



PLANNING COMMISSION MEETING SEPTEMBER 1, 2022

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

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MEETING MINUTES

- a. Approval of the meeting minutes of August 4, 2022

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

- a. CLUP-22-03 / Z-22-11 / V-22-20 / Mid Broadwell Residential

DEFERRED: This item has been deferred by the applicant to the October 6, 2022 Planning Commission meeting. It will not be heard or considered during the September 1, 2022 Planning Commission meeting.

Consideration of a comprehensive land use plan amendment, rezoning and variances to allow for the construction of 23 'For-Sale' single-family detached homes and 20 'For-Sale' townhomes on 10.77 acres. A comprehensive land use plan amendment is requested from Commercial and Medium Density Residential to Medium Density Residential and a rezoning is requested from C-2 (General Commercial), O-I (Office-Institutional) and R-10M (Dwelling, 'For-Rent' or 'For-Sale', Residential) to R-4A/D (Dwelling, 'For-Sale', Attached/Detached, Residential – Medium Density). Variances are requested to reduce the minimum width of townhomes, reduce front setbacks along internal streets, reduce rear setback, increase maximum coverage by principal buildings and reduce an undisturbed buffer. The property is located at 510 Mid Broadwell Road and 0 Broadwell Road Rear and is legally described as being located in Land Lots 1248 & 1249, 2nd District, 2nd Section, Fulton County, Georgia.

- b. Z-22-13 / V-22-25 / Grand Communities / 2325 Old Milton Parkway

Consideration of a rezoning and variances to allow for the construction of 24 'For-Sale' townhomes on approximately 6.15 acres. A rezoning is requested from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work) and variances are requested to reduce stream buffers, allow some townhomes to be front loaded, modify streetscape standards, and reduce undisturbed buffers. The property is located at 2325 Old Milton Parkway, 0 Norcross Street, and 210 Norcross Street and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

- c. PH-22-10 / Unified Development Code (UDC) Text Amendment - Banner Signs

Consideration of text amendments to the Unified Development Code related to banner signs and allowing the Director of Community Development to approve an extension to the period of time that a business may display a banner sign when the business has frontage on a road that is under construction.

VII. ADJOURNMENT



Planning Commission Meeting
August 4, 2022
Department of Community Development
ALPHARETTA CITY HALL | 2 PARK PLAZA
6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by 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. CALL TO ORDER

- Chairman Kung'u called the meeting to order at 6:31 p.m.

II. ROLL CALL

- **Planning Commissioners present:**

- Francis Kung'u (Chair)
- Fergal Brady (Vice-Chair)
- Jill Reynolds
- Karen Richard
- William Perkins
- Todd Stratton
- Martine Zurinskas

- **Planning Commissioners Absent**

- Jamie Bendall (Alternate)
- Valerie Manley (Alternate)

- **Staff present:**

- Kathi Cook, Director of Community Development & Economic Development
- Michael Woodman, Planning + Development Services Manager
- Eric Graves, Senior Engineer, Development Services
- Alexandra Callum, Planning + Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Perkins offered a motion to approve the Planning Commission Meeting Minutes from July 14, 2022.

- Commissioner Stratton second the motion.
- The motion was approved 6-0-1, with Commissioner Zurinkas recusing herself because she was not present for the July 14, 2022 meeting.

IV. ITEMS FROM BOARD MEMBERS

V. ITEMS FROM STAFF

VI. PUBLIC HEARING

A. MP-22-03 / Z-22-05 / CU-22-02 / V-22-07 / North Point Mall Redevelopment

- Director Cook came forward to present this item.
 - The submitted request, if approved, would allow for the demolition of approximately 464,000 square feet of the existing mall including two (2) anchor boxes and redevelopment with 315,700 square feet of new retail, restaurants and creative office, 120,000 square feet of office, 150-room hotel, 900 'For-Rent' units, 36 'For-Sale' townhomes, and approximately nineteen (19) acres of open space on 83.67 acres in the North Point Overlay. The proposed residential density is 11.2 dwelling units per acre. A master plan amendment is requested to the North Point Mall Master Plan to modify development regulations. A rezoning is requested from PSC (Planned Shopping Center) to MU (Mixed Use) and a conditional use is requested to allow Dwelling, 'For-Rent', Dwelling, 'For-Sale' Attached, and to increase the allowable density. Variances are requested to increase building height, encroach into the Georgia 400 buffer for the MARTA BRT and multi-use trail. The property is located at 1000 North Point Parkway, 4500 North Point Place, 0 & 5000 North Point Drive, 2000 & 6000 North Point Circle, and 0 Rock Mill Road.
 - This item was considered at the July 7, 2022 Planning Commission meeting. Planning Commission deferred the request to the August 4, 2022 meeting and asked the applicant to address the following items prior to the next meeting: clarify open space calculations, condense phasing plan, provide an exhibit depicting North Point Drive entering the property, Phase 2 grocery, provide an exhibit depicting the design of the reversible bike lanes and pedestrian path on North Point Circle, provide an exhibit of the stormwater park, reduce the number of 'For-Rent' units and increase the number of 'For-Sale' units, and provide an exhibit depicting enhancements/branding at the entrances off Encore Parkway and North Point Parkway.
- The applicants, Jeff Johnson and Terry Montezi came forward to speak on behalf of this application.
 - The applicants discussed the history of Trademark and the different projects completed.
 - North Point has been a beloved shopping hub for generations but has become distressed.
 - We are not trying to be super exclusive, but more welcoming and casual for people.
 - The applicant discussed current upgrades and in progress upgrades.
 - This is one of the few malls in the country where one owner has most control of the land, not the anchors.
 - Half of the shop space and anchors will be saved.
 - We do not want to build just another Avalon but rather something different.

- We had a traffic study done, and if the mall was full, it would produce 5% more traffic than this current plan.
- We are striving for a walkable village concept.
- We must be responsive to the market.
- There are three areas proposed – the village, the station, and the neighborhood.
- We show that the demographics would be young professionals, empty nesters, maturing singles, and couples that no longer have children, like Avalon.
- We want to leverage the investment of making the area more walkable.
- The Planning Commission discussed the following:
 - What will the condition of the property be before it is developed? We would require it to be grassed and maintained.
 - Looking at the orange section on the density map, do you have any idea of what acreage is in the high-density area?
 - Can you tell us all the recent enhancements the city has put in the North Point Overlay to promote walkability? In 2017, the Encore Bridge was made walkable. The Chick-Fil-A rebuild created significant sidewalk improvements. Director Cook provided additional examples.
 - With the stormwater ponds, I have not seen that language before. There is another example of that at Thompson Street Park.
 - The phasing of the stormwater retention ponds- is that just the activation of the phases? Is it currently needed, or is it tied to the third phase? This has natural pull. You can build sections that are still enjoyable without having the entire portion completed.
 - Is this going to be a wet pond? Yes.
 - Regarding the hotel, it is not defined as an upscale hotel. That was taken out of the language. I believe we had previously that it was a full service. They are now in agreement with the language.
 - Why is important to bring retail to the exterior? A lot of tenants like the outdoor exposure. They feel like malls need to be turned inside out to be relevant long-term.
 - 11 out of your 17 projects include multifamily units, is that correct? Yes.
 - What is the why behind multifamily? There is a housing crisis, and the demand is significant. There is a certain security with there being more people there. It is vibrant with people coming and going.
 - Do you have the demographics of the people moving into this area?
 - What about trying to bring back some of the trees to the outside perimeter? The perimeter will have street trees, and the event area will have large trees.
 - Are you going to be the owner/builder of the multifamily units? New York Life is the owner of NP. We are the manager and redeveloper of the mall. That will continue to evolve as we start to go vertical.
 - Is it your intent to be an owner one day? Yes.
 - Why don't you incorporate more for sale into this idea? Our early plans included 1200 units, and we decreased it to 900. We would love to say high density condominiums would work here, but we do not think it will.
 - As much as you listen to the developers about what is working, try to also listen to the community on what is working here
 - There is nothing like this in our city. I understand it is very atypical. I do think that balance is key in terms of multifamily vs for rent
 - If you do not get the approval for 900 units, what are the next steps? To be honest, I do not know. We are not asking for 900 hoping we get 600.

- The difficulty is the phase three – this will not be developed for 7 or 8 years. I would rather that phase come back after we see the first two phases
- Even if we wanted more for sale units, we could not fit them on those three acres. The only option would be to completely redo the plan. We are offering the highest density plan that will work.
- I think we have a similar vision, but we need a little better balance.
- Does the number in 3e really make sense? We could not go past the five-year policy.

Public Comment:

- Shawn Lawrence – 7000 North Point Circle
 - The project satisfies the wants and needs of this community.
 - This project would be a dream for me and my family.
 - We want to see this continue to grow.
- Grace Murphy – Fur Kids Animal Rescue
 - Securing this partnership with North Point has been very important.
 - We would love to see this move forward to continue our partnership.
 - It helps us to get in front of a different demographic.
- Nancy Flare
 - North Point was a place to bring my kids when they were growing up.
 - We support local retail communities and designers and have helped Trademark facilitate fashion events at the mall.
 - North Point will become a fashionable destination for our area to linger longer.
- Brendan Peterson – 10345 Dashiell Court
 - I am in support of Trademark and New York Life.
 - Alpharetta residents are in support of this.
- Dan Silver – Maple Lane
 - I am the general manager of Halcyon.
 - We would be looking at the rental communities if my family was trying to purchase a home today.
 - I disagree that this is not what Alpharetta wants.
 - 97 – 99% of Halcyon apartments are leased regularly.
- Katherine Dylan – Manager of King of Pops
 - This is a much safer environment than surrounding malls.
 - I want to see this project move forward.

❖ Vice-Chair Brady offered a motion to approve the item, subject to the following conditions:

1. Change to condition 3d, "as depicted in Exhibit H".
2. Change to condition 9, "shall be tied to phase 2 CO".
 - Commissioner Richard seconded the motion.
 - The motion was approved unanimously (7-0).

FINAL CONDITIONS:

1. Approximately 83.67 acres shall be zoned to MU and developed substantially similar to the site plan prepared by Kimley-Horn, dated 7/20/2022, except as modified by these conditions. Applicant shall provide a legal description of the property, as depicted in Exhibit A, prior to issuance of the LDP.
2. Exterior modifications to existing buildings and new buildings shall be substantially similar to the images depicted in Exhibit H, with non-residential buildings (including 'For-Rent' buildings) approved by DRB and

residential buildings approved by Staff.

3. Development regulations shall be as follows:

a. Commercial – Maximum 315,700 square feet of retail, restaurant use shall be permitted in freestanding buildings (not including existing outparcels along North Point Parkway), which shall include a minimum 6,000 square foot food hall developed in Phase 1. Non-residential uses (retail, restaurant, office, and 'For-Rent' amenities) on the ground-floor of the 'For-Rent' buildings shall not count against the maximum commercial entitlement or require additional parking. Freestanding buildings shall be no greater than 4 stories and 60'. Drive-through restaurant, other than a coffee shop shall be prohibited. Rooftop and outdoor dining areas are encouraged and shall not count against the maximum commercial entitlement or require additional parking.

b. Office – Maximum 145,000 square feet of office shall be permitted in freestanding buildings no greater than 6 stories or 85'. Additional office shall be permitted when exchanged for commercial, 'For-Rent' residential (800 SF per unit), or hotel entitlement (800 SF per hotel room).

c. Hotel – Maximum 150 rooms shall be permitted in one freestanding building no greater than 6 stories or 85'. Hotel shall be full-service with a separate entrance for patrons of a full-service, sit-down restaurant. Hotel shall include a minimum of 5,000 square feet of meeting/event space. Commercial or office square footage may be exchanged for up to an additional 150 hotel rooms at the ratio of 800 square feet per room, limited to one freestanding building.

d. 'For-Rent' Residential – Up to 320 'For-Rent' units shall be immediately eligible for a Certificate of Occupancy (CO). After January 1, 2026, an additional 330 'For-Rent' units (Phase 2) shall be eligible for a CO. After January 1, 2029, an additional 250 'For-Rent' units shall be eligible for a CO. 'For-Rent' buildings shall be no greater than 5 stories or 75' and all units shall be one (1), two (2) and three (3) bedrooms. A maximum of sixty percent (60%) of units shall be studios or one bedroom and no more than ten percent (10%) shall be 3-bedroom units. A CO shall not be issued for the Phase 1 'For-Rent' building until the retail plaza and pocket park, retail square, remaining interior mall renovations (as depicted in Exhibit H), primary north-south and east-west streets and associated infrastructure have been constructed and inspected by the City. A CO for Phase 2 rental shall not be issued until pedestrian trail and bike lanes and a market/grocery with a minimum square footage of 3,500 square feet has been constructed and inspected by the City. If a grocery/market is developed within 500' of the property then this shall satisfy this condition. A CO shall not be issued for the Phase 3 'For-Rent' building until at least 60,000 square foot of office has been constructed and site work for the 36 'For-Sale' townhomes is completed and 50% of the 'For-Sale' townhomes have been constructed and inspected by the City. 'For-Rent' units shall have first class amenities, including a pool, fitness center, secured parking, resident's lounge, business center, on-site management office and secure elevator access. If construction does not commence by July 25, 2027, residential units shall revert to 'For-Sale' only.

e. ~~(Phase 3)~~ 'For-Sale' Residential – ~~286~~ 36 'Dwelling, 'For-Sale', Attached or Detached' units shall be permitted in buildings no greater than 4 stories or 60'. No more than 10% of 'For-Sale' units shall be permitted to be rented, as recorded in the HOA covenants and declarations.

f. Parking Decks – Maximum height shall not exceed the height of the building they serve.

Parking decks visible from North Point Circle or Georgia 400 shall be treated with comparable materials and finishes as the building they serve or screened from view with evergreen landscaping, as approved by DRB. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the DRB.

4. Active uses, including service retail, restaurant, office and 'For-Rent' amenities, shall be required in each 'For-Rent' building and located on the ground-floor space along the storefront street (the main east-west street through the development a.k.a. North Point Drive) and shall have a minimum first floor height of 14' and depth of 30'. Ground-floor residential units shall have walkouts similar to Exhibit B.

5. The Master Plan area shall be limited to the following uses and further restricted by conditions of zoning:

- a. Retail
- b. Restaurant
- c. Office (professional, medical and research and development)
- d. Hotel
- e. Residential ('For-Sale' and 'For-Rent')

6. Uses shall be customarily accessory to or amenities for residential and office uses, limited to the following:

- a. Amphitheater
- b. Animal Hospital, Small Animal
- c. Art Gallery
- d. Athletic Facility
- e. Auditorium
- f. Bakery
- g. Bank
- h. Barber Shop
- i. Beauty Shop
- j. Book Store
- k. Bowling Alley
- l. Brewery or Distillery
- m. Dance and Fitness Studio
- n. Day Care Facility
- o. Drug Store (Pharmacy)
- p. Dry Cleaning, Pick-up Station
- q. Florist, Retail without Greenhouse
- r. Golf, Miniature and Driving Range
- s. Grocery Store
- t. Hardware and Garden Supply Store

- u. Home Improvement Store
- v. Liquor Store (conditional use)
- w. Museum and Libraries
- x. Nail Salon
- y. Park and Playground
- z. Pet Grooming and Pet Day Care
- aa. Public Building
- bb. Recreational Facilities, Indoor and Outdoor
- cc. Restaurant (no drive-thru)
- dd. Retail Establishment
- ee. School, Academic and Commercial
- ff. Shop or Studio, Craftsman/Artist
- gg. Spa Services (conditional use)
- hh. Special Event Facility
- ii. Theater, Cinema

7. New internal streets shall be private and shall be consistent with the streetscape exhibits on Slides 26-36 of the submitted application, labeled Exhibit C, with final approval by Staff.

8. Minimum 19.11 acres of open space (11.91 acres of civic space and 7.20 acres of amenity space), consisting of squares and plazas (village lawn/event green), trails, stormwater park, yards, patios and balconies, outdoor dining, sports court, pocket parks, pool courtyards and amenity area, mall interior common areas, etc. shall be provided as depicted on the submitted renderings and site plan prepared by Kimley-Horn, dated 7/20/2022.

9. Pedestrian trail and bike lanes shall be improved as depicted on Exhibit D, with final design approved by Staff. Bike lanes shall include a minimum 10' asphalt path and pedestrian trail shall include a minimum 4' crushed stone path, landscaping and lighting. Dedicated bike lane shall include striping and min. 2' wide protective buffer (striping with delineators every 25') between the vehicular travel lane and the bike lane and shared bike lane shall include striping.

10. Developer shall construct a City-approved MARTA bus shelter at the two existing bus stops and improve landscaping at the northeast corner of North Point Parkway and the eastern and middle access roads to the Mall, provided the Owner, at the property on which bus stops are located allows access for the work. This work shall be eligible for credit against Developer's transportation impact fees. Applicant shall apply for the NFCID bus shelter program. Expenditures not reimbursed by the CID shall be eligible for impact fee credits.

Design Conditions:

11. Minimum 10' landscape strip shall be required along North Point Circle adjacent to the proposed development.

12. Site access driveway at the intersection of North Point Drive and North Point Circle shall require pedestrian and bicycle access. Geometry, lighting, and materials shall provide emphasis on the pedestrian environment and safety, as approved by Staff. Assuming right-of-way is available, streetscape improvements shall include a 10' sidewalk, minimum 2' planting strip and decorative pedestrian lighting

spanning the distance to the stormwater park on the south side and to the hotel curb cut on the north side. Applicant shall be eligible to receive impact fee credits for off-site work within the City right-of-way.

13. Developer shall provide EcoDistrict measures as outlined in the submitted application, labeled Exhibit E. Detailed information shall be provided at LDP and building permit showing compliance with the requested EcoDistrict measures. Total EcoDistrict points to be confirmed by Staff.

14. Village lawn/event green shall include a permanent or temporary stage of sufficient size to accommodate events as identified on Slide 25 labeled 'Program Opportunities'.

15. Developer shall improve a stormwater park on its property, as depicted in Exhibit F, including trails, landscaping and overlook. The northern half of the stormwater pond shall be improved prior to a CO for the first 'For-Rent' building and remaining portion of the stormwater pond improved prior to a CO for the second 'For-Rent' building, as approved by Staff. Upon completion of each of the northern half and the remaining portion, the tract shall be dedicated to the City, other than the detention ponds themselves and waterways which feed it. The City shall be responsible for the structural repairs upon dedication and the developer shall be responsible for daily maintenance. Developer and other pond owner shall remain solely and exclusively responsible for maintenance of the detention ponds and waterways which feed it. The cost of the construction of such improvements shall be eligible for a credit against park impact fees.

16. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and open space within the development and across North Point Circle. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products, as approved by DRB.

17. Minimum 2,500 square feet civic space shall be developed at the corner of North Point Circle and North Point Drive. Civic space shall include decorative hardscape, landscape, and EcoDistrict monument/sculpture or Creative Placemaking District Threshold, as approved by the Cultural Arts Commission (CAC). Hardscape, landscape and monument/sculpture or district threshold shall be maintained by the HOA. Minimum 6 monument/murals/sculptures or district thresholds (or water feature) shall be provided at prominent locations throughout the development, with unique monuments/murals/sculptures approved by CAC. Approval and construction of at least 1 monument/sculpture or district threshold shall be required concurrent with the first CO for the 'For-Rent' building. A minimum of 1 additional monument/sculpture or district threshold shall be required concurrent with the CO for the 'For-Rent' building in each subsequent phase of development. All sculptures shall be required prior to final CO issued for the last building constructed.

18. Retaining walls shall receive architectural façade treatment and be heavily landscaped. Retaining walls visible from developed areas exceeding 16' in height shall be terraced with landscaping to break up large expanse of retaining wall.

19. Developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development.

20. Prior to LDP, applicant shall submit for approval a document to be titled 'North Point Mall Redevelopment Design Standards'. This document shall include elevations or architectural themes, specifications for street furniture (benches, trash receptacles, lighting, bicycle racks, etc.), bus shelter, signage, storefronts, and landscaping and shall be substantially similar to the renderings filed with the 2022 application. Design standards will be presented to the DRB for review and approval. This document also shall detail entrance treatment for the North Point Drive/North Point Circle and easternmost Access Drive/North Point Circle intersection with new private streets.

21. Awnings, or similar overhead structure, shall be provided at the ground level in commercial areas

where reasonably appropriate in order to protect pedestrians from inclement weather.

22. Development shall include at least 1 rooftop amenity within the non-residential portion of the development.

23. Provide detailed street planting for North Point Circle and new private streets. Landscape plan shall be approved prior to issuance of a LDP and shall retain landscape trees, if possible, as approved by DRB.

24. Surface parking areas shall comply with UDC requirements for screening and tree islands.

25. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall be screened from new streets and North Point Circle, as approved by DRB.

26. Prior to the first LDP, applicant shall submit a revised master plan to the City, which shall incorporate the approved conditions, as well as the following:

- a. Approved specifications and standards identified for each use within the total development.
- b. Pedestrian network.
- c. Overall planned open space areas.
- d. Phasing plan demonstrating how construction will be staged and implemented in a manner that screens construction views from adjacent roadways.

Other Conditions:

27. At such time as MARTA stipulates and funds its intention to move forward with a future Georgia 400 MARTA bus rapid transit and/or train station on Georgia 400 at North Point Mall, Developer, its successors and assigns; shall dedicate land to the City as depicted on Exhibit G or an equivalent reasonably substituted tract of like size within the Georgia 400 buffer agreed upon by owner and City. If at any time MARTA stipulates that the land is not needed, or if MARTA has not begun construction by December 31, 2028, then there shall be no obligation to dedicate the land or, if already conveyed to the City, it shall be conveyed back to the Developer, its successors or assigns. This reservation does not in any way entitle MARTA or the City to use any part of the balance of the Mall property, and Developer, its successors and assigns is/are under no obligation to allow such use. Nor does this reservation entitle MARTA customers to park on Mall property to access the station.

28. Developer shall be responsible for planting and maintenance of any medians within the development and for medians located on North Point Circle or the Access Roads.

29. Developer's financial responsibility for offsite improvements and stormwater park improvements shall not exceed its impact fees, nor shall credits be given for meeting minimum EcoDistrict and open space requirements.

30. It is acknowledged that the approved site plan may be subdivided into separately platted parcels with individual tax numbers, that the separate development parcels are to be developed by separate owners/developers, and that the public amenities are to be platted and owned by the Developer. Zoning compliance for conditions uniquely applicable to an individual owner's parcel will be the responsibility of that owner and that non-compliance by such an owner does not render, by itself, the remaining parcels "non-conforming" uses under the Zoning Code.

General Conditions of Approval to GRTA Development of Regional Impact Notice of Decision:

Bicycle, Pedestrian & Transit Facilities

31. Provide pedestrian connectivity between all buildings and uses.

32. Install pedestrian and bicycle wayfinding signage on-site to direct pedestrian and bicycle traffic to and from Big Creek Greenway, bike lanes, and transit.
33. Upgrade existing MARTA stops near the northern mall entrance drives to include transit shelter as approved by MARTA.
34. Design site driveways to service pedestrians and cyclists.
35. Address curbside activities including parking, deliveries, ride-hailing, bicycling and micromobility use, and pedestrian activity.

B. CLUP-22-04 / CU-22-06 / V-22-21 / Z-22-12 / Crabapple Hotel

WITHDRAWN: This item was withdrawn by the Applicant. It was not heard or considered during the August 4, 2022 Planning Commission meeting.

C. CLUP-22-03 / Z-22-11 / V-22-20 / Mid Broadwell Residential

DEFERRED: This item has been deferred by the Applicant until September 1, 2022. It was not heard or considered during the August 4, 2022 Planning Commission meeting.

D. PH-22-06 / Unified Development Code (UDC) Text Amendment – Massage and Spa

WITHDRAWN: This item was withdrawn by Staff. It was not heard or considered during the August 4, 2022 Planning Commission meeting.

VII. ADJOURNMENT

- Chairman Kung'u adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Alexandra Callum

Alexandra Callum, Planning + Zoning Coordinator



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: Z-22-13/V-22-25 GRAND COMMUNITIES/2325 OLD MILTON PARKWAY

PLANNING COMMISSION: SEPTEMBER 1, 2022

CITY COUNCIL: SEPTEMBER 26, 2022

II. RECOMMENDATION:

Approve Z-22-13/V-22-25 Grand Communities/2325 Old Milton Parkway, subject to the following conditions:

1. Approximately 6.15 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by PEC, dated 4/19/22, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning. Any development proposed on the property fronting Haynes Bridge Road shall require site plan approval from City Council.
2. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A, except for modifications required to comply with the Downtown Consultant's comments and in compliance with the Alpharetta Downtown Code, subject to final approval by DRB. Townhomes shall have 4-sided architecture, materials and details. Townhome side elevation facing Old Milton Parkway shall have a porch or other significant projection to give the appearance as a front elevation, as approved by DRB.
3. Density shall not exceed 3.9 dwelling units per acre.
4. Courtyards may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by Staff.
5. Developer shall improve Old Milton Parkway streetscape with a minimum 4' planter planted with street trees (subject to Staff and GDOT approval), minimum 8' sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
6. Streets, alleys and sidewalks internal to the site shall be developed as depicted on the site plan prepared by PEC, dated 4/19/22, with final approval by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
7. Minimum 10' landscape strip shall be required along both sides of internal streets, not including alleys. Landscape strips shall be exclusive of utilities and easements, except that if Fulton County requires an unencumbered easement shrubs shall replace tree requirements on one side of the street.
8. Minimum 20' landscape strip/building setback shall be provided along Old Milton Parkway. Landscape strip 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.
9. A 20' planted buffer shall be provided as depicted on the site plan prepared by PEC, dated 4/19/22. A double row of evergreen and hardwood trees and shrubs shall be planted along the west property line adjacent to Units 1-4, as approved by Staff.
10. Project entrance shall include a decorative paver apron, landscaping, decorative low wall and/or fencing with columns, as approved by Staff.
11. Open space shall be developed substantially similar to the site plan prepared by PEC, dated 4/19/22, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape and seating. Landscape shall include plant selections promoting the historic Downtown.
12. Creeping vines shall be planted to cover retaining and low walls, as approved by Staff.
13. Tree removal of specimen sized trees and trees of quality, as noted in the James Mahoney arborist report, shall be limited to trees in poor condition and tree #305, 323, 325, 1387, 1388, and 1389.

14. 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.
15. HVAC and similar equipment shall not be visible from the public right-of-way.
16. Garbage pickup shall be from within the development.
17. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
18. To mitigate stream buffer impacts, developer shall comply with one or a combination of the following measures, as approved by Staff:
 - a. Provide 50% additional runoff reduction or water quality volume above the standard city requirements.
 - b. Provide buffer enhancement on an agreed upon area equal to at least 2 times the area of encroachment/impact. Enhancements may include removing fallen trees inside the stream bed that are impeding flow, plant eroded or sparsely vegetated areas of stream banks with live stakes, add enhanced buffer plantings where sparsely vegetated, and remove invasive vines.
 - c. Obtain any necessary state and federal approvals for the stream and buffer impacts.
 - d. Or alternative mitigation measures, as approved by Staff.

III. REPORT IN BRIEF:

The applicant, Grand Communities, LLC, is requesting a rezoning and variances to allow for the construction of twenty-four (24) 'For-Sale' townhomes on 6.15 acres in the Downtown. The proposed density is 3.9 dwelling units per acre. A rezoning is requested from R-12 (Dwelling, 'For-Sale', Residential) and O-I (Office-Institutional) to DT-LW (Downtown Live-Work). Variances are requested to allow up to twelve (12) townhomes to be front loaded, allow encroachments into a non-perennial stream buffer and impervious setback, and modify streetscape standards. The subject property is located at 2325 Old Milton Parkway, 0 Norcross Street, and 210 Norcross Street near the southeast corner of Old Milton Parkway and Haynes Bridge Road.

DISCUSSION

The submitted request, if approved, would allow for the construction of twenty-four (24) 'For-Sale' townhomes on 6.15 acres in the Downtown. The proposed density is 3.9 dwelling units per acre. The applicant proposes to rezone the property from R-12 (Dwelling, 'For-Sale', Residential) and O-I (Office-Institutional) to DT-LW (Downtown Live-Work). Variances are requested to allow up to twelve (12) townhomes to be front loaded, allow encroachments into a non-perennial stream buffer and impervious setback, and modify streetscape standards. The subject property is located at 2325 Old Milton Parkway, 0 Norcross Street, and 210 Norcross Street near the southeast corner of Old Milton Parkway and Haynes Bridge Road.

The undeveloped property is wooded and encumbered by approximately 3.1 acres of floodplain and stream buffers. Surrounding properties are zoned C-2 (General Commercial), DT-LW and O-I to the north, O-I and DT-LW to the east, R-4A (Dwelling, 'For-Sale', Attached Residential) to the south and R-4A, C-2 and O-I to the west. Haynes Park subdivision is located to the south and west, Alpharetta Crossing shopping center, My First Academy and Sabri Guven Fine Jewelry are located to the west, Beaty Facial Plastic Surgery and Chelsea Walk subdivision are located to the east, and undeveloped commercial properties are located to the north. The comprehensive land use plan designation of the property is 'Mixed Use Live Work', which allows the proposed use.

As shown in the table below, the applicant requests variances to modify Downtown Overlay site regulations (building orientation and streetscape standards) and Unified Development Code (UDC) regulations pertaining to a stream buffer encroachment. The property has an unusual shape, is situated between commercial properties, and has significant topography due to the presence of multiple streams and floodplain. The applicant proposes to mitigate the stream buffer and impervious setback encroachments (approximately 0.25 acres) by setting aside an equivalent buffer and impervious setback area on the property. The set aside area for the new stream buffer and impervious setback should be outside of the 100-year floodplain.

Applicant's Variance Requests

UDC Section	Applicant's Request
Downtown Overlay – UDC Section 2.4.6(B)	Allow 12 townhomes to be front loaded
Downtown Overlay – UDC Section 2.3.3	Modify streetscape standards
UDC Section 3.3.2(D)(1)(a)	Allow encroachments into a non-perennial stream buffer (4,694 SF) and impervious setback (6,339 SF)

The table below identifies residential approvals in the Downtown since the adoption of the 2015 Downtown Master Plan update. The applicant's proposed density is lower than densities approved in the Downtown and along Old Milton Parkway.

Downtown – Residential Approvals since the 2015 Downtown Master Plan Update

Development Name	Type	Acres	Density
South of Wills Park	55 TH	5.5 acres	9.93 du/ac
236/244 North Main St	11 SFD	1.6 acres	6.8 du/ac
Mayfair on Main-217 South Main St	13 SFD, 11 TH	2.3 acres	10.4 du/ac
Hudson Park	16 SFD	2.41 acres	6.64 du/ac
The 1858	11 SFD	1.68 acres	6.55 du/ac
AlphaDev	11 SFD, 6 TH	2.21 acres	7.7 du/ac
Alcove Place	10 SFD	1.23 acres	8.1 du/ac
City Center/Voysey	42 SFD, 168 For-Rent	25 acres	8.0 du/ac
Midwick	17 SFD, 23 TH	5.85 acres	6.8 du/ac
Old Milton Holdings (Foundry)	25 SFD, 137 TH	23.89 acres	6.8 du/ac
Thompson Street Flats (Kairos)	24 Condo (High)	2.39 acres	10.0 du/ac
Burnett Circle (Ouray)	43 TH	5.72 acres	7.5 du/ac
Weyhill	9 SFD	3.1 acres	2.9 du/ac
Teasley Place	24 Condo (High)	1.5 acres	16 du/ac
East of Main	60 SFD, 42 TH	13.87 acres	7.35 du/ac
Twelve on Canton	12 SFD	5.46 acres	2.2 du/ac
The Maxwell	58 SFD, 80 Condo (Mid)	12.91 acres	10.7 du/ac
Rowes Downtown	22 SFD	3.26 acres	6.75 du/ac
Chelsea Walk	49 TH	7.04 acres	7.0 du/ac
Manning on the Square	58 SFD	11.7 acres	4.96 du/ac
Villa Magnolia	26 SFD	3.53 acres	7.37 du/ac
The Atley	86 TH/36 Condo (Mid)	15.3	7.97 du/ac

SITE PLAN

The submitted site plan depicts twenty-four (24), three (3) story 'For-Sale' townhomes with access from a new project entrance off Old Milton Parkway. Approximately four (4) acres of the property will remain undisturbed, including the property along Haynes Bridge Road. Most of the townhomes have access from a new private street, with eight (8) townhomes accessed from an alley. Half of the units will be rear loaded and half will be front loaded. Rear loaded units are twenty feet (20') wide and front-loaded units are 24' wide. Townhomes along Old Milton Parkway are setback approximately fifteen feet (15') from the right-of-way. Building setbacks comply with the DT-LW development standards.

Five-foot (5') sidewalks are depicted along Old Milton Parkway and along the west side of the new internal private street. If approved, a minimum eight-foot (8') sidewalk should be provided along Old Milton Parkway. A twenty-foot (20') planted buffer is proposed adjacent to the medical office building to the east. A double row of evergreen trees and shrubs should be provided along the west property line adjacent to My First Academy daycare center.

Each townhome unit will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. Two (2) guest parking spaces are provided near the mail kiosk. The Downtown Code requires 60 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 98 spaces are provided on the site plan.

The site plan depicts 1.35 acres, or 22%, open space within the proposed development. The DT-LW district requires a minimum 10% amenity space and 10% civic space for properties over five (5) acres. Amenity space is proposed to include a two (2) pocket parks, with one (1) located at the north end of the site and one (1) at the south end of the site. A mail kiosk is located near the southern pocket park and includes two (2) parking spaces. Civic space is noted to be a creek side greenway; however, improvements such as a trail are not depicted on the site plan.

Of the 24 specimen and trees of quality called out in the arborist report as fair condition or better, six (6) trees are proposed to be removed. Trees located in stream buffers and floodplain will be preserved, except in those areas where stream buffer encroachments have been requested. A stormwater management pond and bioretention area are depicted at the south end of the property adjacent to a pocket park.

RENDERINGS

The submitted elevations depict three (3) story townhomes in the Tudor Eclectic style, consisting primarily of brick with stone, board and batten and siding accents. Units will range in size from approximately 2,100 to 2,600 square feet and will be two (2) to four (4) bedrooms. According to the City's Downtown Consultant, the proposed renderings generally comply with the design regulations in the Downtown Overlay.

TRAFFIC

The applicant provided a trip generation report (see table below), which estimates that the 24 townhome units would generate approximately seven (7) AM Peak Hour trips and ten (10) PM Peak Hour trips.

Table 1 – Trip Generation								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 215 – Single-Family Attached Housing	24 units	2	5	7	5	5	10	132

SCHOOLS

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

FULTON COUNTY SCHOOLS – 24 Townhomes

School	Single Family Average #
Manning Oaks Elementary School	0 to 5 students
Northwestern Middle School	0 to 2 students
Milton High School	0 to 5 students
TOTAL	0 to 12 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 0 – 12 school age children. Numbers provided by Fulton County Schools show that Northwestern Middle School is approaching maximum capacity and Milton High School is over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: The proposed zoning is consistent with the future land use designation of the property and surrounding area, which is 'Mixed Use Live Work'. The area is envisioned to redevelop into a mix of residential, office and neighborhood commercial uses.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties. The area is envisioned to redevelop into a mix of residential, office and neighborhood commercial uses.

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

Response: The proposal should not have significant impacts on the natural environment. Approximately four (4) acres of the property will remain undeveloped. Tree saves are depicted on the applicant's site plan and mitigation is proposed to offset encroachments into the stream buffer and impervious setback.

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

Response: The property is currently zoned R-12 and O-I, which have development regulations (setbacks) that are inconsistent with the Downtown vision to become a mixed-use, walkable environment. The requested zoning is consistent with the future land use designation of the property and surrounding area, which is 'Mixed Use Live Work'. The area is envisioned to redevelop into a mix of residential, office and neighborhood commercial uses.

- 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 to allow a residential development would increase demand on schools and parks; however, the proposed density is approximately half the average density approved in the Downtown.

- 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 requested zoning district is consistent with the future land use designation of the property and surrounding area, which is 'Mixed Use Live Work'.

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

Response: The request should not negatively impact public health, safety or welfare. The proposed zoning is consistent with the future land use designation of the property.

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

Response: The property is currently zoned R-12 and O-I, which have development regulations (setbacks) that are inconsistent with the Downtown vision to become a mixed-use, walkable environment. The requested zoning is consistent with the future land use designation of the property and surrounding area, which is 'Mixed Use Live Work'. The area is envisioned to redevelop into a mix of residential, office and neighborhood commercial uses.

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

Response: The future land use designation of the property is 'Mixed Use Live Work', which allows the proposed DT-LW zoning district, use and density.

VARIANCE REVIEW CRITERIA

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

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

Response: The property has an unusual shape, has significant topographic challenges and is situated between multiple commercial properties, which are hardships that contribute to the requested variances. Approximately 3.1 acres of the property is encumbered by floodplain and stream buffers, of which the applicant requests to impact approximately 0.25 acres of impervious setback and stream buffer. Appropriate mitigation measures can be accommodated on the property.

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

Response: Application of the ordinance would create an unnecessary hardship given the unusual shape and significant topography on the property. Approximately 3.1 acres of the property is encumbered by floodplain and stream buffers, of which the applicant requests to impact approximately 0.25 acres of impervious setback and stream buffer. Appropriate mitigation measures can be accommodated on the property.

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

Response: The property has significant topographic challenges and an unusual shape which contributes to the requested variances. Approximately 3.1 acres of the property is encumbered by floodplain and stream buffers, of which the applicant requests to impact approximately 0.25 acres of impervious setback and stream buffer. Appropriate mitigation measures can be accommodated on the property.

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

Response: Relief, if granted, would not cause a substantial detriment to the public good. The applicant's proposed variances are related to hardships, including the unusual shape of the property and presence of topography. If approved, stream buffer encroachments should be mitigated with enhanced plantings and additional runoff reduction measures.

CONCURRENCES

Staff has reviewed the applicant's proposal against the established review criteria for a rezoning and variance. The zoning proposal is consistent with the vision of the Downtown Master Plan and future land use designation of the property. The proposed density of 3.9 dwelling units per acre is well below densities approved in the Downtown. If approved, the building setback and landscape strip along Old Milton Parkway should be a minimum twenty feet (20'), which is consistent with the setbacks and landscape strips approved at The Foundry, Chelsea Walk, Wellstar, Northside Hospital, and One Alpharetta City office buildings.

There are exceptional conditions pertaining to the property due to its unusual shape, topography, presence of streams and floodplain, and location between commercial properties. Approximately 3.1 acres of the property is unbuildable due to the presence of streams and floodplain. It does not appear that variances are being requested for the purpose of increasing density. If approved, stream buffer encroachments should be mitigated with enhanced plantings and additional runoff reduction measures.

CITIZEN PARTICIPATION PLAN

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

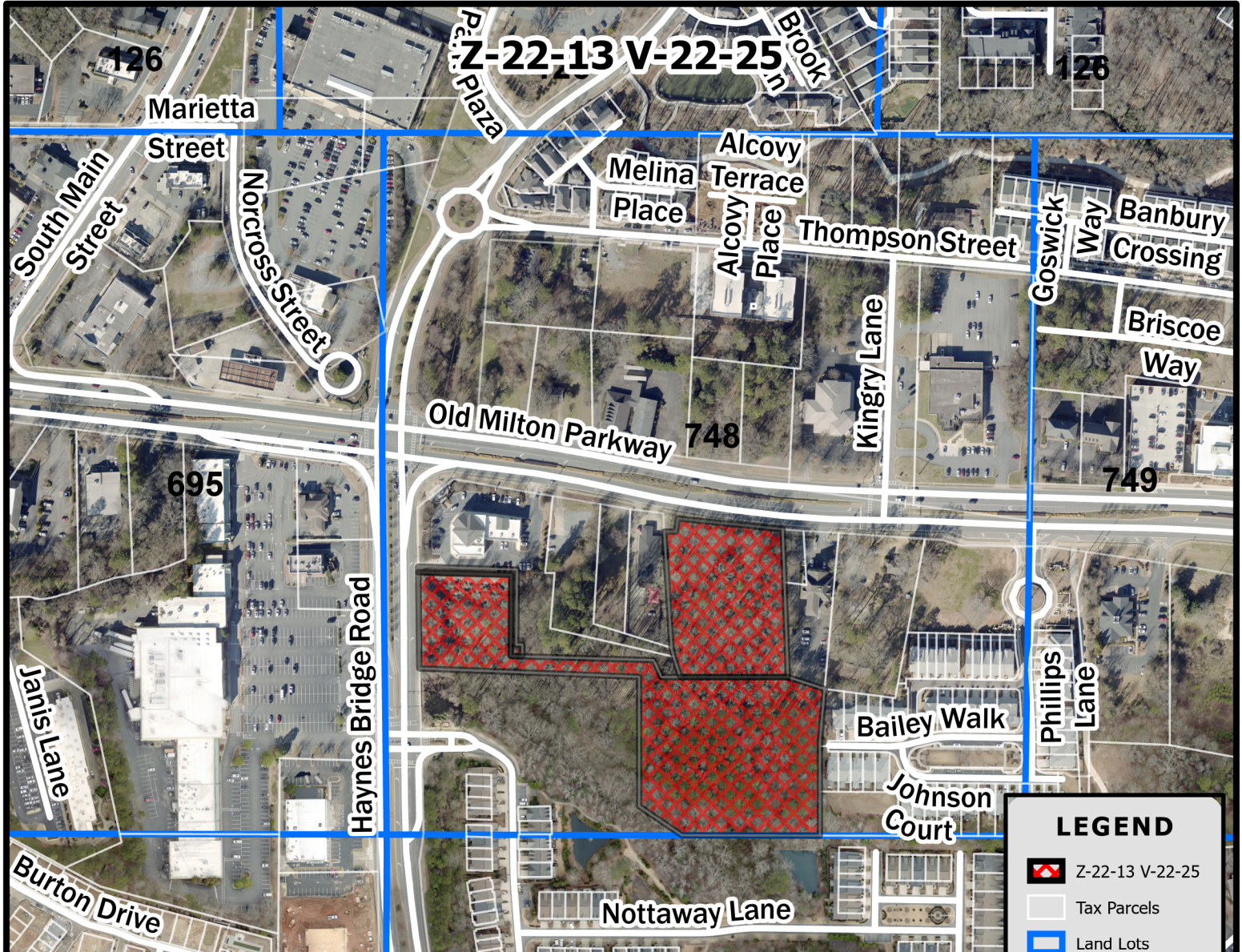
City Staff received correspondence from residents with concerns over flooding, habitat destruction, stream buffer impacts, proximity of detention pond to Chelsea Walk (buffers and potential for underground), and guest parking.

COMMUNITY ZONING INFORMATION MEETING

CZIM was held on August 10, 2022. There were public comments with concerns over sufficient guest parking, stream buffer encroachments and proximity of detention pond to Chelsea Walk.

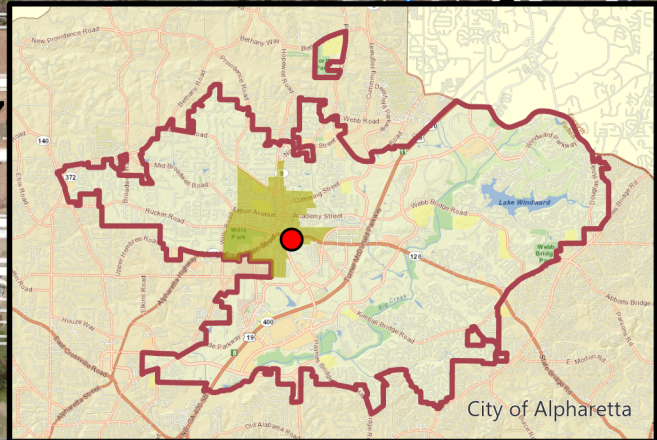
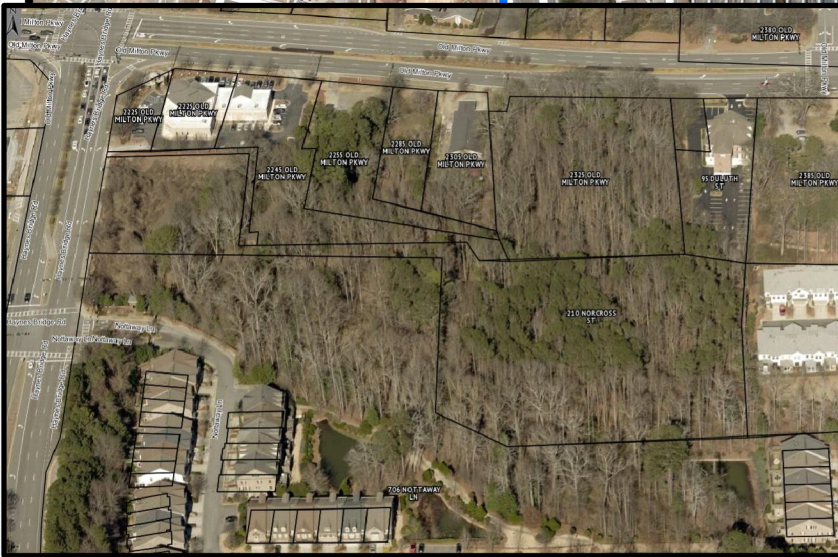
IV. ATTACHMENTS:

- Site Plan
- Renderings



LEGEND

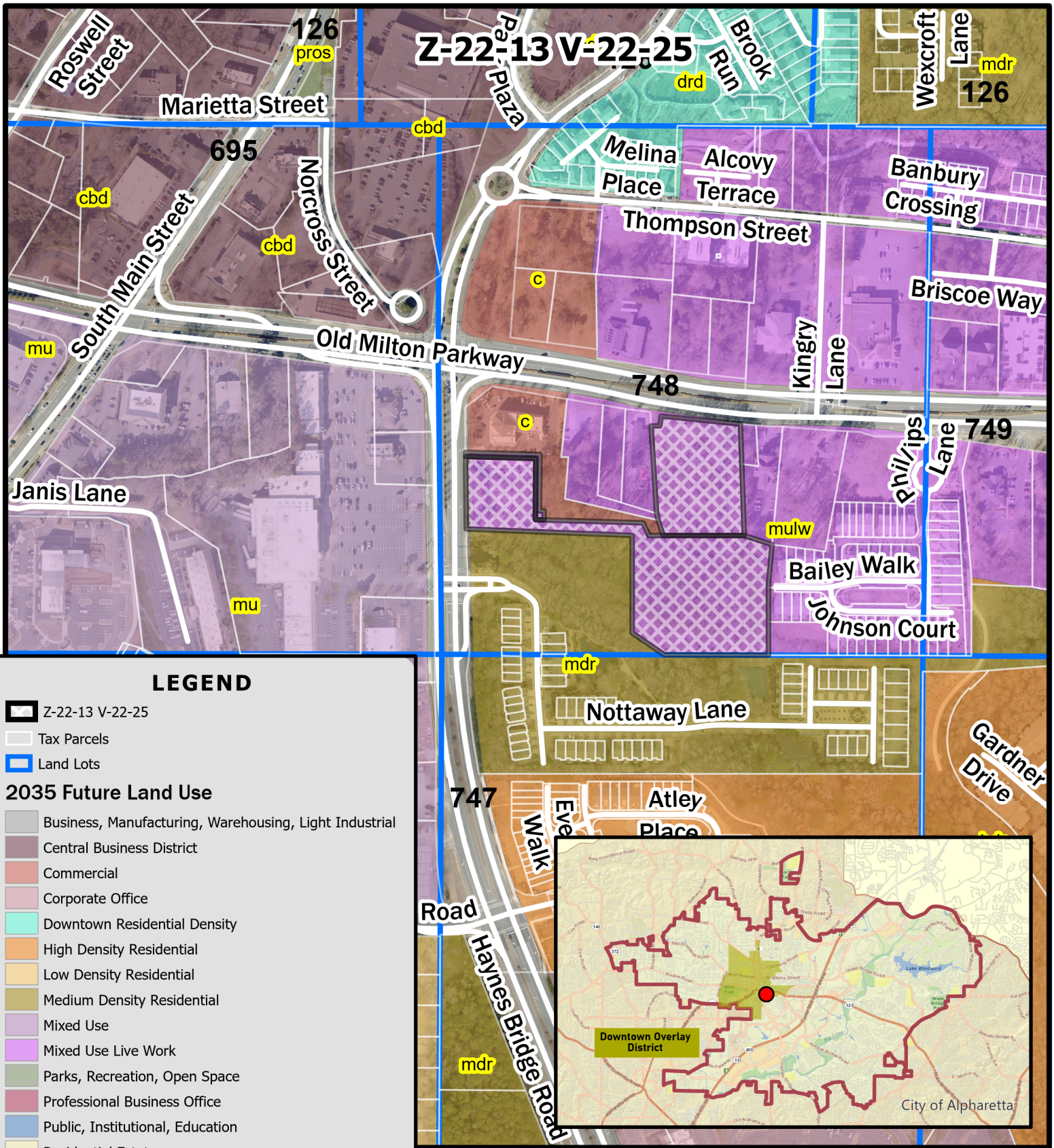
- Z-22-13 V-22-25
- Tax Parcels
- Land Lots



Aerial Map
Fischer Homes
2325 Old Milton Parkway

Z-22-13 V-22-25
D/LL: 1/2/0748
PC: 9/01/22
CC: 9/26/22

Location Map Provided by:
Community Development - GIS



LEGEND

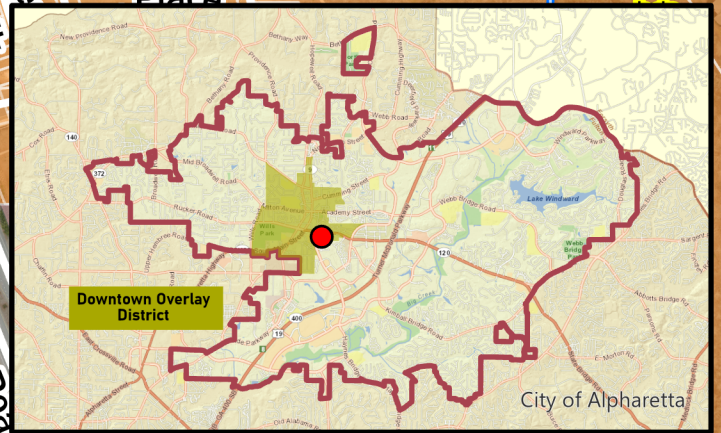
Z-22-13 V-22-25

Tax Parcels

Land Lots

2035 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-22-13 V-22-25

D/LL: 1/2/0748

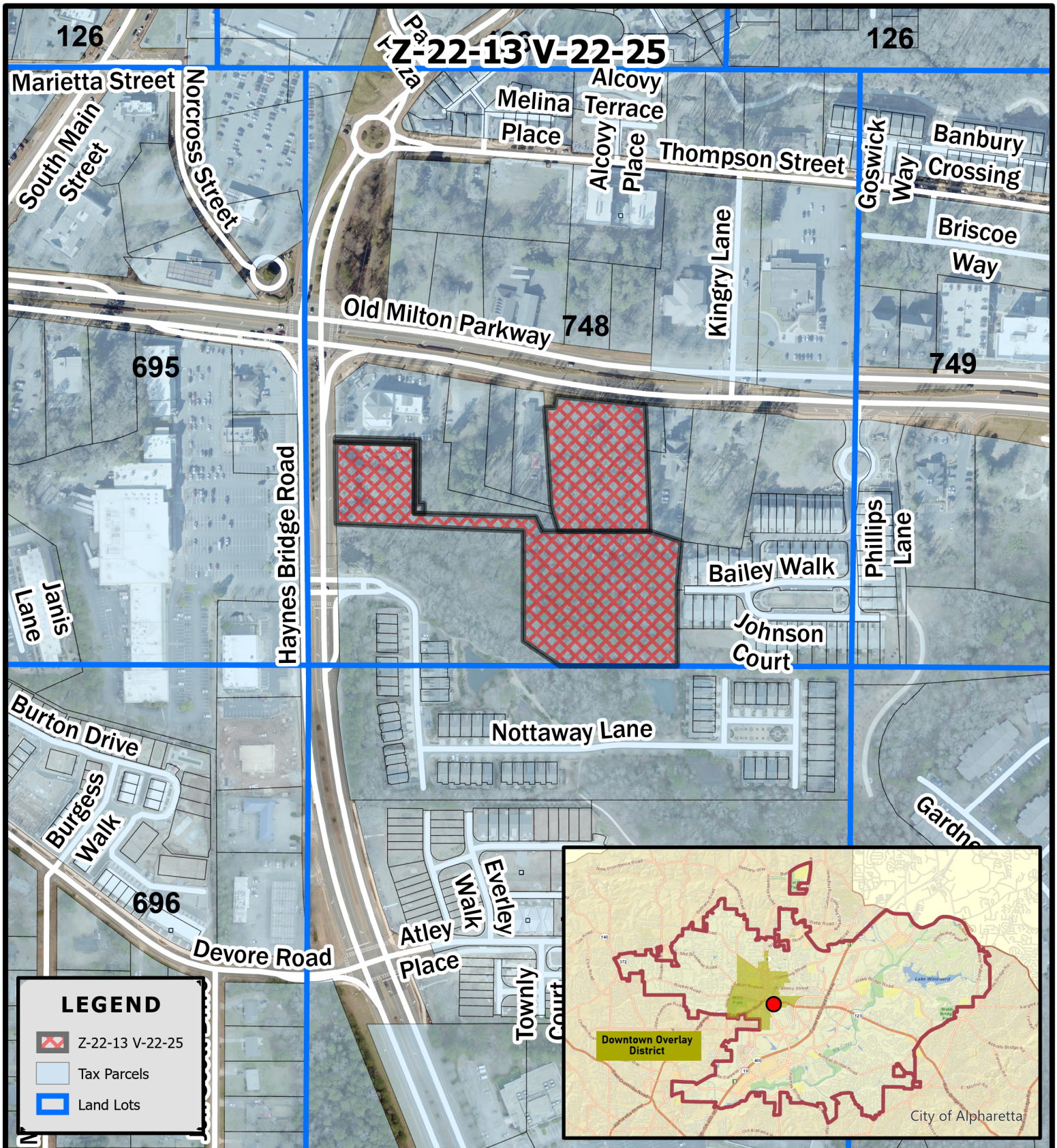
PC: 9/01/22

CC: 9/26/22



Future Land Use Map Fischer Homes 2325 Old Milton Parkway

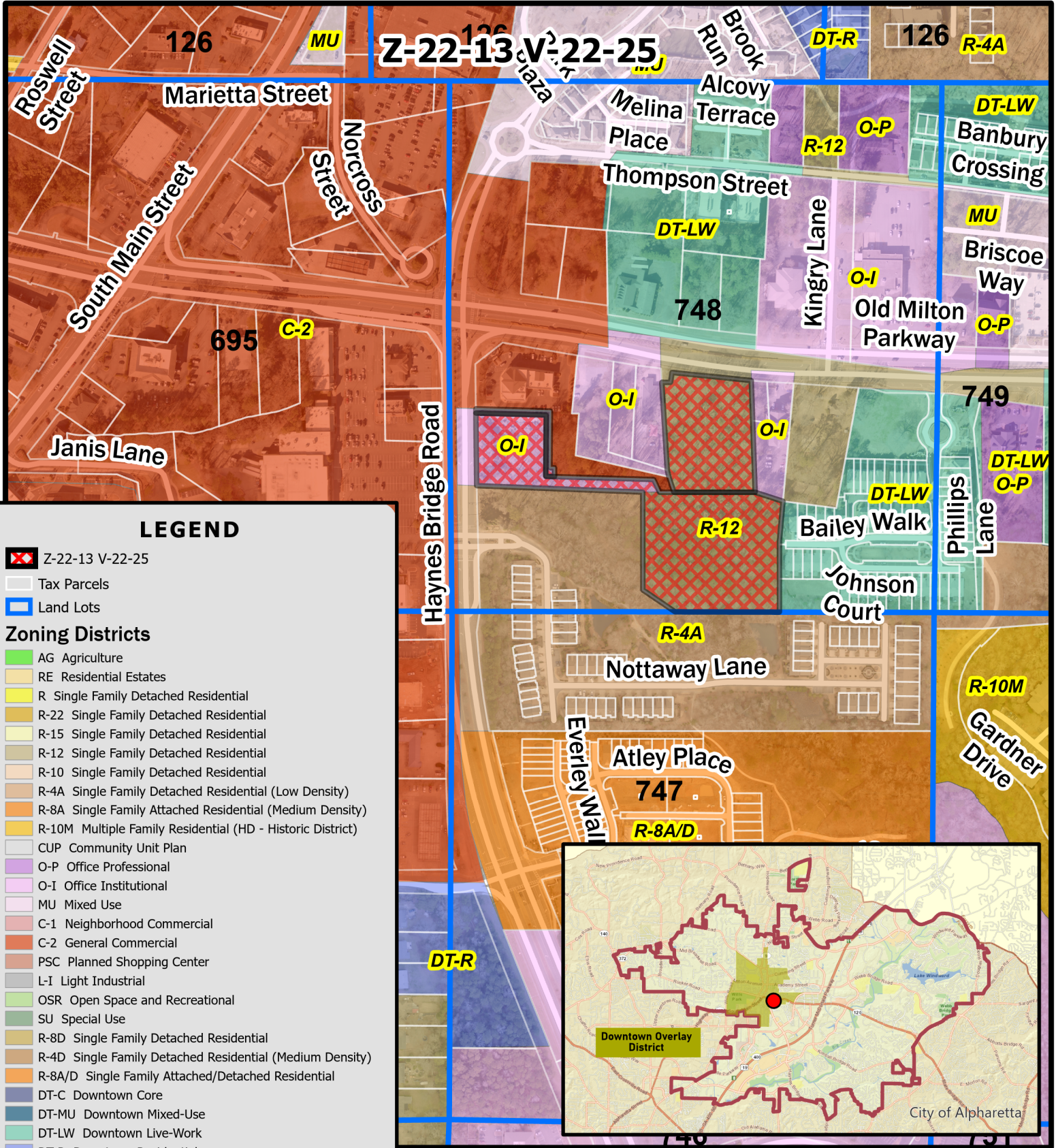
**Location Map Provided by:
Community Development - GIS**



Location Map
Fischer Homes
2325 Old Milton Parkway

Z-22-13 V-22-25
D/LL: 1/2/0748
PC: 9/01/22
CC: 9/26/22

Location Map Provided by:
Community Development - GIS



Zoning Map **Fischer Homes** **2325 Old Milton Parkway**

Z-22-13 V-22-25
D/LL: 1/2/0748
PC: 9/01/22
CC: 9/26/22

Location Map Provided by:
Community Development - GIS

CITIZEN PARTICIPATION FORM - PART B

This form must be completed and submitted to the City of Alpharetta Community Development Department a minimum of twenty (20) working days prior to the scheduled Public Hearing. Failure to do so will result in cancellation of the scheduled hearing.

Public Hearing or Project Name: Old Milton Parkway (The Post)

Contact Name: Ken Wood/Sonia Linton Telephone: 678-684-6256

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.

Please find attached the Certification of Mailing from the USPS to show the letters were sent out to members of the public within 500 feet of the site. Since that time we have not received any emails or phone calls from these individuals with questions or concerns regarding the proposed development.

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 <i>(Please Specify)</i> _____ |

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: Sonia C. Linton

Digitally signed by Sonia C. Linton
DN: O="PEC+", CN=Sonia C. Linton, E=slinton@pec.plus
Reason: I am the author of this document
Location:
Date: 2022.08.04 11:44:08-04'00'
Foxit PDF Reader Version: 12.0.0

Date: 08/04/2022

Print Form

Callum, Alexandra

From: Callum, Alexandra
Sent: Wednesday, August 10, 2022 10:48 AM
To: Woodman, Michael
Subject: FW: Haynes Bridge Rd Question

Hi! Wanted to send this your way 🍷



Alexandra Callum
Administrative Office Coordinator
Community Development, City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6070
alpharetta.ga.us

From: Taylor Melesh [REDACTED]
Sent: Wednesday, August 10, 2022 10:23 AM
To: Callum, Alexandra <acallum@alpharetta.ga.us>
Subject: Re: Haynes Bridge Rd Question

[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.]

Hi Alex,

Yes, that is the property I was interested in and I really appreciate you sending the link. Can you please clarify the difference between zoning R-12 and DT-LW? I am unable to make the meeting tonight, so I hope it's appropriate to express my concerns about this project to you.

My concerns are about flooding and habitat destruction. It appears that this area is in a flood plain, and the removal of trees only causes more water to flow downstream. I believe this is important because, along this stream, the land was recently cleared by The Providence Group to build townhomes just south of this property on Haynes Bridge Rd. I am also extremely concerned about the rate of habitat destruction in the area. There are animals that live in the woods that we continue to clear, is there any protection for them? I find it very sad that there was a bear in Alpharetta, that got injured, and I can't help but think that it was because his woodlands are dwindling. In an ideal world, this land would be left undisturbed as natural protection against flooding and as part of a sustainable development plan but that is not the reality of the situation. However, I do ask that the city does not allow this project to encroach into the stream.

Does the city of Alpharetta have a sustainable development team or climate change mitigation plan?

Thank you for your dedication to this community and for taking the time to send me this information!

Taylor Melesh
365 Rows Circle

Alpharetta, Ga 3009
[REDACTED]

On Wed, Aug 10, 2022 at 8:18 AM Callum, Alexandra <acallum@alpharetta.ga.us> wrote:

Good morning, Taylor,

I believe this is the application you are looking for. Let me know if you have any other questions.

<https://www.alpharetta.ga.us/government/departments/community-development/public-hearings/details/v-22-25-z-22-13-fischer-homes-235-old-milton-parkway>

-----Original Message-----

From: Taylor Melesh <[REDACTED]>
Sent: Tuesday, August 9, 2022 5:34 PM
To: Callum, Alexandra <acallum@alpharetta.ga.us>
Subject: Haynes Bridge Rd Question

[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.]

Hi Alex,

I saw a community zoning sign on a wooded area of Haynes Bridge Rd, close to the corner of Haynes Bridge and Old Milton. I believe it is about a 6 acre lot. When I looked on the list of community zoning meetings I couldn't find any information about this property. Can you please tell me what will be discussed at the community zoning meeting tomorrow? Will this property be included?

Thanks,

Taylor Deas-Melesh

From: [Cheryl Botts](#)
To: [Woodman, Michael](#)
Cc: [Ed](#)
Subject: Concerns on V-22-22/Z-22-13 Grand Communities
Date: Saturday, August 20, 2022 6:15:16 PM

[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.]

Mr. Woodman:

We live at 347 Bailey Walk (Chelsea Walk) Alpharetta, directly adjacent to the subject property. We attended the Community Information meeting to review the plans and ask questions and we have the following concerns:

1. The Significant reduction of stream buffer may contribute to flooding which could impact our property.
2. Location, size and small buffer between the proposed detention pond and the proximity to our backyard.
3. The proposed detention pond area is already used as drainage for the medical office building that is adjacent to the subject property. Draining the entire subject area as well as the office building, plus the additional reduction of the stream buffer will certainly overflow this area during large storms. The office building parking lot often floods currently during large storms.
4. Could underground detention be considered for this site such as what we have in Chelsea Walk?
5. The minimal guest parking provided in the community is unrealistic. Our community has 14 guest spaces and it is not enough at times. People will start parking in the narrow streets and emergency vehicle access will be impeded.

Please advise as to how we can formally have our concerns considered for the review of this variance request and rezoning, as we will be out of town on 9/1 and want to ensure these issues are addressed.

Thank you,
Ed and Cheryl Botts

Community Zoning Information Meeting (CZIM)

August 10, 2022

Please sign-in and leave your comments and/or concerns.

Z-22-13/V-22-25 / Grand Communities/2325 Old Milton Parkway

NAME	ADDRESS	COMMENTS
EDD BOTT Hudsonhacker77@comcast.net	327 Bailey Walk Alpharetta GA	where is guest parking only showing 2 guest spots.
Cheryl Botts Cheryl-Botts@icloud.com	347 Bailey Walk Alpharetta GA 30009	Concerns over Stream Buffer Reduction + Location of Detention Pond relative to Chelsea Walk + Inadequate parking on site
Marchai Bruehey	716 Nottaway Lane Alpharetta, GA 30009	Please keep updated
Zhigang Xu	327 Bailey Walk mailing Address: 4575 Webb Bridge Rd #4002 Alpharetta, GA 30005	Please keep updates
	gbaneXu@gmail.com	
Raidall Morgan	604 Nottaway Lane Alpharetta 30009 Ranjan7@gmail.com	

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: Z-22-13 / V-22-25

PH #: _____

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta." 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: Ken Wood; Sonia Linton Telephone: 678-684-6256

Address: 350 Research Court Suite: _____

City Peachtree Corners State: GA Zip: 30092 Fax: _____

Mobile Tel: 614-961-7630 Email: slinton@pec.plus

Subject Property Information:

Address: 235 Old Milton Parkway (0 & 210), Alpharetta, GA 30005 Current Zoning: R-12 & O-I

District: 12 Section: _____ Land Lot: 748 Parcel ID: 12 270307480230;12 270307480560;12 270307480180

Proposed Zoning: DT-LW Current Use: Undeveloped

This Application For (Check All That Apply):

☐ Conditional Use ☐ Master Plan Amendment ☐ Comprehensive Plan Amendment

☒ Rezoning ☐ Master Plan Review

☐ Variance ☐ Public Hearing

☐ Exception ☒ Other (Specify):

Stream Buffer Variance

APPLICANT REQUEST AND INTENT

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

For the development of twenty-four (24) single-family attached townhomes on +/- 6.149 acres with a density of 3.9 du/acre.

Applicant's Request (Please itemize the proposal):

- To rezone the property from R-12 to DT-LW)
- To request a stream buffer variance to allow a portion of the site to encroach within the undisturbed and impervious setback.

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

The applicant wishes to develop a little over 6 acres of property with 24 single-family attached townhomes. It proposes twelve 24-foot front loaded townhomes and twelve 20-foot rear loaded townhomes with an overall site density of 3.9 du/acre.

The majority of the site, about 4 acres, shall remain untouched due to the stream and wetlands to the south and west of the property.

A more detailed letter of intent has been included with the submittal package.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: **SEE ATTACHED** Telephone: _____

Address: _____ Suite: _____

City _____ State: _____ Zip: _____ - _____

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: _____ Telephone: _____

Address: _____ Suite: _____

City _____ State: _____ Zip: _____ - _____

So Sworn and Attested:

Owner Signature: _____ Date: _____

Notary:

Notary Signature: _____ Date: _____

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: Ken Wood

Subject Public Hearing Case: 235 Old Milton Parkway

Campaign Contribution Information:

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

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

Name of Official: N/A Position: N/A

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

Description of Contribution: _____ Value: _____

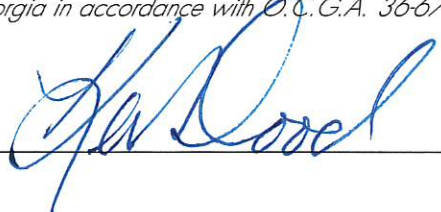
Description of Contribution: _____ Value: _____

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-3.

Signature: 

Date: 6/28/2022

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

SEE ATTACHED

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

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: Old Milton Parkway (The Post)

Contact Name: Ken Wood; Sonia Linton Telephone: 678-684-6256

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.

Seisan MFA Properties LLC

RG Medical Properties III LLC

K & S Old Milton LLC

Haynes Park Neighborhood Association Inc

JBL Atlanta Development LLC

MC Curdy L Tatum IV & MC Curdy Lawrence T

Edward & Cheryl Botts

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.

Contact email address and phone number will be provided in the letter for these individuals to reach out prior to and after the community meeting.

DETAILED TAX SUMMARY



City of Alpharetta

TAX YEAR: 2021 ▼

Owner Name

CHAN TIN & ENG DANNY

Parcel Identification

12 -2703-0748-018-0

Account Number

0696170

Property Location

0 NORCROSS STREET

Tax District

10 - ALPHARETTA

Fair Market Value

4,400

Assessed Value

1,760

Temporary Assessment

Not Found

City Exemption:

County Exemption:

<u>Levies</u>	<u>Assessment</u>	Exemptions	<u>Net Assessment</u>	X	<u>Net Rate</u>	<u>State Credit</u>	TAX
Fulton Cycle							
FULTON BONDS	1,760	0	1,760	X	.000210	\$0.00	\$0.37
FULTON OPER	1,760	0	1,760	X	.009330	\$0.00	\$16.42
FULTON SCHOOL GEN	1,760	0	1,760	X	.017590	\$0.00	\$30.96
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 10/15/2021			Total Amount Billed				\$47.75
			Less Amount Paid				\$47.75
			Total Due				\$0.00
City of Alpharetta Cycle							
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: Not Found			Total Amount Billed				\$0.00
			Less Amount Paid				\$0.00
			Total Due				\$0.00

Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at (404) 613-6100 for the official balance due on their parcel(s).

[Return to Tax Bill](#) |

DETAILED TAX SUMMARY



City of Alpharetta

TAX YEAR: 2021 ▼

Owner Name

CHAN TIN & ENG DANNY

Parcel Identification

12 -2703-0748-023-0

Account Number

0696196

Property Location

2325 OLD MILTON PARKWAY

Tax District

10 - ALPHARETTA

Fair Market Value

200,000

Assessed Value

80,000

Temporary Assessment

Not Found

City Exemption:

County Exemption:

<u>Levies</u>	<u>Assessment</u>	Exemptions	<u>Net Assessment</u>	X	<u>Net Rate</u>	<u>State Credit</u>	TAX
Fulton Cycle							
FULTON BONDS	80,000	0	80,000	X	.000210	\$0.00	\$16.80
FULTON OPER	80,000	0	80,000	X	.009330	\$0.00	\$746.40
FULTON SCHOOL GEN	80,000	0	80,000	X	.017590	\$0.00	\$1,407.20
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 10/15/2021			Total Amount Billed				\$2,170.40
			Less Amount Paid				\$2,170.40
			Total Due				\$0.00
City of Alpharetta Cycle							
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: Not Found			Total Amount Billed				\$0.00
			Less Amount Paid				\$0.00
			Total Due				\$0.00

Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at (404) 613-6100 for the official balance due on their parcel(s).

[Return to Tax Bill](#) |

DETAILED TAX SUMMARY



City of Alpharetta

TAX YEAR: 2021 ▼

Owner Name

CHAN TIN & ENG DANNY

Parcel Identification

12 -2703-0748-056-0

Account Number

0696323

Property Location

210 NORCROSS STREET

Tax District

10 - ALPHARETTA

Fair Market Value

473,600

Assessed Value

189,440

Temporary Assessment

Not Found

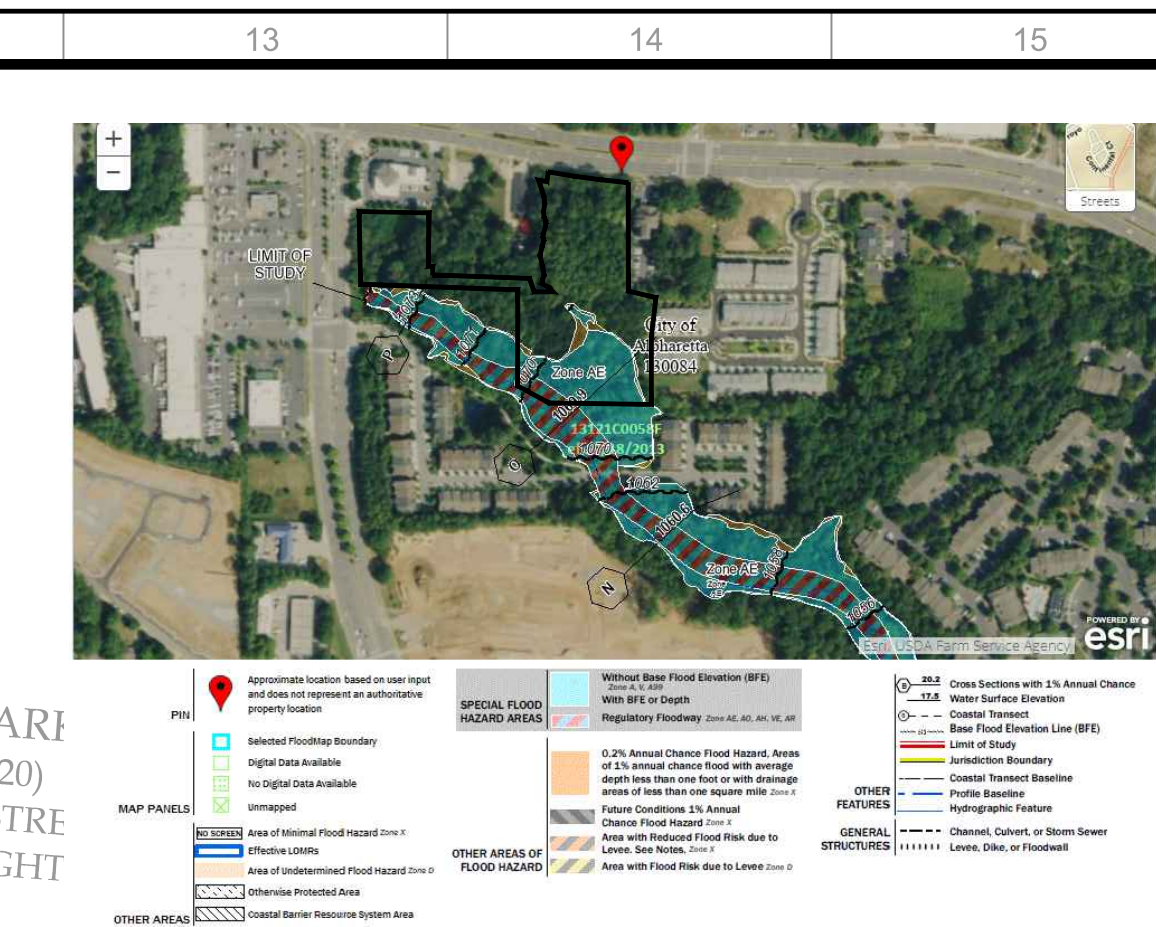
City Exemption:

County Exemption:

<u>Levies</u>	<u>Assessment</u>	Exemptions	<u>Net Assessment</u>	X	<u>Net Rate</u>	<u>State Credit</u>	TAX
Fulton Cycle							
FULTON BONDS	189,440	0	189,440	X	.000210	\$0.00	\$39.78
FULTON OPER	189,440	0	189,440	X	.009330	\$0.00	\$1,767.48
FULTON SCHOOL GEN	189,440	0	189,440	X	.017590	\$0.00	\$3,332.25
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: 10/15/2021			Total Amount Billed				\$5,139.51
			Less Amount Paid				\$4,368.47
			Total Due				\$771.04
City of Alpharetta Cycle							
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
Last Payment: Not Found			Total Amount Billed				\$0.00
			Less Amount Paid				\$0.00
			Total Due				\$0.00

Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at (404) 613-6100 for the official balance due on their parcel(s).

[Return to Tax Bill](#) |



The map shows the City of San Jose with various streets and landmarks. A red box highlights the 'SITE LOCATION' near the intersection of Highway 101 and Highway 88. Other landmarks include the 'SANTA CLARA COUNTY COURTHOUSE' and 'SANTA CLARA COUNTY JAIL'. The map also shows the 'SANTA CLARA COUNTY JAIL' and 'SANTA CLARA COUNTY COURTHOUSE'.

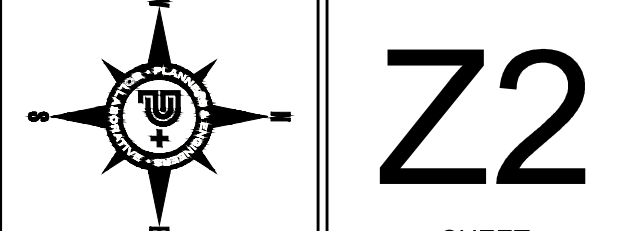
SITE LOCATION MAP

NOT TO SCALE

GENERAL NOTES:	1. STREAM BUFFER VARIANCE REQUEST FOR DEVELOPMENT TO ENCROACH WITHIN THE UNDISTURBED AND IMPERVIOUS SETBACK. A MITIGATION PLAN HAS BEEN INCLUDED WITHIN THE REZONING SUBMITTAL. 2. ENTIRE SITE IS WOODED. FOR A MORE DETAILED VIEW OF SIGNIFICANT TREES WITH CRITICAL ROOT ZONES, SEE ARBORIST REPORT INCLUDED WITHIN REZONING SUBMITTAL.
-----------------------	--

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www.Georgia811.com

Know what's below.
Call before you dig.



U:\2021\1511501\1511501\Drawings\1511501 - ALTA.dwg - G:\Molloy - 6/28/2023 12:31 PM

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P.O.B.
TRACT C
N: 1,480,602.3
E: 2,258,201.2

HAYNES BRIDGE ROAD
(f.k.a. NORKROSS ROAD)
(PUBLIC VARIABLE RIGHT OF WAY)

PERMANENT EASEMENT
FOR CONSTRUCTION AND
MAINTENANCE OF SLOPES
PER REFERENCE 2 AND
DB 17481 PG 281.
EXCEPTION 18.

TRACT C
0.111 ACRES
(4,645 SQ.FT.)

N/F
TIN CHAN AND DANNY ENG
TAX PARCEL ID: 12 270307480164
DB 8098 PG 381
PB 125 PG 104

TRACT A
4.111 ACRES
(179,067 SQ.FT.)

N/F
"NO BUILDINGS"
TIN CHAN, MIU LIN CHAN, DANNY ENG,
SHUN NGAN ENG
TAX PARCEL ID: 12 270307480560
DB 8098 PG 381
PB 125 PG 104

PERMANENT EASEMENT FOR
CONSTRUCTION AND MAINTENANCE OF
DRAINAGE PER REFERENCE 2 AND DB
17481 PG 281. EXCEPTION 18

TOP OF BANK
20' SANITARY SEWER
EASEMENT PER DB 8867
PG 318. EXCEPTION 14

N/F
HAYNES PARK NEIGHBORHOOD ASSOCIATION, INC
DB 54775 PG 647
PB 380 PG 51

303'± ALONG CENTERLINE
OF THE BRANCH.
THE CENTERLINE OF BRANCH AS
LOCATED IN MARCH 2022 IS
SUBJECT TO CHANGE DUE TO
NATURAL CAUSES AND MAY OR
MAY NOT REPRESENT THE
ACTUAL LIMITS OF TITLE.

P.O.B.
TRACT B
N: 1,480,718.9
E: 2,258,760.1

N/F
K & S OLD MILTON, LLC
TAX PARCEL ID: 12 2703074805861
DB 59027 PG 614

N/F
K & S OLD MILTON, LLC
TAX PARCEL ID: 12 270307480149
DB 56715 PG 24

N/F
SEISAN MFA PROPERTIES, LLC
TAX PARCEL ID: 12 270307480578
DB 54566 PG 401

TRACT B
1.927± ACRES
(83,953± SQ.FT.)

"NO BUILDINGS"

N/F
TIN CHAN AND DANNY ENG
TAX PARCEL ID: 12 270307480230
DB 8184 PG 336
DB 8187 PG 78
DB 9858 PG 94
DB 9858 PG 96
PB 126 PG 13

TRACT A
4.111 ACRES
(178,067 SQ.FT.)

N/F
"NO BUILDINGS"
TIN CHAN, MIU LIN CHAN, DANNY ENG,
SHUN NGAN ENG
TAX PARCEL ID: 12 270307480560
DB 8098 PG 381
PB 125 PG 104

STRUCTURE LEGEND

ELECTRIC/POWER

Y Guy Wire
P Power Pole/Utility Pole
U Utility Structure

FIBER OPTIC

F Fiber Optic Marker

PROPERTY MONUMENTS

R Right-of-Way Monument Found
P Iron Pin Set
R Iron Pin Found (Rebar found)
P Point
B Benchmark

MISCELLANEOUS

L Land Lot Symbol

TRAFFIC

T Traffic Handhole Box

SEWER

S Sanitary Sewer Manhole
C Cleanout

SITE / TOPOGRAPHIC FEATURES

S Street Sign
M Mailbox

STORM / DRAINAGE

S Storm Structure Lid
F Flood-in Section
J Junction Box

TELEPHONE

T Telephone Terminal Box
M Telephone Manhole
C Telephone Cabinet

WATER

F Fire Hydrant
W Water Meter
V Water Valve
V Water Vault

ABBREVIATIONS

APPROX.

#4 Approximate
C&G 1/2" Rebar
CLF Curb and Gutter
CMP Chain Link Fence
CO Corrugated Metal Pipe
CPP Clean Out
DB Drop Inlet
DE Drainage Easement
EOP Edge of Pavement
EPP Electric Power Pole
EPAN Electric Panel
ESMT Easement
FES Flood End Section
FFE Finish Floor Elevation
FH Fire Hydrant
FLGP Flag Pole
GA Georgia
GM Gas Meter
GW Guy Wire
HDR Hand Rail
H.W. Hard Wood
HW Headwall
ICV Irrigation Control Valve

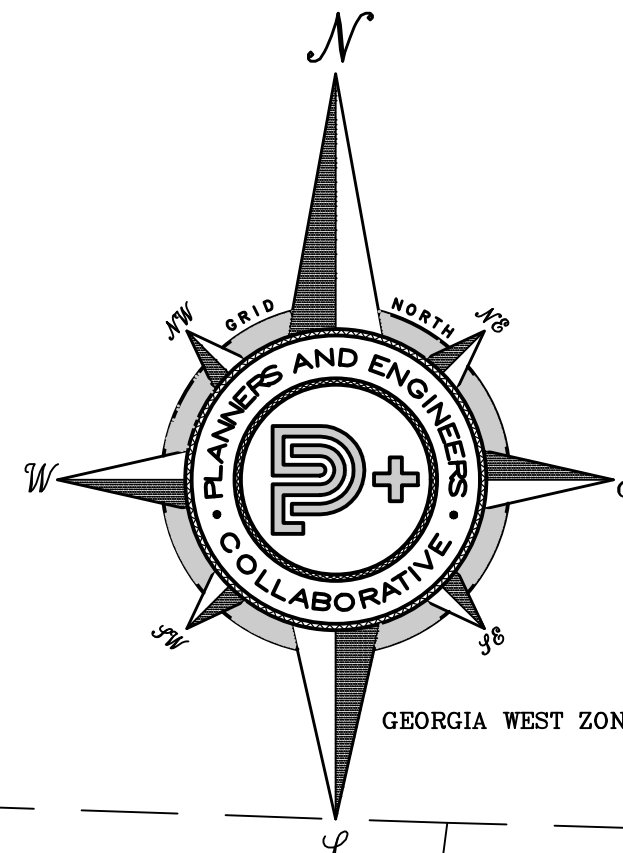
I.E.

IPF Iron Pin Found
IPS Iron Pin Set
LP Light Pole
MW Monitoring Well
N/F Now or Formerly
OTP Open Top Pipe
PB Plat Book
PG Page
PKF PK Nail Found
PKS PK Nail Set
POB Point of Beginning
POC Point of Commencement
PVC Polyvinyl Chloride Pipe
RCP Rebar Capped
RBC Reinforced Concrete Pipe
RWM Right of Way Monument
SSE Sanitary Sewer Easement
SSMH Sanitary Sewer Manhole
TRAI Transformer
VCP Vitrified Clay Pipe
W.D.F. Wood Fence
WM Water Meter
WV Water Valve

L.L.
748

L.L.
747

LAND LOT LINE
APPROXIMATE LOCATION



OLD MILTON PARKWAY
(a.k.a. S.R. 120)
(f.k.a. DULUTH STREET)
(PUBLIC VARIABLE RIGHT OF WAY)

LINETYPES

PROPERTY

Adj Property
P Property Line
C Center of Creek

FENCE LINES

B Barb Wire Fence
C Chain Link Fence
W Wood Fence
W Woven Wire Fence

SITE / TOPOGRAPHIC FEATURES

G Guardrail

EXISTING OVERHEAD

O Overhead Wires

EXISTING UNDERGROUND

C Cable
E Electric
FO Fiber Optic
G Gas
T Telecommunications
W Water
TV Television
SD Storm Drainage Line
S Sanitary Sewer



ALTA/NSPS LAND TITLE SURVEY

FOR
GRAND COMMUNITIES, LLC
and
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

REVISIONS

NO.	DATE	DESCRIPTION	BY
1			
2			
3			
4			
5			

Planform & Engineers Collaborative+

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(770)451-5274 | WWW.PEC-PLUS.COM
C.O.A.-LSF00004

FULTON COUNTY
GEORGIA
CITY OF ALPHARETTA
LAND LOT(S) 748
DISTRICT 1ST, 2ND SECTION

SHEET 1 OF 4

DRAWN BY: V.S.
CHECKED BY: V.S.
FILE NO.: 15315.01
DATE: 03/25/2022
SCALE: 1" = 40'
DATE OF FIELD WORK: 3/16/22

7/1/2022

Re: **Letter of Intent**
Old Milton Parkway (+/- 6.149 acres)
PEC+ Project No. 15315.01

Dear Community Development officials,

This rezoning application is being submitted on behalf of the developer and applicant. This application proposes to rezone the approximately 6-acre property located on the south side of Old Milton Parkway from R-12 and O-I to DT-LW. This rezoning would facilitate the development of a new 24-unit single-family attached townhome community to be named "The Post" and is inspired by the city's start as a trading post in 1858 before growing into the community that it has become.

Existing Conditions:

The uses surrounding the property include:

- North: Office uses
- East: Chelsea Walk townhomes
- South: Undeveloped land and Haynes Park townhomes
- West: Undeveloped land, retail and Montessori school

As it currently exists, the subject property is located on the south side of Old Milton Parkway. The tract is undeveloped with a 20-foot sanitary sewer easement running along the west and south edge of the property. There are also streams and a floodplain located on the site.

Proposed Development

The proposed development consists of 24 single-family attached units (townhomes) and the units will be located solely along the portion the subject property that abuts Old Milton Parkway. Due to the almost 1.5 acres of floodplain and the location of the stream buffers, the overall density will be 3.9 units per acres; noticeably under the maximum allowed density for townhomes. The location and density of this proposed development falls within the Mixed-Use Live Work Future Land Use designation and will support the nearby Central Business District without impacting the Low-Density Residential land uses farther west.

The proposed development will be accessed from Old Milton Parkway, about 700 feet east of where the parkway intersects Haynes Bridge Road; there will be no vehicular access to any of the neighboring properties. There will be pocket parks spaced throughout the development to provide greenspace access to future residents, along with a mail kiosk located at the most southernly end of the project. The proposed units along the east side of the property will be buffered from the neighboring office use by a 20-foot planted buffer and the units to the west shall be separated by at least 30-feet of greenery and stream buffers. There is a stormwater facility proposed near the south end of the developable portion of the site that would collect runoff during significant rain events and mitigate impacts to the stream.

As previously mentioned, the location of the floodplain and stream buffers has pushed the developable area onto about 2 acres of land. We would therefore like to request a stream buffer variance to allow the project to encroach into the streams undisturbed and impervious setback. The remaining 4 acres of the site will continue in an undisturbed state and the area within the stream buffers that is to be encroached upon shall be revegetated and improved upon to mitigate potential effects of the site. Due to the existing constraints of the site, the design and location of the proposed development is deemed the best fit without infringing upon and negatively impacting the environmental aspects of the subject property. Exhibits have been attached to this application to show the potential for revegetation and management within the buffers.

6/30/2022

The applicant and owner respectfully request that the City of Alpharetta City Council, Planning Commission and Planning Staff to approve and support the Applicant's rezoning request to allow for the rezoning of this property from R-12 and O-I to DT-LW. This would facilitate the development of a new, 24-unit single-family attached townhome community that would contribute to the advancement of the purpose and intent of the City of Alpharetta comprehensive plan, creating a live-work environment for future residents with lower commute times and quality housing. The developer and their representatives welcome the opportunity to meet with all interested parties and representatives.

Sincerely,

Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E., LEED AP

President

For the Firm

kjw/ht/sl

7/1/2022

Re: **Zoning Standards Analysis**
Old Milton Parkway Rezoning (+/-6.149 acres)
PEC+ Project No. 15315.01

Dear Community Development officials,

Please see below the responses to the Alpharetta Planning Commission Review Criteria:

The following standards and factors are found to be relevant to the exercise of the city's zoning powers and shall govern the review of all proposed amendments to the official zoning map:

A. How will this proposal be compatible with surrounding properties?

The proposed rezoning will permit a use that is suitable in context to the use and development of adjacent and nearby properties. The proposal is a new, new 24-unit single-family attached townhome community located on the south side of Old Milton Parkway about 700 feet east from where the parkway intersects Haynes Bridge Road. Given the site's location along a major thoroughfare (Old Milton Parkway) and its vicinity to office and retail uses, the proposed land use of medium density residential townhomes is reasonable at this location. The proposal also matches the land use of the townhome complex to the south and east, and acts as a supporting use to Alpharetta's City Center to the northwest. The proposal would have access only onto Old Milton Parkway, and as such the nearby properties who will not be affected by the proposal.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties. Most of the nearby properties are already developed into residential, office or retail uses with portions of wooded land to separate them. The proposal includes measures to ensure compatibility to minimize effects on neighboring properties, primarily in leaving about 4 acres of the of the subject property in its current natural state and to remain outside the floodplain limits.

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

The proposal loses much of its economic use because of factors that are outside of the applicant's control. More than half of the property is undevelopable due to the floodplain to the south and the extent of the stream buffers and setbacks. Under its current zoning designation, R-12 and O-I, the site is limited in its development potential. Rezoning the property to DT-LW will allow the site to be effectively and efficiently designed to provide a far more reasonable economic use without causing strain to the nearby infrastructure and facilities.

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

The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing streets or transportation facilities. The single-family attached units are targeted toward younger families, young professionals, and older persons looking to downsize. Additionally, a traffic generation report has been included in this submittal and anticipates a trip generation of 132 overall trips in and out of the site over a 24-hour period; far less than the majority of proposed residential developments.

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

The proposed rezoning will not result in a use which will or could cause an excessive or burdensome use of existing utilities or schools. As previously mentioned, with the units geared towards young professionals and individuals looking to downsize, the student population should remain unaffected. Utilities on-site are being explored by the development team; the developer will make upgrades (if any) to facilitate the development. The site plan includes a stormwater management facility to collect runoff from significant rain events, so nearby properties will not experience flooding from this site.

F. How is the proposal consistent with the City of Alpharetta Comprehensive Plan, particularly the Future Land Use Map?

The proposed rezoning is in conformity with the policy and intent of the comprehensive plan. The Plan identifies the site as part of the 'Mixed-Use Live Work' land use area and is directly on the cusp of Central Business District designations and explicitly supports the proposed DT-LW zoning district. The proposed use would strengthen the workplace centers and nearby business and light industrial districts, which contribute to the overall economic development and managed that is encouraged and supported within the comprehensive plan.

G. Are there existing conditions which affect the development of the property and support the proposal request?

The site should be rezoned to facilitate the proposed development for several reasons, but perhaps the most compelling is the site's location. The area surrounding the site has become a major activity center in the City of Alpharetta and is only going to continue to grow as the city itself grows. This plan is a forward-thinking proposal that will provide additional high-quality housing in an area that will support a growing population and economic development.

Sincerely,
Planners and Engineers Collaborative, Inc.



Kenneth J. Wood, P.E., LEED AP
President

For the Firm

kjw/ht/sl

LEGAL DESCRIPTION
OVERALL TRACT

ALL THAT TRACT OR PARCEL OF LAND lying and being in the Land Lots 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

BEGIN at the found right of way monument, said monument coordinates of North: 1,408,718.8 and East: 2,258,760.1, coordinates based on NAD83 State Plane Coordinate system, Georgia West zone, said monument located on the southerly right of way line of Old Milton Parkway (a.k.a. S.R. 120) (f.k.a. Duluth Street) (public variable right of way), said monument being the TRUE POINT OF BEGINNING;

THENCE along said southerly right of way of Old Milton Parkway along a curve turning to the left with an arc length of 238.07 feet, having a radius of 2413.49 feet, being subtended by a chord bearing of South 82 degrees 27 minutes 53 seconds East, and a chord length of 237.97 feet to a set 5/8 inch rebar with cap; thence leaving said southerly right of way of Old Milton Parkway and proceed South 00 degrees 01 minutes 58 seconds West a distance of 320.31 feet to a found 1/2 inch rebar; thence South 76 degrees 29 minutes 19 seconds East a distance of 84.11 feet to a found 1/2 inch rebar; thence South 06 degrees 26 minutes 02 seconds West a distance of 117.01 feet to a found 1 1/2 inch steel rod; thence South 00 degrees 11 minutes 48 seconds West a distance of 199.23 feet to a found angle iron located on the common land lot line between Land Lots 747 and 748; thence along said common land lot line North 89 degrees 10 minutes 09 seconds West a distance of 302.57 feet to a found 1/2 inch rebar; thence leaving said common land lot line and proceed North 61 degrees 07 minutes 48 seconds West a distance of 105.76 feet to a found 3/4 inch rebar; thence North 00 degrees 10 minutes 32 seconds East a distance of 276.33 feet to a found 1/2 inch rebar; thence North 01 degrees 32 minutes 04 seconds East a distance of 6.57 feet to a found 1/2 inch rebar; thence North 87 degrees 55 minutes 59 seconds West a distance of 464.75 feet to a found 1/2 inch rebar located on the easterly right of way of Haynes Bridge Road (f.k.a. Norcross Road) (public variable right of way); thence along said easterly right of way of Haynes Bridge Road the following courses and distances: North 01 degrees 05 minutes 11 seconds West a distance of 203.10 feet to a set 5/8 inch rebar with cap; North 00 degrees 59 minutes 45 seconds West a distance of 11.87 feet to a set 5/8 inch rebar with cap; thence leaving said easterly right of way and proceed South 88 degrees 45 minutes 47 seconds East a distance of 206.45 feet to a set 5/8 inch rebar with cap; thence South 00 degrees 44 minutes 28 seconds West a distance of 157.46 feet to a found 1/2 inch rebar; thence South 87 degrees 36 minutes 47 seconds East a distance of 12.96 feet to a found 1/2 inch rebar; thence South 01 degrees 00 minutes 31 seconds West a distance of 24.95 feet to a found 1/2 inch rebar; thence South 87 degrees 53 minutes 58 seconds East a distance of 286.29 feet to a set 5/8 inch rebar with cap; thence South 18 degrees 38 minutes 47 seconds East a distance of 42.09 feet to a set 5/8 inch rebar with cap; thence North 89 degrees 24 minutes 25 seconds East a distance of 55.90 feet more or less to a point at the centerline of the creek branch, said point being referred to as Point "A" (the commencement point of a tie-in line "A"- "B"); thence following the centerline of said Alcovy River and the meanderings thereof 303 feet more or less to a point, said point being referred to as point "B", (the terminus of said tie-in line "A"- "B"), said tie-in line from point "A" and to point "B" having the course of North 05 degrees 21 minutes 25 seconds West and a distance of 280.23 feet, more or less, to a point at the centerline of said creek branch; thence leaving the centerline of said creek branch and proceed North 17 degrees 42 minutes 52 seconds West a distance of 52.71 feet to a found right of way monument located on said southerly right of way of Old Milton Parkway; thence along said southerly right of way of Old Milton Parkway the following courses and distances: South 82 degrees 08 minutes 10 seconds East a distance of 25.18 feet to a found 1/2 inch rebar; North 07 degrees 47 minutes 24 seconds East a distance of 28.30 feet to a found right of way monument, said monument being the TRUE POINT OF BEGINNING.

Contains 267,865 square feet 6.149 acres, more or less.





LEFT SIDE / HIGH IMPACT ELEVATION



FRONT ELEVATION



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THE TUSTIN | TUDOR ECLECTIC EXTERIOR

NOT FOR CONSTRUCTION





LEFT SIDE / HIGH IMPACT ELEVATION



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THE BROOKLINE | TUDOR ECLECTIC EXTERIOR

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Entry Monument Concept for *'The Post'*

06.27.2022

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SPECIMEN TREE NOTE

SPECIMEN TREE REPORT COMPLETED ON 01/11/2018 BY ROOT ZONE TREE CONSULTANTS:
ALEX PHILLIPS, MA-4868A
ISA CERTIFIED ARBORIST®
ISA MEMBER
ISA TRAQ

SPECIMEN TREE SIZE

LARGE HARDWOODS	30 INCHES
LARGE SOFTWOODS	30 INCHES
FLOWERING UNDERSTORY	10 INCHES

*SURVEY ALL 18 INCH TREES

NOTES:

- OFFSITE TREES ARE NOT INCLUDED IN SITE DENSITY OR TREE PRESERVATION CALCULATIONS.
- TREE PROTECTION AND REPLACEMENT DETAILS AND NOTES ARE LOCATED ON SHEET TPR3.

SHRUB PLANTING SCHEDULE

SYMBOL	CODE	QUANTITY	BOTANICAL NAME	COMMON NAME	CONT.	MIN. HT.	SPACING
⊗	CAX	18	Callicarpa americana	American Beautyberry	1 gal	24"	As Shown
⊗	FOT	23	Fothergilla major 'Mount Airy'	Mount Airy Fothergilla	3 gal	24"	As Shown
▲	GSC	26	Gelsemium sempervirens	Jessamine Espalier	3 gal	24"	As Shown
⊗	HQX	7	Hydrangea quercifolia	Oakleaf Hydrangea	3 gal	24"	As Shown
⊗	IFX	42	Illicium floridanum	Purple Anise	3 gal	24"	As Shown
⊗	IAS	15	Ilex x attenuata 'Savannah'	Savannah Holly	1 gal	24"	As Shown
⊗	IGX	23	Ilex glabra	Inkberry Holly	3 gal	24"	As Shown
⊗	IOX	13	Ilex opaca	American Holly	1 gal	24"	As Shown
⊗	IPX	36	Illicium parviflorum	Anise Tree	1 gal	24"	As Shown
⊗	LHX	54	Ligustrum howardii	Yellow-tip Ligustrum	3 gal	24"	As Shown
⊗	LCR	37	Loropetalum chinense 'Ruby'	Ruby Loropetalum	3 gal	24"	As Shown
⊗	MCX	24	Myrica cerifera	Wax Myrtle	1 gal	24"	As Shown
⊗	OR	42	Osmunda regalis	Royal Fern	1 gal	24"	As Shown
⊗	RCX	15	Rhododendron canadense	Wild Azalea	1 gal	24"	As Shown
⊗	VAX	7	Vaccinium ashei	Rabbit Eye Blueberry	1 gal	24"	As Shown

GRASSES AND PERENNIALS

AV	347	Andropogon virginicus	Broomsedge Bluestem	1 gal	24" o.c.	As Shown
CL	241	Chasmanthium latifolium	Wood Oats	1 gal	24" o.c.	As Shown
EJ	106	Eupatorium fistulosum	Joe Pye Weed	1 gal	24" o.c.	As Shown
IV2	264	Iris virginica	Blue Flag Iris	1 gal	18" o.c.	As Shown
JE	633	Juncus effusus	Soft Rush	1 gal	18" o.c.	As Shown
NLX	708	Nuphar lutea	Yellow Pond-lily	1 gal	24" o.c.	As Shown
NMX	417	Nymphaea mexicana	Mexican Water Lily	1 gal	24" o.c.	As Shown
NO	267	Nymphaea odorata	Fragrant Water Lily	1 gal	24" o.c.	As Shown
PV	208	Panicum virgatum	Switch Grass	1 gal	30" o.c.	As Shown

PARKING CALCULATIONS:

106 PARKING SPACES

REQUIRED: 1 TREE PER 8 SPACES: 14 TREES
(106 / 8 = 13.25)

PROVIDED: *20 TREES
*PARKING LOT TREES ARE SHADED ON PLAN

REQUIRED: 1 PARKING LOT ISLAND PER 10 SPACES (106 / 10 = 10.6)
PROVIDED: 12 ISLANDS

REQUIRED: 10% MINIMUM: OF PARKING LOT AREA SHALL BE LANDSCAPED (52,125.75 SQFT X .1 = 5,212)
PROVIDED: 5,212 SQFT

PROVIDED: 6,966.31 (13.4%)

TREE PRESERVATION CALCULATIONS:

SITE AREA: 12.34 ACRES

AREA OF CREEK AND BUFFERS: -4.916 ACRES

ADJUSTED SITE AREA: 7.424 ACRES

TREE PRESERVATION:
REQUIRED TREE PRESERVATION:
120" DBH PER ACRE

7.424 X 120 = 890.88" DBH REQUIRED

EXISTING TREES SAVED ONSITE = *6,453.30" DBH

*SEE TREE SAMPLING DATA AND CALCULATIONS ON SHEET TPR.1

REMAINING DBH TO BE APPLIED TO SITE DENSITY AND SPECIMEN RECOMPENSE: 6,453.30 DBH -890.88 DBH = 5,562.42 DBH

TREE DENSITY CALCULATIONS:

SITE AREA: 12.34 ACRES

AREA OF CREEK AND BUFFERS: -4.916 ACRES

ADJUSTED SITE AREA: 7.424 ACRES

SITE DENSITY CALCULATIONS:

REQUIRED TREE DENSITY = 30 UNITS PER ACRE

7.424 ACRE x 30 UNITS = 222.72 UNITS

SITE DENSITY UNITS REQUIRED = 222.72 UNITS

EXISTING TREE SAVE UNITS = *1,924.77 UNITS

* SEE TREE SAMPLING DATA AND CALCULATIONS ON SHEET TPR.1

SITE DENSITY IS MET WITH EXISTING TREE SAVE UNITS.

AVERAGE TREE SIZE IN SAMPLE AREAS: 13" DBH

11" DBH = 4 UNITS

222.72 / 4 = 55.68 TREES

55.68 X 13" DBH = 723.84 DBH

REMAINING DBH OF TREE SAVE AFTER MEETING PRESERVATION TO BE APPLIED TO SPECIMEN RECOMPENSE: 5,562.42 DBH -723.84 DBH = 4,838.58 DBH

SPECIMEN RECOMPENSE CALCULATIONS:

SPECIMEN RECOMPENSE:

SPECIMEN TREES REMOVED (EXCLUDING DDH) TO BE REPLACED BY A FACTOR OF 1.5 TIMES:
449 DBH X 1.5 = 673.5 DBH

SPECIMEN RECOMPENSE REQUIRED = 674 DBH

SPECIMEN RECOMPENSE PROVIDED = *4,838.58 DBH

*DBH REMAINING AFTER FULFILLING TREE PRESERVATION AND SITE DENSITY REQUIREMENTS SATISFIES SPECIMEN RECOMPENSE.

LANDSCAPE & IRRIGATION

- IRRIGATION TO BE DESIGNED AND BUILT BY OTHERS.
- A R.O.W. MOWING AND MAINTENANCE AGREEMENT IS REQUIRED FOR THE APPLICANT TO MAINTAIN R.O.W PLANTINGS.
- SHOW LOCATION, TYPE, SIZE, AND DIRECTION OF SPRAY OF ANY IRRIGATION LINES AND HEADS PROPOSED ON THE R.O.W. MANUAL SHUT OFF VALVE TO BE BEHIND R.O.W. LINE. ALL IRRIGATION SYSTEMS ON THE R.O.W. MUST BE WRAPPED IN METALLIC TAPE DURING INSTALLATION.

TREE PLANTING SCHEDULE

SYMBOL	Code	Quantity	PERCENTAGE	OVERSTORY	EVERGREEN	BOTANICAL	COMMON	CONT.	CAL	MIN. HT.	UNITS	TOTAL UNITS	TOTAL INCHES
⌚	ARO	21	27.27%	Y		Acer rubrum 'October Glory'	October Glory Maple	B & B	2" CAL	12'-14'	0.4	8.4	42
⌚	IAF	3	3.90%		Y	Ilex x attenuata 'Foster No. 2'	Foster No. 2 Holly	B & B	N/A	10'-12'	0.4	1.2	N/A
⌚	JVB	3	3.90%		Y	Juniperus virginiana 'Brodie'	Brodie Columnar Cedar	B & B	N/A	8'-10'	0.4	1.2	N/A
⌚	LUM	9	11.69%			Lagerstroemia x 'Muskogee'	Lavender Crape Myrtle STANDARD	B & B	3" CAL	10'-12'	0.5	4.5	27
⌚	PCK	12	15.58%			Pistacia chinensis 'Keith Davey'	Keith Davey Chinese Pistache	B & B	3.5" CAL	12'-14'	0.5	6	42
⌚	PYS	9	11.69%			Prunus x yedoensis 'Shidare Yoshino'	Yoshino Cherry	B & B	2.5" CAL	10'-12'	0.4	3.6	22.5
⌚	QNX	12	15.58%	Y		Quercus nuttallii	Nuttall Oak	B & B	2.5" CAL	12'-14'	0.4	4.8	30
⌚	TDS	8	10.39%	Y		Taxodium distichum 'JFS-SGPN' STANDARD	Green Wisper Bald Cypress	B & B	3.5" CAL	12'-14'	0.5	4	28
TOTALS:		77	100.00%		7.79%							33.7	191.5

POND TREE PLANTING SCHEDULE

⌚	BND	3		Y		Betula nigra 'Duraheat'	Duraheat River Birch Std.	B & B	2" CAL	12'-14'	N/A	N/A	N/A
⌚	CFX	11				Cornus florida	Eastern Dogwood	B & B	2" CAL	10'-12'	N/A	N/A	N/A

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GEORGIA 30092

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PROJECT

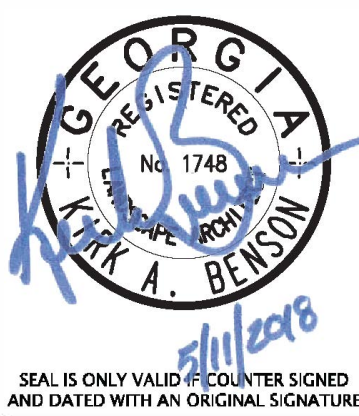
OLD MILTON PARKWAY (THE POST) STREAM BUFFER MITIGATION EXAMPLE

REVISION DATE

DRAWN BY:
APPROVED BY:

PROJECT NUMBER

SEAL



SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE

DATE

05/11/2018

TITLE

STREAM BUFFER MITIGATION PLAN EXAMPLE

SHEET

SPECIMEN TREE REPORT

City of Alpharetta

Surveyed by: James Mahoney ISA#: SO:10291A

Project # 15315.01

TREE REPORT FOR:

GRAND COMMUNITIES, LLC 3940 OLYMPIC BLVD SUITE 400 ERLANGER, KY 41018

PROPERTY ADDRESS:

OLD MILTON PKWY (2325) @ NORCROSS ST (0 & 210) @ HAYNES BRIDGE RD (11775) LAND LOT# 748. 12TH DISTRICT, CITY OF ALPHARETTA, GEORGIA

Specimen Tree Inventory

Some trees on a site warrant special consideration and encouragement for preservation. Specifications for these trees are established under the City of Alpharetta's Tree Preservation and Replacement Regulations. The intent of these specifications is to provide the necessary information to facilitate project design, plan review and enforcement processes. The purpose is to make the city of Alpharetta a more attractive place to live, provide a healthy living environment, and better control of storm water runoff, noise, glare and soil erosion.

The City of Alpharetta Specimen tree specifications are organized by size:

SWEETGUM AND POPLAR TREES 30" DBH

PINE TREES 30" DBH

ALL OTHER TREES 24" DBH

CONIFEROUS TREES 20" DBH

BEECH, TUPELO, PERSIMMON, SASSAFRAS, MAGNOLIA 20" DBH

FLOWERING UNDERSTORY TREES 8" DBH

SOURWOOD TREES 10" DBH

And condition:

- Life expectancy greater than 15 years

- Relatively sound and solid trunk with no visible decay

- No more than one major and several minor dead limbs (hardwoods)

- No major insect or pathological problems

Site Location

The site is located in the city of Alpharetta, it South of Old Milton Parkway and East of Haynes Bridge Road. It is directly adjacent to “My First Academy”, a children’s Montessori School, that the site partials surrounds. The site is also bordered to the north west by a small shopping plaza, and Townhomes along its eastern border. The southern edge of the property is adjacent to another townhome development, but is buffered by a small existing forest and a walking trail. The site is covered by existing woodlands, it is predominantly poplars, with a good number of water oaks spread throughout. There are a concentration of pines on the southwestern portion of the site. The property is bisected by multiple streams and has a considerable area of floodplain along its southern extent. Overall the site appears to be healthy.

Definitions

Tree Number: Trees are tagged with an aluminum disk that shows a unique number to identify the tree.

Species: Trees are listed by a regional common name and botanical name.

Diameter at Breast Height (DBH): The diameter of a trunk at 4.5’ above ground level. If tree is split, measurement is taken at narrowest point below bifurcation. Measured in inches.

Condition:

Excellent: A specimen tree that is a State Champion and warrants saving at all costs. This classification would be confirmed by the County Arborist and the Georgia Forestry Council.

Good: A specimen tree with healthy productive tip growth. A sound trunk with no visible damage or decay. No major limb loss and healthy branch unions. No visible insect or disease infestations. Life expectancy of more than 15 years.

Fair: A specimen tree with healthy but not vigorous tip growth. Less than 30% of crown is dead. No major dead limbs and no major trunk cavities or damage. Branch unions show some signs of stress. Tree is expected to live longer than 10 years.

Poor: More than 30% of the crown is dead or has significant tip die back. More than one major limb is dead and are large trunk cavities with visible decay. Severe insect or disease damage leading to immediate death. Roots are visible and show signs of decay and rot. Life expectancy is less than 10 years.

DDH: Tree has no bud or leaf production. All limbs are barren and rot is visible, or there is severe or uncorrectable damage that will lead to a loss of property or life if there is tree failure.

Invasive: Tree species whose native range is not within the Piedmont classification.

Specimen Tree Summary: Most of the specimen sized trees on site Meet the city of Alpharetta specimen standards for specimen trees.

Total Specimen Sized and Quality Trees: 27

Excellent Condition 0

Good Condition: 21

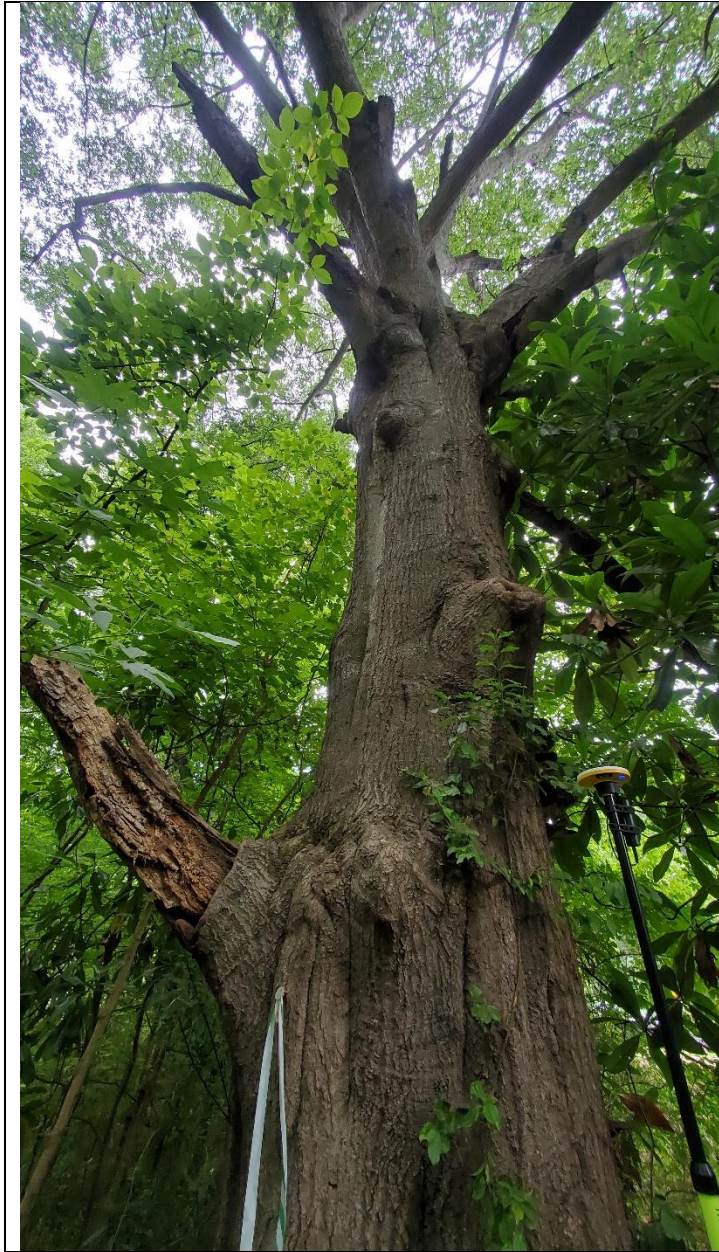
Fair Condition: 3

Poor Conditions: 3

SPECIMEN TREE AND QUALITY TREE DATA					
Tree #	DBH "	Common name	Scientific name	Condition	Status
76	32	WATER OAK	<i>Quercus nigra</i>	FAIR	Tree #76 is a Water Oak, it has a DBH of 32 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #76 is a Tree of Quality.
304	48	WATER OAK	<i>Quercus nigra</i>	POOR	Tree #304 is a Water Oak, it has a DBH of 48 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #304 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies. In addition the tree has 3 Broken Major Branches and 3 Broken Minor Branches.
305	28	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #305 is a Water Oak, it has a DBH of 28 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #305 is a Tree of Quality.
308	30	SWEETGUM	<i>Liquidambar styraciflua</i>	GOOD	Tree #308 is a Sweetgum, it has a DBH of 30 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #308 is a Tree of Quality.
311	38	PINE	<i>Pinus spp.</i>	GOOD	Tree #311 is a Pine, it has a DBH of 38 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #311 is a Tree of Quality.
312	45	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #312 is a Poplar, it has a DBH of 45 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #312 is a Tree of Quality.
313	31	SWEETGUM	<i>Liquidambar styraciflua</i>	GOOD	Tree #313 is a Sweetgum, it has a DBH of 31 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #313 is a Tree of Quality.
315	39	SWEETGUM	<i>Liquidambar styraciflua</i>	GOOD	Tree #315 is a Sweetgum, it has a DBH of 39 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #315 is a Tree of Quality.
317	27	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #317 is a Water Oak, it has a DBH of 27 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #317 is a Tree of Quality.
318	56	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #318 is a Water Oak, it has a DBH of 56 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #318 is a Tree of Quality.
319	33	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #319 is a Water Oak, it has a DBH of 33 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #319 is a Tree of Quality.

321	32	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #321 is a Poplar, it has a DBH of 32 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #321 is a Tree of Quality.
322	32	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #322 is a Poplar, it has a DBH of 32 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #322 is a Tree of Quality.
323	8	MAGNOLIA	<i>Magnolia grandiflora</i>	GOOD	Tree #323 is a Magnolia, it has a DBH of 8 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #323 is a Tree of Quality.
324	39	WATER OAK	<i>Quercus nigra</i>	POOR	Tree #324 is a Water Oak, it has a DBH of 39 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #324 is a DDH. The tree meets this designation due to it having Tip Dieback and it having a Split with Included Bark. In addition the tree has 9 Broken Minor Branches.
325	28	ELM	<i>Ulmus spp.</i>	GOOD	Tree #325 is a Elm, it has a DBH of 28 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #325 is a Tree of Quality.it having a Split with Included Bark.
326	51	WATER OAK	<i>Quercus nigra</i>	POOR	Tree #326 is a Water Oak, it has a DBH of 51 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #326 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies as well as it having a Split with Included Bark.
1387	28	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #1387 is a Poplar, it has a DBH of 28 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1387 is a Tree of Quality.
1388	27	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #1388 is a Water Oak, it has a DBH of 27 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1388 is a Tree of Quality.
1389	30	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #1389 is a Poplar, it has a DBH of 30 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1389 is a Tree of Quality.
1399	24	RED MAPLE	<i>Acer rubrum</i>	GOOD	Tree #1399 is a Red Maple, it has a DBH of 24 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1399 is a Tree of Quality.

1400	25	RED MAPLE	<i>Acer rubrum</i>	GOOD	Tree #1400 is a Red Maple, it has a DBH of 25 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1400 is a Tree of Quality.
1401	16	BOX ELDER	<i>Acer negundo</i>	GOOD	Tree #1401 is a Box Elder, it has a DBH of 16 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1401 is a Tree of Quality.
1402	32	POPLAR	<i>Liriodendron tulipifera</i>	GOOD	Tree #1402 is a Poplar, it has a DBH of 32 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1402 is a Tree of Quality.
1403	24	WATER OAK	<i>Quercus nigra</i>	GOOD	Tree #1403 is a Water Oak, it has a DBH of 24 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1403 is a Tree of Quality.
1404	9	DOGWOOD	<i>Cornus spp.</i>	FAIR	Tree #1404 is a Dogwood, it has a DBH of 9 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1404 is a Tree of Quality.
1405	9	DOGWOOD	<i>Cornus spp.</i>	FAIR	Tree #1405 is a Dogwood, it has a DBH of 9 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #1405 is a Tree of Quality.
Total	821				



Tree #304 is a Water Oak, it has a DBH of 48 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #304 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies. In addition the tree has 3 Broken Major Branches and 3 Broken Minor Branches. Further consideration should be granted to this tree due to its close proximity to an active road to which it poses a large risk.



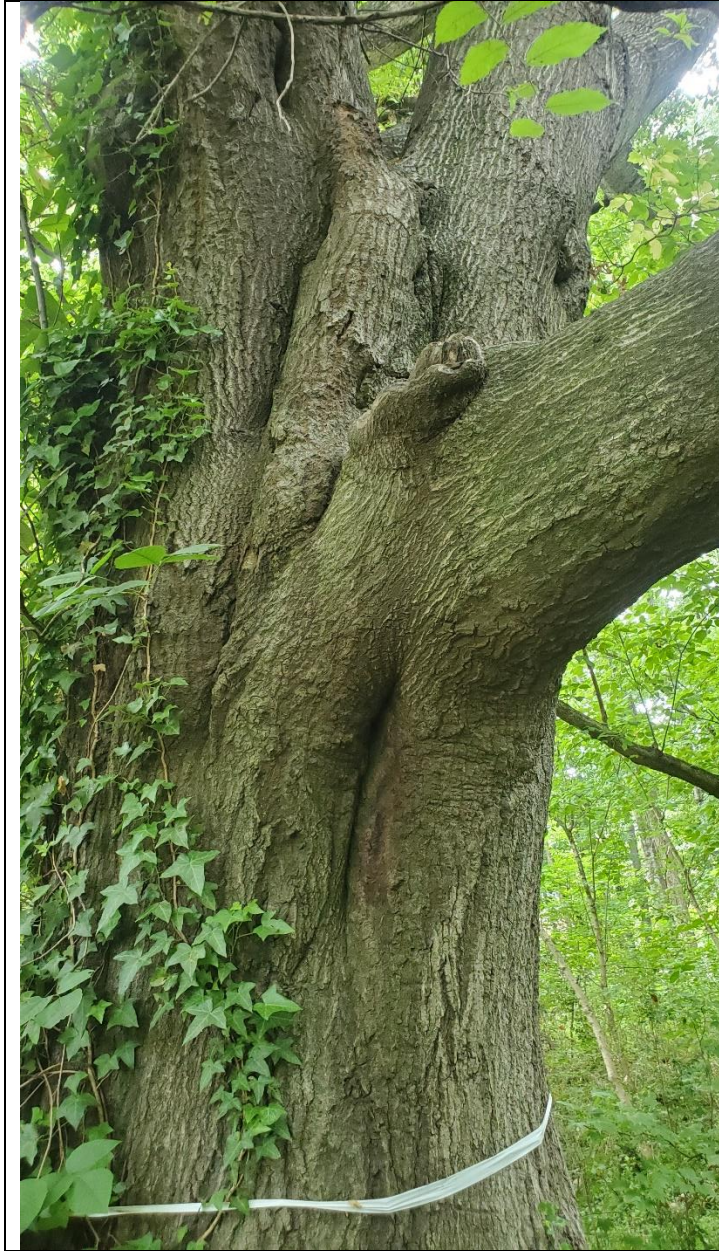
Tree #304 is a Water Oak, it has a DBH of 48 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #304 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies. In addition the tree has 3 Broken Major Branches and 3 Broken Minor Branches. Further consideration should be granted to this tree due to its close proximity to an active road to which it poses a large risk.



Tree #324 is a Water Oak, it has a DBH of 39 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #324 is a DDH. The tree meets this designation due to it having Tip Dieback and it having a Split with Included Bark. In addition the tree has 9 Broken Minor Branches. Further consideration should be granted to this tree due to its close proximity to an elementary school building and playground to which it poses a high risk.



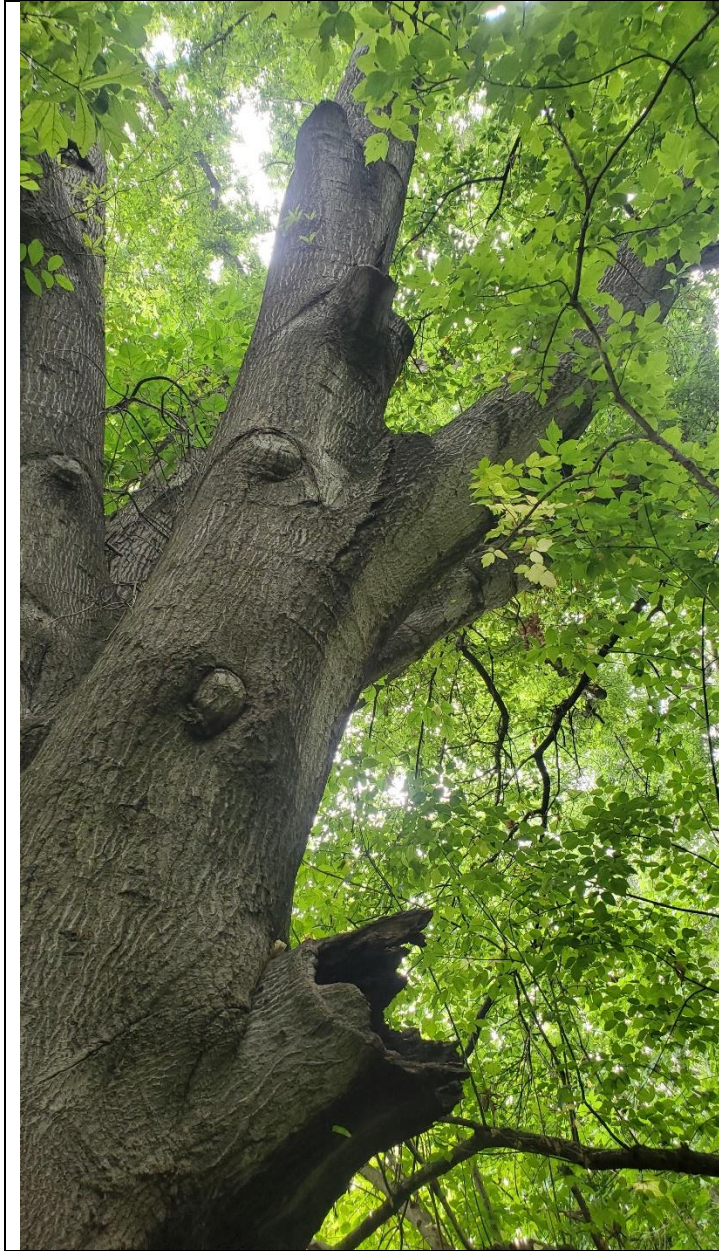
Tree #326 is a Water Oak, it has a DBH of 51 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #326 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies as well as it having a Split with Included Bark. Further consideration should be granted to this tree due to its close proximity to an active road to which it poses a large risk.



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TREE #	DBH "	SPECIES
76	32	WATER OAK
304	48	WATER OAK
305	28	WATER OAK
308	30	SWEETGUM
309	34	SWEETGUM
310	35	PINE
311	38	PINE
312	45	POPLAR
313	31	SWEETGUM
315	39	SWEETGUM
317	27	WATER OAK
318	56	WATER OAK
319	33	WATER OAK
321	32	POPLAR
322	32	POPLAR
323	8	MAGNOLIA
324	39	WATER OAK
325	28	ELM
326	51	WATER OAK
387	28	POPLAR
1388	27	WATER OAK
1389	30	POPLAR
1390	15	WILLOW OAK
1391	10	RED MAPLE
1392	3	ELM
1393	5	POPLAR
1394	9	BOX ELDER
1395	6	BOX ELDER
1396	16	SWEETGUM
1397	9	BOX ELDER
1398	30	SWEETGUM
1399	24	RED MAPLE
1400	25	RED MAPLE
1401	16	BOX ELDER
1402	32	POPLAR
1403	24	WATER OAK
1404	9	DOGWOOD
1405	9	DOGWOOD
1406	8	ASH
1407	19	BOX ELDER
1408	8	WALNUT
1409	16	ASH

SPECIMEN TREE NOTE

ISA CERTIFIED ARBORIST SO #10291A



FOR
GRAND COMMUNITIES, LLC
3940 OLYMPIC BLVD
SUITE 400
ERLANGER, KY 41018

OLD MILTON PKWY (2325) @ NORCROSS ST (0 & 210) @ HAYNES BRIDGE RD
(11775) LAND LOT# 748, 12TH DISTRICT, CITY OF ALPHARETTA, GEORGIA

ROOT ZONE TREE CONSULTANTS
350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092 (678) 684-6202 WWW.RZCONSULTANTS.COM

A DIVISION OF PLANNERS AND ENGINEERS COLLABORATIVE WWW.PECATL.COM

[illegible]

DATE: 6-29-2022
PROJECT: 15315.01

PRELIMINARY
NOT TO BE RELEASED FOR CONSTRUCTION



This drawing is the property of Planners and Engineers Collaborative and is not to be copied in whole or in part. It is not to be used on any other project and is to be returned upon request. Planners and Engineers Collaborative. ©

Filters

Code Enforcement

Filters

Styling

Filter as map moves ⓘ



Location

2325 OLD MILTON PARKWAY

No results

Select attribute filters (8)

☐ Type Description
3 values☐ Number
92 values☐ Tag
61 values☐ Status Code
1 values☐ Assigned To
2 values☐ Initiated Date
3/30/2017 to 8/10/2021

Showing 25 of 159 rows

[Close Table](#)

Type Description	Number	Tag	Status Code	Assigned To	Initiated Date	Location	Reference ID
Code Enforcement-Compl...	CE170033	Accessory Structures	OPEN		3/30/2017, 3:01 PM	12720 Bethany Road	11175
Code Enforcement-Trees	CE190025	Stop Work Order - Trees	OPEN		2/25/2019, 4:12 PM	1825 Mayfield Road	27978
Code Enforcement-Compl...	CE190036	Business vehicle in residential area	OPEN		3/11/2019, 2:51 PM	11170 Wittenridge Drive	28338
Code Enforcement-Compl...	CE190043	Business vehicles in residential a...	OPEN		4/2/2019, 3:02 PM	10585 Kingsmark Trail	28899
Code Enforcement-Compl...	CE190053	Tree removal without permit	OPEN		4/17/2019, 3:44 PM	5365 Derby Chase Court	29270
Code Enforcement-Compl...	CE190099	Structual Issues	OPEN		9/5/2019, 3:35 PM	44 Birch Rill Drive	32366
Code Enforcement-Compl...	CE190100	Drainage Violation	OPEN		9/5/2019, 4:01 PM	160 North Main Street	32367
Code Enforcement-Compl...	CE190107	Stop Work Order	OPEN		9/27/2019, 1:01 PM	10580 Tuxford Drive	32800
Code Enforcement-Compl...	CE190108	Stop Work Order	OPEN		9/27/2019, 1:09 PM	1230 Tuscany Court	32801
Code Enforcement-Compl...	CE200004	Stop Work Order	OPEN		1/14/2020, 3:44 PM	1565 Highview Pines Pass	34799
Code Enforcement-Compl...	CE200011	Stop Work Order	OPEN		2/7/2020, 11:38 AM	710 Tate Drive	35283
Code Enforcement-Compl...	CE200065	Deck in a State of Disrepair	OPEN	BESMITH	4/7/2020, 2:03 PM	1430 Hillcrest Heights	36677
Code Enforcement-Compl...	CE200074	R/W trashcan overflowing	OPEN		4/9/2020, 3:09 PM	762 North Main Street	36739
Code Enforcement-Compl...	CE200084	Complaint	OPEN	BSCHROEDER	5/6/2020, 3:55 PM	194 Mayfield Circle	37241
Code Enforcement-Compl...	CE200097	STOP WORK ORDER, High Grass...	OPEN		5/27/2020, 3:18 PM	1031 Colony Drive	37632
Code Enforcement-Trees	CE200110	Stop work order	OPEN		6/4/2020, 12:13 PM	4650 Lakeway Place	37806
Code Enforcement-Compl...	CE200130	Stop Work Order	OPEN		6/29/2020, 7:57 AM	645 Brook Landing Court	38319
Code Enforcement-Compl...	CE200131	Stop Work Order	OPEN		6/29/2020, 8:56 AM	11595 Vista Forest Drive	38324
Code Enforcement-Trees	CE200158	Undisturbed Buffer Violation	OPEN		7/27/2020, 1:21 PM	6331 Maid Marion Close	38920
Code Enforcement-Trees	CE200206	TREE REMOVAL WITHOUT PERMIT	OPEN		8/17/2020, 1:46 PM	315 Wood Trace Drive	39479
Code Enforcement-Compl...	CE200222	STOP WORK ORDER, Rear Deck	OPEN		8/26/2020, 3:03 PM	12255 Greenmont Walk	39699
Code Enforcement-Compl...	CE200225	Stop work order	OPEN		8/31/2020, 8:28 PM	5020 Southlake Drive	39808
Code Enforcement-Compl...	CE200232	Stop work order	OPEN		9/9/2020, 8:33 PM	2240 Lake Shore Landing	40027

ED 12/23/21

CONTINGENT SALE AGREEMENT

THIS CONTINGENT SALE AGREEMENT ("Agreement") is made on the Effective Date (defined below in Section 14) by and between GRAND COMMUNITIES, LLC, a Kentucky limited liability company ("Buyer") and TIN CHAN and MIU LIN CHAN, a married couple residing in Georgia, and DANNY ENG and SHUN NGAN ENG, a married couple residing in Georgia ("Seller") (collectively "Parties"). For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by the Parties, the Parties agree as follows:

1. **PURCHASE.** For the Purchase Price (defined below in Section 4), Seller shall sell to Buyer and Buyer shall purchase from Seller subject to the terms and conditions of this Agreement the following Real Estate (defined below in this Section 1):

- a. **Real Estate.** Approximately 6.16 +/- acres, being PID 12-270307480560, 12-270307480230, and 12-270307480180, 2325 Old Milton Parkway, Alpharetta, Fulton County, Georgia, 11775 Haynes Bridge Road, Alpharetta, Fulton County, Georgia, and 0 Norcross Street, Alpharetta, Fulton County, Georgia and being the same property conveyed to Seller by Deed dated _____ and recorded _____ in Book _____, Page _____ in the Fulton County Recorder's Office ("Real Estate"). The Real Estate includes all rights, title and interests to: rights, ways, privileges, easements, escrows, structures, fixtures, systems, improvements, topsoil, trees, timber, landscaping, crops, plants, minerals (including oil and gas), entitlements, development rights, strips, gores, streets, alleys, ways adjoining or crossing the Real Estate, taps and other rights arising from, appertaining to or benefiting the Real Estate. The Real Estate is outlined on the Aerial Map attached hereto as Exhibit A. The Real Estate Legal Description is attached hereto as Exhibit B.

2. **REZONING PERIOD.** Buyer's obligation to close under this Agreement is contingent upon rezoning of the Real Estate to permit construction of single-family residential units as set out below. If Buyer is not completely satisfied with the Real Estate to its sole satisfaction at any such time during the Rezoning Period, Buyer may terminate this Agreement for any and all reason(s) by delivering notice to Seller on or before the expiration of the Rezoning Period, and the Deposit (defined below in Section 3) shall be handled per Section 3 of this Agreement. Buyer will use its best efforts its best efforts to timely, actively and diligently pursue rezoning of the Real Estate. Seller shall fully cooperate with Buyer in doing so. Buyer may elect to extend the Rezoning Period by making said election and providing written notice to Seller of same prior to the expiration of the then current period as described herein:

- a. **Rezoning Period.** The Rezoning Period shall commence upon the Effective Date and shall expire at midnight on May 30, 2022 ("Rezoning Period").
- b. **Rezoning Period Extension No. 1.** Rezoning Period Extension No. 1 shall commence upon the expiration date of the Rezoning Period and shall expire at midnight on July 4, 2022 ("Rezoning Period Extension No. 1").
- c. **Rezoning Period Extension No. 2.** Rezoning Period Extension No. 2 shall commence upon the expiration date of the Rezoning Period Extension No. 1 and shall expire at midnight on August 29, 2022 ("Rezoning Period Extension No. 2").

3. **EARNEST MONEY DEPOSIT.** Buyer has deposited \$ _____ ("Review Deposit") in escrow per the escrow agreement attached hereto as Exhibit C ("LOI Escrow Agreement"). By 5 business days from the Effective Date and upon execution of the escrow agreement attached hereto as Exhibit D ("Escrow Agreement"), the LOI Escrow Agreement shall terminate, Escrow Agent shall close the escrow account established pursuant to the LOI Escrow Agreement, shall transfer such Review Deposit into the escrow account as established by the Escrow Agreement, and Buyer shall deliver to the Escrow Agent to be held in escrow per the Escrow Agreement an additional earnest money

NO. 1 and Rezoning Period Extension NO. 2 Collectively referred to herein as "Rezoning Period."

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Rezoning Period, Rezoning Period Extension No. 1 and Rezoning Period Extension No. 2 collectively referred to herein as "Rezoning Period."

Jan 12, 2021
T.C. 12/20/21
M.L.C. 12-20-21

as a draft is available. Buyer shall select the exact number of acres, boundary lines and orientation of the Real Estate in its sole discretion to be reflected in the Survey.



8. **PLAN APPROVALS.** During the Rezoning Period or any extension thereof, Buyer may apply for certain plan approvals for the development of the Real Estate as a residential community, at Buyer's expense. Seller grants to Buyer the right to develop and present plans that include the Real Estate for zoning, subdivision and other development approvals. Seller also grants to Buyer the right to receive, accept and agree to zoning and other development approvals and permits. Seller shall cooperate with Buyer and execute any necessary applications or documents required for Buyer to receive such approvals and permits. Buyer agrees to give Seller copies of all plans prior to submitting for rezoning approvals.

9. **LICENSE/EASEMENTS/ACCESS.**

- a. **Buyer License.** Upon the Effective Date, Seller grants to Buyer a non-exclusive right of way and license in, on, over, under and across the Real Estate to conduct its review of the Real Estate, including but not limited to engineering work, geotechnical analysis and collection of other necessary data for development ("License"). In exercising its License, Buyer shall not cause permanent damage to the Real Estate and shall restore any disturbed areas to the pre-damage condition. Also, Buyer shall indemnify and hold Seller harmless from any and all obligations, claims, demands, liens or encumbrances, including costs and expenses and attorney fees, arising from any acts or omissions of Buyer, its agents, servants and employees, in exercising its License rights. Notwithstanding the foregoing, such indemnification shall not extend to the discovery or disturbance of pre-existing hazardous materials (defined below in Section 11). Buyer agrees to share with Seller all studies, reports or plans created by Buyer during the contract period.
- b. **Buyer Easements.** Upon the Effective Date, Seller shall execute all rights of way and easement documents reasonably requested by Buyer to effectuate the intent of this Agreement ("Easements"). Such Easements shall be on Buyer's form and at Buyer's expense.

10. **IMPROVEMENTS/RISK OF LOSS.** Until Closing and transfer of possession of the Real Estate, Seller shall maintain the Real Estate and any improvements thereon in substantially the same condition existing as of the Effective Date. All improvements to the Real Estate including any buildings or structures thereon are included in the value and Purchase Price. The risk of loss to the Real Estate and any improvements thereon by fire, natural causes or otherwise prior to Closing is that of Seller. Seller shall provide insurance coverage for the full value of the Real Estate and improvements until Closing. Upon Buyer's request, Seller shall immediately deliver to Buyer a copy of same.

11. **SELLER REPRESENTATIONS AND WARRANTIES.** Seller agrees to the following representations and warranties regarding any portion of the Real Estate as of the Effective Date and Closing:

- a. **Authority.** Seller's execution of this Agreement and the consummation of the transaction contemplated herein are within Seller's authority and capacity and all requisite action(s) have occurred to make this Agreement a valid and binding obligation of Seller.
- b. **Other Agreements.** There are no material undisclosed, unrecorded agreements or understandings to which Seller is a party affecting any portion of the Real Estate, which will be binding upon Buyer or the Real Estate after Closing. Also, Seller's execution of this Agreement and the consummation of the transaction contemplated herein do not and will not result in a breach of or default under any indenture, agreement, instrument or obligation to which Seller is a party and which affects any portion of the Real Estate, or violate any applicable law.

IN WITNESS THEREOF, the Parties have executed this Agreement on the date indicated below.

SELLER: TIN CHAN and MIU LIN CHAN, a married couple

Tin Chan
By: Tin Chan
Date:

Witness: [Signature]

Miu Lin Chan
By: Miu Lin Chan
Date:

Witness: [Signature]

SELLER: DANNY ENG and SHUN NGAN ENG, a married couple

[Signature]
By: Danny Eng
Date: 12-13-2021

Witness: [Signature]

[Signature]
By: Shun Ngan Eng
Date: 12-13-2021

Witness: [Signature]

BUYER: GRAND COMMUNITIES, LLC, a Kentucky limited liability company

[Signature]
By: Todd E. Huss
Its: President
Date: 12/20/2021

Witness: [Signature]



Memorandum

To: Kenneth Wood, Planners and Engineers Collaborative, Inc.
From: Abdul Amer, PE
Date: June 29th, 2022
Subject: Trip Generation Memorandum for Proposed Residential Development located at 2325 SR 120 (Old Milton Parkway), City of Alpharetta, Georgia – A&R Project #22-137



The purpose of this memorandum is to estimate the trip generation from the residential development proposed along SR 120 (Old Milton Parkway) in City of Alpharetta, Georgia. The proposed development will consist of 24 units of single-family attached housing.

A site plan is attached and a site overlay is shown below.

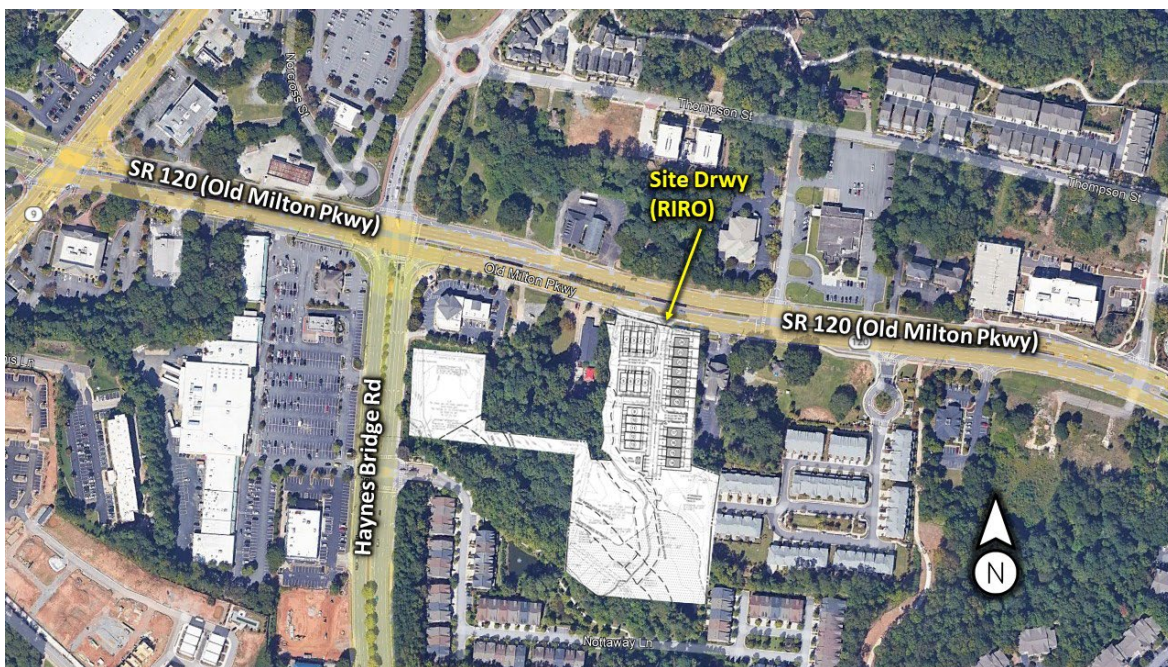


Figure 1 - Site Overlay Map

METHODOLOGY

Trip generation estimates for the project were based on the rates and equations published in the 11th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation referenced is based on the following ITE Land Uses: 215 – *Single-Family Attached Housing*.

Land Use: 215 – Single-Family Attached Housing: Single-family attached housing includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space.



TRIP GENERATION

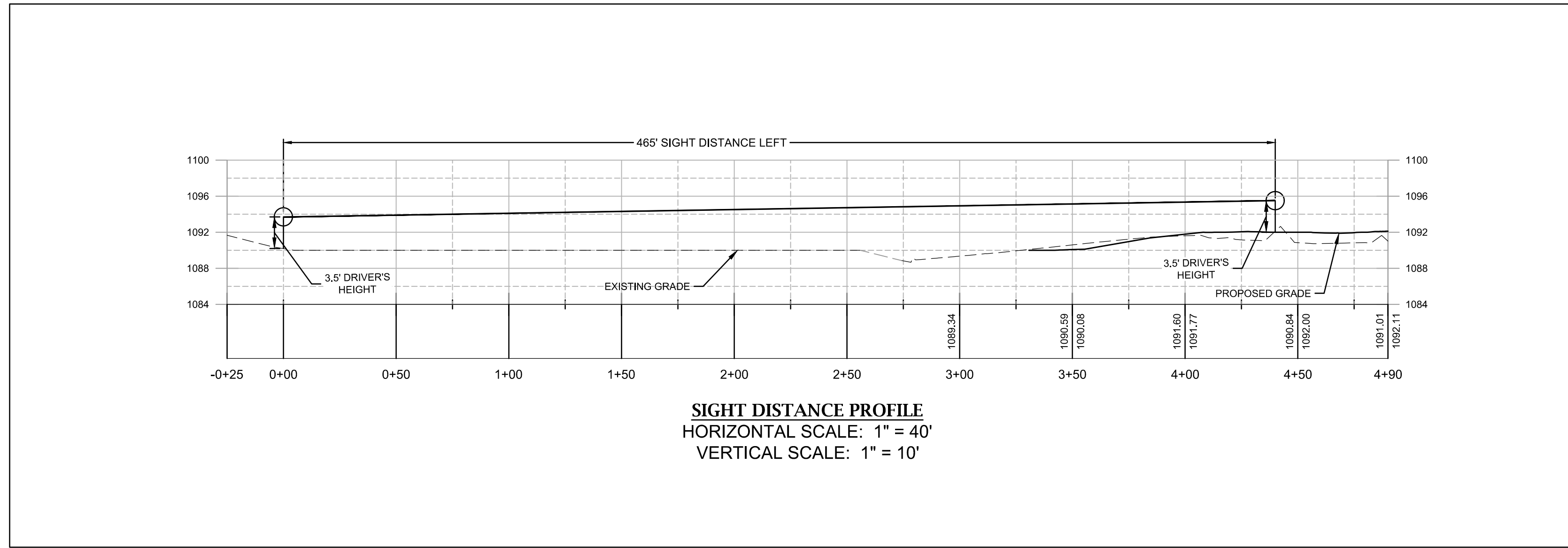
The results of the analysis for the proposed development are shown in Table 1, below.

Table 1 – Trip Generation								
Land Use	Size	AM Peak Hour			PM Peak Hour			24 Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
ITE 215 – Single-Family Attached Housing	24 units	2	5	7	5	5	10	132

Based on the trip generation rates published in Institute of Transportation Engineer's Trip Generation Manual, 11th Edition, the proposed development will generate 2 entering trips and 5 exiting trips in the AM peak hour and 5 entering trips and 5 exiting trips in the PM peak hour.

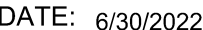
APPENDIX





1. SPEED LIMIT ON ROAD NAME IS XX MPH
2. ALL SIGNS AND PAVEMENT MARKINGS SHALL CONFORM TO THE "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", (LATEST EDITION) AND ANY APPLICABLE ALPHARETTA STANDARDS.
3. ALL PAVEMENT MARKINGS WITHIN THE RIGHT OF WAY SHALL BE THERMOPLASTIC UNLESS OTHERWISE NOTED.
4. ALL TRAFFIC CONTROL DEVICES SHALL BE MAINTAINED BY THE CONTRACTOR SO AS NOT TO INTERFERE WITH SIGHT DISTANCE ALONG ANY ADJACENT SIDE ROAD OR DRIVEWAY.
5. THE CONTRACTOR SHALL MAINTAIN INGRESS AND EGRESS TO DRIVEWAYS AT ALL TIMES.
6. SIGHT DISTANCES WERE TAKEN FROM GEORGIA DEPARTMENT OF TRANSPORTATION REGULATIONS FOR DRIVEWAY AND ENCRoACHMENT CONTROL, TABLE 3-4 (INTERSECTION SIGHT DISTANCE REQUIREMENTS).
7. OLD MILTON PARKWAY IS A DIVIDED HIGHWAY WITH 3 LANES TRAVELING LANES ON THE SIDE OF THE ROAD AS THE PROPOSED DEVELOPMENT. THE DEVELOPMENT WILL HAVE A RIGHT-IN, RIGHT-OUT ENTRANCE.

THE UNDERSIGNED, HEREBY CERTIFY THAT THE PROPOSED ENTRANCE/EXIT
ONTO OLD MILTON PKWY IS DESIGNED WITH ADEQUATE SIGHT DISTANCE. THE
POSTED SPEED LIMIT OF OLD MILTON PKWY IS 45 MPH. THE INGRESS/EGRESS
FOR THE PROPERTY WILL BE A RIGHT-IN, RIGHT-OUT ONLY, SO THE APPLICABLE
SIGHT DISTANCE IS 465' SDL FOR A 3-LANE ROAD, AS REQUIRED BY THE
FEDERAL HIGHWAY ADMINISTRATION. SIGHT DISTANCE IS MEASURED ALONG
THE PATH OF TRAVEL AT A HEIGHT OF 3.5' ABOVE THE SURFACE OF THE
ROADWAY, TO AN OBJECT ON THE CENTERLINE OF THE ROAD 3.5' ABOVE THE
SURFACE OF THE ROADWAY.



WWW.PEC.PLUS



LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING
ARBORISTS + SURVEYING & CONSTRUCTION + WATER RESOURCES

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

2325 OLD MILTON

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT
2325 OLD MILTON
NORCROSS STREET
HAYNES BRIDGE ROAD
CITY OF ALPHARETTA
JURISDICTION

FOR

GRAND COMMUNITIES, LLC

MUNICIPALITY PROJECT #

[illegible]

THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.



SCALE: 1" = 40'
DATE: 04/19/2022
PROJECT: 15315.01



SD 1

SHEET



Know what's below.
Call before you dig.

NOTICE OF LEGAL AND CONSTITUTIONAL OBJECTIONS
PUBLIC HEARING APPLICATION: 2325 OLD MILTON PARKWAY Z-22-13 – V-22-5

The Applicant respectfully submits that the current zoning classification of the Subject Property established in the City of Alpharetta Unified Development Code, to the extent that they prohibit the proposed development, are unconstitutional, and constitute an arbitrary, irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harms the property owner in violation of the due process and equal protection rights of the property owner guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia. Further, the failure to approve the rezoning and modify the zoning conditions would constitute a taking of the owner's private property without just compensation and without due process in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

The Applicant also respectfully submits that the City Council's failure to approve the requested rezoning would be unconstitutional and would discriminate in an arbitrary, capricious and unreasonable manner between the property owner and owners of similarly situated property in violation of Article I, Section III, Paragraph I of the Constitution of the State of Georgia and the Equal Protection Clause of the Fourteenth Amendment of the Constitution of the United States.

Opponents to this request, if any, lack standing; have failed to exhaust administrative remedies; and have waived their rights to appeal by failing to assert legal and constitutional objections.

This 23rd day of August, 2022.

Respectfully submitted,



Kathryn M. Zickert
Dennis J. Webb, Jr.
J. Alexander Brock
Attorneys for Applicant

Smith, Gambrell & Russell, LLP
1100 W. Peachtree Street, N.E.
Suite 1000
Atlanta, Georgia 30309
404-815-3500



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

CITY COUNCIL SPONSOR: STAFF INITIATED

I. AGENDA ITEM TITLE: PH-22-10 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – BANNER SIGNS

PLANNING COMMISSION: SEPTEMBER 1, 2022

CITY COUNCIL: SEPTEMBER 19, 2022

II. REPORT IN BRIEF:

Consideration of text amendments to Unified Development Code (UDC) Section 2.6 Sign Code, to allow for an extension to the temporary banner permits for businesses fronting a roadway under construction by the City or the Georgia Department of Transportation.

DISCUSSION

The Georgia Department of Transportation (GDOT) is conducting extensive construction along Highway 9, which has impacts on Alpharetta's Main Street. Main Street businesses have had negative economic impacts due to construction equipment covering existing business signage. In response, Staff proposes that the time restrictions on single, temporary banners be waived until December 1, 2023 for businesses located on Main Street from the southern border with City of Roswell to the northern border with City of Milton. Multi-tenant properties shall only be allowed a single banner. Highway 9 improvements are a GDOT project and, therefore the City is not responsible for any damage to the banners. Banners shall be placed behind any construction easements. If banners are not maintained in good condition, removal will be required.

III. ATTACHMENTS:

- UDC Strike Through and Underline Edits

SECTION 2.6 SIGNS¹

2.6.11 General provisions.

E. BANNERS. Banners require a permit and are permitted in all zoning districts pursuant to the following standards:

1. Banners shall be permitted for either one (1) fourteen (14) day period per calendar year per lot or two (2) seven (7) day periods per calendar year per lot. An individual banner permit may be divided into two (2) non-consecutive seven (7) day periods provided the dates are stated on the permit. However, in the case of lots which contain a shopping center (or strip shopping center) with multiple tenant spaces, each tenant space shall be allowed to erect or place a banner for either one (1) fourteen (14) day period per calendar year or two (2) seven (7) day periods per calendar year.

a. The Director may grant an extension of the time period set forth above for a restaurant or retail business when the business fronts a roadway that is under construction. In order to qualify for such an extension:

1. The subject roadway construction must be related to a project performed by the City or the Georgia Department of Transportation; and
2. The subject roadway construction is planned to continue for six (6) months or more following the date of the request for an extension; and
3. The subject roadway construction either:
 - a. Causes the removal of a monument sign; or
 - b. As determined in the discretion of the Director, disrupts the store frontage to the extent the site and/or business appears closed without the use of a banner.

Any extension granted under this subsection shall be limited to the duration of the subject roadway construction. Extensions granted by the Director may be revoked or limited at any time due to changes in the roadway construction or disruption of the store frontage as determined in the discretion of the Director. The Director may require removal or replacement of any banner placed pursuant to an extension at any time if the banner is not maintained in good condition as determined in the discretion of the Director.

2. In addition to the foregoing, banners shall be allowed on private property during an approved temporary use, as defined in Section 2.3.2 of the U.D.C., for the approved period of such temporary use, but not to exceed forty-five (45) days; provided, however, the placement of banners on lots during approved temporary uses shall not be permitted more than two (2) times per calendar year per lot. Any such banners shall be removed upon termination of the temporary use or within forty-five (45) days from the date it is first placed on the lot, whichever is first to occur. Upon removal, no banner shall be placed on the same lot for a period of sixty (60) days.
3. Banners shall not exceed 24 sq. ft. total area in size.

¹Editor's note(s)—Ord. No. 720 , § 2(Exh. A), adopted 2-22-2016, repealed former § 2.6 (2.6.1—2.6.14), and enacted a new § 2.6 as set out herein. The former § 2.6 pertained to similar subject matter and derived from the original codification and Ord. No. 713 , §§ 1—8, adopted Sept. 28, 2015.

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4. Banners must either be free-standing or mounted to the wall of a tenant space or the lot's existing monument sign. If free-standing, the height of the banner shall not exceed five (5) [feet] above grade. If mounted to the wall of a tenant space, the width of the banner shall not exceed tenant frontage and shall not extend above the horizontal plane of the roof where the building wall and roof meet. If mounted to the lot's existing monument sign, the banner shall not extend beyond the sign face of the monument sign.
 5. Banners shall be erected with supports or other means so that they do not sag or become dilapidated.
- F. PLACEMENT OF SIGNS. Except within the Central Business District, all free-standing signs must be set back at least ten (10) ft. from the public right-of-way. Within the Central Business District, all free standing signs must be set back at least five (5) feet from the public right-of-way.
- G. CHANGEABLE COPY. Any monument sign permitted under this Ordinance may contain up to sixty-five percent (65%) changeable copy if the sign is located on a lot zoned and used (as its principal existing use) for an institutional, public or semi-public use and which includes an indoor public assembly place accommodating one hundred (100) or more persons.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016)