance Studio.
 - j. Day Care Center.
 - k. Drug Store.
 - l. Dry Cleaning Pick-up Station.
 - m. Fitness Studio.
 - n. Florist, Retail Without Greenhouse.
 - o. Hardware and Garden Supply Store.
 - p. Laundry, Self-Serve, Pick-up.
 - q. Nail Salon.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Restaurant.

-
- w. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - x. School, Commercial.
 - y. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Library.
 - b. Museum.
 - c. Park or Playground.
 - d. School, Academic.
- B. *Accessory Uses.* A property in the C-1 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
- 1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:
 - The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.
 - The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.
 - The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.
 - The square footage of the dwelling shall not exceed forty percent (40%) of the combined square footage of the commercial or office structure and the dwelling.
 - The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
 - 2. Privacy and decorative fences and walls.
 - 3. Swimming pool, tennis court, patio and other private recreation facilities.
 - 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations, herein.
 - 6. Signs, subject to all of the requirements regulating signage herein.
 - 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:
- 1. Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, nursing).
 - 2. Business Uses.

-
- a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. ~~Athletic Facility.~~
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Brewery.
 - g. Check Cashing.
 - h. Club, association or lodge.
 - i. Contractor's Office without outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Golf, Miniature.
 - m. Grocery Store.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Parking Lot, Commercial.
 - q. Pest Control Business.
 - r. Rental Services Establishment without outside storage.
 - s. Restaurant, with Drive-thru Window.
 - t. Retail Establishment, Mixed Sales.
 - u. Smoke Shop and Tobacco Store.
 - v. Spa Services.
 - w. Special Event Facility.
 - x. Theater, Cinema.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facility, Fitness Studio.~~
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Hospital.
 - d. Public Building.
 - e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—45%.

Maximum Building Height—35 feet.

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

(Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 6—8, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 4, 7-10-2017; Ord. No. 772 , § 2, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.15 C-2 general commercial.

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

1. Residential Uses.

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

2. Business Uses.

- a. Art Gallery.
- b. Athletic Facility.
- c. Automobile Service and Service Station.
- d. Automotive Parts.
- e. Bakery.
- f. Bank, Savings and Loan.
- g. Barber Shop.
- h. Beauty Shop.
- i. Book Store.
- j. Bowling Alley.
- k. Broadcasting Studio (radio or TV).
- l. Carpet and Rug Sales.
- m. Clinic.
- n. Contractor's Office without outside storage.

-
- o. Convenience Market with or without gas pumps.
 - p. Dance Studio.
 - q. Day Care Center.
 - r. Drug Store.
 - s. Dry Cleaning Pick-up Station.
 - ~~t. Fitness Studio.~~
 - u. Florist, Retail Without Greenhouse.
 - v. Grocery Store.
 - w. Hardware and Garden Supply Store.
 - x. Home Improvement Store.
 - y. Laundry, Self-Serve, Pick-up.
 - z. Liquor Store.
 - aa. Nail Salon.
 - bb. Office Building or Park.
 - cc. Parking Lot, Commercial.
 - dd. Pet Day Care.
 - ee. Pet Grooming.
 - ff. Print Shop.
 - gg. Rental Services Establishment without outside storage.
 - hh. Restaurant.
 - ii. Restaurant, w/Drive-thru Window.
 - jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - kk. Retail Establishment, Mixed Sales.
 - ll. School, Commercial.
 - mm. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facilities, Fitness Studio.~~
 - a. Hospital.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. School, Academic.
- B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional

use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

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

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

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

2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.

-
- j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).
 - n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Limousine Service and Taxi.
 - s. Massage Therapy (see Sec. 2.7).
 - t. Pest Control Business.
 - u. Spa Services.
 - v. Recreation Facilities, Indoor.
 - w. Recreation Facilities, Outdoor.
 - x. Small Appliance Repair Shop.
 - y. Smoke Shop and Tobacco Store.
 - z. Spa Services.
 - aa. Special Event Facility.
 - bb. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Auditorium.
 - b. Public Building.
 - c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

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

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

Rear yard—10 feet.

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

Maximum Building Height—40 feet.

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

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.16 PSC planned shopping center.

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

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

1. Residential Uses.
 - a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
 - b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
2. Business Uses.
 - a. Art Galleries.
 - b. Bakery.
 - c. Barber Shop.
 - d. Bank, Savings and Loan.
 - e. Beauty Shop.
 - f. Brewery.
 - g. Book Store.
 - h. Car Wash.
 - i. Carpet and Rug Sales.
 - j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Florist, Retail without Greenhouse.
 - p. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - q. Hardware Store (max. 50,000 SF in the North Point Overlay).
 - r. Home Improvement Store.
 - s. Laundry, Self-Serve, Pick-up.

-
- t. Liquor Store.
 - u. Office Building or Park.
 - v. Pest Control Business.
 - w. Rental Services Establishment without outside storage.
 - x. Restaurant.
 - y. Restaurant w/Drive-thru window.
 - z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - aa. Retail Establishment, Mixed Sales.
- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
- 1. Privacy and decorative fences and walls.
 - 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 3. Signs, subject to all of the requirements regulating signage herein.
 - 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:
- 1. Residential Uses.
 - a. Reserved.
 - 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Boutique Hotel.
 - g. Broadcasting Studio (radio or TV).
 - h. Convenience Center with gas pumps.
 - i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Fitness Studio.

-
- l. Funeral Home with no cemetery or mausoleum.
 - m. Greenhouse, Nursery.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Nail Salon.
 - q. Parking Lot, Commercial.
 - r. Pet Day Care.
 - s. Pet Grooming.
 - t. Print Shop.
 - u. Recreation Facilities, Indoor.
 - v. School, Commercial.
 - w. Shop or Studio, Craftsman/Artist.
 - x. Spa Services.
 - y. Special Event Facility.
 - z. Theater, Cinema.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facility, Fitness Studio.~~
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Club, fraternity, association or lodge.
 - d. Heliport, public or private.
 - e. Libraries.
 - f. Museum.
 - g. Park or Playground.
 - h. Public Building.
 - i. Recreational Facilities (Outdoor).
 - j. School, Academic.
 - k. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - l. Wholesale Establishment.
 - m. Wireless Tower.

D. *District Regulations.*

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

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

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

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

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

(Ord. No. 715 , § 2, 9-28-2015; Ord. No. 718 , §§ 3, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 4, 6, 7-10-2017; Ord. No. 767 , §§ 1—3, 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.17 L-I light-industrial.

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

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (home-elderly, children, nursing).

2. Business Uses.

- a. Animal Hospital, small and large animals.
- b. Art Gallery.
- c. Athletic Facility.
- d. Automobile Service and Service Station.
- e. Automotive Parts.
- f. Automotive Sales and Leasing.
- g. Bakery.
- h. Bank, Savings and Loan.
- i. Book Store.
- j. Bowling Alley.
- k. Brewery.
- l. Broadcasting Studio (radio or TV).
- m. Builder's Equipment/Material.
- n. Car Wash.
- o. Carpenter Shop, Woodworking.
- p. Carpet and Rug Sales.
- q. Check Cashing.
- r. Church, Synagogue.
- s. Congregate Housing.
- t. Contractor's Office with and without outside storage.
- u. Convenience Market with or without gas pumps.
- v. Dance Studio.
- w. Day Care Center.
- x. Discount Store.
- y. Distillery.
- z. Drug Store.
- aa. Dry Cleaning Pick-up Station.
- bb. Fireworks Sales.
- cc. Fitness Studio.
- dd. Funeral Home.
- ee. Greenhouse, Nursery.
- ff. Grocery Store.
- gg. Hardware and Garden Center.

-
- hh. Home Improvement Store.
 - ii. Kennel.
 - jj. Laboratory, Research or Commercial.
 - kk. Laundry, Self-Serve, Pick-up.
 - ll. Limousine Service and Taxi.
 - mm. Liquor Store.
 - nn. Massage Therapy (see Sec. 2.7).
 - oo. Nail Salon.
 - pp. Office Building or Office Park.
 - qq. Parking Lot, Commercial.
 - rr. Pawn Shop.
 - ss. Pest Control.
 - tt. Pet Day Care.
 - uu. Pet Grooming.
 - vv. Print Shop.
 - ww. Recreation Facilities, Indoor and Outdoor.
 - xx. Rental Services Establishment with outside storage.
 - yy. Rental Services Establishment without outside storage.
 - zz. Research and Development.
 - aaa. Restaurant.
 - bbb. Restaurant w/Drive-thru Window.
 - ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - ddd. Retail Establishment, Mixed Sales.
 - eee. Shop or Studio, Craftsman/Artist.
 - fff. Small Appliance Repair Shop.
 - ggg. Smoke Shop and Tobacco Store.
 - hhh. Spa Services.
 - iii. Special Event Facility.
 - jjj. Tattoo Parlor, Body Piercing.
 - kkk. Taxidermist.
 - lll. Theater, Cinema.
 - mmm. Tire Retreading.
3. Wholesale, Storage and Industrial Uses.

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

-
2. Property access.
 3. Hours of operation of the business.
 4. Vehicular trips generated by the use.
 5. Impact of the use on surrounding properties.
 6. Impact of the use on the natural features of the site.

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

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

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

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

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

4.1 *General Standards.*

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

-
- u. The facility shall not generate more than 150 total vehicle trips per day;
 - v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
 - w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
 - x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 Additional Permit Application Requirements.

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

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

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

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

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

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

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

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.18 OSR open space and recreational.

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

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

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

 1. Privacy and decorative fences and walls.
 2. Clubhouse, swimming pool, tennis courts or other community recreation facilities.
 3. Vehicle access and public parking areas.
 4. Signs, subject to all of the requirements regulating signage herein.
 5. Retaining walls and other site improvement structures approved as part of the development permit.
 - C. *Conditional Uses.* A property in the OSR district may be used for any of the following only upon approval as a conditional use by the City Council:
 1. Semipublic Uses, Utilities.
 - a. Amphitheater.
 - b. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulation.*

Minimum Lot Size—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—30 feet.

Maximum Coverage By Principal Buildings—20%.

Maximum Building Height—75 feet.

Screening and buffers—none.

(Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.19 SU special use.

- A. *Permitted Principal Uses.* A property in the SU district may be used for any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Business Uses.

-
- a. Golf, Miniature.
 - 2. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Equestrian Center.
 - d. Fire Station.
 - e. Golf Course, Driving Range.
 - f. Heliport, Public/Private.
 - g. Hospital.
 - h. Library.
 - i. Museum.
 - j. Park or Playground.
 - k. School, Academic.
 - l. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - B. *Accessory Uses.* A property in the SU district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

 - 1. Privacy and decorative fences and walls.
 - 2. Swimming pool, tennis court, patio and other recreation facilities.
 - 3. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 4. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 5. Signs, subject to all of the requirements regulating signage herein.
 - 6. Retaining walls and other site improvement structures approved as part of the development permit.
 - C. *Conditional Uses.* A property in the SU district may be used for any of the following only upon approval as a conditional use by the City Council:
 - 1. Semipublic Uses, Utilities.
 - a. Cemetery.
 - b. Church, Synagogue, or other religious institutions.
 - c. Club, association or lodge.
 - d. Power Station.
 - e. Prison.
 - f. Public Building.

g. Recreation Facilities, Outdoor.

h. Wireless Tower.

D. *District Regulations.*

Minimum Lot Size—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—10 feet.

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70%.

Maximum Building Height—40 feet.

Screening and buffers—Where a property in this district abuts a residential use or zoning district, a 50 foot wide buffer strip shall be provided along the abutting property lines, in addition to the minimum setback requirements.

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:

-
- a. *All developments*: A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses*: In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
4. *Office/Institutional*: At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
 5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: $\text{Land Use Land Area (acres) / Total MU Land Area (acres)} = \% \text{ Land Use of MU Development}$

Example: 25 acres of Residential Land Use / 100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: $\text{Land Use Gross Floor Area (square feet) / Total Gross Floor Area of All MU Development (square feet)} = \% \text{ Land Use of MU Development}$

Example: 25,000 SF of Commercial Land Use / 100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

$\text{Land Use Gross Floor Area (square feet) / Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet)} = \% \text{ Land Use of MU Development}$

Example: $[25,000 \text{ SF of Vertical Commercial Land Use} + 25,000 \text{ SF of Horizontal Commercial Development}] / 200,000 \text{ SF for All Vertical and Horizontal Development} = 25\% \text{ Commercial Land Use of MU Development}$

- C. *Conditional Uses*. A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.
 1. Residential Uses:
 - a. Dwelling, Group (assisted living facility, congregate housing).
 - b. Dwelling, 'For-Rent'.
 - c. Dwelling, 'For-Sale', Attached and Detached.

-
- d. Bed and Breakfast.
2. Commercial Uses:
- a. Art Gallery.
 - b. Athletic Facility.
 - c. Bakery.
 - d. Bank, Savings & Loan.
 - e. Barber Shop.
 - f. Beauty Shop.
 - g. Book Store.
 - h. Boutique Hotel.
 - i. Brewery.
 - j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Dry cleaning, Pickup Station.
 - p. Fitness Studio.
 - q. Florist, Retail.
 - r. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
 - t. Hotel/Motel.
 - u. Liquor Store.
 - v. Nail Salon.
 - w. Office.
 - x. Pet Grooming.
 - y. Print Shop.
 - z. Recreation Facilities, Indoor and Outdoor.
 - aa. Restaurant.
 - bb. Retail Establishment.
 - cc. School, Commercial.
 - dd. Spa Services.
 - ee. Special Event Facility.
 - ff. Theater, Cinema.

3. Semipublic Uses, Utilities:

~~a. Athletic Facilities, Fitness Studio.~~

- a. Church, Synagogue.
- b. Heliport.
- c. Library.
- d. Museum.
- e. Park or Playground.
- f. Public Building.
- g. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

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

- 1. Retail, restaurant, office, and personal service uses at ground level.
- 2. Pedestrian connectivity to all uses.
- 3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
- 4. Accommodations for public transportation.
- 5. Buildings that face or appear to face public roadways.
- 6. Appearance standards for buildings and structured parking.
- 7. Limitations on uninterrupted building elevations.
- 8. Creation of vistas and view corridors within development.
- 9. Focal point features at prominent locations and ends of vistas.
- 10. Incorporation of natural site features.
- 11. Block lengths conducive to pedestrian traffic.
- 12. Detention and retention facilities designed to be aesthetically pleasing.

13. Creative methods for stormwater management to provide additional open space.

14. Attractive and usable street furniture in public spaces.

15. Emphasis on a high quality landscape plan.

16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 732 , § 1, 2-6-2017; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 749 , §§ 2, 3, 9-18-2017; Ord. No. 767 , § 4(Exh. A), 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

District	Lot Area	Lot ^B Width	Front Yd. Set Back (ft.) ^F	Side Yards (ft.)	Corner Side Yards (ft.)	Rear Yards (ft.)	Total Bldg. Coverage	Max. Ht. In (ft.)	Min. Flr. Area in Sq. Ft.	Max. Impervious Area ^A
AG	5 acres	200	50' local street 65' all other streets	25	35	50	25%	35	1,800	40%
RE	3 acres	100	50'/65'	25	35	50	25%	35	1,800	40%
R ^E	One acre	100	50'/65'	25	35	50	25%	35	1,800	50%
R-22 ^E	22,000 sq. ft.	100	35' local street 65' all other streets	25	35	30	25%	35	1,500	50%
R-15 ^E	15,000 sq. ft.	100	35' local street 65' all other streets	10	20	25	25%	35	1,500	50%
R-12 ^E	12,000 sq. ft.	80	30' local street 65' all	10	20	30	25%	35	1,500	50%

			other streets							
R-10 ^E	10,000 sq. ft.	75	30' local street 65' all other streets	10	20	25	25%	35	1,500	50%
R-4A ^E	One acre	30	35' local street 65' all other streets	20 ^C	20	30	40%	35	1,200	60%
R-4D	5,000 sq. ft.	50	35'/65'	5	10	w/alley 0' no alley 20'	40%	35	1,500	60%
R-8A/D ^E	One acre (Attached) 4,500 sq. ft. (Detached)	50	35' local street 65' all other streets	5 adjacent property 10 between buildings	10	w/alley 0' no alley 20'	40%	35	1,200	60%
R-10M ^E	One acre	75	35' local street 65' all other streets	25 adjacent property 20 between buildings	35	50	None	35	None	60%
CUP ^D	100 acres	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.		70%
O-P	30,000 sq. ft.	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	40%	40		70%
O-I ^D	25 acres	None	50/65	15	50/65	15	40%	40		70%
C-1	30,000 sq. ft.	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	45%	35		80%
C-2	NONE	NONE	Cond.	Cond.	Cond.	10	70% 90% DT Overlay	40		90% (95% DT Overlay)

PSC ^D	10 acres	NONE	50/65	15	50/65	15	40	40		80%
L-I	One acre	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	35%	35		80%
OS & R	NONE	NONE	50/60	15	50/65	30	20	75	NONE	NONE
SU	NONE	NONE	50/65	10	50/65	10	70%	40		80%
MU	25 acres	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.		80%

A - Includes surface or deck parking.

B - Minimum lot width at setback line per unit.

C - Side yard set back from project boundaries and building groupings.

D - Area regulations conditional and are subject to a master plan.

E - All minimum lot sizes as noted are allowable if served by sanitary sewer. If sanitary sewer is not available to the property, then Fulton County Health Department (lot size) regulation shall apply for septic tank approval.

F - Tree save areas may overlap the building lot and building setback area. Such tree save areas must be identified on the land disturbance permit and dedicated on the final plat for permanent preservation.

(Ord. No. 718 , § 13(Exh. A), 12-14-2015; Ord. No. 732 , § 1, 2-6-2017)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zoning district subject to the general provisions of the Unified Development Code. An "A" means that the use is permitted as an accessory use in the zoning district subject to the general provisions of the Unified Development Code. An "S" means that the use will be permitted as a subordinate use in that district if a Conditional Use Permit is granted by the City Council. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O	S					O		X	
Amphitheater												O	S					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O	S		O	O	S	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	S	O	X	X	O	X			O
Asphalt Plant																		O			
Athletic Facility/ Fitness Studio	⊖											O	S	⊖	O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks,												O				O		X			

Vans, Cars and Accessories)																				
Automotive Parts											O			O	X	S	X			
Automotive Service & Service Station											O	S			X	S	X			
Bakery											O	S	O	X	X	O	X			O
Bank, Savings and Loan, Mortgage Company											O	O	X	X	X	O	X			O
Barber/Beauty Shop											O	S	X	X	X	O				O
Bed and Breakfast	X	O	O	O	O					X	O		X	X	X					O
Book Store or Stationery											O	S	A	X	X	O	X			O
Bottle Gas Storage and Distribution																	X			
Boutique Hotel											O	S			O	S	O			O
Bowling Alley											O	S		O	X	S	X			
Brewery											O	S		O	O	O	X			O
Broadcasting Studio (Radio and TV)	O										O	O			X	S	X			
Builder's Equipment/Material	O										O				O		X			
Car Wash												S			O	O	X			
Carpenter Shop, Woodworking	O																X			
Carpet and Rug Sales														X	X	O	X			
Cemetery	O																		O	

Check Cashing															O	O		X			
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	S	X		O	O
Clinic, Public/Private												O	O	X	X	X	O				O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	O	O	O	O	S			O	
Concrete Plant																		O			
Congregate Housing, Assisted Living Facility											O	O	O		O	O		X			O
Contractor's Office without outside storage												O	S	X	O	X		X			
Contractor's Office with outside storage												O				O		X			
Convenience Center w/Gas Pumps												O	S			X	S	X			
Country Club	O	O	O	O	O	O	O	O	O	O	O	O	S								
Dance Studio												O	S		X	X	O	X			O
Day Care Center												O	O	X	X	X	O	X			O
Discount Store																		X			
Distillery												O	S		O	O	O	X			O
Drug Store (Pharmacy)												O	O		X	X	O	X			O
Dry Cleaning, Pick- Up Station												O	S	O	X	X	S	X			O
Dry Cleaning, Plant																		O			

Dwelling, 'For-Sale', Attached								X		X	X	O					O				O
Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O					O				O
Dwelling, 'For-Rent'											X	O									O
Dwelling, Group											O	O	O		O	O					O
Equestrian Center	O	O	O	O	O							O							X		
Extended Stay Hotel (see Section 2.7)												O	S			O		O			
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	O									
Farmlands (including Livestock, poultry)	X																				
Fire station												O	S						X		
Fireworks Sales																		X			
<u>Fitness Studio</u>												<u>O</u>	<u>S</u>	O	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>			<u>O</u>
Florist, Retail												O	S	O	X	X	O				O
Funeral Homes with no cemetery or mausoleum												O	S		O	O	S	X			
Glass Fabrication																		O			
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O					O		X	
Golf, Miniature												O	S		O	O	S			X	
Greenhouse, Nursery	O															O	S	X			

Grocery Store												O			O	X	O	X			O
Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X					O									
Hardware and Garden Supply Store												O			X	X	O	X			O
Heliport, Public/Private	O											O	O				S	X		X	O
Home Improvement Store															X	O	X				
Home-Elderly, Children, Nursing										O	O	O		O	O		X				
Hospital												O	O		O	X		X		X	
Hotel or Motel												O	S		O	O	S				O
Indoor Shooting Range																		O			
Junk/Salvage Yard																		O			
Kennel	O																	X			
Laboratory, Research Commercial												O	S					X			
Laundry, Industrial												O						O			
Laundry, Self-Serve, Pick-Up												O			X	X	O	X			
Limousine Service and Taxi (with or without outside vehicle storage)																O		X			

Liquor Store												O	S		O	X	O	X			O
Locker, Frozen Food or Cold Storage												O						X			
Machine Shop																		X			
Manufacturing, Heavy, General																		O			
Manufacturing, Light												O	S					X			
Massage Therapy																O		X			
Medical Cannabis or Marijuana Dispensary																		O			
Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries												O	O		X	X	S	X		X	O
Nail Salon												O			X	X	S	X			O
Office												O	O	X	X	X	O	X			O
Park or Playground	X	X	X	X	X	X	X	X	X	X	X	O	S	X	X	X	S	X	X	X	O
Parking Lot, Commercial												O	S		O	X	S	X			
Pawn Shop																		X			
Pest Control Business (with or without onsite chemical storage)															O	O		X			

Pet Day Care												O			X	X	S	X				
Pet Grooming												O			X	X	S	X				O
Power Station												O						O		O		
Print Shop												O	S	A	X	X	S	X				O
Prison																				O		
Public Building												O	O	O	O	O	S	X		O	O	
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards, Children's event facilities, etc.)												O	O			O	S	X				O
Recreational Facilities, Outdoor												O	O			O	S	X		O	O	
Recycling Center																		O				
Rental Services Establishment without outside storage												O			O	X	O	X				
Rental Services Establishment with outside storage																		X				
<u>Research and Development</u>												<u>O</u>	<u>O</u>					<u>X</u>				
Restaurant												O	S	O	X	X	O	X				O
Restaurant w/Drive- thru window												O	S		O	X	O	X				
Retail Establishment												O	S	A	X	X	O	X				O

Retail Establishment (Mixed Sales)												O			O	X	O	X			
Sawmill																		O			
School, Academic												O	O	O	X	X	S	X		X	O
School, Commercial (Beauty, Business)												O	S	O	X	X	S	X			O
Septic Tank, Sales, Construction																		X			
Sewage, Disposal Plant																		O			
Shop or Studio, Craftsman/Artist												O		O	X	X	S	X			
Small Appliance Repair Shop																O		X			
Smoke Shop and Tobacco Store															O	O		X			
Spa Services												O	S	O	O	O	S	X			O
Special Event Facility	O											O	O		O	O	S	X			O
Storage, Inside																		X			
Storage, Outside																		X			
Switching Station (Telecom)												O						X			
Tattoo Parlor and Body Piercing																		X			
Taxidermist	X																	X			
Theater, Cinema												O	O		O	O	S	X			O
Tire Retreading																		O			

Transfer Station																		O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	S	O	O	O	S	O	O	X	
Welding Shop																		X			
Wholesale Establishment												O					S	X			
Wireless Tower (subject to approval of conditional use permit in accordance with Section 2.8.7)	O											O	S			O	S	O		O	

(Ord. No. 671, § 1, 2-4-2013 ; Ord. No. 675, § 1, 6-3-2013 ; Ord. No. 692, § 1(Exh. 1), 7-21-2014 ; Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 4, 9-28-2015; Ord. No. 718 , § 14(Exh. B), 12-14-2015; Ord. No. 730 , § 5, 12-5-2016; Ord. No. 741 , § 5(Exh. A), 6-5-2017; Ord. No. 744 , § 7(Exh. A), 7-10-2017; Ord. No. 767 , § 7(Exh. C), 10-22-2018; Ord. No. 772 , § 8(Exh. A), 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

SECTION 2.2 a. CONDITIONAL USE REVIEW CRITERIA	
When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:	
1. Site design	4. Vehicular trips generated by the use
2. Property access	5. Impact of the use on surrounding properties
3. Hours of operation of the business	6. Impact of the use on the natural features of the site

SECTION 2.3 SUPPLEMENTARY REGULATIONS

2.3.1 General exemptions.

- A. *Heights—Exclusions.* The following structures are exempt from the height limitations imposed within each zoning district:
1. Church spires, cupolas, and chimneys.
 2. Agricultural accessory structures, such as barns, silos, windmills, and the like.
 3. Parapets and structures used for ornamental or aesthetic purposes not to exceed twelve (12) feet.
 4. Elevator penthouses not to exceed fifteen (15) feet.
 5. Mechanical equipment on building roofs or rooftop antennas provided any such equipment exceeding 12 feet in height shall be contained within a structure or otherwise screened from ground view from adjoining streets and properties.
- B. *Front Yard Requirements—Existing Residential Areas.* The setback requirements of this Ordinance shall not apply to any residential lot where the average setback on developed lots located adjacent to and on each side of such lot and within the same zoning district and fronting on the same street as such lot is less than the minimum required setback. In such cases, the setback of such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. In no case, however, shall setbacks be less than 15 feet.

If the adjacent developed lots on both sides of a vacant residential lot, within the same zoning district and fronting on the same street as such lot, have front yard setbacks greater than the minimum required by the zoning district, then the minimum setback on the vacant lot shall be the average of the 2 adjacent developed lots.

- C. *Double Frontage Lots.*
1. Double frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A landscaped or natural buffer of at least twenty feet (20'), across which shall be the right of access, shall be provided along the line of lots abutting such a traffic artery.
 2. On lots having frontage on two (2) streets, but not located on a corner, the minimum front yard setback requirement shall be provided along each street frontage.
 3. Double frontage lots shall obtain access from the street with the lower functional classification, unless this poses a safety hazard or would otherwise be impractical.
- D. *Setbacks—Exclusions.*
1. No building or structure or projection thereof, including porch, deck, terrace or chimney, shall be erected closer to a property line than the applicable setback regulation prescribed herein allows. However, uncovered steps, patio slabs, driveways, walkways, retaining walls of no more than 4' in height, and roof overhangs of up to 18" may be located within setback areas.
 2. Required setbacks may accommodate vegetated runoff reduction measures, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City.
- E. *Flag Lots.*

-
1. Flag lots are prohibited for residential development. Residential building sites must meet minimum lot width requirements at the front setback line or at twice the required front setback for cul-de-sac lots.

(Ord. No. 730 , § 6, 12-5-2016; Ord. No. 732 , § 2, 2-6-2017)

2.3.2 Temporary uses.

The Director may authorize a temporary use, as follows:

- A. Carnival, circus or fair on property zoned and used for non-residential use, for a period not to exceed 4 days. A period not to exceed 30 days may be granted by the Director if the event is held within a designated amphitheater facility as defined by Code and confirmed by the Director. Site shall meet adequate parking and safety concerns and limit impacts to surrounding properties.
- B. Outdoor tent sales on property zoned and used for non-residential use, for a period not to exceed forty-five (45) days. Authorization may not be granted more than two (2) times per year, per property.
- C. Seasonal events associated with a not-for-profit on property zoned and used for non-residential use, for a period not to exceed seventy-five (75) days. Authorization may not be granted more than two (2) times per year, per property.

Seasonal Events associated with a for-profit entity on property zoned and used for non-residential use for a period not to exceed thirty (30) days. Authorization may not be granted more than four (4) times per year, per property. Seasonal events, such as an ice-skating rink, corn maze, haunted house, etc. shall be limited to activities that draw fewer than 100 people at a time.
- D. Religious meeting in a tent or other temporary structure on property zoned and used for non-residential use, for a period not to exceed sixty (60) days.
- E. Open lot sale of Christmas trees, fruit and vegetables, and other harvested products on property zoned and used for non-residential use, for a period not to exceed forty-five (45) days.
- F. Real estate sales office, related to an active development, in any district, for a period not to exceed one (1) year, provided no sleeping accommodations are maintained in the structure.
- G. Contractor's office, construction trailer and equipment shed, in any district, related to an active development, for a period of one (1) year provided that such office be placed on the property to which it is appurtenant.
- H. Commercial television or motion picture filming activities not to exceed seven (7) calendar days at any residential location, or a period not to exceed twenty-one (21) days if approved by the Mayor and Council. The director or the Mayor and Council may impose conditions to the issuance of the permit to minimize the disturbance to the residential neighborhood. These conditions may include neighborhood notification requirements, parking and traffic control, and limitations on the hours of operation. In no event shall filming activities commence prior to 7:00 a.m. or continue after 10:00 p.m.
- I. All temporary certificates of zoning compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no increased traffic congestion and will not create a nuisance to surrounding uses.
- J. The director may require City Council review and approval of any temporary uses.
- K. Fireworks sales in a tent or other temporary structure in the L-1 District, for a period not to exceed ninety (90) days.

(Ord. No. 688, § 1, 4-28-2014 ; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 718 , § 15, 12-14-2015; Ord. No. 808 , § 3(Exh. C), 9-8-2020; Ord. No. 836 , § 1(Exh. B), 10-4-2021)

2.3.3 Accessory uses and structures.

- A. *Home Occupations.* An occupation, profession or trade customarily carried on by an occupant in a dwelling unit as a secondary use which is clearly incidental to the dwelling unit for residential purposes and which meets all of the following conditions:
1. The use shall be carried on wholly within the dwelling unit principal building. The attachment of an accessory building by a breezeway, roof or similar structure shall not be deemed as sufficient for the accessory building to be considered as a portion of the primary building.
 2. Not more than 25% of the floor area, not to exceed 500 square feet, of the dwelling unit building shall be used for the conduct of the home occupation.
 3. No merchandise or articles shall be displayed for advertising purposes, nor be displayed in such a way as to be visible from outside the dwelling unit. Garage doors shall not be left in the open position when the garage is used for the storage of business related materials.
 4. No merchandise or articles shall be stored other than inside the dwelling unit.
 5. No equipment or business vehicles may be stored or parked on the premises except that 1 business vehicle (the carrying capacity of which shall not exceed 1andhalf; tons and shall not exceed six (6) tires and/or two (2) axles) used exclusively by the resident may be parked in a carport, garage or an approved parking space in the rear or side yard and not within the public street or right-of-way.
 6. A home occupation may not generate more than six non-residential trips per day to the home, excluding occupant trips.
 7. There shall be no alteration of the residential character of the dwelling unit or premises or structures on the premises.
 8. No person not a resident of the dwelling unit shall work in the dwelling unit in connection with the home occupation. This prohibition shall also apply to independent contractors and employees who serve the resident of the dwelling unit.
 9. One (1) off-street paved parking space for each 250 square feet of floor area devoted to the home occupation shall be provided in addition to the required parking for residential use of the building.
 10. No motor power, other than electrically operated motors, shall be used and the total horsepower of such motors shall not exceed 3 horsepower or 1 horsepower for any single motor.
 11. No nameplate or sign shall be displayed upon the dwelling unit or structure on the premises except 1 unlighted sign not exceeding 1 square foot in area and located not less than 20 feet from any property line.
 12. No aspect of the home occupation which is noticeable to neighbors shall be conducted between the hours of 9:00 p.m. of one evening and 7:00 a.m. of the next day.
- B. *Swimming Pools.* All swimming pools shall comply with the following requirements:

Construction Plan: An application for a permit to construct a swimming pool shall be submitted to and approved by the Building Official.

Pool Location: Swimming pools and their auxiliary structures shall maintain a 20' setback from side and rear property lines or the same setback as the principle structure, whichever is less. Swimming pools shall not be located within the required front yard of any lot or closer to the front lot line than the principal building on the lot. Pools may also not be located within a buffer or easement.

Accessory Buildings: Pool houses, cabanas and other structures related to a swimming pool shall be subject to all of the requirements for "accessory buildings" and shall maintain a minimum 10 foot setback from side and rear lot lines or the same setbacks as the principal.

Fencing: All swimming pools shall be enclosed by a fence that is at least 5 feet in height and constructed so as not to pass a four inch (4") diameter sphere through any opening. The fence must be maintained in good condition and shall be self-closing and self-latching. The fencing shall be located so as to not obstruct visibility at road intersections.

- C. *Uses Customarily Accessory to Dwellings Located in Residential Zoning Districts.* Each of the following uses is considered to be a customary accessory use to a dwelling, and as such, may be situated on the same lot with the principal use to which it serves as an accessory provided that the setback and yard requirements are met and provided that the accessory structure is not located closer to a road than the principal structure. No such accessory use shall be more than 20% in size of principal use or be located in a required front yard.
1. Private garage not to exceed the following storage capacities; 'For-Sale' dwelling, 4 automobiles; 'For-Rent' dwelling, 2 automobiles per dwelling unit; group dwelling, 1½ automobiles per sleeping room. Structures shall maintain a 10 foot setback from rear and side lot lines or the same setbacks as the principal building, whichever is less.
 2. Open storage space or parking area for motor vehicles provided that such space does not exceed the maximum respective storage capacities listed above; and provided that such space shall not be used for more than 1 commercial vehicle licensed as 1 ton or more in capacity per family residing on the premises.
 3. Shed or tool room for the storage of household goods or equipment used in grounds or building maintenance. Structures shall maintain a 10 foot setback from rear and side lot lines or the same setbacks as the principal building, whichever is less.
 4. Miscellaneous free-standing structures such as gazebos shall maintain a 10 foot setback from lot lines or the same setbacks as the principal building, whichever is less.
 5. Children's playhouse and play equipment.
 6. Quarters for the keeping of pets owned by occupants for non-commercial purposes provided that such use does not generate a nuisance to adjoining properties. Such quarters shall maintain a 20 foot setback from rear and side lot lines.
 7. Private swimming pool and bathhouse or cabana. Swimming pool shall maintain a 20 foot setback from side and rear lot lines, or the same setback as the principle structure whichever is less. All other structures shall maintain a 10 foot setback from side and rear lot lines or the same setbacks as the principal building, whichever is less.
 8. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes. Same setbacks shall apply as for the principal building.
 9. Backyard chickens on minimum 1-acre properties with a single-family detached dwelling, limited to no more than 6 chickens and no roosters allowed. Associated structures (chicken coop, run, etc.) shall maintain a minimum 25' setback from the rear and side property lines. Chicken coop and run shall not exceed 9' in height. No chickens shall be permitted within any undisturbed water buffers, wetlands, or regulated floodplain.

(Ord. No. 833 , § 1(Exh. A), 7-26-2021)

2.3.4 Standards for dwelling, 'for-sale', detached houses.

- A. All detached 'For-Sale' dwellings shall meet or exceed the following requirements in addition to the requirements of all applicable Building Codes:
1. Each dwelling shall be connected to a potable water supply and sanitary sewage disposal system approved by the Fulton County Development Services Department.
 2. Foundation: The structure shall be attached to a permanent foundation constructed in accordance with the Building Code.
 3. Exterior siding: Exterior siding materials shall consist of wood, brick, stone, concrete, stucco, EIFS or similar materials, or lap siding of masonite, vinyl or similar materials, or any combination of the above.

The exterior siding shall extend the full height of the exterior walls, from the surrounding grade to the bottom of the eaves or other juncture with the roof.
 4. Roofs: All roof surfaces shall have a minimum pitch of 2.25:12 (2¼ inches of rise for every 12 inches of run), except that mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, clay tiles, slate, standing seam metal or similar materials.
 5. Houses shall be at least 20 ft. in width.
 6. A porch or hard surfaced landing shall be provided at each exterior door and stairway top and bottom, which shall be at least as wide as the door it serves, but no less than 36 inches in width and 36 inches in depth.

2.3.5 Buffers and landscape requirements.

See UDC Section 3.2.8.

(Ord. No. 718 , § 16, 12-14-2015; Ord. No. 732 , §§ 3, 4, 2-6-2017; Ord. No. 737 , § 1, 5-1-2017; Ord. No. 739 , 5-1-2017)

2.3.6 Fence and wall requirements.

- A. *Height.* Height of fences and walls used as fences shall not exceed six (6) feet on residential property and eight (8) feet on non-residential property. These limits may be exceeded by up to 50% on sloped lots where the appearance of an even fence line is desired.
- B. *Location on Property.* In order to prevent the obstruction of visibility, no walls, fences, shrubbery or hedges over three (3) feet in height shall be located within twenty (20) feet of an intersection of two or more streets or within ten (10) feet of the edge of a driveway leading to a street. Fences and walls shall be placed at least five (5) feet from required landscape strips and buffers to accommodate construction and maintenance unless approved otherwise at a public hearing.
- C. *Materials.* Fences and walls used as fences shall be made of wood which shall be protected from decay by the use of naturally durable wood or wood that is pressure treated, metal, brick, block, vinyl or stone. The use of plywood/sheet goods as a material is prohibited. Barbed, razor wire or electrically charged fencing shall be permitted in AG and RE districts and may be permitted, subject to administrative review and approval, in other districts.
- D. *Appearance.* All fencing shall be constructed with finished side facing away from the property owners property. Fences and walls used as fences shall not be finished with bright or primary colors or be visually distracting in any other way. A privacy fence or chainlink fence along a public or private right-of-way shall only be permitted when the required landscape strip and associated landscape material is provided. Privacy

and chainlink fences shall be prohibited in a front yard, except that the Director of Community Development, or designee, may approve a privacy fence in the front yard on collector or arterial streets.

- E. *Permit.* A permit for construction shall not be required to erect a fence or wall used as a fence which is built in accordance with these standards. Signage incorporated into such fences shall require a sign permit.

(Ord. No. 720 , § 1, 2-22-2016; Ord. No. 808 , § 3(Exh. C), 9-8-2020)

2.3.7 Reserved.

Editor's note(s)—Ord. No. 730 , § 7, adopted Dec. 5, 2016, repealed former § 2.3.7 which pertained to conditional uses.

SECTION 2.5 PARKING AND LOADING¹

Areas suitable for parking vehicles in off-street locations shall be required in all districts at the time of the initial construction of any principal building or when a structural alteration or change in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs.

Off-street parking shall be provided and maintained in accordance with the following requirements. A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , § 5, 2-6-2017)

2.5.1 Number of vehicle parking spaces required.

The following number of off-street vehicle parking spaces shall be required for the respective use:

- A. *Residential Uses.* Residential parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet).

Dwelling, 'For-Sale', detached:

Two (2) spaces on the same lot for each dwelling unit, plus 1 additional space where a home occupation is permitted.

Dwelling, 'For-Sale', attached; efficiency or one-bedroom units:

One and one-half (1½) spaces for each dwelling unit.

Two or more bedroom units:

One (1) space for each bedroom.

Bed and Breakfast:

One (1) space for each bedroom.

Dwelling, 'For-Rent', residential:

Two (2) spaces for each unit, plus one (1) guest space per 20 units.

¹Editor's note(s)—Ord. No. 718 , § 17(Exh. C), adopted Dec. 14, 2015, repealed the former § 2.5 (2.5.1—2.5.9), and enacted a new 2.5 (2.5.1—2.5.9) as set out herein. The former § 2.5 pertained to similar subject matter and derived from the original codification and Ord. No. 675, § 1, adopted June 3, 2013.

Group Home/Congregate Housing:

One (1) space for each two (2) sleeping rooms.

B. *Business Uses.*

Medical, dental and optical offices:

One (1) space per 200 square feet.

Professional and business offices not otherwise specifically enumerated:

One (1) space for each 250 square feet of gross floor space.

Banks:

One (1) space for each 300 square feet of gross floor space.

Hotels (or Motels) and Extended Stay Hotels:

One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

Day Care:

One (1) space for each 400 square feet. (Stacking for six cars must be provided on site.)

Service and repair establishments not otherwise specifically enumerated:

One (1) space for each 250 square feet of floor area not used for storage.

Retail businesses, not otherwise specifically enumerated:

One (1) space for each 200 square feet of gross floor space.

Auto, truck and mobile home sales, outdoor equipment and machinery sales, commercial nurseries:

One (1) space per 100 square feet of showroom, sales office or other conditioned space.

Restaurants:

One (1) space for each 100 sq. ft. of the entire facility.

Retail Shopping Center:

Less than 50,000 sq. ft.: One (1) space for each 200 sq. ft.

50,000—400,000 sq. ft.: One (1) space for each 250 sq. ft.

Over 400,000 sq. ft.: One (1) space for each 285 sq. ft.

Theaters, night clubs and other such places of public assembly:

One (1) space for each 4 seats accommodations plus 1 employee space for each 10 seats.

Service stations:

Two (2) spaces for each gasoline pump plus 1 space per 250 sq. ft. for convenience store.

Funeral homes:

One (1) space for each 4 seats in chapel or parlor plus sufficient space to park or store all company vehicles.

Technology Centers/Data Processing Centers:

One (1) space per 1,000 square feet per gross area of unmanned space together with parking as required for space dedicated to manned space at 1 space per 300 square feet. Land for additional parking calculated at 1 space per 500 square feet of gross area shall be set aside and preserved until such time as additional parking is needed and/or use changes. This land shall not be subdivided from the remainder of the property so that it can be used for parking in the future.

C. *Wholesale and Industrial Uses.*

Wholesaling and industrial uses including lumber, brick, coal, junk and supply yards:

One (1) space per 1,000 square feet.

D. *Public and Semipublic Uses.*

Hospitals:

One (1) space per bed, plus 1 space per 200 square feet of floor area used for outpatient treatment.

Churches, stadium and other places of public assembly:

One (1) space for each 2 seats in the principal assembly room.

Places of assembly or indoor recreation without fixed seats:

One (1) space for each 500 square feet of playing court, rink, playing field and spectator area, plus one (1) space for each 200 sq. ft. of gross floor space directed to other patron use areas.

Schools, elementary and middle schools:

One (1) space for each classroom and administrative office plus 5 spaces for visitors.

Schools, senior high:

One (1) space for each classroom and administrative office plus 1 space for each 4 students based on the design capacity of the school.

Other public building:

One (1) space for each 300 square feet of gross floor space.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.2 Shared parking.

- A. *Common Off-street Parking Areas.* Two (2) or more principal uses may utilize a common area in order to comply with the off-street parking requirements, provided that the total number of individual spaces available in the common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this Ordinance. If it can be demonstrated that the principal uses would not utilize the shared parking areas during the same hours, the required number of parking spaces may be reduced by 25% in the common area.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.3 Off-street loading and unloading spaces.

- A. Every lot on which a business, trade or industry is thereafter established shall provide space as indicated below for the loading and unloading of vehicles off the street. Such space shall have access to an alley or, if there is no alley, to a street. For the purpose of this Section, an off-street loading space shall have the minimum dimensions of 12 by 40 feet and be clear and be free of obstructions at all times.

Required spaces shall be provided as follows:

Retail businesses, office, wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals and educational institutions, 1 space for the first 25,000 square feet of total floor area or fractional part thereof. For anything in excess of 25,000 square feet, such uses shall provide loading spaces according to the following schedule:

SQUARE FEET	NUMBER OF SPACES
25,000—99,999	2
100,000—159,999	3
160,000—239,999	4
240,000—349,999	5
For each additional 100,000 or fraction thereof	1 additional

- B. Vehicles used for the loading and unloading of retail merchandise may not be parked overnight (between 10:00 p.m. of one day and 8:00 a.m. of the next day) in a location closer to the frontage street than the principal building.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.4 Locational criteria for parking.

- A. Location on Other Property. If the required parking cannot reasonably be provided on the same lot on which the principal use is conducted, such parking may be provided on other off-street property provided such property lies within 500 feet of the main entrance to the principal use. Such parking shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.
- B. Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures.

Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, in addition:

Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided.

Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet.

One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.

The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.

- C. Parking and Storage of Certain Vehicles. No automobile, truck, motorcycle, trailer or other vehicle of any kind or type without current license plates shall be parked or stored on any lot in a residential district except in a completely enclosed building.

-
1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful nonconforming use, subject only to the provisions of any applicable district regulations.
 2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:
 - a. The ease with which the applicant can comply with the provisions of this ordinance;
 - b. Whether there are extraordinary and exceptional conditions pertaining to the particular lot because of its size, shape, topography or location of the improvements on the lot;
 - c. The economic hardship that would be imposed upon the applicant if the variance were denied; and
 - d. Whether relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of this ordinance.
 3. Where appropriate, the Director may attach reasonable conditions to the grant of a variance. The Director may also approve an alternative parking practice which, although not in strict compliance with the literal provisions of this Article, is deemed by the Director to be in compliance with the spirit of the Ordinance. All variances are personal to the applicant and shall terminate upon the sale of the lot.
- D. Written variance applications shall be acted upon by the Director within thirty (30) days of receipt. Variance applications denied by the Director may be appealed by filing a written appeal with the Board of Appeals within fifteen (15) days of the date of denial. The Board shall act upon the appeal at its next available meeting following receipt of the appeal.
- E. No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 757 , § 2, 5-9-2018; Ord. No. 772 , § 4, 2-4-2019)

2.5.5 Design criteria.

- A. **Parking Space Area Requirements.** Including aisles, entrances and exits, each required off-street parking area, lot or other facility shall contain a minimum of 300 square feet of space for each vehicle to be accommodated. Not less than 80% of the parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet). The dimensions of parking spaces and aisles shall be in accordance with the Parking Standards Illustration (Table 2.3). In order to reduce impervious area, projects using runoff reduction measures may use alternative off street parking dimensions as specified in Table 2.3.a. Accessible parking shall be designed and provided in accordance with the requirements of the Georgia Accessibility Code for Buildings and Facilities.
- B. **Permitted Percentage of Compact Car Parking Spaces.** Up to 20% of the parking spaces required by this Ordinance may be compact car parking spaces (8 feet by 16 feet). Compact spaces shall be located on the periphery of the parking lot wherever possible.
- C. **Minimum Parking Bay Width.** The minimum width for 90 degree parking bays shall be 60 feet for standard spaces and 54 feet for compact spaces, except for projects using runoff reduction measures, as noted in 2.5.5.A above.

-
- D. Off-street parking lots, whether public or private, shall be graded to insure proper drainage, surfaced with concrete or asphalt on an approved base and maintained in good condition free of weeds, dust, trash and debris. A gravel surface may be used for parking when such parking is in excess of code requirements and located within 700' of a waterway.
 - E. Tree Preservation. To allow an existing or new development to preserve healthy existing trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced by up to twenty percent (20%).
 - F. Within residential districts, gravel parking in existence as of 01/01/01 may remain. Such gravel parking areas shall accommodate a maximum of two vehicles and shall be contained on three sides by landscape timbers.
 - G. Pervious paving materials for parking areas are allowed as part of an approved stormwater management plan for the site with a long-term maintenance agreement.
 - H. Parking Lot Landscaping. See, Sec. 2.3.5.
 - I. Multifunctional Functional Runoff Reduction Measures. To encourage multifunctional runoff reduction measures and provide incentives for their use, bioretention areas, vegetated swales, planter boxes, rainwater harvesting systems, and other vegetated BMPs may be used to meet the perimeter island, interior island, and median island landscaping requirements of this Chapter, and may be constructed in the designated landscape areas if part of an approved stormwater management plan for the site and if screening functions are maintained.
 - J. Tandem Parking. Enclosed tandem parking spaces shall only count for one required parking space, since only one space is fully accessible.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017; Ord. No. 772 , § 5, 2-4-2019)

2.5.6 Public street access.

- A. *Access to Parking Lots.* A plan of entrances, exits and storm water drainage shall be submitted to the Department of Community Development and approved prior to the issuance of a development permit for off-street parking lots, whether public or private. Installation of entrances, exits and drainage systems shall have been completed prior to the issuance of a certificate of occupancy. All curb cut locations as well as widths shall comply with the Alpharetta Standard Drawings.
- B. *Driveways and Curb Cuts.* Local structures may have access points to parking lots as needed to fit the development, in accordance with professional traffic engineering practice. In general, curb cuts shall be spaced at least 300 feet apart and be located at least 300 feet away from a street intersection. A curb cut on a residential lot may be closer than 300 feet from a curb cut on an adjacent lot, but an individual residential lot shall not have more than one (1) curb cut per 300 feet of street frontage.
- C. *Vision Clearance.* In all districts no fence, wall, shrubbery or other obstruction to vision between the heights of 2½ feet and 10 feet above the finished grade of streets shall be erected, permitted or maintained within 20 feet of the intersection of the right-of-way lines of streets.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017)

2.5.7 Electric Vehicle Charging Stations.

All developments requiring 100 or more vehicle parking spaces shall provide electric vehicle charging stations. One (1) electric vehicle charging station for every 25 required vehicle parking spaces shall be required.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.8 Number of bicycle parking spaces required.

A. *Residential Uses.*

Dwelling, 'For-Rent':

One (1) bicycle space for every two (2) units.

B. *Business Uses.*

Retail, Office, Hotel, Place of Assembly, Entertainment:

One (1) bicycle space for every 25 required vehicle parking spaces.

C. *Public and Semipublic Uses.*

Schools (public/private):

One (1) bicycle space for every ten (10) employees, plus one (1) space for every four (4) students.

D. *Miscellaneous/Other.*

To be determined by the Transportation Engineer and/or Zoning Administrator.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.9 Prohibited parking.

A. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, no person shall:

1. Park a vehicle, except temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers, in acceleration or deceleration lane; or
2. Park a vehicle overnight in a cul-de-sac located in a residential district.
3. Park a vehicle on an unpaved surface in any commercial district, the front yard of a residence or the side or rear yard if the side or rear yard faces fronts on the street, except as provided for in Subsection 2.5.5(E).

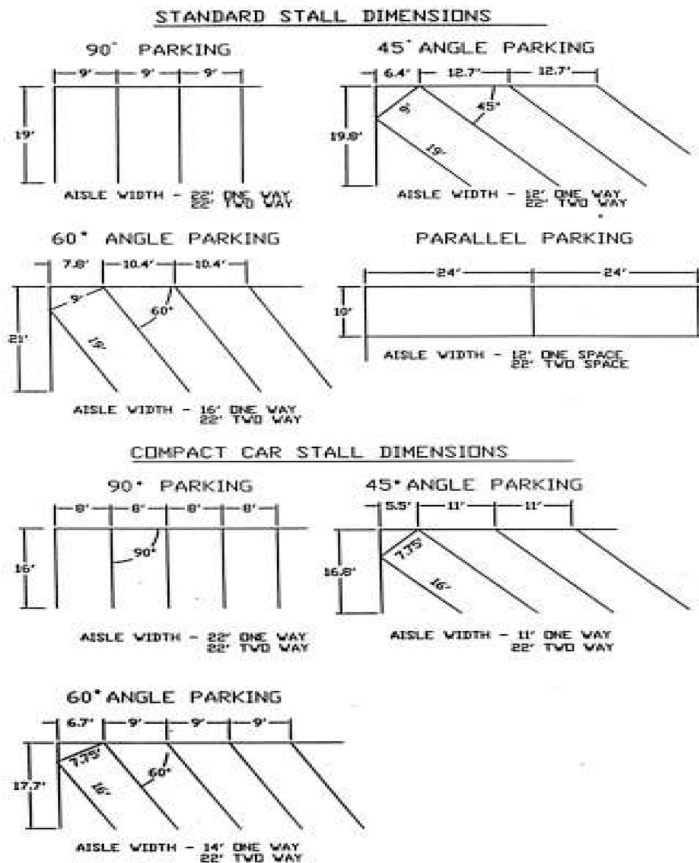
B. The City may, but is not required to, post no parking signs in areas where parking is prohibited in Paragraph 'A' above, and the failure to post signs shall not excuse any person from compliance with Paragraph 'A'.

C. Paragraph 'A' of this section shall not apply to the driver of any vehicle which is disabled while on the roadway in such a manner and to such extent that is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

D. No inoperable vehicle shall be parked or stored on a street within a residential district. An automobile or other vehicle shall be deemed inoperable if it meets any one of the following criteria:

1. It does not meet the Official Code of Georgia requirements for operating on a public street;
2. It is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;
3. It is not operable on the public streets because it is not currently registered with the Georgia Department of Motor Vehicles;
4. It is not capable of being operated on a public street due to missing or inoperable mechanical or electronic parts; or
5. It has been continuously parked in the same location for a period of thirty (30) consecutive days.

TABLE 2.3 - PARKING LOT STANDARDS



NOTES:

1. FIRE LANES SHALL BE A MINIMUM OF TWENTY-FOUR (24) FEET.
2. DIMENSIONS SHOWN FOR PARKING STALLS ARE MINIMUM. COLUMNS & OTHER OBSTRUCTIONS WILL BE ALLOWED IN THE FRONT TWO (2) FEET AND REAR FIVE (5) FEET OF THE LENGTH OF THE STALL, AND SHALL NOT INTRUDE MORE THAN SIX (6) INCHES INTO THE WIDTH OF THE STALL.
3. REFERENCE CITY OF ALPHARETTA STANDARD PLANS FOR CONSTRUCTION DETAILS.

Table 2.3.a Alternative Criteria for Off-Street Parking

The following are recommended alternative criteria for off-street parking design to reduce impervious area of the site.

Angle	Base Module	Vehicle Projection	Aisle Width	Single Loaded Module	Wall to Interlock	Interlock to Interlock	Curb to Curb	Overhang
θ	M ₁	VP	A	M ₂	M ₃	M ₄	M ₅	Overhang
30	41'-2"	15'-1"	11'-0"	26'-1"	37'-6"	33'-10"	38'-8"	1'-3"
45	47'-0"	17'-7"	11'-10"	29'-5"	44'-0"	41'-0"	43'-6"	1'-9"
60	51'-6"	19'-0"	13'-6"	32'-6"	49'-4"	47'-2"	47'-2"	2'-2"

90	59'-0"	18'-0"	23'-0"	41'-0"	59'-0"	59'-0"	54'-0"	2'-6"
	Low Turnover			Medium Turnover			High Turnover	
Angle	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock
Θ	WP	I	WP	I	WP	I	WP	I
30	16'-6"	3'-7"	17'-0"	3'-8"	16'-6"	3'-9"	18'-0"	3'-11"
45	11'-8"	2'-11"	12'-0"	3'-0"	12'-4"	3'-1"	12'-9"	3'-2"
60	9'-6"	2'-1"	9'-10"	2'-2"	10'-1"	2'-2"	10'-5"	2'-3"
90	8'-3"	0'-0"	8'-6"	0'-0"	8'-9"	0'-0"	9'-0"	0'-0"

Source: Urban Land Institute (2010). The Dimensions of Parking, Fifth Edition. National Parking Association.

Notes: Recommendations assume (1) one-way traffic for aisles less than 90 degrees, and two-way traffic for 90 degree parking; (2) double loaded aisles; and (3) a design vehicle that is 6'7" by 17'3".

Sec. 3.4. Uses Allowed by District.

3.4.1. Allowed Use Table.

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Use standards for both principal and accessory uses are specified in Section 2.3 and Section 2.7 of the Unified Development Code. Uses not listed may be interpreted by the Director of Community Development. When the Director of Community Development cannot determine placement, an application shall be made to the Board of Appeals for interpretation.
- B. Principal and accessory uses allowed by district are shown in the table below.

3.4.2. Use Table Key.

- A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.
- B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.
- C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	O	O	O	O
Cemetery				
Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				

Museums & Libraries	X	X	O	
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	O	O	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				
Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	
Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facility/ Fitness Studio	X	X	⊖	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		
Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		

Fitness Studio	X	X	O	
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		
Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		
Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Shop	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	O	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		
Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
Special Event Facility	O	O		
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O		
Industrial Uses				

Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				
Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				
Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O		
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				
Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				

Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O		
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X
Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X
Vehicle access, parking and loading areas	X	X	X	X

(Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 808 , § 4(Exh. D), 9-8-2020; Ord. No. 836 , § 1(Exh. C), 10-4-2021)

3.4.3. Specific Use Standards.

The following principal and accessory uses must conform with the indicated use standards.

- A. **Dwelling, 'For-Sale' Accessory.** Where a Dwelling, 'For-Sale' Accessory is allowed, it is subject to the following:
1. The dwelling shall be accessory to a permitted commercial use and shall be located above or to the rear of such use to which it is accessory.
 2. The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.
 3. The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial structure to which it is accessory.
 4. The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial structure and the dwelling.
 5. The dwelling and the commercial structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other codes of the City.
- B. **Live-Work.** Where Live-Work is allowed, it is subject to the following:
1. Live-work is only permitted on the first floor of a dwelling unit.

-
2. A minimum of one person must occupy the dwelling containing the live-work use as their primary place of residence.
 3. The live-work use may employ no more than two persons not living on the premises at any one time.
 4. No business storage or warehousing of material, supplies or equipment is permitted outside of the dwelling containing the live-work use.
 5. The nonresidential use of the live-work use is limited to a permitted or conditional use in the zoning district.
 6. No equipment or process may be used in connection with the live-work use that creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses, off the premises.
 7. No more than 5 customers are permitted on the premises at any one time.

AN ORDINANCE TO AMEND ARTICLE I, ARTICLE II AND APPENDIX A: ALPHARETTA DOWNTOWN CODE OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD DEFINITIONS FOR ATHLETIC FACILITY, FITNESS STUDIO, LABORATORY, AND RESEARCH AND DEVELOPMENT; TO ADD AND AMEND PERMITTED, CONDITIONAL AND SUBORDINATE USES IN THE AG (AGRICULTURE), CUP (COMMUNITY UNIT PLAN), O-I (OFFICE-INSTITUTIONAL), C-1 (NEIGHBORHOOD COMMERCIAL), C-2 (GENERAL COMMERCIAL), PSC (PLANNED SHOPPING CENTER), LI (LIGHT INDUSTRIAL), AND MU (MIXED USE) ZONING DISTRICTS AND TABLE 2.2 LIST OF PERMISSIBLE AND CONDITINAL USES; TO ADD AND AMEND PERMITTED AND CONDITIONAL USES IN THE DT-C (DOWNTOWN CORE), DT-MU (DOWNTOWN MIXED-USE) AND DT-LW (DOWNTOWN LIVE-WORK) ZONING DISTRICTS; TO ADD AND AMEND SUPPLEMENTARY AND PARKING AND LOADING REGULATIONS RELATED TO ACCESS, DRIVEWAYS AND PROHIBITED PARKING; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

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

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

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

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

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

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

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

Section 1: Article I, Subsection 1.4.2 titled “Defined terms” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “A” attached hereto as if fully set forth herein; and

Section 2: Article II, Subsection 2.2.1 titled “AG agriculture”, Subsection 2.2.11 titled “CUP community unit plan”, Subsection 2.2.13 titled “O-I office-institutional”, Subsection 2.2.14 titled “C-1

neighborhood commercial”, Subsection 2.2.15 titled “C-2 general commercial”, Subsection 2.2.16 titled “PSC planned shopping center”, Subsection 2.2.17 titled “LI light industrial”, Subsection 2.2.20 titled “MU mixed use district” and Table 2.2 List of Permissible and Conditional Uses of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “B” attached hereto as if fully set forth herein; and

Section 3: Article II, Subsection 2.3.1 titled “General exemptions”, Subsection 2.5.6 titled “Public street access”, and Subsection 2.5.9 titled “Prohibited parking” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “C” attached hereto as if fully set forth herein; and

Section 4: Appendix A: Alpharetta Downtown Code, Subsection 3.4.2 titled “Use Table Key” of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “D” attached hereto as if fully set forth herein; and

Section 5: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 6: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2022.

Approved:

Jim Gilvin, Mayor

Attest:

COUNCILMEMBERS

Lauren Shapiro, City Clerk
(Seal)

Approved as to Form:

City Attorney

Exhibit “A”

1.4.2 Defined terms.

Athletic Facility. An establishment sometimes referred to as a health club or gym. These facilities are typically located in a large space containing special equipment, and may include indoor and/or outdoor courts (tennis, basketball, etc.) and swimming facilities, where people go to do physical exercise. Establishments tend to be general exercise facilities but often provide specialized classes. Businesses frequently include incidental related services such as, personal training, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

Fitness Studio. An establishment where equipment or instruction is provided for a specialized activity related to physical well-being such as, personal training, dance, martial arts, boxing, yoga, barre and other forms of similar physical exercise. These facilities are typically located in a smaller space due to their focused specialty. Businesses frequently include incidental related services such as, tanning beds, massage and stretch therapy, nutritional programs, café, juice bars, and retail sales.

Laboratory, Research or Commercial (also see Research and Development). A facility that provides controlled conditions in which scientific or technological research, experiments, and measurement may be performed. At the Federal level, four levels of laboratory biosafety have been created. The levels denote the types of actions, administrative (procedures, training or physical controls (protective gear, filtration) that should be used to contain the agent(s) being worked with. Containment means protection of the lab workers, those in the building, and the greater environment. Containment level limited to biosafety levels 1, 2 and 3.

Research and Development. A use that includes activities that businesses undertake to innovate and introduce new products and services, such as biomedical, software and technology development and manufacturing, technically oriented services and training facilities, engineering and consulting, scientific laboratories and clean rooms, office and corporate headquarters. Incidental related commercial and services uses are permitted within this use. Space dedicated to manufacturing and laboratory activities shall be limited to no more than 50% of a building or development.

Exhibit “B”

2.2.1 AG agriculture.

- A. *Permitted Principal Uses.* A property in the AG district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Agricultural and Residential Uses.
 - a. Bed and Breakfast.
 - b. Dwelling, 'For-Sale' Detached.
 - c. Farmlands, including livestock, poultry.
 2. Business Uses.
 - a. Taxidermist.
 3. Semipublic Uses, Utilities.
 - a. Park or Playground.
- B. *Accessory Uses.* A property in the AG district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

1. Privacy and decorative fences and walls.
 2. Home Occupation in a residence.
 3. Family Day Care Home in a residence.
 4. Group Home.
 5. Special Care Home in a detached 'For-Sale' dwelling.
 6. Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities.
 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Barns, stables and similar structures for the housing, repair, storing, or processing of farm products of the property.
 9. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 10. Signs, subject to all of the requirements regulating signage herein.
 11. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the AG district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential and Agricultural Uses.
 - a. Additional 'For-Sale' detached dwelling.
 - b. Greenhouse, Nursery.
 2. Business Uses.

-
- a. Animal Hospital, Veterinarian.
 - b. Broadcasting (Radio or TV).
 - c. Builder's Equipment.
 - d. Carpenter Shop, Woodworking.
 - e. Equestrian Center.
 - f. Golf Course, Driving Range.
 - g. Kennel.
 - h. Special Event Facility.
3. Semipublic Uses, Utilities.
- a. Airport.
 - ~~b. Athletic Facility.~~
 - b. Auditorium.
 - c. Cemetery.
 - d. Church, Synagogue or any other religious institution.
 - e. Club or Lodge.
 - f. Country Club.
 - g. Heliport, Public/Private.
 - h. Utility Substation.
 - i. Wireless Tower.

D. *District Regulations.*

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021)

2.2.11 CUP community unit plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies

district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).
 - p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Distillery.
 - w. Drug Store.
 - x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.
 - z. Extended stay hotel (see Section 2.7).
 - aa. Fitness Studio.

-
- bb. Florist, Retail without Greenhouse.
 - cc. Funeral Home w/no cemetery or mausoleum.
 - dd. Golf, Miniature.
 - ee. Grocery Store.
 - ff. Hardware and Garden Supply Store.
 - gg. Hotel or Motel.
 - hh. Laboratory, Research or Commercial.
 - ii. Laundry, Self-Serve, Pick-up.
 - jj. Liquor Store.
 - kk. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
 - ll. Park, playground.
 - mm. Pet Day Care.
 - nn. Pet Grooming.
 - oo. Print Shop.
 - pp. Public Building.
 - qq. Recreation Facilities, Indoor and Outdoor.
 - rr. Rental Services Establishment without outside storage.
 - ss. Research and Development.
 - tt. Restaurant.
 - uu. Restaurant, with Drive-thru window.
 - vv. Retail Sales and Services Establishments not otherwise listed for this zoning district.
 - ww. Retail Establishment, Mixed Sales.
 - xx. School, Commercial.
 - yy. Shop or Studio, Craftsman/Artist.
 - zz. Spa Services.
 - aaa. Special Event Facility.
 - bbb. Theater, Cinema.
 - 3. Wholesale, Storage and Industrial Uses.
 - a. Laundry, Industrial.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Manufacturing, Light.
 - d. Wholesale Establishment.
 - 4. Semipublic Uses, Utilities.
 - a. Airport, public or private.

-
- b. Amphitheater.
 - ~~c. Athletic Facility, Fitness Studio.~~
 - c. Auditorium.
 - d. Church, Synagogue.
 - e. Club, association or lodge.
 - f. Country Club.
 - g. Fire Station.
 - h. Golf Course, Driving Range.
 - i. Heliport, public or private.
 - j. Hospital.
 - k. Library.
 - l. Museum.
 - m. Park or Playground.
 - n. Power Station.
 - o. School, Academic.
 - p. Switching Station (Telecom).
 - q. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - r. Wireless Tower.

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

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

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

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

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

(Ord. No. 718 , §§ 2, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.13 O-I office-institutional.

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

- A. *Conditional Principal Uses.* A property in the O-I district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank, office or **research and development** use without public hearing subject to Design Review Board Approval.
1. Residential Uses.
 - a. Dwelling, Group (nursing home, children's home, congregate housing, assisted living facility).
 2. Business Uses.
 - a. Bank, Savings and Loan.
 - b. Broadcasting Studio (radio or TV).
 - c. Clinic.
 - d. Congregate Housing.
 - e. Day Care Center.
 - f. Drug Store.
 - g. Office Building or Office Park (**Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan.**)
 - h. Recreational Facilities (Indoor or Outdoor).
 - i. Research and Development.**
 - j. Special Event Facility.
 - k. Theater, Cinema.
 3. Semipublic Uses, Utilities.
 - a. Church, Synagogue.
 - b. Club, association or lodge.
 - c. Golf Course, Driving Range.
 - d. Heliport.
 - e. Hospital.
 - f. Library.
 - g. Museum.
 - h. Public Building.
 - i. School, Academic.
- B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional

use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

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

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

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

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.
8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.

- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.

1. Residential Uses.
 - a. Reserved.
2. Business Uses.
 - a. Animal Hospital, Small Animal.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.

-
- i. Boutique Hotel.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Car Wash.
 - m. Contractor's Office without outside storage.
 - n. Convenience Market with or without gas pumps.
 - o. Dance Studio.
 - p. Distillery.
 - q. Dry Cleaning Pick-up Station.
 - r. Extended Stay Hotel (see Sec. 2.7).
 - ~~s. Fitness Studio.~~
 - t. Florist, Retail without Greenhouse.
 - u. Funeral Home w/out cemetery or mausoleum.
 - v. Golf, Miniature, or Golf Driving Range.
 - w. Hotel/motel.
 - x. Laboratory, Research or Commercial.
 - y. Liquor Store.
 - z. Parking Lot, Commercial.
 - aa. Print Shop.
 - bb. Restaurant.
 - cc. Restaurant, with Drive-thru window.
 - dd. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ee. School, Commercial.
 - ff. Spa Services.
3. Wholesale, Storage and Industrial Uses.
- a. Manufacturing, Light.
4. Semipublic Uses, Utilities.
- a. Airport.
 - b. Amphitheater.
 - ~~c. Athletic Facility.~~
 - d. Auditorium.
 - e. Country Club.
 - f. Fire Station.
 - g. Park or Playground.

-
- h. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - i. Wireless Tower.

D. *District Regulations.*

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

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

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

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

(Ord. No. 718 , §§ 3, 6, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.14 C-1 neighborhood commercial.

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

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Bank, Savings and Loan.
 - d. Barber Shop.
 - e. Beauty Shop.

-
- f. Book Store.
 - g. Carpet and Rug Sales.
 - h. Clinic.
 - i. Dance Studio.
 - j. Day Care Center.
 - k. Drug Store.
 - l. Dry Cleaning Pick-up Station.
 - m. Fitness Studio.
 - n. Florist, Retail Without Greenhouse.
 - o. Hardware and Garden Supply Store.
 - p. Laundry, Self-Serve, Pick-up.
 - q. Nail Salon.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Restaurant.
 - w. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).
 - x. School, Commercial.
 - y. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Library.
 - b. Museum.
 - c. Park or Playground.
 - d. School, Academic.

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

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

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

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

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

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

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

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

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

C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:

1. Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, nursing).
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Athletic Facility.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Brewery.
 - g. Check Cashing.
 - h. Club, association or lodge.
 - i. Contractor's Office without outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Golf, Miniature.
 - m. Grocery Store.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Parking Lot, Commercial.
 - q. Pest Control Business.
 - r. Rental Services Establishment without outside storage.

-
- s. Restaurant, with Drive-thru Window.
 - t. Retail Establishment, Mixed Sales.
 - u. Smoke Shop and Tobacco Store.
 - v. Spa Services.
 - w. Special Event Facility.
 - x. Theater, Cinema.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facility, Fitness Studio.~~
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Hospital.
 - d. Public Building.
 - e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—45%.

Maximum Building Height—35 feet.

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

(Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 6—8, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 4, 7-10-2017; Ord. No. 772 , § 2, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.15 C-2 general commercial.

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

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

2. Business Uses.

a. Art Gallery.

b. Athletic Facility.

c. Automobile Service and Service Station.

d. Automotive Parts.

e. Bakery.

f. Bank, Savings and Loan.

g. Barber Shop.

h. Beauty Shop.

i. Book Store.

j. Bowling Alley.

k. Broadcasting Studio (radio or TV).

l. Carpet and Rug Sales.

m. Clinic.

n. Contractor's Office without outside storage.

o. Convenience Market with or without gas pumps.

p. Dance Studio.

q. Day Care Center.

r. Drug Store.

s. Dry Cleaning Pick-up Station.

t. Fitness Studio.

u. Florist, Retail Without Greenhouse.

v. Grocery Store.

w. Hardware and Garden Supply Store.

x. Home Improvement Store.

y. Laundry, Self-Serve, Pick-up.

z. Liquor Store.

aa. Nail Salon.

bb. Office Building or Park.

cc. Parking Lot, Commercial.

dd. Pet Day Care.

ee. Pet Grooming.

ff. Print Shop.

gg. Rental Services Establishment without outside storage.

hh. Restaurant.

-
- ii. Restaurant, w/Drive-thru Window.
 - jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - kk. Retail Establishment, Mixed Sales.
 - ll. School, Commercial.
 - mm. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- ~~a. Athletic Facilities, Fitness Studio.~~
 - a. Hospital.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. School, Academic.

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

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

1. Dwelling, 'For-Sale' Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:
 - The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.
 - The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.
 - The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.
 - The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.
 - The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.

-
- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.
 - j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).
 - n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Limousine Service and Taxi.
 - s. Massage Therapy (see Sec. 2.7).
 - t. Pest Control Business.
 - u. Spa Services.
 - v. Recreation Facilities, Indoor.
 - w. Recreation Facilities, Outdoor.
 - x. Small Appliance Repair Shop.
 - y. Smoke Shop and Tobacco Store.
 - z. Spa Services.
 - aa. Special Event Facility.
 - bb. Theater, Cinema.
 3. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Public Building.

-
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

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

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

Rear yard—10 feet.

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

Maximum Building Height—40 feet.

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

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.16 PSC planned shopping center.

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

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

1. Residential Uses.

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

2. Business Uses.

- a. Art Galleries.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Brewery.
- g. Book Store.
- h. Car Wash.

-
- i. Carpet and Rug Sales.
 - j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Florist, Retail without Greenhouse.
 - p. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - q. Hardware Store (max. 50,000 SF in the North Point Overlay).
 - r. Home Improvement Store.
 - s. Laundry, Self-Serve, Pick-up.
 - t. Liquor Store.
 - u. Office Building or Park.
 - v. Pest Control Business.
 - w. Rental Services Establishment without outside storage.
 - x. Restaurant.
 - y. Restaurant w/Drive-thru window.
 - z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - aa. Retail Establishment, Mixed Sales.

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

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

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

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

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

b. Athletic Facility.

- c. Automobile Service and Service Station.
- d. Automotive Parts.
- e. Bowling Alley.
- f. Boutique Hotel.
- g. Broadcasting Studio (radio or TV).
- h. Convenience Center with gas pumps.
- i. Dry Cleaning Plant.
- j. Dry Cleaning Plant with pick-up station.

k. Fitness Studio.

- l. Funeral Home with no cemetery or mausoleum.
- m. Greenhouse, Nursery.
- n. Golf, Miniature.
- o. Hotel or Motel.
- p. Nail Salon.
- q. Parking Lot, Commercial.
- r. Pet Day Care.
- s. Pet Grooming.
- t. Print Shop.
- u. Recreation Facilities, Indoor.
- v. School, Commercial.
- w. Shop or Studio, Craftsman/Artist.
- x. Spa Services.
- y. Special Event Facility.
- z. Theater, Cinema.

3. Semipublic Uses, Utilities.

~~a. Athletic Facility, Fitness Studio.~~

- a. Auditorium.
- b. Church, Synagogue.
- c. Club, fraternity, association or lodge.
- d. Heliport, public or private.
- e. Libraries.
- f. Museum.
- g. Park or Playground.
- h. Public Building.

-
- i. Recreational Facilities (Outdoor).
 - j. School, Academic.
 - k. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - l. Wholesale Establishment.
 - m. Wireless Tower.

D. *District Regulations.*

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

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

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

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

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

(Ord. No. 715 , § 2, 9-28-2015; Ord. No. 718 , §§ 3, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 4, 6, 7-10-2017; Ord. No. 767 , §§ 1—3, 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.17 L-I light-industrial.

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

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (home-elderly, children, nursing).
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Automotive Parts.
 - f. Automotive Sales and Leasing.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Builder's Equipment/Material.
 - n. Car Wash.
 - o. Carpenter Shop, Woodworking.
 - p. Carpet and Rug Sales.
 - q. Check Cashing.
 - r. Church, Synagogue.
 - s. Congregate Housing.
 - t. Contractor's Office with and without outside storage.
 - u. Convenience Market with or without gas pumps.
 - v. Dance Studio.
 - w. Day Care Center.
 - x. Discount Store.
 - y. Distillery.
 - z. Drug Store.

-
- aa. Dry Cleaning Pick-up Station.
 - bb. Fireworks Sales.
 - cc. Fitness Studio.
 - dd. Funeral Home.
 - ee. Greenhouse, Nursery.
 - ff. Grocery Store.
 - gg. Hardware and Garden Center.
 - hh. Home Improvement Store.
 - ii. Kennel.
 - jj. Laboratory, Research or Commercial.
 - kk. Laundry, Self-Serve, Pick-up.
 - ll. Limousine Service and Taxi.
 - mm. Liquor Store.
 - nn. Massage Therapy (see Sec. 2.7).
 - oo. Nail Salon.
 - pp. Office Building or Office Park.
 - qq. Parking Lot, Commercial.
 - rr. Pawn Shop.
 - ss. Pest Control.
 - tt. Pet Day Care.
 - uu. Pet Grooming.
 - vv. Print Shop.
 - ww. Recreation Facilities, Indoor and Outdoor.
 - xx. Rental Services Establishment with outside storage.
 - yy. Rental Services Establishment without outside storage.
 - zz. Research and Development.
 - aaa. Restaurant.
 - bbb. Restaurant w/Drive-thru Window.
 - ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - ddd. Retail Establishment, Mixed Sales.
 - eee. Shop or Studio, Craftsman/Artist.
 - fff. Small Appliance Repair Shop.
 - ggg. Smoke Shop and Tobacco Store.
 - hhh. Spa Services.
 - iii. Special Event Facility.

-
- jjj. Tattoo Parlor, Body Piercing.
 - kkk. Taxidermist.
 - III. Theater, Cinema.
 - mmm. Tire Retreading.
 - 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Machine Shop.
 - d. Manufacturing, Light.
 - e. Mini-Warehouse.
 - f. Septic Tank Sales, Construction.
 - g. School, Commercial.
 - h. Storage, Inside and Outside.
 - i. Welding Shop.
 - j. Wholesale Trade Establishment.
 - 4. Semipublic Uses, Utilities.
 - ~~a. Athletic Facility, Fitness Studio.~~
 - a. Amphitheater.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Heliport.
 - e. Hospital.
 - f. Library.
 - g. Museum.
 - h. Park or Playground.
 - i. Public Building.
 - j. School, Academic.
 - k. Switching Station, Telecom.
- B. *Accessory Uses.* A property in the L-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
- 1. Privacy and decorative fences and walls.
 - 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 3. Signs, subject to all of the requirements regulating signage herein.

-
4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:
1. Site design.
 2. Property access.
 3. Hours of operation of the business.
 4. Vehicular trips generated by the use.
 5. Impact of the use on surrounding properties.
 6. Impact of the use on the natural features of the site.

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

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

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

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

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

4.1 *General Standards.*

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

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

4.2 *Additional Permit Application Requirements.*

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

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

a. Unloading and loading areas.

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

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

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

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

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

- A. *Applicability.* This zoning district is applicable to properties located within:
1. Areas that are primarily non-residential in character; or
 2. Along major roadways that are primarily commercial in character; or
 3. Historic Downtown Alpharetta; or
 4. As noted in the Comprehensive Land Use Plan.
- B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.
1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.
 2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
 3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments:* A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses:* In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
 4. *Office/Institutional:* At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
 5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. **Conditional Uses.** A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. Residential Uses:

- a. Dwelling, Group (assisted living facility, congregate housing).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. Commercial Uses:

- a. Art Gallery.
- b. Athletic Facility.
- c. Bakery.
- d. Bank, Savings & Loan.
- e. Barber Shop.
- f. Beauty Shop.
- g. Book Store.
- h. Boutique Hotel.
- i. Brewery.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).

-
- o. Dry cleaning, Pickup Station.
 - ~~p. Fitness Studio.~~
 - q. Florist, Retail.
 - r. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
 - t. Hotel/Motel.
 - u. Liquor Store.
 - v. Nail Salon.
 - w. Office.
 - x. Pet Grooming.
 - y. Print Shop.
 - z. Recreation Facilities, Indoor and Outdoor.
 - aa. Restaurant.
 - bb. Retail Establishment.
 - cc. School, Commercial.
 - dd. Spa Services.
 - ee. Special Event Facility.
 - ff. Theater, Cinema.
3. Semipublic Uses, Utilities:
- ~~a. Athletic Facilities, Fitness Studio.~~
 - a. Church, Synagogue.
 - b. Heliport.
 - c. Library.
 - d. Museum.
 - e. Park or Playground.
 - f. Public Building.
 - g. School, Academic.

D. District Regulations.

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

- E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:
1. Retail, restaurant, office, and personal service uses at ground level.
 2. Pedestrian connectivity to all uses.
 3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
 4. Accommodations for public transportation.
 5. Buildings that face or appear to face public roadways.
 6. Appearance standards for buildings and structured parking.
 7. Limitations on uninterrupted building elevations.
 8. Creation of vistas and view corridors within development.
 9. Focal point features at prominent locations and ends of vistas.
 10. Incorporation of natural site features.
 11. Block lengths conducive to pedestrian traffic.
 12. Detention and retention facilities designed to be aesthetically pleasing.
 13. Creative methods for stormwater management to provide additional open space.
 14. Attractive and usable street furniture in public spaces.
 15. Emphasis on a high quality landscape plan.
 16. Number of office jobs internally captured on-site.
- F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:
1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zoning district subject to the general provisions of the Unified Development Code. An "A" means that the use is permitted as an accessory use in the zoning district subject to the general provisions of the Unified Development Code. An "S" means that the use will be permitted as a subordinate use in that district if a Conditional Use Permit is granted by the City Council. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	A G	R E	R	R - 2 2	R - 1 5	R - 1 2	R - 1 0	R - 4 A	R - 4 D	R- 8A /D	R- 10 M	CU P*	O I*	O P	C - 1	C - 2	P S C	L I	O S- R	S U	M U
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O	S					O		X	
Amphitheater												O	S					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O	S		O	O	S	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	S	O	X	X	O	X			O
Asphalt Plant																		O			
Athletic Facility/ Fit ness Studio	⊖											O	S	⊖	O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks, Vans, Cars and Accessories)												O				O		X			
Automotive Parts												O			O	X	S	X			

Automotive Service & Service Station													O	S			X	S	X				
Bakery													O	S	O	X	X	O	X				O
Bank, Savings and Loan, Mortgage Company													O	O	X	X	X	O	X				O
Barber/Beauty Shop													O	S	X	X	X	O					O
Bed and Breakfast	X	O	O	O	O						X	O			X	X	X						O
Book Store or Stationery													O	S	A	X	X	O	X				O
Bottle Gas Storage and Distribution																			X				
Boutique Hotel													O	S			O	S	O				O
Bowling Alley													O	S		O	X	S	X				
Brewery													O	S		O	O	O	X				O
Broadcasting Studio (Radio and TV)	O												O	O			X	S	X				
Builder's Equipment /Material	O												O				O		X				
Car Wash														S			O	O	X				
Carpenter Shop, Woodworking	O																		X				
Carpet and Rug Sales																X	X	O	X				
Cemetery	O																					O	
Check Cashing																O	O		X				
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	S	X			O	O
Clinic, Public/Private													O	O	X	X	X	O					O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	O	O	O	O	O	S				O	

Concrete Plant																		O				
Congregate Housing, Assisted Living Facility												O	O	O		O	O		X			O
Contractor's Office without outside storage													O	S	X	O	X		X			
Contractor's Office with outside storage													O				O		X			
Convenience Center w/Gas Pumps													O	S			X	S	X			
Country Club	O	O	O	O	O	O	O	O	O	O	O	O	O	S								
Dance Studio													O	S		X	X	O	X			O
Day Care Center													O	O	X	X	X	O	X			O
Discount Store																			X			
Distillery													O	S		O	O	O	X			O
Drug Store (Pharmacy)													O	O		X	X	O	X			O
Dry Cleaning, Pick-Up Station													O	S	O	X	X	S	X			O
Dry Cleaning, Plant																			O			
Dwelling, 'For-Sale', Attached								X		X	X	O						O				O
Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O						O				O
Dwelling, 'For-Rent'												X	O									O
Dwelling, Group												O	O	O		O	O					O
Equestrian Center	O	O	O	O	O								O								X	

Extended Stay Hotel (see Section 2.7)													O	S			O		O				
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	X	O										
Farmlands (including Livestock, poultry)	X																						
Fire station													O	S								X	
Fireworks Sales																			X				
<u>Fitness Studio</u>													<u>O</u>	<u>S</u>	O	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>				<u>O</u>
Florist, Retail													O	S	O	X	X	O					O
Funeral Homes with no cemetery or mausoleum													O	S		O	O	S	X				
Glass Fabrication																			O				
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O	O					O			X	
Golf, Miniature													O	S		O	O	S				X	
Greenhouse, Nursery	O																O	S	X				
Grocery Store													O			O	X	O	X				O
Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X						O										
Hardware and Garden Supply Store													O			X	X	O	X				O

Heliport, Public/Private	O											O	O				S	X		X	O
Home Improvement Store																X	O	X			
Home- Elderly, Children, Nursing										O	O	O		O	O			X			
Hospital											O	O		O	X			X		X	
Hotel or Motel											O	S		O	O	S					O
Indoor Shooting Range																		O			
Junk/Salvage Yard																		O			
Kennel	O																	X			
Laboratory , Research Commercial											O	S						X			
Laundry, Industrial											O							O			
Laundry, Self-Serve, Pick-Up											O			X	X	O		X			
Limousine Service and Taxi (with or without outside vehicle storage)															O			X			
Liquor Store											O	S		O	X	O		X			O
Locker, Frozen Food or Cold Storage											O							X			
Machine Shop																		X			
Manufacturing, Heavy, General																		O			
Manufacturing, Light											O	S						X			
Massage Therapy															O			X			

Medical Cannabis or Marijuana Dispensary																		O			
Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries											O	O		X	X	S	X			X	O
Nail Salon											O			X	X	S	X				O
Office											O	O	X	X	X	O	X				O
Park or Playground	X	X	X	X	X	X	X	X	X	X	O	S	X	X	X	S	X	X	X	O	
Parking Lot, Commercial											O	S		O	X	S	X				
Pawn Shop																	X				
Pest Control Business (with or without onsite chemical storage)														O	O		X				
Pet Day Care											O			X	X	S	X				
Pet Grooming											O			X	X	S	X				O
Power Station											O						O		O		
Print Shop											O	S	A	X	X	S	X				O
Prison																			O		
Public Building											O	O	O	O	O	S	X		O	O	
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards,											O	O			O	S	X				O

Sewage, Disposal Plant																			O			
Shop or Studio, Craftsman/ Artist												O			O	X	X	S	X			
Small Appliance Repair Shop																	O		X			
Smoke Shop and Tobacco Store																O	O		X			
Spa Services												O	S	O	O	O	S	X				O
Special Event Facility	O											O	O		O	O	S	X				O
Storage, Inside																			X			
Storage, Outside																			X			
Switching Station (Telecom)												O							X			
Tattoo Parlor and Body Piercing																			X			
Taxidermist	X																		X			
Theater, Cinema												O	O		O	O	S	X				O
Tire Retreading																			O			
Transfer Station																			O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	S	O	O	O	S	O	O	X		
Welding Shop																			X			
Wholesale Establishment												O					S	X				
Wireless Tower (subject to approval of conditional use permit	O											O	S			O	S	O			O	

in accordanc e with Section 2.8.7)																					
--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

(Ord. No. 671, § 1, 2-4-2013 ; Ord. No. 675, § 1, 6-3-2013 ; Ord. No. 692, § 1(Exh. 1), 7-21-2014 ; Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 4, 9-28-2015; Ord. No. 718 , § 14(Exh. B), 12-14-2015; Ord. No. 730 , § 5, 12-5-2016; Ord. No. 741 , § 5(Exh. A), 6-5-2017; Ord. No. 744 , § 7(Exh. A), 7-10-2017; Ord. No. 767 , § 7(Exh. C), 10-22-2018; Ord. No. 772 , § 8(Exh. A), 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

Exhibit “C”

SECTION 2.3 SUPPLEMENTARY REGULATIONS

2.3.1 General exemptions.

- A. *Heights—Exclusions.* The following structures are exempt from the height limitations imposed within each zoning district:
1. Church spires, cupolas, and chimneys.
 2. Agricultural accessory structures, such as barns, silos, windmills, and the like.
 3. Parapets and structures used for ornamental or aesthetic purposes not to exceed twelve (12) feet.
 4. Elevator penthouses not to exceed fifteen (15) feet.
 5. Mechanical equipment on building roofs or rooftop antennas provided any such equipment exceeding 12 feet in height shall be contained within a structure or otherwise screened from ground view from adjoining streets and properties.
- B. *Front Yard Requirements—Existing Residential Areas.* The setback requirements of this Ordinance shall not apply to any residential lot where the average setback on developed lots located adjacent to and on each side of such lot and within the same zoning district and fronting on the same street as such lot is less than the minimum required setback. In such cases, the setback of such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. In no case, however, shall setbacks be less than 15 feet.
- If the adjacent developed lots on both sides of a vacant residential lot, within the same zoning district and fronting on the same street as such lot, have front yard setbacks greater than the minimum required by the zoning district, then the minimum setback on the vacant lot shall be the average of the 2 adjacent developed lots.
- C. *Double Frontage Lots.*
1. Double frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A landscaped or natural buffer of at least twenty feet (20'), across which shall be the right of access, shall be provided along the line of lots abutting such a traffic artery.
 2. On lots having frontage on two (2) streets, but not located on a corner, the minimum front yard setback requirement shall be provided along each street frontage.
 3. Double frontage lots shall obtain access from the street with the lower functional classification, unless this poses a safety hazard or would otherwise be impractical.
- D. *Setbacks—Exclusions.*
1. No building or structure or projection thereof, including porch, deck, terrace or chimney, shall be erected closer to a property line than the applicable setback regulation prescribed herein allows. However, uncovered steps, patio slabs, driveways, walkways, retaining walls of no more than 4' in height, and roof overhangs of up to 18" may be located within setback areas.
 2. Required setbacks may accommodate vegetated runoff reduction measures, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City.
- E. *Flag Lots.*

-
1. Flag lots are prohibited for residential development. Residential building sites must meet minimum lot width requirements at the front setback line or at twice the required front setback for cul-de-sac lots.

(Ord. No. 730 , § 6, 12-5-2016; Ord. No. 732 , § 2, 2-6-2017)

2.5.6 Public street access.

- A. *Access to Parking Lots.* A plan of entrances, exits and storm water drainage shall be submitted to the Department of Community Development and approved prior to the issuance of a development permit for off-street parking lots, whether public or private. Installation of entrances, exits and drainage systems shall have been completed prior to the issuance of a certificate of occupancy. All curb cut locations as well as widths shall comply with the Alpharetta Standard Drawings.
- B. *Driveways and Curb Cuts.* Local structures may have access points to parking lots as needed to fit the development, in accordance with professional traffic engineering practice. In general, curb cuts shall be spaced at least 300 feet apart and be located at least 300 feet away from a street intersection. A curb cut on a residential lot may be closer than 300 feet from a curb cut on an adjacent lot, but an individual residential lot shall not have more than one (1) curb cut per 300 feet of street frontage.
- C. *Vision Clearance.* In all districts no fence, wall, shrubbery or other obstruction to vision between the heights of 2½ feet and 10 feet above the finished grade of streets shall be erected, permitted or maintained within 20 feet of the intersection of the right-of-way lines of streets.

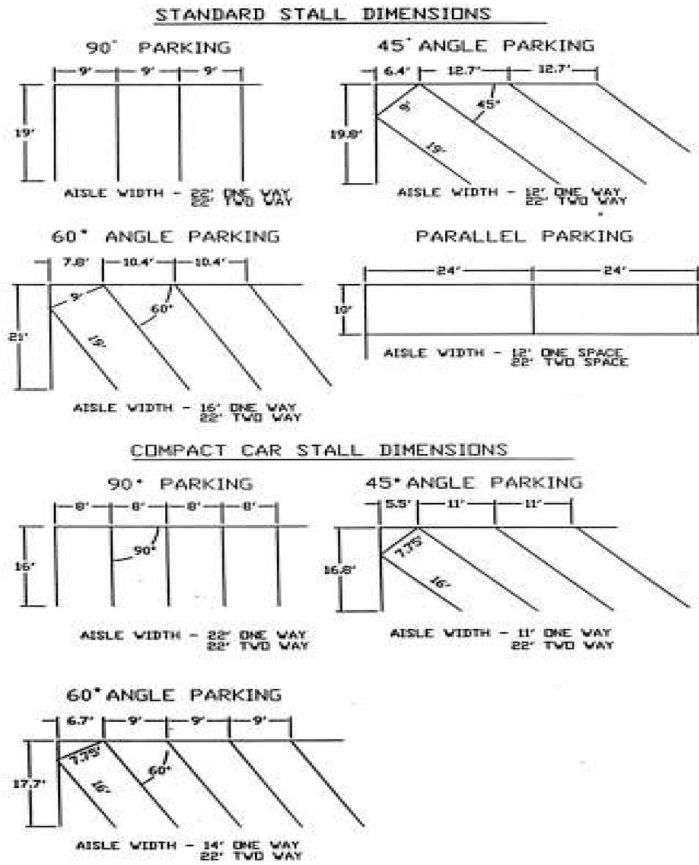
(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017)

2.5.9 Prohibited parking.

- A. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, no person shall:
 - 1. Park a vehicle, except temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers, in acceleration or deceleration lane; or
 - 2. Park a vehicle overnight in a cul-de-sac located in a residential district.
 - 3. Park a vehicle on an unpaved surface in any commercial district, the front yard of a residence or the side or rear yard if the side or rear yard faces fronts on the street, except as provided for in Subsection 2.5.5(F).
- B. The City may, but is not required to, post no parking signs in areas where parking is prohibited in Paragraph 'A' above, and the failure to post signs shall not excuse any person from compliance with Paragraph 'A'.
- C. Paragraph 'A' of this section shall not apply to the driver of any vehicle which is disabled while on the roadway in such a manner and to such extent that is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.
- D. No inoperable vehicle shall be parked or stored on a street within a residential district. An automobile or other vehicle shall be deemed inoperable if it meets any one of the following criteria:
 - 1. It does not meet the Official Code of Georgia requirements for operating on a public street;
 - 2. It is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;
 - 3. It is not operable on the public streets because it is not currently registered with the Georgia Department of Motor Vehicles;
 - 4. It is not capable of being operated on a public street due to missing or inoperable mechanical or electronic parts; or
 - 5. It has been continuously parked in the same location for a period of thirty (30) consecutive days.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

TABLE 2.3 - PARKING LOT STANDARDS



NOTES:

1. FIRE LANES SHALL BE A MINIMUM OF TWENTY-FOUR (24) FEET.
2. DIMENSIONS SHOWN FOR PARKING STALLS ARE MINIMUM. COLUMNS & OTHER OBSTRUCTIONS WILL BE ALLOWED IN THE FRONT TWO (2) FEET AND REAR FIVE (5) FEET OF THE LENGTH OF THE STALL, AND SHALL NOT INTRUDE MORE THAN SIX (6) INCHES INTO THE WIDTH OF THE STALL.
3. REFERENCE CITY OF ALPHARETTA STANDARD PLANS FOR CONSTRUCTION DETAILS.

Table 2.3.a Alternative Criteria for Off-Street Parking

The following are recommended alternative criteria for off-street parking design to reduce impervious area of the site.

Angle	Base Module	Vehicle Projection	Aisle Width	Single Loaded Module	Wall to Interlock	Interlock to Interlock	Curb to Curb	Overhang
θ	M ₁	VP	A	M ₂	M ₃	M ₄	M ₅	Overhang
30	41'-2"	15'-1"	11'-0"	26'-1"	37'-6"	33'-10"	38'-8"	1'-3"
45	47'-0"	17'-7"	11'-10"	29'-5"	44'-0"	41'-0"	43'-6"	1'-9"
60	51'-6"	19'-0"	13'-6"	32'-6"	49'-4"	47'-2"	47'-2"	2'-2"
90	59'-0"	18'-0"	23'-0"	41'-0"	59'-0"	59'-0"	54'-0"	2'-6"

	Low Turnover			Medium Turnover			High Turnover	
Angle	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock
Θ	WP	I	WP	I	WP	I	WP	I
30	16'-6"	3'-7"	17'-0"	3'-8"	16'-6"	3'-9"	18'-0"	3'-11"
45	11'-8"	2'-11"	12'-0"	3'-0"	12'-4"	3'-1"	12'-9"	3'-2"
60	9'-6"	2'-1"	9'-10"	2'-2"	10'-1"	2'-2"	10'-5"	2'-3"
90	8'-3"	0'-0"	8'-6"	0'-0"	8'-9"	0'-0"	9'-0"	0'-0"

Source: Urban Land Institute (2010). The Dimensions of Parking, Fifth Edition. National Parking Association.

Notes: Recommendations assume (1) one-way traffic for aisles less than 90 degrees, and two-way traffic for 90 degree parking; (2) double loaded aisles; and (3) a design vehicle that is 6'7" by 17'3".

Exhibit “D”

3.4.2. Use Table Key.

- A. Permitted Use (X). Indicates a use is permitted in the respective district. The use is also subject to all other applicable requirements of the Unified Development Code.
- B. Conditional Use (O). Indicates a use may be permitted in the respective district only where approved by the City Council in accordance with Section 4.2 of the Unified Development Code. Conditional uses are subject to all other applicable requirements of the Unified Development Code, including any applicable use standards, except where the use standards are expressly modified by the City Council as part of the conditional use permit approval.
- C. Use Not Permitted. An empty cell indicates that a use is not permitted in the respective district.

Key: X = Permitted Use O = Conditional Use Empty Cell = Use Not Permitted				
Use Category	Downtown Zoning Districts			
Specific Use	DT-C	DT-MU	DT-LW	DT-R
Open Uses				
Community Garden	X	X	X	X
Equestrian Center				
Farmlands (including Livestock, poultry)				
Greenhouse, Nursery				
Residential Uses				
Household living (see district regulations for additional density and Conditional Use Permit requirements):				
Dwelling, 'For-Sale,' Attached	X	X	X	X
Dwelling, 'For-Sale,' Detached	X	X	X	X
Dwelling, 'For-Rent'	O	O		
Group living:				
Congregate Housing, Assisted Living Facility	O	O		
Home-Elderly, Children, Nursing	X	X		
Public/Institutional Uses				
Associations, (Clubs & Lodges)	O	O	O	O
Cemetery				
Church, Synagogue, Other Place of Worship	O	O	O	O
Country Club				
Fire Station	X	X		
Golf Course, Driving Range				
Museums & Libraries	X	X	O	
Park and Playground	X	X	X	X
Power Station				
Prison				
Public Building	O	O	O	
Sewage, Disposal Plant				
School, Academic	O	X	O	
School, Commercial (Beauty, Business)	X	X	O	
Utility Substation	O	O	O	O
Telecommunications				
Antenna Tower				

Broadcasting Studio (Radio & TV)	O	O	O	
Switching Station (Telecom)				
Commercial Uses				
Adult Entertainment Establishment				
Amphitheater	O	O	O	
Animal Hospital, Small Animal (Veterinarian)	O	O		
Animal Hospital, Large Animal		O		
Art Galleries	X	X	O	
Athletic Facility/ Fitness Studio	X	X	O	
Auditorium	O	O	O	
Auto Sales and Leasing (Trucks, Vans, Cars & Accessories)		O		
Automotive Parts	X	X		
Automotive Service		X		
Bakery (under 8,000 square feet in floor area)	X	X	O	
Bakery (8,000 square feet or more in floor area)		X		
Bank, Savings & Loan, Mortgage Company	X	X	O	
Barber Shop	X	X	O	
Beauty Shop	X	X	O	
Bed & Breakfast	X	X	O	O
Book Store or Stationery	X	X	O	
Boutique Hotel	O	O		
Brewery	O	O		
Car Wash				
Carpet and Rug Sales	O	O		
Check Cashing		O		
Clinic, Public/Private	X	X	O	
Contractor's Office (with no outside storage)	O	X	O	
Contractor's Office (with outside storage)		O		
Convenience Center (with gas pumps)		X	O	
Dance Studio	X	X	O	
Day Care Center	O	X	O	
Discount Store				
Distillery	O	O		
Drug Store, Pharmacy	X	X	O	
Dry Cleaning, Pick-Up Station	X	X		
Fitness Studio	X	X	O	
Florist, Retail (with no greenhouse)	X	X	O	
Florist, Retail (with greenhouse)		O		
Funeral Home (with no cemetery or mausoleum)	O	O	O	
Golf, Miniature		O		
Grocery Store (under 2,000 square feet in floor area, located at a street corner, and limited to one per block)	X	X	O	
Grocery Store (2,000 square feet or more in floor area)	X	X		
Hardware & Garden Supply Store (under 8,000 square feet in floor area)	X	X		

Hardware & Garden Supply Store (8,000 square feet or more in floor area)		X		
Home Improvement Store		X		
Hospital		O		
Hotel	O	O		
Indoor Shooting Range				
Kennel				
Laundry, Self-Serve, Pick-Up		X		
Liquor Store	O	O		
Massage Therapy		O		
Nail Salon	X	X	O	
Office	X	X	X	
Outdoor Recreational Facilities (Commercial) (Playfields, etc.)	O	O	O	
Parking Lot, Commercial (under 30 spaces)	O	O	O	
Parking Lot, Commercial (30 spaces or more)	O	O		
Pawn Shop				
Pet Day Care (with no overnight boarding)	X	X	O	
Pet Grooming	X	X		
Print Shop	X	X	O	
Recreation Facilities, Indoor (Health Clubs, Bowling Alley, Skating Rink, Billiards, Children's event facilities, etc.)	O	O	O	
Rental Services Establishment with no outside storage	O	X		
Restaurant (see Accessory Uses for additional drive-through requirements)	X	X	O	
Retail Establishment (with no mixed-sales)	X	X	O	
Retail Establishment (with mixed-sales)	O	O		
Service Station, Automotive		X		
Shop or Studio, Craftsman/Artist	X	X	O	
Small Appliance Repair Shop	O	O		
Spa Services	O	O	O	
Special Event Facility	O	O		
Tattoo Parlor & Body Piercing				
Theater, Cinema	O	O		
Industrial Uses				
Asphalt Plant				
Bottle Gas Storage & Distribution				
Builder's Equipment/Material				
Carpenter Shop, Woodworking (under 8,000 square feet in floor area)	O	O		
Carpenter Shop, Woodworking (8,000 square feet or more in floor area)				
Concrete Plant				
Dry Cleaning, Plant				
Glass Fabrication (under 8,000 square feet in floor area)				

Glass Fabrication (8,000 square feet or more in floor area)	O	O		
Junk Yard				
Laboratory, Research Commercial				
Laundry, Industrial				
Locker, Frozen Food or Cold Storage				
Machine Shop				
Manufacturing, Heavy, General				
Manufacturing, Light, Limited (under 8,000 square feet in floor area)	O	O		
Manufacturing, Light, Limited (8,000 square feet or more in floor area)				
Mini-warehouse Storage, Conditioned or Unconditioned Space				
Pest Control Business (with or without onsite chemical storage)		O		
Recycling Center				
Rental Services Establishment with outside storage (other than auto related)				
Salvage Yards				
Sawmill				
Septic Tank, Sales, Construction				
Storage, Inside				
Storage, Outside				
Taxidermist				
Tire Retreading				
Transfer Station				
Welding Shop				
Wholesale Storage and Distribution				
Transportation Uses				
Airport, Public/Private				
Heliport, Public/Private				
Limousine Service & Taxi (with or without outside vehicle storage)		O		
Accessory Uses				
Clubhouse, swimming pool, or community recreation facilities serving a development	X	X	X	X
Drive-Through Window		O		
Dwelling, 'For-Sale', Accessory	X	X	X	X
Family Day Care Home	X	X	X	X
Group Home				
Home Occupation	X	X	X	X
Live-Work	X	X	X	
Parking Garage	X	X	O	
Privacy and decorative fences and walls	X	X	X	X

Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.	X	X	O	
Retaining walls and other site improvement structures approved as part of the development permit.	X	X	X	X
Signs, subject to all of the requirements regulating signage of the district.	X	X	X	X
Special Care Home	X	X	X	X
Swimming pool, tennis court, detached garage, play house, green house, storage shed, patio, gazebo and other private recreation facilities	X	X	X	X
Vehicle access, parking and loading areas	X	X	X	X

(Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 808 , § 4(Exh. D), 9-8-2020; Ord. No. 836 , § 1(Exh. C), 10-4-2021)



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-22-02 FOUNDERS HALL/63 SOUTH MAIN STREET PARKING IN-LIEU

CITY COUNCIL:

MARCH 28, 2022

II. RECOMMENDATION:

Deny PH-22-02 Founders Hall/63 South Main St Parking In-Lieu request for parking in-lieu fees.

If approval is considered, the following conditions are recommended:

1. Developer shall pay a lump sum fee of \$86,500 prior to the 1st TCO/CO for the building.
2. Property owner shall prohibit on-site employee parking for retail and restaurant businesses in the associated lease agreements.
3. If a use is enlarged or replaced by a use that requires more parking, the additional parking requirement shall require City Council approval of a Parking In-Lieu Fees or Parking Special Exception request.

III. REPORT IN BRIEF:

The applicant, South Main Development Partners, LLC, requests to allow vehicular parking requirements for approximately thirteen (13) parking spaces to be satisfied through the payment of parking in-lieu fees for a 28,124 square foot office and retail building located in the Downtown Overlay. The subject property is located at 63 South Main Street.

DISCUSSION

The submitted request, if approved, would allow vehicular parking requirements for approximately thirteen (13) parking spaces to be satisfied through the payment of parking in-lieu fees for a 28,124 square foot office and retail building located in the Downtown Overlay. The subject property is located at 63 South Main Street.

The 0.69-acre property is zoned C-2 (General Commercial) and is developed with two (2) commercial buildings. Surrounding properties are zoned C-2, except that the property to the east is zoned MU (Mixed Use). The Kell Building and Bagwell property are located to the north, Holbrook properties to the west, Alpharetta Outfitters to the south and an undeveloped City Center property to the east. The Comprehensive Land Use Plan designation of the property is 'Central Business District'.

The applicant intends to redevelop the property with a three (3) story, 28,124 square foot building called Founders Hall, which includes retail, restaurant, and office uses. The main level of the building is 8,796 square feet and the 2nd and 3rd levels are 9,664 square feet each. There are 63 parking spaces proposed, with 44 spaces below the building and 19 surface spaces.

Within the Downtown Overlay, parking can be met with off-street parking located on-site, as well as on-street parking located adjacent to and on the same side of the street as the site. If parking cannot be satisfied as described above, an applicant may pursue Parking In-Lieu Fees or a Parking Special Exception. Parking In-Lieu Fees allows parking requirements to be satisfied through payment of parking in-lieu fees according to the table below. A parking special exception is required when some or all of the required parking is not satisfied on-site and/or with adjacent on-street parking and the requirement is not satisfied through parking in-lieu fees.

Parking In-Lieu Fee Schedule

If the Number of Required Spaces Satisfied through In-Lieu Program is Between:	The Fee Due is:
1—5 spaces	\$4,500 per space
6—20 spaces	\$22,500 + \$8,000 per space over 5
21—40 spaces	\$142,500 + \$14,000 per space over 20
41 spaces and greater	\$422,500 + \$20,000 per space over 40

As shown in the table below, 76 parking spaces are required for the applicant's proposed uses. The site plan reflects 63 parking spaces on-site and no on-street parking adjacent to the property, which represents approximately 83% of the required parking. Based on the Parking In-Lieu Fee Schedule above, a shortage of thirteen (13) parking spaces would require a lump sum payment of \$86,500.00 in parking in-lieu fees.

Use	Area (Bldg. level)	Parking Rate (space/SF)	Required Parking
Retail/restaurant	8,796 SF (Main)	1/500 SF	18
Office	19,328 SF (2 nd /3 rd)	3/1,000 SF	58
TOTAL			76

The table below identifies Downtown public parking facilities, including number of spaces, peak utilization, and approximate walking distance to the applicant's property. Peak utilization for surface parking lots and on-street parking is derived from the *Downtown Alpharetta Parking Study* (June 2018), while the Milton Avenue parking deck and City Center parking deck utilization is based on Staff observations (pre-pandemic). Parking facilities closest to the applicant's property are approximately 700' – 750' away and have a peak utilization of 90 – 100%. The Roswell Street parking lot has the greatest available capacity but is approximately 1,300' from the applicant's property.

Parking Facility	Number of Spaces	Peak Utilization	Distance to Subject Property
City Center Parking Deck	601*	70%	~1,100'
Milton Avenue Parking Deck	260	65%	~1,500'
Old Roswell Street Parking Lot	66	90-100%	~750'
Roswell Street Parking Lot	77	30-60%	~1,300'
On-street spaces	191	90-100%	~700'

*Approximately 100 spaces are reserved for the Alpharetta-Fulton County Library, 86 spaces reserved for the City Center apartments and 82 spaces in the new portion of the deck reserved for Data Scan.

In 2015, a shared parking study was prepared for Alpharetta City Center to determine the shared parking demand for City Hall, the Alpharetta Branch Library, For-Rent residential units, office, and retail/restaurant uses. The study determined that at build-out, if parking is shared between all land uses, City Center would need approximately 917 parking spaces. The study concluded that the 973 parking spaces provided in the City Center parking decks, surface parking lot and on-street parking would yield a surplus of 56 parking spaces, if parking was not reserved. However, with approximately 242 parking spaces reserved (gated access) for City Center apartment residents and another 182 parking spaces reserved (marked) for the Library and Data Scan, surplus parking is likely minimal or non-existent.

PARKING IN-LIEU FEES REVIEW CRITERIA

City Council shall consider the following in reviewing an application for parking in-lieu fees:

a. The availability of parking in the Downtown Overlay:

Response: As shown in the table above, there are a number of public parking facilities in the Downtown. However, the closest facilities to the applicant's property are approximately 700' away and have the highest peak utilization. An article from the National Parking Association, PARKING magazine, states that parking designers typically use a maximum walking distance of 300' – 600' for retail customers and 1,200' – 1,500' for employee parking. Excluding the five (5)

on-street spaces in front of the Kell Building, the nearest public parking facilities to the applicant's property exceed the maximum walking distance for retail customers.

b. The availability of alternative transportation in the Downtown Overlay;

Response: MARTA bus routes 141 and 185 service the Alpharetta area. However, neither bus route provides service along this stretch of South Main Street. The nearest bus stop is located approximately 1,400' away (measured as the most direct pedestrian path) near the corner of Haynes Bridge Road and Old Milton Parkway.

c. The impact on the public health, safety, and general welfare; and

Response: The subject property has only one point of vehicular access and a limited turnaround area. If the required parking is not provided on the subject property, vehicles could cue up within the development waiting for parking resulting in illegal parking within the development, obstruction of emergency vehicle access, illegal parking on nearby private property and cuing of vehicles onto South Main Street.

d. Other considerations deemed material to the application by city council.

Response: The applicant also proposes a parking special exception to allow the balance of the parking requirements, six (6) to thirteen (13) parking spaces, be met off-site on the adjacent property to the rear of the subject property. This request, if based on a permanent parking agreement, would be more appropriate for consideration given the close proximity of the additional off-site parking to the uses it serves.

CONCURRENCES

Staff has reviewed the applicant's proposal against the review criteria for a request for parking in-lieu fees. Public parking facilities are not located within a walkable distance for retail customers and alternative transportation is not provided within a walkable distance. Parking facilities with the greatest available capacity are located furthest from the applicant's property. There are concerns that, if approved, parking problems could result in illegal parking, vehicles cuing within the drive aisle of the development, and vehicles cuing onto South Main Street.

CITIZEN PARTICIPATION PLAN

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

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on March 9, 2022. There were no public comments.

IV. ATTACHMENTS:

- Site Plan



STAFF REPORT

Submitting Department: Community & Economic Development

Submitted By: Kathi Cook

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: ALPHA LOOP DOWNTOWN LINK - PLANNING SERVICES TASK ORDER

II. RECOMMENDATION:

Approve Task Order 1-Downtown Alpha Link Framework Plan in the amount of \$67,538 to Starr Whitehouse, under their contract for on-Call Planning Services

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$67,538

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Alpha Loop (Series 2016 Bond; 31741100-541420-C1712)	\$67,538

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-	\$0.00

IV. REPORT IN BRIEF:

The Alpha Loop has proven to be a top resident trail for recreation as well as a dynamic economic driver since its original conception in 2015. Several private developments have advanced the City's concept by incorporating the Loop as amenity space within new developments and redevelopments. Continuing the Alpha Loop expansion through the Downtown District and determining the best connections to alleys, parking facilities and street crossings is vital in order to provide staff with information needed to obtain required easements as part of development. The scope of this project will include studying existing downtown roads, parking locations and alley grid to determine a concept plan that will connect the Downtown Spur to Wills Park, the Alpha Loop along Devore Road, and recommendations for an improved pedestrian crosswalk at Old Milton Parkway to connect to the main spur at Northwinds that will connect in the future to the North Point Ecco District. Concept plans will be developed for key crossings at Old Milton Parkway, Roswell Street and South Main Street.

This effort will be led by Starr Whitehouse, recently awarded an On-Call Planning Services contract with the City. Under this task order, a district-wide framework plan for the Alpha Loop Downtown Link will be developed to further walkability within the Downtown District and enhance connections to the rest of the City. Invoices will be based on the billing rates established in the Master On-Call Contract.

V. ALTERNATIVES:

VI. ATTACHMENTS:

Alpha Loop Downtown_Proposal REV 1

STARR WHITEHOUSE

Landscape Architects
and Planners PLLC

437 Memorial Drive SE, Suite A2
Atlanta, Georgia 30312
470.440.3401

March 2, 2022

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



Contract Name: On-Call Planning Services
Contract Number: 22-1001A
Task Order Name: Alpha Loop Downtown Link
Task Order Number: 01

Dear Mr. Woodman,

Starr Whitehouse (the “Consultant”) is pleased to present you (the “City”) with this revised proposal for planning and concept design services for the Alpha Loop Downtown Link. Revisions are based on the comments received from the City on 2/23/22. Included is a general project understanding derived from the scoping meeting held on 1/31/22, and a detailed scope of work organized by task, a schedule for completing the work, and a proposed fee using the hourly rates authorized under the parent contract. For this task order, Starr Whitehouse will supplement our internal team of urban designers, planners, and landscape architects with transportation engineers from Columbia Engineering.

We are happy to modify the scope and fee of this proposal as needed to better suit the project needs. We look forward to working with you on this exciting task.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacob Lange', is written over a horizontal line.

Jacob Lange
Principal / Director, Starr Whitehouse Atlanta

J. Lange to M. Woodman

02/28/22

Page 2

PROJECT UNDERSTANDING

Alpharetta has experienced unprecedented growth since the Alpha Loop was originally planned. Development continues to boom, with hotels, offices, multi-family residences, and mixed-use lifestyle centers in various stages of development emerging throughout the downtown district. Alpharetta's developers understand the added value that a connection to the Alpha Loop brings, and they have shown an eagerness to build-out the trail on behalf of the city. Establishing a clear and comprehensive vision for the downtown trail is critical to maximizing the public benefit of these private investments and ensuring a cohesive and connected Alpha Loop system.

Under this task order, Starr Whitehouse will develop a district-wide framework for the Alpha Loop Downtown Link that will provide for a dynamic, yet cohesive, public realm experience aligned to the unique opportunities and constraints of the urban context. We will consider recent and upcoming development, access to public rights-of-way and easements, safe and efficient roadway crossings, opportunities for catalyzing future development, and connectivity to the broader trail system. Using these key considerations as metrics for success, we propose a four-prong approach:

1. Analyze opportunities and constraints through asset mapping using key considerations.
2. Develop a preferred trail alignment based on the outcomes of the analysis and create a conceptual plan report.

STUDY AREA

The study area is defined by the boundary created by Roswell Street on the west, Milton Avenue on the north, Park Street on the east, and Devore Road on the south with an approximate one-quarter mile offset in all directions (figure 1).

J. Lange to M. Woodman

02/28/22

Page 3

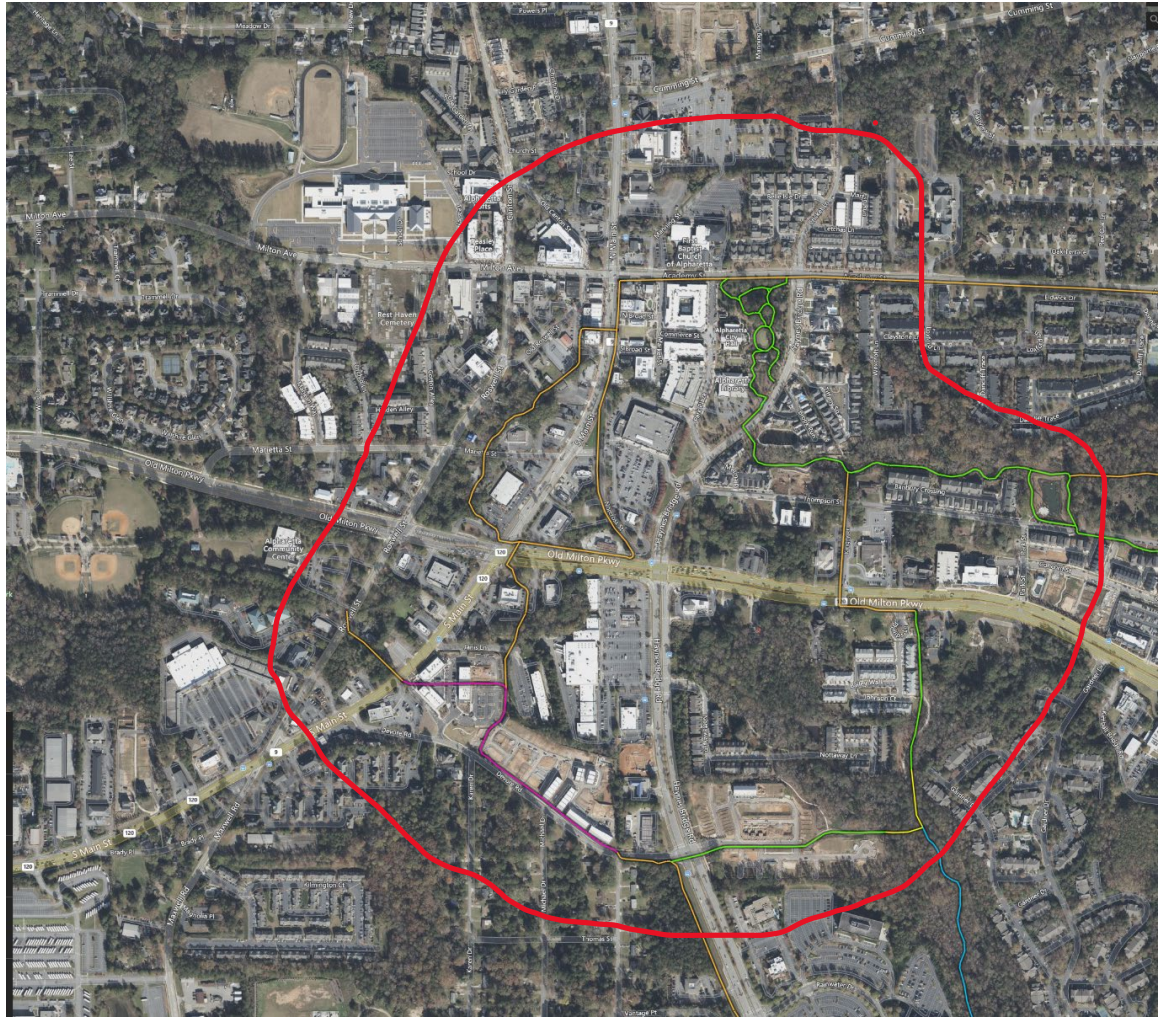


Figure 1: Approximate Study Area

SCOPE OF WORK

1. Analyze opportunities and constraints

Overview

- Collect existing data from the City including, but not limited to, proposed GDOT plans; traffic data, crash data, geometrics, and signal info; City-controlled property (including easements); current and anticipated future land use; historically or culturally significant properties; topographic data; natural

J. Lange to M. Woodman

02/28/22

Page 4

resources; traffic counts; stormwater utilities; plans for DeVore Road realignment; and as-built and/or proposed plans for Wills Park.

- Identify gaps in existing data and determine the availability of supplemental data through alternative sources such as the Atlanta Regional Commission, Fulton County, local CIDs, and open-source databases. Columbia Engineering to assist in identifying and acquiring needed data.
- With the assistance of Columbia Engineer's transportation engineers, analyze existing traffic dynamics and roadway geometrics on Old Milton Parkway from Roswell Road to Park Street, and on S. Main Street from Devore Road to Old Milton Parkway, including the evaluation of three potential crossings at Old Milton Parkway and one potential crossing at S. Main Street and Devore Road.
- Produce a series of maps and diagrams that identify assets and reveal opportunities for trail connectivity, private investment, integration with existing and potential public open space, green infrastructure, and place making.
- Assemble a visual character survey of the district and identify opportunities for establishing a cohesive design language. Depending on the results of the analysis, the creation of sub-districts may be warranted to ensure contextual appropriateness and flexibility for implementing the framework.
- Establish a set of key metrics/objectives by which the trail alignments and typologies developed in subsequent tasks will be evaluated.

Deliverables

- Series of asset maps and diagrams accompanied by a narrative description of findings.
- Traffic analysis for Old Milton Parkway and South Main Street.
- Visual character survey consisting of images and sketches describing existing details, features, and experiential qualities keyed to a district map.
- List and description of key metrics/objectives.

Duration

- 6 weeks
 - Data collection – 2 weeks
 - Asset mapping and visual character survey – 3 weeks
 - Key metrics/objectives – 1 weeks

Meetings

- Kick-off meeting (virtual) = 3 staff @ 1 hour each
- Review of asset mapping and visual character survey (virtual) = 3 staff @ 1 hour each
- Working session to brainstorm key metrics/objectives (in-person) = 3 staff @ 2 hour each

J. Lange to M. Woodman

02/28/22

Page 5

2. Preferred Trail Alignment

Overview

- Using the analysis and recommendations from the previous tasks, develop a preferred trail alignment and communicate it through a series of illustrative plans drawn at the sub-district scale. Plans will be annotated and will serve as the framework for future trail design and implementation within the district.
- Columbia Engineering will assist in reviewing roadway crossing concepts, particularly at the Old Milton Parkway crossing.
- Supplement plans with rendered sections, perspectives, diagrams, and precedent images that communicate specific features and programs along the trail.
- Consultant will present a first draft of the preferred trail alignment to the City for review and comment. Following this review period, a final preferred alignment will be created.
- Identify opportunities along the preferred trail alignment that will activate the trail and adjacent parcels, establish a sense of place, leverage existing open space assets, manage stormwater, and elevate the experience of the trail user.

Deliverables

- Series of illustrative and annotated trail alignment plans drawn at the sub-district scale.
- Supplementary design documentation including rendered sections, perspectives, diagrams, and precedent images.
- Final report that combines the deliverables of this and all previous tasks into a single, organized document for record.

Duration

- 9 weeks
 - Draft preferred alignment – 4 weeks
 - Final preferred alignment – 3 weeks
 - Final report preparation – 2 weeks

Meetings

- Ground truthing site visit = 2 staff @ 4 hours each
- Review draft preferred alignment (virtual) = 3 staff @ 1 hour each
- Review final preferred alignment (virtual) = 3 staff @ 1 hour each
- Present final report (in-person) = 2 staff @ 2 hour each

J. Lange to M. Woodman
02/28/22
Page 6

SCHEDULE

ALPHA LOOP DOWNTOWN LINK

TASKS

TASKS	Mar					Apr				May				Jun		
	2/28	3/7	3/14	3/21	3/28	4/4	4/11	4/18	4/25	5/2	5/9	5/16	5/23	5/30	6/6	6/13
1. ANALYZE OPPORTUNITIES & CONSTRAINTS		1			2		3									
1.1 Data collection																
1.2 Asset mapping and visual character survey																
1.3 Key metrics/objectives																
2. PREFERRED TRAIL ALIGNMENT									4		5			6		7
2.1 Draft preferred alignment																
2.2 Final preferred alignment																
2.3 Final report assembly																

LIST OF MEETINGS

- ① Kick-off meeting (virtual) = 3 staff @ 1 hour each
- ② Review of asset mapping and visual character survey (virtual) = 3 staff @ 1 hour each
- ③ Working session to brainstorm key metrics/objectives (in-person) = 3 staff @ 2 hour each
- ④ Site visit to ground-truth conditions = 2 staff @ 3 hours each
- ⑤ Review draft preferred alignment (virtual) = 3 staff @ 1 hour each
- ⑥ Review final preferred alignment (virtual) = 3 staff @ 1 hour each
- ⑦ Present final report = 2 staff @ 2 hour each

STARR WHITEHOUSE

Landscape Architects
and Planners PLLC

J. Lange to M. Woodman

02/28/22

Page 7

FEE PROPOSAL

STARR WHITEHOUSE TEAM

TASK		COST
Task 1	Analyze Opportunities & Constraints	\$27,208
Task 2	Preferred Trail Alignment	\$40,210
TOTAL PROJECT COST		\$67,538



STAFF REPORT

Submitting Department: Recreation, Parks & Cultural Services

Submitted By: Ruby Flynn

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RFP 22-110 LANDSCAPE MAINTENANCE AND ON-CALL CONSTRUCTION SERVICES FOR PARKS

II. RECOMMENDATION:

Please award RFP 22-110 Landscape Maintenance and On-Call Construction Services for Parks as follows:

- Level I service to Crabapple Turf Management at an annual cost of \$171,624.00;
- Level II service to Tri Scapes at an annual cost of \$499,901.04;
- Planter Maintenance to Crabapple Turf Management at an annual cost of \$39,861.00; and
- One-time work for the Main Street Median repairs to Tri Scapes at a one-time cost of \$77,178.50.

Authorizing the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT.
BUDGET: YES

TOTAL PROJECT COST: YEAR ONE: \$788,564.54; YEARS
TWO - FIVE: \$711,416.04

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Maintenance Contracts /10061950-523860	\$788,564.54

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
N/A	\$0.00

IV. REPORT IN BRIEF:

The current contract for parks landscape maintenance is set to expire this fiscal year. As such, the department issued RFP 22-110 for Landscape Maintenance and On-Call Construction Services for Parks on February 1, 2022.

RFP 22-110 was segmented as follows (scope-of-work attached to this agenda item):

- Level 1 Work Areas: These areas are designated as such due to greater content of ornamental landscape plants and therefore will be more time-consuming maintenance practices.
- Level 1 Work Areas: These areas are general park areas, sport/ball fields, and play areas.
- Planter Containers, Vessels, Urns, and Pots Maintenance: Watering and planting of the approximately 75 planters located throughout the downtown area.
- Year One, One-time Enhancement Work: Landscape installation and soil preparation for the areas along Main Street and within the medians of Main Street (Marietta Street to Academy Street).

The RFP closed on March 1, 2022, with 7 vendors providing quotes on various portions of the scope (e.g. Level 1, Level 2, etc.). An Evaluation Committee of Parks employees reviewed the proposals in accordance with the RFP. The Committee 1st reviewed the proposals based on qualitative factors (Statements of Qualification, References of Similar Landscape Maintenance Work Performed and Means and Methods for Providing

Landscape Maintenance Services). This scoring resulted in the following shortlist:

- 1) Crabapple Turf Management (60 out of 60 available points);
- 2) Tri Scapes (57 out of 60 available points); and
- 3) Georgia Green (34 out of 60 available points).

After factoring in cost submittals, the recommended vendor and pricing is as follows:

- Level I service to Crabapple Turf Management at an annual cost of \$171,624.00;
- Level II service to Tri Scapes at an annual cost of \$499,901.04;
- Planter Maintenance to Crabapple Turf Management at an annual cost of \$39,861.00
- One-time work for the Main Street Median repairs to Tri Scapes at a one-time cost of \$77,178.50.

The duration of the contract will be for five (5) years, beginning on May 1, 2022.

V. ALTERNATIVES:

VI. ATTACHMENTS:

RFP 22-110 Scope of Work-Proposal Submission (1), Scoring Summary, Scoring per service type

CITY OF ALPHARETTA REQUEST FOR PROPOSALS (RFP)

RFP Number: 22-110

RFP Title: Landscape Maintenance and On-Call Construction Services for Parks

RFP SCOPE OF WORK & PROPOSAL SUBMISSION

1. RFP Period of No Communication

The no communication period starts on the issue date of this RFP February 1, 2022 and lasts until the City Council meeting for contract award recommendation (or until contract award if this isn't required to go before council for approval).

Any person or company, their employees, representatives, agents, attorneys, etc. must not contact the City's elected officials or any City staff concerning this RFP.

Contacting anyone other than the Procurement Agent named below for this RFP during this time will be reason to remove a proposal from review.

2. Procurement Agent, Single Point of Contact

Debora Westbrook is the Procurement Agent and Single Point of Contact for this RFP and is the only contact representing the City for this RFP.

Enter all questions or comments using Opportunity Q&A tab at the Bonfire project web page. Debora can be reached at 678-297-6052 or purchasing@alpharetta.ga.us.

City of Alpharetta
2 Park Plaza
Alpharetta, GA 30009
Attn: Debora Westbrook, Procurement Agent

3. RFP Schedule of Events

1. **Proposal Close Date, Deadline for Submissions: March 1 2022; 10:00 AM.** We may change this date during the RFP process. We will post any change in an addendum. Review web page for addenda.
2. Link to Bonfire Project Web Page: <https://cityofalpharetta.bonfirehub.com/>
3. This project web page has the important dates and all project documents for this RFP.
4. Enter all questions, comments, requests for information before the Questions Due Date using ☒ **Message – Opportunity Q&A** at the project web page.
5. In each question, clearly tell the RFP document and section that is in question.
6. We will share any changes or added information from the City by a written addendum. We will make the information available to the public on the project web page.
7. It is your responsibility to check the project web page for any addenda, other information, or other messages before finally uploading a proposal. You must respond using any updated information.

4. Our Review of Proposals and Review Criteria:

1. The City will make investigations as we feel necessary to make sure of the Offeror's ability to provide the supplies or perform the work or services detailed in this RFP.
2. We will first review all proposals to be sure that proposal have basic requirements and information.
3. Some scoring may simply be Pass/Fail. Any proposal that Fails any part or section that is needed will be removed from further review and scoring.
4. The Review Team will only get correct proposals for review and scoring. Proposals will be scored based on the evaluation criteria below. We may consider accepted industry standards. We may compare all proposals to each other for price, quality, quantity, contract terms, etc. We will use this review and scoring to decide the top-scoring proposal[s] and the best value for our City.
5. The Review Team may decide to create a shortlist of the top-scoring proposals. If so, the shortlisted firms may be invited for a presentation or interview with us; may be asked to set-up a site visit; or may be asked to supply more information for review. We may ask for discussion, negotiation, or a "best and final offer" to finally decide the highest-scoring proposal.
6. We will review and score each proposal using the criteria and percentage weights below:
 - a. Cover letter, Company Information, business profile, and business information is required but not scored.
 - b. Required Forms are Pass/Fail.
 - c. Contact information and Contact for Legal Notices/Contract are required but are not scored.
 - d. DUNS number is not scored.
 - e. Questionnaire scoring will depend on information requested. Some questionnaire responses will be information only, while others may be pass fail such as addendum acknowledgement.
 - f. Acknowledge Performance & Payment bonds for Construction Installation projects \$100,000 or greater.
 - g. Acknowledge Retainage for Construction Installation projects \$100,000 or greater.

Evaluation Criteria	Maximum Points
Statements of Qualifications, References of Similar Landscape Maintenance Work Performed	29
Means and Methods for Providing Landscape Maintenance Services	28
Cost Proposal	40
Local Vendor Preference	3
<i>Total Maximum point score</i>	<i>100</i>

WHAT WE WANT TO DO

1. General Description

The City of Alpharetta is accepting sealed proposals from qualified landscape contractors for Parks Landscape Maintenance for all City Parks including park land and future parks. This RFP also contains requests for information regarding landscape installation and construction services, tree plantings, turf maintenance, and maintenance and planting of flower containers, vessels, urns, and pots.

We have two levels of service areas plus planter maintenance. The intent is to award up to three separate contracts to three separate bidders. Contract term will be for five years from start date.

Level-1 Work Areas

These areas are designated as such due to greater content of ornamental landscape plants and therefore will be more time-consuming maintenance practices. Parks included in this maintenance level are listed below with each associated map number.

- Alpha Loop map #1
- Alpharetta Arts Center map #2
- Alpharetta City Center map #3
- Brooke Street Park map #6
- Cogburn Park map #8
- Encore Park map #9
- Maddox Park map #13
- Mansell House & Admin Office map #14
- Ole Milton Park map #19
- Pocket Park at Canton Street / Old Canton Street map #20
- Pocket Park at Roswell Street / Old Roswell Street map #21
- Silos Park map #23
- Town Green map 24
- Westside Fitness Park #27
- Main Street Medians/Islands map #31

Level-1 maintenance includes:

- A. Maintenance of turf areas and adjacent sidewalk and path areas, including proper mowing, mechanical trimming, aeration, fertilization, top dressing, etc.
- B. Streetscapes bordering and adjacent to Parks, including proper mowing, mechanical trimming, aeration, fertilization, top dressing, etc.
- C. Straw and mulch beds
- D. Seasonal ornamental planting as needed, weeding, edging, mulching, pruning, fertilizing
- E. Care of perennials, shrubs, vines, trees
- F. Repair work associated with the settling of solid in the median and islands at City Center and along Main Street between Academy/Milton and Old Milton Parkway.
- G. Alpha Loop maintenance areas are noted on map #1 and color coded by services needed.
 - Thompson Street Park within Alpha Loop gets the Level 1 Maintenance.
 - Empty trash containers along the loop 1 time a week.
 - Empty doggie stations 2 times per week.

- H. **Note:** Alpha Loop is the only location that receives trash container and dog station removal services from bins. No other park locations receive these services.
- I. While no large installation or construction projects are planned for Level-1 park areas, the possibility could come up in the future. Larger scale installation and construction could include installation of trees, shrubs, ground cover or installation of hardscape such as concrete work, pavers, flagstone, timber, block wall and/or similar materials.
- Note that for any installation or construction project valued \$100,000 or greater will require Performance and Payment Bonds from the Contractor.
 - Retainage will be held on any installation or construction project valued \$100,000 or greater. The City will withhold retainage of 10% of the gross value from each invoice or pay application. After the Work, including change orders and any other additions to the purchase order for the project is fifty percent (50%) complete, and the manner of completion of the work and its progress are reasonably satisfactory to the City's authorized representative, the City will no longer withhold retainage from subsequent progress payments. In essence, this will amount to a total 5% retainage withheld from a project purchase order.

If 50% completion has been reached, then a change order causes the project purchase order value of completion to become less than 50%, retainage will once again be withheld until 50% completion is once again reached.

We will not hold retainage for design services. Contractor must send separate invoices for design services.

When all Work is completed and final acceptance has been approved by the City, the Contractor may invoice for the amount retained.

Level-2 Work Areas

These areas are general park areas, sport/ball fields, and play areas. Parks included in this maintenance level are listed below with each associated map number.

- Alpharetta Elementary Playground map #4
- Alpharetta Greenway map #5
- Brookside Park map #7
- Haynes Bridge Park map #10
- Innovation Academy map #11
- Log Cabin map #12
- Marconi Park map #15
- Maxwell Park map #16
- North Park map #17
- North Point Park map #18
- Rock Mill Park map #22
- Union Hill Park map #25
- Webb Bridge Park map #26
- Wills Park map #28
- Wills Road (American Legion) map #29
- Windward Community Park map #30

Three future parks are currently receiving some basic maintenance services:

- Mid Broadwell Park map #FP3
- Mayfield Road Property map #FP6
- Old Rucker Road map #FP5

Level-2 maintenance includes:

- A. Maintenance of Athletic Fields, including proper mowing, mechanical trimming, aeration, chemical application, top dressing, etc.
- B. Maintenance of other turf areas and adjacent sidewalk and path areas, including proper mowing, mechanical trimming, aeration, chemical application, top dressing, etc.
- C. Maintenance of Greenway.
- D. Streetscapes bordering Parks, including proper mowing, mechanical trimming, aeration, chemical application, top dressing, etc.
- E. Straw and mulch beds.
- F. Seasonal ornamental planting as needed, weeding, edging, mulching, fertilizing
- G. Care of perennials, shrubs, vines, trees.
- H. While no large installation or construction projects are planned for Level-1 park areas, the possibility could come up in the future. Larger scale installation and construction could include installation of trees, shrubs, ground cover or installation of hardscape such as concrete work, pavers, flagstone, timber, block wall and/or similar materials.

Planter Containers, Vessels, Urns, and Pots Maintenance

may also be a separate contract. There are approximately 75 planters located throughout the downtown area. These planters are occasionally moved around, and no map of locations is available.

Planter maintenance includes:

- A. Seasonal ornamental plantings: Spring and Fall
- B. Watering as needed per seasonal requirements
- C. Chemical application
- D. Mulch
- E. Dead-heading and trash removal

Year One, One-time Enhancement Work

Along Main Street and within the medians of Main Street (Marietta Street to Academy Street) the Contractor shall include in year-one, the cost to perform the following work:

- Address the settling of existing soil by adding appropriate soil mix to raise soil surface so it is flush with existing grade (3" below top of curb).
- Work shall include cost for any replacement plants that may be impacted in order to remedy the settling soil.
- Work shall also include replacement of any dead or missing plants within the work area.
- Cost shall include installation/ replacement of 3 inches of brown hardwood mulch as needed.

- Plan set, map # 33 S. Main St Medians and Islands.pdf, provided. All service areas for **Year One, One-time Enhancement Work** are noted in **GREEN**. One median (not in plan set) that is located between Marietta Street and Old Milton Parkway is also included in this work.

Future Park Areas

There are six parks currently in planning and could potentially open to the public during this contract term.

Three park areas are receiving some basic services at this time and are on the cost sheet. Once developed, these services may increase. These parks are noted with ***Bold Italic*** font below.

The three parks not in italics are not on the cost sheet and are not currently receiving maintenance services, but we are adding here to make bidders aware that new park areas may be added.

All five future parks are listed below along with the associated map number for each.

- Canton / Mayfield map # FP1
- Farmhouse map # FP2
- ***Mid Broadwell Park map # FP3***
- Waters Road map # FP4
- ***Old Rucker Road map #FP5***
- ***Mayfield Road Property map # FP6***

2. Scope of Work Details

A. Safety:

Contractor will be responsible for all safety procedures including compliance with MUTCD (Manual on Uniform Traffic Control Devices) work zone procedures including but not limited to cone placement around vehicles in the Right-of-Way or in parking lots. All employees shall wear a clean, identifiable uniform with appropriate safety equipment and safety vest (or equivalent). "MOWER AHEAD" signs shall be installed as needed.

B. Chemicals:

For this RFP, chemicals mean any or all the following:

fertilizer,	insecticide,
weed control (pre-emergent, post)	pesticide,
fungicide,	fire ant control.

When a particular chemical is mentioned in a statement or section herein, only that chemical relates to the topic of the statement or section. Examples:

- Fertilization section only refers to use of fertilizer
- Pest management section only refers to the use of those types of chemicals – pesticides, insecticides, or fire ant control.

C. Warm Season Turf:

Before mowing, litter and debris shall be removed from lawns, plant beds, walkways and curbs. All ball fields are to be mowed twice weekly at a height of one and one-half (1 1/2) inches. All Bermuda grass in the open areas is to be mowed once per

week at a height of two (2) inches. All other grasses in the open areas are to be mowed once per week at a height of two (2) inches.

- Weekly mowing during the growing season, or as weather conditions dictate, for all turf with the following exceptions:
- Mowing two times per week, or as weather conditions dictate, for
 - Brooke Street Park,
 - Ball Fields, and
 - North Park inside the walking trail.

All warm season turf will be scalped to a height of $\frac{3}{4}$ inches in February or March. All clippings and thatch will be removed from the lawn areas. No clippings will be disposed of in catch basins or the drainage system.

The mowing operation includes trimming around obstacles and where larger machinery cannot reach, raking and removing grass clippings, removing debris from walkways, curbs, gutters, and catch basin inlets. Grass clippings will be kept out of plant beds and tree rings. Absolutely no clippings will be disposed of in catch basins, storm sewers, or the drainage system nor will clippings be left in or blown into roadways or parking lots. Mowing patterns will be established and changed on a regular basis to present the most aesthetically pleasing appearance. *All ball field and play area fence lines will be trimmed and not sprayed.*

D. Cool Season Turf:

Before mowing, litter and debris shall be removed from lawns, plant beds, walkways and curbs. All grass in the open areas is to be mowed once per week at a height of three (3) inches. During the growing season, mowing frequency will be as noted above or as weather conditions dictate.

The mowing operation includes trimming around obstacles and where larger machinery cannot reach, raking and removing grass clippings, removing debris from walkways, curbs, gutters, and catch basin inlets. Grass clippings will be kept out of plant beds and tree rings. Absolutely no clippings will be disposed of in catch basins, storm sewers, or the drainage system nor will clippings be left in or blown into roadways or parking lots. Mowing patterns will be established and changed on a regular basis to present the most aesthetically pleasing appearance.

E. Edging/Trimming:

Mechanical edging of bed lines, walkways, curbs, and other paved areas will be performed as follows:

During Growing Season for Parks Locations – every other week or as weather conditions dictate.

During the Off-Season for Parks Locations – only as needed.

For Parks Walking and/or Nature Trails located within Wills Park, North Park, Cogburn Park, Webb Bridge Park, and Rock Mill Park/Big Creek Greenway all briars and weeds are to be mechanically trimmed and maintained at a distance of four feet (4') off the trail so briars and weeds are not on or near the trail. All steps and entrances shall be trimmed every other week. Rock Mill Park and all parking lots are to be trimmed weekly.

All ball field and play area fence lines will be trimmed and not sprayed.

Debris from the edging operation will be removed and areas swept or blown clean immediately after completion. Edging debris must not remain for any extended amount of time past the completion of edging. No clippings will be disposed of in catch basins or the drainage system.

F. Parks: Perennial plants, Shrub, and Tree Care

Pruning Shrubs and Trees:

Note: Timing of all pruning must be performed according to individual plant species to not be detrimental to the blooming of the species.

i. Pruning in Growing Season

- a. Contractor must prune to remove tall shoot growth on top and side portions of plants as needed to maintain a natural uniform plant shape.
- b. Maximum height of required pruning is fifteen (15) feet.
- c. Pruning cuts must be made within the canopy of the plant, back to lateral growth. Shrubs that require shearing or selective pruning to maintain a formal appearance must be maintained per ANSI standards.
- d. Tall shrubs and trees must be pruned with pole pruners or other means to maintain their natural growth habit.
 - Severe shearing of evergreen hollies such as 'Nellie R. Stevens' and 'Emily Bruner' is prohibited unless otherwise directed by the City Representative.
 - Pruning of suckers, water sprouts and low-hanging branches will be performed during regular weekly visits to maintain a clean appearance.
 - Questions about proper or preferred pruning techniques for specific plant species/varieties will be directed to the City Representative.
 - Topping, heading cuts, and severe pruning resulting in the loss of the plant's natural growth habit are prohibited.

ii. Pruning in Dormant Season

- a. Contractor will perform one pruning each year on dormant plant material according to responsible horticultural guidelines, for example, recommended pruning of dormant shrubs and trees prior to spring budding.
- b. Pruning of trees, including crape myrtles, will be limited to:
 - removal of cross branching,
 - sucker growth,
 - branches not consistent with standard form,
 - dead or diseased branches, and
 - general thinning for good light penetration and air circulation.
- All pruning cuts must be made to lateral branches and/or buds or flush with the trunk per ANSI standards and ISA standards.

- A pruning plan must be presented to the City Representative for approval prior to dormant season pruning.
- Topping, heading cuts, and severe pruning resulting in the loss of the plant's natural growth are prohibited.
- c. All pruning debris will be removed from the work area. No debris will be disposed of in catch basins, storm sewers, or other drainage systems. All pruning debris must be disposed of off-site.

iii. Perennial Plants and Groundcover Maintenance

- a. The removal of all spent blooms, flower stalks, and drying foliage will be performed as needed.
 - Once a year (late winter or early spring) cutback of all spent foliage will be performed.
 - Application of fertilizer, fungicide, insecticide, or other chemicals needed to keep plants at optimum health will also be performed.
 - Contractor's chemical recommendations must be approved by City Representative prior to application.
- b. Any unsightly foliage from plants such as daylilies and ornamental grasses will be either removed or covered as not to distract from the overall appearance of the planting area.
- c. All remaining dead foliage of daylilies and Liriope species must be cut back (either manually or mechanically) in the early spring according to recommended horticultural practices.
- d. Groundcovers will be edged and pruned as needed to contain them within their borders.
 - Standard pruning practices will be observed and resulting debris will be removed.
 - No debris will be disposed of in catch basins, storm sewers, or other drainage systems.
 - All pruning debris must be disposed of off-site.

iv. Fertilization

- a. Fertilization will be performed in the spring and fall and will be based upon soil test results for turf areas and planting beds.
 - Cost of soil testing will be borne by the Contractor and be obtained from a reputable lab service such as Agricultural Extension offices.
 - Soil test results will be provided to the City.
- b. Fertilize turf areas and planting beds as needed per soil test results.
- c. Fertilize all trees, shrubs, and groundcovers with a product containing both macro and micronutrients as needed per soil test results.
- d. Contractor is also responsible for maintaining soil pH levels as determined by soil test results.

- e. Contractor's fertilizer schedule and product recommendations must be approved by City Representative prior to application.
- f. All products must be applied according to the product label.

v. Pest Management

- a. The Contractor will be responsible for the detection, monitoring, and control of insect pests.
 - The Contractor will be aware of potential pests and will make regular inspections of the plant material and treat as necessary.
 - These principles will be practiced under an Integrated Pest Management (IPM) program to be submitted to the City for approval.
 - The goal of an IPM program is to maintain insect and related disease problems at acceptable levels.
 - Contractor's IPM program must ensure frequent inspection by their on-site personnel and a safer environment through the use of less pesticide.
- b. A preventative insecticide will be applied in early March to plants susceptible to scale, including needled evergreens, junipers, Euonymus, hollies, cherries, oaks, and maples.
 - Pesticides will be applied under the supervision of a certified applicator licensed by the State of Georgia.
 - Other applications of pesticide will only be applied as needed when pests are detected through regular inspections.
 - Spraying operations will cover trees up to a height of 25 feet.
 - The contractor is required to notify the City and make recommendations, in writing, of all other trees that may need supplemental insect and disease control.

vi. Fire Ant Control

On a weekly basis, the Contractor will monitor all areas for evidence of fire ant activity. Mounds will be treated accordingly with granular insecticide and removed as needed.

G. Parks: Maintenance Of Locations

This section contains maintenance requirements that are specific to Park locations only. Appendix B has aerial map views of each Park with each parks maintenance details.

Additional Turf Care Program Warranty:

- i. Since the results of a turf program can be adversely affected by the weather, the Contractor will provide service calls and diagnosis between applications at no additional charge.
- ii. Additional turf applications may be needed for turf insects and disease, as well as extremely difficult to control weeds, such as nut sedge and dallis grass. Since these concerns occur fairly infrequently, the Contractor will provide a written proposal if and when these services are warranted. These situations will be handled on a case-by- case basis and approval from the City must be secured

before the proposed work is performed.

iii. Selective weed control shall be applied with a boom sprayer.

Weed Control – Pre-Emergent Application

Pre-emergent application should be used for the following turf and in specified areas to include landscaped/mulched beds at the following parks, map number provided for each:

- Alpharetta Arts Center #2
- Brook Street Park #6A
- Cogburn Park #8A
- Encore Park #9
- Innovation Academy #11A
- Mansell House & Admin Office #14
- North Park (3 areas) #17, #17B, #17C
- Webb Bridge Park #26
- Westside Fitness Park #27
- Wills Park #28 and #28B

Seasonal Pine Straw / Mulch:

Each park will have different areas to maintain. The following list provides parks and type of mulch. After the list are details for each park noted.

Map location	Park Name/Description	Type of Mulch	Estimated Amount
3	Alpharetta City Center	Dark Brown Hardwood Mulch	60 cu yds
8 A	Cogburn Park	Dark Brown Hardwood Mulch	120 cu yds
13	Maddox Park	Dark Brown Hardwood Mulch	100 cu yds
14	Mansell House & Admin Office	Dark Brown Hardwood Mulch	included in count for #29, Wills Park
17A	North Park	Dark Brown Hardwood Mulch	80 cu yds
17B	North Park Medians	Dark Brown Hardwood Mulch	80 cu yds
17C	North Park @ Fields 6 - 8	Dark Brown Hardwood Mulch	80 cu yds
19	Ole Milton Park	Dark Brown Hardwood Mulch	50 cu yds
20	Pocket Park @ Canton St. & Old Canton St.	Dark Brown Hardwood Mulch	20 cu yds
21	Pocket Park @ Roswell St. & Old Roswell St.	Dark Brown Hardwood Mulch	20 cu yds
24	Town Green	Dark Brown Hardwood Mulch	40 cu yds
28	Wills Park Community Center/Event Lawn, Pool, & Wills Park Recreation Center	Dark Brown Hardwood Mulch	760 cu yds
28E	Wills Park Equestrian Center	Dark Brown Hardwood Mulch	560 cu yds
29	Wills Road in Front of American Legion	Dark Brown Hardwood Mulch	20 cu yds
31	Main Street Medians and Islands	Dark Brown Hardwood Mulch	110 cu yds

Map location	Park Name/Description	Type of Mulch	Estimated Amount
25	Union Hill Park	Double Ground Hardwood Mulch	50 cu yds
26	Webb Bridge Park	Double Ground Hardwood Mulch	160 cu yds
1	Alpha Loop	Long Needle Pine Straw	300 bales
2	Alpharetta Arts Center	Long Needle Pine Straw	200 bales
3	Alpharetta City Center	Long Needle Pine Straw	100 bales
4	Alpharetta Elementary Playground	Long Needle Pine Straw	100 bales
5	Alpharetta Greenway Trail	Long Needle Pine Straw	100 bales
6	Brooke Street Park	Long Needle Pine Straw	1000 bales
8	Cogburn Park	Long Needle Pine Straw	300 bales
9	Encore	Long Needle Pine Straw	3,000 bales
10	Haynes Bridge Entrance	Long Needle Pine Straw	120 bales
11	Innovation Academy	Long Needle Pine Straw	125 bales
15	Marconi Entrance	Long Needle Pine Straw	120 bales
17	North Park Adult Activity Center	Long Needle Pine Straw	200 bales
17B	North Park trees/beds	Long Needle Pine Straw	250 bales
18	Northpoint Pkwy Entrance	Long Needle Pine Straw	25 bales
22	Rock Mill Park	Long Needle Pine Straw	1000 bales
23	Silos Park	Long Needle Pine Straw	600 bales
26	Webb Bridge Park Roadway	Long Needle Pine Straw	900 bales
27	Westside Fitness Park	Long Needle Pine Straw	200 bales
28B	Wills Park	Long Needle Pine Straw	600 bales
30	Windward Community Park	Long Needle Pine Straw	250 bales

- **Alpharetta Crabapple Government Center:** Beds and trees are to be mulched two (2) times per year with dark brown hardwood mulch. Mulch is to be maintained at a depth of three (3) inches.
- **Alpharetta Art Center:** Beds and trees shall be mulched two (2) times per year with long needle pine straw at a depth of three (3) inches.
- **Cogburn Park:** Front entrance to be mulched with dark brown hardwood mulch; trees on bank and back area shall be mulched with pine straw. Both are to be completed two (2) times per year.
- **Greenway Trail and all entrances:** Rock Mill Park, Marconi Park, Haynes Bridge Park, North Point Park, Union Hill Park. See attached spreadsheet for dark brown mulch or Pine straw. Mulch/pine straw shall be installed two (2) times per year,
- The **Mansell House & Admin Office** Garden flower beds are to be maintained. The Mansell House is a historic site and is located within Wills Park. Care of the plants in this area are to be coordinated with designated city staff prior to services/installation.
- **North Park:** Beds at the Adult Activity Center are to be mulched with pine straw three

(3) times per year. Pine straw shall be installed at a depth of three (3) inches. Other areas within the Park are to be mulched with dark brown hardwood or double ground hardwood (see spreadsheet) two (2) times per year.

- **Pocket Parks:** (Ole Milton, Roswell/Old Roswell, Canton/Old Canton, Maddox) are to be mulched with dark brown hardwood mulch two (2) times per year. Mulch is to be maintained at a depth of three (3) inches.
- **Webb Bridge Park:** Pine straw shall be added to both sides of the the Entrance Landscaped area, Walking Bridge Landscaping, Lower Soccer Field Parking and Hillside, Upper Soccer Field Hillside, Pavilion at Lower Soccer Field, Entrance to the Webb Zone Playground, And Both sides of the road in Phase III at a depth of (3) inches during January/February and July/August..
- **Westside Fitness Park:** approximately 200 bales of long needle pine straw to be installed at a depth of three (3) inches twice per year.
- **Wills Park Community Center, Wills Recreation Center, Wills Park Equestrian Center:** All trees and landscaped areas shall be mulched with dark brown hardwood mulch two (2) times per year. This is to include the landscaping between the fence and road at the Equestrian Center. Mulch is to be maintained at a depth of three (3) inches..
- **Windward Community Park** is to be mulched with pine straw two (2) times per year. Pine straw shall be installed at a depth of three (3) inches. Areas include all tree rings, parking lot beds and retention pond landscaped areas.

H. Irrigation Maintenance:

This will be on a case by case basis with quotes provided prior to any repairs being completed.

I. Growing Season Services:

Services to be performed in the months of March, April, May, June, July, August, September, and October shall be as follows:

- i. Mow all areas as specified in Appendix A.
- ii. Clean grass clippings from walks and paved areas after mowing and/or edging.
- iii. Trim along buildings, plantings, signs, fencing, and other obstructions on a bi-weekly basis.
- iv. Power edge grass adjacent to the walks, driveways, and roadways on a bi-weekly basis.
- v. Edge turf adjacent to beds on a bi-weekly basis.
- vi. Provide weed control (pre-emergent, post) on a regular basis in specified areas to include landscaped/mulched beds. Any weeds that are in the beds/mulched areas that have not been removed with weed control chemicals shall be removed by hand. The application of weed control chemicals shall not endanger any flowers, shrubs or trees.
- vii. All annuals/perennials are to have spent flower blooms and stalks removed by hand as soon as they fade.
- viii. All saplings are to be removed that come up in plant beds or landscaped areas.
- ix. Leaves shall be removed from turf and bed areas as needed.

J. Off- Season Services

Services in the month of November – December and January – March shall consist of the following:

- i. Mow all areas as specified in Appendix A.
- ii. Clean grass clippings from walks and paved areas after mowing.
- iii. Trim along buildings, plantings, signs, fencing and other obstructions.
- iv. Fall cleanup of leaves and debris from turf and bed areas.
- v. Power edge grass adjacent to the walks, driveways, and roadways on an every other week basis.
- vi. Edge turf adjacent to beds on a bi-weekly basis.
- vii. Services to be performed in the months of December, January, and February are as follows:
- viii. Weekly inspection of property.
- ix. Mowing all areas as needed.
- x. Cleanup of litter and debris to include leaves.
- xi. Edge all beds, walkways, roadways and driveways every other week.
- xii. Remove undergrowth and invasive plants/weeds from edge of Greenway Trail (from edge of trail to the wood line).
- xiii. Remove underbrush and undergrowth from designated areas at all parks.

K. Reporting of Any/All Damages of City Properties

Contractors will report any damages noticed or caused while maintaining City/Parks properties. Reporting shall be in writing to the City's representative for this contract.

L. Parks: General Information

- i. All work required in this bid is to be completed in a professional manner according to standard industry practices.
- ii. The contractor's field employees will wear identifiable uniforms and appropriate safety equipment while on the site performing services.
- iii. City Parks are Tobacco-Free. March 21, 2011, Alpharetta Mayor and Council approved an ordinance prohibiting the use of all tobacco products in City Parks and/or on the Greenway. A violation of this ordinance is a misdemeanor punishable as other violations of City Park rules and regulations. It is recommended that the contractor make all field employees aware of this ordinance. Notice of this ordinance or lack thereof does not relieve anyone from the obligation to comply.
- iv. Contractor will keep all mower blades sharp and in good condition at all times during mowing. Mowers shall have floating decks (Park staff will have the right to view maintenance records of equipment used in the parks). The grass blades shall be cut sharply and cleanly. Turf shall be cut so that no ridges remain in the finished cut. The direction of mowing shall be alternated to minimize ruts and matting.
- v. Contractor will be responsible for replacing any flowers/shrubbery/trees damaged and/or killed by mowers, edgers, trimmers or pesticide applications.
- vi. Contractor will be responsible for notifying staff if any irrigation heads are damaged by

mowers.

- vii. No dumping of any debris on City property, City dumpsters, or in Park dumpsters/roll offs.
- viii. Monthly invoice or request for payment from contractor must include a
- ix. detail report by location to include each date the location was visited and what was completed on each visit, i.e. was park mowed, trimmed, edged, weeded; detail of any chemical application including chemical name and quantity of chemical; and what areas does the invoice cover, ex: Ball fields, open areas, beds/mulched areas, etc.

FOLLOW THIS OUTLINE

How We Want You to Construct Your Proposal

1. Using Bonfire to Submit Proposal

- 1.1. This is the link to Bonfire Project Web Page to get our documents and to upload your proposal: <https://cityofalpharetta.bonfirehub.com/>
- 1.2. We are accepting all proposals by online response only. You must upload completed proposals online before the closing date and time found in Project Details of the project web page for this RFP.
- 1.3. Don't send proposals by mail, fax, or email. We will not accept paper copy proposals. We will not accept any proposals after the closing time deadline has passed.
- 1.4. You have not completed your response simply by uploading proposal documents and information. You must successfully upload all the required documents, including filling out any questionnaires, price sheets, or data requests, and then you must click the submit button before the closing time.
- 1.5. You will receive an email confirmation receipt with a unique confirmation number shortly after you complete your proposal upload. This confirms that you have successfully turned in your proposal with all required information.
- 1.6. You can update your proposal at any time until the closing time.
- 1.7. All uploaded items and responses are Sealed and will only be visible by the City after the closing time has passed.
- 1.8. If the file is 'mandatory' or 'required', you won't be able to complete your proposal until you have met all requirements.
- 1.9. Uploading large documents may take more time, depending on the size of the file(s) and your Internet connection speed.
- 1.10. Pay attention to the type and number of files we have asked you to upload.
- 1.11. The largest upload file size is 1000 MB.
- 1.12. Don't embed any documents within your uploaded files. They won't be accessible or evaluated.
- 1.13. Minimum system requirements: Internet Explorer 11, Microsoft Edge, Google Chrome, or Mozilla Firefox. Java Script must be enabled.

2. Required Proposal Document Formats

- ❖ Each proposal must follow these document formats.
 - Failure to follow these formats will reduce our review team's ability to evaluate and will result in a lower proposal score or in complete removal of a proposal from scoring.
 - Format your documents using this outline:
 - ☐ formatted to single space lines,
 - ☐ 10 to 12-point font size,
 - ☐ black font color, and
 - ☐ upload proposal in PDF format.

DOCUMENT 1 Title: **Company Information *Required, but not scored***

- This document must be no more than two (2) pages,
- Each section below will make up the Company Information document. This document must be in the following order:
 - A. **Cover Letter with Brief Business Profile**, length of time in business, and a summary describing company strong points and why your experience with similar projects will benefit the City.
 - B. **Business information**, including name and home office address. If another office address oversees work of this project, add that address information too.
 - C. **Contact**, one person to be the single point of contact for this proposal. All communication with the City will be with this person. Supply the following contact information in the proposal:
 - Name, including business title and preferred personal/honorific title (Mr. Ms. Dr. etc.)
 - mailing address,
 - telephone number, cell phone number, and
 - e-mail address.

DOCUMENT 2 Title: **Statements of Qualification, References of Similar Landscape Work Performed **29 Points****

- This document must be no more than twelve (12) pages,
 - i. Identify the following team members:
 - 1. Project Manager – contact with our designated staff
 - 2. Other Key Personnel
 - ii. For each individual listed above, provide information that at a minimum answers the following questions. Please use a separate page for each team member.
 - 1. How long has this individual been employed by your company?
 - 2. Years of experience?
 - 3. Licenses or accreditation?

4. What is the availability of this individual to devote time to the project?
5. What is this individual's length of experience at this level within your company?
6. Give 3 examples of specific experience relevant to this project.

E. **References.**

Supply at least three references for landscape services like our request in this RFP (don't include the City of Alpharetta as a reference). These references must be for work or services provided within the last three years.

Include Reference company's name, address, main contact with your firm, contact's email address and phone number. Contact must be for someone who is still with the referenced company.

NOTE: We contact references to verify your ability to do the work. We also reserve the right to use any information or other references to decide your ability to perform the work in this RFP. Poor references from any source are grounds to disqualify a proposal.

DOCUMENT 3 Title: Means and Methods of Providing Landscape Services 28 Points

- This document must be no more than ten (10) pages,

Project Approach

Provide a proposed service plan based on the requirements of the attached Landscape Maintenance Specifications and according to the Level-1 Landscape Work Areas as shown on the Landscape Maintenance Map. Responses must contain specific information including:

- Available Resources: Include a list describing the personnel, equipment (trucks, mowers, spray rig, etc. and quantities of each), and any other resources available to you and that may be needed and used in order to show your ability to do the work or services as requested in this RFP.
- 52-week schedule including pruning, fertilization, overseeding, mowing, mulching, herbicide applications, seasonal color installations, and all other components of maintenance as outlined in the specifications.
- Proposed pesticides including herbicides, insecticides, fungicides, etc.
- List of Pesticide Applicator license-holders within the company.
- Any other maintenance recommendations above or in lieu of those outlined in the provided specifications.
- Proposed service plans must also include description of labor resources that will be involved in performing the maintenance work as stated above. Information must include:
 - Number of crews, including number of employees per crew.
 - Information for key personnel such as contract manager, supervisor above all crews, crew leaders, designated field contact, etc. Include brief resumes for each.
 - If number of crews or dedicated employees will change seasonally, please outline schedule of seasonal changes.

Cost Proposal 40 Points

A cost proposal form is provided separately in Excel format and must be completed with each proposal. The Charges (Price) proposed by the offeror are held as proposed for the first two years of the five (5) year contract term beginning April 1, 2022 or as finally directed by contract execution.

Costs are requested for the following:

1. Monthly Cost for Park Maintenance, Levels 1 & 2.
2. Monthly Cost to maintain 75 Planter Containers
3. One-Time Enhancement cost along Main Street near City Center
4. Cost per requested unit of measure for additional services

In compliance with Project Specifications as noted in this RFP, submitting the completed cost proposal is acknowledgment that the Offeror offers and agrees that if this Proposal is accepted by the City Council within ninety (90) days of the date of RFP Response Due Date, that the Offeror will furnish any or all of the services and deliverables upon which prices are quoted, at the price set opposite each, at the designated locations or point(s) within the time specified.

Local Vendor Preference application is not a required document. **3 Points**

Only if your company fits the requirements for a City of Alpharetta Local Vendor, complete the provided application and return along with all requested information/documents.

Required Forms:

- We have provided a document file with three required forms. You must complete these forms and return to us with every proposal.
- We prefer all three completed forms returned as one PDF file. However, we won't lower your scoring if you return the forms separately.
- Below are the required forms for all proposals:
 - A. **IRS Form W-9**
 - B. **Bidder's Disclosures and Certifications**
 - C. **E-Verify** (Affidavit Verifying Contractor Participation in Federal Work Authorization Program)

- ❖ **E-Verify side note:** Companies return this form to us incorrectly more often than anything else we request in our RFPs.
- ❖ Top mistakes include wrong number or missing information.
- ❖ State of Georgia law requires that we have this completed form before we can review a bid or proposal.
- ❖ A form with errors doesn't fulfill this requirement.

All the following must be on the E-verify affidavit.

- Federal Work Authorization User Identification Number – this is only five to eight numbers.
 - ⊗ No A,B,Cs.
 - ⊗ It's different from your Tax ID, Employer Identification, or Social Security Number.
 - ⊗ It won't have a combination of letters and numbers.
- Date of Authorization – this is when you first signed up and got the E-verify number.
- Name of Contractor – your company
- Name of Project – Same as RFP title
- Date, City, and State – when and where this form was signed
- Signature of Authorized Officer or Agent – to be signed
- Printed Name and Title of Authorized Officer or Agent – the person that signed the form.
- Notarized with seal

3. Other Required Information

Questionnaire

We use a questionnaire to gather important information needed for legal requirements, your acknowledgements, our proposal review, or information needed for writing a contract.

Some questions may require your answers about the work we have described in this RFP.

You will fill out the questionnaire provided. There is no other form or document to upload.

Information requests and response types are as follows:

- Authorized signer for contract execution in DocuSign: Name, business title, email address, Response Type, *Response Type: text entry.*
- Contact for legal notices-needed for contracting: Business name and mailing address, contact name, *Response Type: text entry.*
- DUNS Number, *Response Type: number entry.*
- Acknowledgement of Addenda, enter the number of addenda received, *Response Type: 0, 1, 2, etc.*
- Acknowledgement of Insurance Requirement, *Response Type: Yes, No entry.*
- Acknowledgement of Contract and T&C review, *Response Type: Yes, No entry.*
- Acknowledgment of Payment and Performance Bond for certain Construction/Installation projects, *Response Type: Yes, No entry.*
- Acknowledgment of Retainage for certain Construction/Installation projects, *Response Type: Yes, No entry.*

- Note any Exceptions to Contract T&Cs, *Response Type, if any: text entry.*

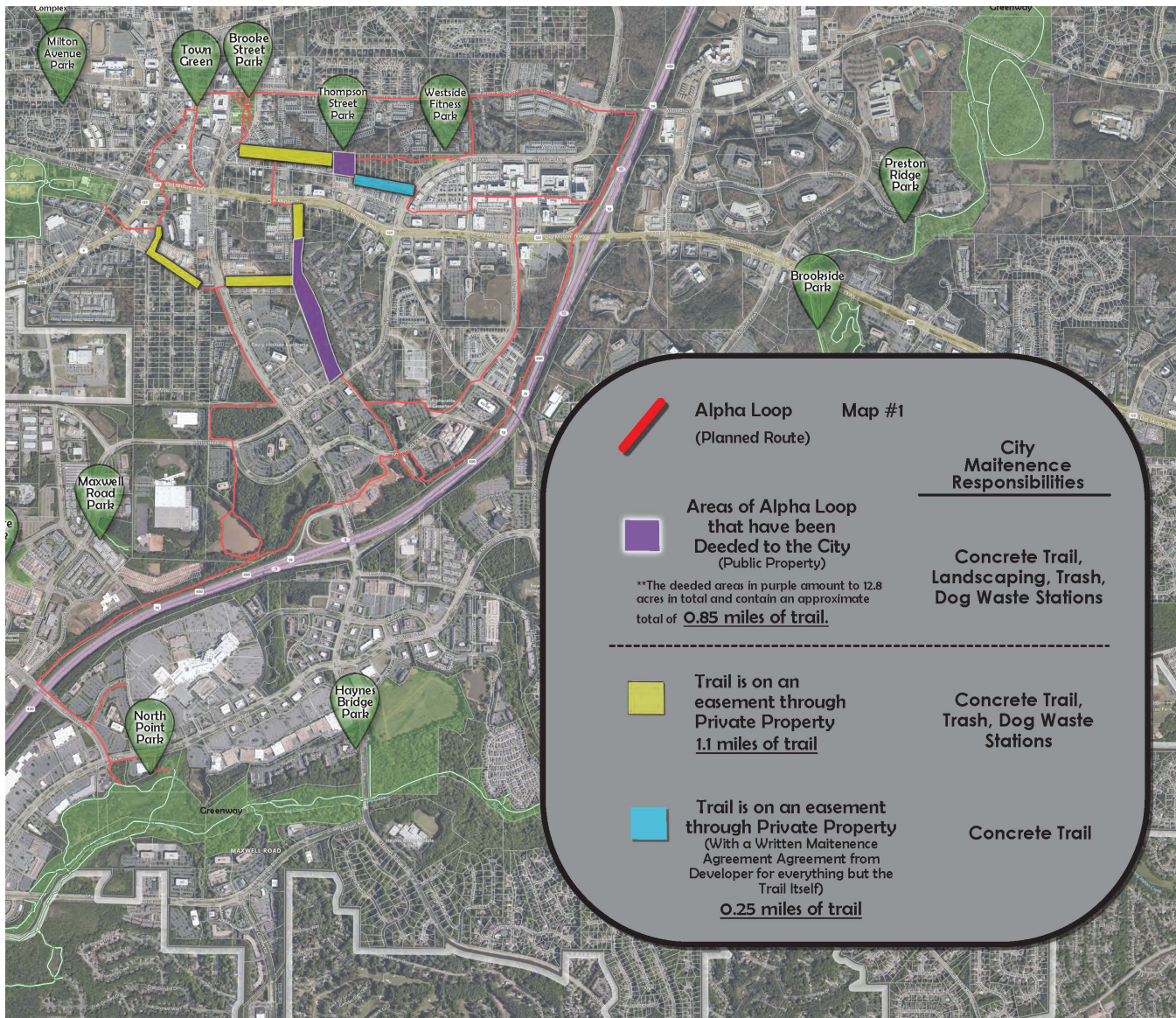
APPENDIX "A" MOWING FREQUENCY

Map location	Park Name/Description	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height
6A	Brook Street Park Lawn	Zoysia			2 times per week	1.5/2"
12A	Innovation Academy	Bermuda	Ball Field		2 times per week	1.5"
18B	North Park	Bermuda	Ball Field	10.00	2 times per week	1.5"
18C	North Park @ Fields 6 - 8	Bermuda	Inside walking trail	0.50	2 times per week	1.5 "
27	Webb Bridge Park	Bermuda	Ball Field	10.00	2 times per week	1.5"
29B	Wills Park	Bermuda	Ball Field	9.00	2 times per week	1.5"
2	Alpharetta Arts Center	General	Open	3	Weekly	2"
3	Alpharetta City Center	General	Open		Weekly	2"
4	Alpharetta Elementary	General	Open	0.25	Weekly	2"
5	Greenway Trail	General	Open	10.00	Weekly	2"
6	Brook Street Park	Fescue	Open	5.54	Weekly	3"/4"
7	Brookside Park	General	Open	25	Weekly	2"
8	Cogburn Park	General	Open	4.90	Weekly	2"
8A	Cogburn Park	Bermuda	Inside walking trail	1.00	Weekly	1.5"/2"
9	Crabapple Government Center	General	Open	2.00	Weekly	2"
10	Encore	General	Open	6.00	Weekly	2"
11	Haynes Bridge Entrance	General	Open	10.00	Weekly	2"
11	Webb Bridge Park Roadway	General	Open	0.25	Weekly	2"
12	Innovation Academy	General	Open	11.00	Weekly	2"

13	Log Cabin	General	Open	3.27	Weekly	3"/4"
14	Maddox Park	General	Open	0.25	Weekly	2"
15	Marconi Entrance	General	Open	1.00	Weekly	2"
16	Maxwell Park	General	Open	2.60	Weekly	2"
17	Mayfield Road Property	General	Open	12.42	Weekly	2"
18	North Park Adult Activity Center	Lawn	Open	1.00	Weekly	2"
Map location	Park Name/Description	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height
18A	North Park	General	Open	10.00	Weekly	2"
19	Northpoint Pkwy Entrance	General	Open	40.00	Weekly	2"
20	Ole Milton Park	General	Open	0.18	Weekly	2"
21	Pocket Park @ Canton St. & Old Canton St.	General	Open	0.50	Weekly	2"
22	Pocket Park @ Roswell St. & Old Roswell St.	General	Open	0.50	Weekly	2"
23	Rock Mill Park	General	Open	0.50	Weekly	2"
24	Silos Park	General	Open	1	Weekly	2"
26	Union Hill Park	General	Open	1.50	Weekly	2"
27	Webb Bridge Park	General	Open	10.00	Weekly	2"
28	Westside Fitness Park	General	Open	0.25	Weekly	2"
29	Wills Park Community Center/Event Lawn, Administration Office, Pool, Mansell House & Wills Park Recreation Center	Lawn	Open		Weekly	2"
29C	Wills Park to include Berm Between sidewalk & Road	General	Open		Weekly	2"
29D	Wills Park Paw Park	General	Open	2.00	Weekly	2"
29E	Wills park Equestrian Center	General	Open	6.00	Weekly	2"
30	Wills Road in Front of American Legion	General	Open	0.25	Weekly	2"
31	Windward Community Park	General	Open	2.50	Weekly	2"
FP5	Old Rucker	General	Open	9.93	Weekly	

APPENDIX “B” PARK AERIAL MAPS

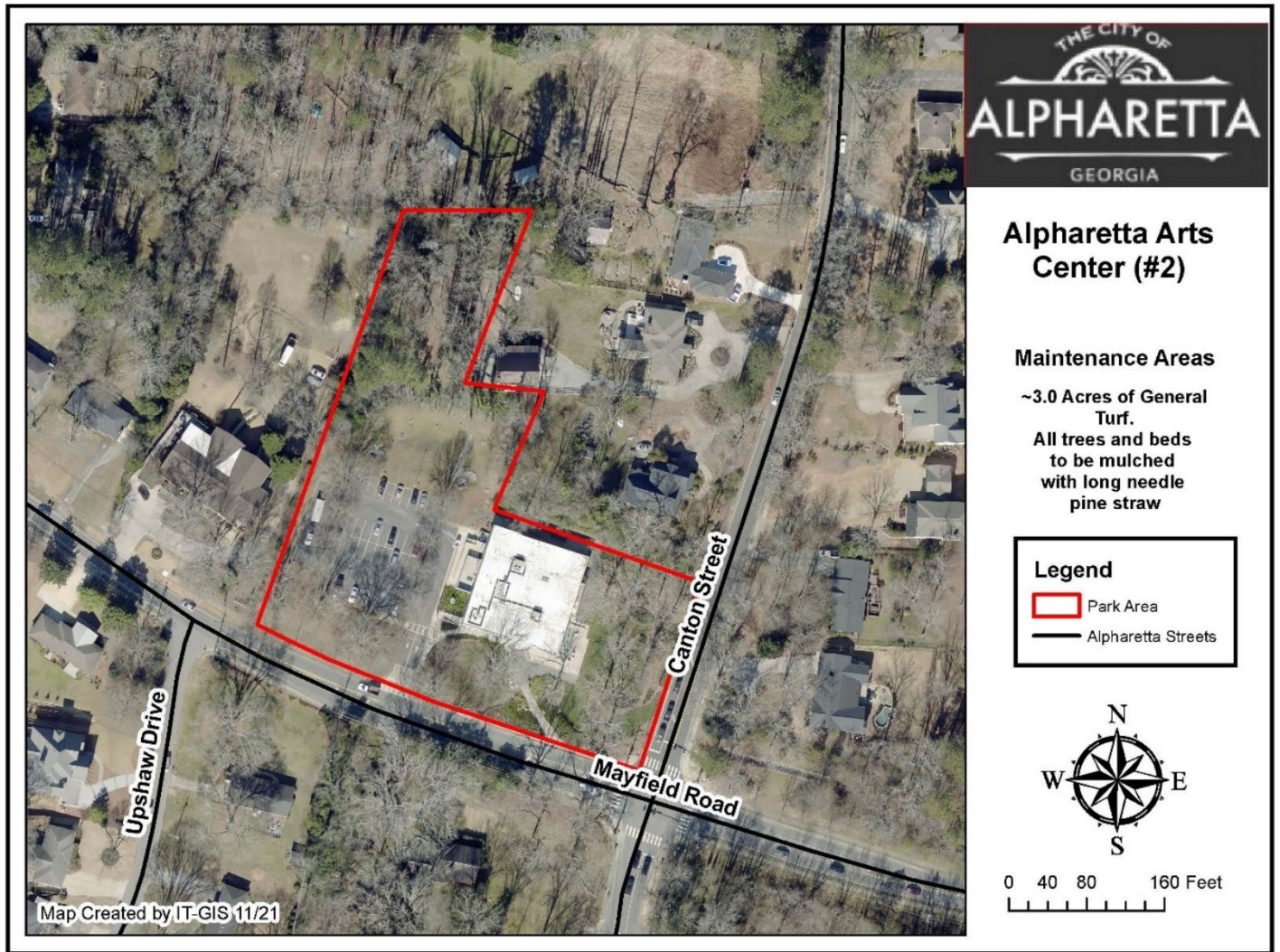
Maps and maintenance schedule for each begin on next page.



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

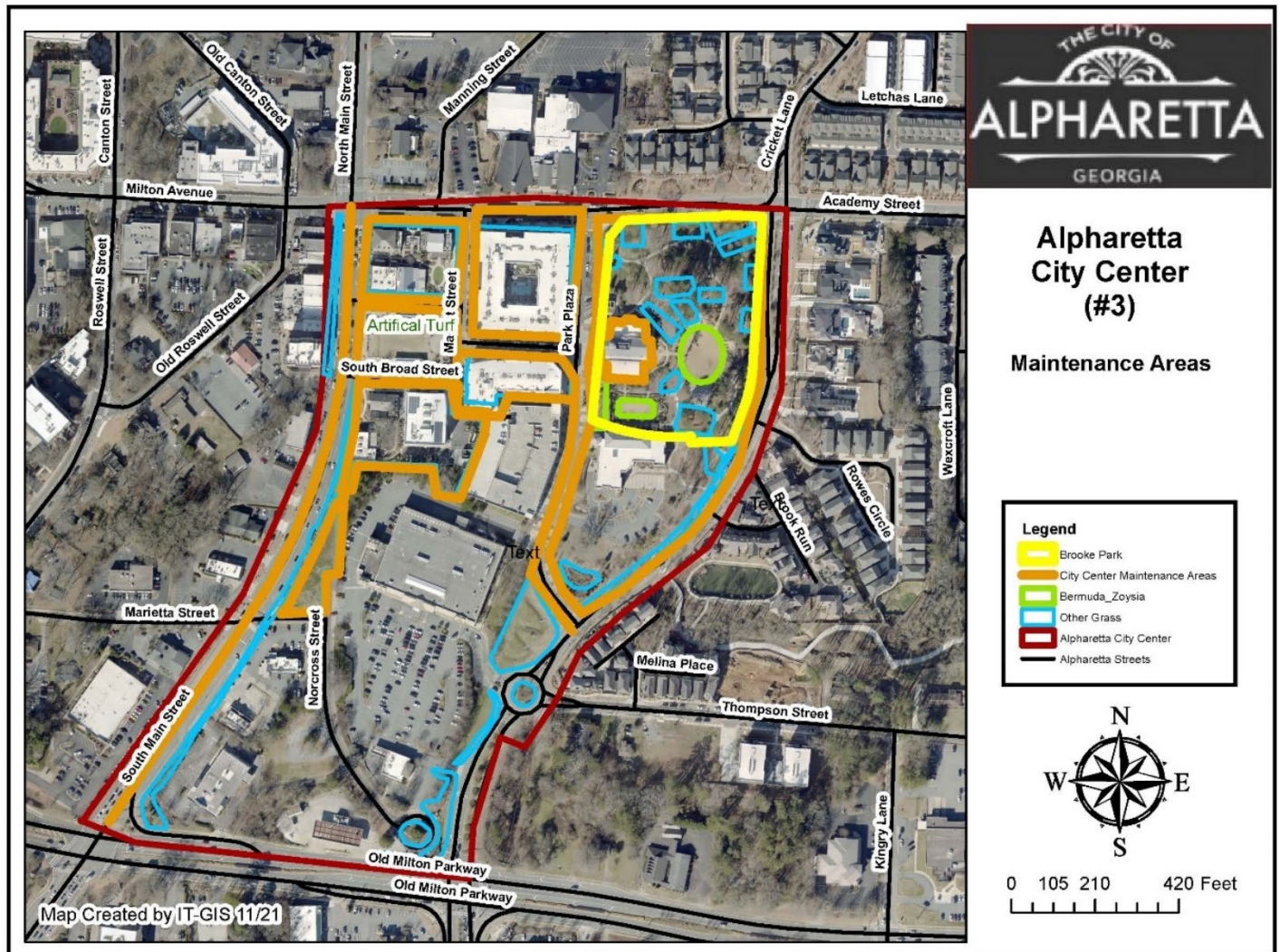
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
1	Alpha Loop (Thompson Street only)	1			10.81					Long Needle Pine Straw	300 bales
		Empty Trash Containers			Empty Doggie Stations						
1	Alpha Loop	1 time per week			2 times per week						

Note: Alpha Loop is the only location that trash container and doggie station are emptied for this contract. No other park locations receive these services.



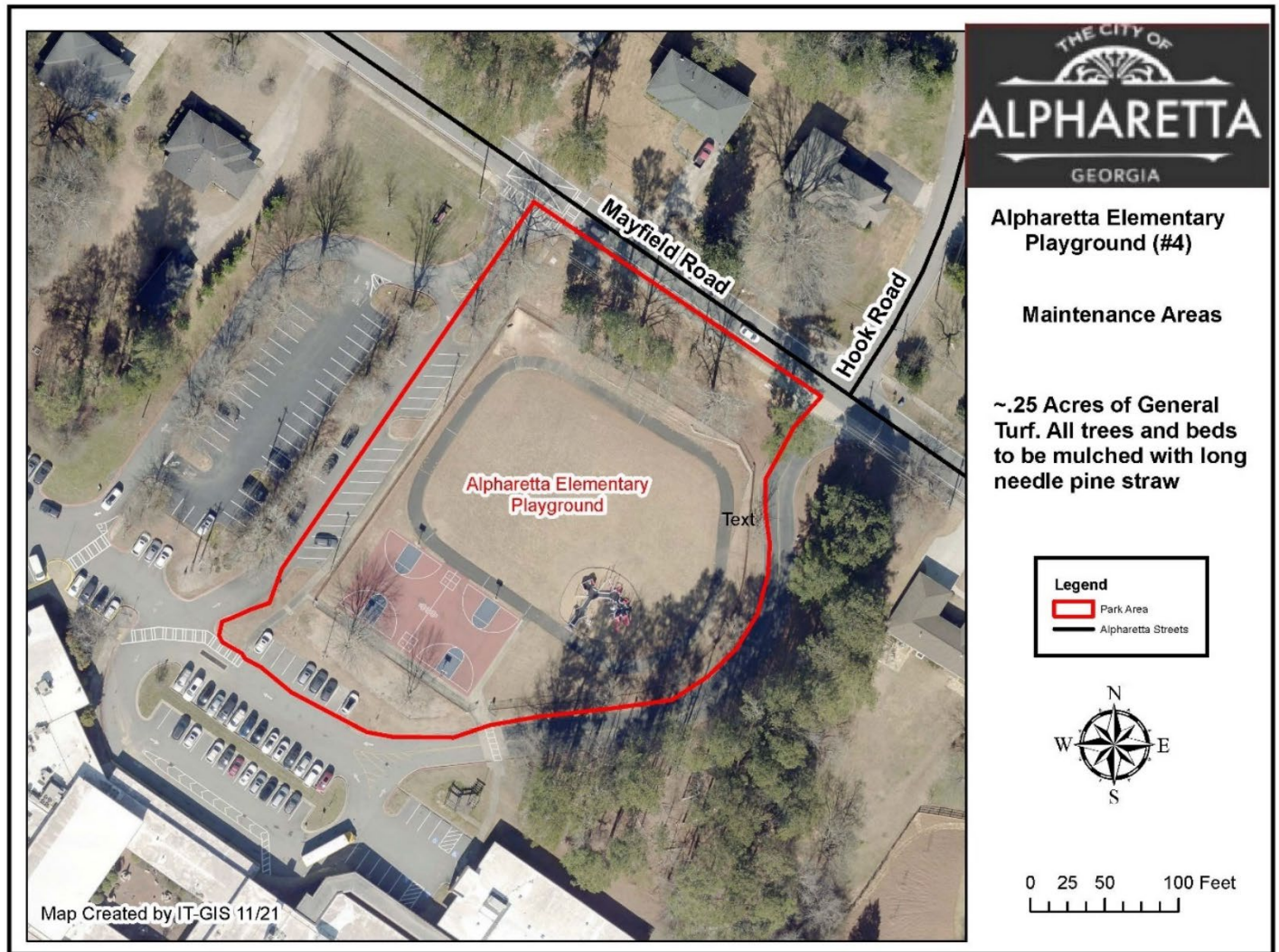
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
2	Alpharetta Arts Center	1	General	Open	3	Weekly	2"	Yes	Yes	Long Needle Pine Straw	200 bales



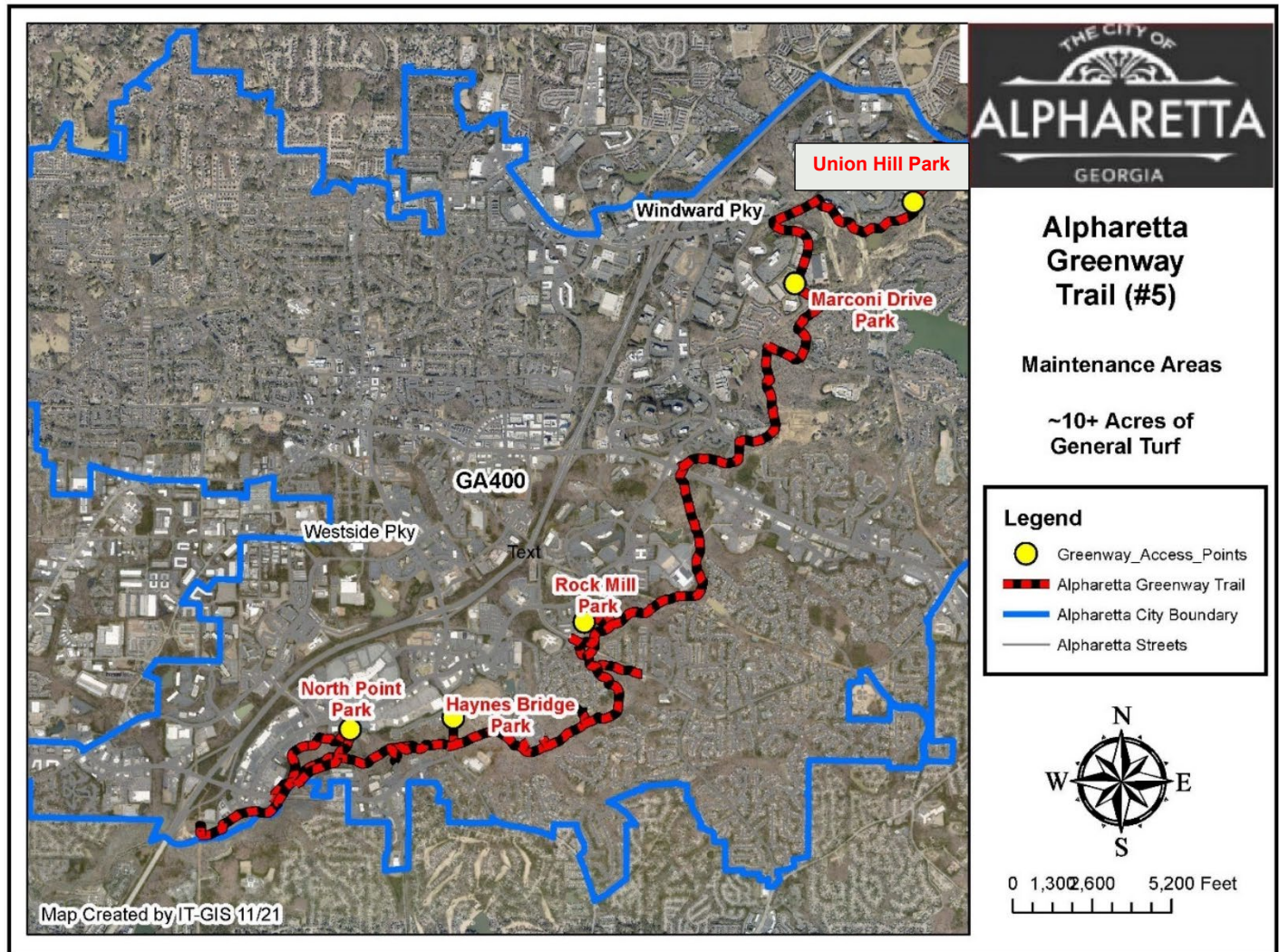
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
3	Alpharetta City Center	1	General	Open		Weekly	2"			Dark Brown Hardwood Mulch & Long Needle Pine Straw	60 cu yds/ 100 bales



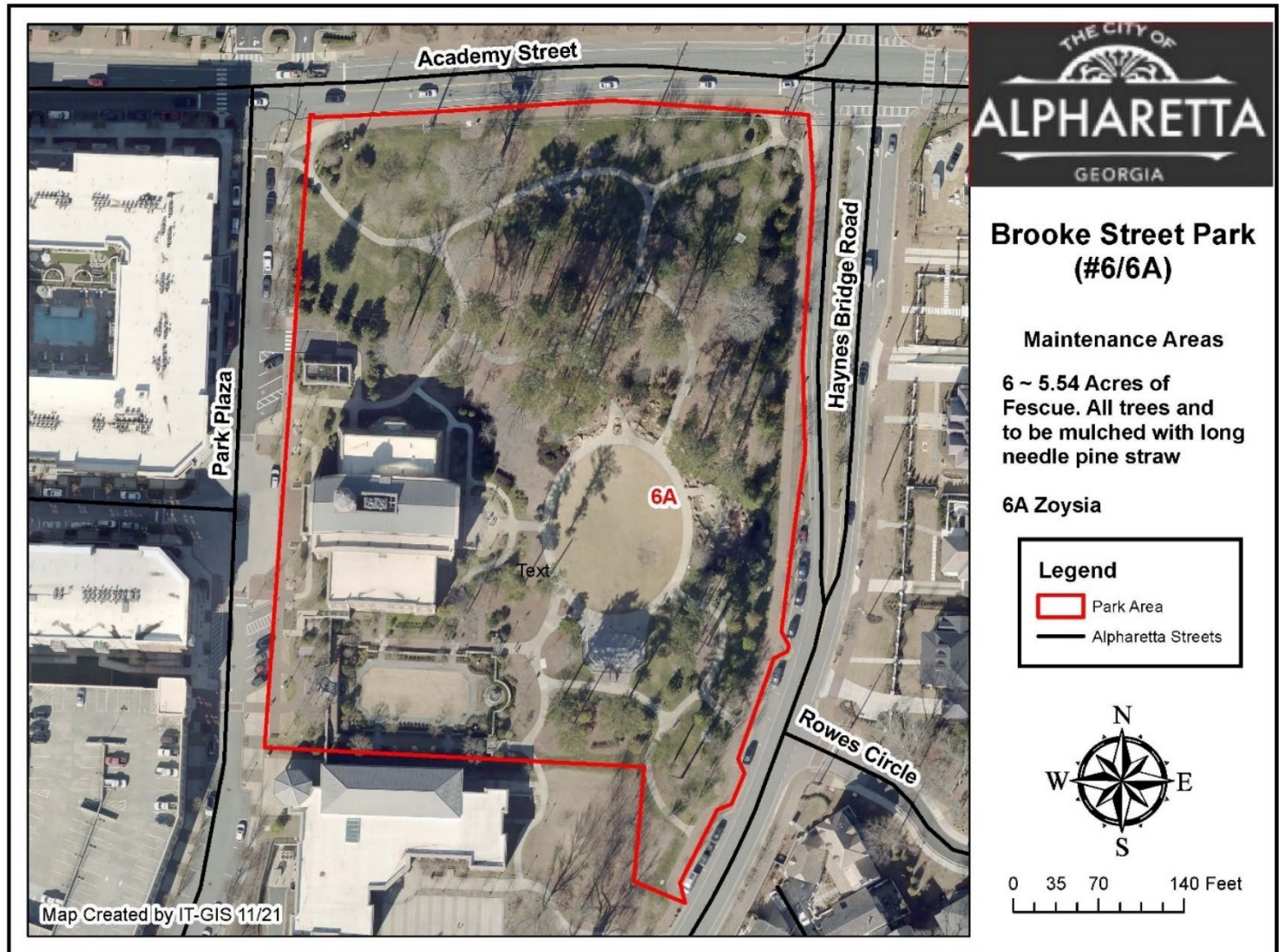
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
4	Alpharetta Elementary	2	General	Open	0.25	Weekly	2"			Long Needle Pine Straw	100 bales



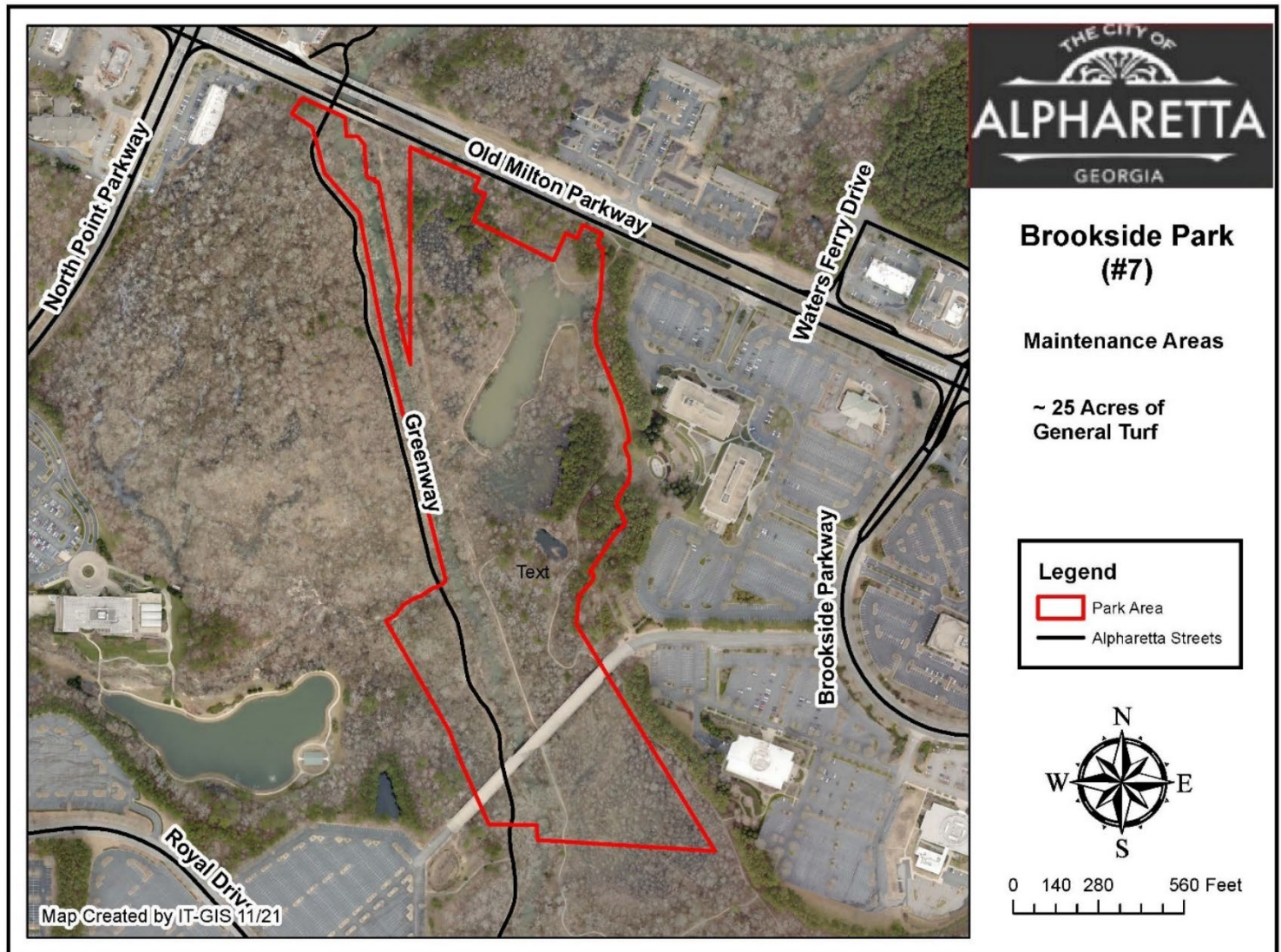
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
5	Alpharetta Greenway Trail	2	General	Open	10.00	Weekly	2"			Long Needle Pine Straw	100 bales



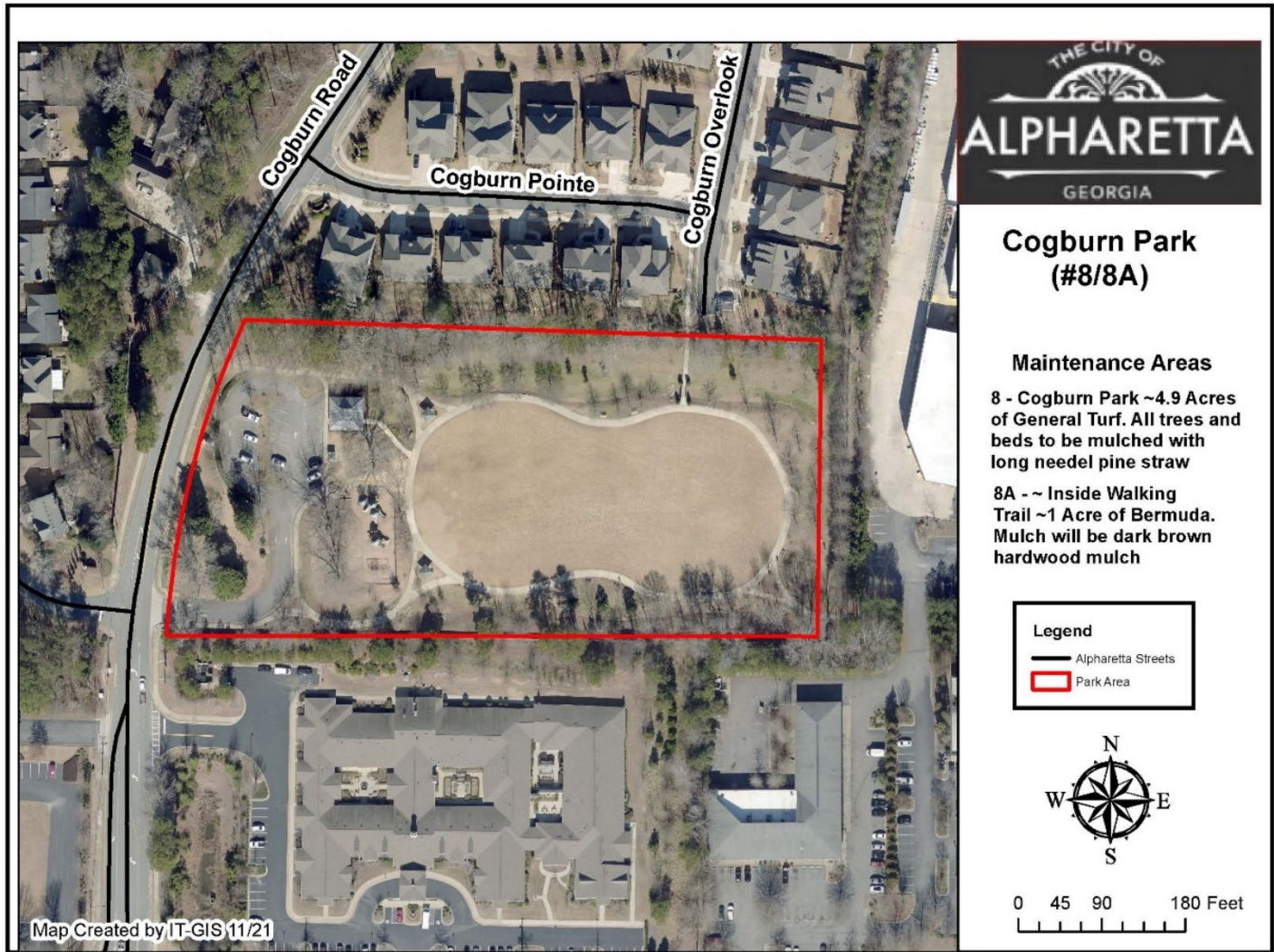
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
6	Brooke Street Park	1	Fescue	Open	5.54	Weekly	3"/4"			Long Needle Pine Straw	1000 bales
6A	Brooke Street Park Lawn	1	Zoysia			2 times per week	1.5/2"	Yes	Yes		



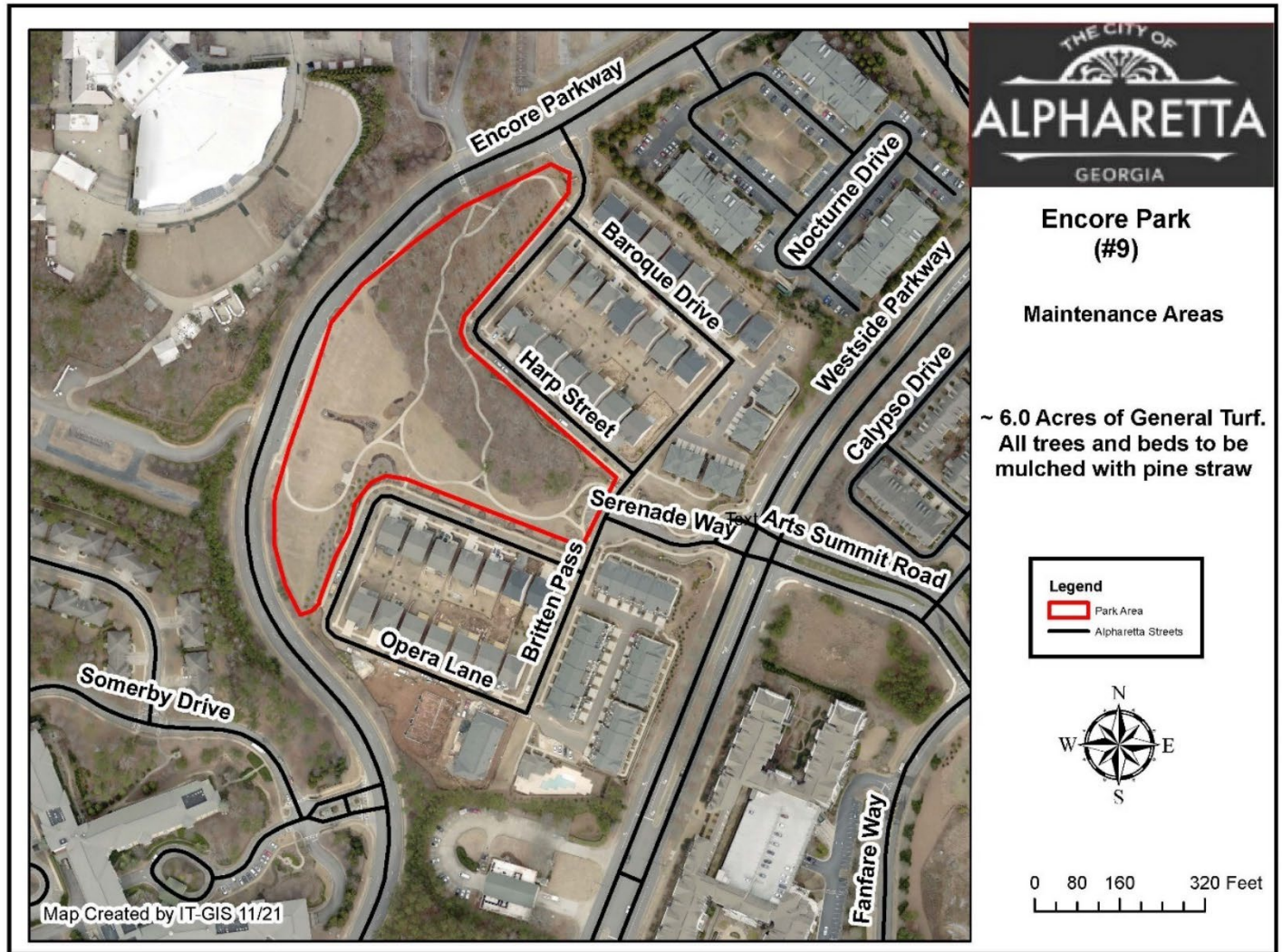
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
7	Brookside Park	2	General	Open	25	Weekly	2"				



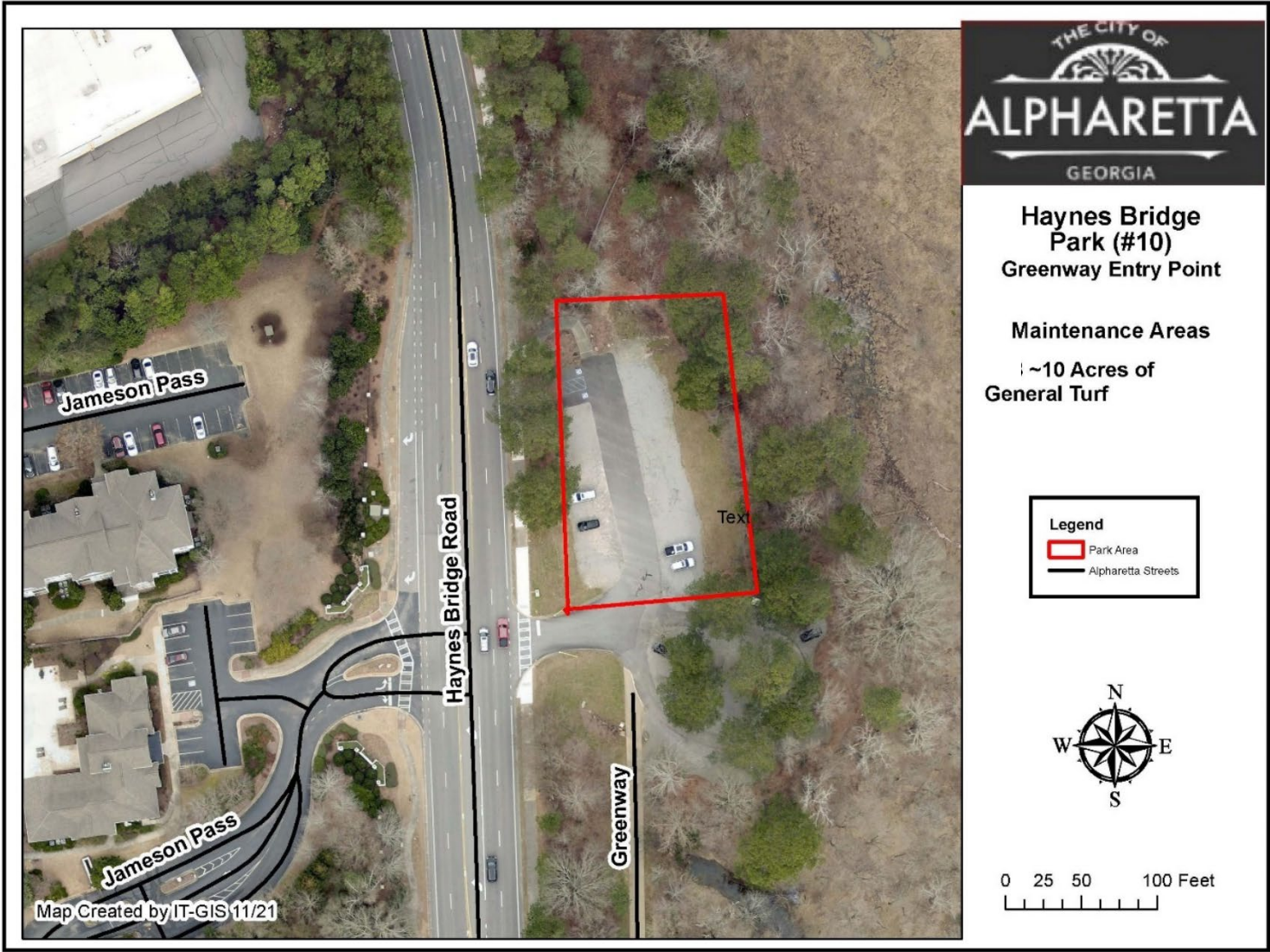
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
8	Cogburn Park	1	General	Open	4.90	Weekly	2"			Long Needle Pine Straw	300 bales
8A	Cogburn Park	1	Bermuda	Inside walking trail	1.00	Weekly	1.5"/2"	Yes	Yes	Dark Brown Hardwood Mulch	120 cu yds

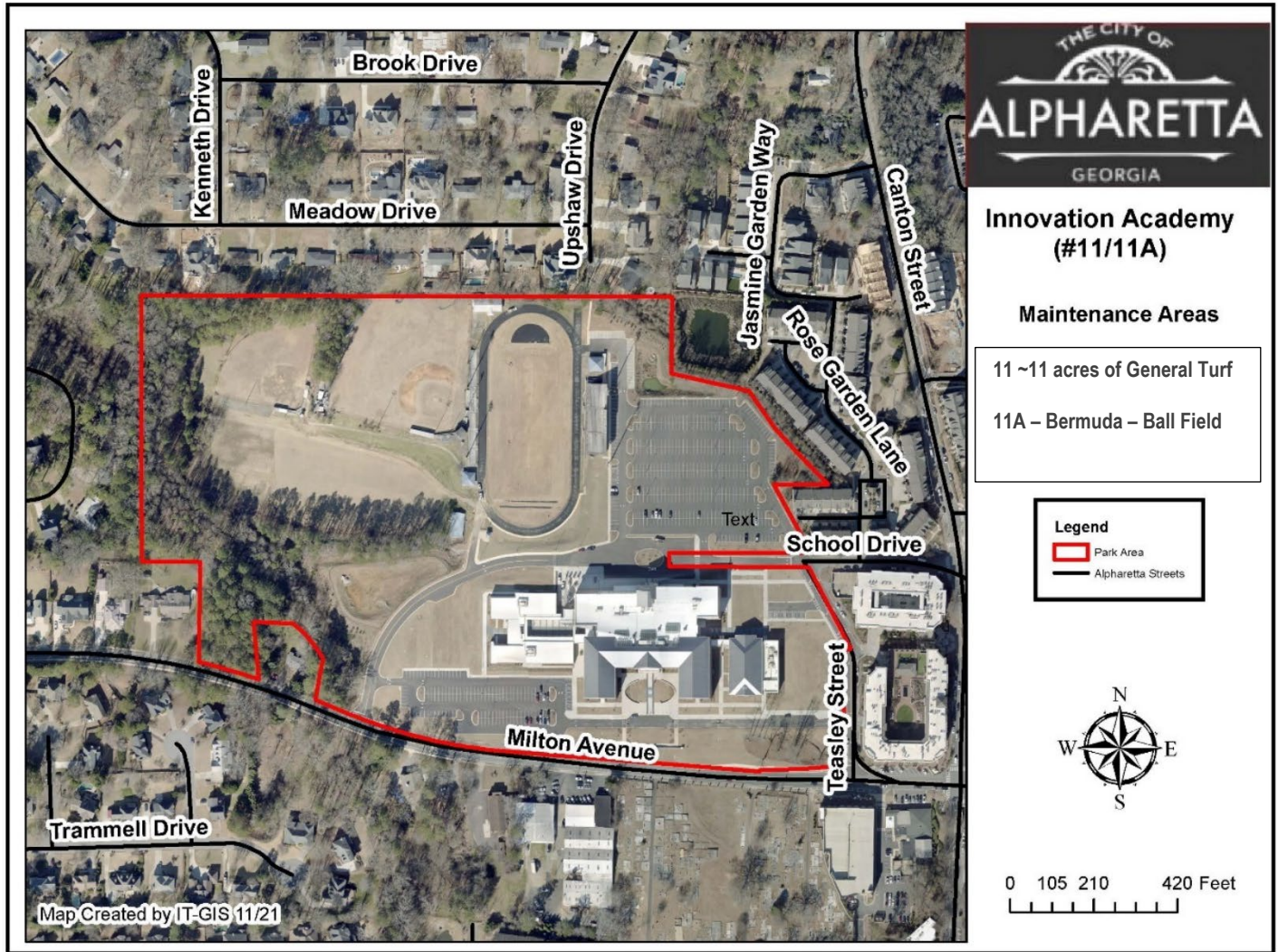


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
9	Encore Park	2	General	Open	6.00	Weekly	2"	Yes	Yes	Long Needle Pine Straw	3,000 bales

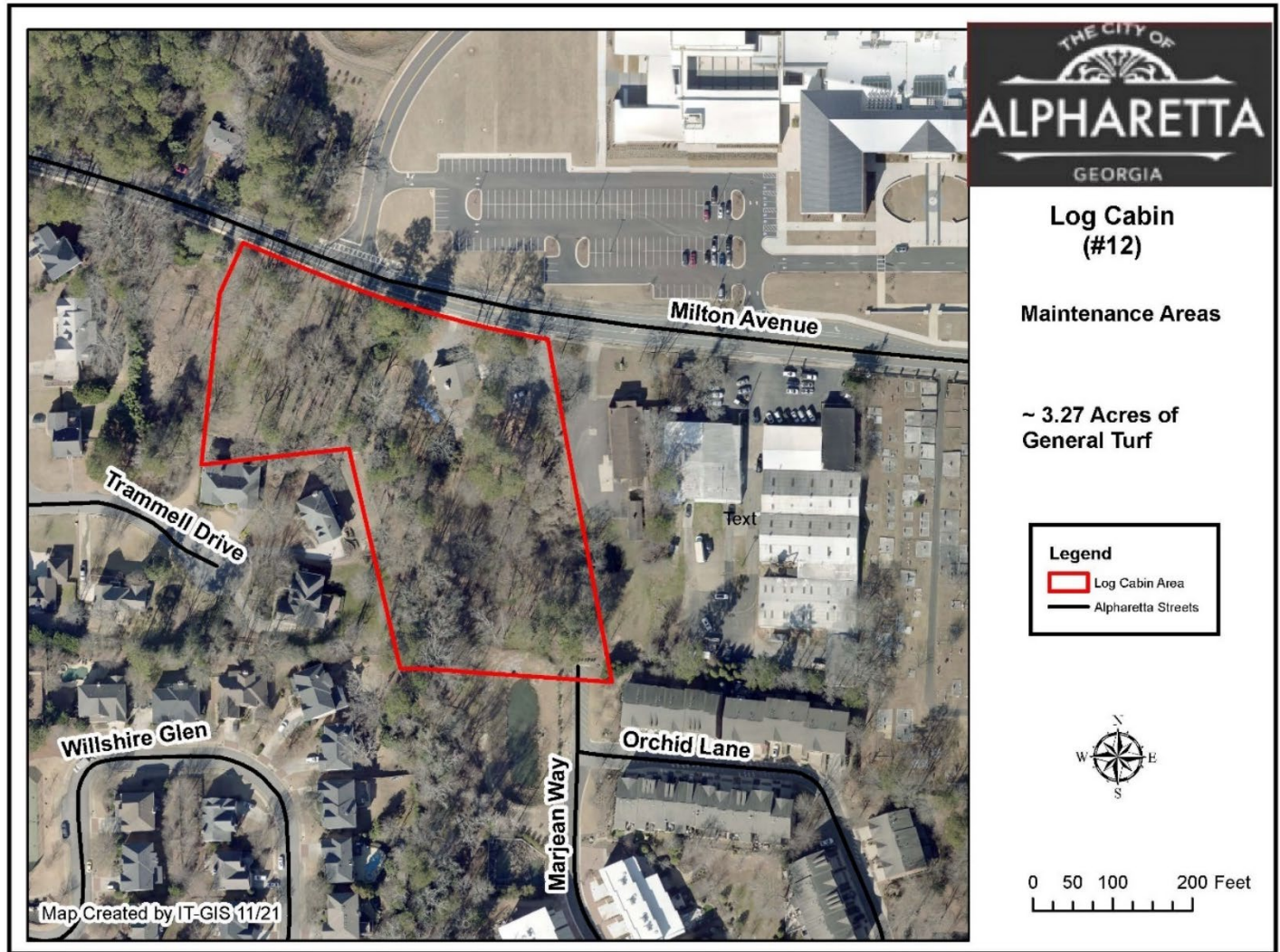


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
10	Haynes Bridge Entrance	2	General	Open	10.00	Weekly	2"			Long Needle Pine Straw	120 bales



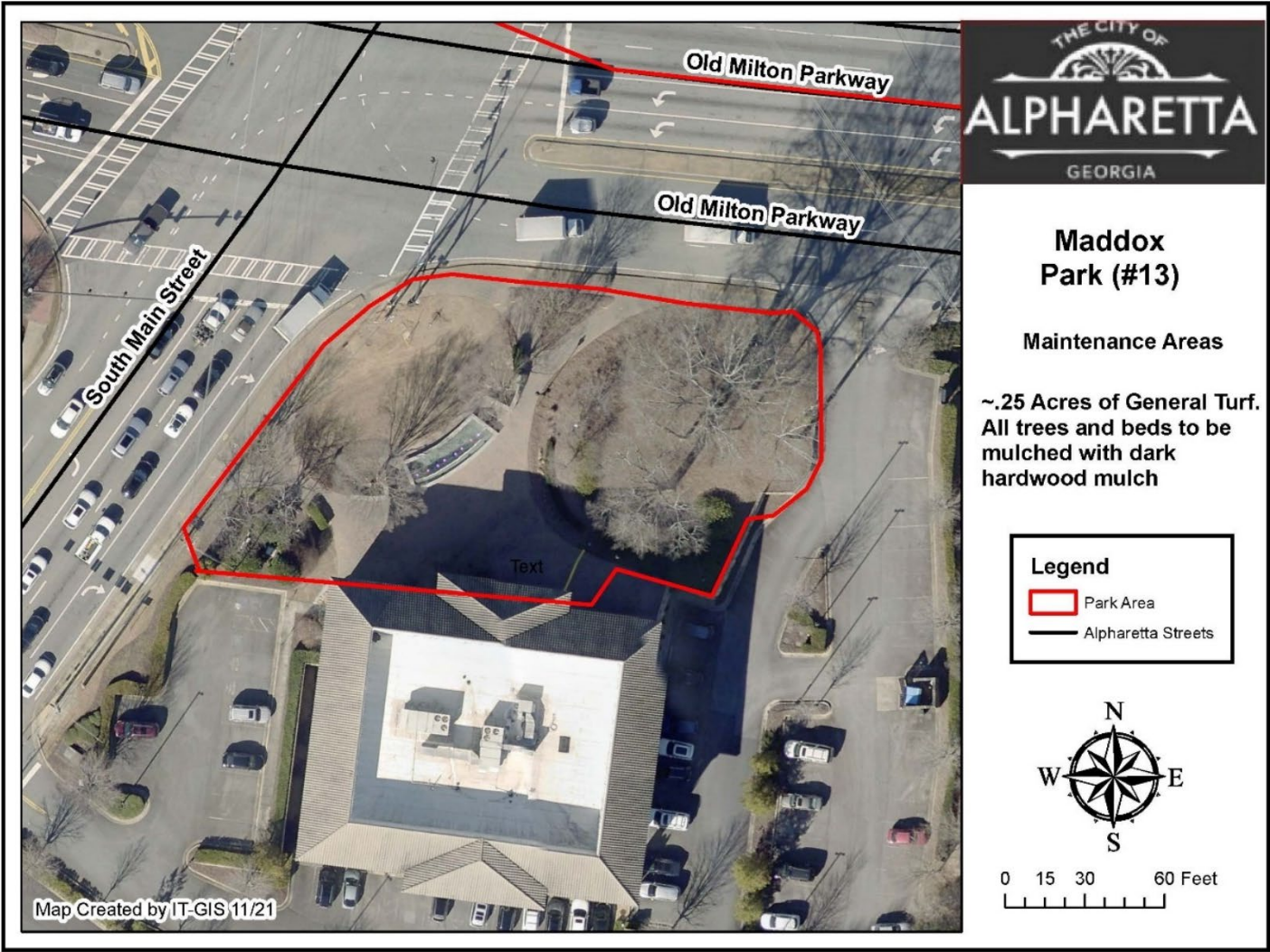
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw Long Needle Pine Straw	Mulch Quantities
11	Innovation Academy	2	General	Open	11.00	Weekly	2"				125 bales
11A	Innovation Academy	2	Bermuda	Ball Field		2 times per week	1.5"	Yes	Yes		

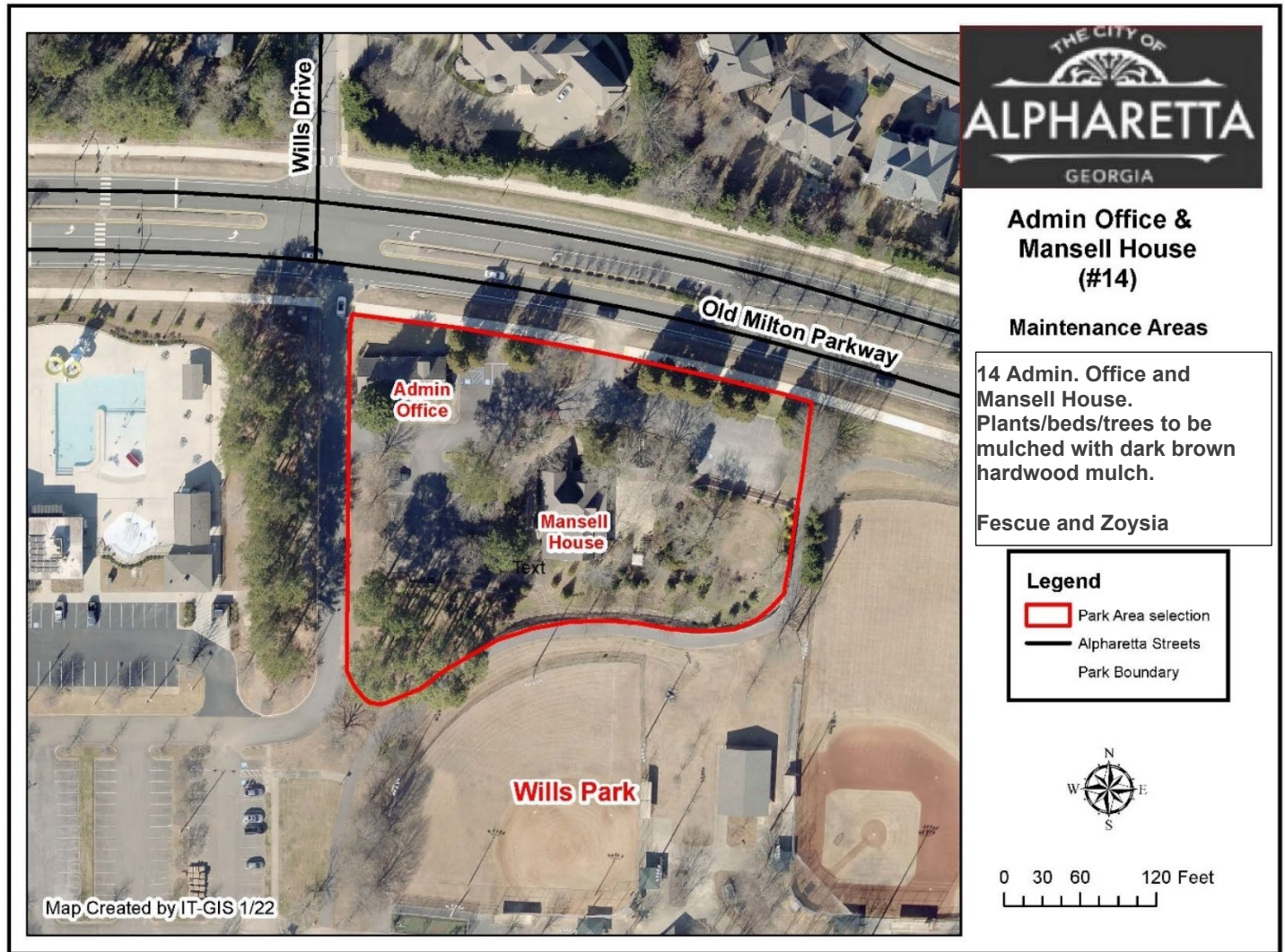


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
12	Log Cabin	2	General	Open	3.27	Weekly	3"/4"				



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
13	Maddox Park	1	General	Open	0.25	Weekly	2"			Dark Brown Hardwood Mulch	100 cu yds



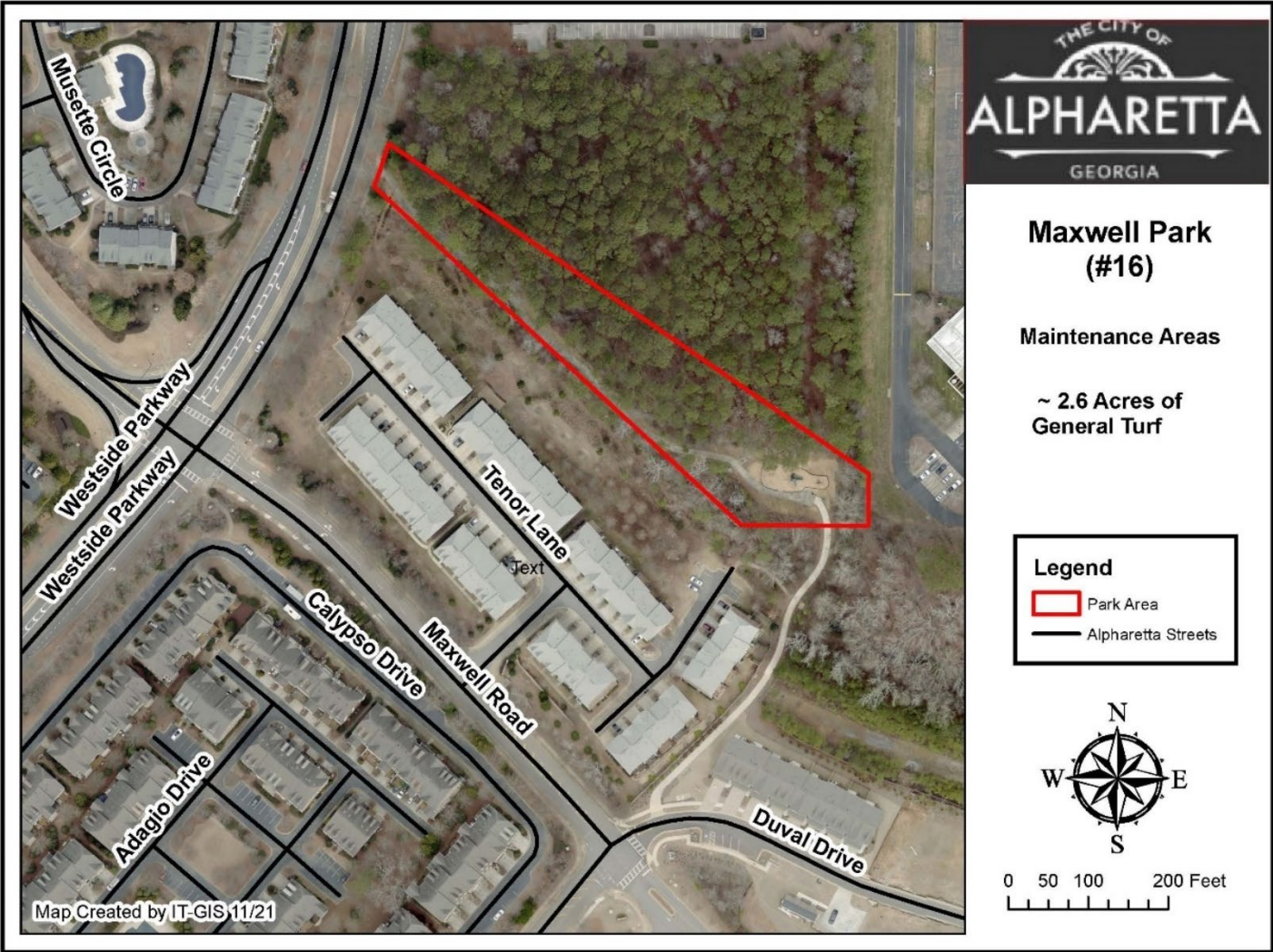
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
14	Mansell House, Parks Admin Office	1	General	Open	3.50	Weekly	2"			Dark Brown Hardwood Mulch	In Count for #29

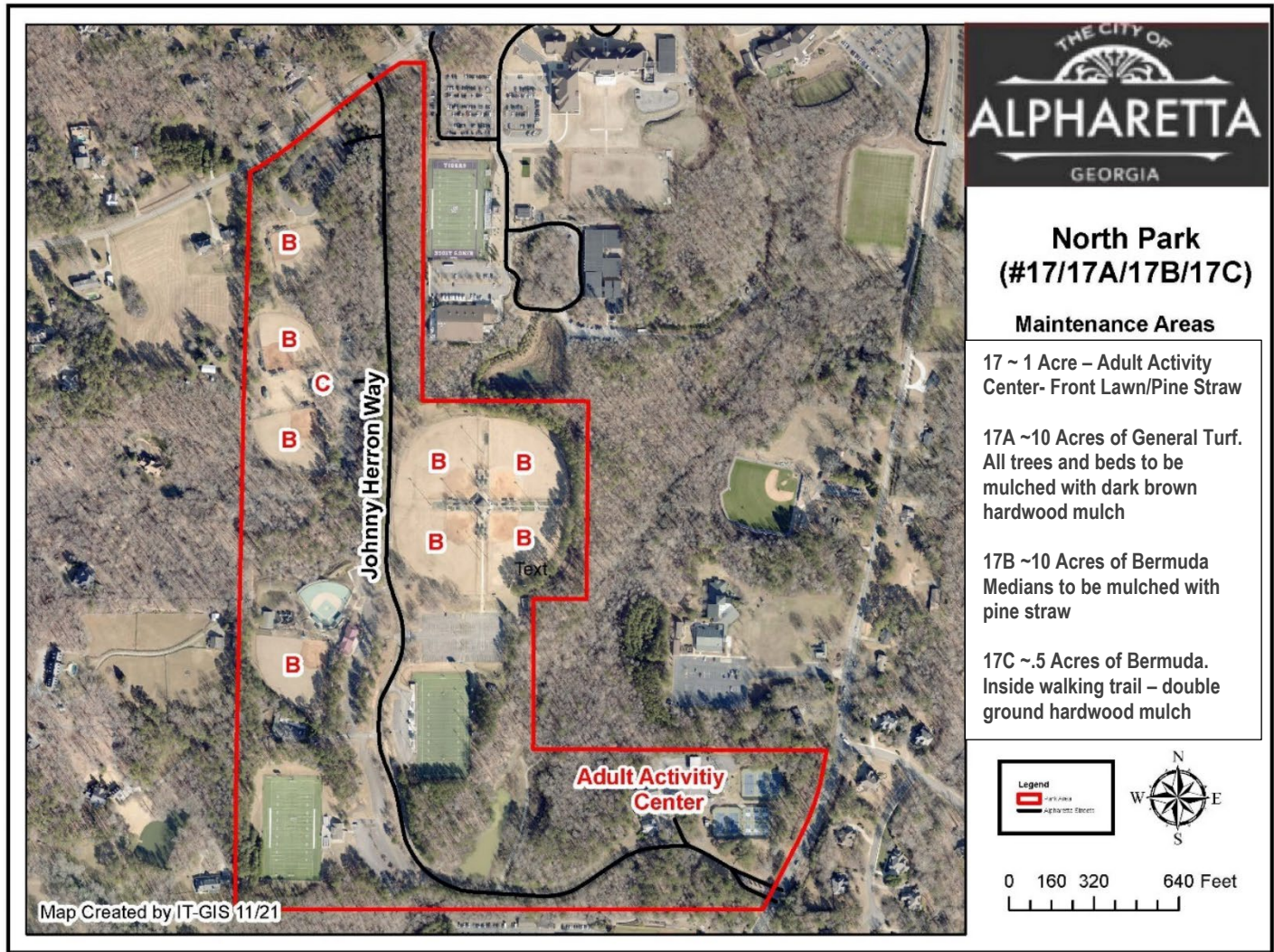


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
15	Marconi Entrance	2	General	Open	1.00	Weekly	2"			Long Needle Pine Straw	120 bales
15	Marconi Park	2	General	Open		Weekly	2"				

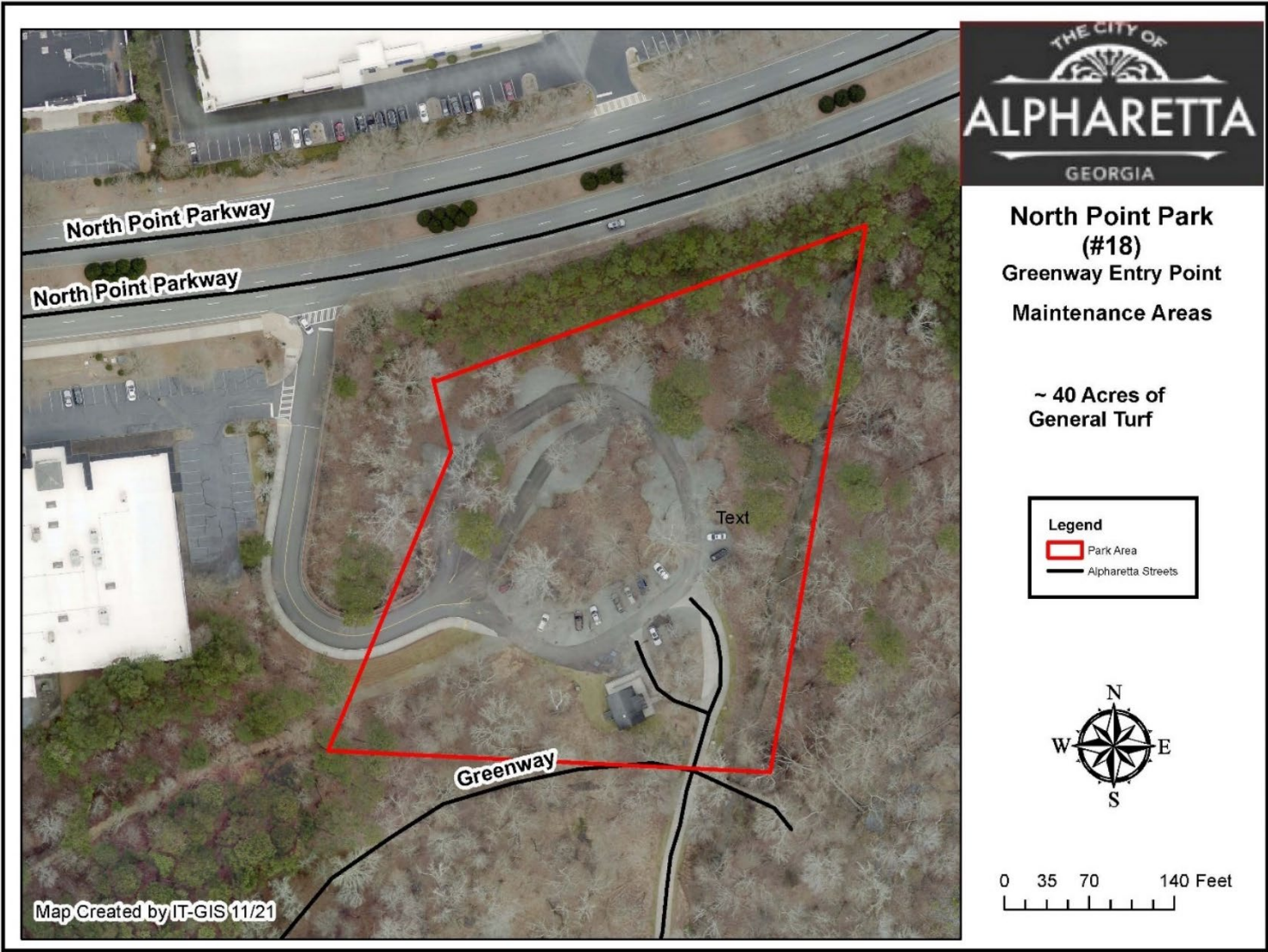


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
16	Maxwell Park	2	General	Open	2.60	Weekly	2"				



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
17	North Park Adult Activity Center	2	Lawn	Open	1.00	Weekly	2"	Yes	Yes	Long Needle Pine Straw	200 bales
17A	North Park	2	General	Open	10.00	Weekly	2"			Dark Brown Hardwood Mulch	80 cu yds
17B	North Park	2	Bermuda	Ball Field	10.00	2 times per week	1.5"	Yes	Yes	Medians: Dark Brown Hardwood Mulch; Trees/Beds: Long Needle Pine Straw	80 cu yds and 250 bales of pinestraw
17C	North Park @ Fields 6 - 8	2	Bermuda	Inside walking trail	0.50	2 times per week	1.5 "	Yes	Yes	Double Ground Hardwood Mulch	80 cu yds



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw Long Needle Pine Straw	Mulch Quantities
18	North Point Pkwy Park Entrance	2	General	Open	40.00	Weekly	2"				25 bales
18	North Point Park	2	General	Open		Weekly	2"				



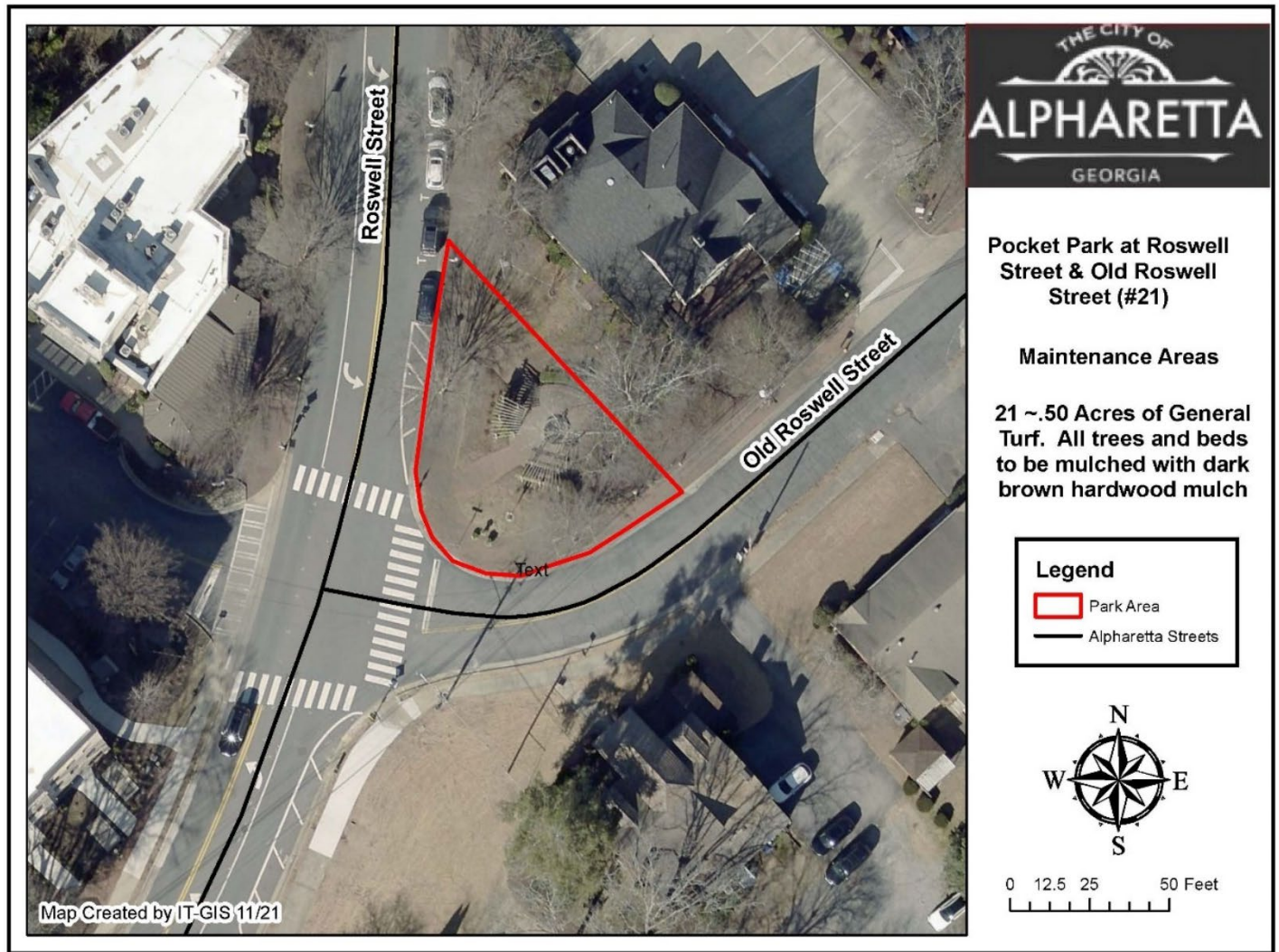
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
19	Ole Milton Park	1	General	Open	0.18	Weekly	2"			Dark Brown Hardwood Mulch	50 cu yds



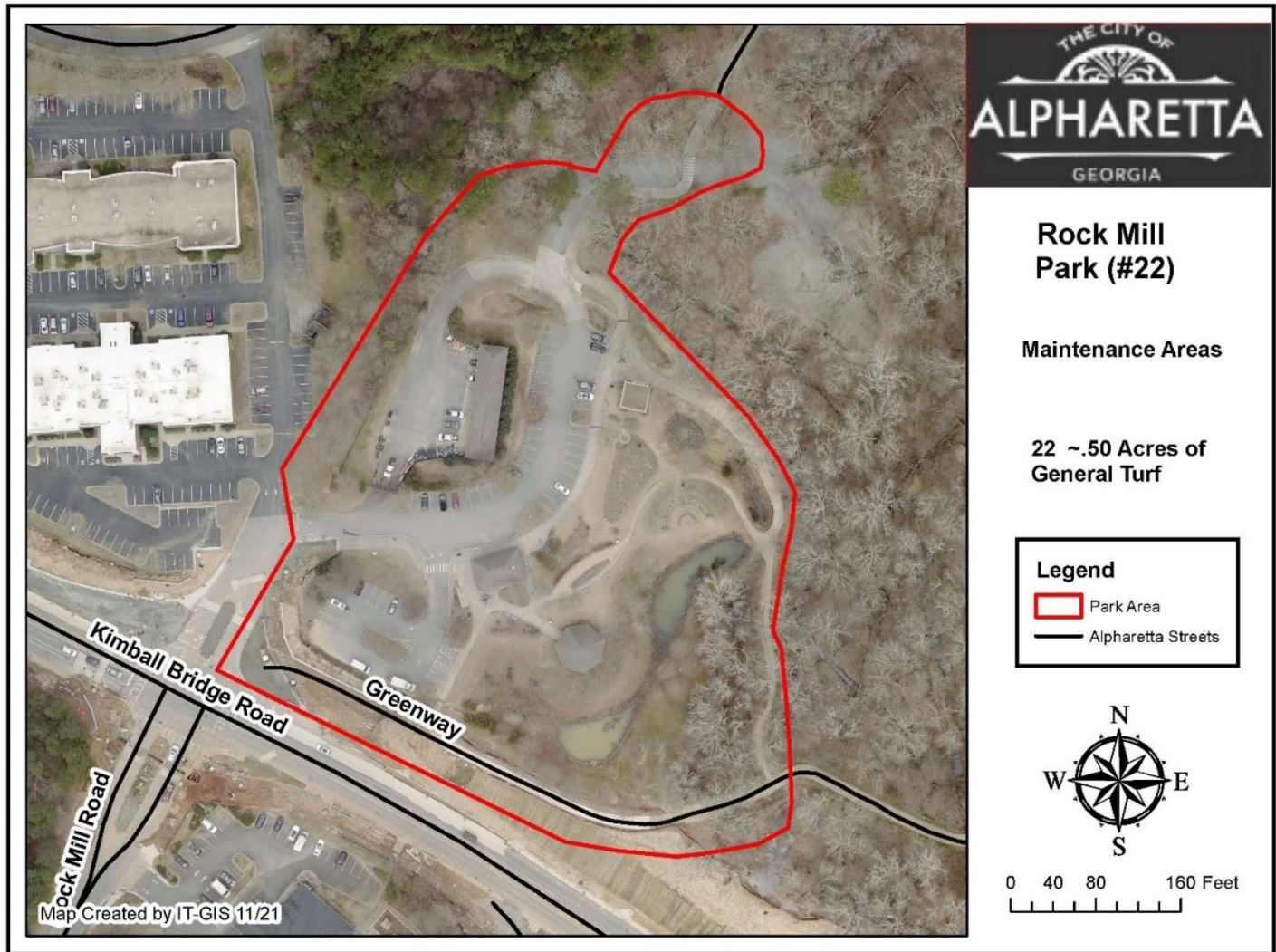
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
20	Pocket Park @ Canton St. & Old Canton St.	1	General	Open	0.50	Weekly	2"			Dark Brown Hardwood Mulch	20 cu yds



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
21	Pocket Park @ Roswell St. & Old Roswell St.	1	General	Open	0.50	Weekly	2"			Dark Brown Hardwood Mulch	20 cu yds



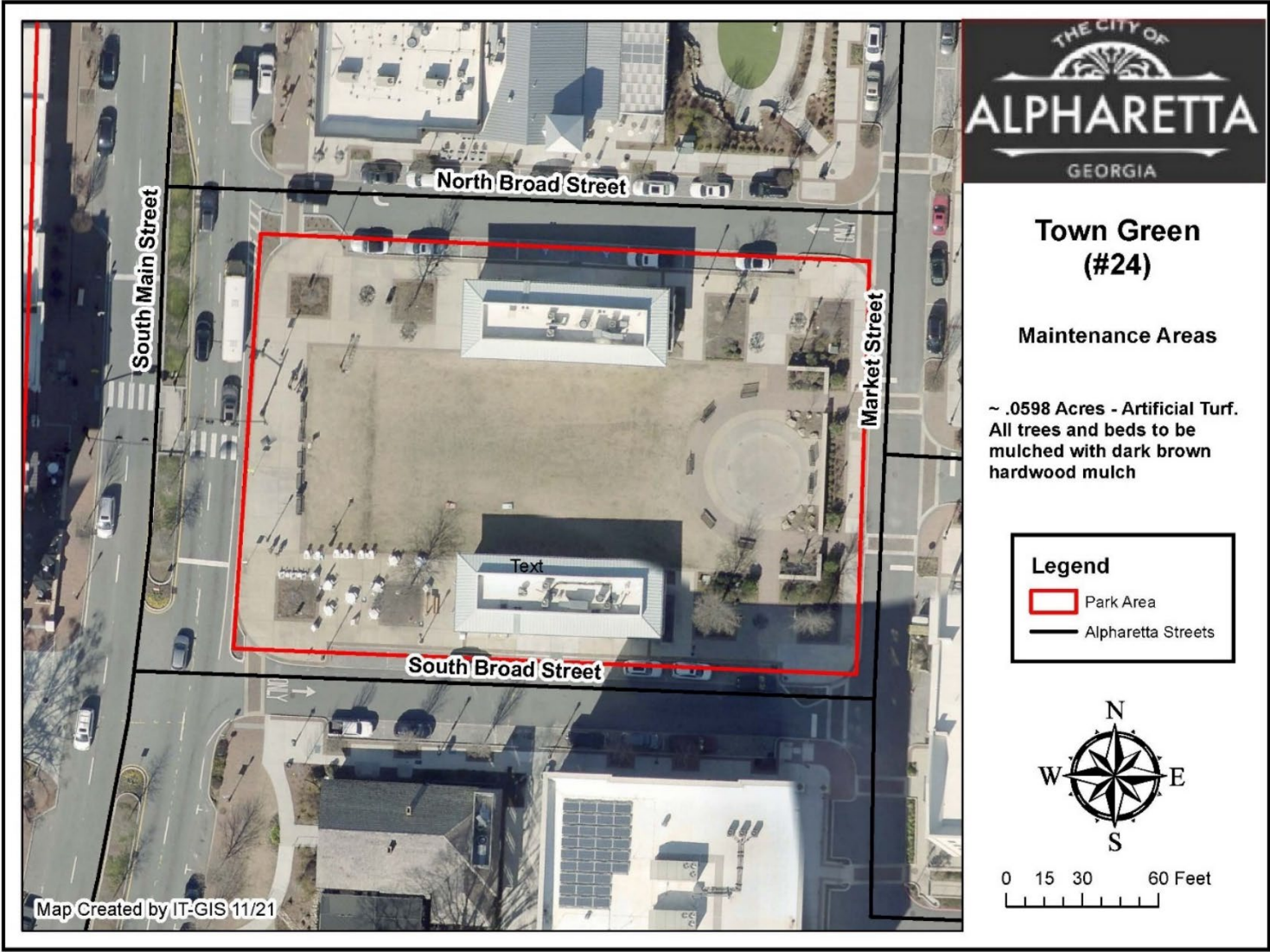
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
22	Rock Mill Park	2	General	Open	0.50	Weekly	2"			Long Needle Pine Straw	1000 bales

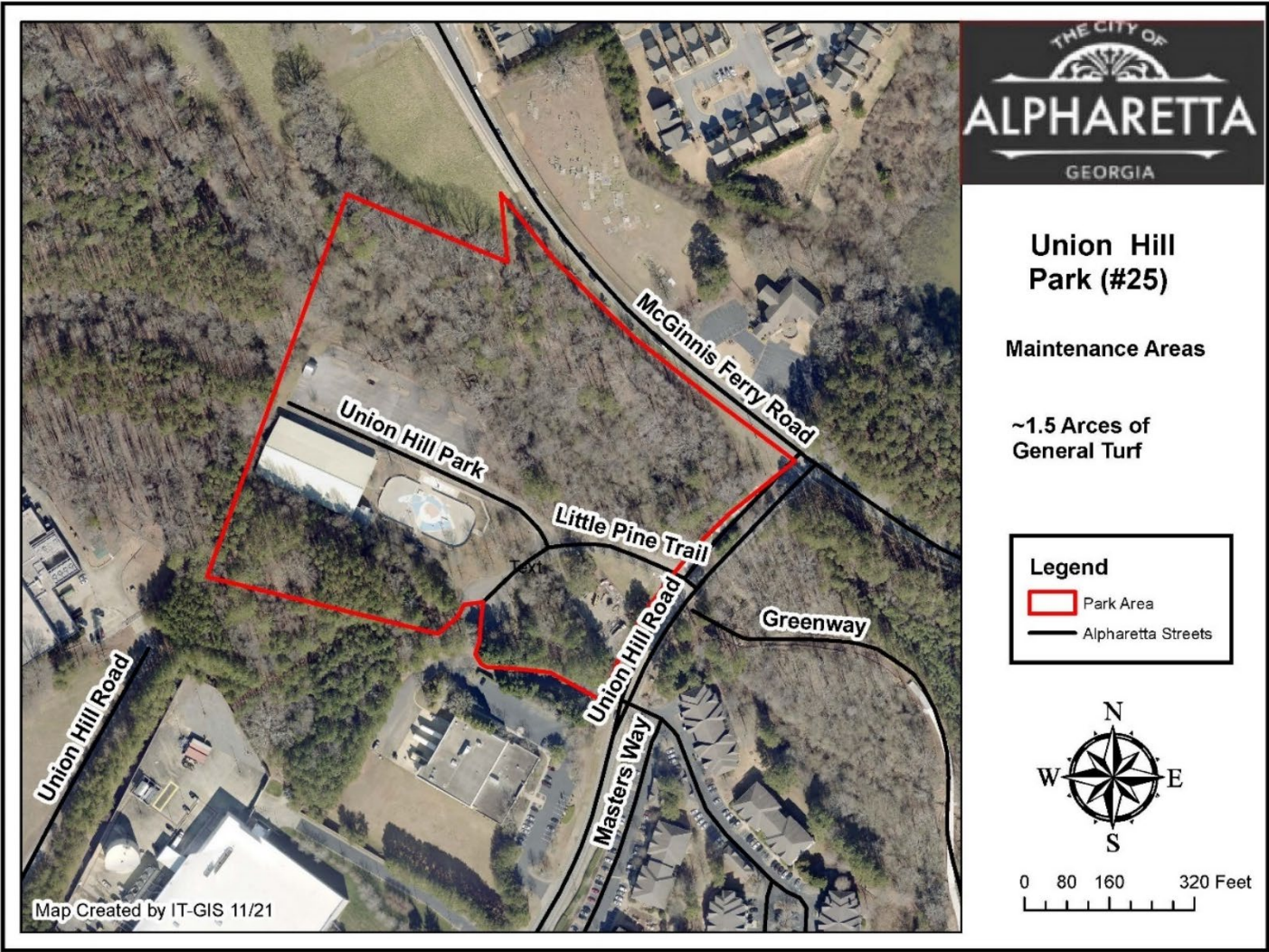


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

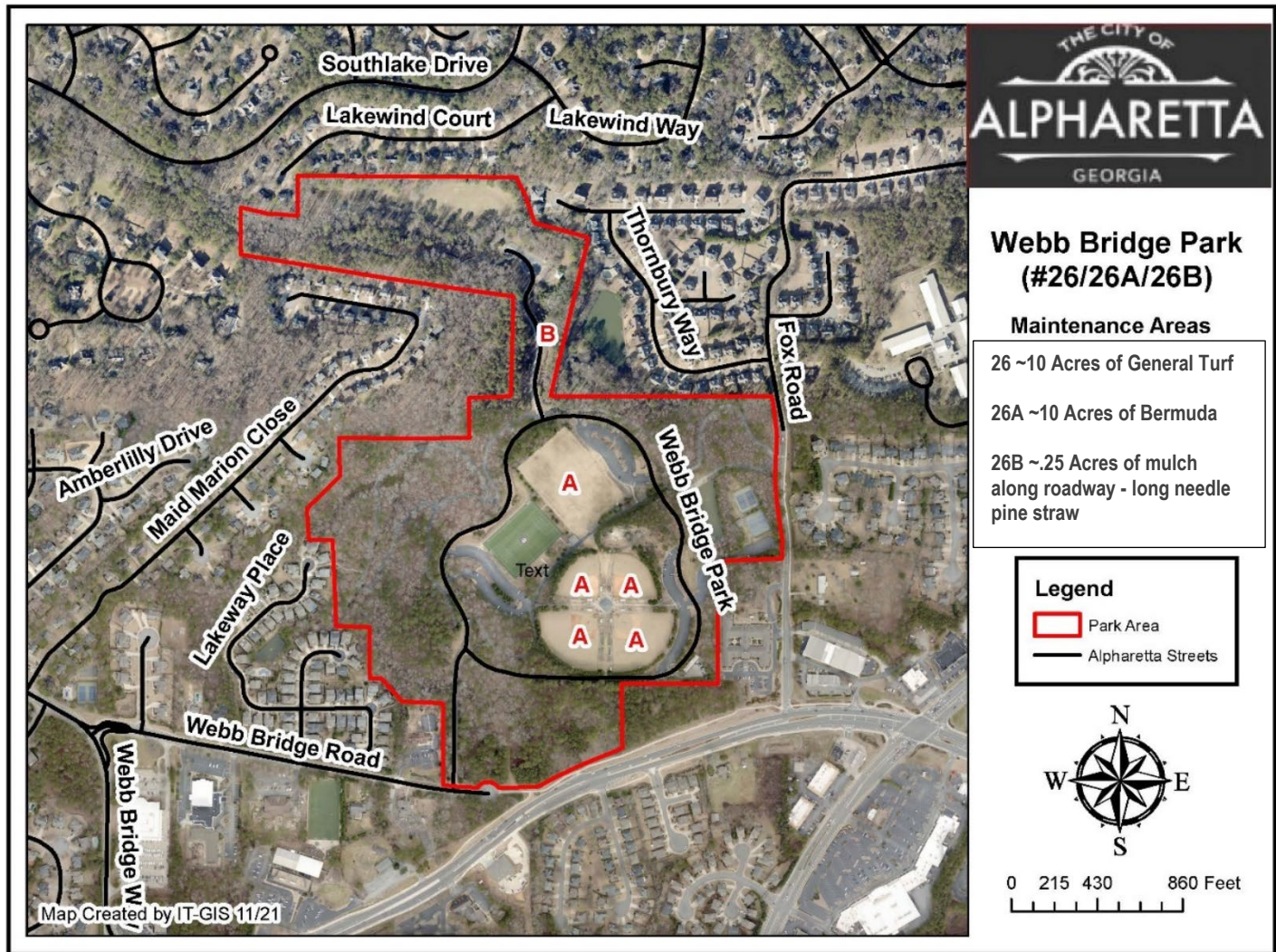
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
23	Silos Park	1	General	Open	1	Weekly	2"			Long Needle Pine Straw	600 bales



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
24	Town Green	1	Artificial Turf		0.0598					Dark Brown Hardwood Mulch	40 cu yds

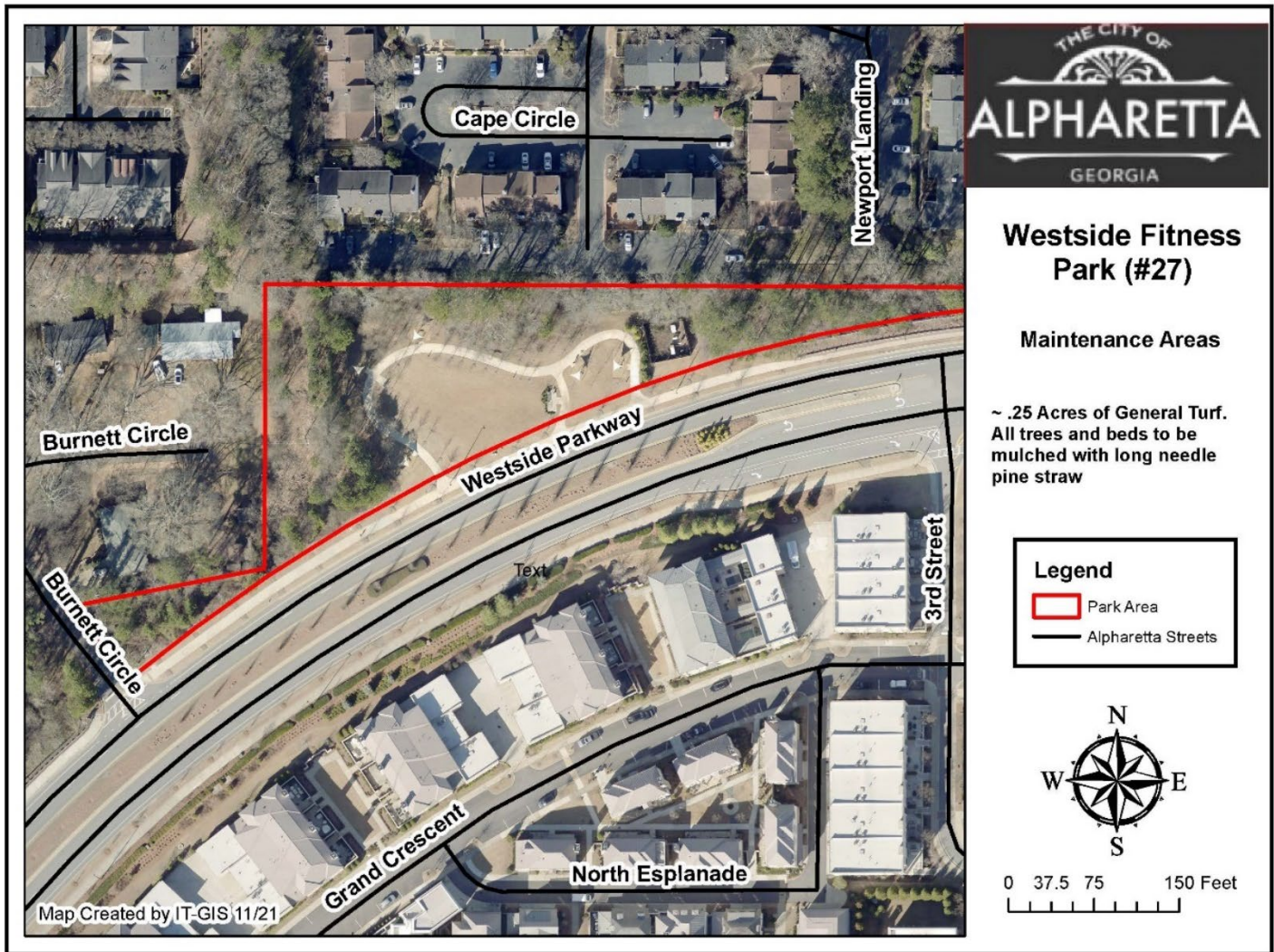


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
25	Union Hill Park	2	General	Open	1.50	Weekly	2"			Double Ground Hardwood Mulch	50 cu yds



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
26	Webb Bridge Park	2	General	Open	10.00	Weekly	2"			Double Ground Hardwood Mulch	160 cu yds
26	Webb Bridge Park Roadway	2	General	Open	0.25	Weekly	2"			Long Needle Pine Straw	900 bales
26	Webb Bridge Park	2	Bermuda	Ball Field	10.00	2 times per week	1.5"	Yes	Yes		



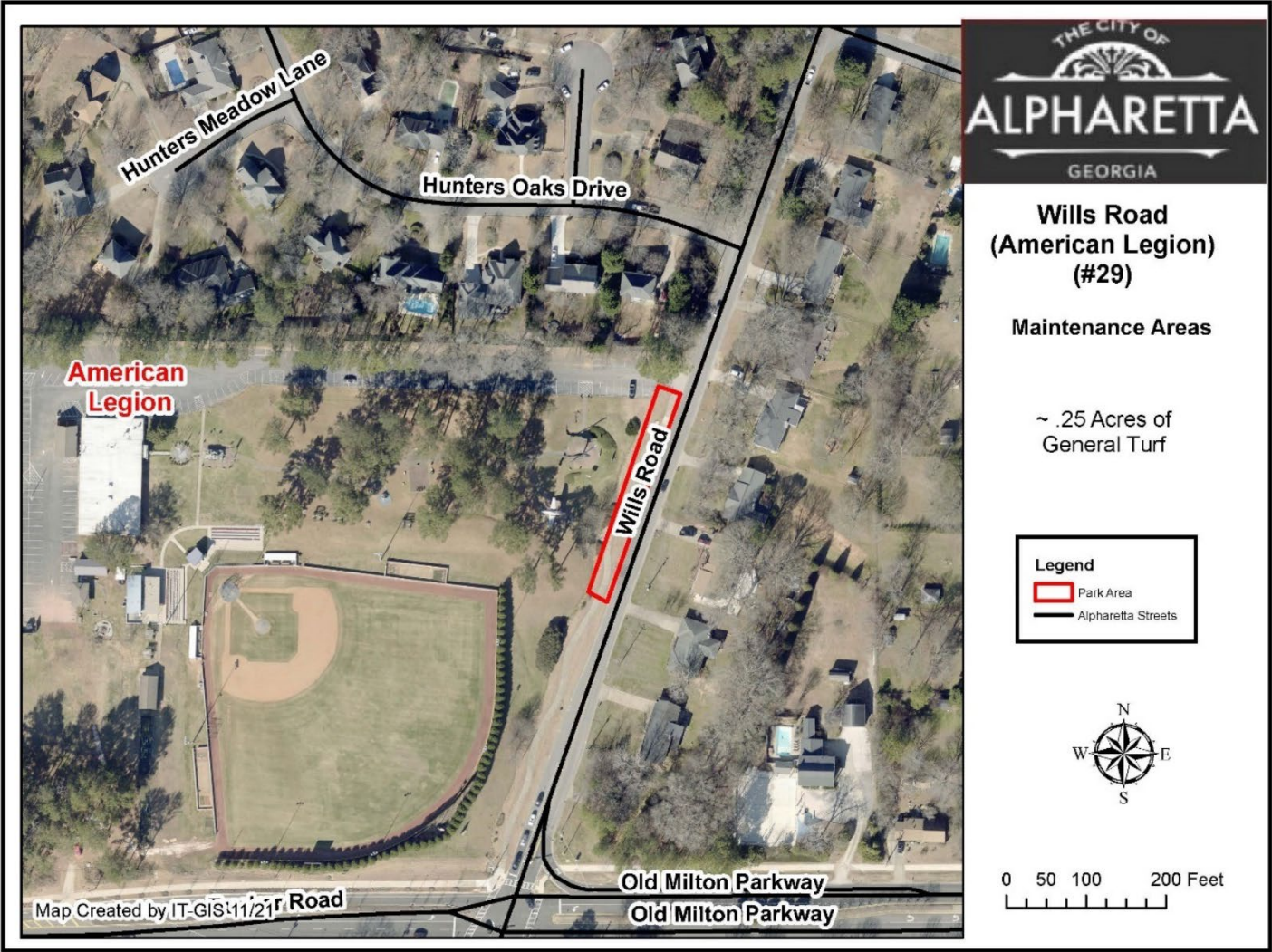
REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
27	Westside Fitness Park	2	General	Open	0.25	Weekly	2"			Long Needle Pine Straw	200 bales



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
28	Wills Park Community Center/Event Lawn, Administration Office, Pool, Mansell House & Wills Park Recreation Center	2	Lawn	Open		Weekly	2"	Yes	Yes	Dark Brown Hardwood Mulch	760 cubic yards
28B	Wills Park	2	Bermuda	Ball Field	9.00	2 times per week	1.5"	Yes	Yes	Long Needle Pine Straw	600 bales
28C	Wills Park to include Berm Between sidewalk & Road	2	General	Open		Weekly	2"				
28D	Wills Park Paw Park	2	General	Open	2.00	Weekly	2"				
28E	Wills park Equestrian Center	2	General	Open	6.00	Weekly	2"			Dark Brown Hardwood Mulch	560 cubic yards

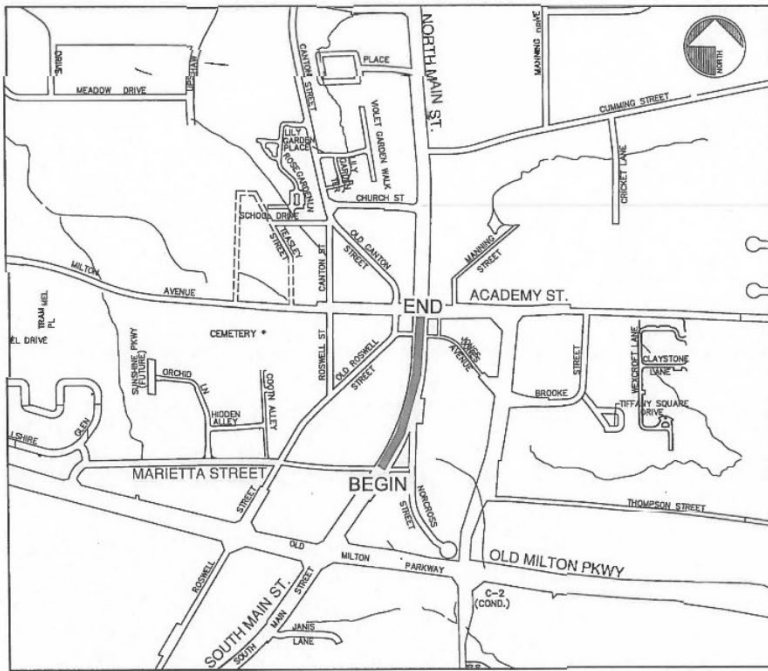


REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
29	Wills Road in Front of American Legion	2	General	Open	0.25	Weekly	2"			Dark Brown Hardwood Mulch	20 cu yds



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
30	Windard Community Park	2	General	Open	2.50	Weekly	2"			Long Needle Pine Straw	250 bales

Main St. Medians & Islands (#31)
Page 1 of 7**PROJECT LOCATION:**

SOUTH MAIN STREET (SR 9) - MARIETTA STREET TO ACADEMY STREET

NOT TO SCALE

SHEET INDEX:

L100: COVER SHEET
 L101-L103: PLANTING PLANS
 L104: PLANT SCHEDULE
 L105-L106: PLANTING DETAILS



1790 Hembree Road
 Alpharetta, Georgia 30009
 Phone: 678-297-6200
 Fax: 678-297-6201

LANDSCAPE PLANS

REVISED

ORIGINAL ISSUE DATE:
 OCTOBER 20, 2015

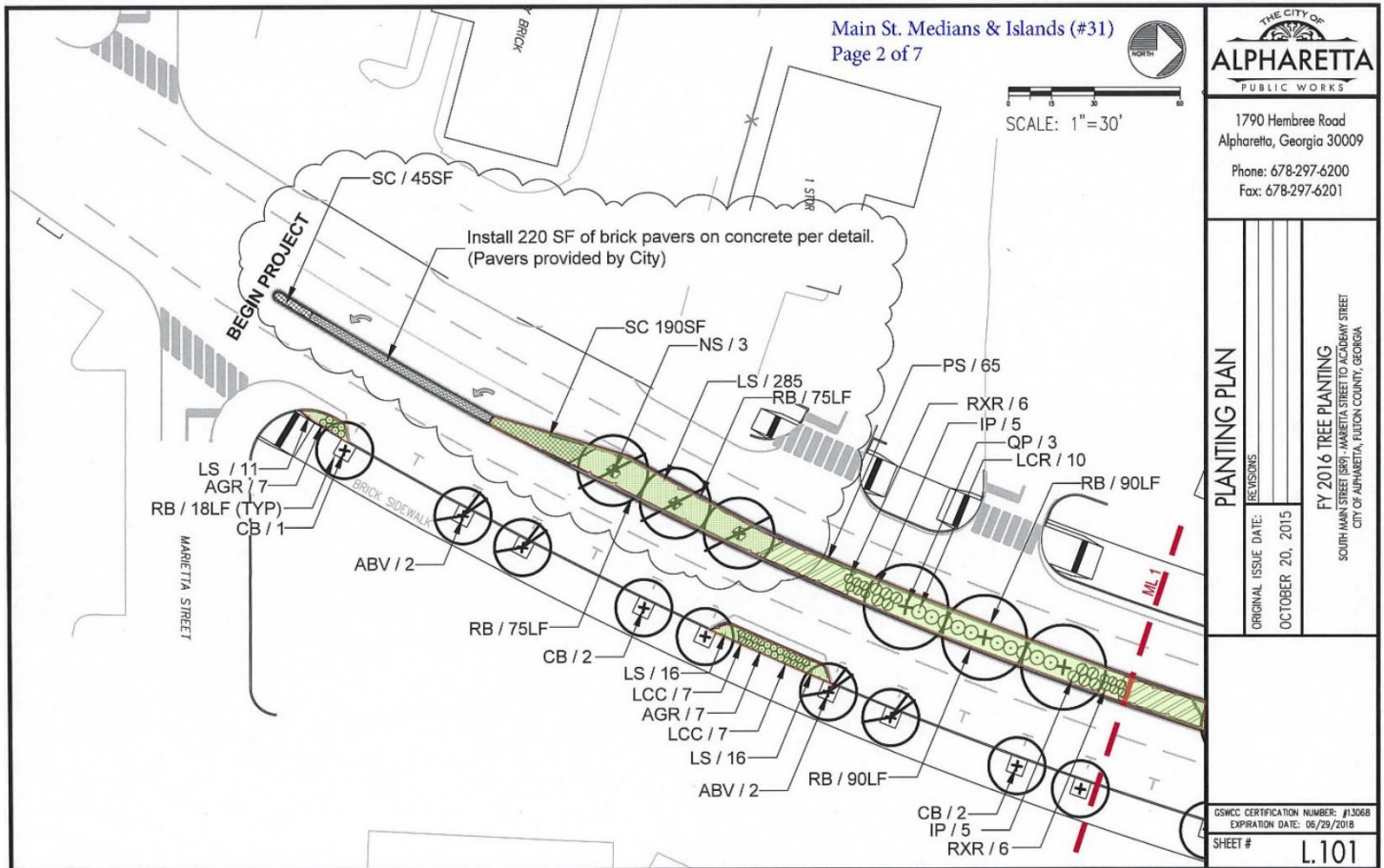
FY 2016 TREE PLANTING
 SOUTH MAIN STREET (SR 9) - MARIETTA STREET TO ACADEMY STREET
 CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

GSWCC CERTIFICATION NUMBER: #3058
 EXPIRATION DATE: 06/29/2018

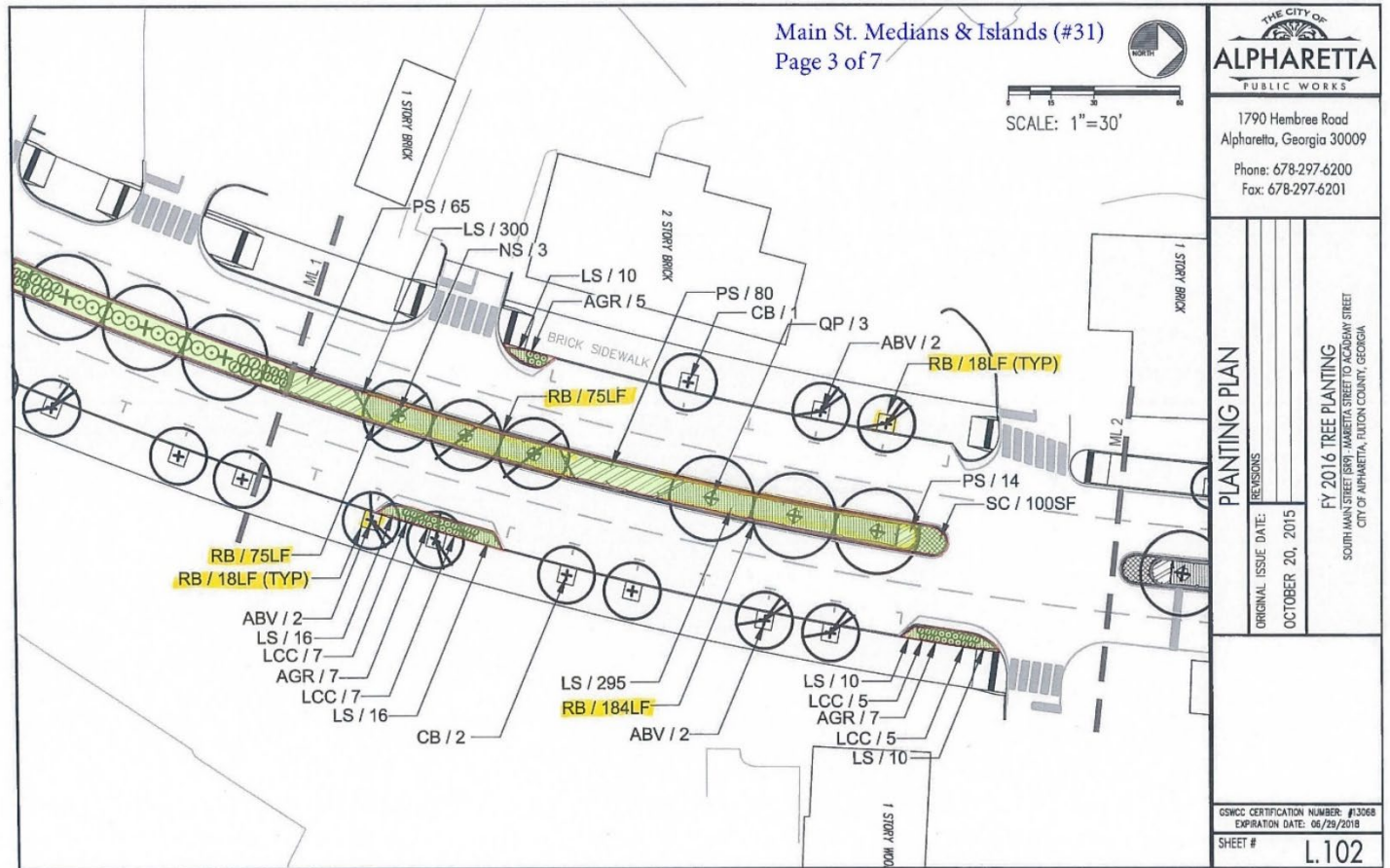
SHEET # **L.100**

REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

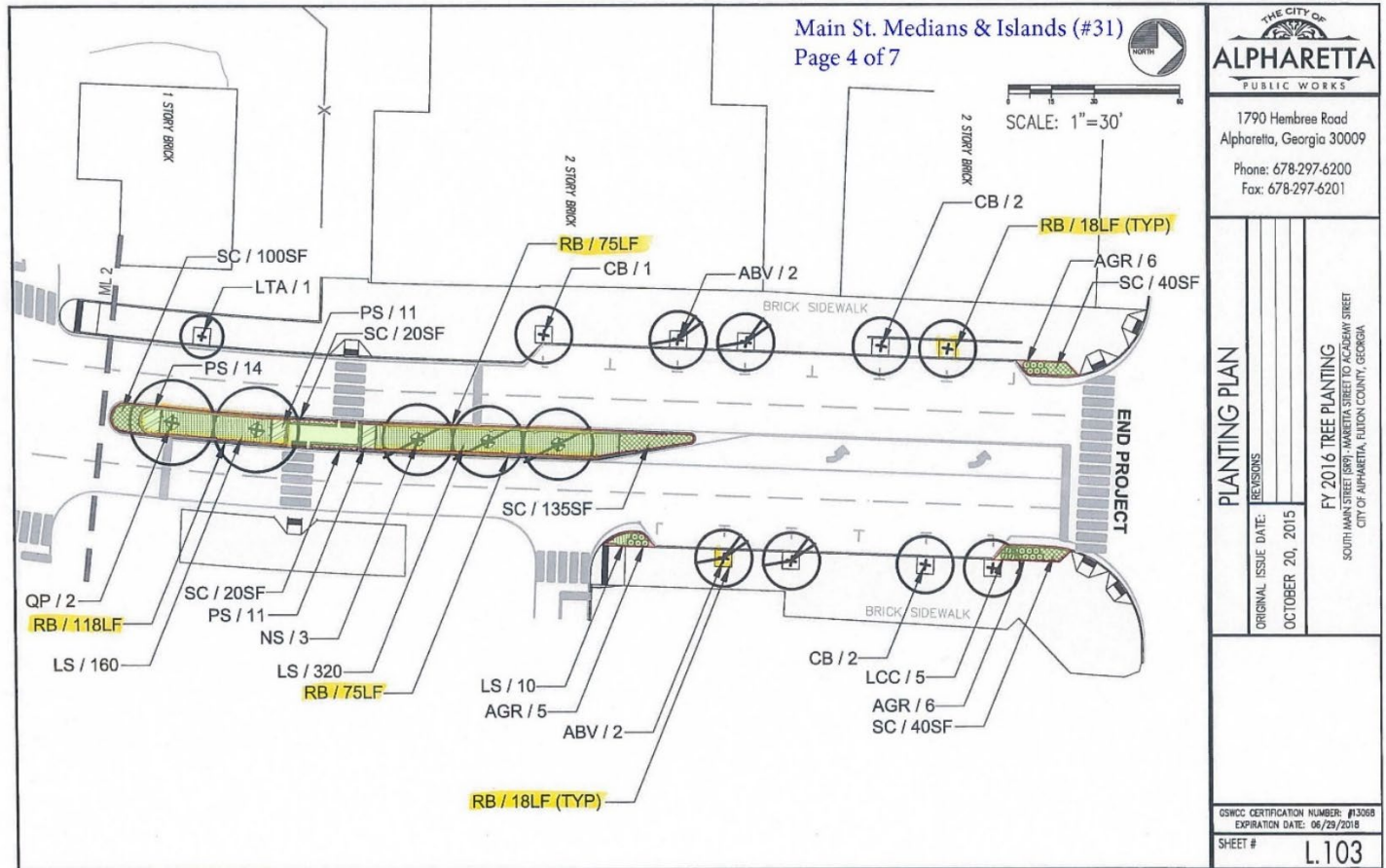
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch / Pine Straw	Mulch Quantities
31	Main Street Medians at City Center	1								Dark Brown Hardwood Mulch	110 cu yds



See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)



See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)



See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)

PLANT SCHEDULE

Main St. Medians & Islands (#31)

Page 5 of 7

KEY	LATIN NAME	COMMON NAME	SIZE & PLANTING SPECS	QTY
ABV	Acer buergerianum	Trident Maple	4" cal, 16'-18' ht., standard, located per plans	14
AGR	Abelia x grandiflora 'Rose Creek'	Rose Creek Abelia	3 gal, full, 30" o.c.	50
CB	Carpinus betulus 'Fastigiata'	Upright European Hornbeam	4" cal, 16'-18' ht., located per plans	13
JP	Illicium parviflorum	Yellow Anise	3 gal, full, 4' o.c.	10
LCR	Loropetalum chinense 'Ruby'	Ruby Loropetalum	7 gal, full, 24"Hx30"W, 5ft o.c. per plans	10
LCC	Loropetalum chinense 'Crimson Fire'	Crimson Fire Loropetalum	3 gal, full, 30" o.c.	43
LS	Liriope spicata	Creeping Lilyturf	4" pot, full, 18" o.c.	1,575
LTA	Liriodendron tulipifera 'Arnold'	Arnold Tulip Poplar	4" cal, 16'-18' ht., 25' o.c. per plans	1
NS	Nyssa sylvatica	Tupelo	4" cal, 16'-18' ht., 25' o.c. per plans	9
PS	Phlox subulata 'Emerald Pink'	Creeping Phlox	1 gal, 24" o.c., staggered rows	260
QP	Quercus phellos 'Kingpin'	Kingpin Willow Oak	4" cal, 16'-18' ht., 30' o.c. per plans	8
RXR	Rosa x 'Radtke'	Radtke Double Knock-out Rose	3 gal, full, 36" o.c.	12
SC	Seasonal Color (square ft area)	Seasonal annual /perennial	4" pot minimum	690 SF
OTHER ITEMS				
	Hardwood Mulch	-	3" depth, brown hardwood mulch as approved by City	LS (contractor must provide CY quantity)
RS	River Stone	-	Install 3"-6" River Rounds to 6" depth over weed barrier	450 SF
RB	Root Barrier	-	Install root barrier per plans and project manual	1,436 LF

NOTES:

- See Project Manual in bid materials for complete notes pertaining to this set of plans.
- Unless otherwise stated, all trees must have a single central leader and a full and uniform canopy.
- Trees shall be planted during dormant season, November 15-March 1. Shrubs and groundcovers shall be planted April 1-30.
- Root barrier must be installed in all tree wells on the three sides abutting sidewalks. Root barrier shall not be installed adjacent to curbing due to existing bio barrier.



1790 Hembree Road
Alpharetta, Georgia 30009

Phone: 678-297-6200
Fax: 678-297-6201

PLANT SCHEDULE

REVISIONS

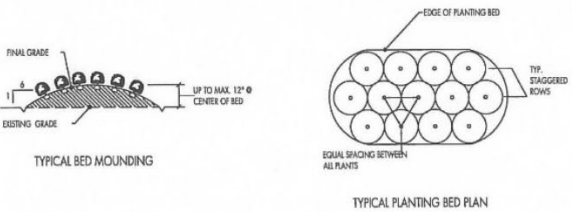
ORIGINAL ISSUE DATE:
OCTOBER 20, 2015

FY 2016 TREE PLANTING
SOUTH MAIN STREET (SR) - MARIETTA STREET TO ACADWY STREET
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

CSWCC CERTIFICATION NUMBER: #13058
EXPIRATION DATE: 06/29/2018

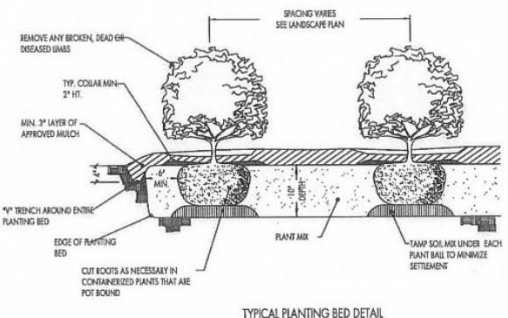
SHEET # L.104

See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)



TYPICAL BED MOUNDING

TYPICAL PLANTING BED PLAN

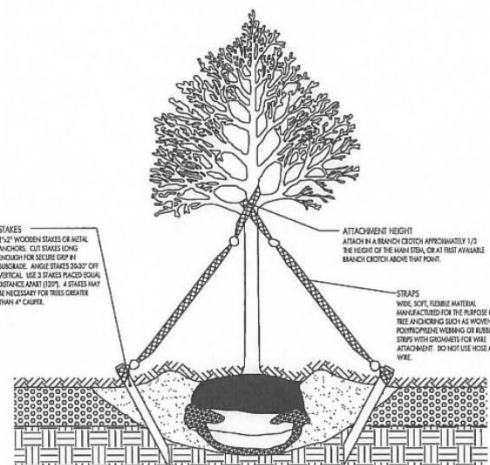


TYPICAL PLANTING BED DETAIL

NOTES:

1. OMIT COLLAR AROUND EACH SHRUB WHEN IRRIGATION SYSTEM IS PRESENT.
2. INSTALL TOP OF PLANT BALL 2"-3" ABOVE ADJACENT GRADE.
3. TAMP PLANTING MIX FIRMLY AS IT IS FILLED AROUND EACH PLANT BALL.
4. SOAK EACH PLANT BALL AND FIT IMMEDIATELY AFTER INSTALLATION.

Main St. Medians & Islands (#31)
Page 6 of 7

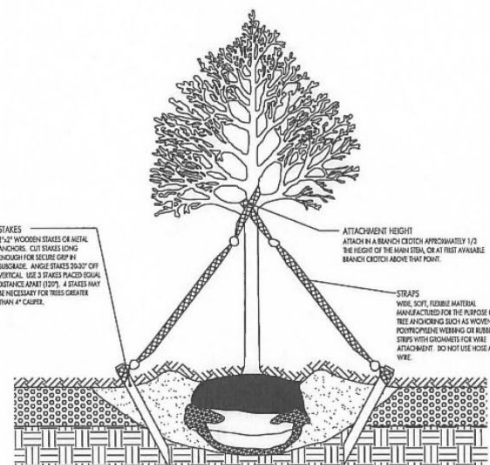


SHRUB PLANTING BED

08/01/2015

STD. L-7

Main St. Medians & Islands (#31)
Page 6 of 7



TREE ANCHORING - TYPE A
(FOR TREES LARGER THAN 2 INCHES CALIPER)

08/01/2015

STD. L-2

THE CITY OF
ALPHARETTA
PUBLIC WORKS

1790 Hembree Road
Alpharetta, Georgia 30009

Phone: 678-297-6200
Fax: 678-297-6201

FY 2016 TREE PLANTING
SOUTH MAIN STREET (SR97) - MARBETTA STREET TO ACADEMY STREET
CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

PLANTING DETAILS

ORIGINAL ISSUE DATE: OCTOBER 20, 2015

REVISIONS

GSNCC CERTIFICATION NUMBER: #3068
EXPIRATION DATE: 06/29/2016

SHEET # **L.105**

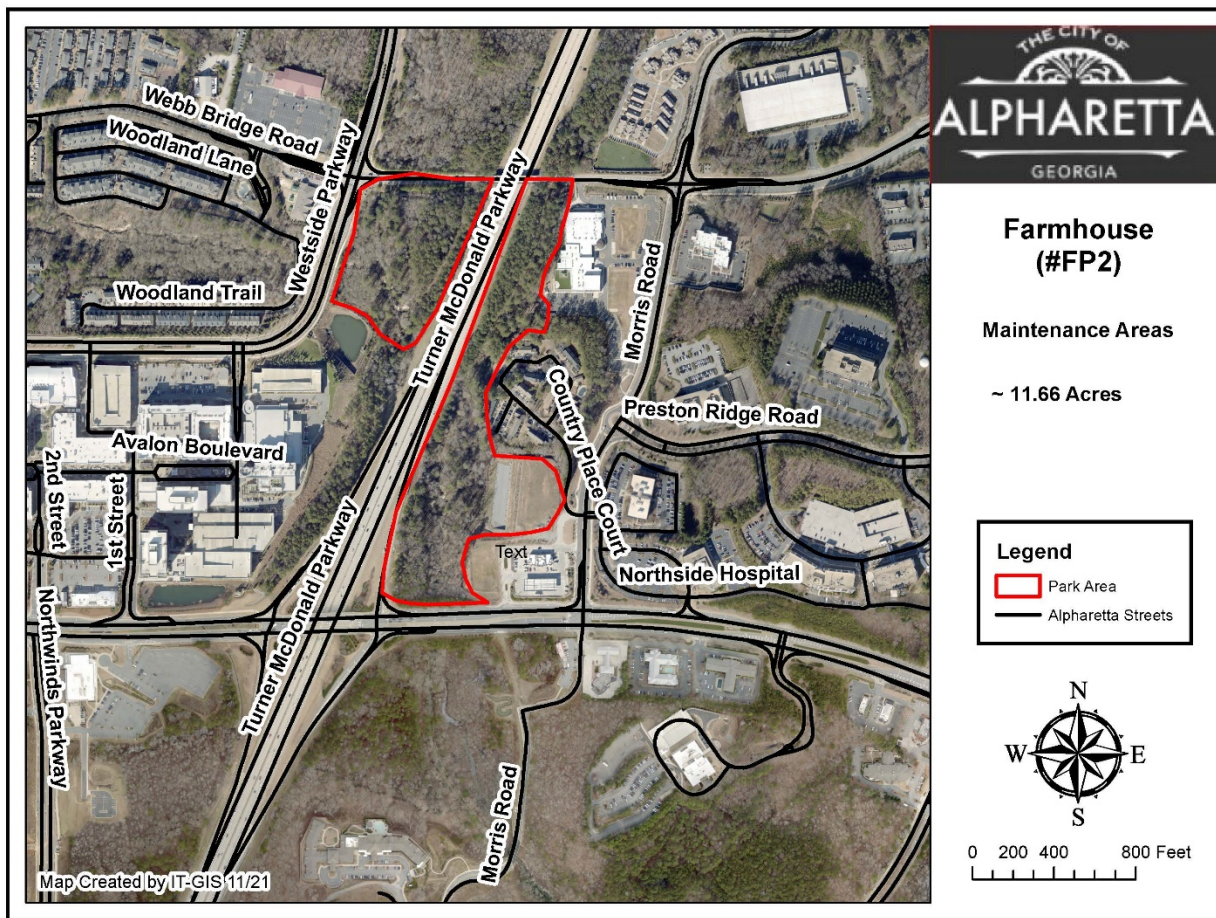
See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)

THE CITY OF ALPHARETTA PUBLIC WORKS		1790 Hembree Road Alpharetta, Georgia 30009 Phone: 678-297-6200 Fax: 678-297-6201	
NOTES: 1. ROOT BARRIERS SHALL BE REQUIRED WHEN TREES ARE PLANTED WITHIN 1/2' OF ALL CITY OWNED AND MAINTAINED HANDBASKETS. 2. ROOT BARRIERS SHALL BE INSTALLED ALONG THE LENGTH OF THE HANDBASKETS FOR THE EXPECTED CUE OF THE TREE AT MATURITY OR ALONG THE ENTIRE LENGTH OF THE HANDBASKET. 3. ROOT BARRIERS SHALL BE HIGH-DENSITY AND HIGH IMPACT PLASTIC, A MINIMUM 18" DEEP, AS AVAILABLE FROM "DEEP ROOT", VESPER, INC. OR EQUIVALENT AS APPROVED BY CITY OF ALPHARETTA. NO BARRIER OR SHALOW MAY BE SUBSTITUTED, AS APPROVED BY THE CITY. 4. TOP OF ROOT BARRIER SHALL BE SET A MINIMUM OF 36" ABOVE FINISHED GRADE OF SOIL. HOWEVER, UNDER NO CIRCUMSTANCES SHALL THE TOP OF ROOT BARRIER EXCEED ABOVE ADJACENT CURB, SIDEWALK OR OTHER HANDBASKETS, AND SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS. PLEASE PROVIDE MANUFACTURER'S INSTRUCTIONS.		Main St. Medians & Islands (#31) Page 7 of 7 THE CITY OF ALPHARETTA GEORGIA TREE ANCHORING - TYPE B (FOR TREES UP TO 2 INCHES CALIPER OR FOR TREES IN BEAUTY STRIPS, SIDEWALK CUTOUTS, PLANTING PITS, ETC.) 08/01/2015 STD. L-3 NOTE: THIS DETAIL MAY BE UTILIZED FOR TREES GREATER THAN 2 INCHES CALIPER WHICH ARE TO BE PLANTED IN BEAUTY STRIPS, SIDEWALK CUTOUTS, PLANTING PITS, AND SIMILAR LOCATIONS WHERE THERE IS NO ROOM FOR STRAPPING AS PER STD. L-2.	
THE CITY OF ALPHARETTA GEORGIA ROOT BARRIER DETAIL (FOR PUBLIC SIDEWALKS OR CURBING) 08/01/2015 STD. L-8		THE CITY OF ALPHARETTA GEORGIA TREE ANCHORING - TYPE B (FOR TREES UP TO 2 INCHES CALIPER OR FOR TREES IN BEAUTY STRIPS, SIDEWALK CUTOUTS, PLANTING PITS, ETC.) 08/01/2015 STD. L-3	
PLANTING DETAILS ORIGINAL ISSUE DATE: OCTOBER 20, 2015 REVISIONS		FY 2016 TREE PLANTING SOUTH MAIN STREET (SR) - ALPHARETTA STREET TO ACADAM STREET CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA	
CSWCC CERTIFICATION NUMBER: #13088 EXPIRATION DATE: 06/23/2016		SHEET # L.106	

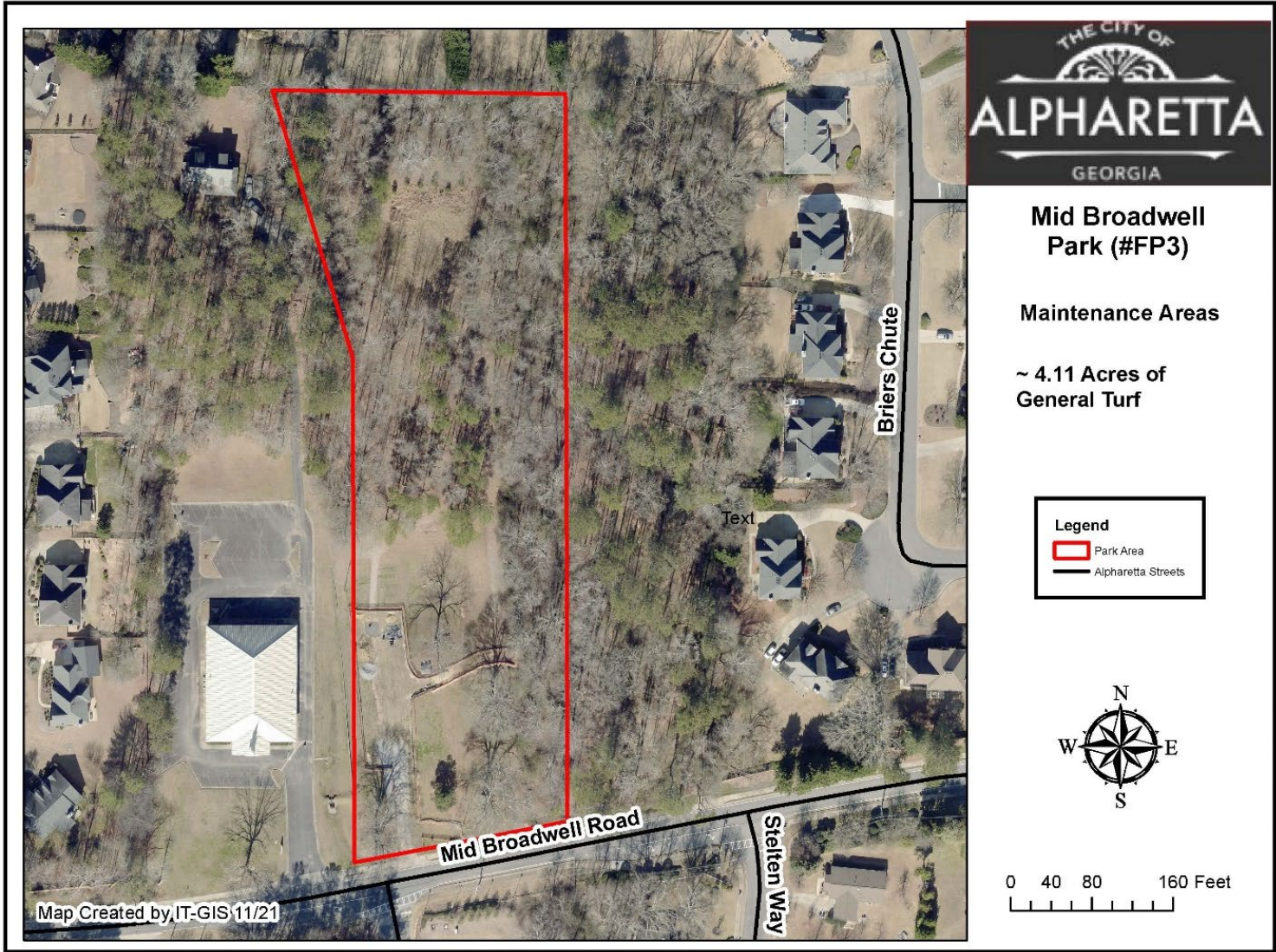
See Main St. Medians & Islands (#31), Page 1 of 7 (plan sheet L.100)



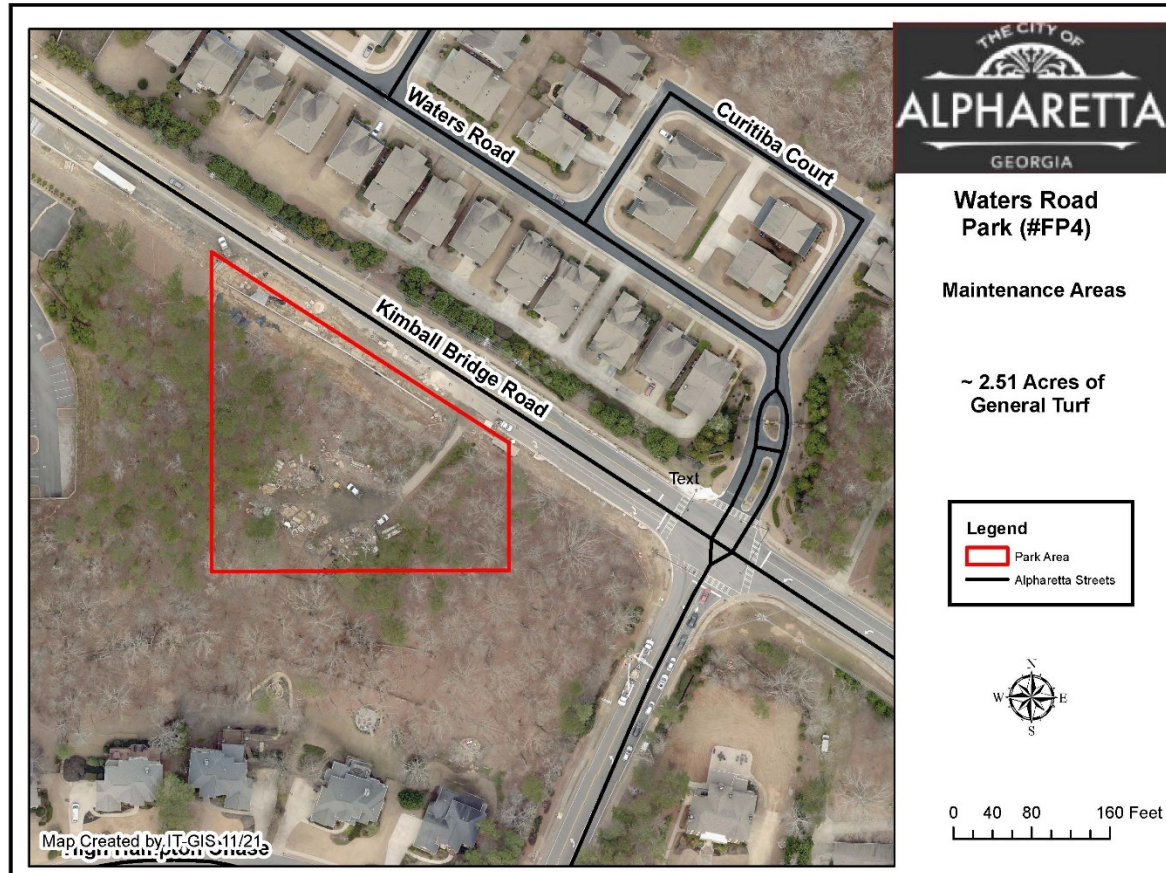
Future Park with no regular maintenance at this time.



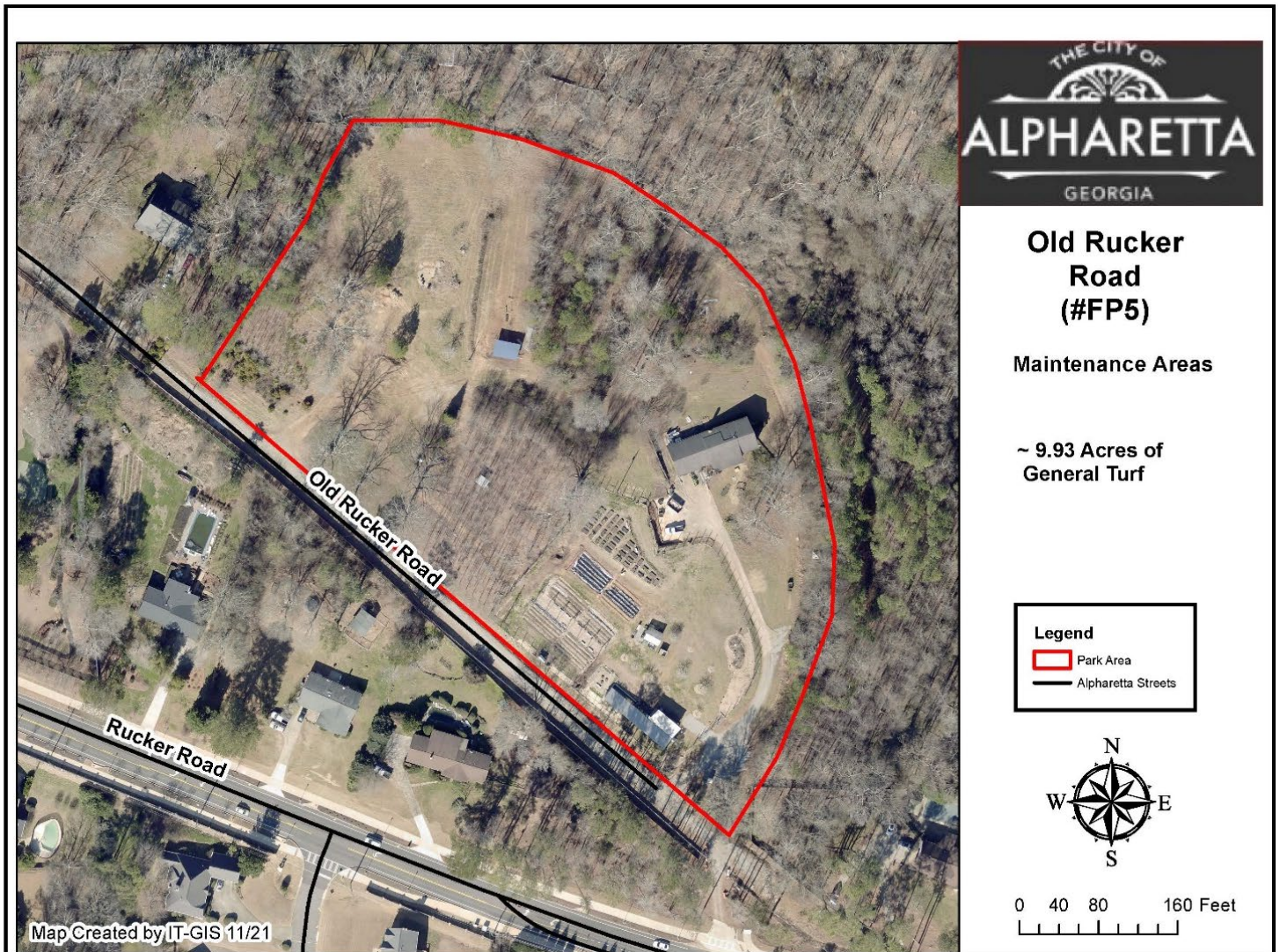
Future Park with no regular maintenance at this time.



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
FP3	Mid Broadwell Park	2	General	Open	4.11	Weekly					

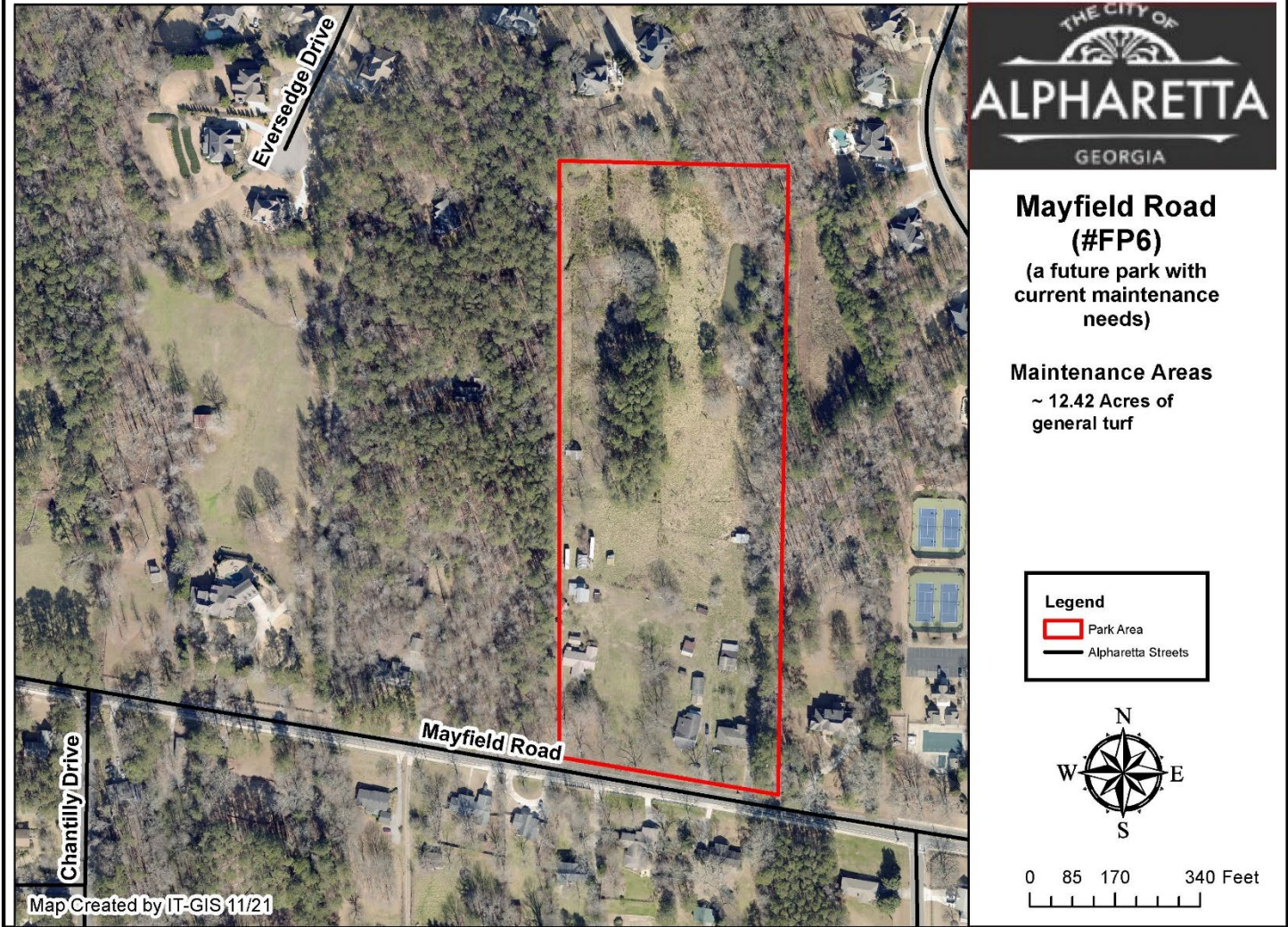


Future Park with no regular maintenance at this time.



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE

Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
FP5	Old Rucker Road	2	General	Open	9.93	Weekly					



REGULAR MAINTENANCE SCHEDULE FOR PARKS LANDSCAPE MAINTENANCE											
Map Location	Park Name/Description	Maintenance Level	Turf Type	Area Type	Estimated Acreage	Mowing Frequency	Mowing Height	Pre-Emergent	Fertilization	Dark Brown Hardwood Mulch/ Pine Straw	Mulch Quantities
FP6	Mayfield Road Property	2	General	Open	12.42	Weekly	2"				

Landscape Maintenance and On-Call Construction Services for Parks

Scoring Summary

Reviewer Scores

Scoring Summary

Active Submissions

View Proposal Analysis

Supplier	Total	A-14 - LVP	B - Group 2 Technical
	/ 60 pts	/ 3 pts	/ 57 pts
Crabapple Turf Management	60 pts	3 pts	57 pts
Tri Scapes, Inc.	57 pts	0 pts	57 pts
Georgia Green	34.20 pts	0 pts	34.20 pts
Ed Castro Landscape, Inc.	32.27 pts	0 pts	32.27 pts
CUMBERLAND LANDSCAPE GROUP	30.40 pts	0 pts	30.40 pts
Yellowstone Landscape	28.53 pts	0 pts	28.53 pts
MTSCAPES	15.20 pts	0 pts	15.20 pts

	60 max points	Cost scoring max 40 points per service							
	Team Proposal Scoring	Level 1 Cost Scoring	Level 2 Cost Scoring	Planters Cost Scoring	One-time work Cost Scoring	<i>Total Score w/level 1</i>	<i>Total Score w/level 2</i>	<i>Total score w/planter</i>	<i>Total score w/one-time work</i>
Crabapple Turf Mgmt: Revised 3-2-22	60.00	40.00	no bid	13.25	5.12	100.00	no bid	73.25	65.12
Cumberland Landscape	30.40	31.96	no bid	12.18	20.48	62.36	no bid	42.58	50.88
Ed Castro Landscape	32.27	28.41	26.99	12.57	40.00	60.68	59.26	44.84	72.27
Georgia Green	34.20	28.05	38.86	6.20	6.49	62.25	73.06	40.40	40.69
MTScapes	15.20	11.62	8.24	40.00	35.99	26.82	23.44	55.20	51.19
Tri Scapes	57.00	23.02	37.61	no bid	6.53	80.02	94.61	no bid	63.53
Yellowstone Landscape	28.53	38.77	40.00	15.53	3.04	67.30	68.53	44.06	31.57



STAFF REPORT

Submitting Department: Recreation, Parks & Cultural Services

Submitted By: Morgan Rodgers

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: APPROVAL OF DESIGN CONTRACT FOR WACKY WORLD RESTROOMS AT WILLS PARK

II. RECOMMENDATION:

Approve a total contract amount not to exceed \$56,580.00 with TSW for construction drawings and cost estimates for design services for the restrooms located at Wacky World Playground in Wills Park and authorize the Mayor to execute all associated documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Wills Park Improvements (31861150-541500-C2011)	\$56,580

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-	\$0.00

IV. REPORT IN BRIEF:

In March, 2017, TSW, who was an on-call design service for the Recreation, Parks & Cultural Services was contacted to develop several designs for the replacement of the restrooms at Wills Park Wacky World and at North Park Softball fields. For both projects, designs were selected by the City. Funds were allocated in the FY 2020 budget process to replace these two restrooms. We contacted TSW and they gave us a proposal to develop a full set of construction drawings. Then the pandemic hit and the projects were pulled. During the discussion of possible funds coming from the Rescue Act, the restrooms were selected as a possible project to move forward on. Again, TSW sent us a proposal for developing a full set of construction drawings. Then the dollars were reduced and once again the project was pulled.

With the bond passing, the Wills Park Wacky World restrooms are moving forward.

Staff asked TSW to put together a proposal for the construction drawing, which they did in the amount of 49,500.00. This amount did not include an alternate to generate a construction cost estimate for the project. The proposal for the cost estimate was \$7080.00, making the grand total for the project \$56,580.00. Funding is available within the Series 2020 Bond account.

V. ALTERNATIVES:

VI. ATTACHMENTS:

2022-03-10 - TSW Proposal - City of Alpharetta - Wills Park Restroom Building, 2022-03-08 - TSW Proposal - City of Alpharetta - Wills Park

SCOPE OF SERVICES FOR THE CITY OF ALPHARETTA

Wills Park Restroom Design Services

March 10, 2022

Attention: Geoffrey Sarra
Senior Engineer
City of Alpharetta - Department of Public Works
1790 Hembree Road
Alpharetta, GA 30009
Phone: 678.297.6200
Email: gsarra@alpharetta.ga.us



PROJECT UNDERSTANDING:

TSW will work with **City of Alpharetta** (Client) to create a comprehensive design and biddable construction set, and Construction Administration for a new bathroom building at Wills Park. It is understood that the City of Alpharetta has already agreed to a schematic design which is attached to this proposal. The project will include the following disciplines and consultants:

Geotech:	Atlas Technical Consultants
MEP Engineering:	Covalent Consulting
Structural Engineering:	Stability Engineering
Architecture:	TSW, Inc.
Landscape:	TSW, Inc.

TASK 1: DESIGN DEVELOPMENT

TSW shall provide design development for the review of by the City of Alpharetta.

Deliverables:

- Plans including finishes, fixtures, and materials for Client Approval
- Overall MEP and Structural design for Client Approval

TASK 2: CONSTRUCTION DOCUMENTS

The TSW Team will create Construction Documents based on the Client Approved Design Development Plans. The Construction Documents will include plans and specifications required to allow for public bidding. All documents and drawings will be reviewed using our QA/QC process before releasing documents for the Client's Review. The Construction Documents will include the follow drawings:

Deliverables:

- Specifications formatted on the drawing sheets
- Reference perspectives for the project
- Landscape hardscape and softscape within 15' of the wall
- Dimensioned and coordinated elevations and sections
- Structural foundation plan with dimensions, footing locations, and footing schedules
- Structural Live, Dead, Snow, and Wind Loading
- Structural sections and details
- MEP drawings

TASK 3: APPROVALS

The TSW Team will assist with the required governmental permits for the construction of the project. TSW Team will participate in phone calls with City Officials, provide any required revisions to drawings, and participate in meetings as needed to ensure the approvals are obtained in a timely manner.

Deliverables:

- Hard copy plans required for Permitting

TASK 4: BIDDING

The TSW Team will assist the City during the bidding process answering prospective bidder's questions about the design and evaluate bids.

Deliverables:

- Attendance at pre-bid meeting
- Answers to bid questions and any related addenda

Professional Fee

Task 1: Design Development	\$ 18,050
Task 2: Construction Documents	\$ 26,500
Task 3: Approvals	\$ 2,400
Task 4: Bidding*	\$ 1,150

Alt to design Sprinkler**	\$ 600
---------------------------	--------

Reimbursables	\$ 800
---------------	--------

TOTAL FEE	\$ 49,500
------------------	------------------

* Please note task 4 to be hourly and not to exceed above listed amounts. The rates for each consultant can be found below.

** Please note that a Sprinkler system is not required by code if the occupant load is less than 30. The City of Alpharetta has yet to determine if they would like to have one installed for client preference. If it is decided that a sprinkler system is to be installed, the main line would likely need to be replaced and the city should be aware of the associated construction costs of that work. This work would be designed by a Civil Engineer and therefore is not in the scope of this project.

Rates:

TSW:

Principals - \$175/hr to \$195/hr
Senior Associates - \$135/hr to \$145/hr
Associates - \$100/hr to \$110/hr
Staff - \$70/hr to \$100/hr

Covalent:

Rates vary from \$125/hr for Staff Engineer to \$200/hr for Project Manager

Stability:

Principal, PE/SEOR - \$250/hr
Project Manager - \$200/hr
Senior project Engineer - \$150/hr
Project Engineer - \$125/hr
Staff Engineer - \$100/hr
Intern Engineer and Drafter - \$75/hr

As requested by the City of Alpharetta, the following are breakdowns of hours not to be exceed for tasks 4:

Task 4 – Bidding: \$1,150 Total

- TSW Architecture: \$600 @ - **4hrs** at \$100/hr (Associate) **1hr** at \$200/hr
- TSW Landscape Architecture: \$150 – **1hr** at \$150/hr
- Covalent: \$200 – **1hr** at \$200/hr
- Stability: \$200 – **1hr** at \$200/hr

OWNER'S RESPONSIBILITIES

The Owner shall coordinate the services of its own consultants with those services provided by the Architect. Upon the Architect's request, the Owner shall furnish copies of the scope of services in the contracts between the Owner and the Owner's consultants. The Owner shall require that its consultants and contractors maintain insurance, including professional liability insurance, as appropriate to the services or work provided.

The Owner shall furnish tests, inspections and reports required by law or the Contract Documents, such as structural, mechanical, and chemical tests; tests for air and water pollution; and tests for hazardous materials.

The Owner shall furnish all legal, insurance and accounting services, including auditing services, that may be reasonably necessary at any time for the Project to meet the Owner's needs and interests.

The Owner shall provide prompt written notice to the Architect if the Owner becomes aware of any fault or defect in the Project, including errors, omissions or inconsistencies in the Architect's Instruments of Service.

CLAIMS AND DISPUTES

GENERAL

The Owner and Architect shall commence all claims and causes of action against the other and arising out of or related to this Agreement, whether in contract, tort, or otherwise, in accordance with the requirements of the binding dispute resolution method selected in this Agreement and within the period specified by applicable law, but in any case not more than 10 years after the date of Substantial Completion of the Work. The Owner and Architect waive all claims and causes of action not commenced.

To the extent damages are covered by property insurance, the Owner and Architect waive all rights against each other and against the contractors, consultants, agents, and employees of the other, for damages, except such rights as they may have to the proceeds of such insurance as set forth in AIA Document A104–2017, Standard Abbreviated Form of Agreement Between Owner and Contractor. The Owner or the Architect, as appropriate, shall require of the contractors, consultants, agents, and employees of any of them, similar waivers in favor of the other parties enumerated herein.

The Architect and Owner waive consequential damages for claims, disputes or other matters in question, arising out of or relating to this Agreement. This mutual waiver is applicable, without limitation, to all consequential damages due to either party's termination of this Agreement.

MEDIATION

Any claim, dispute or other matter in question arising out of or related to this Agreement shall be subject to mediation as a condition precedent to binding dispute resolution. If such matter relates to or is the subject of a lien arising out of the Architect's services, the Architect may proceed in accordance with applicable law to comply with the lien

notice or filing deadlines prior to resolution of the matter by mediation or by binding dispute resolution.

Mediation, unless the parties mutually agree otherwise, shall be administered by the American Arbitration Association in accordance with its Construction Industry Mediation Procedures in effect on the date of this Agreement. The parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof.

If the parties do not resolve a dispute through mediation, the method of binding dispute resolution shall be the following:

(Check the appropriate box.)

☒ Arbitration

If the Owner and Architect do not select a method of binding dispute resolution, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, the dispute will be resolved in a court of competent jurisdiction.

ARBITRATION

If the parties have selected arbitration as the method for binding dispute resolution in this Agreement, any claim, dispute or other matter in question arising out of or related to this Agreement subject to, but not resolved by, mediation shall be subject to arbitration which, unless the parties mutually agree otherwise, shall be administered by the American Arbitration Association in accordance with its Construction Industry Arbitration Rules in effect on the date of the Agreement.

A demand for arbitration shall be made no earlier than concurrently with the filing of a request for mediation, but in no event shall it be made after the date when the institution of legal or equitable proceedings based on the claim, dispute or other matter in question would be barred by the applicable statute of limitations. For statute of limitations purposes, receipt of a written demand for arbitration by the person or entity administering the arbitration shall constitute the institution of legal or equitable proceedings based on the claim, dispute or other matter in question.

The foregoing agreement to arbitrate, and other agreements to arbitrate with an additional person or entity duly consented to by parties to this Agreement, shall be specifically enforceable in accordance with applicable law in any court having jurisdiction thereof.

The award rendered by the arbitrator(s) shall be final, and judgment may be entered upon it in accordance with applicable law in any court having jurisdiction thereof.

CONSOLIDATION

Either party, at its sole discretion, may consolidate an arbitration conducted under this Agreement with any other arbitration to which it is a party provided that (1) the arbitration agreement governing the other arbitration permits consolidation; (2) the arbitrations to be consolidated substantially involve common questions of law or fact; and (3) the arbitrations employ materially similar procedural rules and methods for selecting arbitrator(s).

Either party, at its sole discretion, may include by joinder persons or entities substantially involved in a common question of law or fact whose presence is required if complete relief is to be accorded in arbitration, provided that the party sought to be joined consents in writing to such joinder. Consent to arbitration involving an additional person or entity shall not constitute consent to arbitration of any claim, dispute or other matter in question not described in the written consent.

The Owner and Architect grant to any person or entity made a party to an arbitration, whether by joinder or consolidation, the same rights of joinder and consolidation as the Owner and Architect under this Agreement.

The provisions of this Article shall survive the termination of this Agreement.

MISCELLANEOUS PROVISIONS

The Owner and Architect, respectively, bind themselves, their agents, successors, assigns and legal representatives to this Agreement. Neither the Owner nor the Architect shall assign this Agreement without the written consent of the other, except that the Owner may assign this Agreement to a lender providing financing for the Project if the lender agrees to assume the Owner's rights and obligations under this Agreement, including any payments due to the Architect by the Owner prior to the assignment.

Nothing contained in this Agreement shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Owner or Architect.

EXCLUSIONS

The following items are excluded from the Project scope and may be provided for an additional fee:

- Special Inspections
- Construction Administration
- Civil Engineering
- Low Voltage Design
- Security Design
- Surveying
- Grading Plan (By Civil)
- Land Disturbance Permit Plans (By Civil)
- Private Utility Locator
- Irrigation Design
- Structural Design of Retaining Walls
- Site Lighting Plan
- Design or plan development of gas, telephone, communication, or electric utilities
- Variance Applications
- Preparation and recording of easement plats or legal descriptions
- Record Drawings
- Phased Construction Plans
- As-Built Surveys
- Hydrology report
- Above Ground Cistern Design
- LEED Submission & Design
- Construction Inspections and Testing
- Fees for Construction Permitting
- Sewer or Tap Fees
- Public Meetings
- Zoning or Variance Work and Submissions
- Tree Protection Plans

Profession Time

Design Times shall be of the following durations:

Design Development	2-weeks
Construction Documents	5-weeks
Bidding & Permitting	Per City Schedule
Construction Administration	Per City Schedule

Reimbursable:

Reimbursable for this scope shall be \$800 maximum.

Billing and Payment Policies:

The above Scope and are part of this Project Assignment Agreement. Signing this Project Assignment Agreement signifies the City's intent to contract TSW, Inc. for professional services. In contracting with TSW, Inc., the Client warrants that funds are available to compensate TSW, Inc. for the total amount of services and expenses contracted, and that these funds are neither encumbered nor contingent upon subsequent approvals, permits, or financing commitments by lending institutions or other parties.

TSW, Inc. submits monthly invoices. Invoices are due and payable upon receipt and become delinquent if not paid in full thirty (30) days after their date. The City shall notify TSW, Inc. of any dispute regarding invoices received within twenty-one (21) days of receipt of invoice. Only the disputed portion of the payment may be withheld.

Accounts delinquency longer than forty-five (45) days will result in the stoppage of work on the job by TSW, Inc. Seven (7) days notice will be given prior to stoppage of work to enable accounts to be brought current. Work will recommence upon payment of all fees and service charges due.

Initiation of Work:

The City may initiate the Work described above Scope of Services by signing where indicated below as an agreement and acceptance of this Project Agreement. TSW will begin to execute work upon receipt of this authorization.

Accepted by:



City of Alpharetta

TSW

March 10, 2022

Date

Date

SCOPE OF SERVICES FOR THE CITY OF ALPHARETTA

Wills Park Restroom Design Services – Cost Estimate

March 3, 2022

Attention: Geoffrey Sarra
Senior Engineer
City of Alpharetta - Department of Public Works
1790 Hembree Road
Alpharetta, GA 30009
Phone: 678.297.6200
Email: gsarra@alpharetta.ga.us



PROJECT UNDERSTANDING:

ADE Construction and TSW will work with **City of Alpharetta** (Client) to provide a comprehensive Cost Estimate upon completion of the Design Development Phase.

Cost Estimating: ADE Construction Consultants, Inc.

TASK 1: COST ESTIMATE – DESIGN DEVELOPMENT

Upon completion of Design Development, ADE to provide a detailed cost estimate for the City of Alpharetta. This estimate is to be itemized, including but not limited to structural components, wall and roof assemblies, plumbing and lighting fixtures, accessories, MEP&FP equipment and finishes. This estimate will follow CSI formatting.

TASK 2: COST ESTIMATE – 90% CONSTRUCTION DOCUMENTS

Upon completion of 90% Construction Documents, ADE to provide a detailed cost estimate for the City of Alpharetta. In addition to any scope and quantity changes from the Design Development Drawings, this estimate will include a detailed cost estimate of MEP components.

Professional Fee

Task 1: Design Development Cost Estimate	\$	4,500
Task 2: 90% Cost Estimate	\$	2,580
Total	\$	7,080

Profession Time

ADE is currently available to start as soon as Design Development Documents are given to them.

Billing and Payment Policies:

Signing this Project Assignment Agreement signifies the City's intent to contract TSW, Inc. for professional services. In contracting with TSW, Inc., the Client warrants that funds are available to compensate TSW, Inc. for the total amount of services and expenses contracted, and that these funds are neither encumbered nor contingent upon subsequent approvals, permits, or financing commitments by lending institutions or other parties.

TSW, Inc. submits monthly invoices. Invoices are due and payable upon receipt and become delinquent if not paid in full thirty (30) days after their date. The City shall notify TSW, Inc. of any dispute regarding invoices received within twenty-one (21) days of receipt of invoice. Only the disputed portion of the payment may be withheld.

Accounts delinquency longer than forty-five (45) days will result in the stoppage of work on the job by TSW, Inc. Seven (7) days notice will be given prior to stoppage of work to enable accounts to be brought current. Work will recommence upon payment of all fees and service charges due.

Initiation of Work:

The City may initiate the Work described above Scope of Services by signing where indicated below as an agreement and acceptance of this Project Agreement. TSW will begin to execute work upon receipt of this authorization.

Accepted by:



City of Alpharetta

TSW

March 8, 2022

Date

Date



STAFF REPORT

Submitting Department: Administration

Submitted By: Bob Regus

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RESOLUTION - CITY SOLICITOR

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA PROVIDING THAT THE POSITION OF CITY SOLICITOR WILL BE OCCUPIED BY A FULL-TIME, AT-WILL CITY EMPLOYEE; PROVIDING FOR THE TERM OF THE CITY SOLICITOR; AND FOR OTHER PURPOSES.

II. RECOMMENDATION:

Approve a Resolution of the Mayor and Council of the City of Alpharetta, Georgia providing that the position of City Solicitor will be occupied by a full-time, at-will City employee; providing for the term of the City Solicitor; and for other purposes.

III. REPORT IN BRIEF:

After thorough investigation, it has been determined that it is desirable, necessary, and is in the best interest of the City to provide that the position of Alpharetta City Solicitor (the "Solicitor") shall be occupied by a full-time, at-will employee of the City, and that the term of the Solicitor be consistent with the duration of the employment of the individual serving as Solicitor.

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution - City Solicitor

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA PROVIDING THAT THE POSITION OF CITY SOLICITOR WILL BE OCCUPIED BY A FULL-TIME, AT-WILL CITY EMPLOYEE; PROVIDING FOR THE TERM OF THE CITY SOLICITOR; AND FOR OTHER PURPOSES

WHEREAS, the Mayor and Council of the City of Alpharetta, Georgia (the “Mayor and Council”), after thorough investigation, have determined that it is desirable, necessary, and is in the best interest of the City to provide that the position of Alpharetta City Solicitor (the “Solicitor”) shall be occupied by a full-time, at-will employee of the City, and that the term of the Solicitor be consistent with the duration of the employment of the individual serving as Solicitor; and

WHEREAS, Section 4.18(c) of the Charter of the City of Alpharetta, Georgia (the “Charter”) provides the Mayor and Council with the broad discretion to set a term of the Solicitor as necessary or appropriate; and

WHEREAS, the Mayor and Council have now approved the recruiting for a full-time at-will employee to serve as the appointed Solicitor, a position for which the City is currently recruiting candidates; and

WHEREAS, upon selection of a qualified candidate and acceptance by that candidate of employment and appointment to the Solicitor position, such individual will be a full-time at-will employee of the City, with employment benefits included, subject to appointment and termination in a manner generally consistent with other City employees; and

WHEREAS, the term of the Solicitor shall begin on the first day that such individual appointed to the office of Solicitor begins employment; and

WHEREAS, pursuant to the Charter and other laws of the State of Georgia, the Mayor and Council have the power to adopt clearly reasonable ordinances, resolutions and regulations for the protection and preservation of the public health, safety and welfare of its citizens.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Council, and it is hereby resolved by the same, that the Solicitor position will be, henceforth upon the adoption and approval of this Resolution, occupied by a full-time, at-will employee of the City.

BE IT FURTHER RESOLVED that the term of the Solicitor shall begin on the first date of such employee’s employment; the term shall be coextensive with the at-will

employment of such employee; and the term shall end upon termination of such employee's at-will employment.

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA,
GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney

4606438



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13075 TIDEWATER CROSSING
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13075 TIDEWATER CROSSING, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1033-085-2) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Resolution Authorizing Condemnation - 13075 Tidewater Crossing

STATE OF GEORGIA
COUNTY OF FULTON

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 13075 TIDEWATER CROSSING,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1033-085-2) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Luis A. Ramirez located at 13075 Tidewater Crossing (Tax Parcel No.: 21 -5680-1033-085-2) within the City of Alpharetta, Georgia (reference: **Project Parcel 34**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 13075 Tidewater Crossing (Tax Parcel No.: 21 -5680-1033-085-2), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

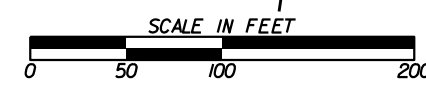
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO: 0004634
COUNTY: FORSYTH/FULTON
AND LOT NO:
AND DISTRICT:
DATE SH OF

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE20259	70.00 L 72.88 L	174+36.07 N 77°16'31.0" E	McGinnis Ferry Rd Const CL
DE20260	105.00 L 108.57 L	175+00.00 S 74°01'29.5" E	McGinnis Ferry Rd Const CL
DE20261	105.00 L	176+08.57	McGinnis Ferry Rd Const CL
ARC LENGTH = 198.88			
CHORD BEAR = S 70°46'42.1" E			
LNTH CHORD = 198.78			
RADIUS = 1755.00			
DEGREE = 3°15'53.0"			
DE20262	105.00 L 54.95 S	177+95.55 S 15°28'34.8" E	McGinnis Ferry Rd Const CL
DE20258	62.00 L 227.80 L	178+28.12	McGinnis Ferry Rd Const CL
ARC LENGTH = 227.80			
CHORD BEAR = N 70°12'46.6" W			
LNTH CHORD = 227.63			
RADIUS = 1712.00			
DEGREE = 3°20'48.2"			
DE20257	62.00 L 73.57 L	176+08.57 N 74°01'29.5" W	McGinnis Ferry Rd Const CL
DE20256	62.00 L 34.41 L	175+35.00 N 19°33'45.1" W	McGinnis Ferry Rd Const CL
DE20255	90.00 L 15.00 L	175+15.00 N 74°01'29.5" W	McGinnis Ferry Rd Const CL
DE20254	90.00 L 29.73 L	175+00.00 S 3°40'43.3" E	McGinnis Ferry Rd Const CL
DE20253	62.00 L 69.93 L	175+10.00 N 74°01'29.5" W	McGinnis Ferry Rd Const CL
DE20252	62.00 L 8.94 L	174+40.07 N 10°33'42.8" W	McGinnis Ferry Rd Const CL
DE20259	70.00 L	174+36.07	McGinnis Ferry Rd Const CL
REC'D EASMT = 14894.49 SF			
ACRD EASMT = 0.342 ACRES			

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION				
RIGHT OF WAY MAP				
PROJECT NO.:0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: GMD DATE	SH OF	<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="padding: 5px;">DRAWING No.</td></tr><tr><td style="text-align: center; font-size: 24pt; padding: 10px;">60-0017</td></tr></table>	DRAWING No.	60-0017
DRAWING No.				
60-0017				



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 5015 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5015 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1033-073-8) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 5015 Tidewater Way

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5015 TIDEWATER WAY, ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1033-073-8) FOR ROAD PROJECT – MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

WHEREAS, the City of Alpharetta (the “City”), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the “Project”); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through, and across the property now or formerly owned by LeDeshia Robinson located at 5015 Tidewater Way (Tax Parcel No.: 21 -5680-1033-073-8) within the City of Alpharetta, Georgia (reference: **Project Parcel 41**), as further described and shown in Attachment "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through, and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through, and across the property located at 5015 Tidewater Way (Tax Parcel No.: 21 -5680-1033-073-8), in order to ensure the timely completion of the Project – McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____ 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

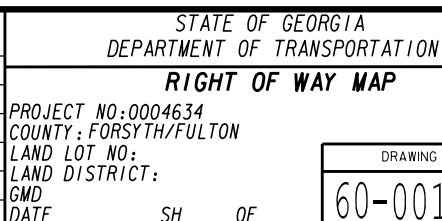
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney





STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 5035 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5035 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-071-6) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 5035 Tidewater Way

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5035 TIDEWATER WAY, ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-071-6) FOR ROAD PROJECT – MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

WHEREAS, the City of Alpharetta (the “City”), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the “Project”); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through, and across the property now or formerly owned by Maria C. Morales located at 5035 Tidewater Way (Tax Parcel No.: 21 -5680-1054-071-6) within the City of Alpharetta, Georgia (reference: **Project Parcel 43**), as further described and shown in Attachment "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through, and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through, and across the property located at 5035 Tidewater Way (Tax Parcel No.: 21 -5680-1054-071-6), in order to ensure the timely completion of the Project – McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____ 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

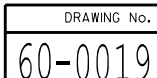
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney





STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

I. AGENDA ITEM TITLE: RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 5055 TIDEWATER WAY

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 5055 TIDEWATER WAY, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-069-0) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.

II. RECOMMENDATION:

III. REPORT IN BRIEF:

IV. ALTERNATIVES:

V. ATTACHMENTS:

Resolution Authorizing Condemnation - 5055 Tidewater Way

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO
ACQUIRE CERTAIN PROPERTY LOCATED AT 5055 TIDEWATER WAY,
ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-069-0) FOR ROAD
PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN
BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY**

WHEREAS, the City of Alpharetta (the "City"), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Yves Jean Pierre and Marie M. Jean Pierre located at 5055 Tidewater Way (Tax Parcel No.: 21 -5680-1054-069-0) within the City of Alpharetta, Georgia (reference: **Project Parcel 45**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at 5055 Tidewater Way (Tax Parcel No.: 21 -5680-1054-069-0), in order to ensure the timely completion of the Project - McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

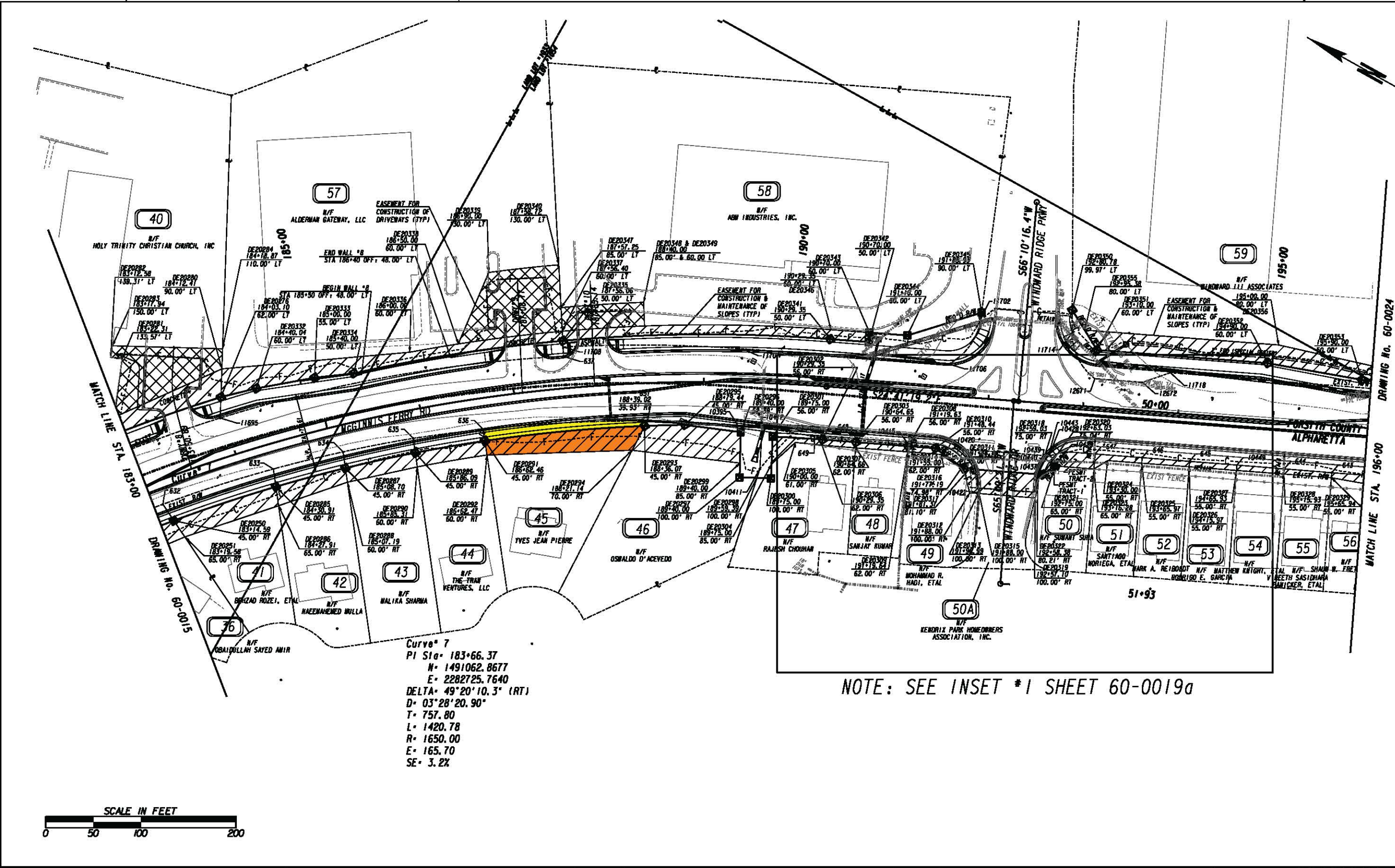
Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney



Curve # 7
PI Sta= 183+66.37
N= 1491062.8677
E= 2282725.7640
DELTA= 49°20'10.3" (RT)
D= 03°28'20.90"
T= 757.80
L= 1420.78
R= 1650.00
E= 165.70
SE= 3.2%

NOTE: SEE INSET #1 SHEET 60-0019a



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES	---P--- ---C--- ---F--- ---O--- ---H--- ---M--- ---S--- ---E---	BEGIN LIMIT OF ACCESS.....BLA END LIMIT OF ACCESS.....ELA EXISTING LIMIT OF ACCESS REQ'D LIMIT OF ACCESS EXISTING LIMIT OF ACCESS & R/W REQ'D LIMIT OF ACCESS & R/W ORANGE BARRIER FENCE ESA - ENV. SENSITIVE AREA	---O--- ---O--- ---H--- ---H--- ---S--- ---E---	DATE	REVISIONS	DATE	REVISIONS	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION	
								RIGHT OF WAY MAP	
								PROJECT NO:0004634 COUNTY: FORSYTH/FULTON LAND LOT NO: LAND DISTRICT: GMD DATE	
								SH	OF

DRAWING No.
60-0019

=====		=====	
REQ'D R/W - PAR 41/SV27		REQ'D R/W DE593	
=====		=====	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20250	45.00 R	183+14.59	McGinnis Ferry Rd Const CL
632	20.75	N 27°00'32.7" E	
ARC LENGTH =	122.05		
CHORD BEAR =	S 46°48'18.8" E		
LNTH CHORD =	122.01		
RADIUS =	1419.23		
DEGREE =	4°02'13.6"		
633	26.35 R	184+33.63	McGinnis Ferry Rd Const CL
	18.83	S 52°42'56.2" W	
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL
ARC LENGTH =	113.14		
CHORD BEAR =	N 47°29'20.3" W		
LNTH CHORD =	113.12		
RADIUS =	1605.00		
DEGREE =	3°34'11.4"		
DE20250	45.00 R	183+14.59	McGinnis Ferry Rd Const CL
REQ'D R/W =	2295.51 SF		
REQ'D R/W =	0.053 ACRES		
REMAINDER =	+/- 0.259 ACRES		

=====			
REQD PERM ESMT - PAR 41/SV27		REQ'D PERM. EASMT. DE594	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20251	65.00 R	183+19.58	McGinnis Ferry Rd Const C
	20.57	N 27°00'32.7" E	
DE20250	45.00 R	183+14.59	McGinnis Ferry Rd Const C
ARC LENGTH	= 112.65		
CHORD BEAR	= S 47°29'52.3" E		
LNTH CHORD	= 112.62		
RADIUS	= 1605.00		
DEGREE	= 3°34'11.4"		
DE20285	45.00 R	184+30.40	McGinnis Ferry Rd Const C
	20.14	S 51°19'02.8" W	
DE20286	65.00 R	184+27.91	McGinnis Ferry Rd Const C
	104.04	N 47°27'15.4" W	
DE20251	65.00 R	183+19.58	McGinnis Ferry Rd Const C
REQD EASMT	= 2226.29	SF	
REQD EASMT	= 0.051	ACRES	

REQD R/W - PAR 42/SV28		REQ'D R/W DE595	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
=====			
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL
	18.83	N 52°42'56.2" E	
633	26.35 R	184+33.63	McGinnis Ferry Rd Const CL
ARC LENGTH = 75.51			
CHORD BEAR = S 42°55'45.0" E			
LNTH CHORD = 75.51			
RADIUS = 1419.23			
DEGREE = 4°02'13.6"			
634	27.82 R	185+10.39	McGinnis Ferry Rd Const CL
	17.26	S 52°45'21.3" W	
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL
ARC LENGTH = 75.67			
CHORD BEAR = N 44°07'07.7" W			
LNTH CHORD = 75.66			
RADIUS = 1605.00			
DEGREE = 3°34'11.4"			
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL
REQD R/W = 1358.60 SF			
REQD R/W = 0.031 ACRES			
REMAINDER = +/- 0.299 ACRES			

=====			
REQD PERM ESMT - PAR 42/SV28		REQ'D PERM. EASMT. DE596	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20286	65.00 R	184+27.91	McGinnis Ferry Rd Const CL
	20.21	N 52°42'56.2" E	
DE20285	45.00 R	184+30.91	McGinnis Ferry Rd Const CL
ARC LENGTH = 75.67			
CHORD BEAR = S 44°07'07.7" E			
LNTH CHORD = 75.66			
RADIUS = 1605.00			
DEGREE = 3°34'11.4"			
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL
	15.07	S 52°45'21.3" W	
DE20288	60.00 R	185+07.19	McGinnis Ferry Rd Const CL
	76.44	N 47°56'47.4" W	
DE20286	65.00 R	184+27.91	McGinnis Ferry Rd Const CL
REQD EASMT = 1347.55 SF			
REQD EASMT = 0.031 ACRES			

=====			
REQD R/W - PAR 43/SV29		REQ'D R/W DE597	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL
	17.26	N 52°45'21.3" E	
634	27.82 R	185+10.39	McGinnis Ferry Rd Const C
ARC LENGTH = 75.17			
CHORD BEAR = S 39°57'05.8" E			
LNTH CHORD = 75.17			
RADIUS = 1419.23			
DEGREE = 4°02'13.6"			
635	29.70 R	185+86.87	McGinnis Ferry Rd Const C
	15.32	S 52°46'54.1" W	
DE20289	45.00 R	185+86.09	McGinnis Ferry Rd Const CL
ARC LENGTH = 75.28			
CHORD BEAR = N 41°25'27.9" W			
LNTH CHORD = 75.28			
RADIUS = 1605.00			
DEGREE = 3°34'11.4"			
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const CL
REQD R/W		1225.74 SF	
REQD R/W		0.028 ACRES	
REMAINDER		+/- 0.325 ACRES	

=====			
REQD PERM ESMT - PAR 43/SV29		REQ'D PERM. EASMT. DE598	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20288	60.00 R	185+07.19	McGinnis Ferry Rd Const
	15.07 R	N 52°45'21.3" E	
DE20287	45.00 R	185+08.70	McGinnis Ferry Rd Const
ARC LENGTH =	75.28		
CHORD BEAR =	S 41°25'27.9" E		
LNTH CHORD =	75.28		
RADIUS =	1605.00		
DEGREE =	3°34'11.4"		
DE20289	45.00 R	185+86.09	McGinnis Ferry Rd Const
	15.02	S 52°46'54.1" W	
DE20290	60.00 R	185+85.31	McGinnis Ferry Rd Const
	75.27	N 41°27'50.6" W	
DE20288	60.00 R	185+07.19	McGinnis Ferry Rd Const
REQD EASMT =	1151.56	SF	
REQD EASMT =	0.026	ACRES	

=====			
REQD R/W - PAR 44/SV30		REQ'D R/W DE599	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20289	45.00 R	185+86.09	McGinnis Ferry Rd Const CL
	15.32	N 52°46'54.1" E	
635	29.70 R	185+86.87	McGinnis Ferry Rd Const C
ARC LENGTH = 74.22			
CHORD BEAR = S 36°19'34.7" E			
LNTH CHORD = 74.21			
RADIUS = 1419.23			
DEGREE = 4°02'13.6"			
636	32.83 R	186+62.46	McGinnis Ferry Rd Const C
	12.17	S 52°32'10.1" W	
DE20291	45.00 R	186+62.46	McGinnis Ferry Rd Const CL
ARC LENGTH = 74.29			
CHORD BEAR = N 38°45'16.8" W			
LNTH CHORD = 74.28			
RADIUS = 1605.00			
DEGREE = 3°34'11.4"			
DE20289	45.00 R	185+86.09	McGinnis Ferry Rd Const CL
REQD R/W	= 1023.21	SF	
REQD R/W	= 0.023	ACRES	
REMAINDER	= +/- 0.312	ACRES	

=====			
REQD PERM ESMT - PAR 44/SV30		REQ'D PERM. EASMT. DE600	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20290	60.00 R	185+85.31	McGinnis Ferry Rd Const CL
	15.02	N 52°46'54.1" E	
DE20289	45.00 R	185+86.09	McGinnis Ferry Rd Const CL
ARC LENGTH	74.29		
CHORD BEAR	S 38°45'16.8" E		
LNTH CHORD	74.28		
RADIUS	= 1605.00		
DEGREE	= 3°34'11.4"		
DE20291	45.00 R	186+62.46	McGinnis Ferry Rd Const CL
	15.00	S 52°32'10.1" W	
DE20292	60.00 R	186+62.47	McGinnis Ferry Rd Const CL
ARC LENGTH	74.35		
CHORD BEAR	N 38°46'04.9" W		
LNTH CHORD	74.35		
RADIUS	= 1580.00		
DEGREE	= 3°36'12.6"		
DE20290	60.00 R	185+85.31	McGinnis Ferry Rd Const CL
REQD EASMT	= 1114.83 SF		
REQD EASMT	= 0.026 ACRES		

=====			
REQD R/W - PAR 45/SV31		REQ'D R/W DE601	
=====			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20291	45.00 R	186+62.46	McGinnis Ferry Rd Const CL
	12.17	N 52°32'10.1" E	
636	32.83 R	186+62.46	McGinnis Ferry Rd Const CL
ARC LENGTH =	172.85		
CHORD BEAR =	S 32°00'29.6" E		
LNTH CHORD =	172.74		
RADIUS =	1419.23		
DEGREE =	4°02'13.6"		
651	39.93 R	188+39.02	McGinnis Ferry Rd Const CL
	5.83	S 88°17'27.4" W	
DE20293	45.00 R	188+36.07	McGinnis Ferry Rd Const CL
ARC LENGTH =	168.87		
CHORD BEAR =	N 34°24'52.3" W		
LNTH CHORD =	168.79		
RADIUS =	1605.00		
DEGREE =	3°34'11.4"		
DE20291	45.00 R	186+62.46	McGinnis Ferry Rd Const CL
REQD R/W =	1513.69 SF		
REQD R/W =	0.035 ACRES		
REMAINDER =	+/- 0.421 ACRES		

PROPERTY AND EXISTING R/W LINE
REQUIRED R/W LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTR
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTR OF SLOPES
EASEMENT FOR CONSTR OF DRIVES

-----E-----

-----C-----F-----

BEGIN LIMIT OF ACCESS.....BLA
END LIMIT OF ACCESS.....ELA
EXISTING LIMIT OF ACCESS
REQ'D LIMIT OF ACCESS
EXISTING LIMIT OF ACCESS & R/W
REQ'D LIMIT OF ACCESS & R/W
ORANGE BARRIER FENCE
ESA - ENV. SENSITIVE AREA

-----OO-----

-----OO-----

-----III-----

-----III-----

-----●-----●-----●-----

-----▼-----▼-----

DATE

REVISIONS

DATE

REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO:0004634
COUNTY: FORSYTH/FULTON
LAND LOT NO:
LAND DISTRICT:
GMD
DATE

SH

OF

60-0020

Exhibit "A" to Eminent Domain Resolution - Page 2 of 3

RECD PERM ESMT - PAR 45/SV31 REO'D PERM. EASMT. DE602				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20292	60.00 R	186+52.47	McGinnis Ferry Rd Const	
DE20291	45.00 R	186+52.46	McGinnis Ferry Rd Const	
ARC LENGTH = 168.87				
CHORD BEAR = S 34°24'52.3" E				
LNTH CHORD = 168.79				
RADIUS = 1605.00				
DEGREE = 3°34'11.4"				
DE20293	45.00 R	188+36.07	McGinnis Ferry Rd Const	
DE20294	70.00 R	188+21.14	McGinnis Ferry Rd Const	
DE20295	68.00 R	188+52.47	McGinnis Ferry Rd Const	
RECD EASMT = 3436.54 SF				
RECD EASMT = 0.079 ACRES				

RECD R/W - PAR 46/SV32 REO'D R/W DE603						
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT			
DE20293	45.00 R	188+36.07	McGinnis Ferry Rd Const CL			
DE20294	70.00 R	188+21.14	McGinnis Ferry Rd Const CL			
DE20295	68.00 R	188+52.47	McGinnis Ferry Rd Const CL			
ARC LENGTH = 168.87						
CHORD BEAR = S 34°24'52.3" E						
LNTH CHORD = 168.79						
RADIUS = 1605.00						
DEGREE = 3°34'11.4"						
DE20296	52.39 R	189+40.00	McGinnis Ferry Rd Const CL			
DE20297	100.00 R	189+40.00	McGinnis Ferry Rd Const CL			
DE20298	100.00 R	189+40.00	McGinnis Ferry Rd Const CL			
DE20299	85.00 R	189+40.00	McGinnis Ferry Rd Const CL			
DE20294	70.00 R	188+21.14	McGinnis Ferry Rd Const CL			
DE20295	68.00 R	188+52.47	McGinnis Ferry Rd Const CL			
RECD EASMT = 1630.99 SF						
RECD EASMT = 0.037 ACRES						
REMAINDER = +/- 0.562 ACRES						

RECD PERM ESMT - PAR 46/SV32 REO'D PERM. EASMT. DE604				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20294	70.00 R	188+21.14	McGinnis Ferry Rd Const CL	
DE20295	68.00 R	188+52.47	McGinnis Ferry Rd Const CL	
ARC LENGTH = 168.87				
CHORD BEAR = S 34°24'52.3" E				
LNTH CHORD = 168.79				
RADIUS = 1605.00				
DEGREE = 3°34'11.4"				
DE20296	52.39 R	188+79.44	McGinnis Ferry Rd Const CL	
DE20297	69.23 R	S 21°40'46.3" E	McGinnis Ferry Rd Const CL	
DE20298	32.61 R	189+40.00	McGinnis Ferry Rd Const CL	
DE20299	85.00 R	S 68°12'31.2" W	McGinnis Ferry Rd Const CL	
DE20294	70.00 R	189+40.00	McGinnis Ferry Rd Const CL	
DE20295	68.00 R	N 28°18'54.0" W	McGinnis Ferry Rd Const CL	
DE20294	70.00 R	188+21.14	McGinnis Ferry Rd Const CL	
RECD EASMT	= 3368.76	SF		
RECD EASMT	= 0.078	ACRES		

RECD R/W - PAR 47/SV33					REO'D R/W		DE605	
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT			
DE20298	100.00	R	189+59.39		McGinnis Ferry Rd Const CL			
		9.90		N 78°45'56.0" E				
10411	90.48	R	189+62.25		McGinnis Ferry Rd Const CL			
		44.13		N 64°11'03.6" E				
10412	46.35	R	189+63.21		McGinnis Ferry Rd Const CL			
		35.94		N 18°36'29.8" E				
649	53.54	R	190+20.42		McGinnis Ferry Rd Const CL			
		41.94		S 24°24'01.2" E				
648	53.79	R	190+64.64		McGinnis Ferry Rd Const CL			
		2.21		S 65°12'00.1" W				
DE20303	56.00	R	190+64.65		McGinnis Ferry Rd Const CL			
		35.10		N 24°41'19.2" W				
DE20302	56.00	R	190+29.35		McGinnis Ferry Rd Const CL			
ARC LENGTH = 52.51								
CHORD BEAR = N 25°37'56.3" W								
LNTH CHORD = 52.50								
RADIUS = 1594.00								
DEGREE = 3°35'40.1"								
DE20301	56.00	R	189+75.00		McGinnis Ferry Rd Const CL			
		44.00		N 63°00'26.5" W				
DE20300	100.00	R	189+75.00		McGinnis Ferry Rd Const CL			
		4.67		N 28°50'49.4" W				
DE20298	100.00	R	189+59.39		McGinnis Ferry Rd Const CL			
RECD R/W = 964.05 SF								
RECD R/W = 0.022 ACRES								
REMAINDER = +/- 0.323 ACRES								

RECD PERM ESMT - PAR 47/SV33					REO'D PERM. EASMT.		DE606	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT					
DE20304	85.00 R	189+75.00	McGinnis Ferry Rd Const CL					
DE20301	56.00 R	189+75.00	McGinnis Ferry Rd Const CL					
ARC LENGTH = 52.51			N 63°25'26.5" E					
CHORD BEAR = 3°25'37" 56.3" E								
LNTH CHORD = 52.50								
RADIUS = 1594.00								
DEGREE = 3°35'40.1"								
DE20302	56.00 R	190+29.35	McGinnis Ferry Rd Const CL					
	35.30 R	190+24.41	19.2" E					
DE20303	56.00 R	190+64.65	McGinnis Ferry Rd Const CL					
	6.00 R	S 85°12'00.1" W						
DE20307	62.00 R	190+64.65	McGinnis Ferry Rd Const CL					
	35.31 R	190+24.41	19.2" W					
DE20306	62.00 R	190+29.35	McGinnis Ferry Rd Const CL					
	28.27 R	190+23.70	17.1" W					
DE20305	61.00 R	190+00.00	McGinnis Ferry Rd Const CL					
	33.87 R	190+71.16	05.6" W					
DE20304	85.00 R	189+75.00	McGinnis Ferry Rd Const CL					
RECD EASMT	= 178.87	SF						
RECD EASMT	= 0.018	ACRES						

RECD R/W - PAR 48/SV34 REO'D R/W DE607				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20303	56.00 R	190+64.65	McGinnis Ferry Rd Const CL	
	2.21	S 65°12'00.1" E		
648	53.79 R	190+64.64	McGinnis Ferry Rd Const CL	
	54.99	S 24°24'01.0" E		
10415	54.06 R	191+19.63	McGinnis Ferry Rd Const CL	
	1.04	S 65°18'45.1" W		
DE20308	56.00 R	191+19.63	McGinnis Ferry Rd Const CL	
	54.99	N 24°1'19.2" W		
DE20303	56.00 R	190+64.65	McGinnis Ferry Rd Const CL	
RECD R/W	= 174.10	SF		
RECD R/W	= 0.003	ACRES		
REMAINDER	= +/- 0.149	ACRES		

RECD PERM ESMT - PAR 48/SV34 REO'D PERM. EASMT. DE608				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20307	62.00 R	190+64.66	McGinnis Ferry Rd Const CL	
DE20303	56.00 R	190+64.66	00.1° E	McGinnis Ferry Rd Const CL
DE20308	56.00 R	191+19.63	19.2° E	McGinnis Ferry Rd Const CL
DE20309	62.00 R	191+19.63	45.1° W	McGinnis Ferry Rd Const CL
DE20307	62.00 R	190+64.66	19.2° W	McGinnis Ferry Rd Const CL
RECD EASMT = 378.90 SF				
RECD EASMT = 0.008 ACRES				

RECD R/W - PAR 49/SV35					REQ'D R/W DE609	
PNT	OFFSET	DIST	STATION	BEARING	ALIGNMENT	
DE20308	56.00	R	191+19.63		McGinnis Ferry Rd Const CL	
		1.94	N 65.16° 45.1' E			
10415	54.06	R	191+19.63		McGinnis Ferry Rd Const CL	
		49.67	S 24.02° 31.9' E			
10420	54.62	R	191+69.30		McGinnis Ferry Rd Const CL	
ARC LENGTH = 29.36						
CHORD BEAR = S 18.58° 13.1' W						
LNTH CHORD = 29.52						
RADIUS = 49.99						
DEGREE = 174.36° 31.6'						
DE20315	75.00	R	191+90.65		McGinnis Ferry Rd Const CL	
		10.65	N 59.53° 19.2' W			
DE20311	75.00	R	191+90.65		McGinnis Ferry Rd Const CL	
		36.84	N 21.36° 9' E			
DE20310	56.00	R	191+48.41		McGinnis Ferry Rd Const CL	
		28.81	N 27.41° 19.2' W			
DE20308	56.00	R	191+19.63		McGinnis Ferry Rd Const CL	
RECD R/W = 440.33 SF						
RECD R/W = 0.010 ACRES						
REMAINDER = +/- 0.200 ACRES						

RECD PERM ESMT - PAR 49/SV35					REO'D PERM. EASMT.		DE610	
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT					
DE20309	62.00 R	191+19.64	McGinnis Ferry Rd Const CL					
DE20308	56.00 R	191+19.63	McGinnis Ferry Rd Const CL					
DE20310	56.00 R	191+48.44	McGinnis Ferry Rd Const CL					
DE20311	75.00 R	191+80.00	McGinnis Ferry Rd Const CL					
DE20315	75.00 R	191+90.65	McGinnis Ferry Rd Const CL					
ARC LENGTH = 25.54			McGinnis Ferry Rd Const CL					
CHORD BEAR = S 50°46'20.8" W								
LNTH CHORD = 25.26								
RADIUS = 49.99								
DEGREE = 174°36'31.6"								
10422	99.45 R	191+96.99	McGinnis Ferry Rd Const CL					
DE20313	100.00 R	191+96.99	McGinnis Ferry Rd Const CL					
DE20312	100.00 R	191+88.00	McGinnis Ferry Rd Const CL					
DE20317	81.10 R	191+81.10	McGinnis Ferry Rd Const CL					
DE20316	74.98 R	191+74.98	McGinnis Ferry Rd Const CL					
DE20314	62.00 R	191+55.00	McGinnis Ferry Rd Const CL					
DE20309	62.00 R	191+19.64	McGinnis Ferry Rd Const CL					
RECD EASMT = 333.33 SF								
RECD EASMT = 0.012 ACRES								

RECD R/W - PAR 50A/SV36 REO'D R/W DE611				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20315	75.00 R	191+90.65	McGinnis Ferry Rd Const CL	
ARC LENGTH = 29.36				
CHORD BEAR = N 18°58'13.1" E				
LNTH CHORD = 29.52				
RADIUS = 49.99				
DEGREE = 174°36'31.6"				
10420	54.62 R	191+69.30	McGinnis Ferry Rd Const CL	
	58.10	S 24°31'19.9" E		
10443	54.91 R	192+67.40	McGinnis Ferry Rd Const CL	
ARC LENGTH = 21.94				
CHORD BEAR = S 87°56'00.0" W				
LNTH CHORD = 21.77				
RADIUS = 49.99				
DEGREE = 174°36'31.5"				
DE20318	75.00 R	192+59.03	McGinnis Ferry Rd Const CL	
	58.37	S 24°41'19.2" W		
DE20315	75.00 R	191+90.65	McGinnis Ferry Rd Const CL	
RECD R/W = 1821.79 SF				
RECD R/W = 0.037 ACRES				
REMAINDER = +/- 0.143 ACRES				

RECD PERM ESMT - PAR 50A/SV36 REO'D PERM. EASM'T. DE612				
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT	
DE20313	100.00 R	191+96.99	McGinnis Ferry Rd Const CL	
10422	99.45 R	191+96.99	McGinnis Ferry Rd Const CL	
ARC LENGTH = 25.54				
CHORD BEAR = N 50°46'20.8" E				
LNTH CHORD = 25.26				
RADIUS = 49.99				
DEGREE = 174°36'31.6"				
DE20315	75.00 R	191+90.65	McGinnis Ferry Rd Const CL	
DE20318	75.00 R	192+59.03	McGinnis Ferry Rd Const CL	
ARC LENGTH = 8.69				
CHORD BEAR = S 72°22'53.4" W				
LNTH CHORD = 8.69				
RADIUS = 49.99				
DEGREE = 174°36'31.5"				
10440	83.64 R	192+58.26	McGinnis Ferry Rd Const CL	
10439	89.16 R	192+58.25	McGinnis Ferry Rd Const CL	
ARC LENGTH = 8.43				
CHORD BEAR = S 70°16'00.2" W				
LNTH CHORD = 8.48				
RADIUS = 49.99				
DEGREE = 174°36'31.4"				
10437	97.61 R	192+57.52	McGinnis Ferry Rd Const CL	
ARC LENGTH = 2.43				
CHORD BEAR = S 75°07'45.6" W				
LNTH CHORD = 2.43				
DE20319	100.00 R	192+57.52	McGinnis Ferry Rd Const CL	
DE20313	100.00 R	191+96.99	McGinnis Ferry Rd Const CL	
RECD EASMT = 1579.56				
RECD EASMT = 0.036 ACRES				



STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

-
- I. AGENDA ITEM TITLE:** RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13013 DARTMORE AVENUE
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13013 DARTMORE AVENUE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-096-3) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.
- II. RECOMMENDATION:**
- III. REPORT IN BRIEF:**
- IV. ALTERNATIVES:**
- V. ATTACHMENTS:**
Resolution Authorizing Condemnation - 13013 Dartmore Ave

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13013 DARTMORE AVENUE, ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-096-3) FOR ROAD PROJECT – MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY

WHEREAS, the City of Alpharetta (the “City”), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the “Project”); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through, and across the property now or formerly owned by Sandeep Dhore and Sanyogita Dhore located at 13013 Dartmore Avenue (Tax Parcel No.: 21 -5680-1054-096-3) within the City of Alpharetta, Georgia (reference: **Project Parcel 56**), as further described and shown in Attachment "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through, and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through, and across the property located at 13013 Dartmore Avenue, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-096-3), in order to ensure the timely completion of the Project–McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney

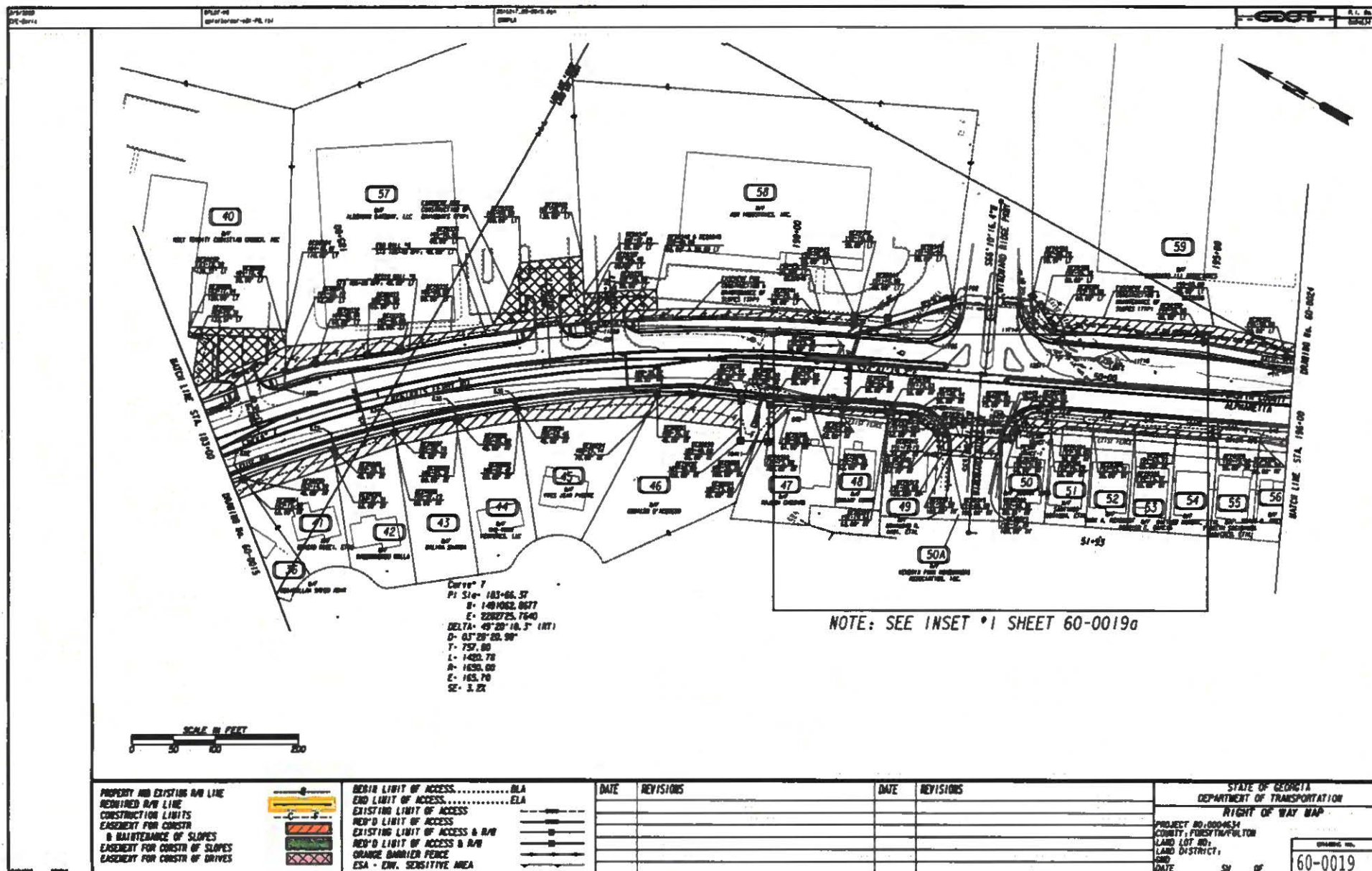
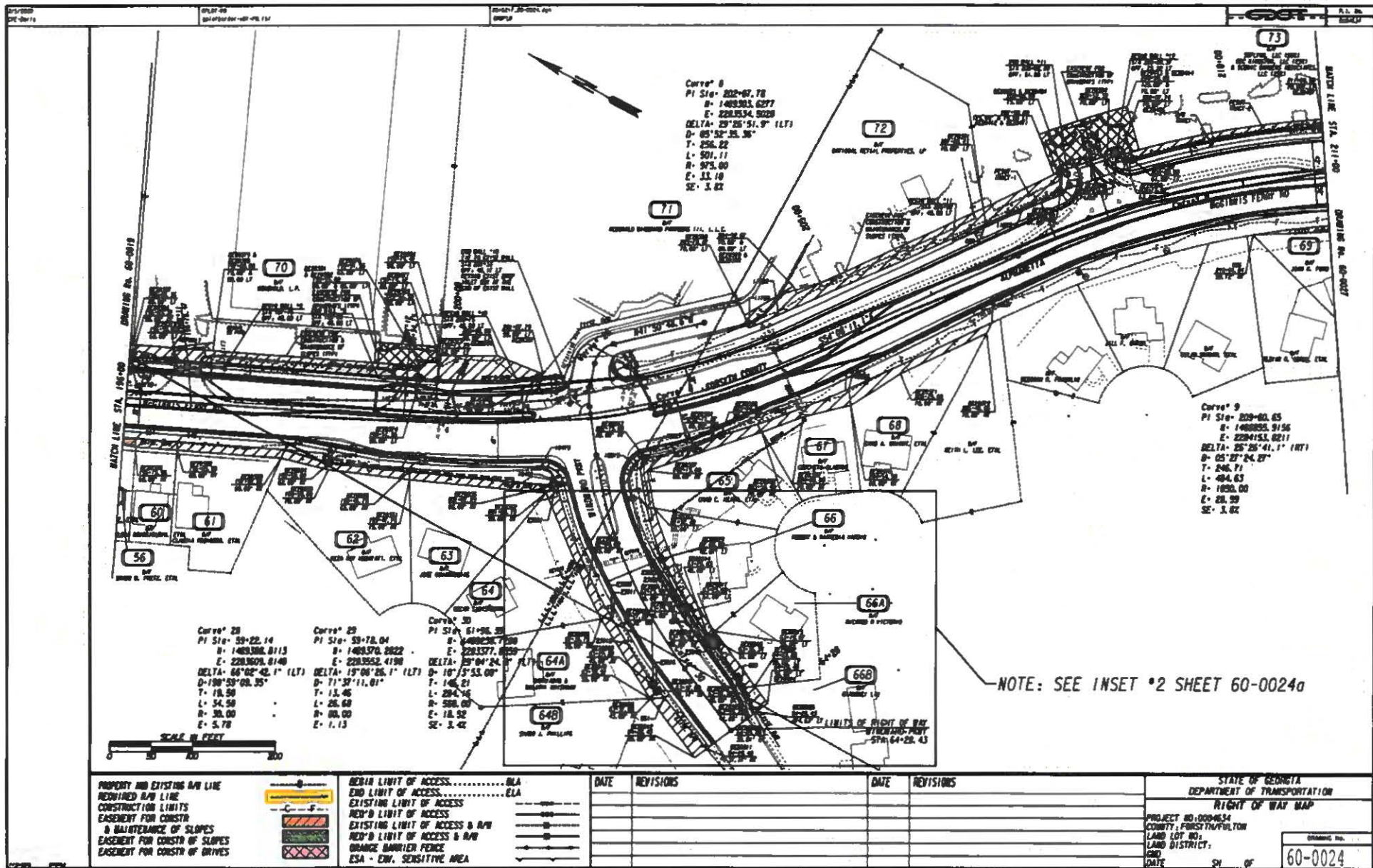


EXHIBIT A





STAFF REPORT

Submitting Department: Legal

Submitted By:

Sponsored By:

Meeting Date: March 28, 2022

-
- I. AGENDA ITEM TITLE:** RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN - 13033 DARTMORE CIRCLE
A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13033 DARTMORE CIRCLE, ALPHARETTA GEORGIA (TAX PARCEL NO.:21 -5680-1054-091-4) FOR ROAD PROJECT - MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY.
- II. RECOMMENDATION:**
- III. REPORT IN BRIEF:**
- IV. ALTERNATIVES:**
- V. ATTACHMENTS:**
Resolution Authorizing Condemnation - 13033 Dartmore Cir

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN TO ACQUIRE CERTAIN PROPERTY LOCATED AT 13033 DARTMORE CIRCLE, ALPHARETTA, GEORGIA (TAX PARCEL NO.: 21 -5680-1054-091-4) FOR ROAD PROJECT – MCGINNIS FERRY ROAD WIDENING FROM RONALD REAGAN BOULEVARD/UNION HILL ROAD TO HOSPITAL PARKWAY

WHEREAS, the City of Alpharetta (the “City”), in conjunction with the City of Johns Creek and Forsyth County, has determined that it is necessary to construct a road project, which includes the widening of, and construction of other operational improvements to, a portion of McGinnis Ferry Road, such road project being known as the McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway project (the “Project”); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through, and across the property now or formerly owned by Srinivas S. Halembur and Sushma Mahashetti located at 13033 Dartmore Circle (Tax Parcel No.: 21 -5680-1054-091-4) within the City of Alpharetta, Georgia (reference: **Project Parcel 51**), as further described and shown in Attachment "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through, and across the foregoing property are necessary, in the public interest, and must be carried out expeditiously to ensure the timely completion of the Project.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through, and across the property located at 13033 Dartmore Circle, Alpharetta, Georgia (Tax Parcel No.: 21 -5680-1054-091-4), in order to ensure the timely completion of the Project–McGinnis Ferry Road from Ronald Reagan Boulevard/Union Hill Road to Hospital Parkway. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

SO RESOLVED, this _____ day of _____, 2022.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Jason Binder

Douglas J. DeRito

John Hipes

Dan Merkel

Donald F. Mitchell

Brian Will

(SEAL)

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Michael D. Stacy, City Attorney

EXHIBIT A

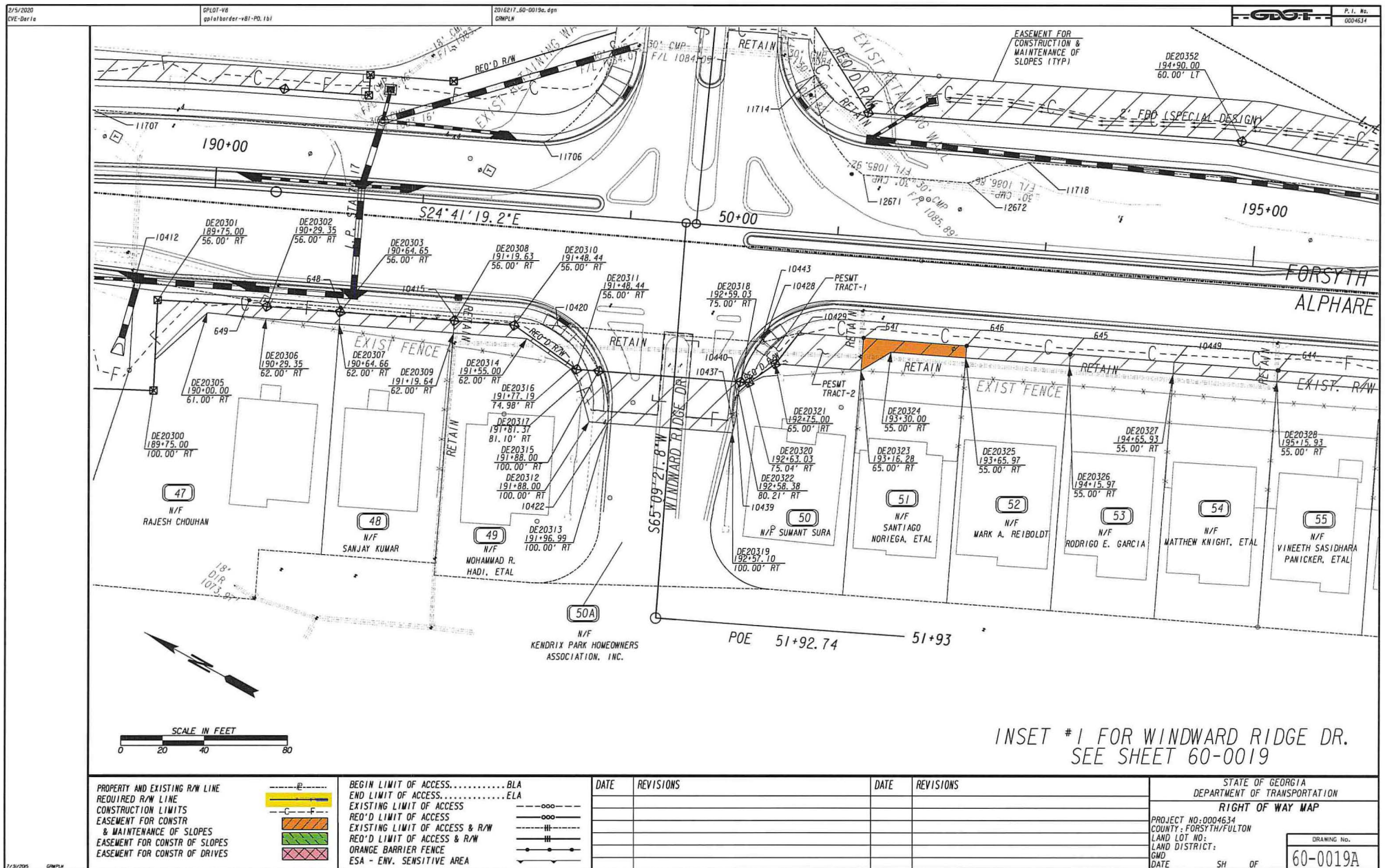


EXHIBIT A

