



PLANNING COMMISSION MEETING SEPTEMBER 7, 2023

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ELECTION OF VICE CHAIRMAN**
4. **APPROVAL OF MEETING MINUTES**
 1. Meeting Minutes August 3, 2023
5. **ITEMS FROM BOARD MEMBERS**
6. **ITEMS FROM STAFF**
7. **PUBLIC HEARING**

1. **Z-23-08/V-23-13 10355 Waters Road Tract**

Consideration of a rezoning and variance to allow for the construction of 2 'For-Sale' single-family detached homes on 1.5 acres. A rezoning is requested from AG (Agriculture) to R-22 (Dwelling, 'For-Sale', Residential) and a variance is requested to reduce front setbacks. The property is located at 10355 Waters Road and is legally described as being located in Land Lots 35 & 36, 1st District, 1st Section, Fulton County, Georgia.

2. **Z-23-09/V-23-15 2325 Old Milton Parkway Tract**

Consideration of a rezoning and variance to allow for the construction of 24 'For-Sale' townhomes on 4.9 acres. A rezoning is requested from O-I (Office-Institutional) and R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to reduce stream buffers, modify streetscape standards and reduce landscape strips. The property is located at 2325 Old Milton Parkway and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia.

3. **PH-23-11 Unified Development Code (UDC) Text Amendments – Signs, Parking, Multi-Use Trails, Downtown Architecture and Tree Preservation**

Consideration of text amendments to the Unified Development Code (UDC). Amend Section 2.3 Supplementary Regulations to address fence and wall regulations along multiuse trails. Amend Section 2.5 Parking and Loading to address the different levels of electric vehicle charging stations. Amend Section 2.6 Signs to prohibit face illuminated channel letter signs, require master sign plans for all commercial shopping centers and extend time period for banner signs for new businesses after DRB submittal. Amend Section 3.2 Tree Conservation, Landscape and Buffer Requirements to remove pines as a specimen or tree of quality and to allow homeowner's associations to review certain requests for tree removal within the front yard. Amend Section 3.5 Installation of Street to add regulations pertaining to the installation of multi-use trails. Amend Appendix A: Alpharetta Downtown Code, Section 2.8 Building Design to address applicability of architectural style requirements.

8. **ADJOURNMENT**



Planning Commission Meeting
August 3, 2023
Department of Community Development
ALPHARETTA CITY HALL | 2 PARK PLAZA
6:30 P.M.

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

- Francis Kung'u called the meeting to order at 6:30 P.M.

II. ROLL CALL

- **Planning Commissioners present:**
 - Francis Kung'u (Chairman)
 - Fergal Brady (Vice Chair)
 - Karen Richard
 - Todd Stratton
 - Valerie Manley
 - Jill Reynolds
 - Martine Zurinkas
- **Staff present:**
 - Kathi Cook, Director of Community Development & Economic Development
 - Michael Woodman, Planning + Development Services Manager
 - Nikisha Mistry, GIS Specialist/Planner
 - Tracy Jackson, Planning + Zoning Coordinator

III. APPROVAL OF MEETING MINUTES

- ❖ Commissioner Brady offered a motion to approve the Planning Commission Meeting Minutes from July 13, 2023.
 - Commissioner Zurinkas second the motion.
 - The motion was approved (7-0)

ITEMS FROM BOARD MEMBERS

IV. ITEMS FROM STAFF

- Commissioner Fergal Brady announced his resignation from planning Commission.

V. PUBLIC HEARING

1. CLUP-23-03/ Z-23-10 Valor Christian Academy

Planning & Development Services Manager, Woodman came forward to present this item.

- **Staff is recommending the following conditions:**

1. The 2.83-acre property shall be zoned SU and limited to an 'Academic School' serving pre-K through 1st grade. Site shall be developed substantially similar to the submitted survey prepared by Total Site Solutions, dated 3/16/23, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the property shall be 'Public, Institutional, Education'.
3. Outdoor play areas shall be limited to the side and rear yards and shall be heavily screened from the public right-of-way.
4. Developer shall assess site landscaping and replace missing, dead, or dying landscape material, as approved by Staff.
5. Developer shall install a double row of shrubs adjacent to the parking lot to screen parking area from the street, as approved by Staff.

- Jennifer Gastley (Applicant) & Phil Van Gelder (Board Chairman)

Came forward to present item, also spoke about the history of the property and what they can offer regarding education.

The Applicant touched on condition # 5 stating that they respect what the police departments input and want what's best for the children and want to make sure that the safety of the children is taken seriously.

- **Planning Commission discussed the following:**

- Question in regard to vegetation around playground area.
- Is applicant ok with the removal of condition #5?
- What is staff's perspective on removing Condition #5?
- What is the history of the use and why the change now?
- Will there be a school zone established on Webb Bridge Rd?
- What is the action plan for morning and afternoon traffic?

- **Public Comment:**

- No public comment

❖ Commissioner Zurinkas offered a motion to approve item (CLUP-23-03/ Z-23-10 Valor Christian Academy) with conditions as presented today and striking condition #5.

1. The 2.83-acre property shall be zoned SU and limited to an 'Academic School' serving pre-K through 1st grade. Site shall be developed substantially similar to

the submitted survey prepared by Total Site Solutions, dated 3/16/23, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.

2. The comprehensive land use plan designation of the property shall be 'Public, Institutional, Education'.
3. Outdoor play areas shall be limited to the side and rear yards and shall be heavily screened from the public right-of-way.
4. Developer shall assess site landscaping and replace missing, dead, or dying landscape material, as approved by Staff.
5. ~~Developer shall install a double row of shrubs adjacent to the parking lot to screen parking area from the street, as approved by Staff.~~
 - Commissioner Manley seconded the motion.
 - The motion was approved (7-0)

2. Z-23-09 / V-23-15 / Old Milton Parkway Tract

- This Item was deferred and was not head at the August 3, 2023, Planning Commission meeting.

VI. ANNOUNCEMENTS

- Community Development & Economic Development Director Kathi Cook presented 7 year of service award to Fergal Brady.

VII. ADJOURNMENT

- ❖ With there being no further items to consider or discuss Chairman Kung'u adjourned the meeting at 7:15 P.M.

Respectfully submitted,

Tracy Jackson

Tracy Jackson, 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-23-08/V-23-13 10355 WATERS ROAD

PLANNING COMMISSION: SEPTEMBER 7, 2023

CITY COUNCIL: SEPTEMBER 18, 2023

II. RECOMMENDATION:

Approve Z-23-08/V-23-13 10355 Waters Road, subject to the following conditions:

1. The site, consisting of approximately 1.5 acres, shall be rezoned to R-22 and developed substantially similar to the site plan prepared by Harper Engineering, Inc., dated 8/28/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Home elevations shall be substantially similar to the submitted renderings, labeled Exhibit A – Renderings, with final approval by Staff. Homes shall have a brick or stone exterior and shall have 3-sided architecture, materials and details, as approved by Staff.
3. Homes shall be side loaded, and each lot shall be permitted a curb cut on Waters Road.
4. Building setbacks shall be 50' along Waters Road.
5. Developer shall improve Waters Road streetscape with a minimum 6' planter planted with street trees and minimum 6' sidewalk, as approved by Staff.
6. Minimum 10' decorative landscape strip shall be provided along Waters Road, consisting of a mix of trees, shrubs and ground cover, as approved by Staff.
7. Developer shall plant a row of Cryptomeria in the 5' landscape strip adjacent to Waters Cove. Existing trees shall be saved in the 5' landscape strips along the east and northwest property lines.
8. Unfinished wood fences and decks shall not be visible from Waters Road.
9. Trees shall be preserved as depicted on the plan prepared by Harper Engineering, Inc., dated 8/28/23.

III. REPORT IN BRIEF:

The applicant, Neryk Zavulunov, is requesting a rezoning and variance in order to subdivide a 1.5-acre property into two (2) 'For-Sale' single-family detached lots. A rezoning is requested from AG (Agriculture) to R-22 (Dwelling, 'For-Sale' Residential) and a variance is requested to reduce front setbacks. The subject property is located at 10355 Waters Road on the east side of Waters Road across from Lauren Hall Court.

DISCUSSION

The submitted request, if approved, will allow for the construction of two (2) 'For-Sale' single-family detached lots on 1.5 acres. The proposed density is 1.33 dwelling units per acre. A rezoning is requested from AG to R-22 and a variance is requested to reduce front setbacks. Initially, the applicant requested a rezoning to R-12 to allow for subdivision of the property into three (3) lots. The applicant amended the request to R-22 in order to meet the future land use designation of the property. The subject property is located at 10355 Waters Road on the east side of Waters Road across from Lauren Hall Court.

The wooded property is developed with a single-family detached home, which is proposed to be removed. Surrounding properties are zoned CUP (Community Unit Plan) to the northwest and east and R-12 to the southwest. Akunna Court is under construction and located to the northwest, Waters Cove is located to the east and Lauren Hall is located to the southwest. The comprehensive land use plan designation of the property is 'Very Low Density Residential', which allows the applicant's proposal.

A variance is requested to reduce the front setback along Waters Road. The applicant requests a reduction in the front setback from 65' to 50'. The applicant states that the requested front setback variance would allow for tree saves in the rear yards. As shown in the table below, homes in surrounding subdivisions have setbacks along Waters Road that are less than the applicant's requested setback of 50'.

Setbacks along Waters Road

Subdivision	Waters Road Setback
Akunna Court	35'
Hampshire Manor	35'
Milton Park	20' (side corner)
Lauren Hall	20' (side corner)

SITE PLAN

The submitted site plan depicts the 1.5-acre property being subdivided into two (2) single-family detached lots. Lot 1 is 32,304 square feet and Lot 2 is 33,082 square feet. Each lot has access from a new driveway off Waters Road. Homes are oriented to Waters Road and are depicted with a side-loaded garage. Lots have a 50' front setback along Waters Road, 25' side setbacks and 30' rear setback. A ten-foot (10') landscape strip is depicted along Waters Road and a five-foot (5') landscape strip is depicted around the perimeter of the property.

The property is heavily wooded, consisting of a mix of hardwoods and pines. Three (3) specimen trees are identified on the arborist report, including a 34" Tulip Poplar proposed to be saved. Additional trees of quality and tree groupings are depicted to be saved in the north and south corners of the property.

TRAFFIC

The proposed project, consisting of two (2) single-family detached homes, would generate approximately two (2) AM Peak Hour trips and two (2) PM Peak Hour trips.

SCHOOLS

Residential development is known to increase school enrollment. However, Fulton County Schools does not provide an impact assessment for residential developments with less than four (4) dwelling units. Impacts to area schools should be negligible with the proposed development.

STANDARDS FOR ZONING CHANGES

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

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

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties. The R-22 zoning district would result in lots that are larger than surrounding lots.

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

Response: The zoning proposal should not adversely affect the existing use or usability of adjacent or nearby properties. The R-22 zoning district would result in lots that are larger than surrounding lots.

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

Response: The applicant's proposal should not have significant impacts on the natural environment. A specimen tree and several trees of quality and tree groupings are being saved on the property.

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

Response: As currently zoned, the property is non-conforming with respect the minimum lot size of five (5) acres required in the AG zoning district. The future land use designation of the property supports a rezoning to R-22, allowing the property to be subdivided into two (2) lots.

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 applicant's proposal would not have a significant demand on public facilities and services. The request limits the demand on public facilities and services by proposing a density (1.33 dwelling units/acre) that is less than the maximum (2 dwelling units/acre) allowed under the future land use designation of the property.

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

Response: Not applicable.

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

Response: The zoning proposal reflects a reasonable balance, being supported by the future land use designation of the property, which is 'Very Low Density Residential'.

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

Response: As currently zoned, the property is non-conforming with respect the minimum lot size of five (5) acres required in the AG zoning district. The future land use designation of the property supports a rezoning to R-22, allowing the property to be subdivided into two (2) lots.

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

Response: The comprehensive land use plan designation of the property is 'Very Low Density Residential', which allows the proposed rezoning to R-22.

VARIANCE REVIEW CRITERIA

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

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

Response: The property has an unusual triangular shape. The proposed front setback is greater than setbacks along Waters Road in surrounding subdivisions.

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

Response: The property has an unusual triangular shape. The proposed front setback is greater than setbacks along Waters Road in surrounding subdivisions.

(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 an unusual triangular shape. The proposed front setback is greater than setbacks along Waters Road in surrounding subdivisions.

(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: The property has an unusual triangular shape. The proposed front setback is greater than setbacks along Waters Road in surrounding subdivisions.

CONCURRENCES

Staff has reviewed the applicant's proposal against the established review criteria for a rezoning and variance. The proposal is supported by the future land use designation of the property, which is 'Very Low Density Residential'. The requested rezoning is appropriate as it relates to the use and development of adjacent or nearby properties. The R-22 zoning district would result in lots that are generally larger than lots found in surrounding and nearby subdivisions.

The property has an unusual triangular shape. The proposed front setback is greater than setbacks along Waters Road in surrounding subdivisions.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the Waters Cove HOA Manager reached out with concerns over tree removal. In response, the applicant agreed to plant a row of Leyland Cypress along the common property line with Waters Cove.

The City received correspondence from two (2) nearby residents with objections to the applicant's request with concerns over the lack of stormwater, traffic, homes should not front on Waters Road, tree removal, 3-lot plan is too tight, and public notification lacked certain information. The applicant re-sent the required public notification and amended the request from R-12 to R-22, changing the subdivision of the property from three (3) lots to two (2) lots.

COMMUNITY ZONING INFORMATION MEETING

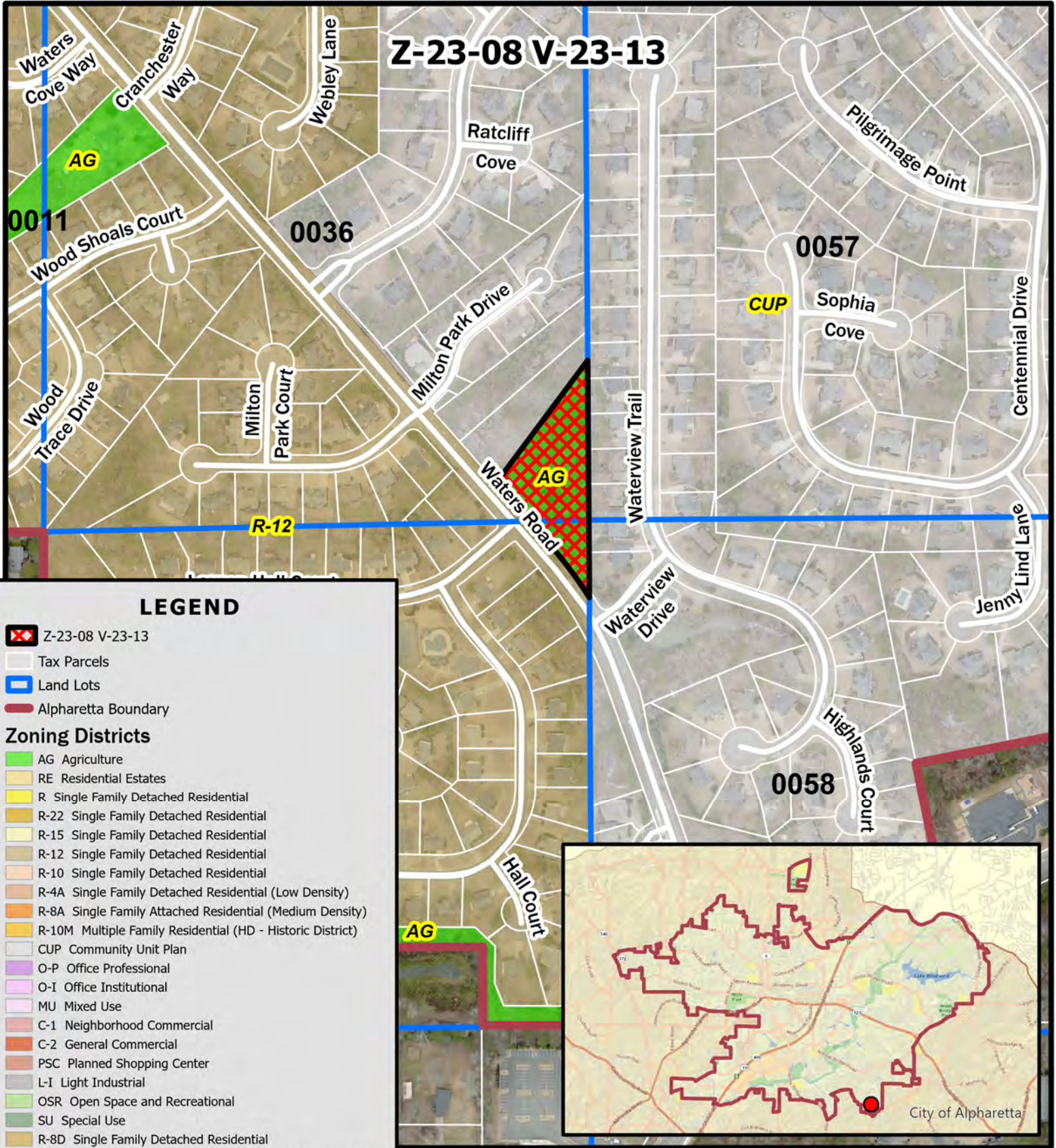
CZIM was held on July 12, 2023. There were no public comments on the sign-in sheets.

IV. ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- Latest Site Plan
- Exhibit A – Rendering
- CZIM Sign In Sheet
- Citizen Part B
- Public Comments
- Application



Z-23-08 V-23-13
D/LL: 1/1/35, 36
PC: 8/03/23
CC: 8/28/23



LEGEND

Z-23-08 V-23-13

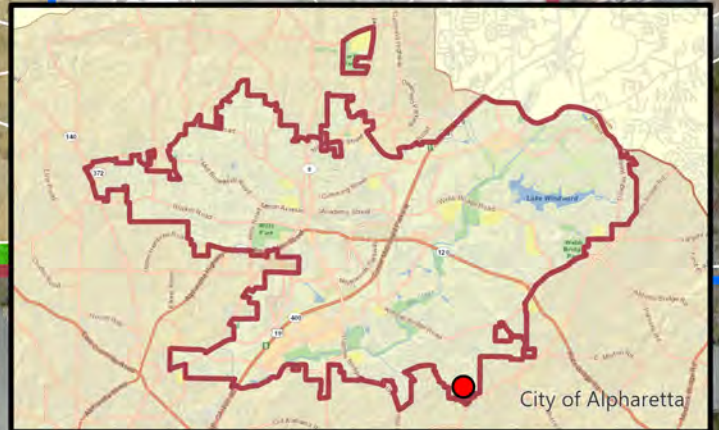
Tax Parcels

Land Lots

Alpharetta Boundary

Zoning Districts

- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-22 Single Family Detached Residential
- R-15 Single Family Detached Residential
- R-12 Single Family Detached Residential
- R-10 Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-10M Multiple Family Residential (HD - Historic District)
- CUP Community Unit Plan
- O-P Office Professional
- O-I Office Institutional
- MU Mixed Use
- C-1 Neighborhood Commercial
- C-2 General Commercial
- PSC Planned Shopping Center
- L-I Light Industrial
- OSR Open Space and Recreational
- SU Special Use
- R-8D Single Family Detached Residential
- R-4D Single Family Detached Residential (Medium Density)
- R-8A/D Single Family Attached/Detached Residential
- DT-C Downtown Core
- DT-MU Downtown Mixed-Use
- DT-LW Downtown Live-Work
- DT-R Downtown Residential

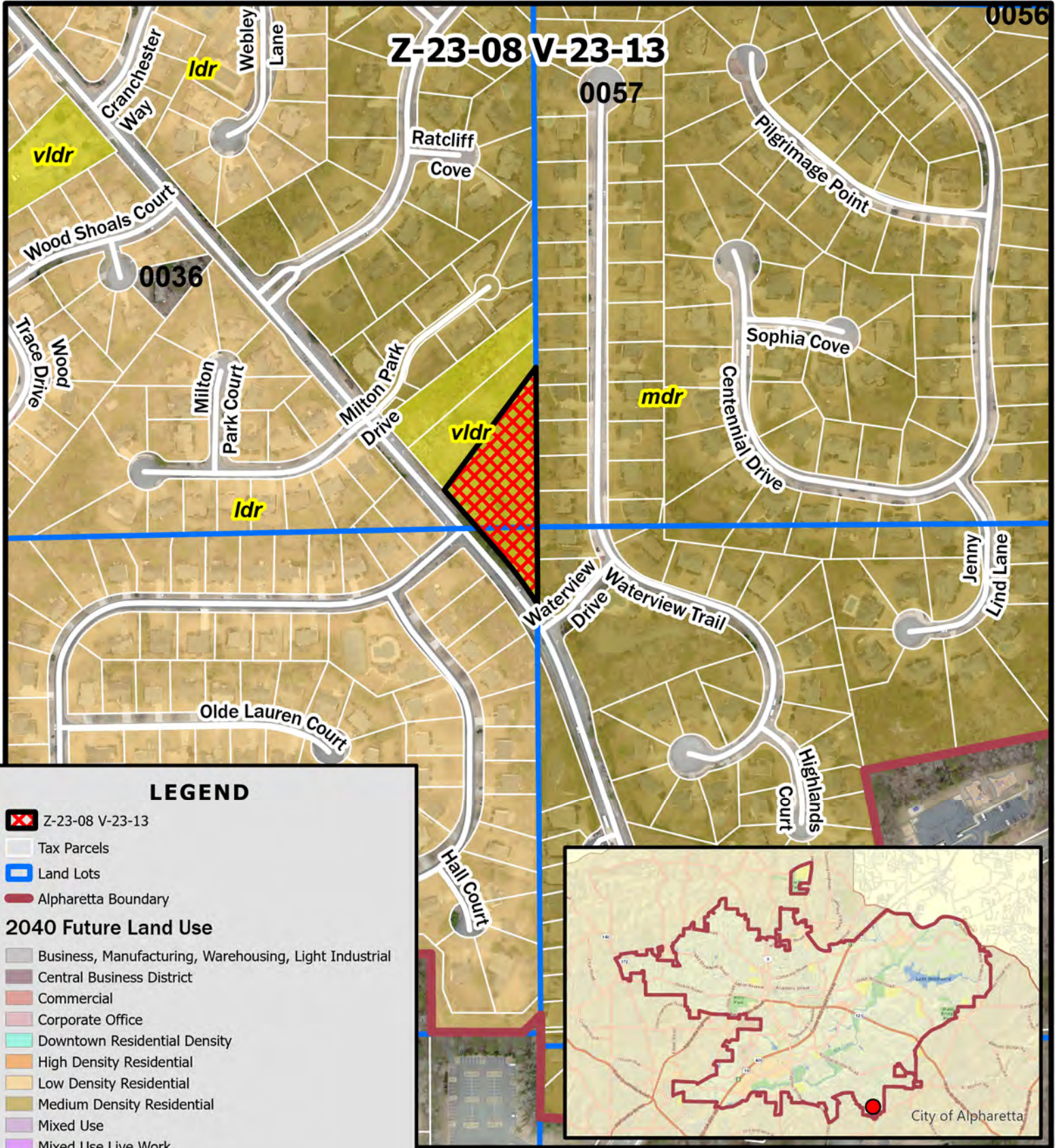


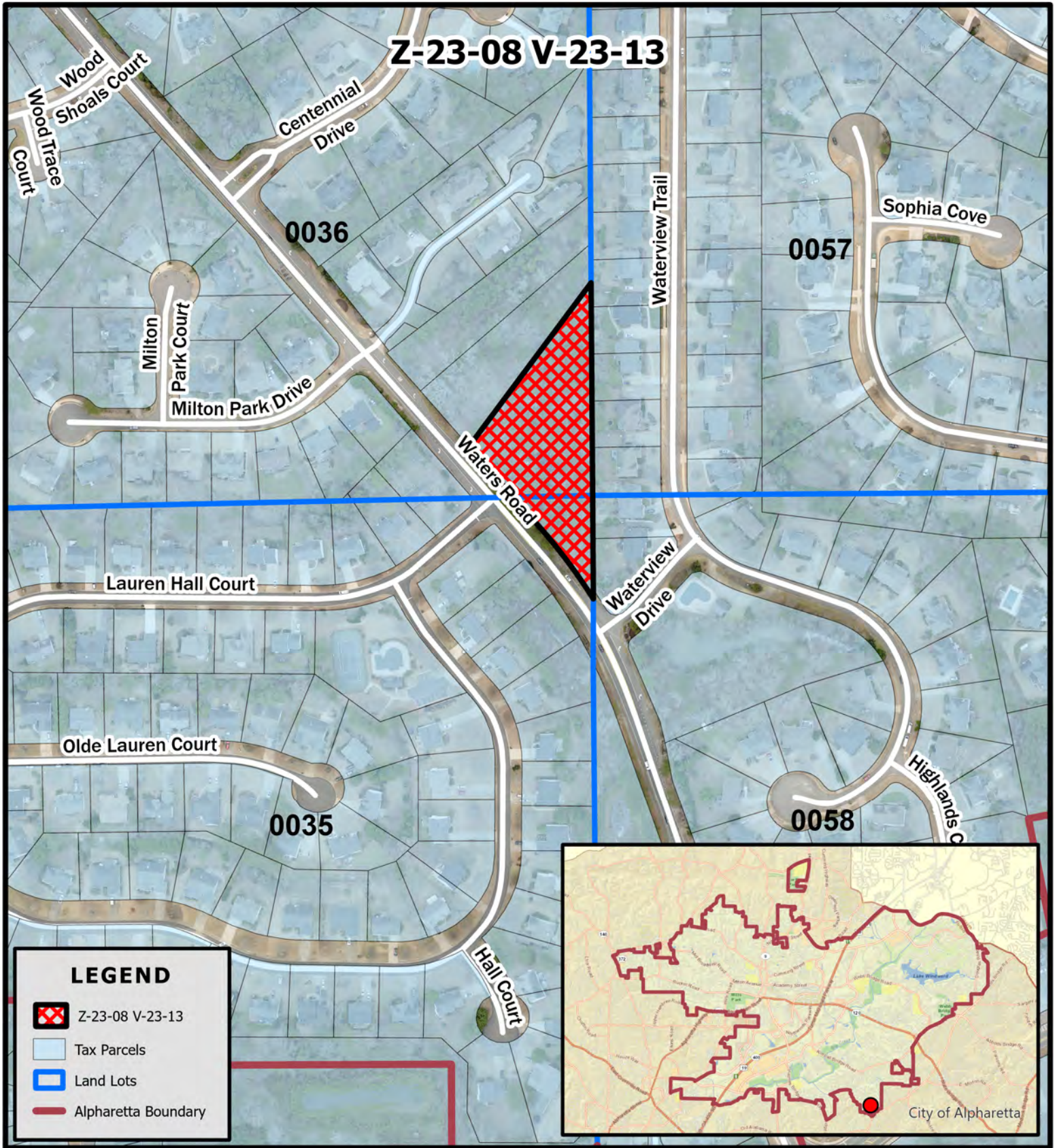
Z-23-08 V-23-13

D/LL: 1/1/35, 36

PC: 8/03/23

CC: 8/28/23



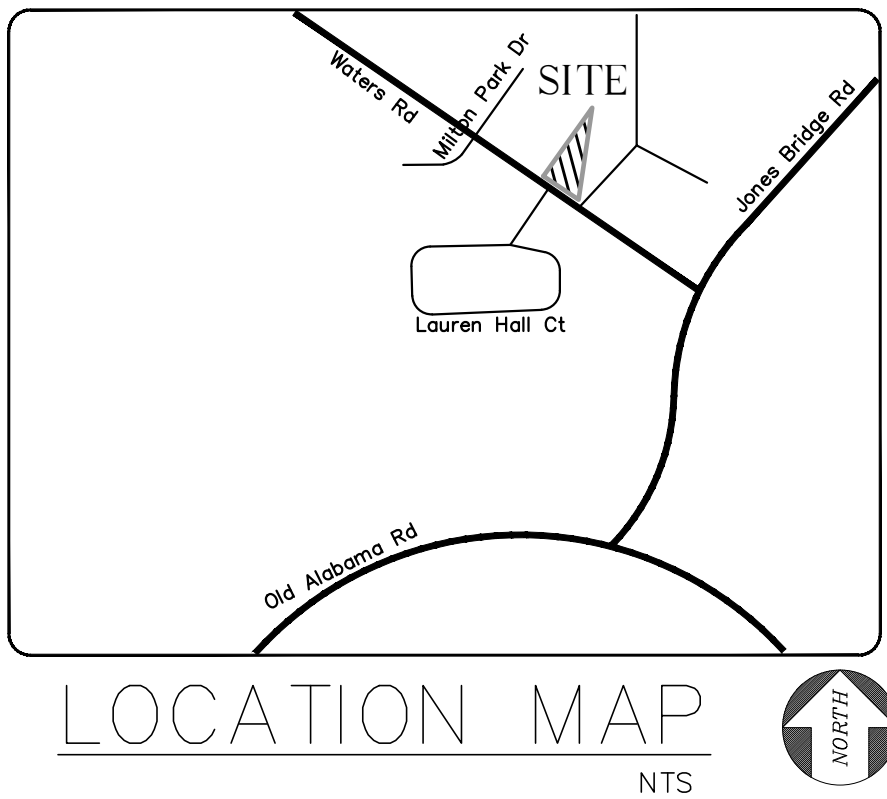
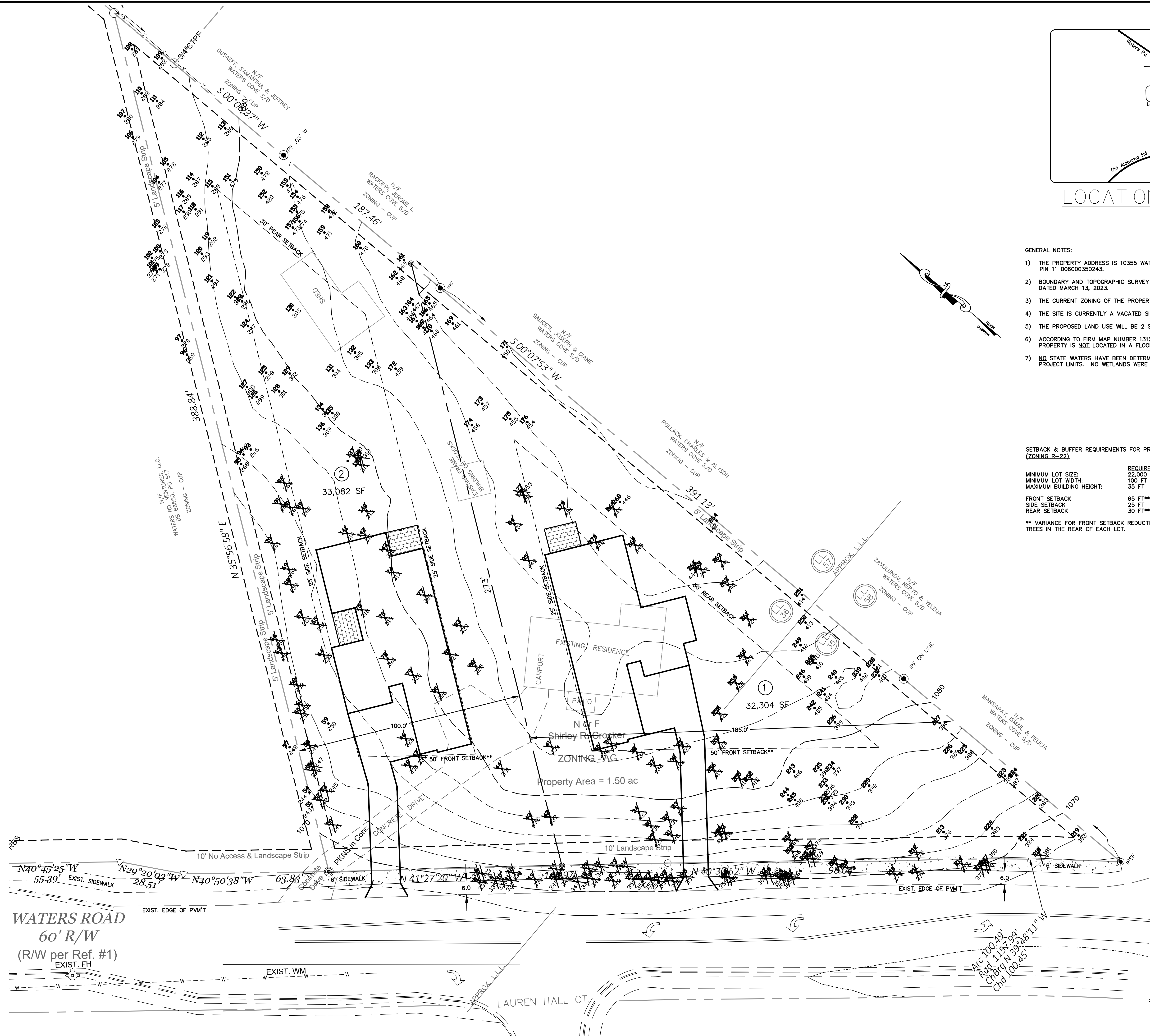


Z-23-08 V-23-13

D/LL: 1/1/35, 36

PC: 8/03/23

CC: 8/28/23

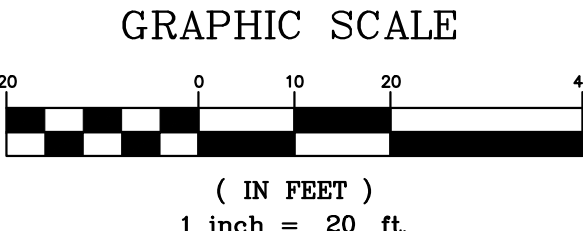


- GENERAL NOTES:
- 1) THE PROPERTY ADDRESS IS 10355 WATERS ROAD IN ALPHARETTA, GA. PIN 11 006000350243.
 - 2) BOUNDARY AND TOPOGRAPHIC SURVEY PERFORMED BY D&S LAND SURVEYING, INC. DATED MARCH 13, 2023.
 - 3) THE CURRENT ZONING OF THE PROPERTY IS AG.
 - 4) THE SITE IS CURRENTLY A VACATED SINGLE FAMILY RESIDENCES.
 - 5) THE PROPOSED LAND USE WILL BE 2 SINGLE FAMILY LOTS.
 - 6) ACCORDING TO FIRM MAP NUMBER 13121C0067F (DATED SEPTEMBER 18, 2013), THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA.
 - 7) NO STATE WATERS HAVE BEEN DETERMINED TO BE LOCATED WITHIN 200-FT OF THE PROJECT LIMITS. NO WETLANDS WERE IDENTIFIED WITHIN THE PROJECT BOUNDARY.

SETBACK & BUFFER REQUIREMENTS FOR PROPOSED REZONING:
(ZONING R-22)

MINIMUM LOT SIZE:	REQUIRED 22,000 SF
MINIMUM LOT WIDTH:	100 FT
MAXIMUM BUILDING HEIGHT:	35 FT
FRONT SETBACK	65 FT**
SIDE SETBACK	25 FT
REAR SETBACK	30 FT**

** VARIANCE FOR FRONT SETBACK REDUCTION TO 50-FT IN ORDER TO SAVE EXISTING TREES IN THE REAR OF EACH LOT.



PROJECT NO.	PROJECT DATE	DATE
	8/28/23	
REV. NO.	REVISIONS	

Exhibit A - Rendering



Exhibit A - Rendering



Community Zoning Information Meeting (CZIM)

July 12, 2023

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

Z-23-08 / V-23-13 / 10355 Waters Road Tract

NAME	ADDRESS	COMMENTS
Neryo Zavalunov	570 Waterview Trl Alpharetta, GA 30022	
John Ejumajowo	10365 Waters Road Alpharetta GA 30022	
Alyson & Chuck Pollak 770-841-2949	580 Waterview Trail Alpharetta GA 30022	
Germya Hall	10155 LAUREN HALL CT ALPHARETTA GA 30022	
Amy Munkovic	32 HALL CT Alpharetta	

CITIZEN PARTICIPATION FORM - PART B

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

Public Hearing or Project Name: Neryk

Contact Name: Neryo Zavulunov Telephone: 770-715-8803

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.

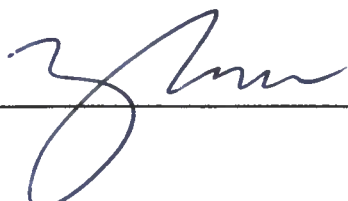
Barbi D'Ambruso - Waters Cove HOA Manager.
Asked about rezoning and communities concern
about trees being removed. I responded and addressed
the issue saying I was planning to plant Leyland Cypress

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

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

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

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

Signature of Authorized Agent: 

Date: 7/11/23

Print Form



19th May 2023.

Pollack Charles I & Alyson C,
580 waterview Trl,
Alpharetta GA 30022.

Dear Sir,

NOTICE OF REZONING: 10355 Waters Road Alpharetta Ga 30022.

We applied to the City of Alpharetta for the rezoning of the above-mentioned property from the current AG zoning classification to R-12.

The R12 zoning requested is consistent with all the neighborhoods on Waters Road. Below are some of the neighborhoods surrounding our property and their zoning classification:

- Lauren Hall – R-12
- Dunmoor – R-12
- Milton Park – R-12
- Hampshire Manor – CUP (R-12)
- Woodbrooke East – R1-2
- Waters Cove – CUP (R-12)

- Birkdale – R12
- Etc

Also, despite requesting R-12 zoning all our lots are larger than R-15, with our smallest lot being 18,102sqft.

The purpose of the rezoning is to enable the development of 3-Units of Single-Family Residence of about 5,000 Sqft each, on the subject property.

Attached is the preliminary site layout and the schematic design of the proposed homes.

Should you have any questions please feel free to contact the owner on mrnervo02@gmail.com.

Yours sincerely,

Neryo Zavulunov

A handwritten signature in purple ink, appearing to read 'Neryo', with a large, stylized initial 'N' and a trailing flourish.

MEMORANDUM

To: Community Development Department
City of Alpharetta

From: Charles I. Pollack 
580 Waterview Trail
Alpharetta, Georgia 30022

Date: July 13, 2023

Re: 10355 Waters Road (the “Property”)
Case Numbers Z-23-08 and V-23-13 (the “Application”)

The below is offered in **opposition** to the Application for rezoning of the Property and issuance of the requested concurrent variance¹.

1. Standards for Consideration. Section 4.2.3 of the Uniform Development Code sets for the standards upon which the Application is to be considered. Included within those standards are the following criteria:
 - 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.
 - b. Whether the zoning proposal will adversely affect the natural environment.
 - c. Whether there are substantial reasons why the property cannot or should not be used as currently zoned.
 - d. Whether the zoning proposal is supported by new or changing conditions not anticipated or reflected in the existing zoning on the property.
 - e. 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.

¹ Quite significantly, the Application indicates that it is for a rezoning **only** as noted on first page of the Application, as well as the Applicant’s response under “Applicant’s Request” on the second page of the Application. The Application does not properly seek any variance.

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

Each of the above criteria is discussed below.

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.

Discussion:

The Property is currently zoned AG, which allows its current use. Nearby properties are zoned either AG or residential and are used as such (with the adjoining property currently under development).

While the residential *use* requested in the Application is generally typical of nearby properties, there are significant factual differences which requires **denial** of the Application.

- (i) The nearby properties are in developed neighborhoods, with streets, curbs, gutters, and in most cases, sidewalks, with *limited access* to Waters Road. Conversely, the Application seeks *direct access* to Waters Road via a shared driveway. There are no other properties along Waters Road with shared driveways. Moreover, nearly all of the properties having direct access to Waters Road have been that way for decades – long before construction of the existing Waters Road neighborhoods. Thus, as proposed, **this development would be an aberration as compared to nearby properties.**
- (ii) Each of the nearby neighborhoods has its own stormwater detention facilities. As proposed, the Applicant has made no accommodation for stormwater detention, and apparently is simply

planning for all runoff to disburse on the public right of way.

- (iii) Traffic along Waters Road² has increased substantially over the years, and what was once a quiet road is now a major cut-through street between Jones Bridge Road³ and Kimball Bridge Road⁴, all of which is in addition to the traffic generated by the hundreds of homes in the established neighborhoods along Waters Road.
- (iv) Virtually all of the nearby neighborhoods have sidewalks along Waters Road, as well as left-turn lanes and/or deceleration lanes for managing ingress/egress to Waters Road – this includes adjoining neighborhoods of Akunna Court (under construction), and Waters Cove, as well as the adjacent neighborhoods of Hampshire Manor, Milton Park, Lauren Hall, Dunmoor, and Wrights Mill Place. The site plans submitted with the Application do not propose such improvements.
- (v) There are no nearby properties which front on Waters Road, other than properties developed many years ago, and long before any of the established Waters Road neighborhoods. As to those homes which *do* front on Waters Road, (A) all have AG zoning, just as the Property currently has, and (B) nearly all are larger than the proposed subdivided lots on the Property, including each of the following parcels:

² Functionally classified as a “Major Collector” road on the Georgia DOT’s functional classification map.

³ Functionally classified as a “Minor Arterial” on the on the Georgia DOT’s functional classification map.

⁴ Functionally classified as a “Major Collector” road on the on the Georgia DOT’s functional classification map, although portions are designated as a “Minor Arterial” on the City of Johns Creek Master Plan.

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<u>Tax Parcel No.</u>	<u>Address</u>
12 315009180172	– 10795 Waters Road
12 315009180214	– 10790 Waters Road
12 315009180131	– 10715 Waters Road
11 005000100251	– 10640 Waters Road
11 006000110332	– 10480 Waters Road

If AG zoning is suitable for use of the above parcels,
it is certainly suitable for use of the Property.

**b. Whether the zoning proposal will adversely affect the
natural environment.**

Discussion:

The property is heavily wooded and provides a natural visual and acoustic buffer between residences in Waters Cove neighborhood and Waters Road. Removal of numerous trees, as the Application proposes, will materially and adversely affect the natural environment and will have a material adverse effect on the surrounding properties.

[continued on next page]

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Below is a panoramic image of the Property (which is located immediately behind the fence shown in the photo) as it presently exists looking towards Waters Road (which can't be seen). The Applicant proposes to remove many of these trees.⁵



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

Discussion:

The Property is currently being used in conformity with the existing zoning, and there are no substantial reasons why the Property cannot or should not be used as currently zoned.

The Applicant's residence adjoins the Property.

The Applicant purchased the Property in October 2022, with the intent of having his parents reside upon the Property.

[continued on next page]

⁵ Applicant has apparently represented that it intends to plant Leyland Cypress trees to restore the screening; however, even if that's done, it will take **years** before such plantings become effective screening. And, as discussed below, there is skepticism as to Applicant's performance of such promise.

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In order to facilitate convenient access between Applicant's residence and the Property, shortly after purchasing the Property, Applicant installed a gate in the fence separating his residence from the Property, as shown the photo below:

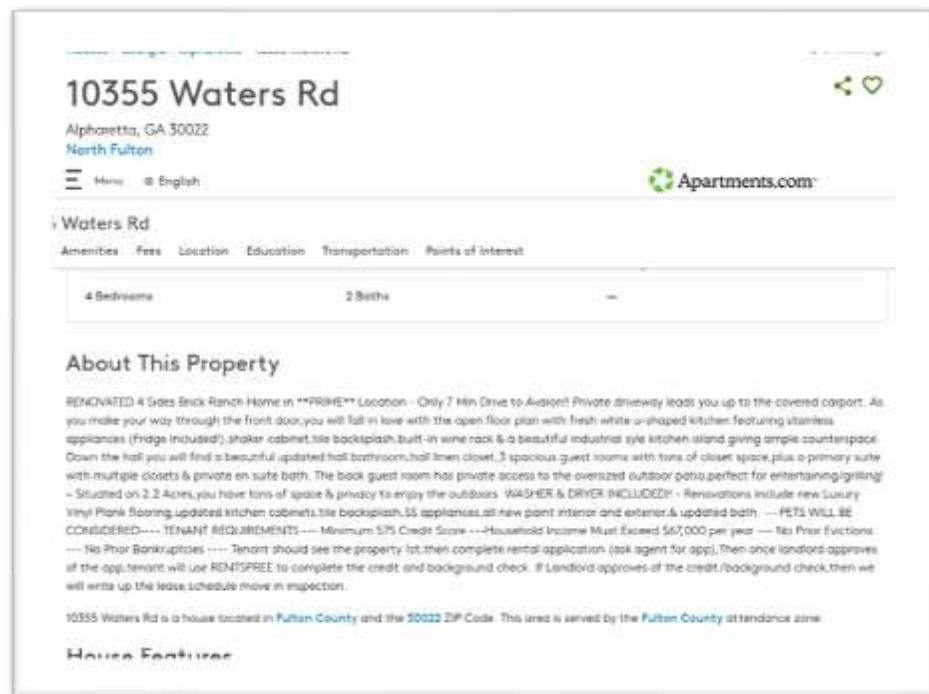


Promptly after purchasing the Property, Applicant renovated the Property, with such renovations including new luxury vinyl plank flooring, updated kitchen cabinets, tile backsplash, stainless steel appliances, all new paint interior and exterior, and an updated bath. It is unknown whether these improvements required permits, and if so, whether any required permits were obtained.⁶ If required permits for the substantial renovations were not obtained, this would be an ongoing code violation affecting the Property and should result in denial of the Application.

⁶ Upon review of the City's online permit list, no permits for this construction were found.

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Ultimately, Applicant's parents declined to live at the Property, and Applicant thereafter listed the Property for rent, touting the substantial renovations. Below is a partial screenshot of the rental listing (found at <https://www.apartments.com/10355-waters-rd-alpharetta-ga/h97p503/>):



Upon information, belief, and observation, the Applicant's efforts were successful, and the Property is currently leased. Thus, any claim that the Property cannot be used as currently zoned is patently false, and unsupported by existing conditions.

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

Discussion:

There are no new or unanticipated changing conditions which impact the Property or mandate a rezoning of the Property.

Nearby properties have consistently been developed and used for single family residential purposes, and the subject Property has been consistently used for one single family residence for 20+ years (and more likely, decades).

What *has changed* over the years is the traffic on Waters Road, and increased usage of Waters Road as a cut-through street between Jones Bridge Road and Kimball Bridge Road. As both commercial and residential development in the cities of Johns Creek and Alpharetta increase, traffic along Waters Road will similarly increase. In fact, the right-turn only lane from Kimball Bridge Road to Waters Road, constructed as part of the Kimball Bridge Road improvements, facilitates such increased traffic, as do the recent (and soon to commence) Jones Bridge Road improvements made by the City of Johns Creek. In other words, Waters Road is “getting it from both ends.”

- e. 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.**

Discussion:

As noted above, the Property is currently used in conformity with the existing zoning, and such continued use strikes a reasonable balance.

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

Discussion:

The Property is currently used in conformity with the existing zoning, and such use can continue. There are no substantial reasons why the property cannot be used in accordance with

existing zoning, and in fact, the existing zoning is entirely appropriate.

2. Other Significant Considerations.

- a. The Applicant's proposed site plan shows three (3) structures which are shoe-horned into long narrow lots, and as proposed, will have offset or angled frontage along Waters Road; the proposed lots are *not perpendicular* to either the right of way or to any of the Property's boundary lines. This unusual configuration and orientation are unlike that seen in existing nearby neighborhoods. Additionally, the photos of proposed homes included with the Application shows homes which are incompatible with those planned lots. The homes depicted are narrow and deep, while the photos show the opposite (wide and shallow). Although they may be attractive looking homes, it is not feasible to build those homes on those proposed lots.
- b. Given the removal of a substantial number of trees, and consequent elimination of the natural visual and auditory buffer between at least 6 homes in Waters Cove Subdivision (and front entrance to Waters Cove) and Waters Road, it is reasonable to presume that the rezoning and planned development will have a material adverse effect on the property values of those homes, and perhaps several others in the neighborhood which value such natural visual and auditory buffer. The replacement of the hundreds of removed trees with Leyland Cyprus (or similar) trees does not offset this damage; doing so will give an artificial appearance and, more significantly, will take *years* before any modicum of screening is restored. While the Applicant claims to be increasing the tax value of the Property, the tax values of 6 or more other properties is likely to decrease as a direct result of Applicant's proposed development.
- c. The Applicant sent a notification letter regarding the rezoning (the "Notice Letter"), a copy of which is attached as Exhibit "A." With respect to the Notice Letter:

- (i) The Notice Letter states a preliminary site layout and schematic design of the proposed homes was enclosed. Whether intentional or inadvertent, there were **no enclosures** with such letter.
 - (ii) Under Section 4.2.2, subsection A.5. of the City's Uniform Development Code, the content of the Notice Letter is required to be sent by the Applicant and is required to "*state the time, place and purpose of the Public Hearing...*" The Notice Letter failed to include such information. Furthermore, I have received through the mail no written notification containing the date(s) of any public hearings on the Application.
 - (iii) The Notice Letter claims that the rezoning is consistent with all surrounding neighborhoods. Notwithstanding Applicant's claims, each of the surrounding neighborhoods have curb and gutter, as well as adequate stormwater facilities. Several of these neighborhoods also have sidewalks, as well as left-turn lanes and/or deceleration lanes for managing ingress/egress to Waters Road. These are all things which the Property lacks, and which are not planned based upon the site plan accompanying the Application. Apparently, vehicles turning left into the Property will stop traffic along a busy Waters Road, and stormwater runoff will simply flow down onto Waters Road. These are unacceptable conditions which pose a danger to the public.
- d. The Application (on page 15) requires the Applicant to explain or defend its response to certain questions. In each case, Applicant provided only simple conclusory answers, giving no basis explaining or defending same as is required.
- e. The Applicant lacks experience with development and has shown a disregard for existing Codes.

- (i) As noted above, the Applicant's residence is adjacent to the Property. Below are photos of the Applicant's rear yard which shows:

- A. Applicant constructed a stone patio and firepit (shown in the photo below), possibly with utilities, within the required 25-foot setback required by Uniform Development Code Section 4.4.5 (K), and certainly within any required landscape strip. Applicant should be required to remediate this condition by removing the offensive structure.



[continued on next page]

- B. Applicant also constructed a significant and covered outdoor kitchen and stone patio with electrical and other utility services (pictured below), possibly within the landscape strip, and certainly within the required setback. Applicant should be required to remediate this condition and remove the offensive structure.



It is undetermined whether the Applicant secured permits which may have been required for either the firepit or the outdoor kitchen, although given the locations of each, it is likely no permits were obtained.⁷

⁷ Upon review of the City's online permit list, no permits for this construction were found.

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It is noted that to construct the firepit and outdoor kitchen, as well as to install artificial turf in the remaining portion of the rear yard, Applicant removed multiple trees. It is undetermined whether Applicant had secured permits for same as required by City Code, although given the extensive work, it is likely no permits were obtained.

Finally, as shown in the above photos, there remains only one (1) substantive tree located on Applicant's lot, and it is shown as being tethered with a ratcheting strap to a tree located on the Property (presumably for the purpose of straightening the tree). Perhaps this is not a Code violation, although it would appear to a layperson that such action is unusual and could risk the health of the tree.

As to the Property itself, upon information and belief (as well as visual and auditory confirmation), within a few days after purchasing the Property the Applicant was cutting trees; according to the City Arborist, no permits were obtained for such activity. Applicant's conduct is consistent with their practice of flaunting applicable City Code requirements. More significantly, insofar as the required permit for the recent tree cutting was not obtained, this would be an ongoing code violation affecting the Property and should result in denial of the Application.

- f. The Application states, *"The existing subdivisions of Hampshire Manor, Waters Cove, Lauren Hall and the new development next door under construction, Akunna Court supports our proposal."*

Just to be clear, the Waters Cove neighborhood does not “support” the proposal....in fact, the most affected homeowners are vehemently opposed to the proposed rezoning and planned development. Further, upon discussing the Application with a Board Member of the Lauren Hall Homeowners Association, they were unaware of the proposed rezoning prior to the Application’s filing, and do not support the proposal. To the extent the word “support” is used as a synonym for “consistent with,” for reasons noted elsewhere, the proposed rezoning and planned development is not consistent with surrounding neighborhoods.

- g. The Applicant’s letter of intent regarding the Property claims that, *“[o]f the three units proposed, one will be occupied by the developer/owner as a primary residence....”* Nowhere in the Application does the identity of the developer appear, and the Property “owner” (i.e., Applicant) currently resides upon an adjoining property as his primary residence. Applicant’s statement appears to be misleading, and perhaps an intentional misrepresentation intended to engender sympathy or gain an advantage with the City in support of the Application.

3. Additional comments arising from the Community Zoning Information meeting (“CZIM”)

- a. Applicant appeared at the CZIM with John Ejumejowo (“John”) who was introduced as the “developer.” When asked about his development experience, John represented that he is an engineer⁸, has 20+ years’ experience, and has developed property all over the metro Atlanta area. When questioned about specific development experience in the Alpharetta area, John said he was developing the adjacent property, Akunna Court, and unequivocally stated that is the only other Alpharetta area property with which he has experience. **This appears to be a lie, as John was the applicant on case number Z-21-01 (360 Brady Place, Alpharetta).** In fact,

⁸ Although he claims to be an engineer, according to the Georgia Secretary of State’s online database, there is no licensed engineer with the name “John Ejumejowo” in the State of Georgia.

numerous portions of the subject Application are taken, almost verbatim, from the Brady Place application, even including representations that the owner/developer intended to live upon that property as a principal residence. One should question why John's involvement in this proposed project is omitted and withheld from the Application. Is there a reason why John is hiding behind the Applicant?

- b. Applicant was specifically questioned regarding the statement that he intends to live in one of the proposed houses as his principal residence. Rather than admitting this may be a misstatement, Applicant "doubled down" on the assertion. While certainly within the realm of possibility, it is highly unlikely that Applicant would sell his existing residence – adjoining the Property – which he occupies with his wife and several young children, thereby walking away from the substantial improvements made to same (such as the firepit, outdoor kitchen, and recent indoor kitchen remodel), as well as the amenities afforded by the Waters Cove neighborhood (such as a pool), in exchange for a residence with no amenities and fronting on a busy street such as Waters Road.
- c. Applicant and John were asked about stormwater runoff insofar as the Property has no on-site facilities, and none are shown on the proposed site plan. While the Applicant was unable to address the inquiry, John said that stormwater would either run down to Waters Road where it would be caught in the gutter or would be allowed to runoff onto property in the adjacent Akunna Court subdivision; noting that the Property is topographically higher than Akunna Court. Given the proposed addition of significant impervious improvements to the Property, future stormwater runoff will be much more than currently exists, and the Applicant's/John's explanation as to how this will be dealt with gives little serious consideration to the issue.

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4. Conclusion.

Maintaining the current zoning on this Property is entirely consistent with its prior use, its current use, and the Comprehensive Land Use Plan. Maintaining the current zoning and denying the Application would not deny the Applicant any right to use the Property. Moreover, maintaining the current zoning would preserve the value of nearby properties which otherwise would be directly and adversely impacted by rezoning and development of the Property *as proposed*.

Development of property needs to be undertaken in a responsible manner, and Applicant's desire to shoehorn 3 uncommonly oriented homes upon the Property is **not responsible development**. It deviates from other properties fronting on Waters Road (none of which have 3 houses sharing a single driveway), proposes to remove hundreds of trees (including many in the right of way), fails to adequately deal with stormwater, and creates potentially hazardous traffic conditions due to the absence of left-turn and deceleration lanes.

Further, given the Applicant's demonstrated disregard for applicable City Codes, there is no assurance that Applicant will comply with any conditions of zoning or development which may be imposed, nor is there any assurance that Applicant will undertake any required or promised remediation actions.

For the above reasons, it is respectfully requested that the Application be **DENIED**.



19th May 2023.

Pollack Charles I & Alyson C,
580 waterview Trl,
Alpharetta GA 30022.

Dear Sir,

NOTICE OF REZONING: 10355 Waters Road Alpharetta Ga 30022.

We applied to the City of Alpharetta for the rezoning of the above-mentioned property from the current AG zoning classification to R-12.

The R12 zoning requested is consistent with all the neighborhoods on Waters Road. Below are some of the neighborhoods surrounding our property and their zoning classification:

- Lauren Hall – R-12
- Dunmoor – R-12
- Milton Park – R-12
- Hampshire Manor – CUP (R-12)
- Woodbrooke East – R1-2
- Waters Cove – CUP (R-12)

- Birkdale – R12
- Etc

Also, despite requesting R-12 zoning all our lots are larger than R-15, with our smallest lot being 18,102sqft.

The purpose of the rezoning is to enable the development of 3-Units of Single-Family Residence of about 5,000 Sqft each, on the subject property.

Attached is the preliminary site layout and the schematic design of the proposed homes.

Should you have any questions please feel free to contact the owner on mrnervo02@gmail.com.

Yours sincerely,

Neryo Zavulunov

A handwritten signature in purple ink, appearing to read 'Neryo', with a large, stylized initial 'N' and a trailing flourish.

SUPPLEMENTARY MEMORANDUM

To: Community Development Department - City of Alpharetta

From: Charles I. Pollack

Date: August 14, 2023

Re: 10355 Waters Road (the "Property")
Case Numbers Z-23-08 and V-23-13 (the "Application")



A previous opposition to the Application (the "Opposition") was filed with the City of Alpharetta, Community Development Department. Recently, and subsequent to filing the Opposition, additional information was provided on behalf of John Ejumejowo ("John"). Based on this additional information, the following clarifications are offered to prevent any unintended suggestions about John's qualifications or character or other misunderstanding of certain points contained in the Opposition:

1. The Opposition correctly mentioned that John was the applicant on case number Z-21-01 (360 Brady Place, Alpharetta); however, it should be noted that such application was withdrawn before any action was taken thereon or on the underlying project. Accordingly, it would be fair to say that John simply misunderstood when questioned about his Alpharetta development experience and did not intend to lie.
2. The Opposition contained a footnote which stated "... there is no licensed engineer with the name "John Ejumejowo" in the State of Georgia...." While the footnote was not refuted, it was explained that John has engineering experience and received his bachelor of Civil Engineering degree from Nnamdi Azikiwe University, Awka, Nigeria.

The statements in the Opposition were factually correct; however, based on the recent information, John was not "hiding behind the applicant" as stated in the original Opposition, and to the extent the above statements may have been misleading, caused any misunderstanding, or may have cast John in a negative light or impugned his reputation, such was never the intent.

The above clarifications are offered to give a more complete explanation of the matters noted, based on the recently provided information. The foregoing clarifications do not diminish the underlying basis of the Opposition or the continued request that the Application be **DENIED**.

Consideration of this matter is appreciated.

Email to mwoodman@alpharetta.ga.us

Michael Woodman
Planning & Development Services Manager
Community Development Department
City of Alpharetta
2 Park Plaza
Alpharetta, Georgia 30009

Re: 10355 Waters Road
Case Numbers Z-23-08 and V-23-13

Dear Mr. Woodman,

We are in receipt of information in connection with the above referenced rezoning matter. Upon review of that information, including a response to the application filed by our neighbor Charles Pollack, please inform the responsible parties that the we **OPPOSE THE REZONING APPLICATION**, for many of the same reasons noted in Mr. Pollack's filing.

Please let the Planning Commission and City Council know of our opposition to the rezoning application.

Thank you.

Signature: *Diane Saliceti & Joseph Saliceti*
Print Name: Diane Saliceti and Joseph Saliceti
Address: [REDACTED]
[REDACTED]

From: [Neryk Zavulunov](#)
To: [Woodman, Michael](#); [Jackson, Tracy](#); [john ejumejowo](#)
Subject: Fwd: Rezoning matter
Date: Monday, July 17, 2023 12:34:29 PM

----- Forwarded message -----

From: <chuckpollack@bellsouth.net>
Date: Fri, Jul 14, 2023 at 10:09 AM
Subject: Rezoning matter
To: <mrnervo02@gmail.com>

Neryk,

I wanted to follow-up on our discussion last night and think it's unfortunate the way it ended. As next-door neighbors, it would benefit both of us to keep open the lines of communication.

Let me confirm that my opposition to your rezoning application is not personal in any way, shape or form. This is entirely about your rezoning request, which I believe would negatively affect my property if it were to be approved *as proposed*.

As I mentioned last night, I think three houses on awkwardly oriented lots (together with the setback reduction you've requested) is inappropriate for that property. However, while three lots is too many, I am not anti-development, and I believe we could come to an agreement subdividing the property into two lots with sufficient setbacks, screening, and perhaps other reasonable conditions. I am certainly willing to work with you on that possibility and, if we can come to an agreement, I'd withdraw my opposition.

An early Good Shabbos,

Chuck

One other note....It was me who drafted and signed the document which opposed the rezoning request. It is not necessary for Yelena to anyone else to criticize Alyson

regarding that document, as she had no hand in drafting it.

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

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: Neryo Zavulunov Telephone: 770-715-8803

Address: 570 Waterview Trl Suite: _____

City: Alpharetta State: GA Zip: 30022 Fax: _____

Mobile Tel: 770-715-8803 Email: mrnervo02@gmail.com

Subject Property Information:

Address: 10355 Waters Road Alpharetta Current Zoning: AG

District: 1st Section: 1 Land Lot: 35 & 36 Parcel ID: 11 006000350243

Proposed Zoning: R12 Current Use: SFH

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): _____ | |

APPLICANT REQUEST AND INTENT

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

The proposed used is 3 units of single family homes

Applicant's Request (Please itemize the proposal):

We are requesting rezoning from AG to R12 for the development of 3 units of detached single family homes.

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

The purpose of the rezoning is to enable the development of 3-Units of Single-Family Residence of about 5000 Sqft each, on the subject property.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Neryo Zavulunov

Telephone: 770-715-8803

Address: 570 Waterview Trl, Alpharetta GA 30022

Suite: _____

City Alpharetta

State: GA

Zip: 30022

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: Neryo Zavulunov

Telephone: 770-715-8803

Address: _____

Suite: _____

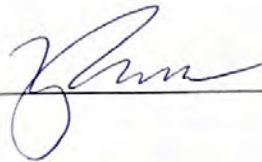
City Alpharetta

State: GA

Zip: 30022

So Sworn and Attested:

Owner Signature: _____



Date: _____

4/21/23
5/17/23

Notary:

Notary Signature: _____



Christopher S Marshall Jr
NOTARY PUBLIC
Gwinnett County, GEORGIA
My Commission Expires
09/19/2026

Date: _____

4/21/2023

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: Neryo Zavulunov

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: N/A

Position: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Description of Contribution: N/A

Value: N/A

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature: _____



Date: 5/17/23

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The R12 zoning requested is consistent with all the neighborhoods on Waters Road. Below are some of the neighborhoods surrounding our property and their zoning classification: Lauren Hall – R-12, Dunmoor – R-12, Milton Park – R-12, Hampshire Manor – CUP (R-12), Woodbrooke East - R1-2, Waters Cove - CUP (R-12), Birkdale – R12 etc

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

The proposed zoning is compatible with the surrounding, as the proposed homes will be of similar sizes as the nearby homes. Overall it will increase the value of the nearby homes.

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

No. The current classification of AG is very restrictive and reduces the value of the 2.2acre lot to just a single dwelling of limited size.

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

There would be negligible impact on traffic and population with the introduction of 3 homes into the neighborhood.

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

There will be no negative impact on schools and utilities because the property shall introduce just two families into the neighborhood. However, the property taxes and other fees that the city shall derive from the proposed development, shall be substantially higher than it's current tax value.

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

Yes, the proposal is consistent with the City's Comprehensive Plan. The subdivisions nearby the property including Hampshire Manor, Waters Cove, and the subdivision currently under development are all zoned CUP.

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

The existing subdivisions of Hampshire Manor, Waters Cove, Lauren Hall and the new development next door under construction, Akunna Court supports our proposal.

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

Due to the triangular shape of lot 1, the 18,102sqft lot enough buildable space. We therefore request a 50ft front setback and a 25ft rear setback from the right-of-way and rear property line respectively.

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

This variance does not create unnecessary hardship.

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

Lot 1 is shaped like a right-angle triangle.

Would relief, if granted, cause substantial detriment to the public good or impair the purpose and intent of the Zoning Code? Please defend your response.

No.

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: Neryk

Contact Name: Neryo Zavulunov Telephone: 770-715-8803

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.

See attached list.

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

☒

Letter

☐

Personal Visits

☐

Telephone

☐

Group Meeting

☐

Email

☐

Other *(Please Specify)*

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

Contact information of the owner including emails and phone numbers will be made available to the public for questions and clarification.

WRIGHTS MILL COMMONS HOMEOWNERS
ASSN INC
100 A WRIGHTS MILL PL
ALPHARETTA GA 30022

HERTZ GEDALYA & HERTZ RUTH
10135 LAUREN HALL CT
ALPHARETTA GA 30022

TURNER SHANE
10145 LAUREN HALL CT
ALPHARETTA GA 30022

ROY SAPTARSHI & ROY RUCHIRA
10155 LAUREN HALL CT
ALPHARETTA GA 30022

FAGES SUSAN B & JEFFREY T
10165 LAUREN HALL CT
ALPHARETTA GA 30022

RAZA ALIYA
10170 LAUREN HALL CT
ALPHARETTA GA 30022-7586

MENDEZ MARIO & SIMONE P
10175 LAUREN HALL CT
ALPHARETTA GA 30022

VALEANU MARIUS VALEANU MIHAELA
10180 LAUREN HALL CT
ALPHARETTA GA 30022

STEHL ANDREW & LANDIS EMILY
10185 LAUREN HALL CT
ALPHARETTA GA 30022

RUBYOR MICHAEL J & PATIENCE J
10190 LAUREN HALL CT
ALPHARETTA GA 30022

YOUSIF AZIZ VICTOR
10195 LAUREN HALL CT
ALPHARETTA GA 30022

DUEVE DAVID
10205 LAUREN HALL CT
ALPHARETTA GA 30022

CROCKER SHIRLEY R
10355 WATERS RD
ALPHARETTA GA 30022-6520

REEVES PATRICIA M & REEVES STUART
10435 CENTENNIAL DR
ALPHARETTA GA 30022

FERNANDES ERROL & FERNANDES ANNA
MARIA SALDANHA
10445 CENTENNIAL DR
ALPHARETTA GA 30022

FINO VERONICA S & MARK D
10455 CENTENNIAL DR
ALPHARETTA GA 30022

LAVERY ADRIAN LAVERY SARAH
10465 CENTENNIAL DR
ALPHARETTA GA 30022

WEITZEL CHARLES J & GINA L
10820 CENTENNIAL DR
ALPHARETTA GA 30022

FOLEY PETER J & COTTILLE FOLEY NORA C
10830 CENTENNIAL DR
ALPHARETTA GA 30022

COLWELL HARRY D & CLARISSE
10835 CENTENNIAL DR
ALPHARETTA GA 30022

SHADEED DAVID M & ELLEN M
10840 CENTENNIAL DR
ALPHARETTA GA 30022-4757

SCHROEDER MARK S & LYNN M
10850 CENTENNIAL DR
ALPHARETTA GA 30022

PENN MICHAEL A & MICHELLE S
10860 CENTENNIAL DR
ALPHARETTA GA 30022

MING ZHUANG & LIU JIM
10870 CENTENNIAL DR
ALPHARETTA GA 30022

LEGGETT RONALD EUGENE
10880 CENTENNIAL DR
ALPHARETTA GA 30022

HAYSMAN AMY
115 MILTON PARK CT
ALPHARETTA GA 30022

HAMARMAN WILLIAM B & CHARLOTTE
115 RATCLIFF COVE
ALPHARETTA GA 30022

HESS JUSTIN D & CAROLINE M
125 MILTON PARK CT
ALPHARETTA GA 30022

LOW CHU BING
125 RATCLIFF COVE
ALPHARETTA GA 30022

HOMEOWNERS ASSOCIATION
2555 WESTSIDE PKWY STE 600
ALPHARETTA GA 30004

MITRA NILOY & CHATTERJEE SOMDUTTA 3635 MILTON PARK DR ALPHARETTA GA 30022	MC GUIGAN DIARMUID & COOPER ELIZABETH ALEXANDRA 3640 MILTON PARK DR ALPHARETTA GA 30022	NELSON MICHAEL R & NELSON ELIZABETH W 3645 MILTON PARK DR ALPHARETTA GA 30022
SWAMINATHAN VENKATARAMANAN & VENKATARAMANAN MALATHI 3650 MILTON PARK DR ALPHARETTA GA 30022	RIFINO MICHAEL A & LISABETH A 3655 MILTON PARK DR ALPHARETTA GA 30022	CHIANG FREDERICO LAU & CHIANG EMILY PUI 3660 MILTON PARK DR ALPHARETTA GA 30022
ODEH FATHI 3665 MILTON PARK DR ALPHARETTA GA 30022	ROSS KIARA & VALENTINE MALCOLM 3675 MILTON PARK DR ALPHARETTA GA 30022	MAHRE HSUEH YUN & MARK 3680 MILTON PARK DR ALPHARETTA GA 30022
JACOBS WILLIAM JEFFREY & JACOBS LOUANNE SHEMAINE 3690 MILTON PARK DR ALPHARETTA GA 30022	ZHU LILI 3700 MILTON PARK DR ALPHARETTA GA 30022	BAE SANG G & BAE SUNNY SUNAH 3705 MILTON PARK DR ALPHARETTA GA 30022
ABDULHAMEED QUSSAI A & BELDAWI NEEDA 3710 MILTON PARK DR ALPHARETTA GA 30022	BALACHANDRAN VINAY A 3715 MILTON PARK DR ALPHARETTA GA 30022	HELFRICH RICHARD A & KRISTIN L 3720 MILTON PARK DR ALPHARETTA GA 30022-5801
O CONNOR ROBERT J 500 WATERVIEW TRL ALPHARETTA GA 30022	SONG HYO JIN & KIM EUN JIN 505 WATERVIEW TRL ALPHARETTA GA 30022	HUTCHINS ROBERT A & ELISE 510 WATERVIEW TRL ALPHARETTA GA 30022
PANCOAST BRETT DAVID & PANCOAST TIFFANY J 520 WATERVIEW TRL ALPHARETTA GA 30022	ACKERMAN LISA R & SCOTT 530 WATERVIEW TRL ALPHARETTA GA 30022	RUBOVITZ JASON EVAN & ADRIENNE ELIZABETH 540 WATERVIEW TRL ALPHARETTA GA 30022
REN SHUIE 5525 WAKE FORREST RUN DULUTH GA 30097	MANSARAY M ISMAIL & FELICIA 560 WATERVIEW TRL ALPHARETTA GA 30022	KATZ RENEE S & NORMAN V 570 OLDE LAUREN CT ALPHARETTA GA 30022
ZAVULUNOV NERYO & MORDUKHAYEV YELENA 570 WATERVIEW TRL ALPHARETTA GA 30022	RIAZ ABDULLAH & RIAZ MEHWISH MUSA 580 OLD LAUREN ALPHARETTA GA 30022	POLLACK CHARLES I & ALYSON C 580 WATERVIEW TRL ALPHARETTA GA 30022
BURK IAN ANDREW & CUNICO PAIGE SARAH 585 OLDE LAUREN CT ALPHARETTA GA 30022	SALICETI JOSEPH & SALICETI DIANE ELKINS 590 WATERVIEW TRL ALPHARETTA GA 30022	RACIOPPI JEROME L 600 WATERVIEW TRL ALPHARETTA GA 30022

BRANDON KENNETH MICHAEL & HEIDI V
605 WATERVIEW TRL
ALPHARETTA GA 30022

GUSAEFF SAMANTHA & GUSAEFF JEFFREY
610 WATERVIEW TRL
ALPHARETTA GA 30022

YANG TAI SEN MARK & SHYU LILY
615 WATERVIEW TRL
ALPHARETTA GA 30022

BRUNNY JAMIE D & PAMELA J
620 WATERVIEW TRL
ALPHARETTA GA 30022

OZEL HASAN & JOANNA
625 WATERVIEW TRL
ATLANTA GA 30022

WATERS ROAD VENTURE LLC
6250 SHILOH RD STE 20
ALPHARETTA GA 30005

EBENEZER ROAD VENTURE L L C
6250 SHILOH RD STE 330
ALPHARETTA GA 30005

GINN ROBIN GINN CARL
630 WATERVIEW TRL
ALPHARETTA GA 30022

JULIE J SAMSEL LIVING TRUST THE
635 WATERVIEW TRL
ALPHARETTA GA 30022

FAUSZ CORALYN M
640 WATERVIEW TRL
ALPHARETTA GA 30022

FANG YI & CHEN SUE CHEN
645 WATERVIEW TRL
ALPHARETTA GA 30022

ROTTNER MICHAEL L
650 WATERVIEW TRL
ALPHARETTA GA 30022

MC GINLEY JAMES M & CONSTANCE M
655 WATERVIEW TRL
ALPHARETTA GA 30022

SCOTT STEPHEN J & LOUISE L
660 WATERVIEW TRL
ALPHARETTA GA 30022

KRUG STEVEN G & MONA Y
665 WATERVIEW TRL
ALPHARETTA GA 30022

SOUTHARD JOHN M & MELISSA W
670 WATERVIEW TRL
ALPHARETTA GA 30022

SPECTOR SCOTT A & TINA M
675 WATERVIEW TRL
ALPHARETTA GA 30022

SEHER PARSEG & LANDRY JULIE
685 WATERVIEW TRL
ALPHARETTA GA 30022

WANG SHIH WEI & SHU YING
695 WATERVIEW TRL
ALPHARETTA GA 30022

ODOM RAYMOND & BEVERLY
705 WATERVIEW TRL
ALPHARETTA GA 30022

OKPARA ANTHONY I
715 WATERVIEW TRL
ALPHARETTA GA 30022

ZEHR TIMOTHY & CORINNE
9845 LAUREN HALL CT
ALPHARETTA GA 30022

ISHAM MARK & ELIZA
9855 LAUREN HALL CT
ALPHARETTA GA 30022

RUBEL KYLE C & COURTNEY N
9865 LAUREN HALL CT
ALPHARETTA GA 30022

LEE HANNAH Y & JUNG HONG
9885 LAUREN HALL CT
ALPHARETTA GA 30022

LIM KYU T
9970 LAUREN HALL CT
ALPHARETTA GA 30022

HALL LAUREN HOMEOWNERS ASSN INC
P O BOX 2458
ALPHARETTA GA 30023-2458

HULL MICHAEL G
US NSE HQ ISAF CJ2 CJOC
APO AE 09356-9997

17th April 2023.

The Planning Commission,
Department of Community Development,
2, Park Plaza, Alpharetta,
GA, 30009.

Dear Sir,

**LETTER OF INTENT TO REZONE 10355 Waters
Road Alpharetta Ga 30022.**

We hereby apply to the City of Alpharetta for the rezoning of the above-mentioned property from the current AG zoning classification to R-12.

The R12 zoning requested is consistent with all the neighborhoods on Waters Road. Below are some of the neighborhoods surrounding our property and their zoning classification:

- Lauren Hall – R-12
- Dunmoor – R-12
- Milton Park – R-12
- Hampshire Manor – CUP (R-12)
- Woodbrooke East - R1-2
- Waters Cove - CUP (R-12)
- Birkdale – R12
- Etc

Also, despite requesting R-12 zoning all our lots are larger than R-15, with our smallest lot being 18,102sqft.

The purpose of the rezoning is to enable the development of 3-Units of Single-Family Residence of about 5,000 Sqft each, on the subject property.

The Architectural style of the homes will be very similar to the new subdivision currently under construction. Upon completion, it will conform to the cohesive and orderly townscape in the City. Of the three units proposed, one will be occupied by the developer/owner as a primary residence and the other will be put up for sale to the public. Attached is the site layout and the schematic design of the proposed homes.

We hope our submission meets the minimum requirements for this development as we look forward to your favorable consideration.

Yours sincerely,

Neryo Zavulunov

A handwritten signature in black ink, appearing to be 'Neryo Zavulunov', written in a cursive style.



HB 76 NOTE, EFFECTIVE MAY 08 2017
 Code Section 15-6-67, iii
 This plat is a retacement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real estate. The purpose of this plat is to provide information of documents, maps, plats, or other instruments which created the parcel or parcels are stated herein. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL, STATE, OR FEDERAL AGENCY. THIS PLAT IS NOT A WARRANTY OF TITLE, OR GUARANTEE OF ACCURACY, OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. THE PLAT IS NOT A WARRANTY OF TITLE, OR GUARANTEE OF ACCURACY, OR MEETS THE minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.G.C.A. Section 15-6-67.

SURVEY NOTES:

- 1.) ALL DISTANCES ON SURVEY ARE HORIZONTAL DISTANCES.
- 2.) ALL DISTANCES ON SURVEY ARE SHOWN AS "GROUND" DISTANCES.
- 3.) ALL DISTANCES ON SURVEY ARE EXPRESSED IN U.S. SURVEY FEET
- 4.) ALL ANGULAR DIRECTIONS ARE EXPRESSED IN DEGREES, MINUTES AND SECONDS.
- 5.) IF PRESENT STREAMS ORIGINATING OR FLOWING THROUGH THE MAPPED PROPERTY ARE CONSIDERED STATE WATERS AND ARE SUBJECT TO LOCAL GOVERNMENT BUFFER AND SETBACK REQUIREMENTS.
- 6.) THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS OF WAY BOTH PUBLIC AND PRIVATE. ALL MATTERS OF TITLE ARE EXCEPTED.
- 7.) EQUIPMENT USED FOR FIELD MEASUREMENTS IS A GEOMAX TOTAL STATION.
- 8.) FIELD WORK AND MAP PREPARED BY D.S.
- 9.) ALL PINS SET ARE FOUND ARE 1/2" DIAMETER REBARS UNLESS OTHERWISE NOTED.
- 10.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A LEGAL TITLE SEARCH, AND IS SUBJECT TO ANY AND ALL DISCLOSURES PRODUCED BY SAME INCLUDING EASEMENTS WHETHER OR NOT SHOWN ON THIS PLAT. THIS SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON, EDITING OR REPRODUCTION WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

SURVEY NOTES:
CREW = DS / DS
FIELD DATE: 03-13-2023
EQUIPMENT = GEOMAX TOTAL STATION
FIELD DATA ERROR OF CLOSURE = 1' IN 26,300'
ANGULAR DATA ERROR 05" PER POINT
FIELD DATA WAS NOT ADJUSTED.
DRAWN = D.S.
MAP DATE : 03-18-2023
MAPPED BOUNDARY ERROR OF CLOSURE = 1' IN 133041'

LEGEND

- PROPERTY CORNER WITHOUT MONUMENT
 ● MONUMENTED PROPERTY PER DESCRIPTION
 CTP CRIMPED TOP PIPE
 R/W RIGHT OF WAY
 DB DEED BOOK
 PB PLAT BOOK
 PG PAGE
 N/F PRESENT OR FORMER OWNER
 IP/S IRON PIN SET FUTURE
 IP/F IRON PIN FOUND
 L.L. LAND LOT
 L.L.L. LAND LOT LINE
 P.O.B. POINT OF BEGINNING
 CL CENTERLINE
 * = TREE LOCATION
 XXX = TREE NUMBER PER TAG

AREA
1.50 ACRES

THIS PARCEL OF LAND IS NOT IN THE 100 YEAR
FLOOD PLAIN ACCORDING TO F.E.M.A/ F.I.R.M.
MAP# 13121C0067 F, DATED 09-18-2013

LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY IS DETERMINED BY OBSERVABLE EVIDENCE ONLY. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, CLAIMS, PRESCRIPTION AND SUBSURFACE CONDITIONS THAT ARE NOT VISIBLE OR RECORDED. THIS PLAT IS INTENDED FOR THE PARTIES STATED ON THE FACE OF SURVEY. USE OF THE SURVEY BY THIRD PARTIES IS AT THEIR OWN RISK.

REFERENCES:

1. DB66289, PG. 8 SUBJECT PROPERTY
2. PLAT OF SURVEY FOR PIASKEY HOLDINGS LLC BY NEIL A. MCWHORTER DATED 3-23-2022
3. DB4080, PG 597 60' RIGHT OF WAY

MAP OF BOUNDARY AND TREE SURVEY FOR:

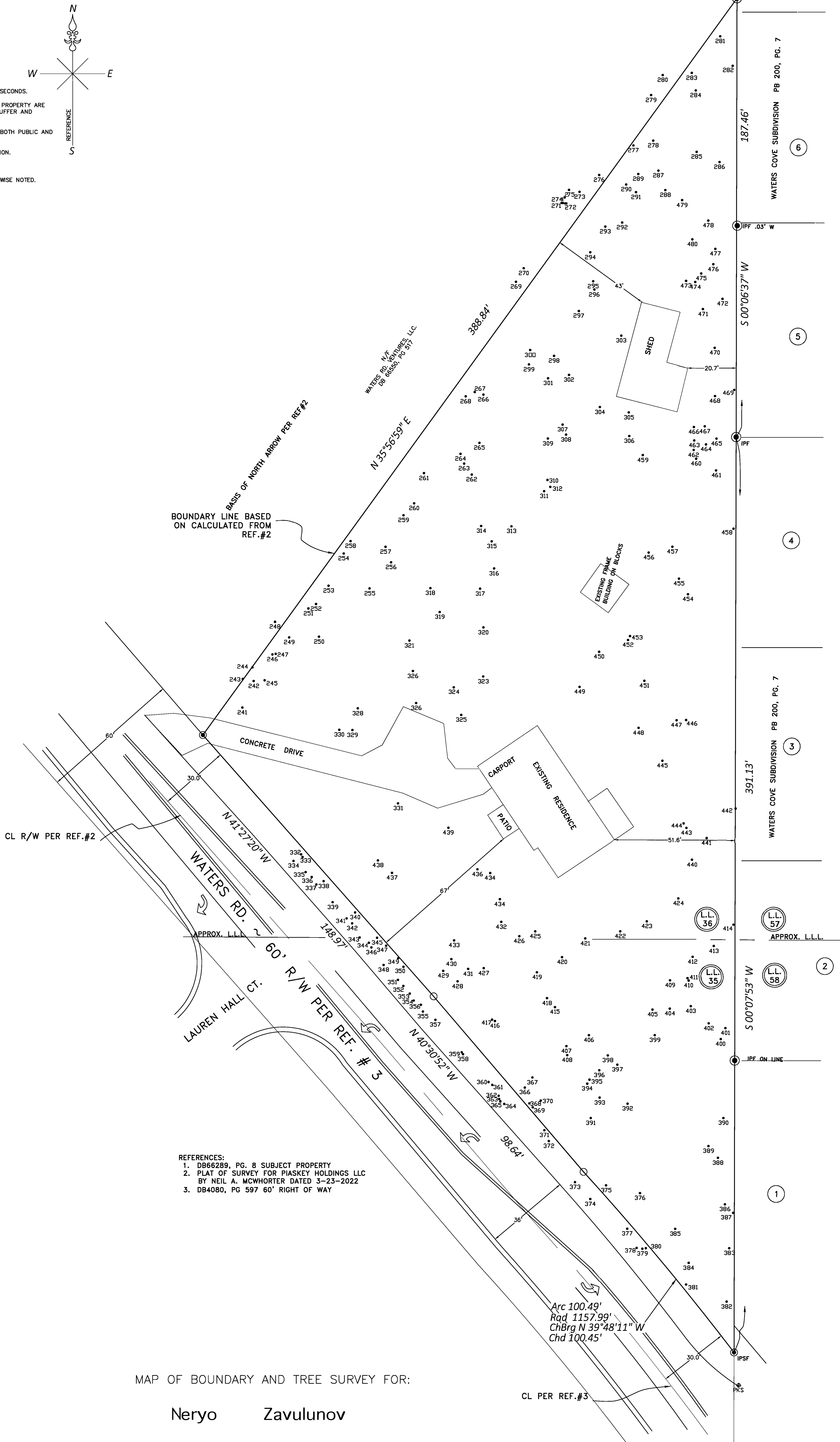
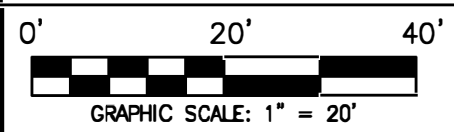
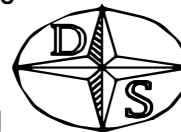
Neryo Zavulunov

ADDRESS: 10355 WATERS RD., ALPHARETTA
LAND LOTs: 35 & 36, DISTRICT: 01, SECTION: 01
FULTON COUNTY, GEORGIA

JOB NUMBER: 23-070

PREPARED BY:
D&S LAND SURVEYING, INC.

DAVID W. SHIRLEY, RLS #267
P.O. BOX 4968
CANTON, GA 30114
770-720-4443
DSSURVEYMAILBOX@GMAIL.COM
DSLNDGA.COM



COMMENCE at a one-half-inch rebar at the intersection of the northeasterly 60 foot right-of-way of Waters Road and the land lot line common to land lots 35 and 58; which is the POINT OF BEGINNING; thence along said right-of-way the following courses and distances: following a curve to the left, said curve having a radius of 1157.99 feet, a chord bearing of North 39 Degrees 48 Minutes 11 Seconds West and a chord length of 100.45 feet to a point; thence North 40 Degrees 30 Minutes 52 Seconds West a distance of 98.64 feet to a point; thence North 41 Degrees 27 Minutes 20 Seconds West a distance of 148.97 feet to a point in a concrete drive; thence leaving said right-of-way North 35 Degrees 56 Minutes 59 Seconds East a distance of 388.84 feet to a one-inch axel; thence South 00 Degrees 06 Minutes 37 Seconds West a distance of 187.46 feet to a one-half-inch rebar; thence South 00 Degrees 07 Minutes 53 Seconds West a distance of 391.13 feet to a one-half-inch rebar on the northeasterly 60 foot right-of-way of Waters Road; which is the POINT OF BEGINNING; having an area of 1.50 acre, more or less.





			AM PEAK			PM PEAK		
Land Use (ITE Code)	Intensity	Daily Total	In	Out	Total	In	Out	Total
Single Family Detached (210)	3 Units	6.06	-	3	3	3	-	3

(Trip Generation, 11th Edition, ITE)

*His Hands Tree Preservation, LLC.
PO Box. 441241
Kennesaw, GA. 30160
Phone: (404) 661-2700
Email: HisHandsTP@gmail.com
ISA Certified Arborist WI-0338AT
ISA Certified Tree Worker
ISA Qualified Tree Risk Assessor*

TREE INVENTORY

*10355 Waters Road
Alpharetta, GA 30022*

Prepared For:
[Neryo Zavulunov](#)

Assessor:
Robert Brettschneider
His Hands Tree Preservation, LLC
Owner
ISA Certified Arborist
#WI-0338AT ISA Certified Tree
Worker
ISA Qualified Tree Risk Assessor

March 3, 2023

On March 3, 2023, Robert Brettschneider, Owner of His Hands Tree Preservation LLC. and an International Society of Arboriculture (ISA) Certified Arborist, conducted the onsite tree assessment and inventory. This assessment aimed to verify sizes and evaluate the biological and structural health of the trees being potentially impacted during the construction.

All trees 6 inches in diameter and larger were inventoried. The specimen-sized trees were also assessed for insect infestations, disease pressures, structural defects, biological decline, and overall health. The health and structural assessment was performed as a visual ground assessment.

The following criteria per the City of Alpharetta Unified Development Code were used to determine Boundary/Shared Trees or Specimen Tree statuses. The potential impacts and necessary treatments were based on the critical root zone impacts.

Specimen Tree: Any tree that qualifies for special consideration for preservation due to its size, type, condition, location, or historical significance and which also meets the minimum size criteria set forth below.

- *Pine Trees:* 30-inch diameter or larger for trees in the Pinus (Pine) genus.
- *Coniferous Trees:* 20-inch diameter or larger for trees in the Cedrus (deodar cedar), Thuja (Arborvitae), or other ecologically similar trees.
- *Overstory Trees:* 30-inch diameter or larger for trees in the Liquidambar (Sweetgum) or Liriodendron (Tulip poplar) genus, 20-inch diameter or larger for trees in the Fagus (Beech), Nyssa (Tupelo), Diospyros (Persimmon), Sassafras (Sassafras), or other ecologically similar trees, 20-inch diameter or larger for Magnolia grandiflora (Southern magnolia) and those cultivars that generally reach a mature height over 40 feet, 24-inch diameter or larger for trees in all other genera.
- *Understory Trees:* 8-inch diameter or larger genera and 10-inch diameter or larger for Oxydendron arboretum (Sourwood).

Trees of Quality and Tree Groupings or Groves: Trees that warrant protection or preservation based upon the size, condition, special interest, character, etc.

Boundary Tree: Any tree located on adjacent property with a critical root zone will be impacted by proposed land disturbance activity.

If a Boundary Tree cannot be saved or results in encroachment into the Critical Root Zone of greater than 10%, evidence of notification to the owner of the tree will be required to be provided to the Director. This notification shall generally include the current condition of the tree, the percentage of encroachment, potential outcomes of the encroachment, and proposed tree care to offset the encroachment. In no way does this authorize any encroachment into the Structural Root Plate of a Boundary Tree.

Site Location:

The site is an approximate 1.62-acre agricultural zoned parcel with a house and sheds. This parcel of land borders the following areas. The current LDP Akunnas subdivision is to the north, residential home 560 Waterview Trail to the south, Waters Road and ROW buffer to the west, and Waters Cove Subdivision is east.

The table below summarizes the inventory and assessment of the trees on this site. All trees have been assigned a condition rating of good, fair, or poor, and comment on why. Some of the trees on the north side of the property were previously tagged from the previous inventory. Regarding the tree identification in the tables and the site plan, a metal tag number was used, starting at 240 and ending at 480. Specimen-sized trees were identified with a green and white striped ribbon. Several boundary trees needed to be identified, and the surveyor should pick up these trees during the land survey. This report can be updated based on the proposed construction impacts when the land disturbance plan is submitted.

It is understood that determining a tree's specimen status is ultimately up to the City of Alpharetta Arborist and staff.

Table Summary:

Total trees inventoried: 240

Specimen Trees inventoried: 4

Specimen Trees with defects asked to be not recompensed trees: 1

Table 1: Tree Inventory

Tree ID	Diameter	Tree	Condition		Specimen Tree	Comments
#	Inches	Common Name	Biological	Common Name	"X"	
240	23	PINE	GOOD	FAIR		#422 CO-DOMINANT LEADERS
241	15	PINE	FAIR	FAIR		#423 CO-DOMINANT LEADERS
242	20	PINE	FAIR	FAIR		#424 CANKER IN TRUNK
243	7	SWEETGUM	GOOD	GOOD		
244	24	PINE	GOOD	FAIR		
245	16	SWEETGUM	GOOD	GOOD		
246	8	SWEETGUM	GOOD	GOOD		#2016
247	9	WATER OAK	GOOD	GOOD		#2015
248	7	SWEETGUM	GOOD	GOOD		
249	10	WATER OAK	GOOD	GOOD		
250	10	RED MAPLE	GOOD	GOOD		
251	6	ELM	GOOD	GOOD		
252	22	PINE	GOOD	GOOD		
253	10	SWEETGUM	GOOD	GOOD		
254	10	SWEETGUM	GOOD	GOOD		
255	7	WATER OAK	GOOD	GOOD		
256	9	SWEETGUM	GOOD	GOOD		
257	7	SWEETGUM	GOOD	GOOD		
258	7	RED MAPLE	GOOD	FAIR		

259	16	PINE	GOOD	GOOD		#167
260	15	PINE	GOOD	GOOD		#168
261	7	BEECH	GOOD	GOOD		#171
262	19	PINE	GOOD	GOOD		#173
263	15	PINE	GOOD	GOOD		#172
264	10	SWEETGUM	GOOD	GOOD		
265	20	PINE	GOOD	GOOD		#174
266	17	PINE	FAIR	GOOD		
267	7	PINE	POOR	FAIR		CANOPY DECLINE
268	6	HACKBERRY	GOOD	GOOD		
269	6	BRADFORD PEAR	GOOD	FAIR		INVASIVE
270	6	BRADFORD PEAR	GOOD	FAIR		INVASIVE
271	6	RED OAK	FAIR	FAIR		
272	9	SWEETGUM	FAIR	FAIR		#2147
273	16	PINE	GOOD	GOOD		3126
274	21	PINE	GOOD	FAIR		#2146
275	9	PINE	GOOD	GOOD		LEAN
276	7	ELM	GOOD	GOOD		
277	11	PINE	FAIR	FAIR		
278	8	OAK	GOOD	GOOD		
279	8	BLACK CHERRY	FAIR	FAIR		TREE LOCATED ON CONSTRUCTION PROPERTY
280	20	PINE	FAIR	FAIR		TREE LOCATED ON CONSTRUCTION PROPERTY

281	18	SWEETGUM	GOOD	GOOD		TREE LOCATED ON CONSTRUCTION PROPERTY
282	6	TULIP POPLAR	GOOD	GOOD		TREE LOCATED ON CONSTRUCTION PROPERTY
283	9	TULIP POPLAR	GOOD	GOOD		TREE LOCATED ON CONSTRUCTION PROPERTY
284	21	PINE	GOOD	GOOD		TREE LOCATED ON CONSTRUCTION PROPERTY
285	22	RED OAK	GOOD	GOOD		TREE LOCATED ON CONSTRUCTION PROPERTY
286	16	RED MAPLE	GOOD	FAIR		TREE LOCATED ON CONSTRUCTION PROPERTY
287	9	PINE	GOOD	GOOD		SHARED TREE
288	7	SWEETGUM	GOOD	GOOD		SHARED TREE
289	13	PINE	GOOD	FAIR		
290	9	PINE	FAIR	FAIR		
291	9	RED OAK	GOOD	GOOD		
292	19	PINE	GOOD	GOOD		
293	16	SWEETGUM	GOOD	GOOD		
294	6	SWEETGUM	GOOD	GOOD		
295	16	SWEETGUM	GOOD	GOOD		
296	11	RED MAPLE	GOOD	GOOD		
297	20	PINE	GOOD	FAIR		

298	8	RED OAK	GOOD	GOOD		
299	17	PINE	FAIR	POOR		
300	6	HICKORY	GOOD	GOOD		#176 ROOT PLATE HEAVING
301	18	PINE	FAIR	GOOD		
302	6	ELM	GOOD	GOOD		#177
303	21	PINE	GOOD	GOOD		
304	16	PINE	FAIR	FAIR		LEAN CANKERS
305	24	PINE	GOOD	GOOD		
306	13	PINE	GOOD	GOOD		
307	19	PINE	GOOD	GOOD		
308	15	SWEETGUM	FAIR	FAIR		
309	14	PINE	FAIR	FAIR		
310	8	SWEETGUM	GOOD	GOOD		
311	20	PINE	GOOD	GOOD		
312	7	SWEETGUM	GOOD	GOOD		
313	16	PINE	GOOD	GOOD		
314	25	TULIP POPLAR	FAIR	POOR		
315	17	RED OAK	GOOD	FAIR		
316	21	PINE	GOOD	GOOD		
317	11	RED MAPLE	POOR	POOR		SEVERE CAVITY IN TRUNK AT BASE
318	13	SWEETGUM	GOOD	GOOD		
319	10	BLACK CHERRY	POOR	FAIR		SEVERE DECLINE OF CANOPY
320	12	PINE	GOOD	GOOD		

321	14	SWEETGUM	GOOD	GOOD		
322	7	SWEETGUM	GOOD	GOOD		
323	19	PINE	FAIR	GOOD		
324	20	PINE	GOOD	GOOD		
325	21	PINE	GOOD	GOOD		
326	25	PINE	GOOD	FAIR		
327	18	PINE	GOOD	GOOD		
328	27	RED OAK	GOOD	FAIR	X	
329	22	PINE	GOOD	FAIR		
330	19	PINE	GOOD	FAIR		
331	26	PINE	FAIR	FAIR		
332	9	PINE	GOOD	GOOD		
333	7	PINE	GOOD	GOOD		
334	10	PINE	GOOD	GOOD		
335	7	PINE	GOOD	GOOD		
336	12	PINE	GOOD	GOOD		
337	10	PINE	GOOD	GOOD		
338	10	PINE	GOOD	GOOD		
339	13	PINE	GOOD	GOOD		
340	9	PINE	GOOD	GOOD		
341	10	PINE	GOOD	GOOD		
342	11	PINE	GOOD	GOOD		
343	12	PINE	GOOD	GOOD		
344	11	PINE	GOOD	GOOD		
345	7	PINE	GOOD	GOOD		
346	11	PINE	GOOD	GOOD		

347	9	PINE	GOOD	GOOD		
348	13	PINE	GOOD	GOOD		
349	10	PINE	GOOD	GOOD		
350	7	PINE	GOOD	GOOD		
351	9	PINE	GOOD	GOOD		
352	11	PINE	GOOD	GOOD		
353	9	PINE	GOOD	GOOD		
354	8	PINE	GOOD	GOOD		
355	8	PINE	GOOD	GOOD		
356	12	PINE	GOOD	GOOD		
357	11	PINE	GOOD	GOOD		
358	9	PINE	GOOD	GOOD		
359	9	PINE	GOOD	GOOD		
360	7	MIMOSA	GOOD	GOOD		INVASIVE
361	13	PINE	GOOD	GOOD		
362	7	PINE	GOOD	GOOD		
363	8	PINE	GOOD	GOOD		
364	7	PINE	GOOD	GOOD		
365	11	PINE	GOOD	GOOD		
366	7	PINE	GOOD	GOOD		
367	7	PINE	GOOD	GOOD		
368	8	PINE	GOOD	GOOD		
369	7	PINE	GOOD	GOOD		
370	6	PINE	GOOD	GOOD		
371	12	PINE	GOOD	GOOD		
372	12	PINE	GOOD	GOOD		

373	9	PINE	GOOD	GOOD		
374	12	PINE	GOOD	GOOD		
375	14	RED OAK	FAIR	FAIR		
376	20	RED OAK	GOOD	GOOD		
377	7	SWEETGUM	GOOD	GOOD		
378	19	PINE	FAIR	POOR		
379	7	PINE	FAIR	FAIR		
380	8	SWEETGUM	GOOD	GOOD		
381	13	SWEETGUM	GOOD	GOOD		
382	20	RED OAK	GOOD	GOOD		
383	13	SWEETGUM	GOOD	FAIR		BRUSH PILED AROUND TREE FROM ADJACENT PROPERTY.
384	12	WATER OAK	GOOD	GOOD		
385	21	RED OAK	GOOD	GOOD		
386	17	RED OAK	GOOD	GOOD		
387	15	WATER OAK	FAIR	FAIR		
388	22	RED OAK	FAIR	FAIR		APPROX 15 DEGREE LEAN
389	22	RED OAK	FAIR	FAIR		
390	19	RED OAK	FAIR	FAIR		
391	16	PINE	GOOD	GOOD		
392	24	PINE	GOOD	GOOD		
393	20	PINE	GOOD	GOOD		
394	12	PINE	FAIR	FAIR		
395	20	PINE	GOOD	GOOD		
396	9	PINE	FAIR	FAIR		

397	16	PINE	GOOD	GOOD		
398	8	SWEETGUM	GOOD	GOOD		
399	21	PINE	FAIR	FAIR		
400	9	HICKORY	GOOD	GOOD		
401	34	TULIP POPLAR	GOOD	GOOD	X	CO-DOMINANT LEADERS
402	6	SWEETGUM	GOOD	GOOD		
403	6	RED MAPLE	GOOD	GOOD		
404	13	RED OAK	FAIR	FAIR		
405	18	PINE	FAIR	FAIR		
406	15	PINE	GOOD	GOOD		
407	23	PINE	GOOD	GOOD		
408	6	BLACK CHERRY	FAIR	FAIR		
409	7	RED MAPLE	FAIR	FAIR		
410	9	PINE	FAIR	FAIR		
411	8	PINE	FAIR	FAIR		
412	17	PINE	FAIR	FAIR		
413	23	PINE	FAIR	FAIR		
414	21	RED OAK	FAIR	FAIR		
415	21	PINE	GOOD	GOOD		
416	7	WATER OAK	GOOD	GOOD		
417	7	BLACK CHERRY	POOR	POOR		SEVERE CANOPY DECLINE AND DEADWOOD
418	16	PINE	GOOD	FAIR		DEADWOOD
419	11	HICKORY	GOOD	GOOD		
420	19	SWEETGUM	GOOD	FAIR		

421	20	PINE	FAIR	FAIR		
422	18	PINE	FAIR	FAIR		
423	8	SWEETGUM	GOOD	GOOD		
424	21	PINE	POOR	POOR		SEVERE CANOPY DECLINE. LOW % OF LIVE CROWN RATIO.
425	12	PINE	FAIR	FAIR		
426	20	PINE	FAIR	FAIR		
427	6	PINE	GOOD	GOOD		
428	7	PINE	GOOD	GOOD		
429	12	PINE	GOOD	GOOD		
430	9	PINE	GOOD	GOOD		
431	7	PINE	GOOD	GOOD		
432	20	PINE	FAIR	POOR		
433	8	PINE	GOOD	GOOD		
434	11	PINE	FAIR	FAIR		
435	25	PINE	FAIR	FAIR		
436	22	PINE	FAIR	FAIR		
437	17	SWEETGUM	GOOD	GOOD		
438	14	SWEETGUM	GOOD	GOOD		
439	23	PINE	FAIR	FAIR		
440	25	PINE	FAIR	FAIR		
441	8	SWEETGUM	GOOD	GOOD		
442	11	SWEETGUM	GOOD	GOOD		
443	22	PINE	FAIR	FAIR		
444	7	BLACK CHERRY	FAIR	FAIR		

445	24	PINE	GOOD	GOOD		
446	12	DOGWOOD	POOR	POOR	X	SEVERE CANOPY DECLINE. *ASK TO HAVE NO RECOMPENSE
447	20	PINE	GOOD	GOOD		
448	10	DOGWOOD	GOOD	GOOD	X	
449	24	PINE	GOOD	GOOD		
450	31	PINE	GOOD	FAIR		
451	8	WATER OAK	GOOD	GOOD		
452	10	RED MAPLE	GOOD	GOOD		
453	7	SWEETGUM	GOOD	GOOD		
454	6	TULIP POPLAR	GOOD	GOOD		
455	8	TULIP POPLAR	GOOD	GOOD		
456	10	RED MAPLE	GOOD	GOOD		
457	10	SWEETGUM	GOOD	GOOD		
458	15	WATER OAK	GOOD	GOOD		
459	13	TULIP POPLAR	GOOD	GOOD		
460	6	RED MAPLE	FAIR	FAIR		
461	17	SWEETGUM	FAIR	FAIR		
462	7	BLACK CHERRY	FAIR	FAIR		
463	10	PINE	FAIR	FAIR		
464	19	PINE	GOOD	GOOD		
465	15	PINE	GOOD	FAIR		
466	8	PINE	GOOD	GOOD		
467	9	PINE	GOOD	GOOD		
468	21	PINE	FAIR	POOR		

469	19	SWEETGUM	GOOD	GOOD		
470	13	PINE	GOOD	GOOD		
471	19	PINE	GOOD	GOOD		
472	8	PINE	FAIR	FAIR		
473	7	PINE	GOOD	GOOD		
474	9	SWEETGUM	GOOD	GOOD		
475	20	SWEETGUM	GOOD	GOOD		
476	9	TULIP POPLAR	GOOD	GOOD		
477	20	PINE	GOOD	GOOD		
478	16	PINE	GOOD	GOOD		
479	20	PINE	GOOD	GOOD		
480	8	SWEETGUM	GOOD	GOOD		

The above observations, discussion, and recommendations are based on my professional experience and education. It is important to note that trees are natural living things. It is impossible to predict when a tree may die or fail, significantly impacted by construction, human intervention, natural causes, or other means.

Thank you for the opportunity to assist you with this project. Please let me know if you have any questions. I can be contacted by email at hishandstp@gmail.com.



Robert D. Brettschneider
His Hands Tree Preservation, LLC.
Owner
ISA Certified Arborist WI-0338 AT
ISA Certified Tree Worker
ISA Qualified Tree Risk Assessor
Certified Pesticide Applicator GA #04207



Photos

Real Estate

View Bill

As of	4/29/2023
Bill Year	2022
Bill	2201129
Owner	CROCKER SHIRLEY R
Parcel ID	11 -0060-0035-024-3

[View payments/adjustments](#)

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2022	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00



CITY COUNCIL MEETING

STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. **AGENDA ITEM TITLE:** Z-23-09/V-23-15 THE PROVIDENCE GROUP/2325 OLD MILTON PARKWAY

PLANNING COMMISSION: SEPTEMBER 7, 2023

CITY COUNCIL: SEPTEMBER 18, 2023

II. **RECOMMENDATION:**

Approve Z-23-09/V-23-15 The Providence Group/2325 Old Milton Parkway, subject to the following conditions:

1. Approximately 4.88 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by PEC, revised 8/29/23, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A - Rendering, 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.
3. Density shall not exceed 24 dwelling units.
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 6' 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, revised 8/29/23, 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 one side and a 4' landscape strip and 5' sidewalk along the opposite side of internal streets, not including alleys, as generally depicted on the site plan prepared by PEC, revised 8/29/23. The 10' landscape strip shall be exclusive of water & sewer utilities. Should Fulton County require an unencumbered water line easement, shrubs shall replace trees on the side of the street with a 4' landscape strip.
8. Minimum 20' landscape strip and 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 along eastern property line as depicted on the site plan prepared by PEC, revised 8/29/23. A double row of evergreen and hardwood trees and shrubs shall be planted along the west property line between Unit 4 and My First Academy, as approved by Staff.
10. Project entrance shall include a decorative paver apron, landscaping, decorative low wall or fence with columns, as approved by Staff. Improvements shall be maintained by the HOA.
11. Open space shall be developed substantially similar to the site plan prepared by PEC, revised 8/29/23, 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. Developer shall save trees as depicted on the tree plan prepared by 360 Studio, revised 8/29/23.
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 or shall be screened 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 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.
19. Developer shall plant a single row of evergreen trees in the 5' landscape strip abutting the Chelsea Walk subdivision.

III. REPORT IN BRIEF:

The applicant, The Providence Group, is requesting a rezoning and variances to allow for the construction of twenty-four (24) 'For-Sale' townhomes on 4.88 acres in the Downtown. The proposed density is 4.92 dwelling units per acre. A rezoning is requested from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to allow encroachments into a non-perennial stream buffer and impervious setback, and to modify streetscape standards (sidewalk, planter, landscape strip). The subject property is located at 2325 Old Milton Parkway, 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 4.88 acres in the Downtown. The proposed density is 4.92 dwelling units per acre. The applicant proposes to rezone the property from R-12 (Dwelling, 'For-Sale', Residential) to DT-LW (Downtown Live-Work). Variances are requested to allow encroachments into a non-perennial stream buffer and impervious setback, and to modify streetscape standards (sidewalk, planter, landscape strip). The subject property is located at 2325 Old Milton Parkway, 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 2.88 acres of stream, buffers, and floodplain. Surrounding properties are zoned DT-LW to the north, O-I (Office-Institutional) and DT-LW to the east, R-4A (Dwelling, 'For-Sale', Attached Residential) to the south and R-4A, C-2 (General Commercial) and O-I to the west. Haynes Park subdivision is located to the south and west, 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 (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 encroachments (approximately 0.32 acres) by replanting sparse areas to buffer standards, buffer enhancements, and stream bank stability enhancements. If approved, additional mitigation is recommended, such as providing additional runoff reduction.

Applicant's Variance Requests

UDC Section	Applicant's Request
Downtown Overlay – UDC Section 2.3.3	Modify streetscape standards for new internal street (allow 5' sidewalk one side of street, reduce planter to 4', reduce landscape strip on one side of street to 4')
UDC Section 3.3.2(D)(1)(a)	Allow encroachments into a non-perennial stream buffer and impervious setback (14,012 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 generally 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
Applicant's Proposal	24 TH	4.88 acres	4.92 du/ac
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
Alcovy 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

SITE PLAN

The submitted site plan depicts twenty-four (24), three (3) story 'For-Sale' townhomes with access from a new entrance off Old Milton Parkway. Approximately 2.56 acres of the property will remain undisturbed due to the presence of stream, buffers and floodplain. Townhomes have

access from a new private street and four (4) alleys. All townhomes are rear-loaded and are twenty feet (20') wide. Townhomes oriented to Old Milton Parkway are depicted with a fifteen-foot (15') setback and landscape strip along the right-of-way. Chelsea Walk was approved with a fifteen-foot (15') building setback and landscape strip along Old Milton Parkway and all other developments recently approved along Old Milton Parkway in the Downtown were approved with a twenty-foot (20') building setback and landscape strip.

An eight-foot (8') sidewalk and six-foot (6') planter are depicted along Old Milton Parkway and a five-foot (5') sidewalk and four-foot (4') planter are depicted along the west side of the new private street. A twenty-foot (20') planted buffer is proposed adjacent to the medical office building to the east and a 25' natural area is depicted along the western property line. If approved, 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. Five (5) 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 101 spaces are provided on the site plan.

The site plan depicts 0.60 acres, or 12.3%, open space within the proposed development. The DT-LW district requires a minimum 10% amenity space for properties less than 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. In addition, trails are depicted around the southern pocket park and bioretention and stormwater management area. A mail kiosk is located near the southern pocket park and includes five (5) guest parking spaces.

There are approximately sixteen (16) specimen trees on the property or near the boundary of the property. Of those, the applicant proposes to remove five (5) specimen trees. An additional five (5) non-specimen trees are proposed to be removed in the stream buffer due to impacts from the development, including a sewer extension which crosses the stream in the southwest corner of the property. All other trees located in stream buffers and floodplain will be preserved. A stormwater management pond and bioretention area are depicted at the south end of the property adjacent to a pocket park.

RENDERINGS

The submitted renderings depict two (2) story over basement and three (3) story townhomes in the Greek Revival style, consisting primarily of brick with metal roof accents. Units will range in size from approximately 1,600 to 2,120 square feet and will all be three (3) 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 2.56 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, which has setbacks that are inconsistent with the Downtown vision to become a mixed-use, walkable environment. The requested zoning district 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 district is consistent with the future land use designation of the property. If approved, a twenty-foot (20') building setback and landscape strip should be provided along Old Milton Parkway.

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, which has setbacks that are inconsistent with the Downtown vision to become a mixed-use, walkable environment. The requested zoning district 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 2.88 acres of the property is encumbered by stream, buffers, and floodplain, of which the applicant requests to impact approximately 0.32 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 2.88 acres of the property is encumbered by stream, buffers, and floodplain, of which the applicant requests to impact approximately 0.32 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 2.88 acres of the property is encumbered by stream, buffers, and floodplain, of which the applicant requests to impact approximately 0.32 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 a combination of buffer enhancements 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 is generally lower than densities approved in the Downtown. Developments approved along Old Milton Parkway in the Downtown have provided a twenty-foot (20') building setback and landscape strip, except that Chelsea Walk was approved with a fifteen-foot (15') building setback and landscape strip. If approved, a twenty-foot (20') building setback and landscape strip should be provided along Old Milton Parkway.

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 2.88 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 a combination of buffer enhancements and additional runoff reduction measures.

CITIZEN PARTICIPATION PLAN

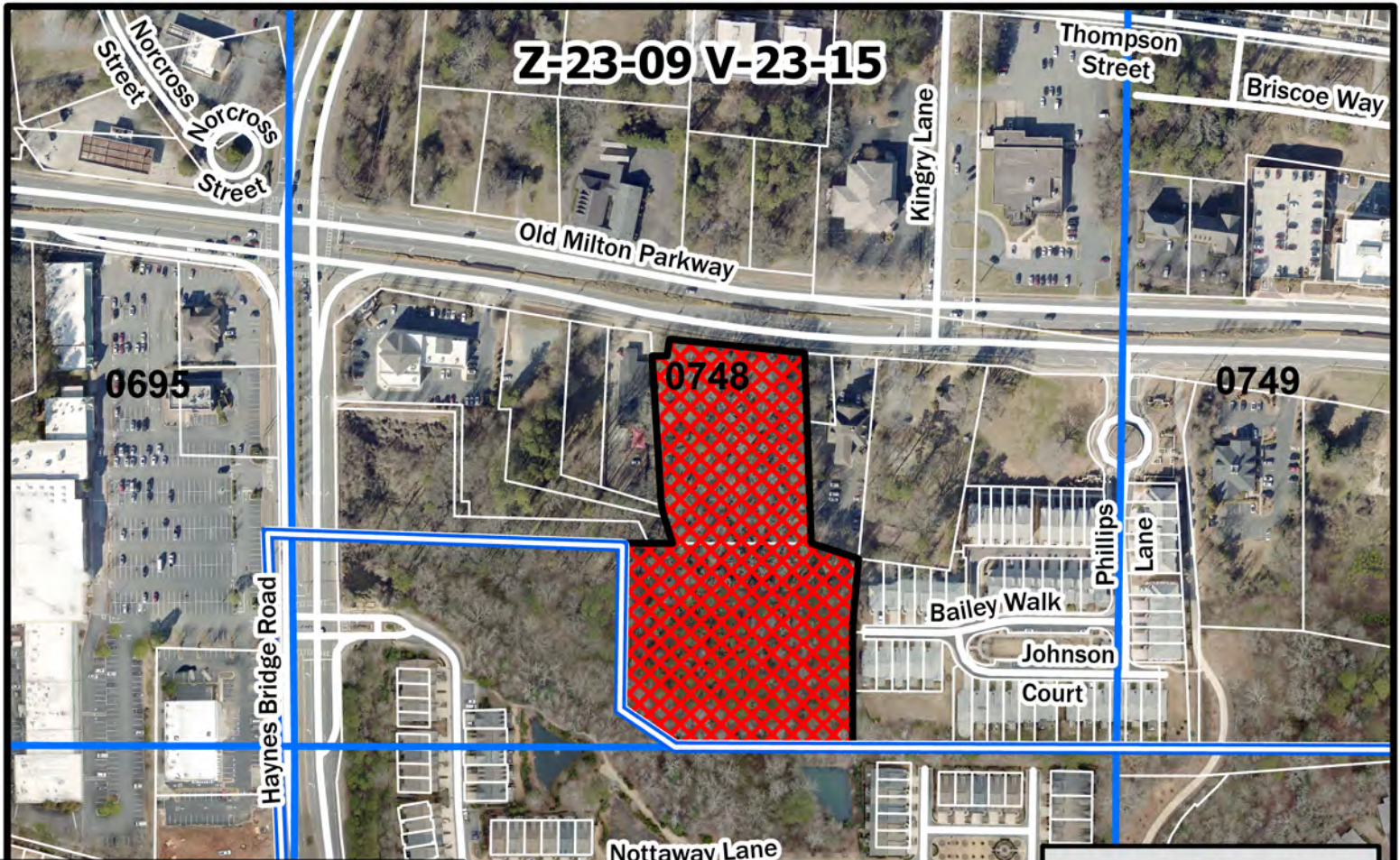
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received other than the comments at the Community Zoning Information Meeting (CZIM).

COMMUNITY ZONING INFORMATION MEETING

CZIM was held on July 12, 2023. There were public comments in support and a request to remove a dead Pine tree that could fall into Chelsea Walk.

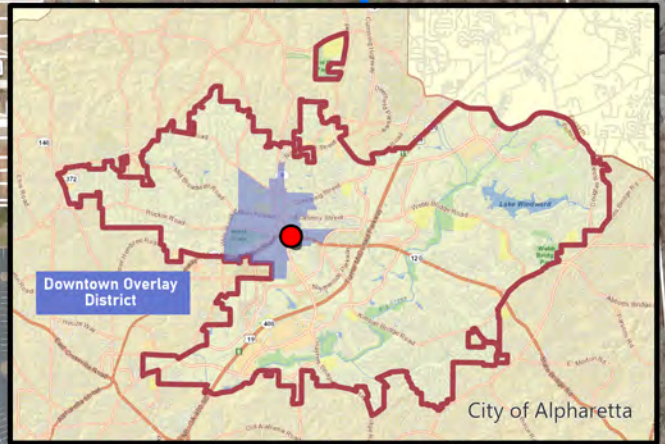
IV. ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- Latest Site Plan
- Exhibit A - Rendering
- Latest Buffer Mitigation Plan
- Latest Tree Plan
- First Amended Letter of Intent
- CZIM Sign In Sheet
- Citizen Part B
- Public Comment
- Application

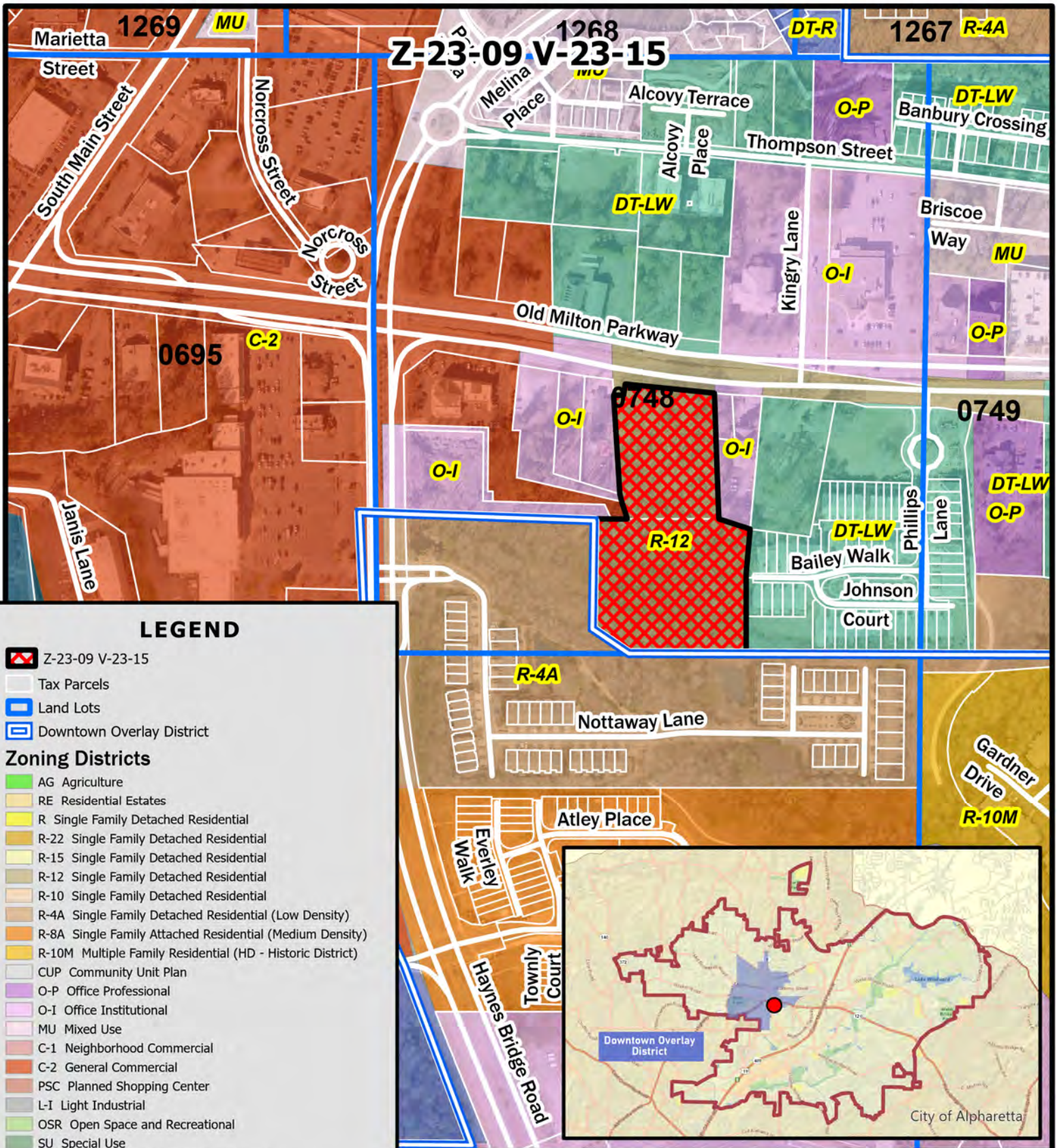


LEGEND

- Z-23-09 V-23-15
- Tax Parcels
- Land Lots
- Downtown Overlay District



Z-23-09 V-23-15
D/LL: 1/2/0748
PC: 8/03/23
CC: 8/28/23



LEGEND

Z-23-09 V-23-15

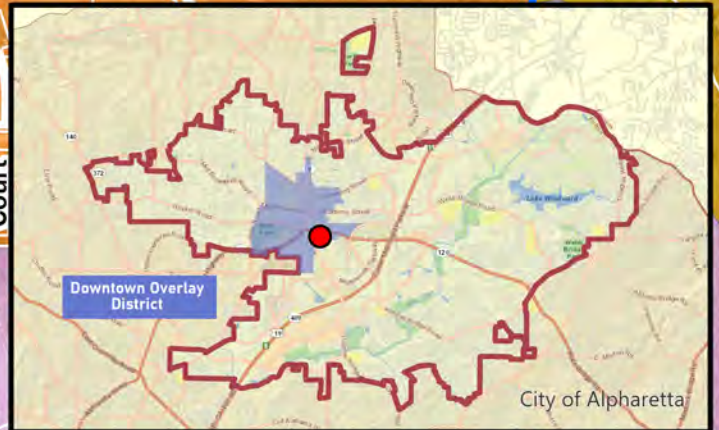
Tax Parcels

Land Lots

Downtown Overlay District

Zoning Districts

- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-22 Single Family Detached Residential
- R-15 Single Family Detached Residential
- R-12 Single Family Detached Residential
- R-10 Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-10M Multiple Family Residential (HD - Historic District)
- CUP Community Unit Plan
- O-P Office Professional
- O-I Office Institutional
- MU Mixed Use
- C-1 Neighborhood Commercial
- C-2 General Commercial
- PSC Planned Shopping Center
- L-I Light Industrial
- OSR Open Space and Recreational
- SU Special Use
- R-8D Single Family Detached Residential
- R-4D Single Family Detached Residential (Medium Density)
- R-8A/D Single Family Attached/Detached Residential
- DT-C Downtown Core
- DT-MU Downtown Mixed-Use
- DT-LW Downtown Live-Work
- DT-R Downtown Residential

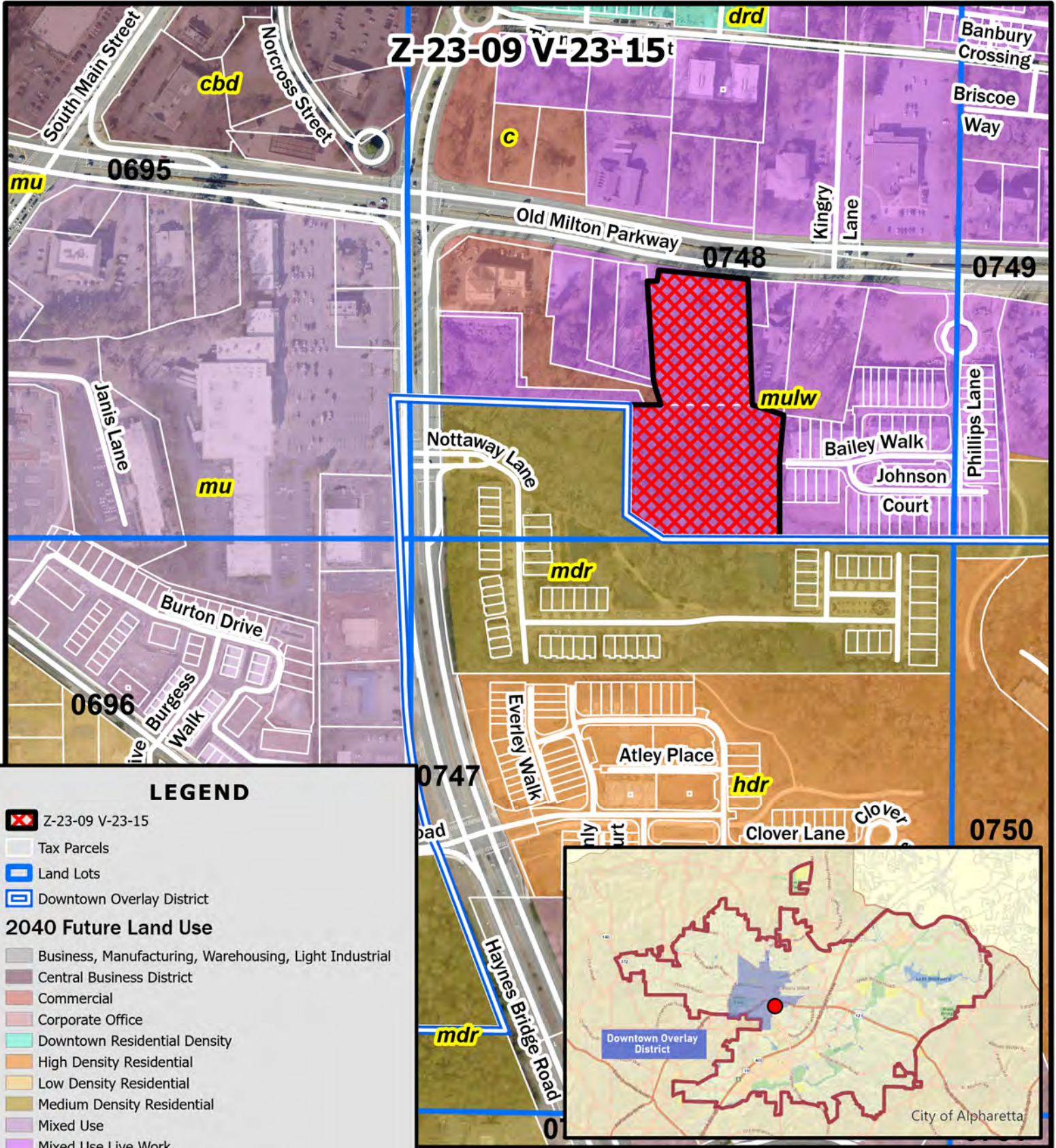


Z-23-09 V-23-15

D/LL: 1/2/0748

PC: 8/03/23

CC: 8/28/23



LEGEND

Z-23-09 V-23-15

Tax Parcels

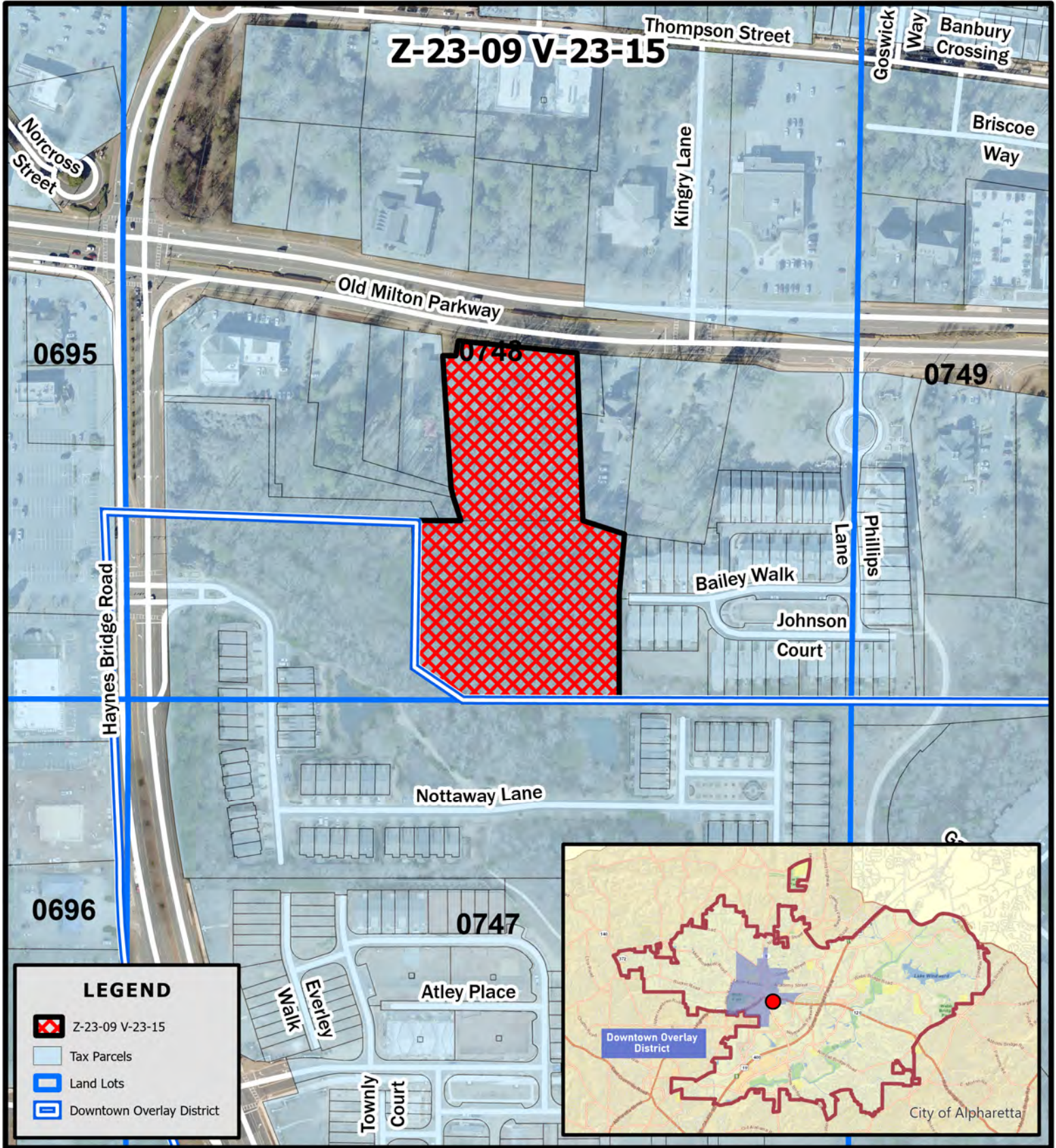
Land Lots

Downtown Overlay District

2040 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-23-09 V-23-15
D/LL: 1/2/0748
PC: 8/03/23
CC: 8/28/23



Z-23-09 V-23-15

D/LL: 1/2/0748

PC: 8/03/23

CC: 8/28/23

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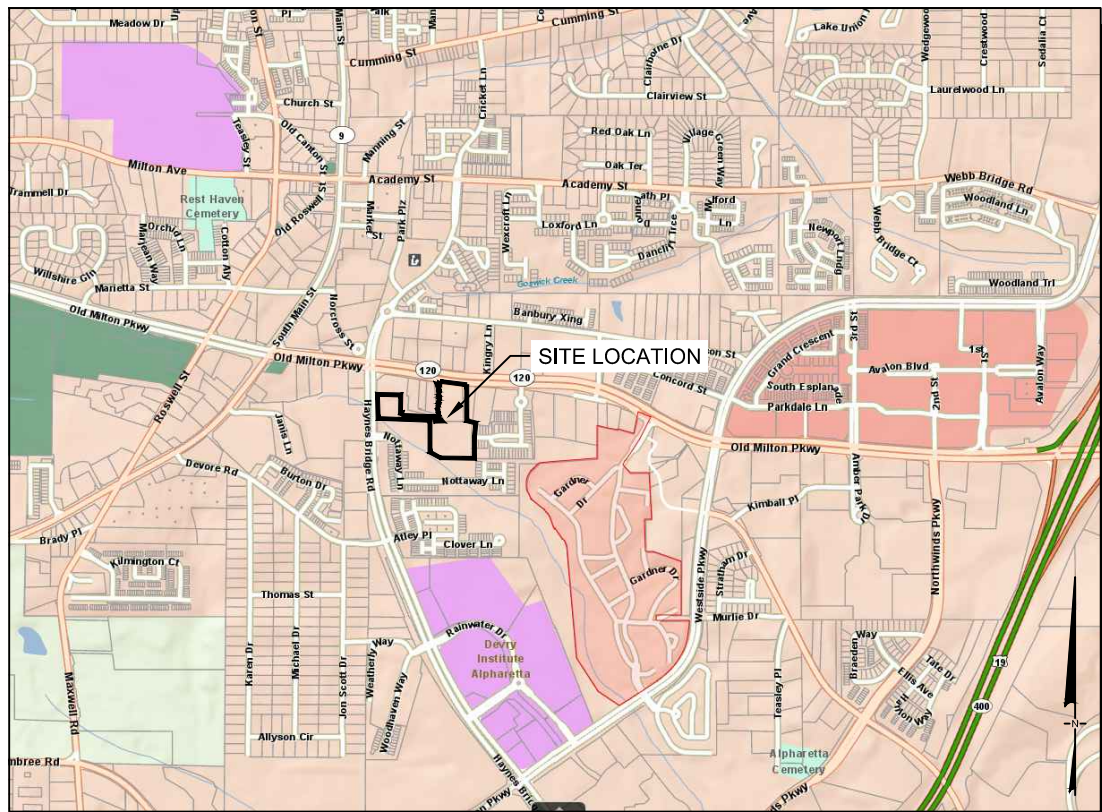
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FEMA FIRM MAP
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SITE LOCATION MAP
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SITE DATA:	
SITE AREA	4.882 ACRES
ZONING	R-12 (SFD 12,000 SF) O4 (OFFICE)
EXISTING ZONING	DT-LW (DOWNTOWN LIVE-WORK)
PROPOSED ZONING	DOWNTOWN OVERLAY
OVERLAY DISTRICT	CITY OF ALPHARETTA
ZONING JURISDICTION	
USE CALCULATIONS	
MAXIMUM ALLOWABLE DENSITY	8 UNITS PER ACRE
PROPOSED 20' REAR LOADED TOWNHOMES	24 UNITS
TOTAL PROPOSED DENSITY	24 UNITS (4.91 UPA)
SETBACK REQUIREMENTS	
FRONT SETBACK	10 FEET
SIDE SETBACK	0 FEET
REAR SETBACK	NO ALLEY- 3 FT. ALLEY- 10 FEET
DEVELOPMENT STANDARDS	
MAX BUILDING HEIGHT	40 FEET
PROPOSED MAX BUILDING HEIGHT	40 FEET
MAX LOT COVERAGE	70% (187,498.3 SF)
PROPOSED LOT COVERAGE	17% (45,520.5 SF)
MIN LOT SIZE	900 SF
PROPOSED MIN LOT SIZE	1,300 SF
MIN TOWNHOME WIDTH	20 FEET
PROPOSED MIN TOWNHOME WIDTH	20 FEET
MIN TOWNHOME SIZE	900 SF
PROPOSED MIN TOWNHOME SIZE	1,600 SF
OPEN SPACE CALCULATIONS	
CIVIC SPACE	N/A Under 5 Acres
AMENITY SPACE	0.60 ACRES (12.2% OF OVERALL SITE)
PARKING REQUIREMENTS	
TOTAL PARKING REQUIRED	48 SPACES (RESIDENTIAL- 2 SPACES PER LOT)
PROPOSED RESIDENT PARKING	48 SPACES (2 SPACES PER GARAGE)
PROPOSED GUEST PARKING	53 SPACES
TOTAL PARKING PROVIDED	101 SPACES

GENERAL NOTES:

- A STREAM BUFFER VARIANCE SHALL BE REQUESTED FOR DEVELOPMENT TO ENCOACH WITHIN THE UNDISTURBED AND IMPERVIOUS SETBACK ON THE WESTERN PROPERTY LINE. A MITIGATION PLAN HAS BEEN INCLUDED WITHIN THE REZONING SUBMITTAL.
- A VARIANCE SHALL BE REQUESTED TO ALLOW INTERNAL SIDEWALKS TO BE 5' WIDE WITH A 4' PLANTER STRIP ON EACH SIDE OF THE STREET INSTEAD OF THE REQUIRED 6' SIDEWALK AND 6' PLANTER STRIP ON EACH SIDE OF THE STREET.
- A VARIANCE HAS BEEN REQUESTED TO REDUCE THE REQUIRED 50' LANDSCAPED BUFFER ON THE EASTERN PROPERTY LINE TO A 20' PLANTED SCREENING BUFFER.
- ENTIRE SITE IS WOODED. FOR A MORE DETAILED VIEW OF SIGNIFICANT TREES WITH CRITICAL ROOT ZONES, SEE ARBORIST REPORT INCLUDED WITHIN REZONING SUBMITTAL.
- 20' PLANTED SCREENING BUFFER ON EASTERN SIDE OF PROPERTY TO BE DISTURBED ONLY FOR MINIMAL GRADING PURPOSES AND IS TO BE REPLANTED.

UTILITY NOTES:

- ALL PORTIONS OF THE WATER SERVICE LINES BEYOND THE WATER METER ARE TO BE OWNER MAINTAINED. FULTON COUNTY IS NOT RESPONSIBLE FOR THE SERVICE LINE BEYOND THE METER.
- ALL WATER METERS TO BE INSTALLED WITHIN LANDSCAPE STRIP BEHIND THE BACK OF CURB.

P: (770) 451-2741 F: (770) 451-3915

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Planners & Engineers Collaborative+

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
LAND LOT 748

CITY OF ALPHARETTA

FOR

PROVIDENCE GROUP

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	7/27/2023	CL	ZONING RESUBMISSION
2	8/2/2023	CL	ZONING RESUBMISSION
3	8/29/2023	CL	ZONING RESUBMISSION

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

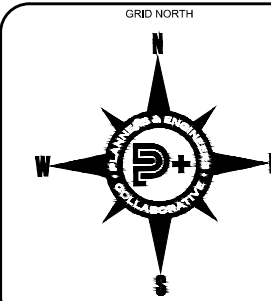


GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2024

ZONING SITE PLAN

0 15 30 60 90
SCALE: 1" = 30'

DATE: 05/22/2023
PROJECT: 15315.01A



Z1
SHEET

EXHIBIT A - RENDERINGS



EXHIBIT A - RENDERINGS



CURRENT CONDITIONS



AFTER ENHANCEMENTS



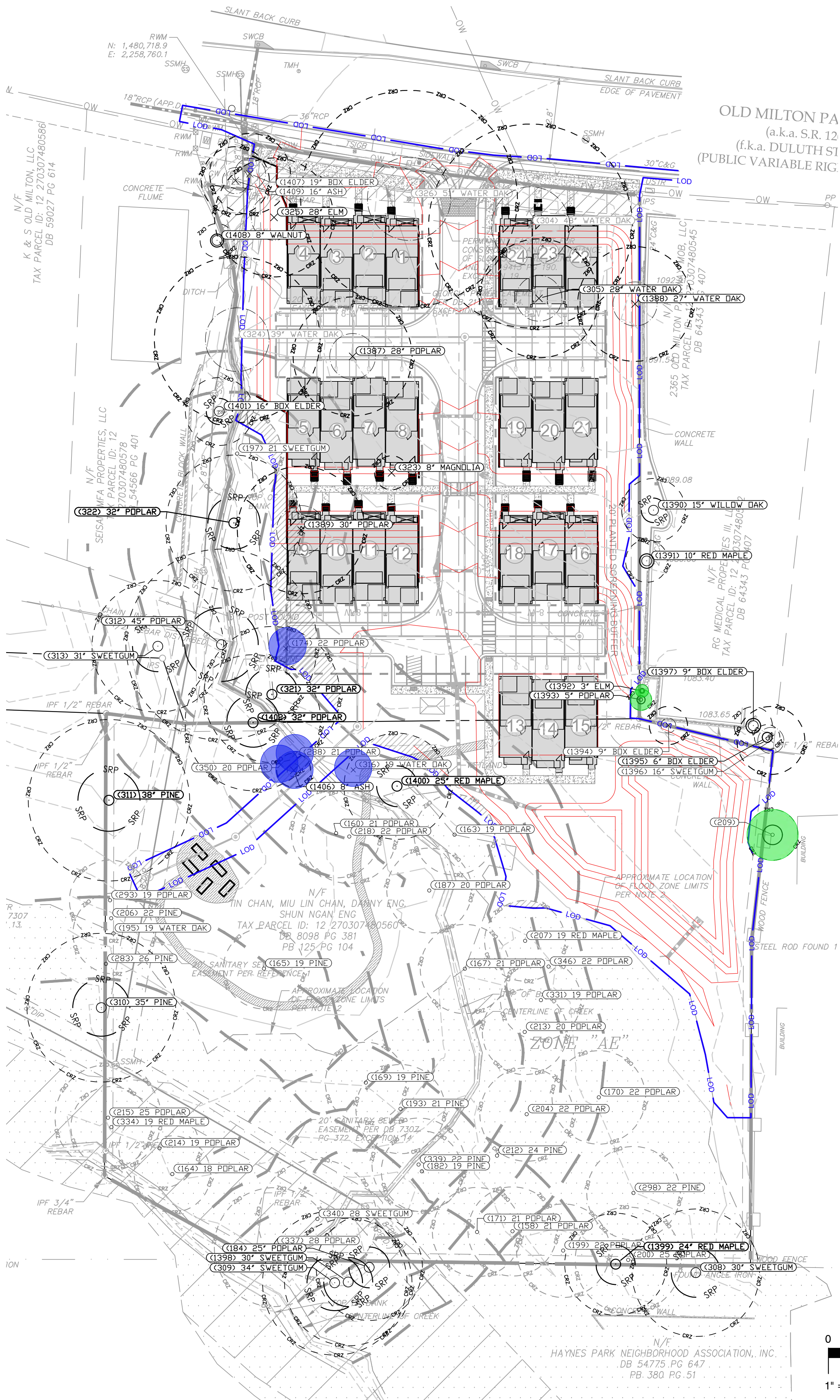
- BANK REINFORCEMENT/STABILIZATION (LIVESTAKES & VEGETATED GEOGRID)
- IMPROVED FILTRATION OF WATER
- STREAM BED CLEAN-UP
- REMOVAL OF INVASIVE SPECIES



Specimen Tree Sizes (inch caliper)	
Overstory	24
Softwood	30
Understory	8
Coniferous	20
Overstory (Persimon, Tupelo, Beech, Sassafras, Magnolia)	20
Overstory (Poplar, Sweetgum)	30
Tree of Quality	A tree that merits special consideration due to historical significance, ideal shape and structure, or uniqueness of the species as determined by the Director. Except as otherwise provided in Section 3.2., Trees of Quality will be treated as specimen trees for preservation credits and every alternative should be evaluated to save these trees.

Buffer Trees (not specimen or tree of quality)									
Buffer Trees from 7/27/23 Plan (for reference)				Buffer Trees Proposed					
Tree Number	Description	Status		Tree Number	Description	Impact	Status		Reason For Removal
158	21" Poplar	Saved		158	21" Poplar		Saved		
160	21" Poplar	Saved		160	21" Poplar		Saved		
163	19" Poplar	Saved		163	19" Poplar	6%	Saved		
164	18" POPLAR	Saved		164	18" POPLAR		Saved		
165	19" PINE	Saved		165	19" PINE		Saved		
167	21" POPLAR	Saved		167	21" POPLAR		Saved		
169	19" PINE	Saved		169	19" PINE		Saved		
170	22" POPLAR	Saved		170	22" POPLAR		Saved		
171	21" POPLAR	Saved		171	21" POPLAR		Saved		
174	22" Poplar	Saved		174	22" Poplar		Removed		Grading impacts due to internal street location
178	18" POPLAR	Saved		178	18" POPLAR		Saved		
182	19" PINE	Saved		182	19" PINE		Saved		
187	20" POPLAR	Saved		187	20" POPLAR		Saved		
193	21" PINE	Saved		193	21" PINE		Saved		
195	19" WATER OAK	Saved		195	19" WATER OAK		Saved		
197	21" Sweetgum	Saved		197	21" Sweetgum	15%	Saved		
199	22" POPLAR	Saved		199	22" POPLAR		Saved		
200	25" POPLAR	Saved		200	25" POPLAR		Saved		
204	22" POPLAR	Saved		204	22" POPLAR		Saved		
206	22" PINE	Saved		206	22" PINE		Saved		
207	19" Red Maple	Saved		207	19" Red Maple	4%	Saved		
212	24" PINE	Saved		212	24" PINE		Saved		
213	20" POPLAR	Saved		213	20" POPLAR		Saved		
214	19" POPLAR	Saved		214	19" POPLAR		Saved		
215	25" POPLAR	Saved		215	25" POPLAR		Saved		
218	22" POPLAR	Saved		218	22" POPLAR		Saved		
283	26" PINE	Saved		283	26" PINE		Saved		
288	21" Poplar	Saved		288	21" Poplar		Removed		Grading impacts due to sewer outfall
293	19" Poplar	Saved		293	19" Poplar	6%	Saved		
298	22" Pine	Saved		298	22" Pine		Saved		
316	19" Water oak	Saved		316	19" Water oak		Removed		Grading impacts due to sewer outfall
331	19" POPLAR	Saved		331	19" POPLAR		Saved		
334	19" RED MAPLE	Saved		334	19" RED MAPLE		Saved		
337	28" POPLAR	Saved		337	28" POPLAR		Saved		
339	22" PINE	Saved		339	22" PINE		Saved		
340	28" SWEETGUM	Saved		340	28" SWEETGUM		Saved		
346	22" POPLAR	Saved		346	22" POPLAR		Saved		
350	20" Poplar	Saved		350	20" Poplar		Removed		Grading impacts due to sewer outfall
				Buffer Trees Removed			7		

TREE DATA (SPECIMEN SIZE, DDH, OFFSITE)										
Tree #	DBH"	Common Name	Latin Name	Quality	Impact %	Criteria	Qualification	Inch Value	Status	Reason For Removal
209	12	WATER OAK	Quercus nigra	GOOD	1%	OVERSTORY	Offsite	12	Offsite Saved	
304	48	WATER OAK	Quercus nigra	DDH	0%	OVERSTORY	Non Specimen Tree	48	Removed	
305	28	WATER OAK	Quercus nigra	GOOD	0%	OVERSTORY	Specimen	0	Removed	
308	30	SWEETGUM	Liquidambar styraciflua	GOOD	0%	OVERSTORY	Specimen	0	Offsite Saved	
309	34	SWEETGUM	Liquidambar styraciflua	GOOD	0%	OVERSTORY	Specimen	0	Offsite Saved	
310	35	PINE	Pinus spp.	GOOD	0%	SOFTWOOD	Specimen	0	Offsite Saved	
311	38	PINE	Pinus spp.	GOOD	2%	SOFTWOOD	Specimen	0	Saved	
312	45	POPLAR	Liriodendron tulipifera	GOOD	12%	OVERSTORY	Specimen	0	Offsite Saved	
313	31	SWEETGUM	Liquidambar styraciflua	GOOD	0%	OVERSTORY	Specimen	0	Offsite Saved	
321	32	POPLAR	Liriodendron tulipifera	GOOD	17%	OVERSTORY	Specimen	0	Saved	
322	32	POPLAR	Liriodendron tulipifera	GOOD	15%	OVERSTORY	Specimen	0	Saved	
323	8	MAGNOLIA	Magnolia grandiflora	GOOD	0%	OVERSTORY	Tree of Quality	8	Removed	
324	39	WATER OAK	Quercus nigra	DDH	0%	OVERSTORY	Non Specimen Tree	39	Removed	
325	28	ELM	Ulmus spp.	GOOD	0%	OVERSTORY	Specimen	0	Removed	
326	51	WATER OAK	Quercus nigra	DDH	0%	OVERSTORY	Non Specimen Tree	51	Removed	
1387	28	POPLAR	Liriodendron tulipifera	GOOD	0%	OVERSTORY	Specimen	0	Removed	
1388	27	WATER OAK	Quercus nigra	GOOD	0%	OVERSTORY	Specimen	0	Removed	
1389	30	POPLAR	Liriodendron tulipifera	GOOD	0%	OVERSTORY	Specimen	0	Removed	
1390	15	WILLOW OAK	Quercus phellos	GOOD	7%	OVERSTORY	Offsite	15	Offsite Saved	
1391	10	RED MAPLE	Acer rubrum	GOOD	0%	OVERSTORY	Offsite	10	Offsite Saved	
1392	3	ELM	Ulmus spp.	GOOD	0%	OVERSTORY	Offsite	3	Offsite Saved	Grading adusted to preserve
1393	5	POPLAR	Liriodendron tulipifera	GOOD	0%	OVERSTORY	Offsite	5	Offsite Saved	Grading adusted to preserve
1394	9	BOX ELDER	Acer negundo	GOOD	49%	OVERSTORY	Offsite	9	Offsite Removed	Impacts from stormwater grading
1395	6	BOX ELDER	Acer negundo	GOOD	0%	OVERSTORY	Offsite	6	Offsite Saved	
1396	16	SWEETGUM	Liquidambar styraciflua	GOOD	20%	OVERSTORY	Offsite	16	Offsite Removed	Impacts from stormwater grading
1397	9	BOX ELDER	Acer negundo	GOOD	0%	OVERSTORY	Offsite	9	Offsite Saved	
1398	30	SWEETGUM	Liquidambar styraciflua	GOOD	0%	OVERSTORY	Offsite	30	Offsite Saved	
1399	24	RED MAPLE	Acer rubrum	GOOD	0%	OVERSTORY	Specimen	0	Stream Buffer Saved	
1400	25	RED MAPLE	Acer rubrum	GOOD	17%	OVERSTORY	Specimen	0	Stream Buffer Saved	
1401	16	BOX ELDER	Acer negundo	GOOD	12%	OVERSTORY	Offsite	16	Offsite Saved	
1402	32	POPLAR	Liriodendron tulipifera	GOOD	4%	OVERSTORY	Specimen	0	Saved	
1406	8	ASH	Fraxinus spp.	GOOD	0%	OVERSTORY	Tree of Quality	8	Removed	Sewer outfall grading
1407	19	BOX ELDER	Acer negundo	GOOD	52%	OVERSTORY	Offsite	19	Offsite Removed	Grading for wingwall of unit 4
1408	8	WALNUT	Juglans spp.	GOOD	2%	OVERSTORY	Offsite	8	Offsite Saved	
1409	16	ASH	Fraxinus spp.	GOOD	25%	OVERSTORY	Offsite	16	Offsite Removed	Grading for wingwall of unit 4
Total										



KEY:

- TREE SPECIMEN TO BE SAVED
- ✕ TREE SPECIMEN TO BE REMOVED
- ✕ NON-SPECIMEN QUALITY TREE TO BE REMOVED
- ✕ NON-SPECIMEN QUALITY TREE TO BE SAVED
- CRZ OF SPECIMEN TREE TO BE SAVED
- CRZ OF SPECIMEN TREE TO BE REMOVED
- LIMIT OF DISTURBANCE
- TREE PROTECTION FENCE
- TREE SAVE AREA

TREE NOTE:

TREES HIGHLIGHTED IN GREEN
UPDATED TO BE SAVED FROM
PREVIOUS 7/27/23 PLAN.
THESE ARE OFFSITE TREES

TREES HIGHLIGHTED IN BLUE
UPDATED TO BE REMOVED DUE
TO SEWER OUTFALL/LOD
UPDATE



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PROJECT

OLD MILTON

2325 OLD MILTON PKWY
ALPHARETTA, GA

748
12TH
FOR

THE PROVIDENCE GROUP
OF GEORGIA, LLC.

11340 LAKEFIELD DRIVE
SUITE 140
JOHNS CREEK, GA 30097

CONTACT:
CLINT WALTERS
404.274.4492

REVISION DATE
ZONING RESUBMISSION 08/29/2023

DRAWN BY: JP
APPROVED BY: DM

PROJECT NUMBER
15315.01A

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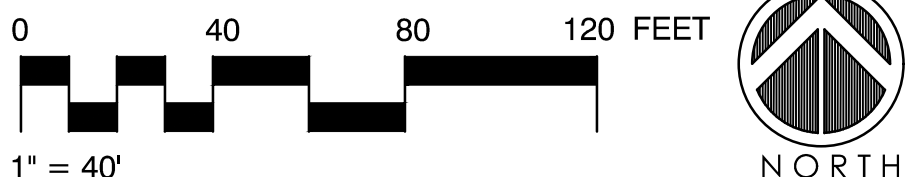
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08/29/2023

TITLE
EXISTING
CONDITIONS/ TREE
PLAN

SHEET

L1.00



SPECIMEN TREE REPORT

City of Alpharetta

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

Project # 15315.01A

TREE REPORT FOR:

THE PROVIDENCE GROUP OF GEORGIA, LLC 11340 LAKEFIELD DRIVE, SUITE 140, JOHNS CREEK, GA, 30097

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: 19

Excellent Condition 0

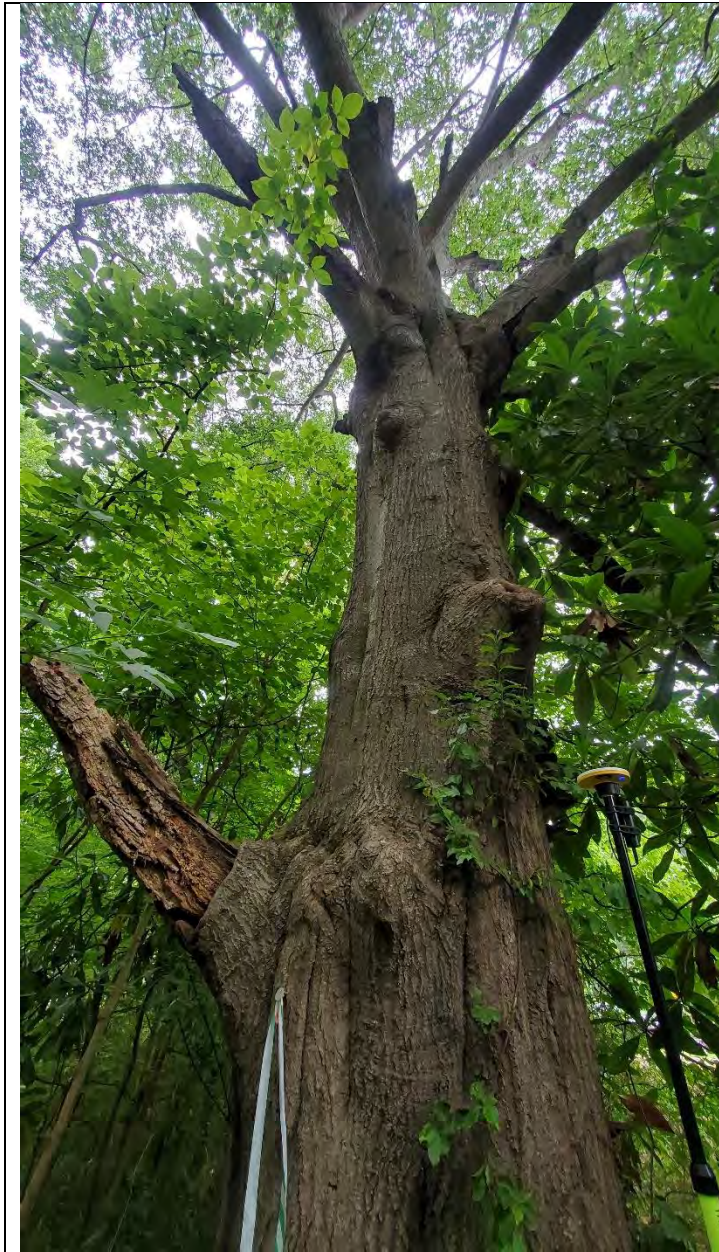
Good Condition: 16

Fair Condition: 3

Poor Conditions: 3

SPECIMEN TREE AND QUALITY TREE DATA					
Tree #	DBH "	Common name	Scientific name	Condition	Status
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.
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.

SPECIMEN TREE AND QUALITY TREE DATA					
Tree #	DBH "	Common name	Scientific name	Condition	Status
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.
Total	592				



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.



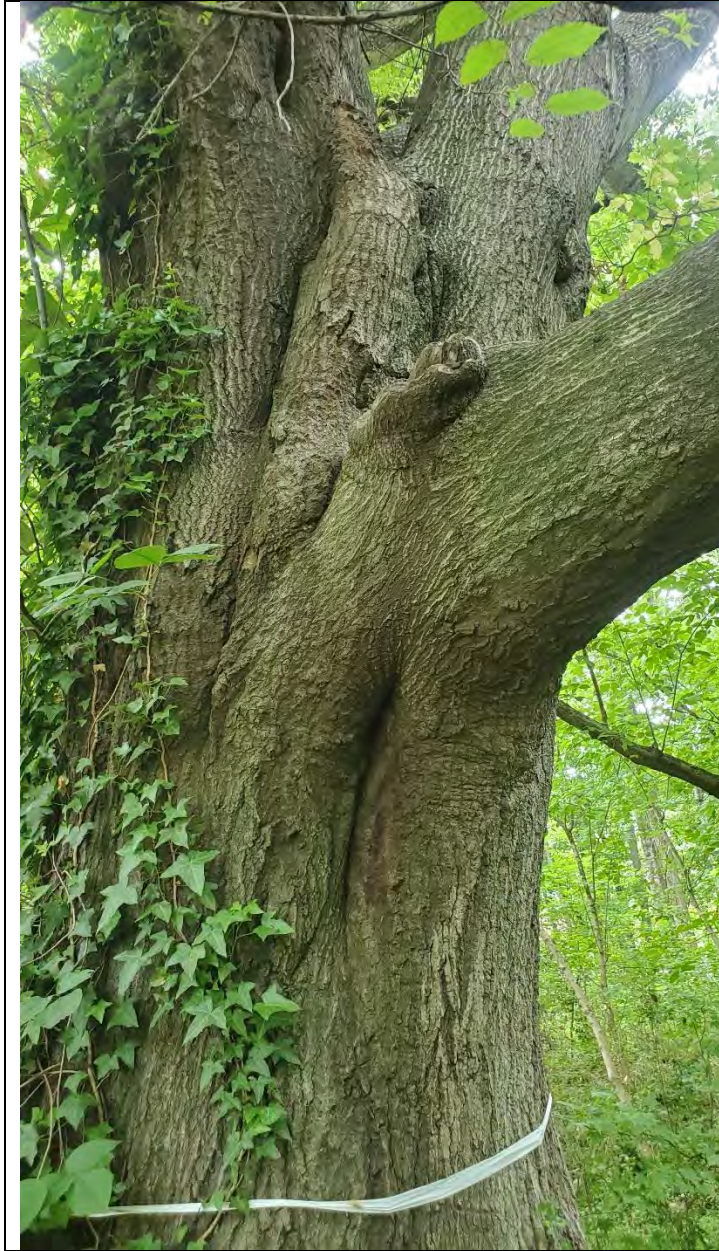
Tree #304 is a Water Oak, it has a DBH of 48 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #304 is a DDH. The tree meets this designation due to it having a major Trunk Wound and it having Fruiting Bodies. In addition the tree has 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.



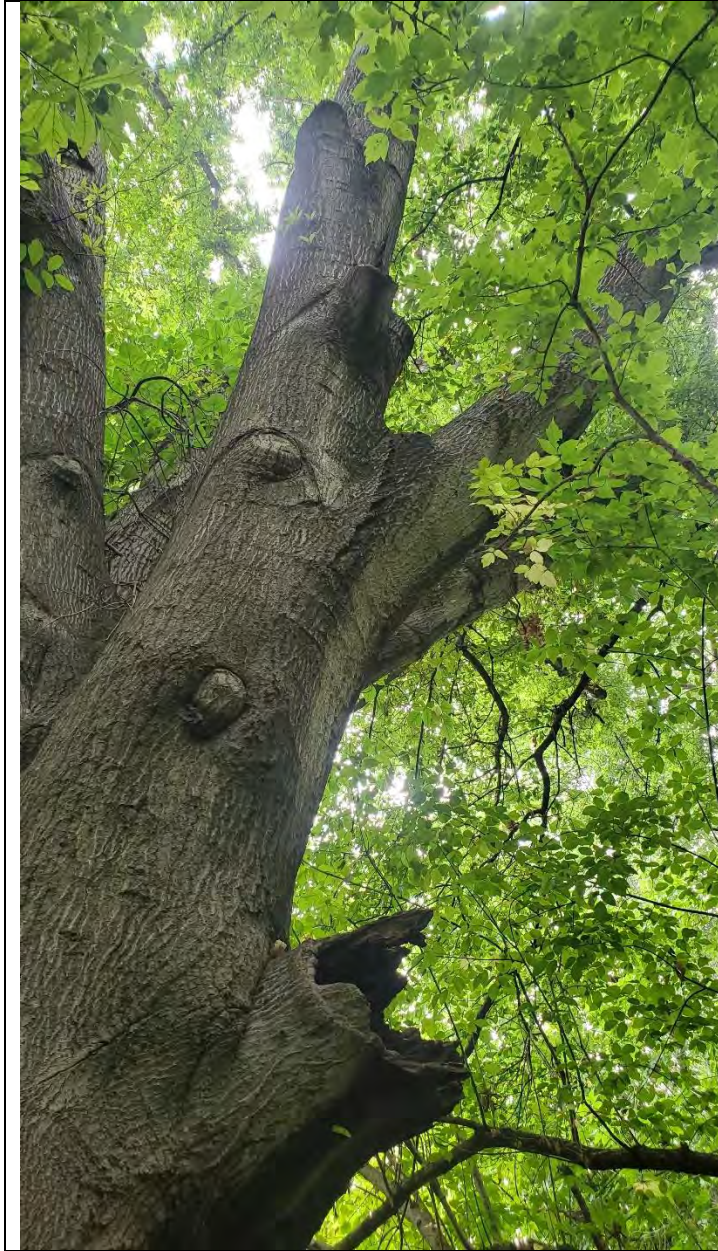
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May 31, 2023
Revised July 27, 2023

Ms. Kathi Cook, Director
Community Development
City of Alpharetta, Georgia
287 South Main Street
Alpharetta, Georgia 30004

Re: Application of The Providence Group of Georgia for ±4.882 acres of land located along the southern right-of-way of Old Milton Parkway (a.k.a State Route 120) to rezone from R-12 to DT-LW; and to secure three (3) variances from Sections 2.3.3.G, 2.6.2.A, and 3.3.6 of the City of Alpharetta Unified Development Code and the Downtown Overlay District; which tract is located in Land Lot 748, 12th District, Fulton County, GA.

Dear Ms. Cook:

Please accept this letter as the Letter of Intent of my client, The Providence Group of Georgia ("TPG"), in support of the above referenced Applications.

As you know I represent TPG in its effort to develop the property located 2325 Old Milton Parkway (Parcel ID 12 270307480230) and 210 Norcross Street (Parcel ID 12 270307480560)¹ (the "Subject Property"), for 24 attached, owner-occupied single family townhomes, at a density of ±4.91 units per acre; noticeably under the maximum allowed density for townhomes. A Site Plan by Planners and Engineers Collaborative, dated May 22, 2023 and revised July 27, 2023, more particularly details the nature of the intended project. The square footage of the units will range from 1,600 to 2,120, and all will be 3-bedrooms units with 3.5 bathrooms each. Each unit will have an attached garage for two cars, as well as driveways that will be at least 18 feet in length. Additionally, there will be 5 guest parking spaces on site. The internal road will have a 45-foot access & utility easement

¹ The overall property totals ±6.149 acres which also includes 0 Norcross Street (Parcel ID 12 270307480180). However, only ±4.882 acres of the total area are subject to this rezoning request.

allowing two 10-foot travel lanes, sidewalks, and landscape strips. The townhomes will have direct access to 21-foot wide alleyways that connect to the internal drive.

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 southerly 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.

The Subject Property is currently zoned R-12 (Dwelling, 'For-Sale', Detached Residential) and within the Downtown Overlay District. The tract is currently undeveloped and contains a 20-foot sanitary sewer easement running along the west and south edge of the property, as well as, streams and floodplain located on the southern and western portions of the site. To the north the Subject Property abuts the right-of-way of Old Milton Parkway. To the east, is a property zoned Office Institutional (O-I) containing the medical offices of Beaty Facial Plastic Surgery. Also to the east, the Subject Property borders a parcel zoned Downtown Live Work (DT-LW) containing the Chelsea Walk townhomes. To the south, the Subject Property borders a parcel developed as the Haynes Park Townhomes and is zoned Dwelling, 'For-Sale', Attached Residential—Low Density (R-4A). To the west the Subject Property borders a parcel zoned O-I containing the My First Academy Montessorri School. Also to the west, the Subject Property borders a portion of the Haynes Park Townhomes development.

The Subject Property is situated along a section of Old Milton Parkway between the Avalon mixed-use development and downtown Alpharetta, which is largely characterized by a mix of townhome residential and office/institutional uses. The proposed townhome development is completely harmonious with the existing townhomes in the area and is complementary to the nearby office and school uses. The proposed development is also in line with the City of Alpharetta's Horizon 2040 Comprehensive Plan ("Comp Plan"), which encourages a mix of uses in the area. The Comp Plan's Future Land Use Map designates the Subject Property as being within the Mixed-Use Live Work (MULW) character area, as well as being within the Downtown Mast Plan. The Comp Plan notes the desired development within the MULW character area as: "[i]n the Downtown Overlay, office and residential uses mixed vertically within a building and/or horizontally within a development or area."² As noted above, the surrounding area is developed with a mix of office and residential townhome uses located along the Old Milton Parkway corridor. The proposed development will add to the mix of uses that the Comp Plan desires for the MULW character area. Furthermore, the proposed rezoning will bring the zoning into alignment with the MULW character area. The Comp Plan notes that DT-LW is an appropriate

² See City of Alpharetta's Horizon 2040 Comprehensive Plan, pg. 58.

zoning district for the MU character area, while the R-12 district is not. As a result, the current zoning is out of step with the requirements of the Comp Plan, which the Applicant's proposal seeks to correct.

As a consequence of being within the Downtown Overlay, there are a number of additional design elements which are to be incorporated into the proposed development. The proposed development will meet the Downtown Overlay requirements for open space by providing ± 0.60 acres (12.2% of the site) of amenity space.³ Thus, the ultimate goal is to create an attractive and fitting residential development in compliance with the vision adopted by the City in its Comp Plan and the Downtown Master Plan. This development represents an opportunity for high scale, for-sale housing in an area that is devoid of such options.

These improvements require the following approvals:

1. Rezone the Subject Property from R-12 to Downtown Live Work (DT-LW).
2. Concurrent variances and approvals from certain sections of the City of Alpharetta Unified Development Code requirements occasioned by factors peculiar to the Subject Property. The development will need the following variances/approvals from:
 - a. Alpharetta UDC Section 2.3.3.G – Amend the Downtown Overlay streetscape requirements to allow a 5-foot sidewalk and 4-foot landscape strip along the interior drives.
 - b. Alpharetta UDC Section 2.6.2.A – Amend the Downtown Overlay requirements to reduce the 50-foot undisturbed buffer along a portion of the western and eastern property line to a 20-foot landscaped buffer.
 - c. Alpharetta UDC Section 3.3.6 - Encroachment into the City of Alpharetta stream buffers for the development as shown on the Site Plan by PEC, dated May 22, 2023.

A. Relevant Background Information

The Subject Property has remained a vacant, wooded lot since at least 1988⁴ while much of the surrounding area has experienced significant development. The recent growth of the area is characterized by higher density residential (particularly townhomes), office and commercial developments. The Subject Property is ideally located for the type of community sought after by contemporary consumers and residents within close proximity to employment, retail and entertainment. The site is located in close proximity to major employment centers in the Avalon

³ Civic space is not required for sites under 5 acres per Alpharetta UDO §3.8.3.

⁴ Aerial photographs of the property show a single family home on the property prior to 1981, but that structure is no longer present by 1988.

mixed use development as well as Alpharetta's Central Business District. In addition, the property is approximately 1/3 mile from Alpharetta's downtown and approximately ½ mile from the commercial shops and restaurants in the Avalon development.

The centralized location lends itself to higher-density housing options that attract the professionals employed in the area. The housing preference of many modern professionals is one that is in close proximity to employers, as well as retail, restaurant, and recreational uses. The Subject Property offers a golden opportunity to further the intent of the Comp Plan and the Downtown Master Plan by adding higher density residential along the Old Milton corridor

B. Trip Generation

The proposed development will not overly burden existing streets or transportation facilities. The Applicant has submitted a Trip Generation Memorandum, prepared by A&R Engineering and dated May 23, 2023, along with this application detailing the anticipated number of trips. The Trip Generation Memorandum states that the 24 townhomes are expected to generate 7 trips during the AM weekday peak hour, 10 trips during the PM weekday peak hour, and 132 total trips on a weekday. 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. Old Milton Parkway is classified as a principal arterial per the Georgia Department of Transportation State Functional Classification Map. This type of roadway is intended to carry a large volume of traffic and the Applicant is unaware of any capacity issues with that roadway. Accordingly, Old Milton Parkway is anticipated to easily accommodate the minor amount of traffic generated by the proposed project.

C. Schools

The school-age children living in the residences will attend Manning Oaks Elementary School; Northwestern Middle School; and Milton High School. Manning Oaks Elementary is listed as under capacity. Northwestern Middle School and Milton High School are currently over capacity. The proposed townhomes, however, are not expected to overly-burden local schools since the target market for townhome residential is younger professionals or empty nesters, which are demographics that tend not to have school-age children.

D. Standards for Zoning Changes

- 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: Yes. Residential growth at higher densities is a key component of plans for the Old Milton corridor in the Downtown Master Plan. The property also is located within the Downtown Overlay, which envisions "a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community." If approved, conditions are recommended that further the concepts of the Downtown Master

Plan and the Downtown Overlay.

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

Response: No. By restricting access to Old Milton Parkway, and by appropriately screening the site with landscaping there should be no adverse impact upon adjacent or nearby property.

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

Response: No. The proposal is sensitive to the environmental constraints of the site and will implement many environmentally sensitive measures. A large portion of the site is comprised of stream buffers and floodplain, which the Applicant has taken care to limit impacts to these sensitive areas. In addition, the Applicant's site plan identifies tree save areas to protect the existing tree canopy.

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

Response: As noted in the paragraphs above, a large portion of the Subject Property is located within floodplain and stream buffers, leaving a little over 2 acres that is developable. This severely limits the ability to feasibly develop the property under the current R-12 zoning. The R-12 district requires a minimum 12,000 square foot lot size, which, when taken into account with the stream buffers, prohibits any practical development of the property. The proposed DT-LW zoning, however, allows smaller lots, thus allowing an attractive development that also fits within the site's constraints. As a result, absent a rezoning to allow a more practical use, such as townhome residential, the Subject Property is likely to remain undeveloped.

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

Response: The proposed change in use to allow a higher density residential would generate a greater demand upon public facilities and services, such as parks, recreational programs, schools, as well as potentially increased vehicular trips. However, the Applicant does not anticipate the proposed townhomes creating an excessive burden on roadways or schools, as outlined in Paragraphs B and C of this Letter of Intent above, or on other public services. As far as utilities are concerned, the Subject Property will have access to water and sewer.

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

Response: Yes. The Comp Plan recognizes the desirability of mixed uses to include residential options.

- 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: Yes. The request to rezone to property to allow townhome development reflects a reasonable balance, particularly the included design features and preservation of natural areas that help the development blend with the surrounding uses.

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

Response: See response to (d) above.

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

Response: The Comp Plan does not list the current R-12 zoning as appropriate for the Mixed Use Live Work character area. The proposed DT-LW zoning, however, will bring the zoning into alignment with the Comp Plan's goals for the area.

E. 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 approximately 4.8-acre property is configured in an irregular shape along Old Milton Parkway. The property has a relatively narrow northern portion and wider southern portion and this peculiar shape prohibits the efficient layout of any development. Additionally, FEMA floodplain, a perennial stream, an intermittent stream, and two sanitary sewer easements transect the property. Wetlands exist on-site and topography drops off along the Old Milton Parkway frontage. The perennial stream has up to 150-foot buffers. The intermittent stream has a 25-foot state buffer, 50-foot city undisturbed buffer and 75-foot city impervious buffer. Because of these conditions, only about two acres of the total site area are developable and the southern half of the property is almost entirely unsuitable for locating residential structures. As a result, the proposed townhomes are limited to the narrow northern portion of the property. The narrow shape of the northern half, coupled with the stream buffers severely limits development of the property for any practical purpose. As a result, any practical development of the property will require relief from the stream buffer and zoning buffer ordinances.

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

Response: The particular features associated with the property, presence of streams, floodplain and its location between two O-I districts, along with the requirements of the Downtown Overlay creates a hardship which requires a design with these variances. A slight reduction in local buffer setbacks to the intermittent stream, along with minor dimensional adjustments provides a more reasonable developable land area on the subject site.

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

Response: The existence of the streams and floodplain coupled with the presence of sewer easements affect the Subject Property's ability to be reasonably developed.

- (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 would not cause substantial detriment to the public good. By allowing the streetscape standards to be modified to allocate 5' of sidewalk and a 4' landscape strip will give future residents pedestrian access through the site and connection the sidewalk along Old Milton Parkway without excessive impervious surface so near the streams and floodplain. The site constraints, with relief, allows for a cluster development that efficiently uses the land and that meets the intent of the Zoning Code and desired creation of place within Downtown Alpharetta. The remaining land impacted by streams, easements and buffers will be retained in a natural state. The development will provide improvements to the intermittent stream to ensure the protection of the water quality.

F. Stream Buffer Variance Review Criteria

The City of Alpharetta Unified Development Code Article III, Section 3.3.2.D.2.b states that a variance will be considered in the following instances:

- (1) When a property's shape, topography or other physical conditions existing at the time of the adoption of this ordinance prevents land development unless a buffer variance is granted.

Response: Refer to the response in Paragraph E(1) above.

- (2) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Response: The Subject Property is encumbered by ± 1.88 acres of stream buffer area which constitutes $\pm 46\%$ of the total site area. The stream also transects the property along most of the lot along the western property line and prohibits development on its southern, wider portion. Consequently, the property cannot be reasonably developed without relief from the stream buffer requirements.

The Applicant is limiting its encroachment, however, to only the minimum amount needed for

relief, but will provide mitigation for the entire buffer area. The Application is proposing $\pm 15,634$ square feet of encroachment but will mitigate $\pm 65,540$ square feet of buffer area. The mitigation will enhance and stabilize the area along the stream, including removing fallen trees from inside the stream bed that are impeding flow, planting eroded or sparsely vegetated areas of stream banks with live stakes, adding enhanced buffer plantings where sparsely vegetated, and removing invasive species. Refer to the Buffer Mitigation Plan by Planners and Engineers collaborative, dated 05/22/2023 and revised 07/27/2023, attached to this application. The goal is to improve the quality of the stream, while allowing area for the reasonable development of the property. Conversely, a strict adherence to the buffer requirements would prohibit its development, while providing no reasonable benefit to the public.

G. Requested Conditions

- 1) The property shall be developed substantially in accordance with the plans by Planners & Engineers Collaborative, dated May 22, 2023.
- 2) Each unit shall contain a minimum of 1,600sf.
- 3) Residential alleys shall be allowed.
- 4) The project provides approximately 0.6 acres of amenity space ($\pm 12.2\%$ of total site). Amenity space is spread throughout the site and includes pocket parks and passive green spaces.
- 5) Site will have vehicular access from Old Milton Parkway only.
- 6) No more than 10% of the residential units will be permitted to be rented, as recorded in the HOA's declarations and covenants.
- 7) New utilities interior to the site will be placed underground.
- 8) The stormwater detention facilities may be located within the 50-foot undisturbed buffer.
- 9) The rezoning shall be subject to a recombination plat depicting the proposed ± 4.882 -acre parcel. The recombination plat will be prepared and recorded at a later date.

H. Preservation of Rights

It is the position of the Applicant that the Alpharetta Zoning Ordinance, in limiting the property to the uses allowed in the current zoning district is unconstitutional in that it destroys the marketability of the property and renders the property economically unfeasible, and such zoning therefore constitutes a taking of property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States, as well as Article 1, Section 1, Paragraph 1; Article 1, Section 3, Paragraph 1(a); and Article 3, Section 6, Paragraph 2 of the Constitution of the State of Georgia (1983). To zone this property with any intervening conditions less than requested would be unconstitutional, would render the property unusable and would constitute the taking of Applicant's property

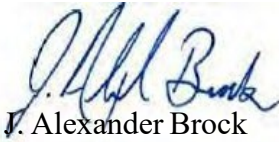
City of Alpharetta
May 31, 2023
Revised July 27, 2023

without just and adequate compensation and without due process of law in violation of the provisions of the United States and Georgia Constitutions cited in this paragraph. The same effect would occur by imposing conditions in restraint of trade, or onerous, burdensome, unconstitutional, or unnecessary conditions on the property. The denial of this request would bear no reasonable relation to the health, safety, morals or welfare of the public.

CONCLUSION

The Applicant respectfully requests that the Alpharetta City Council grant the requested rezoning and the variances as submitted. We very much look forward to working with you, your staff, and the Council towards development of an excellent project

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock".

J. Alexander Brock
Attorney

8

Community Zoning Information Meeting (CZIM)

July 12, 2023

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

Z-23-09 / V-23-15 / 2325 Old Milton Parkway TPG

NAME	ADDRESS	COMMENTS
ED BOTT 347 Bailey Walk Alpharetta GA 30009		Project looks great no issue
Ken & Kim Thompson 344 Bailey Walk Alpharetta GA 30009		There is a dead pine tree that could fall at any time into Chelsea Walk. Please take down before it hurts someone or property.

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.

2325 Old Milton Parkway (Parcel ID 12 270307480230) and 210 Norcross Street (Parcel ID 12

Public Hearing or Project Name: 270307480560) Application # Z-23-09 / V-23-15 2325

Contact Name: Alex Brock (Smith, Gambrell, and Russell, LLP)

Telephone: 404-815-3603

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.

Letters were sent to the property owners noted on the attached list. No feedback has been received as a result of the letters. The applicant attended the Community Zoning Information Meeting on July 12, 2023 and received comments in support of the development. One CZIM attendee mentioned concerns with a dead pine tree on the property.

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



Letter



Personal Visits



Telephone



Group Meeting



Email



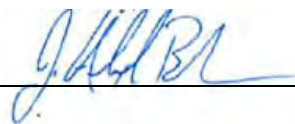
Other (Please Specify)

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

On June 16, 2023, notice was provided to property owners within 500 feet of the subject property. A copy of that notice letter and the mailing list are included.

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

Signature of Authorized Agent:



Date: 07.14.23

Print Form

Letter to 500 Foot Property Owners

1105 W. Peachtree St. NE, Suite 1000
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Tel: 404 815-3500
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J. Alexander Brock
Direct Tel: 404-815-3603
Direct Fax: 404-685-6903
jabrock@sgrlaw.com

June 12, 2023

Re: 2325 Old Milton Parkway (Parcel ID 12 270307480230) and 210 Norcross Street
(Parcel ID 12 270307480560) Application # Z-23-09 / V-23-15 2325

Dear Neighbor:

Please allow this letter to serve as public notice for a The Providence Group of Georgia's Rezoning and Variance requests involving ±4.882 acres of land located at 2325 Old Milton Parkway (Parcel ID 12 270307480230) and a portion of the property at 210 Norcross Street (Parcel ID 12 270307480560), Alpharetta, Georgia. Their Application to the City of Alpharetta requests the following:

1. A rezoning from Dwelling, 'For-Sale', Detached Residential (R-12) to Downtown Live Work (DT-LW).
2. Concurrent variances from:
 - a. Alpharetta UDC Section 2.3.3.G – Amend the Downtown Overlay streetscape requirements to allow a 5-foot sidewalk and 4-foot landscape strip along the interior drives.
 - b. Alpharetta UDC Section 2.6.2.A – Amend the Downtown Overlay requirements to reduce the 50-foot undisturbed buffer along a portion of the western and eastern property line to a 20-foot landscaped buffer.
 - c. Alpharetta UDC Section 3.3.6 - Encroachment into the City of Alpharetta stream buffers for the development as shown on the Site Plan by PEC, dated May 22, 2023.

The Community Zoning Information Meeting (CZIM) for these requests will be held on Wednesday, July 12, 2023, at 6:00 PM in the Council Chambers in the Alpharetta City Hall. Alpharetta City Hall is located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the Planning Commission on Thursday, August 3, 2023, at 6:30 PM and City Council on Monday, August 28, 2023, at 6:30 PM. The meeting(s) will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at 404.815.3500 or jabrock@sgrlaw.com

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Alexander Brock', is positioned above the printed name.

J. Alexander Brock

500 Foot Property Owner List



Firm Mailing Book For Accountable Mail

Name and Address of Sender	Check type of mail or service	Postage and Fees													
Cathy Ellington Smith, Gambrell & Russell, LLP 1105 West Peachtree Street, NE Suite 1000 Atlanta, GA 30309	☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collection Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Signature Confirmation Restricted Delivery ☐ Priority Mail	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1.	VRE ALPHARETTA LLC 1211 S WHITE CHAPEL RD GRAPEVINE TX 76092	.60	.54												
2.	2260 OLD MILTON LLC 2300 BETHELVIEW RD STE 110-329 CUMMING GA 30040	.60	.54												
3.	2365 OLD MILTON PARKWAY MOB LLC 1835 SAVOY DR STE 101 ATLANTA GA 30327	.60	.54												
4.	SEISAN MFA PROPERTIES LLC 2425 OLD MILTON PKWY ALPHARETTA GA 30009	.60	.54												
5.	WARD ALICE & WARD JAMES 708 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54												
6.	MOORE JOHN G & MOORE THERESA J 704 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54												
7.	HATCH TIMOTHY & WIELAND LISA 122 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54												
8.	WARNER THOMAS F 301 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54												



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9.	ROBERTS STEPHEN D & ROBERTS NANCY L 305 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
10.	KIZZAR TERRY W 309 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
11.	DICKERSON SIMON G & DICKERSON ALICE F 403 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
12.	PUBLIX SUPER MARKETS INC P O BOX 32025 LAKELAND FL 33802-2025	.60	.54																
13.	DALTEX ALPHARETTA LLC 3715 NORTHSIDE PKWY ATLANTA GA 30327	.60	.54																
14.	CITY OF ALPHARETTA GEORGIA 2 PARK PLZ ALPHARETTA GA 30009	.60	.54																
15.	UNITED STATES POSTAL SERVICE 1735 NORTH BROWN RD STE 200 LAWRENCEVILLE GA 30043-8153	.60	.54																
16.	UNITED STATES POSTAL SERVICE 1735 NORTH BROWN RD STE 200 LAWRENCEVILLE GA 30043-8153	.60	.54																
17.	BAIR GINA 211 NOTTAWAY DR ALPHARETTA GA 30009	.60	.54																
18.	FOX DIANA M 205 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
19.	FORD DEMARCO D 201 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																



20.	OU YI-CHUNG & CHUO YUN-FANG 123 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54																
21.	GUPTA SATHY & MAYURA S 608 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
22.	JMM REVOCABLE TRUST THE 506 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
23.	DICKSTEIN SCHANKER RECOVERABLE TRUST THE 606 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
24.	COVINGTON ALEC C & MARILYN G 602 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54																
25.	GOLIAS DAVID J 121 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
26.	MICKEY CANDACE G 117 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
27.	JANUS PAUL S & KARIN L 109 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
28.	HOGAN SHIRLEY 611 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54																
29.	SMITH JOSEPH T & HORNE BARBARA J 310 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																
30.	GOREN MARLENE S 306 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54																



31.	GOREN MARLENE S 306 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54											
32.	MURPHY LISA M 423 JOHNSON CT ALPHARETTA GA 30004	.60	.54											
33.	LINUS ANTHONY 421 JOHNSON CT ALPHARETTA GA 30009	.60	.54											
34.	AKOTO KWABENA 417 JOHNSON CT ALPHARETTA GA 30009	.60	.54											
35.	KADAM RAJENDRA A & KADAM SWETA R 415 JOHNSON CT ALPHARETTA GA 30009	.60	.54											
36.	SINGH IS KING INVESTMENTS LLC 8220 ROYAL SAINT GEORGES WAY DULUTH GA 30097	.60	.54											
37.	LEE SELENE SEUNGEUN 401 JOHNSON CT ALPHARETTA GA 30009	.60	.54											
38.	CHELSEA WALK HOMEOWNERS ASSOCIATION INC 3245 PEACHTREE PKWY # D 242 SUWANEE GA 30024	.60	.54											
39.	ALYWARD BRANDON E & HILL NICHOLE 218 PHILLIPS LN ALPHARETTA GA 30009	.60	.54											
40.	MC DOWELL ANDREW 338 BAILEY WALK ALPHARETTA GA 30009	.60	.54											
41.	KRINSKY ALAN 342 BAILEY WALK ALPHARETTA GA 30009	.60	.54											



42.	ARORA NAVEEN & SHARMA VIMI 22 GRAND MANOR CT STAFFORD TX 77497	.60	.54												
43.	SHARMA PREM & RAMIT KUMAR 824 ADLER CT ALPHARETTA GA 30005	.60	.54												
44.	AKEY CHRISTOPHER 331 BAILEY WALK ALPHARETTA GA 30009	.60	.54												
45.	THOMAS ANUP MATHEW & BINNS BETH M 333 BAILEY WALK ALPHARETTA GA 30009	.60	.54												
46.	THOMAS ANUP MATHEW & BINNS BETH M 333 BAILEY WALK ALPHARETTA GA 30009	.60	.54												
47.	ABBAS RASHID & ABBAS NAHID 335 BAILEY WALK ALPHARETTA GA 30009	.60	.54												
48.	WILLIS LYDIA BROOKS & JASON ROBERT 208 PHILLIPS LN ALPHARETTA GA 30009-2600	.60	.54												
49.	KOTIKALAPUDI AMRUTHA VIDYA ET AL 3935 MILLBROOK CT SUWANEE GA 30024	.60	.54												
50.	LIDDELL PEARSON JR & GLORIA JEAN 203 PHILLIPS ST ALPHARETTA GA 30009	.60	.54												
51.	SEAU JAKE RYAN 213 PHILLIPS LN ALPHARETTA GA 30009-2601	.60	.54												
52.	SHINNERS MICHAEL PATRICK & TERESA T 217 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54												



53.	LOGSDON CHRISTOPHER & LOGSDON SALLY 200 PHILLIPS LN ALPHARETTA GA 30009	.60	.54												
54.	GRBK HAYNES LLC 2805 N DALLAS PKWY STE 400 PLANO TX 75093	.60	.54												
55.	THADANI SANJEEV & SHARMILA 332 ATLEY PL ALPHARETTA GA 30009	.60	.54												
56.	ARORA NAVEEN 326 ATLEY PL ALPHARETTA GA 30009	.60	.54												
57.	SUTTER LESLEY 324 ATLEY PL ALPHARETTA GA 30009	.60	.54												
58.	TOLBERT KEVIN T & TOLBERT SHELLEY LEWIS 81 THOMPSON ST UNIT 101 ALPHARETTA GA 30009	.60	.54												
59.	JANOVITZ RICHARD & RENEE 205 W SPRINGS LAKE DR ALTAMONTE SPRINGS FL 32714	.60	.54												
60.	CHAN TIN & ENG DANNY 3975 OLD MILTON PKWY # S 1 ALPHARETTA GA 30005	.60	.54												
61.	CHAN TIN & ENG DANNY 3975 OLD MILTON PKWY # S 1 ALPHARETTA GA 30005	.60	.54												
62.	2365 OLD MILTON PARKWAY MOB LLC 1835 SAVOY DR SUITE 101 ATLANTA GA 30341	.60	.54												
63.	GUVEN KERIMAN 3396 CARVERTON LANE ALPHARETTA GA 30022	.60	.54												



64.	MC BETH LAIRD G & JOHANNA V 124 NOTTAWAY LN ALPHARETTA GA 30009-2284	.60	.54															
65.	FINEIS JAMES L & BAILEY ELLEN J 120 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
66.	FAHEY FRANK R JR & AMY E 128 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
67.	EKMAN SCOTT E 213 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
68.	RAUSCH NANCY O 401 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
69.	REYNOLDS FAMILY TRUST THE 407 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
70.	STATE BANK & TRUST COMPANY 4219 FORSYTH RD MACON GA 31208	.60	.54															
71.	ZAINA PROPERTIES LLC 314 KENT VALLEY CIR TUCKER GA 30084	.60	.54															
72.	WELLMAN GLENN A & ANNE M 500 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
73.	DAMERON JULIA 207 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
74.	FREDO JILL A 203 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															



75.	ANDREW WEIDENER FAMILY TRUST 600 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
76.	ANDREW WEIDENER FAMILY TRUST 600 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
77.	JOHNSON GREAG & JOHNSON LYNN PAULETTE BECKMAN 119 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
78.	KHANG STELLA ET AL 113 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
79.	REMMES ROBERT J & MARY L 111 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
80.	HANEMAN MARY ANNE & HANEMAN MARK W 107 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
81.	ASHWORTH THOMAS WESLEY JR 613 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
82.	BETH ANN RAUSCH LIVING TR THE 302 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
83.	WELLBORN JOHN W & RENEE H 419 JOHNSON CT ALPHARETTA GA 30009	.60	.54															
84.	STEVENS LAURENE ELIZABETH PERKINS 413 JOHNSON CT ALPHARETTA GA 30009	.60	.54															
85.	MC SORLEY WILLIAM JOHN IV & SIX ALEXA RAE 411 JOHNSON CT ALPHARETTA GA 30009	.60	.54															



86.	CROUCH TIMOTHY S & WISE DONNA L 409 JOHNSON CT ALPHARETTA GA 30009	.60	.54															
87.	THADANI SHARMILA & SANJEEV 5414 HEYWARD SQUARE PL MARIETTA GA 30068-1869	.60	.54															
88.	SPACEMAGNET LLC 4575 WEBB BRIDGE RD #4002 ALPHARETTA GA 30005	.60	.54															
89.	THOMPSON KENNETH & KIMBERLY 344 BAILEY WAY ALPHARETTA GA 30009	.60	.54															
90.	ZELNIO DEBRA 216 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
91.	ZELNIO DEBRA 216 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
92.	HARRIS JESSE MICHAEL & BRENDA GOUBEUX 210 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
93.	ROSENBERG DANIELLE 343 BAILEY WALK ALPHARETTA GA 30009	.60	.54															
94.	BOTTS EDWARD & CHERYL 347 BAILEY WALK ALPHARETTA GA 30009	.60	.54															
95.	AKEY ZHANNA PO BOX 609 ALPHARETTA GA 30009	.60	.54															
96.	ROSENBLATT SHELLY 337 BAILEY WALK ALPHARETTA GA 30009	.60	.54															



97.	WHITAKER BRADLEY & WHITAKER PENNY 204 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54																
98.	HORSMA BENGT KRISTIAN & ANGELA HOWELL 202 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54																
99.	HIMOT WESLEY BOYD 211 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54																
100.	CHELSEA WALK LAND LLC 2771 LAWRENCEVILLE HWY STE 210 DECATUR GA 30033	.60	.54																
101.	JBGL ATLANTA DEVELOPMENT LLC 2805 DALLAS PKWY STE 400 PLANO TX 75093	.60	.54																
102.	STONEWALK ALPHA II LLC 3847 RIVER VISTA WAY LOUISVILLE TN 37777	.60	.54																
103.	MORRIS PATRICIA 330 ATLEY PL ALPHARETTA GA 30009	.60	.54																
104.	LASK ERNEST & JOAN 338 ATLEY PL ALPHARETTA GA 30009	.60	.54																
105.	MACINNIS GEORGE BRIAN & SUZETTE 13858 SE MARINA PL PALM CITY FL 34990	.60	.54																
106.	MACINNIS GEORGE BRIAN & SUZETTE 13858 SE MARINA PL PALM CITY FL 34990	.60	.54																
107.	FARRELL LORI A 81 THOMPSON ST UNIT 201 ALPHARETTA GA 30009	.60	.54																



108.	BENNETT HARRY MICHAEL & BENNETT DONNA STRINGER 81 THOMPSON STREET FLATS UNIT 301 ALPHARETTA GA 30009	.60	.54												
109.	TIEKEN DONALD R & SANDRA CASEY 71 THOMPSON ST UNIT 102 ALPHARETTA GA 30009	.60	.54												
110.	JANKE SCOTT L & JANKE BEVERLY J 71 THOMPSON ST UNIT 201 ALPHARETTA GA 30009	.60	.54												
111.	WILLIAMS THOMAS HAMILTON & WILLIAMS MARY MICHELE 71 THOMPSON ST UNIT 202 ALPHARETTA GA 30009	.60	.54												
112.	BEELEN FRANS 71 THOMPSON ST UNIT 301 ALPHARETTA GA 30009	.60	.54												
113.	SIMPSON CANDICE K & CARLOS C 71 THOMPSON ST UNIT 302 ALPHARETTA GA 30009	.60	.54												
114.	STONEWALK ALPHA III LLC 140 BLACKLAND CT E MARIETTA GA 30067	.60	.54												
115.	ALPHARETTA BK VENTURE LLC 6400 POWERS FERRY RD STE 100 ATLANTA GA 30339	.60	.54												
116.	ESKANDARI MOSLEM & LEILA 501 S MAIN ST STE 103 ALPHARETTA GA 30009	.60	.54												
117.	MICHAEL & MARCHAI BRUCHEY JOINT REV TR THE 1998 N LOOP PKWY SAINT AUGUSTINE FL 32095	.60	.54												
118.	DOVER SHARON D 714 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54												



119.	BOARDMAN GAYE 712 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
120.	ROBERT E STOFFEL JR REVOC TRUST & THERESA S STOFFEL REVOC TRUST THE 345 HARBOR VILLAGE PT N PALM COAST FL 32137	.60	.54															
121.	ROBERT E STOFFEL JR REVOC TRUST & THERESA S STOFFEL REVOC TRUST THE 345 HARBOR VILLAGE PT N PALM COAST FL 32137	.60	.54															
122.	O LEARY DENNIS J & O LEARY JEANNE M 706 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
123.	VOEGELI KATHERINE TREADWAY 126 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
124.	GEORGE ROBERT WOLF REVOCABLE TRUST U A & URSULA V WOLF REVOCABLE TRUST U A THE 303 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
125.	PARKER JAMES S & JODIE L 307 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
126.	KAUFFMAN STANFORD & KORNSWIET LINDA 405 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
127.	DANIEL G HOYER TRUST THE 409 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
128.	AVERY PARK PARTNERS LLC 2300 BETHELVIEW RD STE 110 239 CUMMING GA 30040	.60	.54															
129.	OH PHILLIP J & GEORGE 209 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															



130.	MANNELLY JANICE E 502 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
131.	BOOKER DENNIS A & BOOKER KERRI 405 THE HERMITAGE DR ALPHARETTA GA 30004	.60	.54															
132.	LAKE BLAIR & LAKE BARBARA 508 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
133.	MORGAN JAMES RANDALL SR & CATHERINE 604 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
134.	BAILEY JAMES R & BAILEY MARY M 115 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
135.	COLE TIMOTHY T & COLE MYLEIN N 615 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
136.	COLE TIMOTHY T & COLE MYLEIN N 615 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
137.	JACOB STEVEN & JACOB IVONNE 617 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
138.	SPRIGGS ALICIA C 308 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															
139.	SMITH STEPHEN A & SMITH JULIE G 304 NOTTAWAY LN ALPHARETTA GA 30009	.60	.54															
140.	WHITNEY BRIAN 300 NOTTAWAY LANE ALPHARETTA GA 30009	.60	.54															



141.	HAYNES PARK NEIGHBORHOOD ASSOCIATION INC 400 NORTHRIDGE RD STE 1250 SANDY SPRINGS GA 30350	.60	.54															
142.	BRADY MICHAEL C & LISA B 405 JOHNSON CT ALPHARETTA GA 30009	.60	.54															
143.	346 BAILEY WALK LLC 405 PINECREST RD NE ATLANTA GA 30342	.60	.54															
144.	KIEVET THOMAS & SARAH LYNN 214 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
145.	DERISO DAVID CALVIN 212 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
146.	KIRDAY PAUL & KIRDAY AIMEE 339 BAILEY WALK ALPHARETTA GA 30009	.60	.54															
147.	MORTON DALE & KATHLEEN 365 BAILEY WALK ALPHARETTA GA 30009	.60	.54															
148.	GOODSON ABBEY L 245 DAVIES RD BLUFFTON SC 29910	.60	.54															
149.	MAKAREM NIILA 201 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
150.	LANE ELIZABETH VICTORIA 205 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
151.	LANE ELIZABETH VICTORIA 205 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															

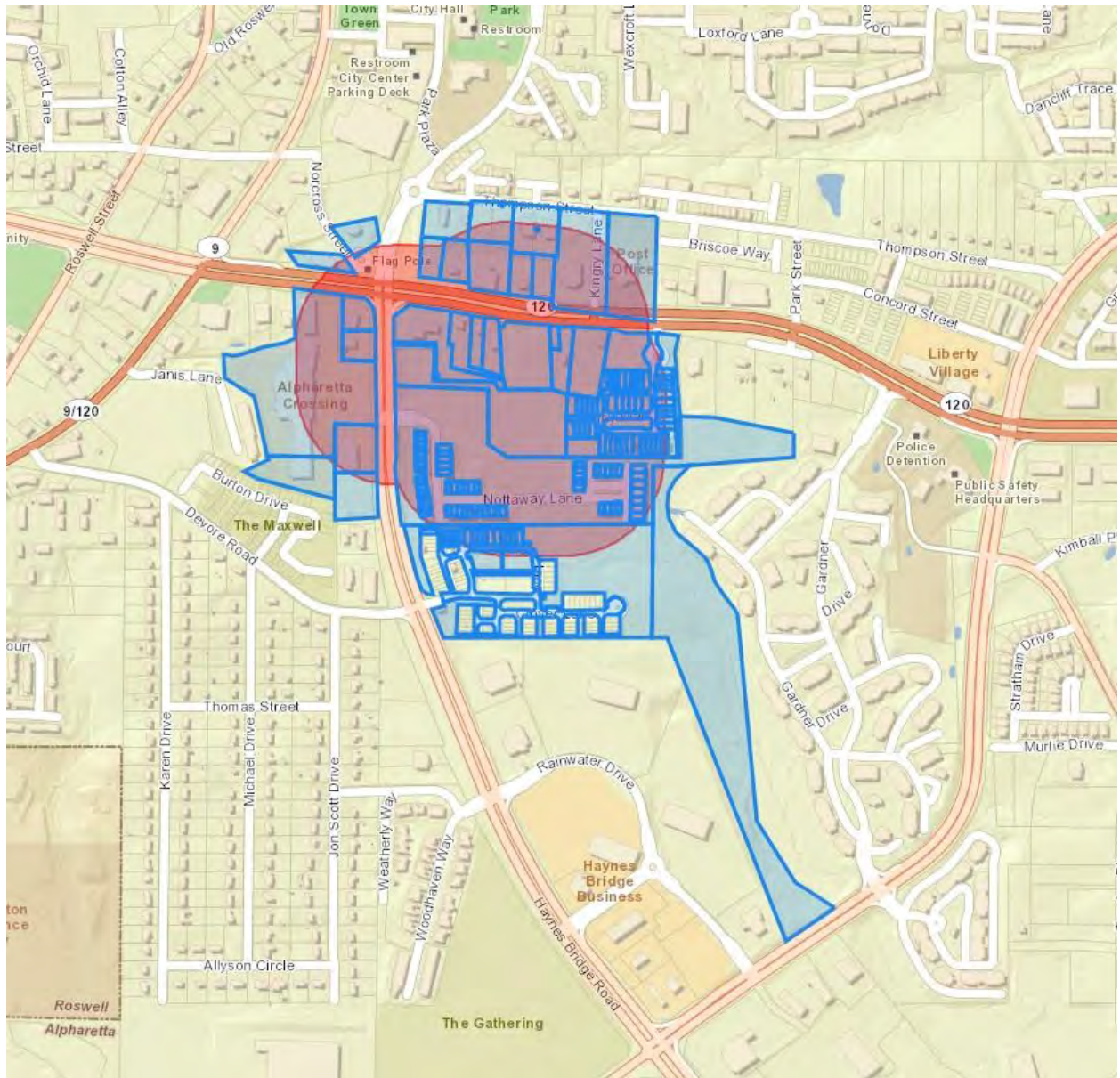


152.	LEE JUNG SEUNG & PAK JAMIE 207 PHILLIPS LN ALPHARETTA GA 30009-2601	.60	.54															
153.	CHELSEA ALPHARETTA LLC 1147 WILD CREEK TRL ATLANTA GA 30324	.60	.54															
154.	OYEWOLE AYORINDE O & PATRICIA S 215 PHILLIPS LN ALPHARETTA GA 30009	.60	.54															
155.	BREEDLOVE MICHAEL & MARGARET ELLEN 219 PHILLIPS LANE ALPHARETTA GA 30009	.60	.54															
156.	ONE ALPHARETTA PARTNERS LLC 410 PEACHTREE PKWY STE 4245 CUMMING GA 30041	.60	.54															
157.	GUPTA ABHAYA & MANJU 336 ATLEY PL ALPHARETTA GA 30009	.60	.54															
158.	WHITE NORBERT LEE & PATRICIA ANN 334 ATLEY PL ALPHARETTA GA 30009	.60	.54															
159.	CHESHER MICHELLE 322 ATLEY PL ALPHARETTA GA 30009	.60	.54															
160.	WOODS ROBERT D 328 ATLEY PL ALPHARETTA GA 30009	.60	.54															
161.	KIRKLAND ROMA PATEL 320 ATLEY PL ALPHARETTA GA 30009	.60	.54															
162.	ROSENTHAL KAY 81 THOMPSON ST UNIT 302 ALPHARETTA GA 30009	.60	.54															



163.	STRACHAN MARIJE W & BERSON STEVEN L 71 THOMPSON ST # 101 ALPHARETTA GA 30009	.60	.54											
164.														
165.														
166.														
167.														
168.														
169.														
170.														
171.														
172.														
173.														





From: Ed Botts [REDACTED]
Sent: Wednesday, August 02, 2023 9:15 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: Cheryl Botts [REDACTED]
Subject: Z-23-09 V-23-15 2325 old Milton Parkway

Mr. Woodman,

Are property abuts the proposed storm water management facility on the site plan. Will the trees that are currently on the facility stay to maintain the privacy on that side of our house? We are not sure how a storm water Management Facility works.

Thanks,

Ed and Cheryl Botts

347 Bailey Walk

Chelsea Walk



From: [Woodman, Michael](#)
To: [Jackson, Tracy](#)
Subject: FW: Z-23-09 V-23-15 2325 old Milton Parkway
Date: Thursday, August 3, 2023 1:32:55 PM
Attachments: [Image003.png](#)
[Image001.png](#)
[Image002.jpg](#)

Tracy,

Please save the email below under Public Comment. I moved the public comment folder under Citizen Part B. Thank you.

From: Cheryl Botts [REDACTED]
Sent: Thursday, August 03, 2023 12:55 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: Ed Botts [REDACTED]
Subject: Re: Z-23-09 V-23-15 2325 old Milton Parkway

i This message needs your attention
• No employee in the City of Alpharetta has ever replied to this email address.
• This is a personal email address.
[Mark as Safe](#) [Report this Email](#) [Powered by Mimecast](#)

Thank you - please advise on how to have our comments noted officially on this request. We are not in favor of the tree removal that is on our property and not in favor in the reduction or elimination of the minimal 5' landscape strip requirement. A mulch path does not qualify as a landscape buffer.

Thank you,
Cheryl Botts
[REDACTED]
Sent from my iPhone

On Aug 3, 2023, at 12:18 PM, Woodman, Michael <mwoodman@alpharetta.ga.us> wrote:

The City's Code requires a 5' landscape strip, not a buffer. We don't require buffers between properties with the same use, i.e., residential to residential. Also, the developer would be required to seek permission to remove the off-site tree.

As I was drafting this response to you, the applicant has requested a deferral of this item to next month. So, this item will not be considered tonight and will be deferred to the September 7th Planning Commission meeting.

Best regards,

[REDACTED]

From: Cheryl Botts [REDACTED]
Sent: Thursday, August 03, 2023 10:35 AM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: Ed Botts [REDACTED]
Subject: Re: Z-23-09 V-23-15 2325 old Milton Parkway

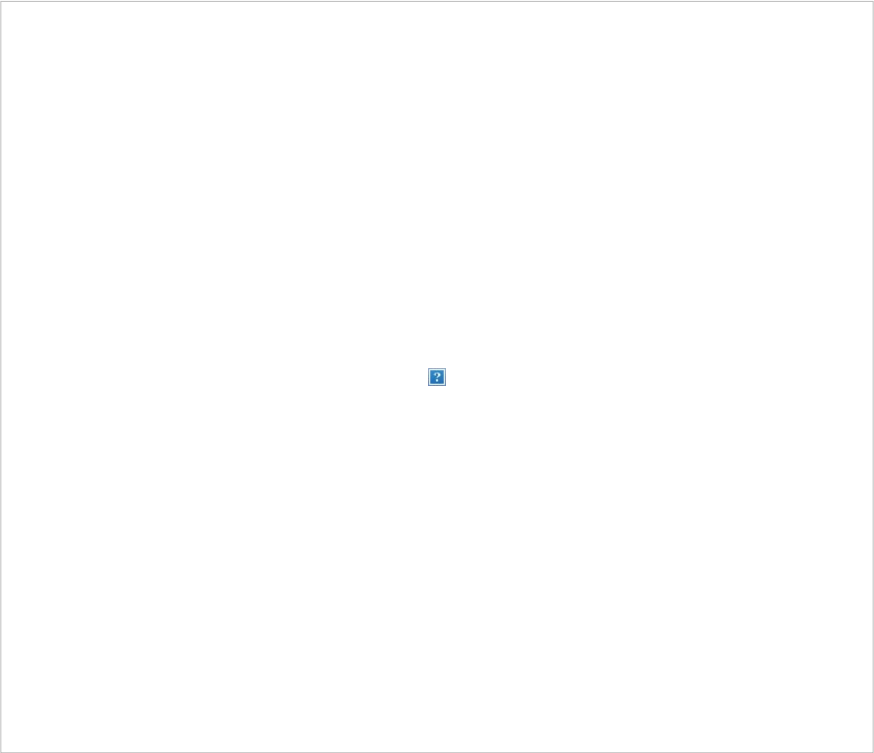
Mike - Thank you for your quick response. We are concerned about the lack of a buffer between our property line and theirs. Isn't there a minimum 5' or 10' buffer required between properties?

Thank you,
Cheryl Botts
[REDACTED]
Sent from my iPhone

On Aug 3, 2023, at 8:30 AM, Woodman, Michael <mwoodman@alpharetta.ga.us> wrote:

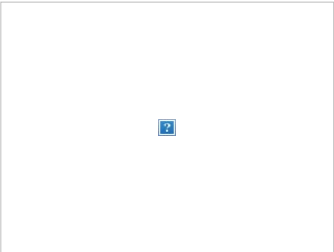
Good morning

The applicant s proposed site plan shows a stormwater management facility (pond) with an amenity trail for residents adjacent to you (see below) The applicant provided a new tree plan yesterday which shows removal of the 12" Water Oak between your unit and their proposed stormwater pond While the applicant is not required to provide a grading plan during the public hearing, it appears to me that they will likely grade up to the property line I will ask the applicant about that this morning and let you know what they say I pushed back on the updated tree plan from yesterday and I am told that the applicant is working on a new plan to save more trees I m still waiting for that as of this morning I ll be back in touch with you shortly



From: Ed Botts <[REDACTED]>
Sent: Wednesday, August 02, 2023 9:15 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: Cheryl Botts <[REDACTED]>
Subject: Z-23-09 V-23-15 2325 old Milton Parkway

Mr Woodman,
Are property abuts the proposed storm water management facility on the site plan Will the trees that are currently on the facility stay to maintain the privacy on that side of our house? We are not sure how a storm water Management Facility works
Thanks,
Ed and Cheryl Botts
347 Bailey Walk
Chelsea Walk



Sent from my iPad

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

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: The Providence Group, LLC, c/o J. Alexander Brock Telephone: 404-815-3603
(Smith, Gambrell, and Russell, LLP)

Address: 1105 W. Peachtree St. NE Suite: Suite 1000

City Atlanta State: GA Zip: 30092 Fax: 404-685-6903

Mobile Tel: 404-815-3603 Email: jabrock@sgrlaw.com

Subject Property Information:

Address: 2325 Old Milton Parkway Current Zoning: R-12 & O-I

District: 12 Section: _____ Land Lot: 748 Parcel ID: 12-2703-0748-056-0 & 12-2703-0748-023-0

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): _____ | |

APPLICANT REQUEST AND INTENT

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

See attached Statement of Intent.

Applicant's Request (Please itemize the proposal):

See attached Statement of Intent.

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

See attached Statement of Intent.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Miranda Shun Ngan Eng

Telephone: (404) 840-8104

(Eng Danny)

Address: 2424 Stockbridge Drive

Suite: _____

City Oakland

State: CA

Zip: 94611

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 |

A notary public or other officer completing this certificate warrants by the identity of the individual named above, and the document to which this certificate is attached, and not the truthfulness, accuracy, or value of that document.

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Clint Walters - The Providence Group of Georgia, LLC

Telephone: 678-475-1800

Address: 11340 Lakefield Drive

Suite: 140

City Johns Creek

State: GA

Zip: 30097

So Sworn and Attested:

Owner Signature: _____

Miranda Shun Ngan Eng
Miranda Shun Ngan Eng

(Eng Danny)

Date: 5-16-23

Notary: _____

Notary Signature: _____

Date: 5-16-2023



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Tin Chan Telephone: 678-357-0169
(Chan Tin)
Address: 2840, Strathmore Dr. Suite: _____
City: Cumming State: Ga. Zip: 30041

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: Clint Walters - The Providence Group of Georgia, LLC Telephone: 678-475-1800
Address: 11340 Lakefield Drive Suite: 140
City: Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: Tin Chan by chee Keung chan, Attorney in fact Date: 5/15/23
(Chan Tin)

Notary:

Notary Signature: [Signature] Date: 5/15/23


PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: min din chan Telephone: 678-557-0169
Address: 145, Vicarage ct. Suite: _____
City: Alpharetta State: GA Zip: 30025

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.

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

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Clint Walters - The Providence Group of Georgia, LLC Telephone: 678-475-1800
Address: 11340 Lakefield Drive Suite: 140
City: Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: min din chan Date: 5/15/23

Notary:

Notary Signature: _____ Date: 5/15/23



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Miranda Shun Ngan Eng as successor to the interest of
Danny Yuk Woon Eng by Order of Year's Support, DeKalb
County, Georgia Probate Court, Estate No. 2022-2591
(Eng Danny)

Telephone: (404) 840-8104

Address: 2424 Stockbridge Drive

Suite: _____

City Oakland

State: CA

Zip: 94611

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.

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

A notary public or other officer completing this certificate verifies only the identity of the individual who signs the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Clint Walters - The Providence Group of Georgia, LLC Telephone: 678-475-1800

Address: 11340 Lakefield Drive

Suite: 140

City Johns Creek

State: GA

Zip: 30097

So Sworn and Attested:

Owner Signature:

Miranda Shun Ngan Eng

Date:

5-16-23

Miranda Shun Ngan Eng as successor to the interest of Danny Yuk Woon Eng by Order of Year's Support, DeKalb County, Georgia Probate Court, Estate No. 2022-2591 (Eng Danny)

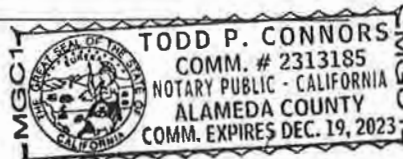
Notary:

Notary Signature:

Todd P. Connors

Date:

5-16-2023



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: See attached property owner list 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.

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

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: CLINT WALTERS, SECRETARY Telephone: 678-475-1800
(The Providence Group of Georgia, LLC)

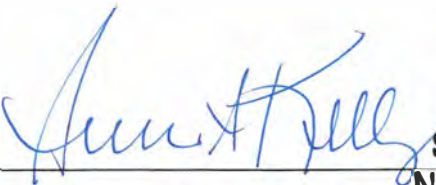
Address: 11340 Lakefield Drive Suite: 140

City Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature:  Date: 4/28/23

Notary:

Notary Signature:  Date: 4/28/23
Susan S Kelley
NOTARY PUBLIC

Forsyth County, GEORGIA
My Commission Expires 10/17/2025

Property Owner List

Owner: Miranda Shun Ngan Eng; 2424 Stockbridge Drive, Oakland, CA 94611.

Owner: Miranda Shun Ngan Eng as successor to the interest of Danny Yuk Woon Eng by Order of the Year's Support, DeKalb County, Georgia Probate Court, Estate No. 2022-2591.

Owner: Min Lin Chan: 145 Vicarage Court, Alpharetta, GA 30005.

Owner: Tin Chan: 2840 Strathmore Drive, Cumming, GA 30041.

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: Miranda Shun Ngan Eng (Eng Danny)

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature: Miranda Shun Ngan Eng
Miranda Shun Ngan Eng (Eng Danny)

Date: 5-16-23

DISCLOSURE FORM

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Miranda Shun Ngan Eng as successor to the interest of Danny Yuk
Woon Eng by Order of Year's Support, DeKalb County, Georgia

Name of Applicant or Opponent: Probate Court, Estate No. 2022-2591

(Eng Danny)

Subject Public Hearing Case:

Campaign Contribution Information:

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

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

Name of Official: N/A

Position:

Description of Contribution: N/A

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature:

Miranda Shun Ngan Eng

Date:

5-16-23

Miranda Shun Ngan Eng as successor to the interest of Danny Yuk Woon Eng by Order of Year's Support, DeKalb County, Georgia Probate Court, Estate No. 2022-2591 (Eng Danny)

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Name of Applicant or Opponent: Tin Chan (Chan Tin)

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: n/a Position: 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. 36-67A-3.

Signature: Tin Chan by Chee Keung Chan, Attorney in fact Date: 5/15/23
(Chan Tin)

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. 36-67A-1).

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Name of Applicant or Opponent: Min Chan

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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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. 36-67A-3.

Signature: mi fa Chan

Date: 5/15/23

(~~Chairman~~)

DISCLOSURE FORM

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Name of Applicant or Opponent: J. Alexander Brock (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: Old Milton Parkway Rezoning

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: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

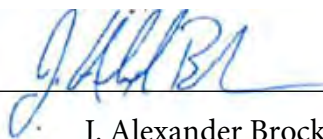
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature: _____



J. Alexander Brock (Smith, Gambrell, and Russell, LLP)

Date: 5.17.2023

DISCLOSURE FORM

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Name of Applicant or Opponent: Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: Old Milton Parkway Rezoning

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: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67A-3.

Signature: _____

Kathryn M Zickert

Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP)

Date: 5.17.2023

DISCLOSURE FORM

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Name of Applicant or Opponent: Dennis J. Webb, Jr. (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: Old Milton Parkway Rezoning

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: _____ Value: _____

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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: _____



Dennis J. Webb, Jr. (Smith, Gambrell, and Russell, LLP)

Date: 5.17.2023

DISCLOSURE FORM

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Name of Applicant or Opponent: Kirk Fjelstul (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: Old Milton Parkway Rezoning

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: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

I do solemnly swear and attest, subject to criminal penalties for false swearing, that the information provided in this Disclosure Form is true and accurate and that I have disclosed herein any and all campaign contributions made to an Official of the City of Alpharetta, Georgia in accordance with O.C.G.A. 36-67 A-3.

Signature: _____



Kirk Fjelstul (Smith, Gambrell, and Russell, LLP)

Date: 5.17.2023

DISCLOSURE FORM

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Name of Applicant or Opponent: Cliff Walters, Secretary (The Providence Group of Georgia, LLC)

Subject Public Hearing Case: Old Milton Parkway Rezoning

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

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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. 36-67A-3.

Signature: Cliff Walters, Secretary
Cliff Walters, Secretary (The Providence Group of Georgia, LLC)

Date: 4/28/22

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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 Rezoning

Contact Name: Alex Brock (Smith, Gambrell, and Russell, LLP) Telephone: 404-815-3603

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.

See attached Property Owner Mailing List.	

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

- | | |
|--|--|
| ☒ Letter | ☐ Personal Visits |
| ☐ Telephone | ☐ Group Meeting |
| ☐ Email | ☐ Other <i>(Please Specify)</i> |

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

The Applicant will provide its contact information in the notification letters.

500' Property Owner Mailing List

12 258406951086	VRE ALPHARETTA LLC	1211 S WHITE CHAPEL RD	GRAPEVINE TX 76092
12 270307480537	2260 OLD MILTON LLC	2300 BETHELVIEW RD STE 110-329	CUMMING GA 30040
12 270307480552	2365 OLD MILTON PARKWAY MOB LLC	1835 SAVOY DR STE 101	ATLANTA GA 30327
12 270307480578	SEISAN MFA PROPERTIES LLC	2425 OLD MILTON PKWY	ALPHARETTA GA 30009
12 270007470762	WARD ALICE & WARD JAMES	708 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470788	MOORE JOHN G & MOORE THERESA J	704 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007480688	HATCH TIMOTHY & WIELAND LISA	122 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470796	WARNER THOMAS F	301 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007470812	ROBERTS STEPHEN D & ROBERTS NANCY L	305 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470838	KIZZAR TERRY W	309 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470853	DICKERSON SIMON G & DICKERSON ALICE F	403 NOTTAWAY LANE	ALPHARETTA GA 30009
12 258406950757	PUBLIX SUPER MARKETS INC	P O BOX 32025	LAKELAND FL 33802-2025
12 258406951052	DALTEX ALPHARETTA LLC	3715 NORTHSIDE PKWY	ATLANTA GA 30327
12 270007501251	CITY OF ALPHARETTA GEORGIA	2 PARK PLZ	ALPHARETTA GA 30009
12 270307480800	UNITED STATES POSTAL SERVICE	1735 NORTH BROWN RD STE 200	LAWRENCEVILLE GA 30043-8153
12 270007470911	BAIR GINA	211 NOTTAWAY DR	ALPHARETTA GA 30009
12 270007471018	FOX DIANA M	205 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470994	FORD DEMARCO D	201 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470986	OU YI-CHUNG & CHUO YUN-FANG	123 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007471026	GUPTA SATHY & MAYURA S	608 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470945	JMM REVOCABLE TRUST THE	506 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471034	DICKSTEIN SCHANKER RECOVABLE TRUST THE	606 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471059	COVINGTON ALEC C & MARILYN G	602 NOTTAWAY LN	ALPHARETTA GA 30009

12 270007471141	GOLIAS DAVID J	121 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471125	MICKEY CANDACE G	117 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471083	JANUS PAUL S & KARIN L	109 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471158	HOGAN SHIRLEY	611 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007471190	SMITH JOSEPH T & HORNE BARBARA J	310 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471216	GOREN MARLENE S	306 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270307491138	MURPHY LISA M	423 JOHNSON CT	ALPHARETTA GA 30004
12 270307491146	LINUS ANTHONY	421 JOHNSON CT	ALPHARETTA GA 30009
12 270307481162	AKOTO KWABENA	417 JOHNSON CT	ALPHARETTA GA 30009
12 270307481170	KADAM RAJENDRA A & KADAM SWETA R	415 JOHNSON CT	ALPHARETTA GA 30009
12 270307481212	SINGH IS KING INVESTMENTS LLC	8220 ROYAL SAINT GEORGES WAY	DULUTH GA 30097
12 270307481246	LEE SELENE SEUNGEUN	401 JOHNSON CT	ALPHARETTA GA 30009
12 270307491567	CHELSEA WALK HOMEOWNERS ASSOCIATION INC	3245 PEACHTREE PKWY # D 242	SUWANEE GA 30024
12 270307491120	ALYWARD BRANDON E & HILL NICHOLE	218 PHILLIPS LN	ALPHARETTA GA 30009
12 270307481550	CHELSEA WALK HOMEOWNERS ASSOCIATION INC	3245 PEACHTREE PKWY # D 242	SUWANEE GA 30024
12 270307481253	MC DOWELL ANDREW	338 BAILEY WALK	ALPHARETTA GA 30009
12 270307481279	KRINSKY ALAN	342 BAILEY WALK	ALPHARETTA GA 30009
12 270307481337	ARORA NAVEEN & SHARMA VIMI	22 GRAND MANOR CT	STAFFORD TX 77497
12 270307481311	SHARMA PREM & RAMIT KUMAR	824 ADLER CT	ALPHARETTA GA 30005
12 270307481386	AKEY CHRISTOPHER	331 BAILEY WALK	ALPHARETTA GA 30009
12 270307481378	THOMAS ANUP MATHEW & BINNS BETH M	333 BAILEY WALK	ALPHARETTA GA 30009
12 270307481360	ABBAS RASHID & ABBAS NAHID	335 BAILEY WALK	ALPHARETTA GA 30009

12 270307491070	WILLIS LYDIA BROOKS & JASON ROBERT	208 PHILLIPS LN	ALPHARETTA GA 30009-2600
12 270307491062	KOTIKALAPUDI AMRUTHA VIDYA ET AL	3935 MILLBROOK CT	SUWANEE GA 30024
12 270307481436	LIDDELL PEARSON JR & GLORIA JEAN	203 PHILLIPS ST	ALPHARETTA GA 30009
12 270307481485	SEAU JAKE RYAN	213 PHILLIPS LN	ALPHARETTA GA 30009-2601
12 270307481501	SHINNERS MICHAEL PATRICK & TERESA T	217 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307491039	LOGSDON CHRISTOPHER & LOGSDON SALLY	200 PHILLIPS LN	ALPHARETTA GA 30009
12 270307481576	CHELSEA WALK HOMEOWNERS ASSOCIATION INC	3245 PEACHTREE PKWY # D 242	SUWANEE GA 30024
12 270107470415	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107470530	THADANI SANJEEV & SHARMILA	332 ATLEY PL	ALPHARETTA GA 30009
12 270107470563	ARORA NAVEEN	326 ATLEY PL	ALPHARETTA GA 30009
12 270107470571	SUTTER LESLEY	324 ATLEY PL	ALPHARETTA GA 30009
12 270107470373	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107470175	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270307482004	TOLBERT KEVIN T & TOLBERT SHELLEY LEWIS	81 THOMPSON ST UNIT 101	ALPHARETTA GA 30009
12 270307482038	JANOVITZ RICHARD & RENEE	205 W SPRINGS LAKE DR	ALTAMONTE SPRINGS FL 32714
12 270307480180	CHAN TIN & ENG DANNY	3975 OLD MILTON PKWY # S 1	ALPHARETTA GA 30005
12 270307480545	2365 OLD MILTON PARKWAY MOB LLC	1835 SAVOY DR SUITE 101	ATLANTA GA 30341
12 270307480586	GUVEN KERIMAN	3396 CARVERTON LANE	ALPHARETTA GA 30022
12 270307480685	2260 OLD MILTON LLC	2300 BETHELVIEW RD STE 110-329	CUMMING GA 30040
12 270307480560	CHAN TIN & ENG DANNY	3975 OLD MILTON PKWY # S 1	ALPHARETTA GA 30005
12 270007470671	MC BETH LAIRD G & JOHANNA V	124 NOTTAWAY LN	ALPHARETTA GA 30009-2284
12 270007480696	FINEIS JAMES L & BAILEY ELLEN J	120 NOTTAWAY LN	ALPHARETTA GA 30009

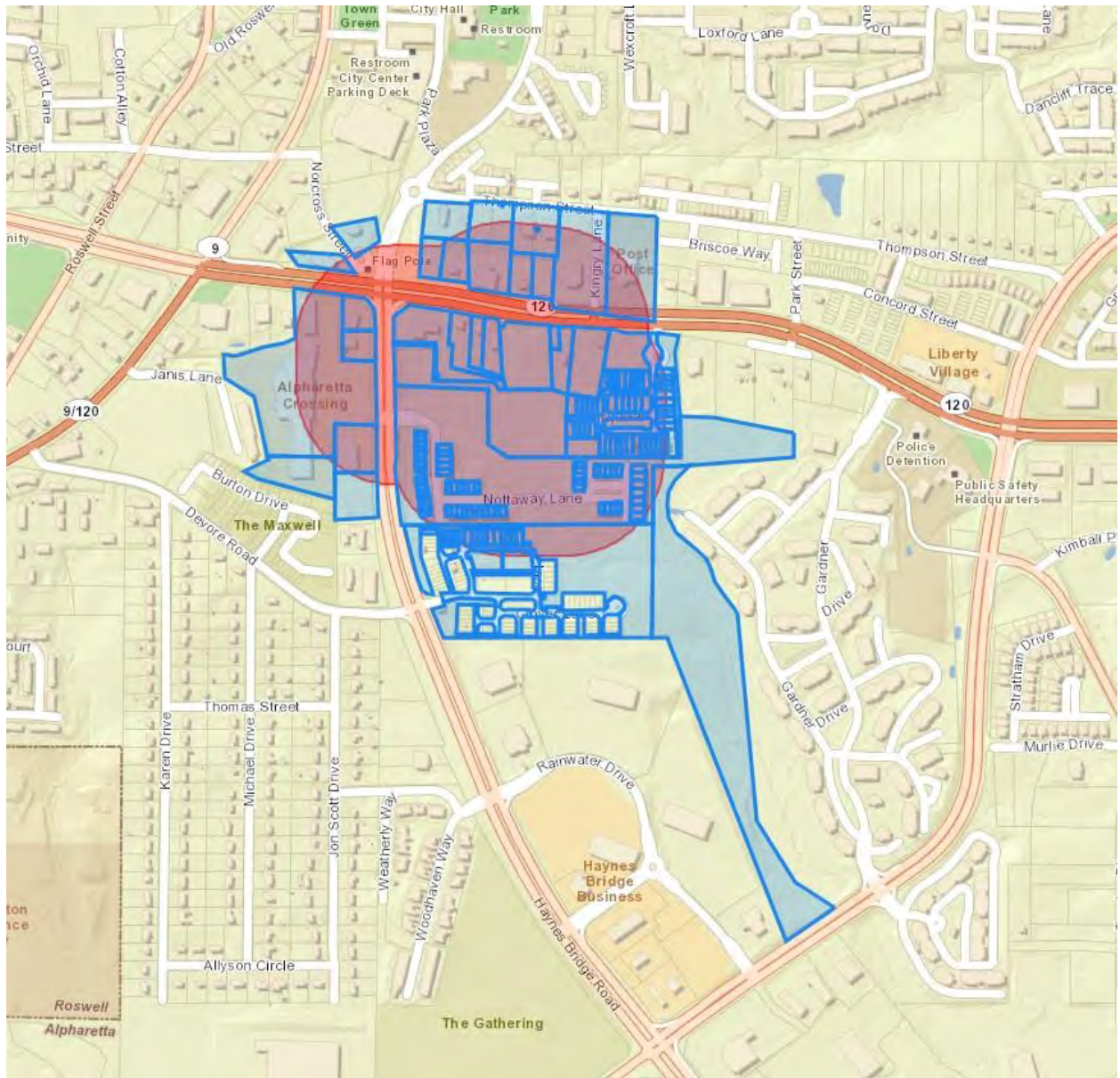
12 270007470655	FAHEY FRANK R JR & AMY E	128 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470929	EKMAN SCOTT E	213 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470846	RAUSCH NANCY O	401 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470879	REYNOLDS FAMILY TRUST THE	407 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270307480818	STATE BANK & TRUST COMPANY	4219 FORSYTH RD	MACON GA 31208
12 258406950179	ZAINA PROPERTIES LLC	314 KENT VALLEY CIR	TUCKER GA 30084
12 270007470978	WELLMAN GLENN A & ANNE M	500 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007470895	DAMERON JULIA	207 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471000	FREDO JILL A	203 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471067	ANDREW WEIDENER FAMILY TRUST	600 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471133	JOHNSON GREAG & JOHNSON LYNN PAULETTE BECKMAN	119 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471109	KHANG STELLA ET AL	113 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471091	REMMES ROBERT J & MARY L	111 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471075	HANEMAN MARY ANNE & HANEMAN MARK W	107 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007471166	ASHWORTH THOMAS WESLEY JR	613 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471232	BETH ANN RAUSCH LIVING TR THE	302 NOTTAWAY LN	ALPHARETTA GA 30009
12 270307491153	WELLBORN JOHN W & RENEE H	419 JOHNSON CT	ALPHARETTA GA 30009
12 270307481188	STEVENS LAURENE ELIZABETH PERKINS	413 JOHNSON CT	ALPHARETTA GA 30009
12 270307481196	MC SORLEY WILLIAM JOHN IV & SIX ALEXA RAE	411 JOHNSON CT	ALPHARETTA GA 30009
12 270307481204	CROUCH TIMOTHY S & WISE DONNA L	409 JOHNSON CT	ALPHARETTA GA 30009
12 270307481238	THADANI SHARMILA & SANJEEV	5414 HEYWARD SQUARE PL	MARIETTA GA 30068-1869
12 270307481261	SPACEMAGNET LLC	4575 WEBB BRIDGE RD #4002	ALPHARETTA GA 30005

12 270307481287	THOMPSON KENNETH & KIMBERLY	344 BAILEY WAY	ALPHARETTA GA 30009
12 270307491112	ZELNIO DEBRA	216 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307491088	HARRIS JESSE MICHAEL & BRENDA GOUBEUX	210 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307481329	ROSENBERG DANIELLE	343 BAILEY WALK	ALPHARETTA GA 30009
12 270307481303	BOTTS EDWARD & CHERYL	347 BAILEY WALK	ALPHARETTA GA 30009
12 270307481394	AKEY ZHANNA	PO BOX 609	ALPHARETTA GA 30009
12 270307481352	ROSENBLATT SHELLY	337 BAILEY WALK	ALPHARETTA GA 30009
12 270307491054	WHITAKER BRADLEY & WHITAKER PENNY	204 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307491047	HORSMA BENGT KRISTIAN & ANGELA HOWELL	202 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307481477	HIMOT WESLEY BOYD	211 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307491534	CHELSEA WALK HOMEOWNERS ASSOCIATION INC	3245 PEACHTREE PKWY # D 242	SUWANEE GA 30024
12 270307481527	CHELSEA WALK LAND LLC	2771 LAWRENCEVILLE HWY STE 210	DECATUR GA 30033
12 270307481543	JBGL ATLANTA DEVELOPMENT LLC	2805 DALLAS PKWY STE 400	PLANO TX 75093
12 258206960048	STONEWALK ALPHA II LLC	3847 RIVER VISTA WAY	LOUISVILLE TN 37777
12 27010747C01			
12 270107470399	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107470548	MORRIS PATRICIA	330 ATLEY PL	ALPHARETTA GA 30009
12 270107470506	LASK ERNEST & JOAN	338 ATLEY PL	ALPHARETTA GA 30009
12 270107470142	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107471462	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270307482012	MACINNIS GEORGE BRIAN & SUZETTE	13858 SE MARINA PL	PALM CITY FL 34990
12 270307482020	FARRELL LORI A	81 THOMPSON ST UNIT 201	ALPHARETTA GA 30009

12 270307482046	BENNETT HARRY MICHAEL & BENNETT DONNA STRINGER	81 THOMPSON STREET FLATS UNIT 301	ALPHARETTA GA 30009
12 270307482079	TIEKEN DONALD R & SANDRA CASEY	71 THOMPSON ST UNIT 102	ALPHARETTA GA 30009
12 270307482087	JANKE SCOTT L & JANKE BEVERLY J	71 THOMPSON ST UNIT 201	ALPHARETTA GA 30009
12 270307482095	WILLIAMS THOMAS HAMILTON & WILLIAMS MARY MICHELE	71 THOMPSON ST UNIT 202	ALPHARETTA GA 30009
12 270307482103	BEELEN FRANS	71 THOMPSON ST UNIT 301	ALPHARETTA GA 30009
12 270307482111	SIMPSON CANDICE K & CARLOS C	71 THOMPSON ST UNIT 302	ALPHARETTA GA 30009
12 258406951060	STONEWALK ALPHA III LLC	140 BLACKLAND CT E	MARIETTA GA 30067
12 258406951078	ALPHARETTA BK VENTURE LLC	6400 POWERS FERRY RD STE 100	ATLANTA GA 30339
12 270307480149	GUVEN KERIMAN	3396 CARVERTON LANE	ALPHARETTA GA 30022
12 270307480164	GUVEN KERIMAN	3396 CARVERTON LANE	ALPHARETTA GA 30022
12 270307480230	CHAN TIN & ENG DANNY	3975 OLD MILTON PKWY # S 1	ALPHARETTA GA 30005
12 270307480529	2260 OLD MILTON LLC	2300 BETHELVIEW RD STE 110-329	CUMMING GA 30040
12 270307480636	ESKANDARI MOSLEM & LEILA	501 S MAIN ST STE 103	ALPHARETTA GA 30009
12 27030748C01			
12 270007470721	MICHAEL & MARCHAI BRUCHEY JOINT REV TR THE	1998 N LOOP PKWY	SAINT AUGUSTINE FL 32095
12 270007470739	DOVER SHARON D	714 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470747	BOARDMAN GAYE	712 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007470754	ROBERT E STOFFEL JR REVOC TRUST & THERESA S STOFFEL REVOC TRUST THE	345 HARBOR VILLAGE PT N	PALM COAST FL 32137
12 270007470770	O LEARY DENNIS J & O LEARY JEANNE M	706 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470663	VOEGELI KATHERINE TREADWAY	126 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007470804	GEORGE ROBERT WOLF REVOCABLE TRUST U A &	303 NOTTAWAY LANE	ALPHARETTA GA 30009

	URSULA V WOLF REVOCABLE TRUST U A THE		
12 270007470820	PARKER JAMES S & JODIE L	307 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470861	KAUFFMAN STANFORD & KORNSWIET LINDA	405 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470887	DANIEL G HOYER TRUST THE	409 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270307480305	2260 OLD MILTON LLC	2300 BETHELVIEW RD STE 110-329	CUMMING GA 30040
12 270307480479	AVERY PARK PARTNERS LLC	2300 BETHELVIEW RD STE 110 239	CUMMING GA 30040
12 270307480487	2260 OLD MILTON LLC	2300 BETHELVIEW RD STE 110-329	CUMMING GA 30040
12 270007470903	OH PHILLIP J & GEORGE	209 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470960	MANNELLY JANICE E	502 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470952	BOOKER DENNIS A & BOOKER KERRI	405 THE HERMITAGE DR	ALPHARETTA GA 30004
12 270007470937	LAKE BLAIR & LAKE BARBARA	508 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471042	MORGAN JAMES RANDALL SR & CATHERINE	604 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471117	BAILEY JAMES R & BAILEY MARY M	115 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471174	COLE TIMOTHY T & COLE MYLEIN N	615 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471182	JACOB STEVEN & JACOB IVONNE	617 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471208	SPRIGGS ALICIA C	308 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007471224	SMITH STEPHEN A & SMITH JULIE G	304 NOTTAWAY LN	ALPHARETTA GA 30009
12 270007471240	WHITNEY BRIAN	300 NOTTAWAY LANE	ALPHARETTA GA 30009
12 270007470713	HAYNES PARK NEIGHBORHOOD ASSOCIATION INC	400 NORTHRIDGE RD STE 1250	SANDY SPRINGS GA 30350
12 270307481220	BRADY MICHAEL C & LISA B	405 JOHNSON CT	ALPHARETTA GA 30009
12 270307481295	346 BAILEY WALK LLC	405 PINECREST RD NE	ATLANTA GA 30342
12 270307491104	KIEVET THOMAS & SARAH LYNN	214 PHILLIPS LANE	ALPHARETTA GA 30009

12 270307491096	DERISO DAVID CALVIN	212 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307481345	KIRDAY PAUL & KIRDAY AIMEE	339 BAILEY WALK	ALPHARETTA GA 30009
12 270307481410	MORTON DALE & KATHLEEN	365 BAILEY WALK	ALPHARETTA GA 30009
12 270307481402	GOODSON ABBEY L	245 DAVIES RD	BLUFFTON SC 29910
12 270307481428	MAKAREM NIILA	201 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307481444	LANE ELIZABETH VICTORIA	205 PHILLIPS LANE	ALPHARETTA GA 30009
12 270307481451	LEE JUNG SEUNG & PAK JAMIE	207 PHILLIPS LN	ALPHARETTA GA 30009-2601
12 270307481469	CHELSEA ALPHARETTA LLC	1147 WILD CREEK TRL	ATLANTA GA 30324
12 270307481493	OYEWOLE AYORINDE O & PATRICIA S	215 PHILLIPS LN	ALPHARETTA GA 30009
12 270307481519	BREEDLOVE MICHAEL & MARGARET ELLEN	219 PHILLIPS LANE	ALPHARETTA GA 30009
12 258206960717	DALTEX ALPHARETTA LLC	3715 NORTHSIDE PKWY	ATLANTA GA 30327
12 270307480693	ONE ALPHARETTA PARTNERS LLC	410 PEACHTREE PKWY STE 4245	CUMMING GA 30041
12 27010747C02			
12 270107470407	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107470381	GRBK HAYNES LLC	2805 N DALLAS PKWY STE 400	PLANO TX 75093
12 270107470514	GUPTA ABHAYA & MANJU	336 ATLEY PL	ALPHARETTA GA 30009
12 270107470522	WHITE NORBERT LEE & PATRICIA ANN	334 ATLEY PL	ALPHARETTA GA 30009
12 270107470589	CHESHER MICHELLE	322 ATLEY PL	ALPHARETTA GA 30009
12 270107470555	WOODS ROBERT D	328 ATLEY PL	ALPHARETTA GA 30009
12 270107470597	KIRKLAND ROMA PATEL	320 ATLEY PL	ALPHARETTA GA 30009
12 270307482053	ROSENTHAL KAY	81 THOMPSON ST UNIT 302	ALPHARETTA GA 30009
12 270307482061	STRACHAN MARIJKE W & BERSON STEVEN L	71 THOMPSON ST # 101	ALPHARETTA GA 30009





LEGAL DESCRIPTION
OVERALL 5-30-23

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;

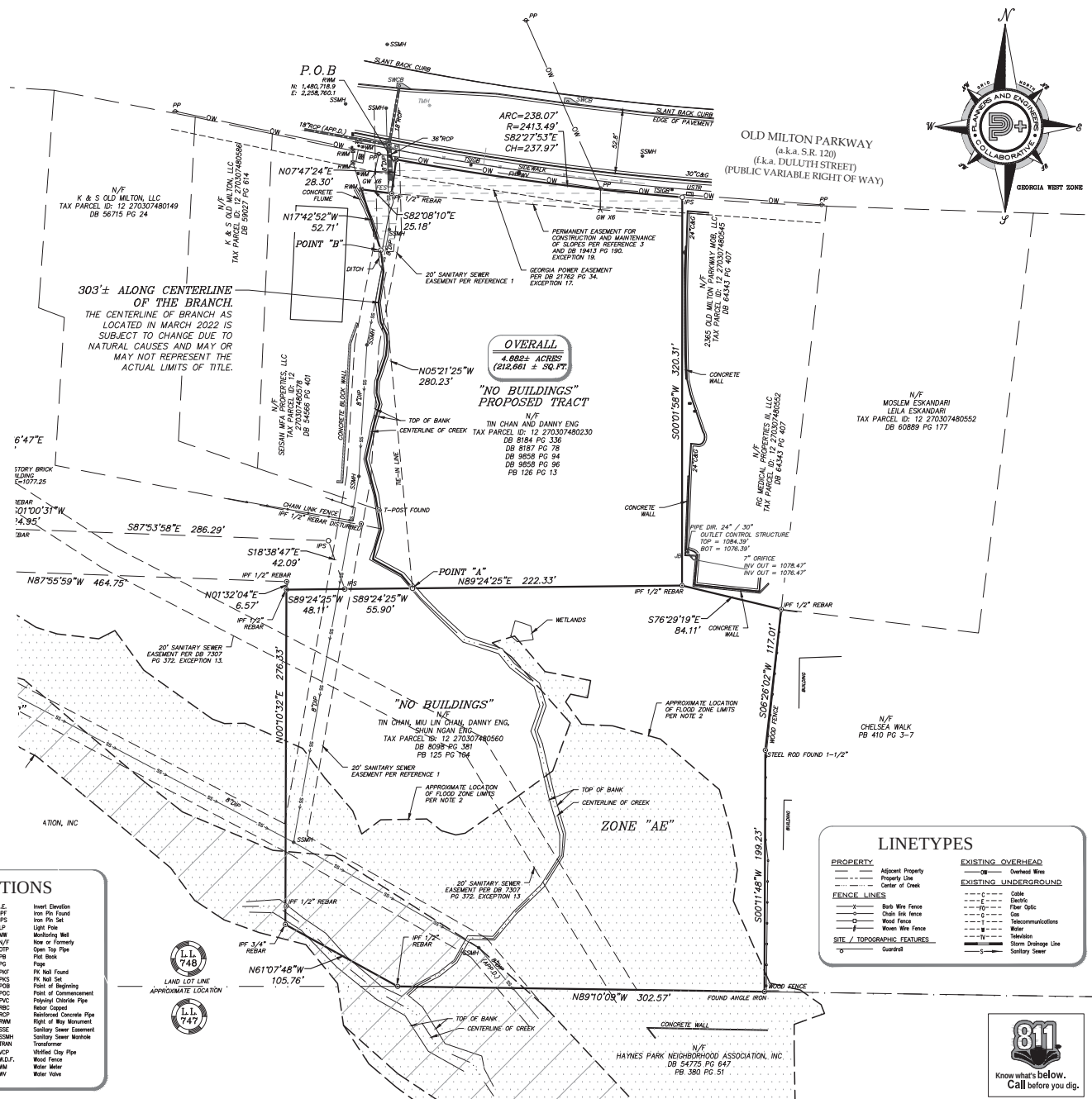
thence South 89 degrees 24 minutes 25 seconds West a distance of 48.11; thence South 89 degrees 24 minutes 25 seconds West a distance of 55.90 feet more or less to a point at the centerline of the creek branch, said point being referred to as Point "A" (the commencement point of a tie-in line "A"- "B"); 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 212,661 square feet 4.882 acres, more or less.

Journal of Interpersonal Violence 28(1) 1-17
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STRUCTURE LEGEND

ELECTRIC/POWER	SEWER
 Day Main	 Sanitary Sewer Manhole
 Power/Utility Pole	 Cleanout
 Utility Structure	
FIRE/CEC	SITE / TOPOGRAPHIC FEATURES
 Fire Optic Marker	 10' Street Sign
PROPERTY MONUMENTS	 Wallline
 Right-of-Way Monument	STORM / DRAINAGE
 Easement Pole Lot	 Storm Structure Lid
 Easement Pole (Water line)	 Junction Box
 Easement Pole (Sewer)	TELEPHONE
 Point of Beginning	 Telephone Terminal Box
MISCELLANEOUS	 Telephone Manhole
 Land Lot Symbol	 Telephone Cabinet
TRAFFIC	WATER
 Traffic Handhole Box	 Fire Hydrant
	 Water Meter
	 Water Valve
	 Water Vault

[illegible]



P&C+
Planners & Engineer Collaborative +

1000 WILSON AVENUE, SUITE 1000
 ATLANTA, GEORGIA 30309
 (404) 525-1000
 WWW.PANDCC.COM

REVISIONS

#	DATE	DESCRIPTION
1	09/06/23	ADD ELEVATIONS TO DOCS
2	5/27/23	REVISE PROPOSED TRACT
3	JAN	
4	NOV	
5		

FOR THE PROVISIONS GROUP and OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

ALTA/NSPS LAND TITLE SURVEY

748 LAND LOTS) DISTRICT 1ST, AND SECTION

CITY OF ALPHARETTA

FULTON COUNTY, GEORGIA

DATE: BY: MS
 FILE NO: 15357-01
 SCALE: 1"=20'-0"
 DATE OF FIELD WORK: 3/16/22

SHEET 1 OF 2

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May 31, 2023

Ms. Kathi Cook, Director
Community Development
City of Alpharetta, Georgia
287 South Main Street
Alpharetta, Georgia 30004

Re: **Application of The Providence Group of Georgia for ±4.882 acres of land located along the southern right-of-way of Old Milton Parkway (a.k.a State Route 120) to rezone from R-12 to DT-LW; and to secure three (3) variances from Sections 2.3.3.G, 2.6.2.A, and 3.3.6 of the City of Alpharetta Unified Development Code and the Downtown Overlay District; which tract is located in Land Lot 748, 12th District, Fulton County, GA.**

Dear Ms. Cook:

Please accept this letter as the Letter of Intent of my client, The Providence Group of Georgia ("TPG"), in support of the above referenced Applications.

As you know I represent TPG in its effort to develop the property located 2325 Old Milton Parkway (Parcel ID 12 270307480230) and 210 Norcross Street (Parcel ID 12 270307480560)¹ (the "Subject Property"), for 24 attached, owner-occupied single family townhomes, at a density of ±4.91 units per acre; noticeably under the maximum allowed density for townhomes. A Site Plan by Planners and Engineers Collaborative, dated May 22, 2023, more particularly details the nature of the intended project. The square footage of the units will range from 1,600 to 2,120, and all will be 3-bedrooms units with 3.5 bathrooms each. Each unit will have an attached garage for two cars, as well as driveways that will be at least 18 feet in length. Additionally, there will be 5 guest parking spaces on site. The internal road will have a 45-foot access & utility easement

¹ The overall property totals ±6.149 acres which also includes 0 Norcross Street (Parcel ID 12 270307480180). However, only ±4.882 acres of the total area are subject to this rezoning request.

allowing two 10-foot travel lanes, sidewalks, and landscape strips. The townhomes will have direct access to 21-foot wide alleyways that connect to the internal drive.

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 southerly 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.

The Subject Property is currently zoned R-12 (Dwelling, 'For-Sale', Detached Residential) and within the Downtown Overlay District. The tract is currently undeveloped and contains a 20-foot sanitary sewer easement running along the west and south edge of the property, as well as, streams and floodplain located on the southern and western portions of the site. To the north the Subject Property abuts the right-of-way of Old Milton Parkway. To the east, is a property zoned Office Institutional (O-I) containing the medical offices of Beaty Facial Plastic Surgery. Also to the east, the Subject Property borders a parcel zoned DT-LW containing the Chelsea Walk townhomes. To the south, the Subject Property borders a parcel developed as the Haynes Park Townhomes and is zoned Dwelling, 'For-Sale', Attached Residential—Low Density (R-4A). To the west the Subject Property borders a parcel zoned O-I containing the My First Academy Montessori School. Also to the west, the Subject Property borders a portion of the Haynes Park Townhomes development.

The Subject Property is situated along a section of Old Milton Parkway between the Avalon mixed-use development and downtown Alpharetta, which is largely characterized by a mix of townhome residential and office/institutional uses. The proposed townhome development is completely harmonious with the existing townhomes in the area and is complementary to the nearby office and school uses. The proposed development is also in line with the City of Alpharetta's Horizon 2040 Comprehensive Plan ("Comp Plan"), which encourages a mix of uses in the area. The Comp Plan's Future Land Use Map designates the Subject Property as being within the Mixed-Use Live Work (MULW) character area, as well as being within the Downtown Mast Plan. The Comp Plan notes the desired development within the MULW character area as: "[i]n the Downtown Overlay, office and residential uses mixed vertically within a building and/or horizontally within a development or area."² As noted above, the surrounding area is developed with a mix of office and residential townhome uses located along the Old Milton Parkway corridor. The proposed development will add to the mix of uses that the Comp Plan desires for the MULW character area. Furthermore, the proposed rezoning will bring the zoning into alignment with the MULW character area. The Comp Plan notes that DT-LW is an appropriate

² See City of Alpharetta's Horizon 2040 Comprehensive Plan, pg. 58.

zoning district for the MU character area, while the R-12 district is not. As a result, the current zoning is out of step with the requirements of the Comp Plan, which the Applicant's proposal seeks to correct.

As a consequence of being within the Downtown Overlay, there are a number of additional design elements which are to be incorporated into the proposed development. The proposed development will meet the Downtown Overlay requirements for open space by providing ± 0.60 acres (12.2% of the site) of amenity space.³ Thus, the ultimate goal is to create an attractive and fitting residential development in compliance with the vision adopted by the City in its Comp Plan and the Downtown Master Plan. This development represents an opportunity for high scale, for-sale housing in an area that is devoid of such options.

These improvements require the following approvals:

1. Rezone the Subject Property from R-12 to Downtown Live Work (DT-LW).
2. Concurrent variances and approvals from certain sections of the City of Alpharetta Unified Development Code requirements occasioned by factors peculiar to the Subject Property. The development will need the following variances/approvals from:
 - a. Alpharetta UDC Section 2.3.3.G – Amend the Downtown Overlay streetscape requirements to allow a 5-foot sidewalk and 4-foot landscape strip along the interior drives.
 - b. Alpharetta UDC Section 2.6.2.A – Amend the Downtown Overlay requirements to reduce the 50-foot undisturbed buffer along a portion of the western and eastern property line to a 20-foot landscaped buffer.
 - c. Alpharetta UDC Section 3.3.6 - Encroachment into the City of Alpharetta stream buffers for the development as shown on the Site Plan by PEC, dated May 22, 2023.

A. Relevant Background Information

The Subject Property has remained a vacant, wooded lot since at least 1988⁴ while much of the surrounding area has experienced significant development. The recent growth of the area is characterized by higher density residential (particularly townhomes), office and commercial developments. The Subject Property is ideally located for the type of community sought after by contemporary consumers and residents within close proximity to employment, retail and entertainment. The site is located in close proximity to major employment centers in the Avalon

³ Civic space is not required for sites under 5 acres per Alpharetta UDO §3.8.3.

⁴ Aerial photographs of the property show a single family home on the property prior to 1981, but that structure is no longer present by 1988.

mixed use development as well as Alpharetta's Central Business District. In addition, the property is approximately 1/3 mile from Alpharetta's downtown and approximately ½ mile from the commercial shops and restaurants in the Avalon development.

The centralized location lends itself to higher-density housing options that attract the professionals employed in the area. The housing preference of many modern professionals is one that is in close proximity to employers, as well as retail, restaurant, and recreational uses. The Subject Property offers a golden opportunity to further the intent of the Comp Plan and the Downtown Master Plan by adding higher density residential along the Old Milton corridor

B. Trip Generation

The proposed development will not overly burden existing streets or transportation facilities. The Applicant has submitted a Trip Generation Memorandum, prepared by A&R Engineering and dated May 23, 2023, along with this application detailing the anticipated number of trips. The Trip Generation Memorandum states that the 24 townhomes are expected to generate 7 trips during the AM weekday peak hour, 10 trips during the PM weekday peak hour, and 132 total trips on a weekday. 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. Old Milton Parkway is classified as a principal arterial per the Georgia Department of Transportation State Functional Classification Map. This type of roadway is intended to carry a large volume of traffic and the Applicant is unaware of any capacity issues with that roadway. Accordingly, Old Milton Parkway is anticipated to easily accommodate the minor amount of traffic generated by the proposed project.

C. Schools

The school-age children living in the residences will attend Manning Oaks Elementary School; Northwestern Middle School; and Milton High School. Manning Oaks Elementary is listed as under capacity. Northwestern Middle School and Milton High School are currently over capacity. The proposed townhomes, however, are not expected to overly-burden local schools since the target market for townhome residential is younger professionals or empty nesters, which are demographics that tend not to have school-age children.

D. Standards for Zoning Changes

- 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: Yes. Residential growth at higher densities is a key component of plans for the Old Milton corridor in the Downtown Master Plan. The property also is located within the Downtown Overlay, which envisions "a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community." If approved, conditions are recommended that further the concepts of the Downtown Master

Plan and the Downtown Overlay.

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

Response: No. By restricting access to Old Milton Parkway, and by appropriately screening the site with landscaping there should be no adverse impact upon adjacent or nearby property.

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

Response: No. The proposal is sensitive to the environmental constraints of the site and will implement many environmentally sensitive measures. A large portion of the site is comprised of stream buffers and floodplain, which the Applicant has taken care to limit impacts to these sensitive areas. In addition, the Applicant's site plan identifies tree save areas to protect the existing tree canopy.

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

Response: As noted in the paragraphs above, a large portion of the Subject Property is located within floodplain and stream buffers, leaving a little over 2 acres that is developable. This severely limits the ability to feasibly develop the property under the current R-12 zoning. The R-12 district requires a minimum 12,000 square foot lot size, which, when taken into account with the stream buffers, prohibits any practical development of the property. The proposed DT-LW zoning, however, allows smaller lots, thus allowing an attractive development that also fits within the site's constraints. As a result, absent a rezoning to allow a more practical use, such as townhome residential, the Subject Property is likely to remain undeveloped.

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

Response: The proposed change in use to allow a higher density residential would generate a greater demand upon public facilities and services, such as parks, recreational programs, schools, as well as potentially increased vehicular trips. However, the Applicant does not anticipate the proposed townhomes creating an excessive burden on roadways or schools, as outlined in Paragraphs B and C of this Letter of Intent above, or on other public services. As far as utilities are concerned, the Subject Property will have access to water and sewer.

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

Response: Yes. The Comp Plan recognizes the desirability of mixed uses to include residential options.

- 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: Yes. The request to rezone to property to allow townhome development reflects a reasonable balance, particularly the included design features and preservation of natural areas that help the development blend with the surrounding uses.

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

Response: See response to (d) above.

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

Response: The Comp Plan does not list the current R-12 zoning as appropriate for the Mixed Use Live Work character area. The proposed DT-LW zoning, however, will bring the zoning into alignment with the Comp Plan's goals for the area.

E. 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 approximately 4.8-acre property is configured in an irregular shape along Old Milton Parkway. FEMA floodplain, a perennial stream, an intermittent stream, and two sanitary sewer easements transect the property. Wetlands exist on-site and topography drops off along the Old Milton Parkway frontage. The perennial stream has up to 150' buffers. The intermittent stream has a 25-foot state buffer, 50-foot city undisturbed buffer and 75-foot city impervious buffer. Because of these conditions, only about two acres of the total site area are developable. In addition, the property is bordered on two sides by nonresidential zoning districts (O-I) which requires a significant amount of buffers along those property lines, thereby restricting buildable area further. The combination of the floodplain, streams, and the zoning buffers severely restricts any practical development of the property without relief.

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

Response: The particular features associated with the property, presence of streams, floodplain and its location between two O-I districts, along with the requirements of the Downtown Overlay creates a hardship which requires a design with these variances. A slight reduction in local buffer setbacks to the intermittent stream, along with minor dimensional adjustments provides a more reasonable developable land area on the subject site.

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

Response: The existence of the streams and floodplain coupled with the required zoning buffers affect the Subject Property's ability to be reasonably developed.

- (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 would not cause substantial detriment to the public good. By allowing the streetscape standards to be modified to allocate 5' of sidewalk and a 4' landscape strip will give future residents pedestrian access through the site and connection the sidewalk along Old Milton Parkway without excessive impervious surface so near the streams and floodplain. The site constraints, with relief, allows for a cluster development that efficiently uses the land and that meets the intent of the Zoning Code and desired creation of place within Downtown Alpharetta. The remaining land impacted by streams, easements and buffers will be retained in a natural state. The development will provide improvements to the intermittent stream to ensure the protection of the water quality.

F. Requested Conditions

- 1) The property shall be developed substantially in accordance with the plans by Planners & Engineers Collaborative, dated May 22, 2023.
- 2) Each unit shall contain a minimum of 1,600sf.
- 3) Residential alleys shall be allowed.
- 4) The project provides approximately 0.6 acres of amenity space ($\pm 12.2\%$ of total site). Amenity space is spread throughout the site and includes pocket parks and passive green spaces.
- 5) Site will have vehicular access from Old Milton Parkway only.
- 6) No more than 10% of the residential units will be permitted to be rented, as recorded in the HOA's declarations and covenants.
- 7) New utilities interior to the site will be placed underground.

- 8) The stormwater detention facilities may be located within the 50-foot undisturbed buffer.
- 9) The rezoning shall be subject to a recombination plat depicting the proposed ± 4.882 -acre parcel. The recombination plat will be prepared and recorded at a later date.

G. Preservation of Rights

It is the position of the Applicant that the Alpharetta Zoning Ordinance, in limiting the property to the uses allowed in the current zoning district is unconstitutional in that it destroys the marketability of the property and renders the property economically unfeasible, and such zoning therefore constitutes a taking of property without just and adequate compensation and without due process of law in violation of the Fifth and Fourteenth Amendments to the Constitution of the United States, as well as Article 1, Section 1, Paragraph 1; Article 1, Section 3, Paragraph 1(a); and Article 3, Section 6, Paragraph 2 of the Constitution of the State of Georgia (1983). To zone this property with any intervening conditions less than requested would be unconstitutional, would render the property unusable and would constitute the taking of Applicant's property without just and adequate compensation and without due process of law in violation of the provisions of the United States and Georgia Constitutions cited in this paragraph. The same effect would occur by imposing conditions in restraint of trade, or onerous, burdensome, unconstitutional, or unnecessary conditions on the property. The denial of this request would bear no reasonable relation to the health, safety, morals or welfare of the public.

CONCLUSION

The Applicant respectfully requests that the Alpharetta City Council grant the requested rezoning and the variances as submitted. We very much look forward to working with you, your staff, and the Council towards development of an excellent project

Respectfully Submitted,



J. Alexander Brock
Attorney



Memorandum

To: Kenneth Wood, Planners and Engineers Collaborative, Inc.
From: Abdul Amer, PE
Date: May 23, 2023
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.

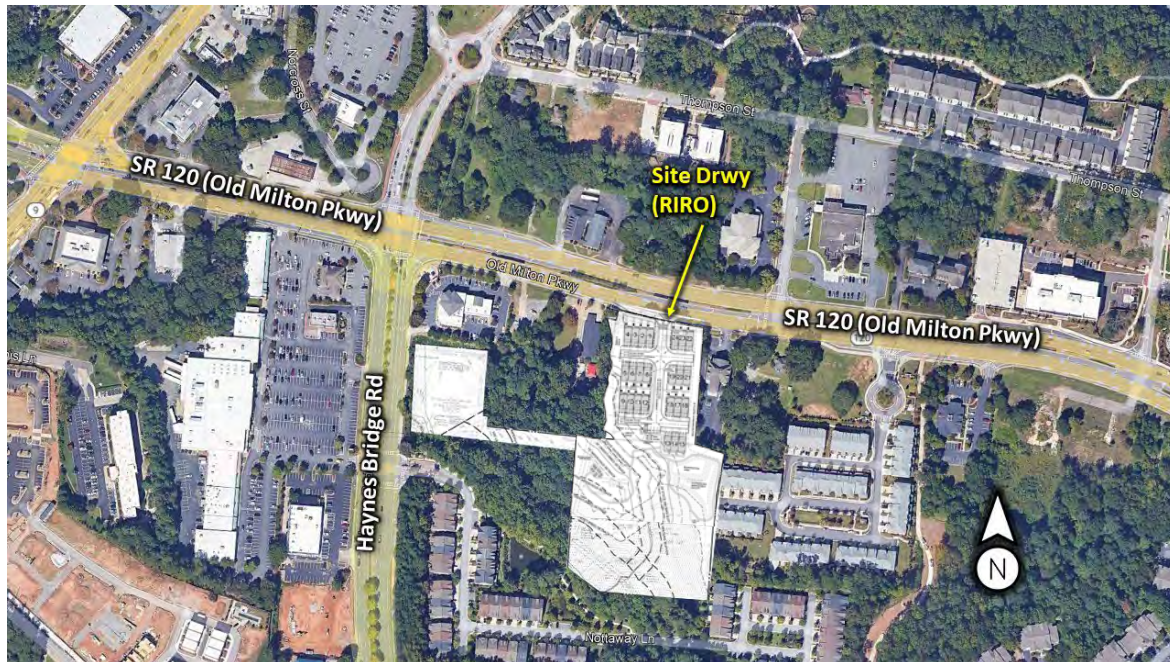


Figure 1 - Site Overlay Map

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.



SITE DATA	
SITE AREA	4.88 ACRES
ZONING	
EXISTING ZONING	R-12 (370 12.00 SF/40 AC OFFICE)
PROPOSED ZONING	CU-1B (CONVENTION/BUSINESS)
OVERLAY DISTRICT	DATELINE OVERLAY
ZONING JURISDICTION	CITY OF ALPHARETTA
USE CALCULATIONS	
MAXIMUM ALLOWABLE DENSITY	14 UNITS/100 ACRES
PROPOSED 20 YEAR LOADED TOURISM GUESTS	24 UNITS
TOTAL PROPOSED DENSITY	24 UNITS (5.01 U/LV AC)
PERMITS/REQUIREMENTS	
FRONT SETBACK	10 FEET
SIDE SETBACK	6 FEET
REAR SETBACK	NO ALLEY/3.5 FT. ALLEY/ 10 FEET
PERMITS/IMPACT STANDARDS	
MAX BLDG. HGT. HEIGHT	40 FEET
PROPOSED MAX BUILDING HEIGHT	40 FEET
MAX LOT COVERAGE	70% (187,485.58 SF)
PROPOSED LOT COVERAGE	17% (45,250.19 SF)
MAX LOT SIZE	5,000 SF
PROPOSED MIN LOT SIZE	5,300 SF
MIN. TOWNHOUSE WIDTH	20 FEET
PROPOSED MIN TOWNHOUSE WIDTH	20 FEET
MIN. TOWNHOUSE SIZE	500 SF
PROPOSED MIN TOWNHOUSE SIZE	1,600 SF
DEVELOPMENT CALCULATIONS	
CASE SPACE	N/A. UNDER 5,000
ADULTENT SPACE	6.85 ACRES (15.1% OF OVERALL SITE)
PARKING REQUIREMENTS	
TOTAL PARKING REQUIRED	48 SPACES (PREBUILT) + 2 SPACES PER 100 SPACES (2 SPACES PER GARAGE)
PROPOSED EXISTENT PARKING	48 SPACES
PROPOSED GUEST PARKING	10 SPACES
TOTAL PARKING PROVIDED	58 SPACES

7. A STEEP BUFFER VARIANCE SHALL BE REQUESTED FOR DEVELOPMENT TO INCROACH WITHIN THE UNDISTURBED AND IMPERVIOUS SETBACK ON THE WESTERN PROPERTY LINE. A MITIGATION PLAN SHALL BE INCLUDED WITHIN THE REZONING SUBMITTAL.
8. A VARIANCE SHALL BE REQUESTED TO ALLOW INTERNAL SIDEWALKS TO BE 9' WIDER WITH A 4' PLANTER STRIP ON EACH SIDE OF THE STREET. INSTEAD OF THE REQUIRED 8' SIDEWALK AND 4' PLANTER STRIP ON EACH SIDE OF THE STREET.
9. A VARIANCE HAS BEEN REQUESTED TO REDUCE THE REQUIRED 50' LANDSCAPED BUFFER ON THE EASTERN PROPERTY LINE TO A 20' PLANTED SCREENING BUFFER.
10. ENTIRE SITE IS WOODED, FOR A MORE DETAILED VIEW OF SIGNIFICANT TREES WITH CRITICAL ROOT ZONES, SEE ATTACHED MAPS AND PHOTOGRAPHS OF SIGNIFICANT TREES.
11. 20' PLANTED SCREENING BUFFER ON EASTERN SIDE OF PROPERTY TO BE DISTURBED ONLY FOR MINIMAL GRADING PURPOSES AND IS TO BE REPLANTED.

1. ALL PORTIONS OF THE WATER SERVICE LINES BEYOND THE WATER METER ARE TO BE OWNER MAINTAINED, FULTON COUNTY IS NOT RESPONSIBLE FOR THE SERVICE LINE BEYOND THE METER.
2. ALL WATER METERS TO BE INSTALLED WITHIN LANDSCAPE STRIP BEHIND THE BACK OF CURB.

Z1
SHEET



PROPERTY TAX BILL
CITY OF ALPHARETTA, GEORGIA

ACCOUNT #: 4510
BILL #: 2207119
TAX DISTRICT: 10

TAX YEAR: 2022

ALT ID #: 0696196

REAL PROPERTY TAX

PROPERTY OWNER	PROPERTY ADDRESS	PROPERTY IDENTIFICATION
CHAN TIN & ENG DANNY	2325 OLD MILTON PKY	12 -2703-0748-023-0

FAIR MARKET VALUE	ASSESSED VALUE	EXEMPTION TYPE	ELIGIBLE	APPLIED
\$600,900	\$240,360			\$

LEVIES	ASSESSED VALUE	-	EXEMPTIONS	=	NET ASSESSMENT	X	MILLAGE RATE	=	NET TAX
BONDED DEBT	240,360	-		=	240,360	X	.000965	=	231.95
L.O.S.T.	240,360	-		=	240,360	X	-.002966	=	-712.91
GENERAL GOVERNMENT	240,360	-		=	240,360	X	.007751	=	1863.03

IMPORTANT PROPERTY TAX MESSAGE

The due date indicated on your tax remittance stub is for CURRENT year taxes ONLY. If you have an amount shown in prior year, interest will continue to accrue monthly and collection efforts will persist. Thus, if your tax bill shows an amount due for the prior year, you will need to contact the City of Alpharetta Financial Service Division at 678-297-6060 (option 0) to confirm the total amount due.

CURRENT YEAR TAXES DUE: \$1,382.07
PRIOR YEARS TAXES DUE: 0.00
PENALTIES & INTEREST 0.00
TOTAL DUE \$1,382.07

City of Alpharetta
Finance Department - Tax
2 Park Plaza
Alpharetta, GA 30009-3680

Account Number: 4510
Amount Due: \$1,382.07
Due Date: 12/01/2022

PROPERTY TAX BILL

We accept Visa, MasterCard, or American Express.
Payments accepted via phone at 678-297-6060 (Option 0)
or online at www.alpharetta.ga.us

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CHAN TIN & ENG DANNY
3975 OLD MILTON PKWY # S 1
ALPHARETTA, GA 30005

City of Alpharetta
Finance Department - Tax
2 Park Plaza
Alpharetta, GA 30009-3680



PROPERTY TAX BILL
CITY OF ALPHARETTA, GEORGIA

ACCOUNT #: 4510
BILL #: 2207130
TAX DISTRICT: 10

TAX YEAR: 2022

ALT ID #: 0696323

REAL PROPERTY TAX

PROPERTY OWNER	PROPERTY ADDRESS	PROPERTY IDENTIFICATION
CHAN TIN & ENG DANNY	210 NORCROSS ST	12 -2703-0748-056-0

FAIR MARKET VALUE	ASSESSED VALUE	EXEMPTION TYPE	ELIGIBLE	APPLIED
\$656,700	\$262,680			\$

LEVIES	ASSESSED VALUE	-	EXEMPTIONS	=	NET ASSESSMENT	X	MILLAGE RATE	=	NET TAX
BONDED DEBT	262,680	-		=	262,680	X	.000965	=	253.49
L.O.S.T.	262,680	-		=	262,680	X	-.002966	=	-779.11
GENERAL GOVERNMENT	262,680	-		=	262,680	X	.007751	=	2036.03

IMPORTANT PROPERTY TAX MESSAGE

The due date indicated on your tax remittance stub is for CURRENT year taxes ONLY. If you have an amount shown in prior year, interest will continue to accrue monthly and collection efforts will persist. Thus, if your tax bill shows an amount due for the prior year, you will need to contact the City of Alpharetta Financial Service Division at 678-297-6060 (option 0) to confirm the total amount due.

CURRENT YEAR TAXES DUE: \$1,510.41
PRIOR YEARS TAXES DUE: 163.41
PENALTIES & INTEREST 0.00
TOTAL DUE \$1,673.82

City of Alpharetta
Finance Department - Tax
2 Park Plaza
Alpharetta, GA 30009-3680

Account Number: 4510
Amount Due: \$1,673.82
Due Date: 12/01/2022

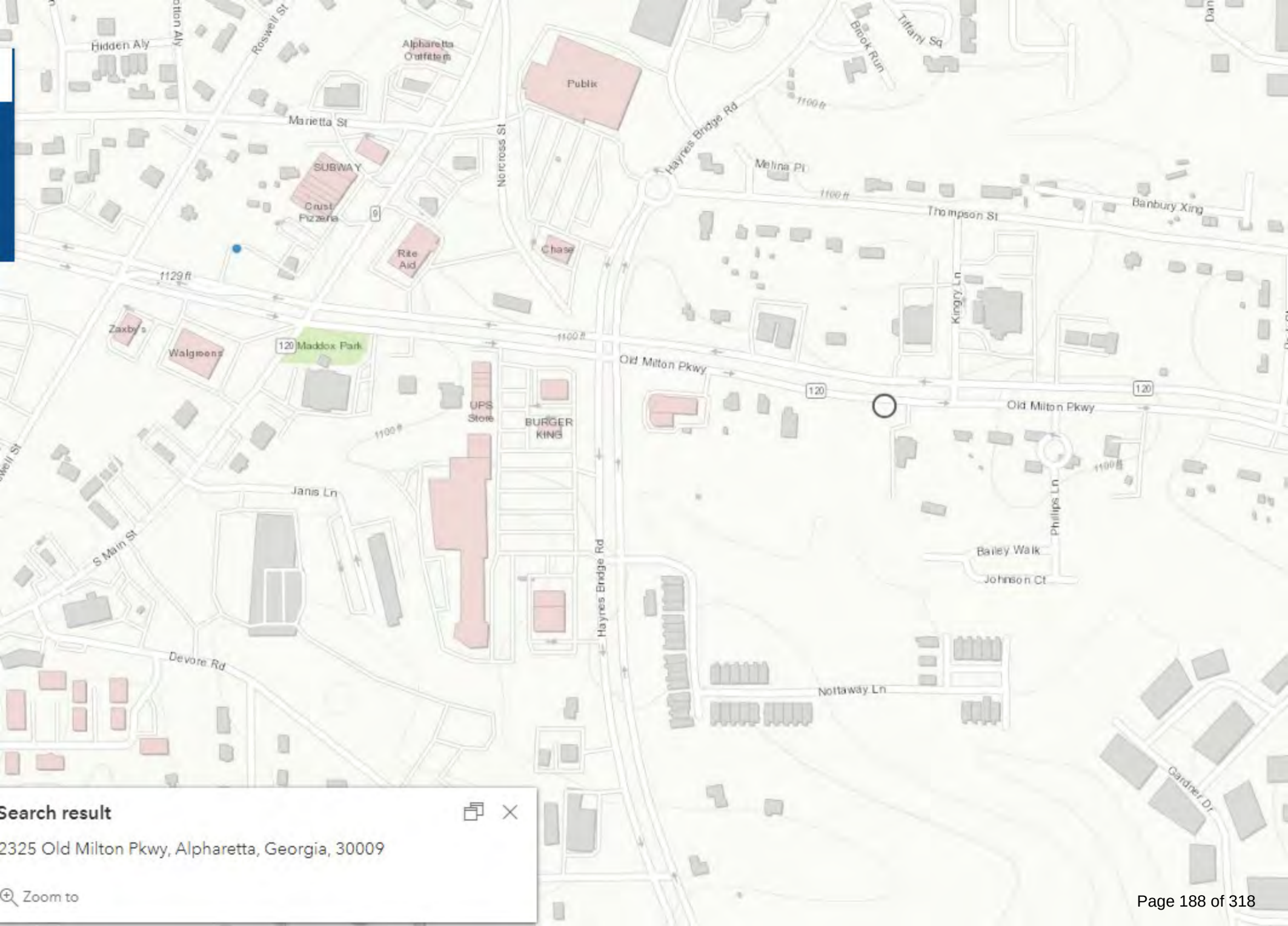
PROPERTY TAX BILL

We accept Visa, MasterCard, or American Express.
Payments accepted via phone at 678-297-6060 (Option 0)
or online at www.alpharetta.ga.us

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CHAN TIN & ENG DANNY
3975 OLD MILTON PKWY # S 1
ALPHARETTA, GA 30005

City of Alpharetta
Finance Department - Tax
2 Park Plaza
Alpharetta, GA 30009-3680



Search result

2325 Old Milton Pkwy, Alpharetta, Georgia, 30009

Zoom to

SPECIMEN TREE REPORT

City of Alpharetta

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

Project # 15315.01A

TREE REPORT FOR:

THE PROVIDENCE GROUP OF GEORGIA, LLC 11340 LAKEFIELD DRIVE, SUITE 140, JOHNS CREEK, GA, 30097

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: 19

Excellent Condition 0

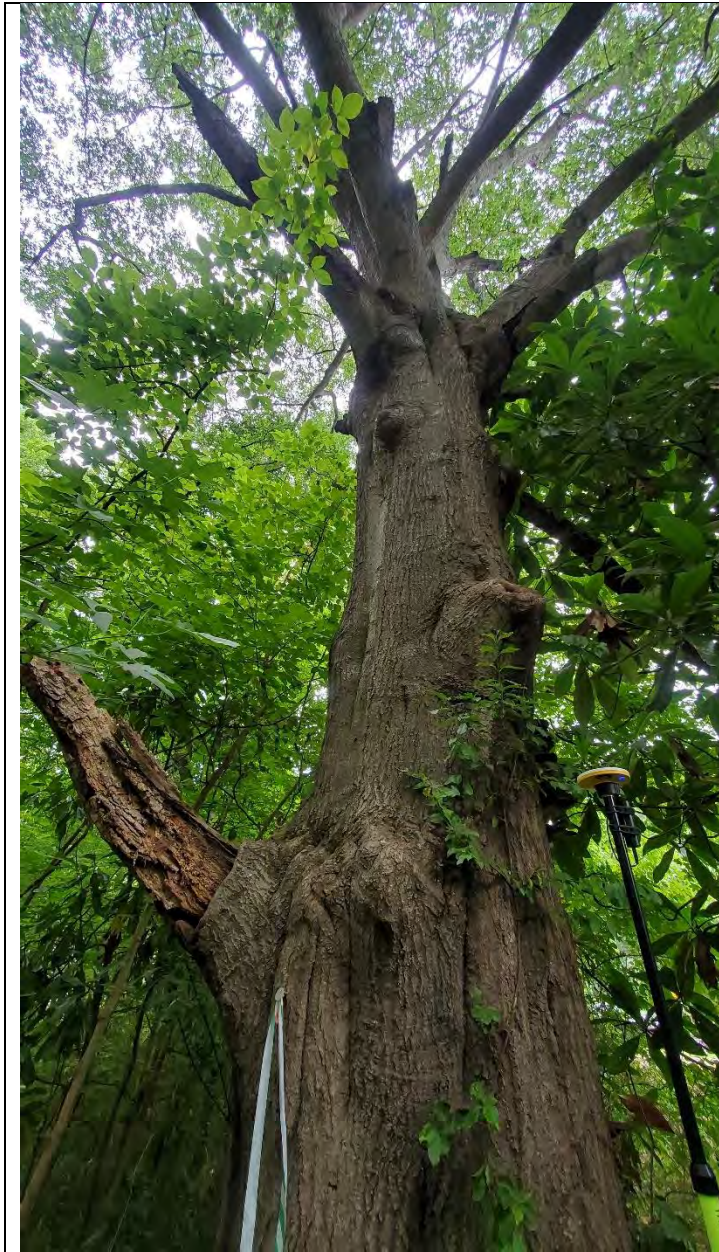
Good Condition: 16

Fair Condition:3

Poor Conditions: 3

SPECIMEN TREE AND QUALITY TREE DATA					
Tree #	DBH "	Common name	Scientific name	Condition	Status
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.
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.

SPECIMEN TREE AND QUALITY TREE DATA					
Tree #	DBH "	Common name	Scientific name	Condition	Status
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.
Total	592				



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.



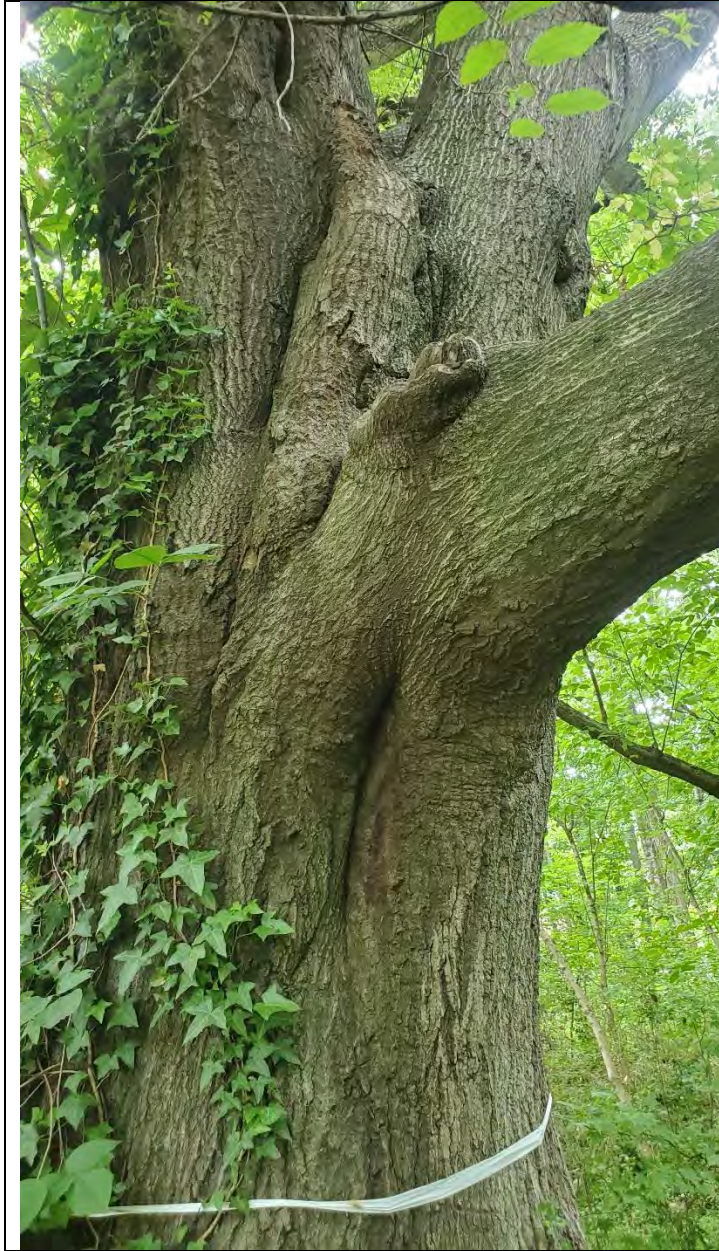
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Tree #324 is a Water Oak, it has a DBH of 39 inches when measured at 4.5' from the ground and has been tagged with an aluminum tag showing the Tree number. Tree #324 is a DDH. The tree meets this designation due to it having Tip Dieback and it having 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.



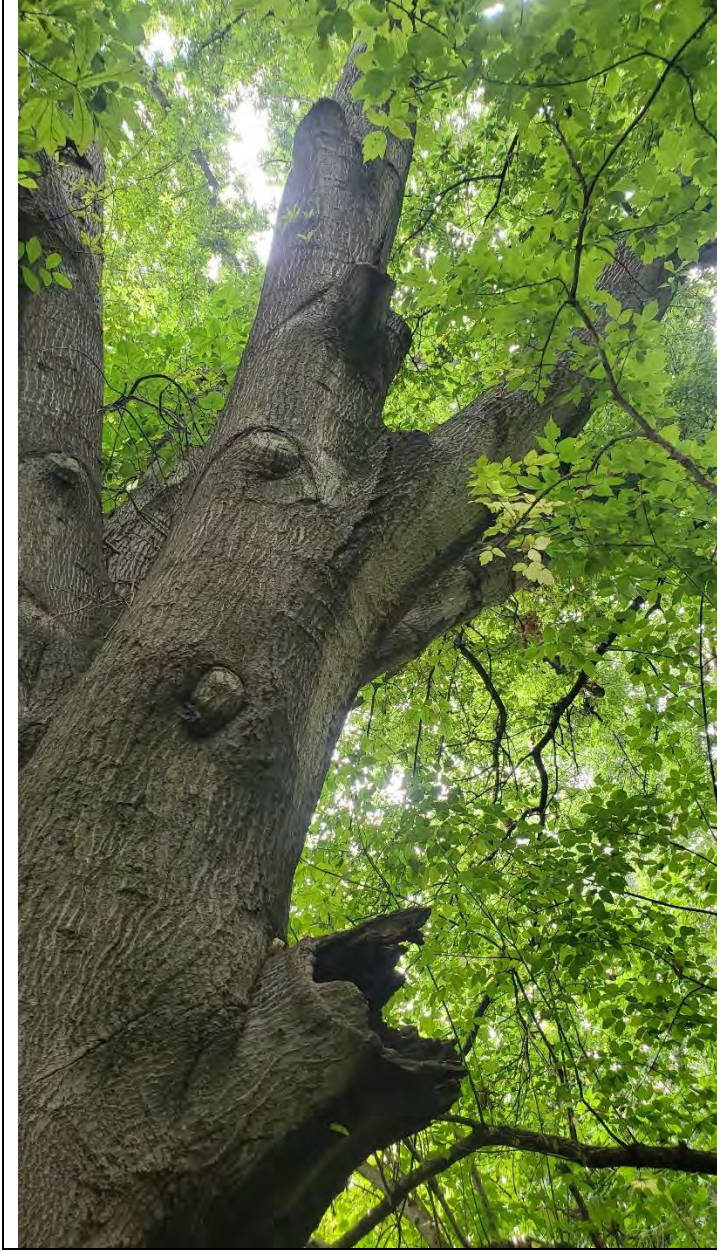
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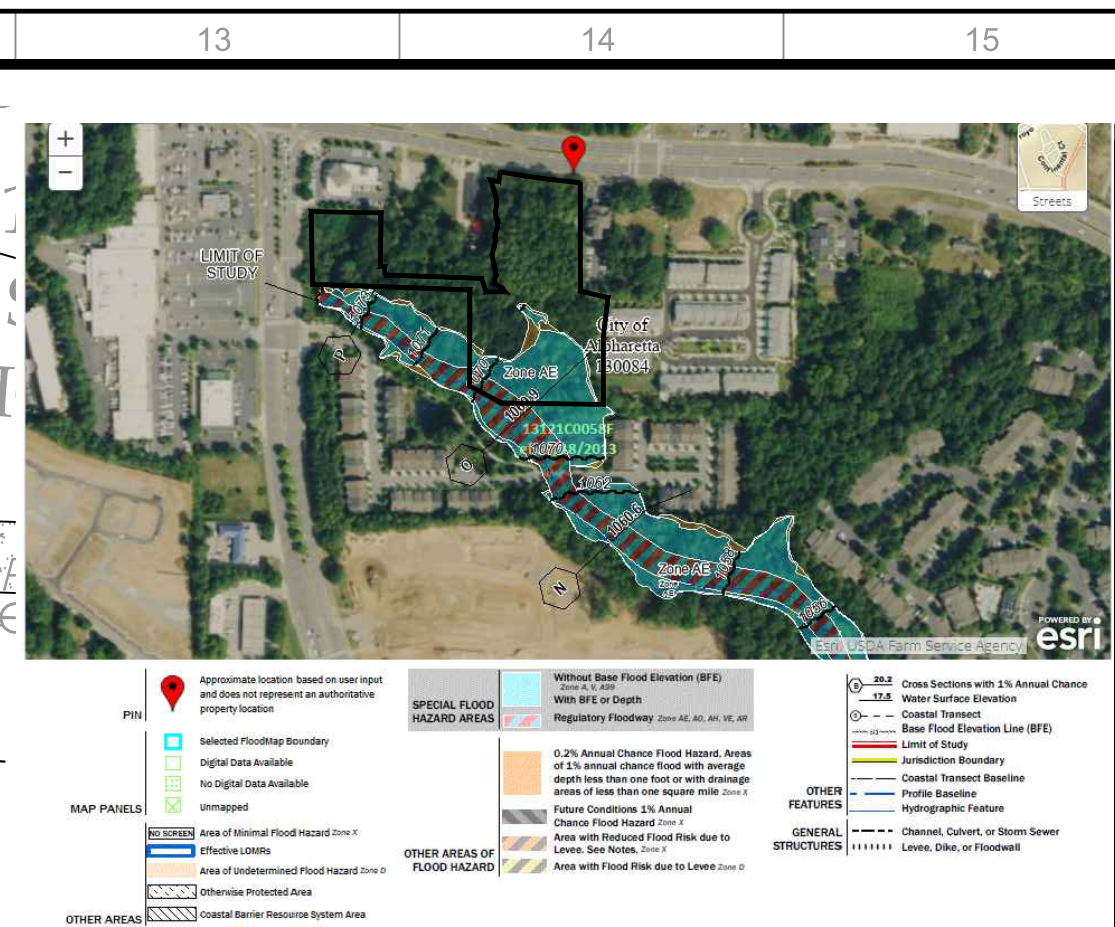
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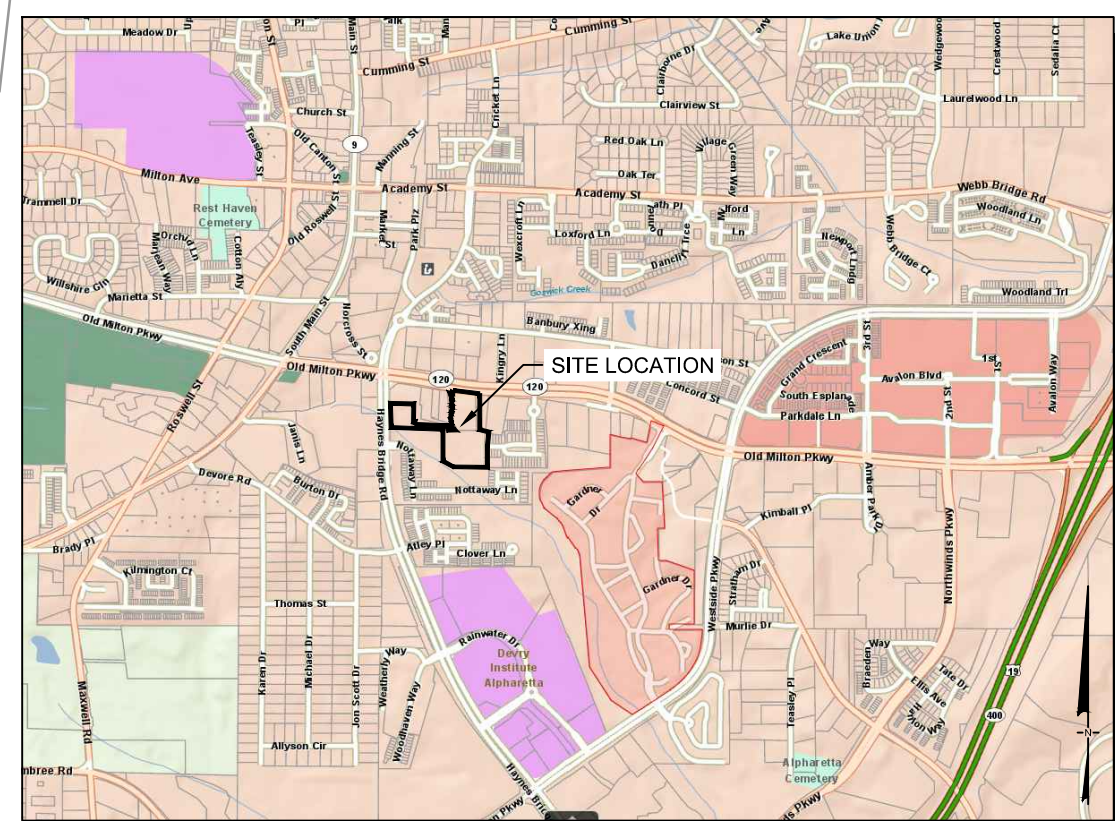
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FEMA FIRM MAP
NOT TO SCALE



SITE LOCATION MAP

WWW.PEC.PLUS



Planners & Engineers Collaborative+

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
THE PROVIDENCE GROUP

MUNICIPALITY PROJECT #

REVISIONS

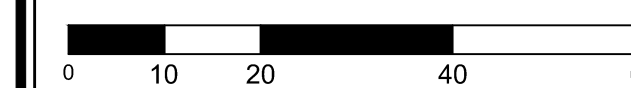
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THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.

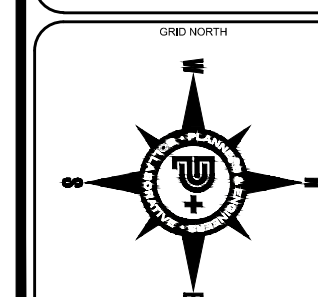


GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2024

Zoning Buffer Exhibit



SCALE: 1" = 20'
DATE: 04/19/2022
PROJECT: 15315.01



Z2

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.

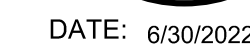
24 HOUR CONTACT:
AMANDA WEBB





1. SPEED LIMIT OLD MILTON PKWY NAME IS 45 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.

I, 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' SD FOR A 3-LANE ROAD, AS REQUIRED BY THE TEXAS 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.



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2325 OLD MILTON

T

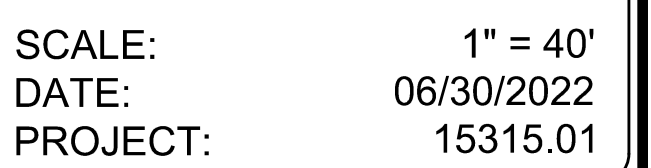
FOR

MUNICIPALITY PROJECT #

[illegible]

PRELIMINARY

BUFFER MITIGATION PLAN



SHEET









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-23-11 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – SIGNS, MULTI-USE TRAILS, PARKING, DOWNTOWN DESIGN, AND TREE PRESERVATION

PLANNING COMMISSION: SEPTEMBER 7, 2023

CITY COUNCIL: SEPTEMBER 18, 2023

II. **REPORT IN BRIEF:**

Consideration of text amendments to the Unified Development Code (UDC). Amend Section 2.3 Supplementary Regulations to address fence and wall regulations along multiuse trails. Amend Section 2.5 Parking and Loading to address the different levels of electric vehicle charging stations. Amend Section 2.6 Signs to prohibit face illuminated channel letter signs, require master sign plans for all commercial shopping centers and extend time period for banner signs for new businesses after DRB submittal. Amend Section 3.2 Tree Conservation, Landscape and Buffer Requirements to remove pines as a specimen or tree of quality and to allow homeowner's associations to review certain requests for tree removal within the front yard. Amend Subsection 2.10.5 North Point Overlay Street, Section 3.5 Installation of Streets, and Subsection 2.3.5 Downtown Overlay Multi-Use Trails to add and amend regulations pertaining to the installation of multi-use trails. Amend Appendix A: Alpharetta Downtown Code, Section 2.8 Building Design to address applicability of architectural style requirements.

DISCUSSION

Signs

In an effort to improve community aesthetics and reduce light pollution, Staff recommends changes to the Sign Ordinance to limit sign types, requiring master sign plans for multi-tenant developments, and extend banner sign timeframe for new businesses that require approval of signage by the Design Review Board (DRB).

Amend Subsection 2.6.8 Prohibited Signs and Devices, to prohibit face illuminated channel letter signs throughout the City. Currently, the prohibition applies to signs in the Downtown Overlay.

Subsection 2.6.11 (E) Banners is proposed to be amended to allow new businesses that require signage approval from the Design Review Board (DRB) to have a banner for up to 60 days after submission of a DRB application. Currently, banner signs are permitted for up to a fourteen (14) day period per calendar year. The recent change by the State requiring a 30-day advance legal advertisement for DRB requests is the impetus for this proposed change. Signs in the Downtown Overlay require DRB approval, which means a new business could wait seven (7) to eight (8) weeks for DRB approval of signage. The extended time period for a banner would help offset the extended DRB review process.

To ensure aesthetic compatibility of signage, Subsection 2.6.11 (H) Signs Permitted in Strip Shopping Centers, Shopping Centers, and Mixed-Use Developments, is proposed requiring a

master sign plan for multi-tenant developments. At a minimum, the master sign plan will address sign type, color and illumination and will limit sign face colors to no more than three (3) colors and illumination to no more than one (1) color. Master sign plans should be approved by the Design Review Board and will apply to signs requiring a permit.

Multi-Use Trails

Staff recommends amendments to Article 2 Use of Land and Structures, Article 3 Land Development Activities, and Appendix A: Alpharetta Downtown Code to establish and amend regulations pertain multi-use trails, including applicability, dimensions, building setbacks, and fences and walls along multi-use trails. Currently, multi-use trail regulations are addressed in the Downtown Overlay and North Point Overlay.

Propose an amendment to Subsection 2.3.6 Fence and Wall Requirements, addressing setbacks, type and height of fencing and walls along a multi-use trail. Propose new Subsection 3.5.7 Multi-Use Trails, which addresses multi-use trail design regulations. including regulations pertaining to trail width and building setbacks from a multi-use trial. Propose amendments to Subsection 2.10.5 North Point Overlay Streets and Appendix A: Alpharetta Downtown Code Subsection 2.3.5 Multi-Use Trails, pertaining to various multi-use trial regulations.

Parking

Staff recommends changes to the Parking Ordinance to incentivize the installation of faster charging Electric Vehicle Charing Stations (EVCS). Amend Subsection 2.5.7 Electric Vehicle Charging Stations (EVCS), to establish different requirements for Level 2 and Level 3 EVCS.

Downtown Design

Staff recommends amendments to the Downtown Design Guidelines in order to clean up a discrepancy between the Downtown Design Guidelines and the Alpharetta Downtown Code. Amend the Downtown Design Guidelines to change the geographic area where the design guidelines apply to the Downtown Overlay.

Tree Preservation

In an effort to improve efficiencies related to the tree removal permitting process, Staff recommends changes to the Tree Preservation Ordinance to allow a Qualified Issuing HOA to consider tree removal permits for certain tree removals in the front yard of a 'For-Sale dwelling. A Qualified Issuing HOA would be required to attend a tree removal permit class provided by the City's Community Development Department and maintain a contract with a landscape architect or arborist.

Amend Subsection 3.2.2 Definitions, to add a new definition for Qualified Issuing HOA (QIH) and to exclude pine trees from the definitions of Specimen Tree and Tree of Quality. Amend Subsection 3.2.3(A) to add an exemption from the Tree Conservation, Landscape and Buffer Requirements section for the removal of trees located in the front setback of a 'For-Sale' dwelling that receives approval from a Qualified Issuing HOA (QIH).

III. ATTACHMENTS:

- Section 2.3 Supplementary Regulations

- Section 2.5 Parking and Loading
- Section 2.6 Signs
- Section 2.10.5 North Point Overlay Streets
- Section 3.2 Tree Conservation, Landscape, and Buffer Requirements
- Section 3.5 Installation of Streets
- Subsection 2.3.5 Downtown Overlay, Streets
- Downtown Design Guidelines

SECTION 2.3 SUPPLEMENTARY REGULATIONS

2.3.1 General exemptions.

- A. *Heights—Exclusions.* The following structures are exempt from the height limitations imposed within each zoning district:
1. Church spires, cupolas, and chimneys.
 2. Agricultural accessory structures, such as barns, silos, windmills, and the like.
 3. Parapets and structures used for ornamental or aesthetic purposes not to exceed twelve (12) feet.
 4. Elevator penthouses not to exceed fifteen (15) feet.
 5. Mechanical equipment on building roofs or rooftop antennas provided any such equipment exceeding 12 feet in height shall be contained within a structure or otherwise screened from ground view from adjoining streets and properties.
- B. *Front Yard Requirements—Existing Residential Areas.* The setback requirements of this Ordinance shall not apply to any residential lot where the average setback on developed lots located adjacent to and on each side of such lot and within the same zoning district and fronting on the same street as such lot is less than the minimum required setback. In such cases, the setback of such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. In no case, however, shall setbacks be less than 15 feet.

If the adjacent developed lots on both sides of a vacant residential lot, within the same zoning district and fronting on the same street as such lot, have front yard setbacks greater than the minimum required by the zoning district, then the minimum setback on the vacant lot shall be the average of the 2 adjacent developed lots.

- C. *Double Frontage Lots.*
1. Double frontage lots should be avoided except where essential to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation. A landscaped or natural buffer of at least twenty feet (20'), across which shall be the right of access, shall be provided along the line of lots abutting such a traffic artery.
 2. On lots having frontage on two (2) streets, but not located on a corner, the minimum front yard setback requirement shall be provided along each street frontage.
 3. Double frontage lots shall obtain access from the street with the lower functional classification, unless this poses a safety hazard or would otherwise be impractical.
- D. *Setbacks—Exclusions.*
1. No building or structure or projection thereof, including porch, deck, terrace or chimney, shall be erected closer to a property line than the applicable setback regulation prescribed herein allows. However, uncovered steps, patio slabs, driveways, walkways, retaining walls of no more than 4' in height, and roof overhangs of up to 18" may be located within setback areas.
 2. Required setbacks may accommodate vegetated runoff reduction measures, provided such setbacks meet fire code standards. The runoff reduction measures may not compromise public safety such as the sight distance triangles required by the City.
- E. *Flag Lots.*

-
1. Flag lots are prohibited for residential development. Residential building sites must meet minimum lot width requirements at the front setback line or at twice the required front setback for cul-de-sac lots.

(Ord. No. 730 , § 6, 12-5-2016; Ord. No. 732 , § 2, 2-6-2017; Ord. No. 843 , § 3(Exh. C), 4-18-2022)

2.3.2 Temporary uses.

The Director may authorize a temporary use, as follows:

- A. Carnival, circus or fair on property zoned and used for non-residential use, for a period not to exceed 4 days. A period not to exceed 30 days may be granted by the Director if the event is held within a designated amphitheater facility as defined by Code and confirmed by the Director. Site shall meet adequate parking and safety concerns and limit impacts to surrounding properties.
- B. Outdoor tent sales on property zoned and used for non-residential use, for a period not to exceed forty-five (45) days. Authorization may not be granted more than two (2) times per year, per property.
- C. Seasonal events associated with a not-for-profit on property zoned and used for non-residential use, for a period not to exceed seventy-five (75) days. Authorization may not be granted more than two (2) times per year, per property.

Seasonal Events associated with a for-profit entity on property zoned and used for non-residential use for a period not to exceed thirty (30) days. Authorization may not be granted more than four (4) times per year, per property. Seasonal events, such as an ice-skating rink, corn maze, haunted house, etc. shall be limited to activities that draw fewer than 100 people at a time.
- D. Religious meeting in a tent or other temporary structure on property zoned and used for non-residential use, for a period not to exceed sixty (60) days.
- E. Open lot sale of Christmas trees, fruit and vegetables, and other harvested products on property zoned and used for non-residential use, for a period not to exceed forty-five (45) days.
- F. Real estate sales office, related to an active development, in any district, for a period not to exceed one (1) year, provided no sleeping accommodations are maintained in the structure.
- G. Contractor's office, construction trailer and equipment shed, in any district, related to an active development, for a period of one (1) year provided that such office be placed on the property to which it is appurtenant.
- H. Commercial television or motion picture filming activities not to exceed seven (7) calendar days at any residential location, or a period not to exceed twenty-one (21) days if approved by the Mayor and Council. The director or the Mayor and Council may impose conditions to the issuance of the permit to minimize the disturbance to the residential neighborhood. These conditions may include neighborhood notification requirements, parking and traffic control, and limitations on the hours of operation. In no event shall filming activities commence prior to 7:00 a.m. or continue after 10:00 p.m.
- I. All temporary certificates of zoning compliance may be renewed provided that it is determined that said use is clearly of a temporary nature, will cause no increased traffic congestion and will not create a nuisance to surrounding uses.
- J. The director may require City Council review and approval of any temporary uses.
- K. Fireworks sales in a tent or other temporary structure in the L-1 District, for a period not to exceed ninety (90) days.

(Ord. No. 688, § 1, 4-28-2014 ; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 718 , § 15, 12-14-2015; Ord. No. 808 , § 3(Exh. C), 9-8-2020; Ord. No. 836 , § 1(Exh. B), 10-4-2021)

2.3.3 Accessory uses and structures.

- A. *Home Occupations.* An occupation, profession or trade customarily carried on by an occupant in a dwelling unit as a secondary use which is clearly incidental to the dwelling unit for residential purposes and which meets all of the following conditions:
1. The use shall be carried on wholly within the dwelling unit principal building. The attachment of an accessory building by a breezeway, roof or similar structure shall not be deemed as sufficient for the accessory building to be considered as a portion of the primary building.
 2. Not more than 25% of the floor area, not to exceed 500 square feet, of the dwelling unit building shall be used for the conduct of the home occupation.
 3. No merchandise or articles shall be displayed for advertising purposes, nor be displayed in such a way as to be visible from outside the dwelling unit. Garage doors shall not be left in the open position when the garage is used for the storage of business related materials.
 4. No merchandise or articles shall be stored other than inside the dwelling unit.
 5. No equipment or business vehicles may be stored or parked on the premises except that 1 business vehicle (the carrying capacity of which shall not exceed 1andhalf; tons and shall not exceed six (6) tires and/or two (2) axles) used exclusively by the resident may be parked in a carport, garage or an approved parking space in the rear or side yard and not within the public street or right-of-way.
 6. A home occupation may not generate more than six non-residential trips per day to the home, excluding occupant trips.
 7. There shall be no alteration of the residential character of the dwelling unit or premises or structures on the premises.
 8. No person not a resident of the dwelling unit shall work in the dwelling unit in connection with the home occupation. This prohibition shall also apply to independent contractors and employees who serve the resident of the dwelling unit.
 9. One (1) off-street paved parking space for each 250 square feet of floor area devoted to the home occupation shall be provided in addition to the required parking for residential use of the building.
 10. No motor power, other than electrically operated motors, shall be used and the total horsepower of such motors shall not exceed 3 horsepower or 1 horsepower for any single motor.
 11. No nameplate or sign shall be displayed upon the dwelling unit or structure on the premises except 1 unlighted sign not exceeding 1 square foot in area and located not less than 20 feet from any property line.
 12. No aspect of the home occupation which is noticeable to neighbors shall be conducted between the hours of 9:00 p.m. of one evening and 7:00 a.m. of the next day.
- B. *Swimming Pools.* All swimming pools shall comply with the following requirements:
- Construction Plan:* An application for a permit to construct a swimming pool shall be submitted to and approved by the Building Official.
- Pool Location:* Swimming pools and their auxiliary structures shall maintain a 20' setback from side and rear property lines or the same setback as the principle structure, whichever is less. Swimming pools shall not be located within the required front yard of any lot or closer to the front lot line than the principal building on the lot. Pools may also not be located within a buffer or easement.

Accessory Buildings: Pool houses, cabanas and other structures related to a swimming pool shall be subject to all of the requirements for "accessory buildings" and shall maintain a minimum 10 foot setback from side and rear lot lines or the same setbacks as the principal.

Fencing: All swimming pools shall be enclosed by a fence that is at least 5 feet in height and constructed so as not to pass a four inch (4") diameter sphere through any opening. The fence must be maintained in good condition and shall be self-closing and self-latching. The fencing shall be located so as to not obstruct visibility at road intersections.

- C. *Uses Customarily Accessory to Dwellings Located in Residential Zoning Districts.* Each of the following uses is considered to be a customary accessory use to a dwelling, and as such, may be situated on the same lot with the principal use to which it serves as an accessory provided that the setback and yard requirements are met and provided that the accessory structure is not located closer to a road than the principal structure. No such accessory use shall be more than 20% in size of principal use or be located in a required front yard.
1. Private garage not to exceed the following storage capacities; 'For-Sale' dwelling, 4 automobiles; 'For-Rent' dwelling, 2 automobiles per dwelling unit; group dwelling, 1½ automobiles per sleeping room. Structures shall maintain a 10 foot setback from rear and side lot lines or the same setbacks as the principal building, whichever is less.
 2. Open storage space or parking area for motor vehicles provided that such space does not exceed the maximum respective storage capacities listed above; and provided that such space shall not be used for more than 1 commercial vehicle licensed as 1 ton or more in capacity per family residing on the premises.
 3. Shed or tool room for the storage of household goods or equipment used in grounds or building maintenance. Structures shall maintain a 10 foot setback from rear and side lot lines or the same setbacks as the principal building, whichever is less.
 4. Miscellaneous free-standing structures such as gazebos shall maintain a 10 foot setback from lot lines or the same setbacks as the principal building, whichever is less.
 5. Children's playhouse and play equipment.
 6. Quarters for the keeping of pets owned by occupants for non-commercial purposes provided that such use does not generate a nuisance to adjoining properties. Such quarters shall maintain a 20 foot setback from rear and side lot lines.
 7. Private swimming pool and bathhouse or cabana. Swimming pool shall maintain a 20 foot setback from side and rear lot lines, or the same setback as the principle structure whichever is less. All other structures shall maintain a 10 foot setback from side and rear lot lines or the same setbacks as the principal building, whichever is less.
 8. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes. Same setbacks shall apply as for the principal building.
 9. Backyard chickens on minimum 1-acre properties with a single-family detached dwelling, limited to no more than 6 chickens and no roosters allowed. Associated structures (chicken coop, run, etc.) shall maintain a minimum 25' setback from the rear and side property lines. Chicken coop and run shall not exceed 9' in height. No chickens shall be permitted within any undisturbed water buffers, wetlands, or regulated floodplain.

(Ord. No. 833 , § 1(Exh. A), 7-26-2021)

2.3.4 Standards for dwelling, 'for-sale', detached houses.

- A. All detached 'For-Sale' dwellings shall meet or exceed the following requirements in addition to the requirements of all applicable Building Codes:
1. Each dwelling shall be connected to a potable water supply and sanitary sewage disposal system approved by the Fulton County Development Services Department.
 2. Foundation: The structure shall be attached to a permanent foundation constructed in accordance with the Building Code.
 3. Exterior siding: Exterior siding materials shall consist of wood, brick, stone, concrete, stucco, EIFS or similar materials, or lap siding of masonite, vinyl or similar materials, or any combination of the above.

The exterior siding shall extend the full height of the exterior walls, from the surrounding grade to the bottom of the eaves or other juncture with the roof.
 4. Roofs: All roof surfaces shall have a minimum pitch of 2.25:12 (2¼ inches of rise for every 12 inches of run), except that mansard and gambrel roofs must meet this requirement only for those surfaces that rise from the eaves. All roof surfaces exposed to view shall be covered with asphalt or fiberglass shingles, wood shakes or shingles, clay tiles, slate, standing seam metal or similar materials.
 5. Houses shall be at least 20 ft. in width.
 6. A porch or hard surfaced landing shall be provided at each exterior door and stairway top and bottom, which shall be at least as wide as the door it serves, but no less than 36 inches in width and 36 inches in depth.

2.3.5 Buffers and landscape requirements.

See UDC Section 3.2.8.

(Ord. No. 718 , § 16, 12-14-2015; Ord. No. 732 , §§ 3, 4, 2-6-2017; Ord. No. 737 , § 1, 5-1-2017; Ord. No. 739 , 5-1-2017)

2.3.6 Fence and wall requirements.

- A. *Height.* Height of fences and walls used as fences shall not exceed six (6) feet on residential property and eight (8) feet on non residential property. These limits may be exceeded by up to 50% on sloped lots where the appearance of an even fence line is desired.
- B. *Location on Property.* In order to prevent the obstruction of visibility, no walls, fences, shrubbery or hedges over three (3) feet in height shall be located within twenty (20) feet of an intersection of two or more streets or within ten (10) feet of the edge of a driveway leading to a street. Fences and walls shall be placed at least five (5) feet from required landscape strips and buffers to accommodate construction and maintenance unless approved otherwise at a public hearing.
- C. *Materials.* Fences and walls used as fences shall be made of wood which shall be protected from decay by the use of naturally durable wood or wood that is pressure treated, metal, brick, block, vinyl or stone. The use of plywood/sheet goods as a material is prohibited. Barbed, razor wire or electrically charged fencing shall be permitted in AG and RE districts and may be permitted, subject to administrative review and approval, in other districts.
- D. *Appearance.* All fencing shall be constructed with finished side facing away from the property owners property. Fences and walls used as fences shall not be finished with bright or primary colors or be visually distracting in any other way. A privacy fence or chainlink fence along a public or private right-of-way shall only be permitted when the required landscape strip and associated landscape material is provided. Privacy

and chainlink fences shall be prohibited in a front yard, except that the Director of Community Development, or designee, may approve a privacy fence in the front yard on collector or arterial streets.

- E. *Permit.* A permit for construction shall not be required to erect a fence or wall used as a fence which is built in accordance with these standards. Signage incorporated into such fences shall require a sign permit.

F. **Multi-use Trails.** A fence or wall along a public multi-use trail shall be setback at least ten-feet (10') from the trail, shall not be opaque and shall not exceed five-feet (5') in height.

(Ord. No. 720 , § 1, 2-22-2016; Ord. No. 808 , § 3(Exh. C), 9-8-2020)

2.3.7 Reserved.

Ord. No. 730 , § 7, adopted Dec. 5, 2016, repealed former § 2.3.7 which pertained to conditional uses.

SECTION 2.5 PARKING AND LOADING¹

Areas suitable for parking vehicles in off-street locations shall be required in all districts at the time of the initial construction of any principal building or when a structural alteration or change in a principal building produces an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs.

Off-street parking shall be provided and maintained in accordance with the following requirements. A parking study may be submitted to support a request for a proposed parking reduction. This study shall be reviewed by Community Development and must be approved prior to permitting.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , § 5, 2-6-2017)

2.5.1 Number of vehicle parking spaces required.

The following number of off-street vehicle parking spaces shall be required for the respective use:

- A. *Residential Uses.* Residential parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet).

Dwelling, 'For-Sale', detached:

Two (2) spaces on the same lot for each dwelling unit, plus 1 additional space where a home occupation is permitted.

Dwelling, 'For-Sale', attached; efficiency or one-bedroom units:

One and one-half (1½) spaces for each dwelling unit.

Two or more bedroom units:

One (1) space for each bedroom.

Bed and Breakfast:

One (1) space for each bedroom.

Dwelling, 'For-Rent', residential:

Two (2) spaces for each unit, plus one (1) guest space per 20 units.

Group Home/Congregate Housing:

One (1) space for each two (2) sleeping rooms.

- B. *Business Uses.*

Medical, dental and optical offices:

One (1) space per 200 square feet.

Professional and business offices not otherwise specifically enumerated:

One (1) space for each 250 square feet of gross floor space.

¹Ord. No. 718 , § 17(Exh. C), adopted Dec. 14, 2015, repealed the former § 2.5 (2.5.1—2.5.9), and enacted a new 2.5 (2.5.1—2.5.9) as set out herein. The former § 2.5 pertained to similar subject matter and derived from the original codification and Ord. No. 675, § 1, adopted June 3, 2013.

Banks:

One (1) space for each 300 square feet of gross floor space.

Hotels (or Motels) and Extended Stay Hotels:

One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

Day Care:

One (1) space for each 400 square feet. (Stacking for six cars must be provided on site.)

Service and repair establishments not otherwise specifically enumerated:

One (1) space for each 250 square feet of floor area not used for storage.

Retail businesses, not otherwise specifically enumerated:

One (1) space for each 200 square feet of gross floor space.

Auto, truck and mobile home sales, outdoor equipment and machinery sales, commercial nurseries:

One (1) space per 100 square feet of showroom, sales office or other conditioned space.

Restaurants:

One (1) space for each 100 sq. ft. of the entire facility.

Retail Shopping Center:

Less than 50,000 sq. ft.: One (1) space for each 200 sq. ft.

50,000—400,000 sq. ft.: One (1) space for each 250 sq. ft.

Over 400,000 sq. ft.: One (1) space for each 285 sq. ft.

Theaters, night clubs and other such places of public assembly:

One (1) space for each 4 seats accommodations plus 1 employee space for each 10 seats.

Service stations:

Two (2) spaces for each gasoline pump plus 1 space per 250 sq. ft. for convenience store.

Funeral homes:

One (1) space for each 4 seats in chapel or parlor plus sufficient space to park or store all company vehicles.

Technology Centers/Data Processing Centers:

One (1) space per 1,000 square feet per gross area of unmanned space together with parking as required for space dedicated to manned space at 1 space per 300 square feet. Land for additional parking calculated at 1 space per 500 square feet of gross area shall be set aside and preserved until such time as additional parking is needed and/or use changes. This land shall not be subdivided from the remainder of the property so that it can be used for parking in the future.

C. *Wholesale and Industrial Uses.*

Wholesaling and industrial uses including lumber, brick, coal, junk and supply yards:

One (1) space per 1,000 square feet.

D. *Public and Semipublic Uses.*

Hospitals:

One (1) space per bed, plus 1 space per 200 square feet of floor area used for outpatient treatment.

Churches, stadium and other places of public assembly:

One (1) space for each 2 seats in the principal assembly room.

Places of assembly or indoor recreation without fixed seats:

One (1) space for each 500 square feet of playing court, rink, playing field and spectator area, plus one (1) space for each 200 sq. ft. of gross floor space directed to other patron use areas.

Schools, elementary and middle schools:

One (1) space for each classroom and administrative office plus 5 spaces for visitors.

Schools, senior high:

One (1) space for each classroom and administrative office plus 1 space for each 4 students based on the design capacity of the school.

Other public building:

One (1) space for each 300 square feet of gross floor space.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.2 Shared parking.

- A. *Common Off-street Parking Areas.* Two (2) or more principal uses may utilize a common area in order to comply with the off-street parking requirements, provided that the total number of individual spaces available in the common area is not less than the sum of the spaces required for the individual uses as separately computed in accordance with the provisions of this Ordinance. If it can be demonstrated that the principal uses would not utilize the shared parking areas during the same hours, the required number of parking spaces may be reduced by 25% in the common area.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.3 Off-street loading and unloading spaces.

- A. Every lot on which a business, trade or industry is thereafter established shall provide space as indicated below for the loading and unloading of vehicles off the street. Such space shall have access to an alley or, if there is no alley, to a street. For the purpose of this Section, an off-street loading space shall have the minimum dimensions of 12 by 40 feet and be clear and be free of obstructions at all times.

Required spaces shall be provided as follows:

Retail businesses, office, wholesale, industrial, governmental and institutional uses, including public assembly places, hospitals and educational institutions, 1 space for the first 25,000 square feet of total floor area or fractional part thereof. For anything in excess of 25,000 square feet, such uses shall provide loading spaces according to the following schedule:

SQUARE FEET	NUMBER OF SPACES
25,000—99,999	2
100,000—159,999	3

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(Supp. No. 17)

160,000—239,999	4
240,000—349,999	5
For each additional 100,000 or fraction thereof	1 additional

- B. Vehicles uses for the loading and unloading of retail merchandise may not be parked overnight (between 10:00 p.m. of one day and 8:00 a.m. of the next day) in a location closer to the frontage street than the principal building.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.4 Locational criteria for parking.

- A. Location on Other Property. If the required parking cannot reasonably be provided on the same lot on which the principal use is conducted, such parking may be provided on other off-street property provided such property lies within 500 feet of the main entrance to the principal use. Such parking shall be associated with the principal use and shall not thereafter be reduced or encroached upon in any manner.
- B. Location of Required Parking in Residential Districts. Required parking spaces in residential districts shall be subject to applicable area regulations pertaining to setbacks (front, side and rear yard), lot coverage, and accessory and principal structures.

Required parking spaces in 'For-Sale' residential districts shall be contained within a carport, garage or completely enclosed building, in addition:

Each 'For Sale' dwelling unit shall have a minimum 18' long and 10' wide paved driveway, as measured from the garage to the back of sidewalk, or back of curb where a sidewalk is not provided.

Ordinary passenger vehicles and non-commercial pickup trucks may be parked on a paved driveway providing ingress and egress to the lot or on a paved parking space provided that the maximum width of the total paved area cannot exceed 40 (forty) feet.

One (1) business vehicle not prohibited by the provisions of this Ordinance from parking within a residential district and one or more recreational vehicles or boats, or boat trailers may be parked or stored in an area not visible from a street.

The regular parking or storage of any business vehicle, any vehicle used in connection with a home occupation, or any vehicle with a carrying capacity of more than one-and-one-half (1½) tons is prohibited in any residential district. Pickup or panel trucks, used to provide daily transportation to and from work, are allowed in all residential districts.

- C. Parking and Storage of Certain Vehicles. No automobile, truck, motorcycle, trailer or other vehicle of any kind or type without current license plates shall be parked or stored on any lot in a residential district except in a completely enclosed building.
1. Any person who, as of the effective date of this Article (6/94), has established a long-standing practice of parking or storing boats or recreational vehicles which is not in compliance with the provisions of C(1), above, may continue such practice as a lawful nonconforming use, subject only to the provisions of any applicable district regulations.
 2. Any person may apply to the Director of Community Development for a variance to the provisions of C(1), above pertaining to the parking and storage of boats or recreational vehicles. Variances shall be granted only in the case of extreme hardship or unusual circumstance, as contrasted with merely granting an advantage or a convenience. The factors to be taken into consideration by the Director may include the following:

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- a. The ease with which the applicant can comply with the provisions of this ordinance;
 - b. Whether there are extraordinary and exceptional conditions pertaining to the particular lot because of its size, shape, topography or location of the improvements on the lot;
 - c. The economic hardship that would be imposed upon the applicant if the variance were denied; and
 - d. Whether relief, if granted, would cause substantial detriment to the public good or impair the purpose and intent of this ordinance.
3. Where appropriate, the Director may attach reasonable conditions to the grant of a variance. The Director may also approve an alternative parking practice which, although not in strict compliance with the literal provisions of this Article, is deemed by the Director to be in compliance with the spirit of the Ordinance. All variances are personal to the applicant and shall terminate upon the sale of the lot.
- D. Written variance applications shall be acted upon by the Director within thirty (30) days of receipt. Variance applications denied by the Director may be appealed by filing a written appeal with the Board of Appeals within fifteen (15) days of the date of denial. The Board shall act upon the appeal at its next available meeting following receipt of the appeal.
- E. No parking or loading area shall be used for the sale, repair, dismantling or servicing or storing of any vehicle, equipment, materials or supplies.
- (Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 757 , § 2, 5-9-2018; Ord. No. 772 , § 4, 2-4-2019)

2.5.5 Design criteria.

- A. Parking Space Area Requirements. Including aisles, entrances and exits, each required off-street parking area, lot or other facility shall contain a minimum of 300 square feet of space for each vehicle to be accommodated. Not less than 80% of the parking spaces required by this Ordinance shall be standard parking spaces (9 feet by 19 feet). The dimensions of parking spaces and aisles shall be in accordance with the Parking Standards Illustration (Table 2.3). In order to reduce impervious area, projects using runoff reduction measures may use alternative off street parking dimensions as specified in Table 2.3.a. Accessible parking shall be designed and provided in accordance with the requirements of the Georgia Accessibility Code for Buildings and Facilities.
- B. Permitted Percentage of Compact Car Parking Spaces. Up to 20% of the parking spaces required by this Ordinance may be compact car parking spaces (8 feet by 16 feet). Compact spaces shall be located on the periphery of the parking lot wherever possible.
- C. Minimum Parking Bay Width. The minimum width for 90 degree parking bays shall be 60 feet for standard spaces and 54 feet for compact spaces, except for projects using runoff reduction measures, as noted in 2.5.5.A above.
- D. Off-street parking lots, whether public or private, shall be graded to insure proper drainage, surfaced with concrete or asphalt on an approved base and maintained in good condition free of weeds, dust, trash and debris. A gravel surface may be used for parking when such parking is in excess of code requirements and located within 700' of a waterway.
- E. Tree Preservation. To allow an existing or new development to preserve healthy existing trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced by up to twenty percent (20%).
- F. Within residential districts, gravel parking in existence as of 01/01/01 may remain. Such gravel parking areas shall accommodate a maximum of two vehicles and shall be contained on three sides by landscape timbers.

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- G. Pervious paving materials for parking areas are allowed as part of an approved stormwater management plan for the site with a long-term maintenance agreement.
 - H. Parking Lot Landscaping. See, Sec. 2.3.5.
 - I. Multifunctional Functional Runoff Reduction Measures. To encourage multifunctional runoff reduction measures and provide incentives for their use, bioretention areas, vegetated swales, planter boxes, rainwater harvesting systems, and other vegetated BMPs may be used to meet the perimeter island, interior island, and median island landscaping requirements of this Chapter, and may be constructed in the designated landscape areas if part of an approved stormwater management plan for the site and if screening functions are maintained.
 - J. Tandem Parking. Enclosed tandem parking spaces shall only count for one required parking space, since only one space is fully accessible.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017; Ord. No. 772 , § 5, 2-4-2019)

2.5.6 Public street access.

- A. *Access to Parking Lots.* A plan of entrances, exits and storm water drainage shall be submitted to the Department of Community Development and approved prior to the issuance of a development permit for off-street parking lots, whether public or private. Installation of entrances, exits and drainage systems shall have been completed prior to the issuance of a certificate of occupancy. All curb cut locations as well as widths shall comply with the Alpharetta Standard Drawings.
- B. *Driveways and Curb Cuts.* Local structures may have access points to parking lots as needed to fit the development, in accordance with professional traffic engineering practice. In general, curb cuts shall be spaced at least 300 feet apart and be located at least 300 feet away from a street intersection. An individual residential lot shall not have more than one (1) curb cut per 300 feet of street frontage.
- C. *Vision Clearance.* In all districts no fence, wall, shrubbery or other obstruction to vision between the heights of 2½ feet and 10 feet above the finished grade of streets shall be erected, permitted or maintained within 20 feet of the intersection of the right-of-way lines of streets.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 732 , §§ 6—9, 2-6-2017; Ord. No. 843 , § 3(Exh. C), 4-18-2022)

2.5.7 Electric Vehicle Charging Stations (EVCS).

All non-residential and Dwelling, 'For-Rent' developments requiring 100 or more vehicle parking spaces shall provide Electric Vehicle charging stations (EVCS). One (1) Level 2 EVCS for every 25 required vehicle parking spaces or one (1) Level 3 EVCS for every 100 required vehicle parking spaces shall be required.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.8 Number of bicycle parking spaces required.

- A. *Residential Uses.*

Dwelling, 'For-Rent':

One (1) bicycle space for every two (2) units.

- B. *Business Uses.*

Retail, Office, Hotel, Place of Assembly, Entertainment:

One (1) bicycle space for every 25 required vehicle parking spaces.

C. *Public and Semipublic Uses.*

Schools (public/private):

One (1) bicycle space for every ten (10) employees, plus one (1) space for every four (4) students.

D. *Miscellaneous/Other.*

To be determined by the Transportation Engineer and/or Zoning Administrator.

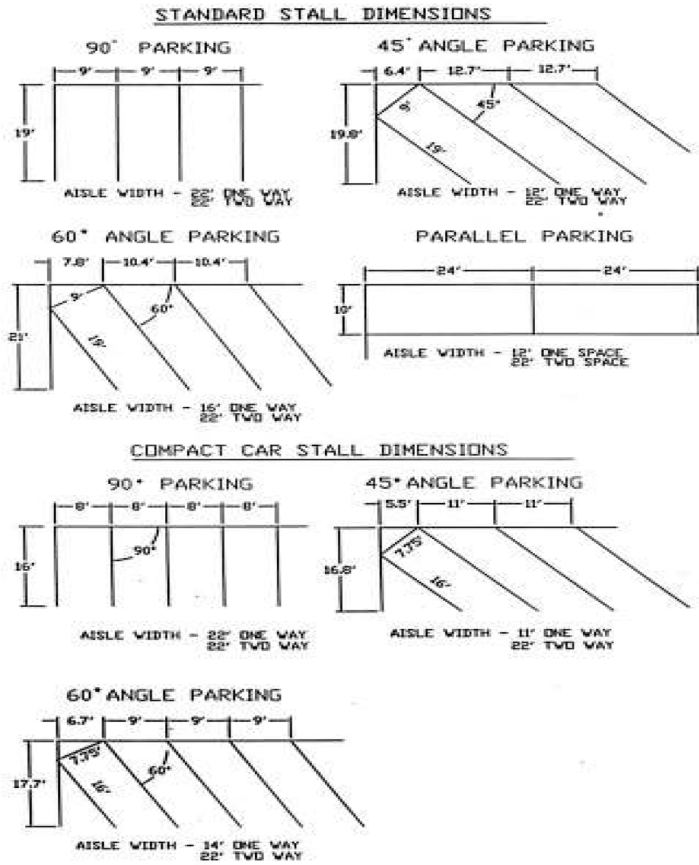
(Ord. No. 718 , § 17(Exh. C), 12-14-2015)

2.5.9 Prohibited parking.

- A. Except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer, no person shall:
1. Park a vehicle, except temporarily for the purpose of and while actually engaged in loading or unloading of property or passengers, in acceleration or deceleration lane; or
 2. Park a vehicle overnight in a cul-de-sac located in a residential district.
 3. Park a vehicle on an unpaved surface in any commercial district, the front yard of a residence or the side or rear yard if the side or rear yard fronts on the street, except as provided for in Subsection 2.5.5(F).
- B. The City may, but is not required to, post no parking signs in areas where parking is prohibited in Paragraph 'A' above, and the failure to post signs shall not excuse any person from compliance with Paragraph 'A'.
- C. Paragraph 'A' of this section shall not apply to the driver of any vehicle which is disabled while on the roadway in such a manner and to such extent that is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.
- D. No inoperable vehicle shall be parked or stored on a street within a residential district. An automobile or other vehicle shall be deemed inoperable if it meets any one of the following criteria:
1. It does not meet the Official Code of Georgia requirements for operating on a public street;
 2. It is extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;
 3. It is not operable on the public streets because it is not currently registered with the Georgia Department of Motor Vehicles;
 4. It is not capable of being operated on a public street due to missing or inoperable mechanical or electronic parts; or
 5. It has been continuously parked in the same location for a period of thirty (30) consecutive days.

(Ord. No. 718 , § 17(Exh. C), 12-14-2015; Ord. No. 843 , § 3(Exh. C), 4-18-2022)

TABLE 2.3 - PARKING LOT STANDARDS



NOTES:

1. FIRE LANES SHALL BE A MINIMUM OF TWENTY-FOUR (24) FEET.
2. DIMENSIONS SHOWN FOR PARKING STALLS ARE MINIMUM. COLUMNS & OTHER OBSTRUCTIONS WILL BE ALLOWED IN THE FRONT TWO (2) FEET AND REAR FIVE (5) FEET OF THE LENGTH OF THE STALL, AND SHALL NOT INTRUDE MORE THAN SIX (6) INCHES INTO THE WIDTH OF THE STALL.
3. REFERENCE CITY OF ALPHARETTA STANDARD PLANS FOR CONSTRUCTION DETAILS.

Table 2.3.a Alternative Criteria for Off-Street Parking

The following are recommended alternative criteria for off-street parking design to reduce impervious area of the site.

Angle	Base Module	Vehicle Projection	Aisle Width	Single Loaded Module	Wall to Interlock	Interlock to Interlock	Curb to Curb	Overhang
θ	M ₁	VP	A	M ₂	M ₃	M ₄	M ₅	Overhang
30	41'-2"	15'-1"	11'-0"	26'-1"	37'-6"	33'-10"	38'-8"	1'-3"
45	47'-0"	17'-7"	11'-10"	29'-5"	44'-0"	41'-0"	43'-6"	1'-9"
60	51'-6"	19'-0"	13'-6"	32'-6"	49'-4"	47'-2"	47'-2"	2'-2"
90	59'-0"	18'-0"	23'-0"	41'-0"	59'-0"	59'-0"	54'-0"	2'-6"

	Low Turnover			Medium Turnover			High Turnover	
Angle	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock	Width Projection	Interlock
Θ	WP	I	WP	I	WP	I	WP	I
30	16'-6"	3'-7"	17'-0"	3'-8"	16'-6"	3'-9"	18'-0"	3'-11"
45	11'-8"	2'-11"	12'-0"	3'-0"	12'-4"	3'-1"	12'-9"	3'-2"
60	9'-6"	2'-1"	9'-10"	2'-2"	10'-1"	2'-2"	10'-5"	2'-3"
90	8'-3"	0'-0"	8'-6"	0'-0"	8'-9"	0'-0"	9'-0"	0'-0"

Source: Urban Land Institute (2010). The Dimensions of Parking, Fifth Edition. National Parking Association.

Notes: Recommendations assume (1) one-way traffic for aisles less than 90 degrees, and two-way traffic for 90 degree parking; (2) double loaded aisles; and (3) a design vehicle that is 6'7" by 17'3".

SECTION 2.6 SIGNS¹

2.6.1 Findings, purpose and intent.

A. *Findings.*

1. The City of Alpharetta finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners' desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares and properties. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.
2. The City further finds that the size, height, number, design characteristics, spacing and location of signs in the City directly affect the public health, safety and welfare and property values.
3. The City further finds that the regulation of the size, height, number, design characteristics, spacing and location of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of both advertising and non-commercial messages for the benefit of all the City's citizens.
4. The City further finds that there is a substantial difference between signs erected by public authority and signs erected by private citizens or businesses. Signs erected by public authority are virtually all erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type signage as street signs which enable the traveling public to know where they are located and to find where they are going. As such, with the exception of limited signs serving other purely public purposes, such as identifying government buildings or conveying government speech, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public. The City finds that public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility poles, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.
5. The City further finds that there is a substantial need directly related to the public health, safety and welfare to comprehensively address these concerns through adoption of the following regulations.

B. *Purpose and Intent.* The purpose and intent of the governing authority of the City of Alpharetta in enacting this Ordinance includes, are as follows:

¹Ord. 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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1. To protect the health, safety, general welfare and property values of the citizens of the City, and to implement the policies and objectives of the Comprehensive Plan of the City through enactment of a comprehensive set of regulations governing signs in the City;
 2. To regulate the erection and placement of signs within the City in order to provide safe operating conditions for pedestrian and vehicular traffic without unnecessary and unsafe distractions to drivers and pedestrians;
 3. To preserve the value of property on which signs are located and from which signs may be viewed;
 4. To maintain an aesthetically attractive city in which signs are compatible with the surrounding area;
 5. To maintain for the City's residents, workers and visitors a safe and aesthetically attractive environment and to advance the aesthetic interests of the City;
 6. To prevent the destruction of the natural beauty and environment of the City and maintain and maximize tree coverage within the City;
 7. To establish comprehensive sign regulations which effectively balance the protection of legitimate business and development needs and the rights of individuals and businesses to convey their messages through signs with the promotion of a safe and aesthetically attractive environment for residents, workers and visitors to the City and the protection of the public health, safety, and general welfare;
 8. To ensure the protection of free speech rights under the State and United States Constitution within the City;
 9. To promote economic development;
 10. To establish a permit system to allow specific types of signs in zoning districts consistent with the uses, intent and aesthetic characteristics of the areas where the signs are to be located;
 11. To provide temporary signs in limited circumstances;
 12. To place reasonable controls on non-conforming signs that are by definition contrary to the public health, safety and welfare while protecting the constitutional rights of the owners of said non-conforming signs;
 13. To provide for the maintenance of signs;
 14. To avoid the harmful aspects of the unrestricted proliferation of signs; and
 15. To ensure the fair and consistent enforcement of sign regulations.

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

2.6.2 Scope of regulations.

- A. The provisions and standards of this Ordinance shall apply to all signs located or erected within the corporate limits of the City.
- B. Protected non-commercial speech shall be permitted in any place commercial speech is permitted under this Ordinance. Any sign provided for in any zoning district may contain non-commercial messages. To the extent any conflict arises between this provision and any other language found in this Ordinance, this provision shall control.
- C. Nothing herein shall be construed to permit display of any message which is obscene, illegal or speech which is otherwise unprotected under the First Amendment of the United States Constitution. Nothing herein shall be construed to prohibit a prosecution for violation of a criminal statute by the City or other duly constituted government authority or a civil action by the City or other private person or entity.

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(Supp. No. 17)

2.6.3 Definitions.

As used in this Ordinance, unless the context indicates otherwise, the following terms shall have the meaning set forth below:

Abandoned Sign. Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or deteriorated copy through lack of maintenance, or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.

Animated Sign. Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene, changes colors or physical position by movement or rotation, or which gives the visual impression of such movement or rotation. This includes signs that flash, blink, scroll, fade or rotate/revolve to display a message in more than one direction, and tri-vision signs, but does not include flags, banners, or canopies.

Background Area. The area of a sign face on which copy could be placed, as opposed to the copy area, where copy is in fact posted or painted. See also, "Face of Sign" (or "Sign Face").

Banner. Any sign of lightweight fabric, plastic or similar material that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Beacon. Any light with one (1) or more beams which rotate, move or which are directed into the atmosphere or at one (1) or more points not on the same lot as the light source.

Canopy (or Marquee). A permanent roof-like shelter extending from part or all of a building face and constructed of some durable material such as fabric, metal, glass or plastic.

Canopy Sign. Any sign attached to or constructed in or on a canopy. For purposes of this Ordinance, this term includes Marquee Sign.

Changeable Copy Board. Any sign or part of a sign face that incorporates changeable board or panels, each of which contain a number, letter, character, graphic, symbol or image, to form a sign message or messages ("changeable copy"), whether the changing of such panels or boards are accomplished electronically or manually. A tenant panel is not considered changeable copy.

Channel Letter Sign. A three-dimensional, individually cut letters or figures, illuminated or non-illuminated, affixed to a structure.

City. The City of Alpharetta, Georgia.

Copy. The characters, symbols, graphics, images, letters, words, writing, and/or information or advertising display on a sign surface.

Copy Area. The area in square feet of the smallest rectangle enclosing the actual copy of a sign.

Directory Sign. A single, permanent free-standing sign for multiple businesses, offices, professionals, industries or other entities located within a planned center.

Double-Faced Sign. A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty degrees (60°) or less, where one (1) face is designed to be seen from one (1) direction and the other face from another direction.

Electronic sign. Any sign, or portion of a sign, whose message may be changed at intervals by electronic process or by remote control, including signs such as a tri-vision sign, LCD sign or LED sign.

Facade. The exterior front of a building or structure exposed to public view.

Face of Sign or Sign Face. That part of a sign that is or can be used to announce, direct attention to, identify, advertise or otherwise communicate information. The entire area of sign on which copy could be placed. See also, "Background Area." The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Feather Sign. A temporary sign or device made of lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a single rod, stake or staff for support, and designed to move in the wind.

Flags. Any fabric, bunting or similar material containing distinctive colors, patterns, or symbols.

Flashing Sign. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects.

Free-standing Sign. Any sign erected on a free-standing base, foundation, or frame, or otherwise supported by structures, supports or posts that are attached to, placed on, or anchored in the ground, and which are independent from and not attached to any building or other structure. All permanent free-standing signs shall be self-supporting structures erected on and permanently attached to solid bases or foundations.

Illuminated Sign, External. Any sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.

Illuminated Sign, Internal. Any sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes or alternates.

Lot or Parcel. A designed parcel, tract or area of land legally established by plat, subdivision or as otherwise permitted by law, to be separately owned, used, developed or built upon.

Monument Sign. A type of permanent free-standing sign that consists of a sign face attached on a solid base or foundation, designed in a manner such that the bottom (base) of the sign face is flush with the supporting solid base, which is directly mounted on and flush with the ground. The supporting base shall be at least as wide as the sign face and shall be constructed of brick, stone, or other architectural material as set forth herein. Also referred to as a "ground sign."

Non-conforming Sign. A sign erected or otherwise in use prior to the effective date of this Ordinance which fails in one or more respects to comply with all provisions of this Ordinance.

Obscene. Any form of speech which, taken as a whole, appeals to the prurient interest in sex, portrays sexual conduct in a patently offensive way, and which, taken as a whole, does not have serious literary, artistic, political, or scientific value. See *Miller v. California*, 413 U.S. 15, 93 S. Ct. 2607 (1973).

Outparcel. A portion of a larger parcel of land generally designed as a site for a separate structure and business from that of the larger main tract. To be recognized as an outparcel, the parcel must abut and be external to the larger main tract, have street frontage, and at the time of approval of the site plan for the larger main parcel be identified and delineated as a separate building site from that of the larger main parcel.

Pennant or Streamer. A temporary sign or device made of lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent Sign. Any sign affixed in manner that enables the sign and its copy to resist environment loads and precludes ready removal or movement of the sign, which is designed and constructed in a manner such that its intended use appears to be indefinite, and which, when installed, is intended for permanent use.

Perpendicular Sign. A sign that is placed perpendicular to the face of a wall and can be read on both sides. Such signs can be mounted to a wall or attached to the underside of an awning.

Portable Sign. Any sign which is designed to be transported, including, but not limited to, signs transported by trailer or its own wheels, even though the wheels of such sign may be removed and remaining chassis or support constructed without wheels is converted to an "A" or "T" frame sign or attached temporarily or permanently to the ground. Portable sign also means a sign carried by a person when that person's function is to display or convey a message as a pedestrian. Portable sign also means and includes a sign attached to, mounted on, posted on, painted or drawn on a motorized or drawn vehicle, when such vehicle is parked or placed in such a manner as to serve the purpose of an advertising device, or routinely parked at a location other than the location generally associated with the message conveyed or identified thereon, or when the primary purpose or function of such vehicle is to transport the message or messages conveyed or identified thereon. Portable signs shall not be deemed to include standard bumper stickers on vehicles, license plates, or signs that may be reflected on hats or other articles of clothing.

Roof Line. The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

Roof Sign. Any sign erected upon, against or directly above a roof or on top of or above the parapet of a building.

Rotating Sign. Any sign or portion of a sign that moves in a revolving or similar manner.

Sidewalk or Sandwich Board Sign. A movable sign not secured or attached to the ground or surface upon which it is located.

Sign. Any identification, description, illustration, device, fixture, structure, display or visual representation, which is visible from any public place and affixed to, or supported or suspended by, a stationary object, structure, building or the ground that uses any color, form, character, symbol, graphic, image, illumination, or writing to announce, direct attention to, identify, or advertise an object, idea, location, place, person, institution, organization, business, product, service, activity or event or to otherwise visually communicate information, ideas or messages of any kind to the public. "Sign" includes the sign face and sign structure..

Sign Structure. Any structure, other than a building, which supports, has supported or is designed to support a sign. A decorative cover is part of a sign structure.

Site Plan. A scaled, legible drawing representing the parcel of land on which a sign is to be located showing at least the property lines, public street right-of-ways, drive entrances, buildings and the location of existing free-standing signs.

Standard Informational Sign. A non-illuminated, temporary free-standing sign, which shall contain no reflecting elements, flags, projections or unpainted wooden surfaces, mounted on a post, stake or metal frame (with a thickness or diameter not greater than three and one-half inches) that is attached to, or anchored in, the ground. Standard informational signs are limited per lot to either one (1) sign that is twelve (12) square feet in area or up to four (4) signs not to exceed an aggregate of twelve (12) square feet in area. In addition, each sign shall not exceed a height of five (5) feet. These signs shall be set back not less than ten (10) feet from public right-of-way or ten (10) feet from the back of curb of a private roadway. Standard informational signs do not require a permit.

Strip Shopping Center. A multi-tenant retail center with less than fifty thousand square feet (50,000 sq. ft.) of enclosed, leasable space.

Subdivision Sign. A monument sign located at the vehicular entrance or exit of a platted residential subdivision.

Substandard Lot or Parcel. A lot or parcel that does not meet the lot area, width or public street frontage and access requirements of this Code.

Swinging Sign. A hinged sign installed on an arm or spar, and which is not also permanently fastened to an adjacent wall, ceiling or upright pole or support.

Temporary Sign. Any sign that is not a permanent sign.

Tenant Frontage or Tenant Space Frontage. The horizontal distance in feet between the left side wall and the right side wall or building end wall of a tenant space fronting on a street.

Tenant panel. A physically removable panel on a sign face that may be changed for different like-sized panels and which is at least two (2) square feet in area. Tenant panels do not include electronic signs, reader boards or changeable copy.

Tenant Space. The physical location within a building designed and intended to serve as the separate and exclusive premises for the operations of a business or entity, which has its own exclusive public entrance/exit from the exterior of the building, and which is occupied by a business or entity legally operating pursuant to all Federal, State, City or other applicable laws and regulations. The use of any such physical location by more than one (1) legally operating business or entity shall only constitute a single tenant space. In the event such a physical location is used or occupied by more than one (1) business or entity, in order for such physical location to constitute a "tenant space", all businesses and/or entities operating therein must be operating pursuant to all Federal, State, City or other applicable laws and regulations.

Under-canopy Sign. A sign suspended below the ceiling or roof of a canopy or marquee and perpendicular to the face of the building. For the purposes of this Ordinance, this term includes Under-marquee Sign.

Variable Message Board. A programmable sign that provides changing information.

Wall Sign. A sign attached to or erected against the outside wall of a building, with the face parallel to the building wall and extending not more than 1 foot (1 ft.) therefrom, and which displays only one sign face.

Window Sign. A sign installed on or inside a window for purposes of viewing from outside the building. This term does not include merchandise located in window or similar window displays.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016; Ord. No. 841 , § 1(Exh. A), 2-21-2022)

2.6.4 Permits and applications.

- A. PERMIT REQUIRED. Except as specifically exempted from the provisions of this Ordinance, it shall be unlawful for any person to post, display, materially change, or erect a sign in the City without first having obtained a sign permit. Notwithstanding the foregoing, signs which are not visible from a public right-of-way or from neighboring properties shall not be subject to the standards of this Ordinance. A change in the copy area of a sign shall constitute a material change.
- B. APPLICATION CONTENTS. Applications for sign permits shall be made on application forms prepared by the Director and filed by the sign owner or its agent with the Director. The application shall include a detailed description of the subject sign and such other information and documents as required by the subject application form, including the following:
 - 1. The street address of the property upon which the subject sign is to be located and a site plan of the property which bears the scaled and labeled proposed location of the sign.
 - 2. The aggregate area and copy area for all signs on the parcel.
 - 3. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.
 - 4. Name, address, telephone number, business license number and signature of the business owner authorizing placement of the sign.
 - 5. Name, address, telephone number, fax number, business license number and signature of the sign contractor.

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6. The type of sign to be erected, the area and copy area of the sign, the height of the sign (if free-standing), the shape of the sign, the color(s) of the sign, the material of the sign and details showing how the sign will be mounted, installed or erected.
 7. For permanent free-standing, ground and monument signs only, show dimensioned sign location on site plan and include structural foundation and mounting details. Indicate the location and size of all existing permanent free-standing, ground and monument signs on the property.
 8. The cost of the sign (materials and installation).
 9. All applicants for signs which incorporate electricity must obtain an electrical permit or, if previously issued, a copy of the electrical permit. Signs connected to an approved, existing wired outlet or junction box do not require electrical permits.
 10. If the proposed sign is subject to the design standards or other requirements set forth in the Design Review Board Ordinance (codified as §§ 16-37—16-46 of The Code of the City of Alpharetta, Georgia), the applicant must also submit such additional forms, information and/or documents as may be required by the provisions of said ordinance.
 11. Such other information as the City shall require to show full compliance with this and other ordinances of the City.

C. REVIEW AND CONSIDERATION OF APPLICATIONS; DECISION; APPEALS.

1. No permit shall be issued until the appropriate application has been filed with, and approved by, the Director and fees have been paid. Fees and any required deposits shall be established from time to time by resolution of the City Council. No application shall be deemed to be accepted by the Director unless and until all fees and deposits are paid and all information reasonably required by the Director is provided by the applicant. When a sign sought pursuant to an application for a permit is located or proposed to be located within the Downtown Overlay or design review for compliance with design standards is delegated and referred to the Design Review Board by the Director as authorized under the Design Review Board Ordinance, the application shall also be subject to design review by the Design Review Board in accordance with the Design Review Board Ordinance. Where design review of a sign by the Design Review Board is required in accordance with the foregoing provisions, a condition of zoning or conditional use approval, or any other applicable City code, ordinance, resolution or regulation, no permit for any such sign shall be issued without the prior grant of design approval by the Design Review Board. The decision of the Design Review Board to grant or deny design approval shall be final.
2. The Director shall reject any application that is incomplete or does not conform to the City's application requirements, contains a false material statement or omission, or is for a prohibited sign under Subsection 2.6.8. Any such application may be rejected by either returning the application to the applicant or providing written notice of rejection of the application at any time prior to the expiration of (45) business days of receipt of said application. An application which is resubmitted must meet all the standards applicable to an original application. A rejected application that is later resubmitted in conformity with this Section 2.6 shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. The Director is further authorized and empowered to revoke any sign permit issued pursuant to an application containing a false material statement or omission. The rejection or revocation of a permit pursuant to the provisions of this subparagraph may be appealed to the Board of Appeals by filing a notice of appeal with the Director within fifteen (15) days of written notice of the revocation, which must state the reason(s) for the appeal. Any such appeal shall be heard in accordance with the provisions for appeal set forth in subparagraph 5 below.

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3. A sign permit shall become null and void if the sign for which the permit was issued has not been completed and erected within the time frame specified by the permit or six (6) months after the date of issuance.
 4. A complete application for a sign permit shall be approved or denied by the Director within forty-five (45) business days of its receipt by the Director and the applicant's payment of the appropriate deposit(s) and fee(s) to the City. The Director shall give written notice to the applicant of the Director's decision within such forty-five (45) business day period. If it is determined that the application fully complies with the provisions of this Section 2.6 and all other applicable laws, ordinances, codes, resolutions and regulations of the City, the application shall be approved by the Director and a sign permit shall be issued. If it is determined that the application or proposed sign does not fully comply with the provisions of this Section 2.6 and all other applicable laws, ordinances, codes, resolutions and regulations of the City, the Director shall deny the application. If the decision of the Director is to deny the application, the notice shall state the reasons for denial of the permit. The Director shall give such notice in writing by hand-delivery, certified mail, statutory overnight delivery, or e-mail using the contact information provided in the application. If the notice is sent by certified mail, overnight statutory delivery or e-mail, the notice shall be deemed to have been given on the date the notice is mailed or e-mailed by the City as indicated by the postmark or date stamp associated therewith. If the City fails to act within the forty-five (45) business day period, the permit shall be deemed to have been granted.
 5. Except as provided in Paragraph 6 below, when an application for a sign permit is denied by the Director, the applicant may appeal such denial to the Board of Appeals by filing a written notice of appeal with the Director within fifteen (15) days of the written notice of permit denial. The notice of appeal shall specify the grounds thereof. The Board of Appeals shall take final action on the appeal within sixty (60) days of the filing of the notice of appeal. If the Board of Appeals fails to act within said 60-day period, the permit shall be deemed to have been granted. Should the Board of Appeals vote to uphold the decision of the Director, the Board of Appeals shall issue a written decision indicating the reason(s) therefor to the applicant. Appeal from the decision of the Board of Appeals is by writ of certiorari to the Fulton County Superior Court and must be filed within 30 days of the date of the Board's decision.
 6. Notwithstanding the provisions of the foregoing Paragraph, when (a) a sign is subject to design review and approval by the Director for compliance with design standards and other requirements pursuant to the Design Review Board Ordinance (See Chapter 16 of The Code of the City of Alpharetta, Georgia) and (b) an application for a sign permit is denied by the Director solely on the grounds that the proposed sign does not comply with such design standards or requirements (i.e., design approval is denied by the Director), the applicant may appeal such denial to the Design Review Board by filing a written notice of appeal specifying the grounds thereof with the Director within fifteen (15) days of the written notice of permit denial. When the Director's denial of design approval under the Design Review Board Ordinance serves as the sole basis for the denial of an application for a sign permit, such permit denial shall only be appealable to the Design Review Board. The Design Review Board shall take final action on the appeal within 60 days of the filing of the notice of appeal. If the Design Review Board fails to act within said 60-day period, design approval of the proposed sign shall be deemed to have been granted. Should the Design Review Board vote to uphold the denial, the Design Review Board shall issue a written decision indicating the reason(s) therefor to the applicant. Appeal from the decision of the Design Review Board is by writ of certiorari to the Fulton County Superior Court and must be filed within thirty (30) days of the date of the Design Review Board's decision.
 7. The Director may inspect all existing signs in the City to determine if such signs conform to the provisions of the Ordinance. The Director is authorized and empowered to suspend or revoke any sign permit issued upon failure of the holder thereof to comply with any provision of this Sign Ordinance or any other ordinance of the City applicable to the subject sign. The suspension or revocation of the

permit shall not preclude the Director or City from taking any other action authorized by this Code or by law to enforce the provisions hereof, assure correction of violations or for any other lawful purpose. No permit shall be suspended or revoked until after the permittee is granted a public hearing before the Board of Appeals. The permittee shall be given fifteen (15) days' written notice of the time, place, and purpose of the hearing, with a statement of the reason(s) for the suspension or revocation of such permit. A finding that the permittee has violated a provision of this Sign Ordinance or any other ordinance of the City applicable to the subject sign shall be due cause for the suspension or revocation of the sign permit.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016; Ord. No. 751 , § 1(Exh. A), 10-16-2017; Ord. No. 805 , § 1(Exh. A), 8-10-2020)

Ord. No. 751 , § 1(Exh. A), adopted Oct. 16, 2017, changed the title of § 2.6.4 from "Permits and labels" to read as herein set out.

2.6.5 Variances.

- A. Where a literal application of terms of this Ordinance, due to special circumstances, would result in an unusual hardship in an individual case, a variance may be granted pursuant to procedures set forth in this Code where all the following conditions exist:
1. a. Exceptional conditions pertaining to the property where the sign is to be located as a result of its size, shape or topography, which are not applicable to other lands or structures in the area; or
 - b. The natural features of the lot on which the sign is located or to be located, or of the land immediately adjacent to the lot, impairs the visibility of the sign such that it cannot be seen;
 2. The applicant would be deprived of rights that are commonly enjoyed by others similarly situated;
 3. Granting the variance would not confer on the applicant any significant privileges which are denied to others similarly situated;
 4. The exceptional circumstances are not the result of action by the applicant;
 5. The requested variance is the minimum variance necessary to allow the applicant to enjoy the rights commonly enjoyed by others similarly situated;
 6. Granting of the variance would not violate more than one standard of this Ordinance; and
 7. Granting the variance would not result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

Notwithstanding the foregoing, no variance shall be granted for any sign that is a prohibited sign under Subsection 2.6.8.

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

2.6.6 Non-conforming signs.

It is the policy of the City to encourage that all signs within the City be brought into compliance with the terms and requirements of this Ordinance.

- A. The City finds that non-conforming signs may adversely affect the public health, safety and welfare. Such signs adversely affect the aesthetic characteristics of the city and may adversely affect public safety due to the visual impact of said signs on motorists and the structural characteristics of said signs. Accordingly, the following registration requirements are found to be necessary in order to minimize

these possible adverse effects through annual inspections and maintenance and allow the City to remain cognizant of the locations and maintenance of said signs.

- B. The owner(s) or authorized agent(s) of each non-conforming sign located within the City shall register said non-conforming sign with the Director no later than 90 days after the effective date of this Ordinance and shall renew this registration annually thereafter. Any non-conforming sign that does not comply with the registration requirements herein shall be deemed to be an illegal sign and shall be subject to the regulations applicable to illegal signs and all other enforcement provisions of this Ordinance. The Director shall promulgate a form for the registration of non-conforming signs and shall annually inspect said signs to assure that they continue in all other respects in conformity with all other provisions of this Ordinance and any other applicable ordinance or regulation of the City.
- C. The Director may inspect existing signs in the City from time to time to determine if such signs conform to the provisions of this Ordinance.
- D. Any non-conforming sign which is not used or leased for a continuous period of 1 year shall not be reused for sign purposes unless and until it fully conforms with the terms and requirements of this Ordinance.
- E. No change in shape, size or design, shall be permitted except to make a non-conforming sign comply with all requirements of this Ordinance.
- F. A non-conforming sign may not be replaced by another non-conforming sign.

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

2.6.7 Exemptions from permit requirements.

The following signs shall be exempt from the permit requirements of Section 2.6.4, provided all standards set forth in this Ordinance are met, including, but not limited to, the standards set forth below:

- A. Standard informational signs.
- B. Address numerals, not exceeding six (6) inches in height in residential districts and twelve (12) inches in height in non-residential districts, for the sole purpose of displaying street numbers as may be required by other ordinances and other signs required by law.
- C. Flags provided that the height of a flag pole shall not exceed the allowed height provided for a structure or a building in the applicable zoning district, or sixty (60) ft., whichever is less, and in residential districts shall not exceed twenty-five (25) ft. in height or the height of the primary structure on the lot, whichever is less. In addition, the maximum dimensions of any flag shall be proportional to the flag pole height and the hoist side of the flag shall not exceed twenty percent (20%) of the vertical height of the flag pole. Each lot shall be allowed a maximum of three (3) flag poles unless a special land use permit or variance is obtained. A maximum of 2 flags per pole is allowed.
- D. Non-governmental traffic control devices in or adjacent to internal parking areas and driveways in private developments, located so as not to interfere with, or detract from, official traffic control devices, and which conform to MUTCD (current edition) standards, including, but not limited to, standards regarding size, height, design and location.
- E. Window signs meeting the standards of this Ordinance.
- F. Legally authorized public notices when posted by a government officer in the performance of his or her duties.

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

2.6.8 Prohibited signs and devices.

Except as otherwise provided, the following types of signs or attention-getting devices are prohibited in all zoning districts of the City:

1. Balloons, pennants, streamers, feather signs, air or gas filled figures, or similar attention-getting devices or wind-activated devices, excluding flags.
2. Swinging signs.
3. Rotating signs.
4. Animated signs, flashing signs, and intensely lighted signs.
5. Beacons, search lights or laser lights or images.
6. Variable message boards used for purposes other than traffic management.
7. Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal.
8. Window signs which, in aggregate, exceed 20% of the window area or otherwise fail to meet the standards of this Ordinance.
9. A-frame signs, sandwich board, sidewalk or curb signs are prohibited except when placed within 5 ft. of the front door of a building.
10. Signs painted on or attached to utility poles, trees, rocks or other similar objects, except signs lawfully placed on utility poles by a government, public authority or public utility.
11. Signs which obstruct a fire escape, required exit, window or door opening used as a means of ingress or egress, or which interfere with any opening required for ventilation, or which violate any code of the City, including the Life Safety Code and the Fire Prevention Code.
12. Signs occupying a parking space required under the minimum parking requirements of this Ordinance, other than signs designating the space as reserved for handicapped or other use.
13. Signs which do not conform to City-adopted building and electrical codes.
14. Signs which emit audible sound, odor or visible matter.
15. Portable signs.
16. [Reserved].
17. [Reserved].
18. Signs attached to any street signs or traffic control devices, or to any pole supporting same, or any sign attached to any utility pole, other than those signs lawfully placed by a government, public agency, or public utility.
19. Signs projected on a building.
20. Signs in a public right-of-way other than publicly owned or maintained signs.
21. Signs which are in violation of the rules and regulations of any zoning overlay district presently existing or as may later be enacted.
22. Signs located on any substandard lot.
23. Abandoned signs.
24. Any sign that is structurally unsound, or is a hazard to traffic or pedestrians.

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25. Dilapidated or neglected signs. A sign (including sign structure) will be dilapidated or neglected if it does not present a neat and orderly appearance, which may be manifested by the following: rust or holes on or in the sign or sign structure, or broken, missing, loose or bent parts, faded or flaking paint, non-operative or partially non-operative illuminating or mechanical devices or missing letters in sign copy.
 26. Signs exceeding 156 sq. ft. in copy area if located on a commercial building, signs exceeding 240 sq. ft. in copy area if located on an industrial or office park building and/or signs and sign structures in excess of 10 ft. in height (measured from the ground to the highest point of the structure).
 27. Signs in any area designated as an undisturbed buffer pursuant to a federal, state or local law, a condition of zoning, or approved plat.
 28. Internally illuminated window signs, including neon or LED signs (except as otherwise permitted herein). Additionally, LED, string or similar lighting outlining the windows, doors or other similar building features shall be prohibited.
 29. Cabinet signs in the Downtown Overlay.

30. Face illuminated channel letter signs in the Downtown Overlay.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016; Ord. No. 736 , § 1, 3-20-2017; Ord. No. 805 , § 1(Exh. A), 8-10-2020; Ord. No. 841 , § 2(Exh. B), 2-21-2022)

2.6.9 Remedies.

In case any sign covered by this Ordinance is or is proposed to be erected, constructed, altered, converted or used in violation of any provision of this Ordinance, the Director may, in addition to other remedies, and after due notice to the appropriate person(s), issue a citation for violation of this Ordinance requiring the presence of the violator in the municipal court or the Alpharetta Code Enforcement Board, or institute injunctive or other appropriate legal or administrative proceedings to prevent such unlawful erection, construction, alteration, conversion or use or to correct or abate such violation.

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

2.6.10 Severability.

In the event that any section, subsection, sentence or work of this Ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining provisions of this Ordinance, which shall remain in full force and effect as if such portion so declared or adjudged unconstitutional were not originally part of this Ordinance, even if the surviving parts of this Ordinance result in greater restrictions after any unconstitutional provisions are stricken. The Mayor and Council declare that they would have enacted the remaining parts of this Ordinance if they had known such portions thereof would be declared or adjudged unconstitutional or invalid. The Mayor and Council declare their intent that should this Ordinance be declared invalid, in whole or in part, signs are to continue to be subject to regulations applicable to "structures" contained in other city ordinances, including other sections of this Code.

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

2.6.11 General provisions.

Except as otherwise provided in this Ordinance, the following general regulations apply to all zoning districts in the City:

A. MAINTENANCE AND APPEARANCE OF SIGNS.

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1. All signs shall be maintained in good condition and present a neat and orderly appearance. Any sign showing gross neglect, or which becomes dilapidated, or which is surrounded by an unmaintained ground area, or due to its condition which may pose a threat to the safety of the public may be required to be repaired or removed as set forth below.
 2. The Director, upon finding any of the above conditions, will give the owner written notice which may be up to 10 days to correct the deficiencies or to remove the sign or signs. If the owner refuses to correct the deficiencies or remove the sign, the Director may issue a citation under the enforcement provisions of this Ordinance.

B. ILLUMINATION OF SIGNS.

1. The light from any illuminated sign shall not be of an intensity or brightness which will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties.
2. No sign shall have blinking, flashing, or fluctuating lights or other illuminating devices which have a changing light intensity, brightness or color.
3. No color lights shall be used at any location or in any manner so as to be confused with or construed as traffic control devices.
4. Neither direct nor reflected light from primary light sources shall create a hazard to operators of motor vehicles.
5. Lighting for free-standing signs shall be located above the sign and aimed downward in order to minimize the brightness added to the night sky.

C. MEASUREMENT OF SIGN AREA.

1. *Generally.* Except as otherwise provided herein, the area of a sign shall be computed as the area within the smallest rectangle enclosing the limits of a sign face, together with any sign face cabinet, frame, material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not intended to contain any copy or serve background, but rather are purely structural or architectural in nature, except as provided above.
2. *Double-Faced Signs.* For double-faced signs, when the sign face surfaces are parallel and are back to back, or where the interior angle formed by the faces is sixty (60) degrees or less, the area of the sign shall be taken as the areas on the largest side. For all other multi-faced signs, the area of the sign shall be the total area on all sides that can be viewed from any angle.
3. *Monument Signs.*
 - a. *Area of Sign.* For monument signs, the "sign area" or "area of the sign" shall mean the total area of the visible surface of the sign, including the base, sign structure, and sign face of the sign. The computation of the sign area of a monument sign shall include the entire surface of the base, sign structure and sign face, as measured from top to bottom and side to side. For monument signs that are double-faced, when the sign face surfaces are parallel and are back to back, or where the interior angle formed by the faces is sixty (60) degrees or less, the area of the sign shall be taken as the areas on the largest side.
 - b. *Sign Face.* For monument signs, the area of the sign face shall be measured in the same manner as provided for the measurement of the area of sign for all other signs.
 - c. *Copy Area.* For monument signs, the copy area shall be measured in the manner provided in the definition of "copy area."

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- d. *Tenant Panels and Changeable Copy Board.* If a portion of a monument sign includes a sign face with tenant panels or changeable copy board, which is separated from another copy area on the sign by portions of a sign structure that are not intended to contain any copy, but rather are purely structural or architectural in nature, the portion of the sign containing tenant panels or changeable copy board shall be measured separately from the other copy area of the sign (i.e., the copy area of the monument sign is the total of (i) the area within the smallest rectangle enclosing the limits of the sign face comprised of tenant panels or changeable copy and (ii) the other (separated) copy area.

D. STANDARDS FOR MONUMENT SIGNS.

1. The base of a monument sign shall be at least as wide as the sign face. Unless otherwise specified in a Master Sign Plan or a condition of zoning approval, the base and structure of a monument sign shall be constructed of brick, stone, or other architectural materials matching the principal building's materials and color. Any poles or columns utilized for structural purposes shall be fabricated or covered so that they may not be detected visually. Foundations shall be designed to carry weight and wind load of the sign, in soil which it is placed.
2. Any tenant panels or changeable copy on a monument sign shall have a uniform background color and material.
3. All monument signs shall display the property address in numbers at least six (6) inches in height. The numerical address shall not be considered part of the sign face and shall not count against the allowable sign square footage provided such numbers are not more than twelve (12) inches in height.
4. Except for subdivision signs, monument signs may not be constructed before the principal building is on a lot.

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. Applicants that require review and approval of signage from the Design Review Board (DRB), other than for a Master Sign Plan, shall be permitted one (1) banner sign for up to a 60 day period after submission of a DRB application.
- a. The Director may grant an extension of the time period set forth above for a commercial 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, County or the Georgia Department of Transportation; and
 2. The subject roadway construction is planned to continue for three (3) 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

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- b. As determined in the discretion of the Director, disrupts the store frontage to the extent the site and/or business appears dosed 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.
 - 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.

H. SIGNS PERMITTED IN STRIP SHOPPING CENTERS, SHOPPING CENTERS, AND MIXED-USE DEVELOPMENTS. To ensure aesthetic compatibility of signage throughout a development, strip shopping centers, shopping centers, and mixed-use developments shall submit a Master Sign Plan to the City's Design Review Board for consideration. At a minimum, Master Sign Plans shall address signage type, sign face color, and illumination color. Plans shall limit sign illumination color to one (1) color and sign face colors to no more than three (3) colors, except that licensed trademark/logo colors shall be permitted. Master Sign Plans shall apply to any signage that requires a permit.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016; Ord. No. 847 , § 1(Exh. A), 4-18-2022)

2.6.12 Requirements for non-residential zoning districts.

- A. *Signs Permitted in Strip Shopping Centers (less than 50,000 sq. ft. enclosed leasable space).*
- 1. *Primary Free-standing Sign (Monument Sign).* One (1) primary monument sign no greater than ten (10) ft. in height with no more than forty-two (42) sq. ft. of copy area shall be permitted in a strip shopping

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- center. The monument sign may have up to four (4) tenant panels, which shall be calculated as part of the copy area. This sign shall be set back 20 ft. from the public right-of-way.
2. *Wall Signs.* One wall sign per road frontage for each tenant space no greater than one (1) sq. ft. of sign area per one (1) in. ft. of tenant space frontage shall be permitted; provided, however, no more than two (2) wall signs shall be allowed for a tenant space (i.e. Corner tenants within strip shopping centers may have a wall sign on the end of the building in addition to the wall sign on the front of the building for a maximum of two (2) wall signs). Up to 50% of unused tenant sign area for wall and perpendicular signs shall be permitted to be aggregated and distributed to a particular building elevation; provided, however, no more than two (2) wall sign and one (1) perpendicular sign (not greater than 8 square feet) shall be allowed on the same building elevation and additional signs shall not be internally-illuminated.
 3. *Rear Entrance Sign.*
 - a. *Applicability.* Businesses located within the first two floors of a building that backs onto a parking lot, alley, park or other public space may have an additional wall sign.
 - b. *Location.* Rear entrance signs shall be located near the tenant space's rear door facing the parking lot, alley, park or other public space and placed within general proximity of the associated business.
 - c. *Size.* The area of rear entrance signs shall not exceed 50% of the front facing sign area allowed for the same tenant.
 4. *Window Signs.* Window signs, as defined in this Ordinance, are permitted for each tenant space in a shopping center. The aggregate copy area of such signs, however, shall not exceed a maximum of twenty percent (20%) of the total window area of the subject tenant space. One (1) illuminated window sign is permitted for each tenant space provided that such sign does exceed a maximum of four (4) sq. ft. in area. Illuminated window signs shall be included in the maximum aggregate window sign area calculation. Any illuminated window sign shall be constant in its light emission, shall not be animated, and shall not be so large or of character to obscure vision into the premises from the outside. Window signs shall not require a permit from the Director. However, each tenant shall immediately remove any window sign upon receipt of written notification from the Director stating that such window sign obscures the vision of police or other security or safety personnel into the premises in a manner that endangers public safety.
 5. *Under-Canopy Sign.* One (1) under-canopy sign is permitted for each tenant space within a strip shopping center, which shall not exceed 8 sq. ft. in area.
 6. *Sign During Construction.* One (1) temporary free-standing sign per strip shopping center project shall be permitted during the construction of the strip shopping center or the principal building of any outparcel. Such sign shall be allowed upon the commencement of construction for which a land disturbance permit has been issued, and terminating upon the issuance of a certificate of occupancy, installation of a permanent sign, or expiration/termination of the land development permit, whichever is first to occur. The sign shall not exceed ten (10) ft. in height, thirty-two (32) sq. ft. in area, and must be set back ten (10) ft. from the public right-of-way (five (5) ft. in the Central Business District). Further, the location of the sign be confined to the site of construction, and only one (1) such sign may be permitted per project.
 7. *Standard Informational Signs.* Standard informational signs, as defined in this Section, shall be permitted for each lot. Standard informational signs do not require a permit from the Director.
- B. *Signs Permitted in Shopping Centers (more than 50,000 sq. ft. enclosed leasable space).*
1. *Primary Free-standing Signs (Monument Signs).*

- a. The maximum number of primary monument signs permitted in a shopping center is as follows:

Size of Center (enclosed leasable space)	Total Number of Signs
50,000 sq. ft. to 150,000 sq. ft.	2
Over 150,000 sq. ft. to 200,000 sq. ft.	3
Over 200,000 sq. ft.	4

- b. The monument sign may have up to four (4) tenant panels, which shall be calculated as part of the copy area.
- c. No such sign shall be located within twenty (20) ft. of the public right-of-way of the street which affords the principal means of access to the shopping center. The sight distance of each sign shall conform to City standards, and evidence of conformity shall be provided to the Director.
- d. The maximum height of any such sign shall be ten (10) ft. and the maximum area permitted for any such sign is as follows:

Height	Area of Sign	Copy Area
10 feet or less	420 sq. ft.	78 sq. ft.

- e. Reserved.
- f. The name and street number of the shopping center may be set forth on the monument sign. The calculation of the permitted copy area shall not include the street number.
- g. Reserved.
- h. In addition to the monument signs permitted above, one (1) monument sign not exceeding 10 ft. in height and 32 sq. ft. in copy area is permitted for each out-parcel; provided, however, if the out-parcel is a corner lot, one (1) sign for each street frontage is permitted.

2. *Canopy Signs and Wall Signs.*

- a. One canopy sign or wall sign is permitted for each tenant space in the shopping center.
- b. No wall sign or canopy sign shall be located so that any part of the sign or its support extends above the top of the wall or canopy, and no copy shall be located within five (5) in. of the top of the sign.
- c. The area of a wall sign or canopy sign shall not exceed one (1) sq. ft. for each linear foot of tenant space frontage.
- d. Up to 50% of unused tenant sign area for wall and perpendicular signs shall be permitted to be aggregated and distributed to a particular building elevation; provided, however, no more than two (2) wall signs and one (1) perpendicular sign (not greater than 8 square feet) shall be allowed on the same building elevation and additional signs shall not be internally-illuminated.

3. *Under-Canopy Signs.*

- a. One (1) under-canopy sign is permitted for each tenant space within a shopping center.
- b. Under-canopy signs shall extend perpendicular to the wall of the tenant space, shall not exceed 8 sq. ft. in area, and shall be attached at a uniform height sufficient to assure the safety of pedestrians. Under-canopy signs shall match the wall or canopy signage for the subject tenant space unless otherwise approved by the Director.

4. *Rear Entrance Sign.*

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- a. Applicability. Businesses located within the first two floors of a building that backs onto a parking lot, alley, park or other public space may have an additional wall sign.
 - b. Location. Rear entrance signs shall be located near the tenant space's rear door facing the parking lot, alley, park or other public space and placed within general proximity of the associated business.
 - c. Size. The area of rear entrance signs shall not exceed 50% of the front facing sign area allowed for the same tenant.
5. *Signs During Construction.*
- a. One (1) temporary free-standing sign per shopping center project shall be permitted during the construction of the shopping center or the principal building of any outparcel. Such sign shall be allowed upon the commencement of construction for which a land disturbance permit has been issued, and terminating upon the issuance of a certificate of occupancy, the installation of a permanent sign, or the expiration/termination of the land development permit, whichever is first to occur.
 - b. The size of the sign shall not exceed thirty-two square feet (32 sq. ft.) in area and the height of such sign shall not exceed ten feet (10 ft.). Further, the location of the sign shall be confined to the site of construction, and only one (1) such sign may be permitted per project.
7. *Window Signs.*
- a. Window signs, as defined in this Ordinance, are permitted for each tenant space in a shopping center. The aggregate copy area of such signs, however, shall not exceed a maximum of twenty percent (20%) of the total window area of the subject tenant space.
 - b. One (1) illuminated window sign is permitted for each tenant space provided that such sign does not exceed four (4) sq. ft. in area. Illuminated window signs shall be included in the maximum aggregate window sign area calculation. Any illuminated window sign shall be constant in its light emission, shall not be animated, and shall not be so large or of a character to obscure vision into the premises from the outside.
 - c. Window signs shall not require a permit from the Director. However, each tenant shall immediately remove any window sign upon receipt of written notification from the Director stating that such window sign obscures the vision of police or other security or safety personnel into the premises in such a manner that endangers public safety.
8. *Reserved.*
9. *Signs Permitted for Cinema Complexes.*
- a. In addition to the primary monument signs permitted for the shopping center, one (1) monument sign, which may include changeable copy board, shall be permitted for a lot containing a cinema complex; provided, however, if the cinema complex is located on an outparcel, any cinema monument signs erected shall be in lieu of the monument sign that is otherwise permitted for the outparcel pursuant to this subsection. If the cinema complex is on a corner lot, one (1) cinema monument sign for each street frontage is permitted.
 - b. The changeable copy board shall be constructed in such a fashion to prevent wind, rain or other elements from altering the position of the copy.
 - c. The height of a monument sign for a cinema complex shall not exceed ten (10) ft.
 - d. Reserved.

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- e. The copy area of a monument sign for a cinema complex shall not exceed one-hundred-and-twenty (120) sq. ft.
 - f. One (1) wall sign, which may include changeable copy board, or canopy sign shall be permitted for a cinema complex; provided, however, if theaters are contained within separate buildings then one such sign shall be permitted for each building. Signage for each building shall be treated as a separate sign. The aggregate area of wall signs or canopy signs for a cinema complex shall not exceed 1 sq. ft. for each linear foot of building frontage.
 - g. No wall sign or canopy sign shall be located so that any part of the sign or its support extends above the top of the wall or canopy, and no copy shall be located within five (5) in. of the top of the sign. The provisions of this subsection pertaining to signage in cinema complexes shall also apply to cinemas not located within a shopping center.
- 10. *Entry Wall Signs.* A sign of up to three (3) sq. ft. is permitted on the wall above or adjacent to the entry of a tenant space located in a building without a common front entry.
 - 11. *Standard Informational Signs.* Standard informational signs, as defined in this Section, shall be permitted for each lot. Standard informational signs do not require a permit from the Director.

C. *Signs Permitted in Industrial and Office Parks.*

1. *Free-Standing Signs.*

- a. *Primary Free-Standing (Monument) Signs.* A maximum of two (2) primary monument signs are permitted in an industrial or office park. No primary monument sign shall exceed 10 ft. in height. A changeable copy board is not permitted on an industrial or office park sign. No primary monument sign shall be located within 20 ft. of the public right-of-way of the street which affords the principal means of access to the industrial or office park. The permitted area for primary free-standing signs is as follows:

Frontage	Area	Copy Area
Up to 500 feet	75 square feet	60 sq. ft.
501 and more feet	100 square feet	75 sq. ft.

- b. *Secondary Free-Standing (Monument) Signs.* One secondary monument sign shall be permitted for each building in the industrial or office park, not to exceed 32 sq. ft. in area. The height of a secondary monument sign shall not exceed 10 ft.
- 2. *Wall Signs.* Buildings of two (2) stories or greater may have a wall sign located at the top of the building. The maximum area of such sign shall not exceed 20 sq. ft. per floor or story above road grade, not to exceed 240 sq. ft. Wall signs shall not be internally illuminated. In lieu of a wall sign, up to 50% of the wall sign area allowance may be used for a blade sign.
 - 3. *Door or Wall Sign.* One (1) sign of up to three square feet (3 sq. ft.) is permitted for each tenant space within a building. Such signs shall be located on the door of the suite, or on a wall immediately adjacent to the door of the suite for business establishments located in a building without a common front entry.
 - 4. *Directory Signs.* Directory signs are permitted in industrial or office parks. Each exterior directory sign shall be a monument sign. Height of a directory sign shall not exceed ten feet (10 ft.).
 - 5. *Reserved.*

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6. *Rear, Secondary or Delivery Entrance Signs.* Rear, secondary or delivery entrance signs are permitted at appropriate locations within an industrial or office park. All such signs shall be free-standing and shall not exceed eight square feet (8 sq. ft.) in size and ten feet (10 ft.) in height.
 7. *Signs During Construction.* One (1) temporary free-standing sign for each subdivided tract within an industrial or office park is permitted during construction. Such sign shall be allowed upon the commencement of construction for which a land disturbance permit has been issued, and terminating upon the issuance of a certificate of occupancy, the installation of a permanent sign, or the expiration/termination of the land development permit, whichever is first to occur.

The size of such sign shall not exceed thirty-two square feet (32 sq. ft.) and the maximum height of such sign shall be ten feet (10 ft.). Further, the location of the sign shall be confined to the site of construction.
 8. *Standard Informational Signs.* Standard informational signs, as defined in this Section, shall be permitted for each lot. Standard informational signs do not require a permit from the Director.
- D. *Signs Permitted for Convenience Centers with Gasoline Pumps.*
1. One monument sign per road frontage not to exceed ten feet (10 ft.) in height and thirty-two square feet (32 sq. ft.) in area. The monument sign may include changeable copy board, not to exceed four (4) square feet in area, which shall be calculated as part of the copy area no digital copy is allowed.
 2. Wall signage for convenience store and accessory buildings shall not exceed an aggregate area of eighty square feet (80 sq. ft.).
 3. One canopy sign per road frontage not to exceed twenty square feet (20 sq. ft.) per sign.
 4. Signs on pumps shall not exceed three square feet (3 sq. ft.) per pump.
 5. Window signs, as defined in this Ordinance, are permitted. The aggregate copy area of such signs, however, shall not exceed a maximum of twenty percent (20%) of the total window area of the subject building or tenant space. One (1) illuminated window sign is permitted for each tenant space provided that such sign does not exceed four (4) sq. ft. in area.
 6. Standard Informational Signs. Standard informational signs, as defined in this Section, shall be permitted for each lot. Standard informational signs do not require a permit from the Director.
- E. *Signs Permitted for Free-Standing Commercial Establishments not Located within a Shopping Center, Office Park or Industrial Park.*
1. One (1) monument sign per road frontage no greater than ten feet (10 ft.) in height with no more than thirty-two square feet (32 sq. ft.) of area. Each sign shall be set back not less than ten feet (10 ft.) from the public right-of-way, except in the Central Business District where the setback shall be not less than five feet (5 ft.) from the public right-of-way.
 2. One (1) wall sign per road frontage for each tenant space no greater than one square foot (1 sq. ft.) of area per one linear foot (1 ln. ft.) of tenant frontage; provided, however, no more than 2 wall signs shall be allowed for a tenant space.
 3. One (1) rear door sign not to exceed three square feet (3 sq. ft.) in area.
 4. Window signs not exceeding twenty percent (20%) of the glass area.
 5. One (1) sign no greater than three square feet (3 sq. ft.) located on the front door or on a wall immediately adjacent to the front door.
 6. Buildings of two (2) stories or greater may have a wall sign located at the top of the building and is not greater than 20 sq. ft. per story (of building), in area.

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7. One (1) temporary free-standing sign shall be permitted during the construction of the principal building for the lot. Such sign shall be allowed upon the commencement of construction for which a land disturbance or building permit has been issued, and terminating upon the issuance of a certificate of occupancy, the installation of a permanent sign, or the expiration/termination of the land development or building permit, whichever is first to occur. The sign shall not exceed ten feet (10 ft.) in height, thirty-two square feet (32 sq. ft.) in area, and must be set back ten feet (10 ft.) from the public right-of-way (five feet (5 ft.) in the Central Business District).
 8. Standard Informational Signs. Standard informational signs, as defined in this Section, shall be permitted for each lot. Standard informational signs do not require a permit from the Director.
- F. *Signs permitted within the Downtown Overlay and MU zoned properties.* In addition to the signs authorized under a designated category, each business in the Downtown Overlay and within MU zoned properties may utilize the following additional signage:
1. Each located on the ground floor of a building shall be permitted one (1) perpendicular sign which shall not exceed eight (8) square feet in size and shall be placed at least eight (8) feet, but no more than twelve (12) feet above sidewalk. In order to foster originality, the shape of the sign may not incorporate more than one set of parallel edges and words may only comprise up to 50% of the sign face area. The remaining sign face area must incorporate some form of graphic design. In addition, signs must be mounted on decorative black brackets.
 2. Businesses located within the first two floors of a building that backs onto a parking lot, alley, park or other public space may have an additional wall sign up to twenty-four (24) square feet in size. This additional wall sign shall be located on the back of the building facing the parking lot, alley, park or other public space and placed within general proximity of the associated business.
- G. *Signs permitted within the Downtown Overlay.*
1. Building Ground Signs (monument signs) within the Downtown Overlay shall not be internally illuminated. Where illumination is needed, lighting fixtures may be placed at the top of the sign and aimed downward or may be placed on the ground and aimed in such a way as to illuminate the sign without creating spillover into the night sky. Monument signs shall have a multidimensional surface and have materials that relate to the exterior of the building. Maximum height shall not exceed 6 feet.
 2. If external illumination is used, lighting fixture shall be minimized or obscured from public view unless it is part of the overall architectural design of the building.
 3. If reverse or halo illuminated letters/logo are used, a minimum of one-inch (1") and maximum of three-inch (3") return depth shall be required. No more than a two-inch (2") standoff from the wall shall be allowed. The illumination color shall relate to the interior lighting of the building on which the sign is attached. Halo lighting shall be in the color range of 2k—5k, except that other colors shall require evidence related to the architecture of the building.
 4. Routed or layered material signs shall have a minimum thickness of three-inches (3").
 5. Signs representing symbols related to a business shall use materials limited to wood, high density urethane, sign foam and metal.
 6. Perpendicular or hanging signs shall use wood, high density urethane, sign foam, metal, or other unique materials as determined by the Design Review Board and high design details.
 7. Window signage shall have graphics with one (1) font and one (1) color. Colors shall be limited to white, gold and frosted. Logos shall be no more than one-quarter (¼) of the window graphic and shall be permitted to be full color. Window graphics shall be limited to one area of the window. Street numbers in the transom above a door shall not count against the maximum allowable window signage area.

(Ord. No. 720 , § 2(Exh. A), 2-22-2016; Ord. No. 736 , § 2, 3-20-2017; Ord. No. 805 , § 1(Exh. A), 8-10-2020; Ord. No. 841 , § 3(Exh. C), 2-21-2022)

2.6.13 Requirements for residential zoning districts.

- A. *Standard Informational Signs.* Each lot located in a residential district may display standard informational signs, as defined in this Ordinance. No single sign shall exceed four feet (4 ft.) in height. No sign shall be illuminated. All signs must be set back at least ten feet (10 ft.) from the right-of-way.
- B. *Subdivision Signs.* A maximum of two (2) subdivision signs per platted residential subdivision entrance are permitted, which may be erected while the subdivision is under construction and being actively marketed 'For-Sale'.. These signs shall be single-faced, not exceed ten feet (10 ft.) in height or thirty-two square feet (32 sq. ft.) in area, and be set back at least ten feet (10 ft.) from the right-of-way. Subdivision signs shall not be included in the calculation of aggregate sign area for any lot. A subdivision sign shall not be internally illuminated.
- C. *'For-Rent' Dwelling Developments.* One (1) monument sign shall be permitted for a planned 'for-rent' dwelling development. Such sign shall not exceed ten feet (10 ft.) in height or thirty-two square feet (32 sq. ft.) in area, and be set back at least ten feet (10 ft.) from the right-of-way. The sign shall not be internally illuminated.
- D. *CUP Districts.* Within CUP zoning districts, 'For-Rent' dwelling developments shall also be permitted one permanent, free-standing, directional sign. Such sign shall be a monument sign and shall match the appearance of the primary sign on the site, be setback at least ten feet (10 ft.) from the public right-of-way, and shall be no greater than thirty-two square feet (32 sq. ft.) in area.

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

SECTION 2.10 NORTH POINT OVERLAY

2.10.5. Streets.

A. *Applicability.*

1. The Section applies to:
 - a. New development;
 - b. Existing developed sites when more than 25% of the site area is disturbed, except as provided for in "2" immediately below;
 - c. Existing principal buildings that are expanded, except as provided for in "2" below immediately; and
 - d. Existing principal buildings that are renovated or repaired and the value of said work exceeds 50% of the building's replacement cost, except as provided for in "2" immediately below.
2. The Director of Community Development may grant variances to any requirement of this Section for existing developed sites and existing buildings (except as specifically delegated to the City Transportation Engineer) when one or more of the following exists:
 - a. The streetscape or multi-use trail would render a site non-conforming with regard to vehicular parking; or
 - b. Existing topography, trees, buildings, bridges, utilities, retaining walls, or other existing features render this Section unreasonable.
3. This Section does not apply on a parcel for which a Land Disturbance Permit or Building Permit is issued but where the Director of Community Development determines that the permit is for an accessory use or structure to the principal use or structure or for minor repairs or additions to the principal building or structure in existence.

B. *Streetscapes.*

1. *Streetscapes Required.*
 - a. New public and private streets must include sidewalks and planters as identified in the Streetscape Standards of the Site Regulation Table prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - b. Existing streets that do not meet the Streetscape Standards of the Site Regulation Table must be brought into compliance with said standards along the site's frontage prior to the issuance of Certificate of Occupancy, except as indicated in "d" immediately below.
 - c. On existing streets where there is insufficient right-of-way for the required streetscape improvements, the right-of-way needed for such improvements may be expanded by mutual agreement between the property owner and the entity holding the right-of-way, or a public access easement may be provided to the City to meet the required improvements.
 - d. On streetscapes that are or will be within the public right-of-way, root barriers are required between the sidewalk and any adjacent landscape strips or planters, subject to approval of the City Arborist.
 - e. The City encourages the use of multi-functional runoff reduction measures in the streetscape, including bioretention areas, stormwater tree box, and planter box. The dimensional standards

for planting area, tree spacing, and planting type be varied to accommodate runoff reduction measures.

- f. Alternative streetscape may be approved by City Transportation Engineer for multi-use trails in accordance with Sec. 2.10.5.C.

C. *Multi-Use Trails.*

1. Multi-use trails shall have an average width of 12 feet, but their width may be periodically reduced to 8 feet where topography, wetlands, stream buffers, existing buildings, existing trees, or other existing conditions render this requirement infeasible. The maximum aggregate length of this reduced width is 400 feet.



2. A multi-use trail ~~may~~ shall be required instead of a sidewalk along any new or existing street when the location is identified for a multi-use trail in the North Point Livable Centers Initiative Study or another plan that has been adopted by the City of Alpharetta. A multi-use trail may be required in other locations identified for a multi-use trail in the North Point Livable Centers Initiative Study, the Alpha Loop Plan, or another plan that has been adopted by the City of Alpharetta.
3. ~~Where a City of Alpharetta park or access easement held by the City of Alpharetta abuts a street subject to "1" above, the multi-use trail may also be located in such park or easement.~~
4. In approving a multi-use trail in lieu of a sidewalk, the City Transportation Engineer, upon application, ~~shall may~~ reduce the required planter width to a minimum width of 5 feet if the proposed reduction is supported by the public health, safety and general welfare.
5. Buildings shall maintain a minimum setback of twenty-feet (20') from a multi-use trail.

SECTION 3.2 TREE CONSERVATION, LANDSCAPE, AND BUFFER REQUIREMENTS¹

3.2.1 General.

In order to maintain and promote the public health, safety and welfare, the City has established regulations governing the conservation, planting, and replacement of trees. The importance of trees is recognized for their contribution toward quality of life, visual quality of the city, and improved property values. It is the City's intent to prevent the indiscriminate removal of trees without denying the reasonable use and enjoyment of real property. It is also the intent of these regulations that all applicable sites within the City maintain or obtain minimum tree density, as defined herein. Consistent with the expressed purpose of these regulations, all persons shall make reasonable efforts to protect and retain certain existing, self-supporting trees as defined herein. Each person shall be responsible for the normal care of trees located on its premises.

- A. Willful injury or disfigurement of any tree growing within the City shall be a violation of this Ordinance.
- B. No person shall:
 - 1. Attach any sign, notice or other object to any tree or fasten wires, cables, nails or screws to any tree in a manner that could prove harmful to the tree.
 - 2. Pour any material on any tree or on nearby ground which could be harmful to the tree.
 - 3. Cause or encourage any unnecessary fire or burning near or around any tree.
 - 4. Construct a concrete, asphalt, brick or gravel sidewalk, significantly compact the soil, place fill material, or create other impervious or semi-impervious surfaces around any tree so as to cut off air, light or water from the roots of the tree so as to adversely impact the tree's root system.
 - 5. Pile building material or equipment around any tree so as to cause injury thereto.
 - 6. Deny routine maintenance, watering and reasonable arboricultural care to existing and newly established trees as may be required as a result of activities taking place under this Section.
 - 7. Remove any tree without Permit.
 - 8. Remove or prune a tree on commercial property during non-development activity unless they follow ISA industry standard protocols for pruning or have written approval from the Director.
 - 9. Park any vehicle on the unpaved area underneath existing tree canopies.

(Ord. No. 739 , 5-1-2017)

3.2.2 Definitions.

For the purposes of this Section, unless the context indicates otherwise, the following terms shall have the meaning set forth below:

Boundary Tree. Any tree located on adjacent property with a critical root zone that will be impacted by proposed land disturbance activity.

Buffer. An area required to remain undisturbed or replanted where existing vegetation is sparse, as determined by the director.

¹Ord. No. 739 , adopted May 1, 2017, amended Section 3.2 in its entirety to read as herein set out. Former Section 3.2, Subsections 3.2.1—3.2.19, pertained to tree protection, and derived from the original codification.

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

Conifer Tree. Any tree with needle leaves and a woody cone fruit including, but not limited to, pine, juniper and cedar species.

Conserve. Protect from harm or destruction; preserve; save.

Critical Root Zone (CRZ). The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The Critical Root Zone will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to one and three-tenths times the number of inches of the trunk diameter. EXAMPLE: The CRZ radius of a twenty (20) inch diameter tree is twenty-six (26) feet.

Dead Tree. Any standing tree which is no longer alive or has the ability to sustain itself through natural processes as determined by a qualified professional.

Development Activity. Any alteration of the natural environment, which requires the approval of a development or site plan and issuance of a Land Disturbance Permit. Development Activity shall also include the "thinning" or removal of trees from land in conjunction with a forest management program, the removal or destruction of trees incidental to the development of land or to the marketing of land for development, the removal or destruction of trees in conjunction with any grading activity, including the removal or filling (stockpiling) of soil, and logging or the removal of trees not in conjunction with an ongoing forest management program. Nothing in this definition shall be deemed to require or authorize the issuance of a permit for any activity described herein.

Diameter Breast-Height (DBH). The standard measure of tree size (for trees existing on a site). The tree trunk is measured at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, the trunk is measured at its most narrow point beneath the split.

Director. The Director of Community Development or designee shall administer and enforce the provisions of this Ordinance; provided, however, that a designee shall have no authority to revoke permits.

Georgia 400 Tree Protection Zone. All property within a horizontal distance of 120 feet of the right-of-way of Georgia 400. At major intersections on Georgia 400 having exit and/or entrance ramps the protection zone shall be reduced to 60 feet. The reduction shall apply for the length of each such ramp. The Georgia 400 Tree Protection Zone is a Buffer.

Grading Activity. Altering ground surfaces to specified elevations, dimensions and/or slopes; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Guidance Document. A document maintained by the City of Alpharetta Arborist that includes clarifications to requirements with examples and additional technical standards about tree protection, tree planting, species selection, and other information relevant to the protection and replanting of trees in the City of Alpharetta. The document may be revised by the City Arborist as conditions and technical standards evolve.

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

International Society of Arboriculture (ISA). A professional organization that promotes the professional practice of arboriculture, sets standards for obtaining professional credentials for arborist, and establishes best practices for tree care, pruning, and protection.

Land Disturbance Permit. A permit issued by the City that authorizes Development Activity and includes, but is not limited to, Soil Erosion Protection, clearing and grubbing, land disturbance and building construction.

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

Landscape Tree. A tree or trees that were planted or retained on a developed or previously developed site.

Lot Building Area. The area of a lot encompassed by front sides and rear yard setbacks or building line as required by City Ordinance and Subdivision Regulations.

Mass Grading. The grading within existing or across proposed property lines including the removal of trees and disturbance of soils in order to prepare a site for construction where buildings are not approved.

Mulch. An organic material spread around the base of a plant or on a plant bed to enrich and insulate the soil. Types of mulch include Pine Straw, Shredded Hardwood, Wood Chips, and Bark Chips. Mulch should be free of disease and pests. Synthetic or artificial mulches are not acceptable for use in the City of Alpharetta.

Non-Development Activity. Any alteration of the natural environment which does not require development or site plan approval, but which would include the proposed removal or destruction of any tree(s). Any removal of trees that constitutes Development Activity as that term is herein defined shall not constitute non-development activity.

Ornamental Tree. A tree that provides a visual impact in the landscape. The impact may be provided through form, bark, branching structure, leaf color, and/or flower color. Typically a small or medium size tree.

Overstory Tree. Those trees that compose the top layer or canopy of vegetation and will generally reach a mature height greater than 40 feet and typically have a spreading canopy.

Permit (Tree Removal Permit). An official Permit for tree removal issued by the City of Alpharetta.

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

Pine Tree. An evergreen coniferous tree that has clusters of needle-shaped leaves.

Plantable Area. The pervious surface area available for the preservation or planting of trees. Plantable Area shall not include that portion of the lot that is covered by buildings and structures permitted pursuant to the maximum lot coverage standards of this Ordinance.

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

Pruning (Tree Pruning). To cut away dead, overgrown, or undesirable branches or stems. Pruning of trees to be done in compliance with standard arboricultural practices as outlined in ANSI A300 and shall maintain the trees natural form and structure.

Qualified Issuing HOA (QIH) An established HOA with recorded covenants that maintains a contract with a landscape architect or Qualified Professional that has attended and passed the required tree removal permit regulation class provided by the city. The QIH shall be permitted to issue tree removal permits to their HOA members where trees are located within the front setback and shall require recompense and/or replacement where required by Section 3.2. QIH certification can be revoked at any time by City if QIH is found to be in non-compliance.

Qualified Professional. An International Society of Arboriculture (ISA) Certified Arborist, an American Society of Consulting Arborists (ASCA) Registered Consulting Arborist, or a Registered Forester.

Recompense. Replacement of trees or payment into the City held tree fund for the removal of Specimen Trees.

Replacement Planting. The planting of trees on a site that before development had more trees, and after development shall have less trees per acre.

Responsible Party. Any individual, firm, principal, or other entity who is a signatory to a Tree Removal Permit Application or Land Disturbance Permit for Development Activity or any person or company caught in the act of tree removal without a City-issued permit, or who violates any other provision of this Ordinance.

Shade Tree. Any tree that has a spreading canopy that provides partial to full shade to the ground with a minimum height of 20 feet.

Semi-Pervious. Hardscape, aggregate or porous paver that allows at least fifty percent (50%) of surface water to pass through the manmade material and into the underlying soil.

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

Specimen Tree. Any tree, **not including pine trees**, which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance and which also meets the minimum size criteria set forth below.

Size Criteria:

Pine Trees:	30-inch diameter or larger for trees in the Pinus (Pine) genus.
Coniferous Trees:	20" diameter or larger for trees in the cedrus (deodar cedar), Thuja (Arborvitae), or other ecologically similar trees.
Overstory Trees:	30-inch diameter or larger for trees in the Liquidambar (Sweetgum) or Liriodendron (Tulip poplar) genus.
	20-inch diameter or larger for trees in the Fagus (Beech), Nyssa (Tupelo), Diospyros (Persimmon), Sassafras (Sassafras), or other ecologically similar trees.
	20-inch diameter or larger for Magnolia grandiflora (Southern magnolia) and those cultivars that generally reach a mature height over 40'.
	24-inch (24") diameter or larger for trees in all other genera.
Understory Trees:	8-inch (8") diameter or larger.
	10-inch (10") diameter or larger for Oxydendron arboretum (Sourwood).

See additional requirements for Specimen Trees in "The Guidance Document."

Street/Streetscape Tree. Any tree located or proposed to be located along a public or private street. The actual location will be determined by the specific zoning district or overlay. In situations where there is limited planting space in the right-of-way and or safety concerns, street trees may be located at the back of the sidewalk or within the landscape strip on private property and the discretion of the Director.

Structural Root Plate. The zone of rapid root taper that provides the tree stability against wind throw. The radius of the structural root plate is equal to 0.5 feet per inch of DBH.

Timber Harvest. Harvesting of timber from sites as a timber management activity as part of a demonstrated ongoing agricultural land use.

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

Tree Care Plan. A plan developed to provide an impacted tree the best possible chance of survival. A tree care plan should be prepared by a qualified professional and conform to the requirements of ANSI A300 and the Guidance Document

Tree Density. A measurement of trees on a property, expressed as inches per acre. For existing trees density is calculated based on DBH. For proposed trees tree density is calculated based on the caliper.

Tree Grouping. A community of trees as determined by the Director to merit special consideration as an ecological feature based upon species composition, form, structure, age, and condition. Tree groupings shall be in good condition and free from defects and or insect and disease infestations. Specimen trees and trees of quality may be included in tree groupings and every alternative should be evaluated to save these trees. Except as otherwise provided in Section 3.2., Tree Groupings will be treated as specimen trees for preservation credits and every alternative should be evaluated to save these trees.

Tree of Quality. A tree that merits special consideration due to historical significance, ideal shape and structure, or uniqueness of the species as determined by the Director. A tree of quality shall be in good condition, free from defects and or insect and disease infestations, and of a typical form for that species. Except as otherwise provided in Section 3.2., Trees of Quality will be treated as specimen trees for preservation credits and every alternative should be evaluated to save these trees. Pine, Yellow poplar, Sweetgum, Bradford pear, Leyland cypress, invasive species, or other species as determined by the Director shall not be considered a tree of quality.

Tree Removal or Removal of Trees. Removal of trees through an act of cutting down a tree or any act which causes a tree to die within 2 years after commission of the act or impedes the ability of the tree to sustain itself, including but not limited to damage inflicted upon the root system, trunk, or canopy as a result of:

1. The improper use of machinery on the trees;
2. The storage of materials in or around the trees;
3. Soil compaction;
4. Altering the natural grade to expose the roots or to cover the tree's root system with more than 4 inches of soil;
5. Causing the infection or infestation of the tree by pests, fungus or harmful bacteria;
6. Pruning judged to be excessive by the Director or not in accordance with the standard set forth by the International Society of Arboriculture (ISA);
7. Paving with concrete, asphalt or other impervious surface within such proximity as to be harmful to the tree or its root system; and
8. Application of herbicides or defoliant to any tree without first obtaining a permit.

Tree Planting List. List of preferred tree species for use in the City of Alpharetta. Species not included on this list may be approved at the discretion of the Director. The Tree Planting List is included in the Arborist Guidance Document.

Tree Protection Area. An area encompassing the critical root zone of a tree that shall remain in an a pervious state.

Tree Save Area. An area designated for the purpose of meeting tree density requirements, saving natural trees, and/or preserving natural buffers that shall remain in a pervious state.

Understory Trees. Those trees that grow beneath the overstory, and will generally reach a mature height less than 40 feet. Understory trees may include coniferous trees that meet these same height characteristics.

Zoning Districts. Those areas as defined in the Zoning Ordinance and shown on the Zoning Map.

(Ord. No. 739 , 5-1-2017; Ord. No. 749 , § 4, 9-18-2017; Ord. No. 769 , § 1, 11-12-2018; Ord. No. 850 , § 1(Exh. A), 1-3-2023)

3.2.3 Exemptions.

- A. The following shall be exempt from the provisions of this section:
1. The removal of trees with a Permit.
 2. The removal of trees from horticultural properties such as farms, nurseries or orchards. This exception shall not be interpreted to include timber harvesting incidental to development of the land;
 3. The necessary removal of trees by a utility company within dedicated utility easements;
 4. The removal of trees on public rights-of-way conducted by, on behalf of, or any activity pursuant to work to be dedicated to, a federal, state, county, municipal or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-way;
 5. The removal of trees from lakes and detention ponds, and drainage easements, unless specifically planted to be part of the stormwater system; or
 6. The removal of any tree which is dead or has become or threatens to become a danger to human life or property;
 7. The removal of any tree which is located in the front setback of a 'For-Sale' dwelling that receives permit approval from their Qualified Issuing HOA.
- B. Notwithstanding the foregoing, all reasonable efforts shall be made to save specimen trees and trees of quality, and tree groupings.
- C. Nothing in this section shall be deemed to authorize, directly or indirectly, the removal of a tree from the Georgia 400 Tree Protection Zone or any buffer.

(Ord. No. 739 , 5-1-2017)

3.2.4 Permit required for non-development activity (activity which does not require a building permit, etc.).

- A. Except for routine or seasonal pruning or transplanting of trees, and except as exempted, no person shall engage in any Non-Development Activity as defined without first obtaining a permit. The request for a permit shall be submitted to the Director in the form of a tree removal permit application through the City process and shall include:
1. The reason for the proposed work
 2. Either a site sketch or photograph of the tree(s) proposed to be removed, identifying such tree(s) by size and species.
 3. Specimen Trees shall only be approved for removal if they are in declining health or as approved by the Director. If a request includes a Specimen Tree, the applicant shall provide a risk assessment or similar report, following currently accepted industry standards and protocols, prepared by a qualified professional outlining the condition of the trees and associated risks.

If the request for a permit is complete, complies with the Ordinance, and requests tree removal for one of the purposes identified in Paragraph B below, the Director shall issue a permit no later than ten (10) working days from receipt and shall inform applicant if replanting will be required. If the request is incomplete or denied, the Director shall notify applicant in writing regarding the specific reason for denial.

- B. The Director shall issue a permit for the following:
1. The removal of dead, substantially injured, damaged or diseased trees;

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2. The removal of any non-specimen tree, provided the tree is not a required landscape strip tree, buffer tree, or other code required trees and that the applicable minimum tree density requirement is maintained.
 3. The removal of any specimen tree, landscape strip tree, buffer tree or other code required tree with a replanting agreement approved by the director.

(Ord. No. 739 , 5-1-2017)

3.2.5 Land disturbance permit for development activity.

- A. No person shall engage in a Development Activity and no Land Disturbance Permit shall be issued without first obtaining an approved site plan stamped and signed by the Director.
 1. Trees and/or soils shall not be disturbed or removed in order to pad grade or mass-grade a site unless building construction is imminent. In order to be imminent, proposed buildings shall require approval.
- B. Except as provided in Section 3.2.4 and Paragraph (c) of this subsection, no tree removal shall be approved for any site not under active development. For the purposes of this Ordinance, a site is not under active development unless there exists an approved development plan delineating the improvements to be constructed on the site consistent with the use for which the site is zoned, and there is a reasonable certainty that construction is imminent.
- C. A Land Disturbance Permit may be issued for Grading Activity on a site not under active development provided that:
 1. The sole purpose of the Grading Activity is for the storage, removal or altering of soil for fill balancing on another site under active development;
 2. The site not under active development must be under common ownership or common development control with the site that is under active development;
 3. The site not under active development must be contiguous to, or located within one (1) mile of, the site under active development. For the purposes of this Section, the measurement of distances shall be from property line to property line along the most direct route of travel on a public road;
 4. The proposed Grading Activity shall not result in the damage or removal of more than ten percent (10%) of the total tree density (inches per acre) on the site not under active development;
 5. The proposed Grading Activity shall not decrease the tree density below the minimum inches per acre required for the site. For the purposes of this Section, trees in Buffers that will be required shall be excluded from minimum density calculations;
 6. The area to be disturbed within the site shall be the area that will have the least adverse impact on existing trees, Specimen Trees, Trees of Quality, and Groupings of Trees as determined by the Director. In addition, the area must be visually screened from public or private roads and drives, developed residential and commercial properties, by a one hundred foot (100') buffer or a buffer of sufficient depth to provide reasonable visual screening. In order to provide reasonable visual screening, it may be necessary to locate access roads to the impacted area in a winding manner to prevent a straight line of site to the impacted area; and
 7. The disturbed area within the site shall be replanted with trees to a tree density of 130 inches per acre no later than eighteen (18) months from the issuance of the Land Disturbance Permit authorizing the Grading Activities. A tree replacement plan and a bond shall be submitted and approved by the Director prior to the issuance of the permit authorizing the Grading Activities. The completion bond shall be held until the planting is complete and at that time transfer to an eighteen (18) month maintenance bond to ensure survival of the replacement trees. The applicant shall be responsible for

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the irrigation (watering) of trees during the period of the bonds. The replanting requirements of this Section shall not apply, and the initial bond shall be released, if, on or before fifteen (15) months from the issuance of the permit authorizing the Grading Activity, the site becomes under active development pursuant to the issuance of a Land Disturbance Permit and the approval of development plans in compliance with the provisions of this Ordinance.

- D. Nothing in this Section shall be deemed to authorize any Grading Activity or similar activity not otherwise in compliance with the Land Subdivision Regulations of the City of Alpharetta, including, the Soil and Sedimentation Control Ordinance. Further, nothing in this Section shall be deemed to eliminate the requirement that all reasonable efforts must be taken to save and not adversely impact the Critical Root Zones of Specimen Trees, trees of quality, and tree groupings and that all applicable sites from the City shall maintain or obtain the minimum tree density required by this Ordinance.

(Ord. No. 739 , 5-1-2017; Ord. No. 769 , § 2, 11-12-2018)

3.2.6 Application requirements.

- A. When a person applies for a Land Disturbance Permit as defined herein, such person shall provide the following information:
1. A complete tree survey and inventory, which shall contain the following information:
 - a. All Specimen Trees, Trees of Quality, Tree Groupings, Landscape Trees, and Boundary Trees on the site and within 30 feet of the limits of disturbance; with an indication whether they are to be retained or removed;
 - b. All trees that are to be counted toward the tree density requirement greater than 2" DBH, including size (Caliper or DBH) and species. Sampling methods may be used to determine tree densities for forested areas (over 5 acres) that are to be preserved. Sampling methods must conform to industry standards and protocols and be no less than a 10% sample;
 - c. Tree Protection Zones and Tree Save Areas must be delineated on the plan;
 - d. All buffers with existing trees to be delineated on plans as Tree Save Areas. Land Disturbance within any Buffer is subject to Director approval;
 - e. The tree survey and inventory shall be a to-scale map or a site plan prepared and sealed by a registered surveyor.
 2. An integrated site plan showing Specimen Trees, Trees of Quality, Tree Groupings, Boundary Trees, the trees to be saved and those to be removed, existing utilities and those to be installed, grading, the approximate location of all structures, driveways and curb cuts and all proposed tree plantings and other landscaping. It is required that all reasonable efforts be made to save Specimen trees, Trees of Quality, Tree Groupings. (Reasonable efforts shall include, but not be limited to, alternate building design, building location, parking area layout, parking area location, stormwater BMP locations and the like).
 - a. If a Specimen Tree, Tree of Quality, or Tree Grouping cannot be saved a hardship justification in the form of a letter shall be submitted to the Director for review and approval and be included within the plan set;
 - b. If a Boundary Tree cannot be saved or results in an encroachment into the Critical Root Zone of greater than 10%, evidence of notification to the owner of the tree will be required to be provided to the Director. This notification shall generally include the current condition of the tree, % encroachment, potential outcomes of the encroachment, and proposed tree care to

offset the encroachment. In no way does this authorize any encroachment into the Structural Root Plate of a Boundary Tree.

3. A detailed plan to protect and preserve landscaping and trees before, during and for a period of two (2) years after construction, which shall contain the following information:
- a. All items found on the Arborist Checklist located in the Arborist Guidance Document;
 - b. Existing roads, utility lines, drainage and detention facilities, and other pertinent items in the vicinity of the site.
 - c. The locations of existing and proposed structures, paving, driveways, cut and fill areas, detention areas, etc.
 - d. Phase lines or limits of construction;
 - e. A delineation of all protected zones with any required dimensions;
 - f. Calculations showing compliance with the required Tree Density and Recompense per section 3.2.7
 - g. Locations of all existing and proposed utility lines and easements;
 - h. Locations of any boring sites for underground utilities;
 - i. Locations of all Specimen Trees, Trees of Quality, Groupings of Trees, Landscape Trees and Boundary Trees and indications whether they are to be removed or preserved;
 - j. Locations of all tree protection devices, materials to be used in each location and details;
 - k. A delineation of tree save areas in which trees have been inventoried for density calculations;
 - l. If applicable, locations and details of all permanent tree protection measures (tree wells, aeration systems, permeable paving, retaining walls, bollards, etc.); and
 - m. A tree care plan developed by a Qualified Professional designed specifically for each tree to be saved that warrants care due to the changes in site conditions or as approved by the Director. The tree care plan shall be prepaid prior to issuance of the land disturbance permit and a paid invoice provided to the City. In the event of a change in ownership, arrangements must be made to allow access for the tree care to continue throughout the required timeframe.
 - n. A full landscape plan meeting all of the requirements of this Section including tree density, recompile, landscape strip, parking lot tree coverage and screening, groundcover, hardscapes, etc. The landscape plan submitted shall be the one that is expected to be planted. Permit only plans will not be accepted by the Director.
 - o. Additional information as required on a case-by-case basis.

The above items may be integrated into the normal application requirements and submittals.

- B. Minor additions to existing development require only a sketch showing changes to be submitted to the Director for review and approval.

(Ord. No. 739 , 5-1-2017)

3.2.7 Minimum tree density and recompile requirements.

The intent and goal of these regulations is to insure that a minimum density of trees is maintained on all developed sites and that a significant amount of tree canopy coverage and pervious soil area is maintained throughout the City. The density requirement must be met whether or not a property or site had trees prior to

development or any tree removal. The density may be achieved by counting existing trees 2" in diameter or greater to be preserved, planting new trees in accordance with the minimum standards of this Section, or some combination of the two. Vegetated runoff reduction measures which include trees also count toward the tree density requirement. Minimum tree density shall be calculated and established pursuant to the formula and analysis set forth in the Guidance Document.

- A. All sites within the City other than 'For-Sale' residential lots shall maintain or achieve a Minimum Tree Density of 130 inches per acre. The owner shall be subject to the minimum tree density requirement set forth in this paragraph, but the owner shall base the density calculations on the net site area excluding the acreage required for Buffers and infrastructure improvements (roads, utility lines, detention ponds, etc.). In no event shall a parking lot be considered an infrastructure improvement.
- B. All 'For-Sale' residential lots in the City shall maintain a minimum tree density of 130 inches per acre or provide a calculation as described in the Guidance Document that shows the lot meets or exceeds a 30% canopy coverage based upon trees growing within the property lines. For new construction or new plantings this calculation may be based upon the mature spread of the newly planted trees at 20 years after planting. If replacement planting is required on a 'For-Sale' residential lot, it is encouraged to provide at a minimum a two-inch (2") caliper tree or larger in the lawn area in the front yard or landscape strip if space allows.
- C. Owners shall receive a density credit of two (2) times the inches for each Specimen Tree saved by utilizing an alternate design during development. Specimen trees that cannot be saved must be replaced with recompense plantings equal to three (3) times the DBH of the tree(s) removed. Recompense trees shall be a minimum of four-inch (4") caliper at time of planting. Trees of Quality or Tree Groupings shall receive a density credit of one (1) times the inches for each tree saved. Specimen Trees removed without prior approval shall be subject to the recompense replanting requirements as described in section 3.2.10 Tree Damage and subject to the applicable penalties as described in Section 3.2.17.
- D. An owner may request a reduction in recompense plantings, which may be granted at the discretion of the Director. The reduction shall be calculated considering Specimen Trees, Trees of Quality or Tree Groupings and other landscape amenities that are incorporated into the site plan utilizing an approved alternative design.
- E. In the event that Specimen Tree Recompense cannot be achieved through planting on the subject property, two alternative methods of compliance may, at the discretion of the Director, be approved: planting at a location remote from the project site; or, a recompense payment to the City of Alpharetta Tree Replacement Fund. The following standards have been established for administering these alternative recompense methods.
 - 1. The director must review and approve all requests for alternative recompense. In no instance shall 100% of the required recompense be met through these alternative methods. As many trees as can reasonably be expected to survive and thrive must be planted on the subject property. No permit shall be issued until the Director has approved the request and received the necessary documentation and/or funds.
 - 2. If trees are to be planted at another location, the off-site location should be in the same area of the City as the project site and a tree replacement plan meeting all applicable standards must be provided by the owner and reviewed and approved by the City Arborist. If tree planting is proposed on City property all specifications for such planting shall be met as determined by the Director of Public Works or the Director of Recreation and Parks. A completion bond in the amount of 100% of the installation and materials cost shall be provided prior to issuance of any land disturbance permit.

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3. If a recompense payment to the City of Alpharetta Tree Replacement Fund is approved, the amount of the donation shall be established by the Director. The amount of the recompense payment shall be 100% of the estimated costs of the average 3 bids from reputable landscape contractors, licensed to do business in the City, for the materials, installation, and care during the trees establishment period (18 months) provided by the owner and reviewed and approved by the City.

(Ord. No. 739 , 5-1-2017)

3.2.8 Tree Replanting, Buffer, and Landscape standards.

A. Tree Replanting.

1. Unless otherwise approved by the Director, it is recommended that trees selected for replanting be on the Recommended Tree List. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor and form in order to assure a reasonable expectation of survivability. Standards for transplanting shall be in keeping with those established in the International Society of Arboriculture publication Tree and Shrub Transplanting Manual or similar publication. Reference the American Association of Nurserymen publication American Standard for Nursery Stock (ANSI Z60.1-2014) for plant material quality specifications. Reference the Manual of Woody Landscape Plants (Michael Dirr, 2009, Stipes Pub LLC.) or similar publication for information on tree species and site requirements.
2. It is desirable that replanted trees be ecologically compatible with the site and neighboring sites. Accordingly, the replanted trees shall be of the same or similar species as those removed when practical.

C. All replanted overstory trees shall be at least six (6) feet tall and have a trunk of not less than two (2) caliper inches. All replanted understory trees shall be at least four (4) feet tall or have a trunk not less than one (1) caliper inch. In order to provide sufficient growing area for planted trees, the following minimum criteria must be observed unless otherwise approved by the Director.

- a. No more than 25% of any one genus may be included in any replanting plan.
- b. A minimum of 40% of the required tree density on a site is recommended to be met through overstory tree planting.
- c. Greater than 50% of the trees shall be natives.

B. Buffer Requirements.

1. A lot zoned or used for a rental dwelling, office, institutional, commercial, industrial uses or occupied by a non 'For-Sale' residential use shall provide a fifty foot wide undisturbed buffer along all property lines adjoining property zoned for or used by 'For-Sale' residential purposes. Where commercial or industrial districts or developments abut R-10M zoning districts, the same buffer requirements apply. The buffer shall be in addition to the required building setback line.
 - a. When a new, 'For-Sale' development is proposed adjacent to an existing, non-residential use with no buffer present, the 50' buffer must be provided by the residential development.
 - b. If a 50' buffer has been provided on the property adjacent to a proposed, non-residential development, the buffer requirement may be waived with the approval of the Director.
2. Except as otherwise provided, herein, buffer strips shall be preserved in their natural undisturbed state, except that sparsely planted buffers shall be enhanced with additional plant material. Enhancement plants must provide an opaque screen within two (2) years of planting and must consist of trees, shrubs, and groundcover plants meeting the following standards:

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(Supp. No. 18)

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- a. Plant selection will consist of eighty (80) percent evergreen species and twenty (20) percent deciduous species;
 - b. Deciduous trees must be a minimum of 2 inch caliper at time of installation;
 - c. Evergreen trees must be a minimum of 9 feet tall at time of installation;
 - d. Shrubs must be a minimum of 3 feet tall at time of installation;
 - e. Plants will be spaced a maximum of eight (8) feet on center or as approved by the Director;
 - f. Plantings shall be designed with plant palette containing a mixture of colors, textures, and heights.
3. Undisturbed buffers shall not contain any surface parking or storm water, detention facilities, or any structures except that the Director may approve underground facilities within the buffer or the crossing of the buffer for the purpose of extending utilities.
 4. The Director may approve vegetated runoff reduction measures within the buffer. The planting requirements above may be varied to accommodate vegetated runoff reduction measures as part of an approved stormwater management plan, if properly designed to provide stormwater management and screening functions.
 5. Stream buffers must be replanted where disturbed for approved access and utility crossing. Replacement plantings must be native and be arranged to have a natural appearance.
 6. All buffer plantings are subject to the approval of the Director.
- C. Parking Lot Landscaping.
1. Surface parking lots shall provide a minimum 200 square foot wide landscape island at the end of each parking bay, and a 200 square foot island located each 72 feet of single parking length. Each landscape island shall be planted with one shade tree. Islands shall be excavated to 3 feet deep or to a depth 6 inches greater than the height of the root ball and backfilled with a minimum of 600 cubic feet of friable soil. Islands that are 400 square feet or larger and corner islands shall be planted with a large overstory tree. Parking lot trees must be 2" caliper minimum at time of planting and have a clear trunk to a minimum height of 6 feet. The remainder of a landscape island shall be planted with shrubs, ornamental grasses, and ground covers; and mulch shall be applied. Turf grass will not be accepted. Utilities and lighting shall not be allowed within required parking lot landscape islands.
 2. Alternate landscape configurations may be approved if the Director determines that the alternate design exceeds the standards above and/or is part of a smart stormwater design for the site that includes multi-functional, vegetated runoff reduction measures. An alternate configuration could also include a stormwater component or the preservation and enhancement of existing trees which are provided above and beyond other tree preservation requirements; which are deemed of community value by the Director; and shall result in a minimum of 50% parking lot canopy coverage within 15 years.
 3. The required tree area shall be protected against compaction and shall provide sufficient area for tree growth. Utilities are not allowed within the minimum area. The trees shall be maintained in accordance with best management practices as defined by the International Society of Arboriculture guidelines, and shall not be removed or pruned without permission from the City Arborists.
 4. Shrubs shall be provided to screen paved areas and parking lots from the public right-of-way, private drives and adjacent property year round. Shrubs shall be 2 feet tall at time of planting, 2 rows deep and shall provide a screen within 3 years of planting. Alternate screening methods such as fencing may be approved by the Director.
- D. Landscape Strips.

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1. The City wants to promote tree lined streets therefore, a minimum of ten (10) feet wide landscape strip shall be provided along all public right-of-ways and private roads. Main streets which are listed below shall have twenty (20) foot landscape strips, except those located within the Downtown Overlay District. which shall have ten (10) feet wide landscape strips or landscaping as approved by the Director.

MAIN STREETS:

Highway 9
Mansell Road
Windward Parkway
Northpoint Parkway
Westside Parkway
Old Milton Parkway
Haynes Bridge Road
Kimball Bridge Road

2. No permanent structures other than signage are permitted within the landscape strip. This includes pavement, retaining walls, drainage structures, detention ponds, flumes, curbing, etc. unless approved by the Director.
 - a. Retaining walls built with decorative masonry and designed as a landscape feature may be located within the landscape strip subject to approval by the Director. All required plantings must be installed so as not to interfere with the structural integrity of the wall.
 3. Actual spacing of street trees is based on the average canopy spread of the species selected as outlined in the Arborist Guidance document. If the spacing of shade trees exceeds 25 feet on center understory trees shall be required to fill in the gaps between each shade tree. Spacing of shade trees shall not exceed 40 feet on center. Shade trees shall be a minimum 4" caliper; ornamental trees shall be a minimum 3" caliper. The use of a combination of shade trees and ornamental trees is recommended.
 4. For commercial development and for master plan subdivisions, a minimum of five (5) foot landscape strip shall be provided along all property lines which do not adjoin a public right-of-way or private road. One (1) shade tree, minimum 4" caliper, shall be provided for every fifty (50) linear feet of landscape strip. For master plan subdivisions, this requirement is only required along the external property line of the overall project.
 5. Shrubs shall be provided in all landscape strips. Shrubs shall be a minimum of 2 feet tall at time of planting. Shrubs located in landscape strips may be used to meet the parking lot screening requirement.
- E. Additional screening shall be provided around all utility areas, detention facilities, dumpster/refuse areas, drive through areas, loading and unloading zones, etc. to screen views from the public right-of-way, private roads, drives, and adjacent properties year round. Screening shall be provided in any combination of the standards below or as approved by the Director.
1. Plant selection will consist of eighty (80) percent evergreen species and twenty (20) percent deciduous species;
 2. Deciduous trees must be a minimum of 2 inch caliper at time of installation;
 3. Evergreen trees must be a minimum of 6 foot tall at time of installation;

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4. Shrubs must be a minimum of 4 foot tall at time of installation;
 5. Screening for detention facilities must incorporate an alternating double row of evergreen shrubs 4 foot tall at time of planting.
 6. A combination of decorative walls, fences, and landscape material may be used with the approval of the Director.
- F. Lighting Fixtures shall be arranged so that the source of any light is screened from residential views and located as to not interfere with the tree canopy at time of planting or in the future.
- G. All required landscape areas shall be provided with a minimum of 1 water spigot or other water source within 150 feet.
- H. A bond shall be required for a minimum of 18 months to ensure the maintenance and irrigation of the landscaping materials.
- I. All landscape plans and tree planting plans for non "For Sale" residential properties shall be prepared as a to-scale map or a site plan prepared and sealed by a Registered Landscape Architect in the State of Georgia. Tree only plans may be prepared by a Qualified Professional.
- J. Outdoor Dining Areas. At-grade outdoor dining areas shall include perimeter landscaping and decorative detectable barriers in order to define the area. Detectable barriers shall include decorative planters, low walls or other improvement approved by the Community Development Director. Uncovered outdoor dining areas shall include one (1) shade tree per 750 square feet.
- K. Tree Conservation. To preserve the character and existing tree canopy within the Downtown Overlay it is desired to maintain good quality trees. Specimen trees and trees of quality within the building setbacks along the roads listed below shall be conserved.

ROADS:

Academy Street
Canton Street
Church Street
Cumming Street
Marietta Street
Mayfield Road
Milton Avenue
Roswell Street

(Ord. No. 739 , 5-1-2017; Ord. No. 850 , § 1(Exh. A), 1-3-2023)

3.2.9 Tree Protection and Conservation Standards.

Prior to commencement of any grading, construction, or tree removal authorized through the issuance of a land disturbance permit and continuing until a final subdivision plat has been recorded or a certificate of occupancy has been issued, the following system shall be used:

- A. A tree protection area shall be required for any tree located within 30 feet of any proposed grading, construction or tree removal; and shall be established by physical barriers and maintained until such work is complete.
- B. Location and Types of Tree Protection Devices.

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1. Tree protection devices are to be installed as shown on the plan or otherwise completely surrounding the Critical Root Zone of all trees to be preserved.
 2. The plan shall indicate which types of tree protection are to be installed and where they are to be installed. The types identified on the plan shall be consistent with the City's Tree Protection Details, available in the Arborist Guidance Document.
 3. The locations of all tree protection devices will be verified by the City prior to the issuance of the construction permit for clearing and/or grading.
 4. Once Protected Zones are established and approved, any changes are subject to Development and Inspections Department review.
- C. Tree Protection measures are to be installed as shown on the City's Tree Protection Details, available in the Arborist Guidance Document.
- D. Sequence of Installation and Removal. All tree protection devices shall be installed prior to any land disturbance permit authorizing tree removal. Community Development Department must inspect the installation of tree protection and erosion and sedimentation control devices prior to the issuance of the land disturbance permit. Tree protection must remain in functioning condition until the certificate of occupancy is issued.
- E. The cleaning of equipment, storage of materials or dirt, disposal of waste materials such as paint, oil, solvents or other harmful substances, or any other such act which may be harmful to the continued vitality of the tree(s) within the tree protection area, is prohibited.

(Ord. No. 739 , 5-1-2017)

3.2.10 Tree damage.

Any tree designated in the plan to be saved, Including Trees of Quality and Tree Groupings, that is damaged during construction or grading, or as a result of such activities, shall be treated according to accepted International Society of Arboriculture Standards, or replaced with a tree(s) equal to the DBH of the tree removed. However, any Specimen Tree damaged as described above shall be replaced with a tree(s) eight (8) times the DBH of the tree removed with a minimum four-inch (4") tree Caliper. In the event that a damaged specimen tree must be removed, the location occupied by the tree's Critical Root Zone must remain in a previous state with no structures or buildings placed in this area and violations shall be subject to the applicable penalties as described herein. Any specimen tree damaged on "For-Sale" residential lots as the result of failure to receive tree removal approval for non-construction tree removal or as a result of failure to protect a specimen tree during non-construction tree removal will result in up to three (3) times recompense.

(Ord. No. 739 , 5-1-2017)

3.2.11 Tree survey inspection.

Following the receipt of the completed tree removal application and supporting data, the Director shall schedule and conduct an inspection of the proposed development site. Following inspection, the Director shall advise the applicant of any recommended changes in the applicant's proposed tree removal, protection or replanting plans necessary to make the plans comply with the provisions of this Ordinance.

(Ord. No. 739 , 5-1-2017)

3.2.12 Tree removal applications, approval and expiration.

- A. The Director shall review all applications and supporting data and take one (1) of the following actions: approve, approve with conditions or disapprove. Applications, which meet the requirements of this Ordinance, shall be approved.
- B. Development Activity will not be authorized until such time as appropriate Land Disturbance Permits have been issued and approval granted.
- C. Tree removal and replacement shall begin no later than one hundred eighty (180) days after issuance of the permit and shall be completed no later than two (2) years after the issuance of the permit. Except as provided in these regulations authorizing certain cut and fill activities. The Director may refuse to issue any permit for tree removal until the submission of all development plans and receipt of other evidence satisfactory to the Director that there is a reasonable certainty that the Development is imminent.

(Ord. No. 739 , 5-1-2017)

3.2.13 Tree removal and landscaping compliance inspection.

- A. Following the issuance of a Land Disturbance Permit for the development site, the Director shall from time to time inspect the site for the purpose of certifying compliance with the requirements of the tree removal. In the event of non-compliance, the Director may revoke or modify any City permit pertaining to the Development Activity for which the Land Disturbance Permit has been issued. No certificate of occupancy shall be issued until actual compliance is obtained.
- B. If any required Land Disturbance Permit conditions have not been met within the time specified in the Land Disturbance Permit, and provided the Director has not granted a written extension, the City may use the cash or bond proceeds to insure that these conditions are met. The bond will have an expiration date no longer than one (1) year, and the proceeds will go to the City of Alpharetta Tree Replacement Fund.
- C. After development is complete, the Director shall continue to make random inspections to insure that required trees and landscaping are maintained. Replacement shall be required or bond/letter of credit posted within thirty (30) days of notice by the Director should any of the tree(s) or landscaping die, be removed or be destroyed.
- D. Notwithstanding any other provision of this Ordinance to the contrary, a home builder's responsibility to replace a newly planted tree or trees shall terminate upon the issuance of a certificate of occupancy or at the end of the maintenance bond time frame, whichever is longer, provided that an inspection conducted immediately prior to the issuance of the certificate of occupancy confirms that the replanted tree or trees were planted properly as established in the ISA (International Society of Arboriculture) standards, and are healthy and free of pests and disease. Nothing in this Ordinance shall be deemed to eliminate any other obligation the homebuilder may have pursuant to any private agreement between the homebuilder and homeowner, or any restrictive covenants that are applicable to the property.

(Ord. No. 739 , 5-1-2017)

3.2.14 Permit fee.

The fee for review of a request for permits shall be \$5.00. The fee for review of an application for a Land Disturbance Permit (which only applies to Development Activity and Grading Activity) shall be \$50.00 per acre and a maximum of \$500.00. These fees may be revised from time to time by resolution of the City Council, or delegated to the Director to be administratively established and revised from time to time.

(Ord. No. 739 , 5-1-2017)

3.2.15 Enforcement, appeals and variances.

- A. Enforcement. All requests for permits and all applications for tree removal shall initially be submitted to and reviewed by the City Arborist. The City Arborist shall be responsible for recommending to the Director the approval or denial of applications for Land Disturbance Permits.
- B. Appeals.
 - 1. Requests for appeal of any administrative decision shall first be addressed to the Director.
 - 2. Written requests for appeal of any administrative decision are permitted and must be submitted to the Board of Zoning Appeals within ten (10) days after notice of such decision. Such written appeal shall be made in the form of a letter, which outlines the salient points upon which the appeal is based.
 - 3. The Board of Zoning Appeals shall schedule a hearing as soon as reasonably practicable to consider the appeal, and shall issue a written decision within thirty (30) days of the hearing.
 - 4. If the appeal concerns an administrative decision regarding Specimen Trees, Trees of Quality, Tree Groupings, or Boundary Trees it shall be the applicant's burden to demonstrate that reasonable alternatives have been considered in order to save said trees (as described herein). Documented evidence shall be filed by the applicant with the written request for appeal and shall include, but not be limited to the following:
 - a. Boundary survey showing topography, easements, creeks and other features of the property.
 - b. Two alternative development plans, which include the Specimen Tree(s), Trees of Quality, Groupings of Trees, or Boundary Trees.
 - c. An itemized estimate of additional costs associated with saving the trees.
- C. Variance.
 - 1. Written requests for a variance are permitted.
 - 2. The Director shall have the authority to grant variances not to exceed twenty percent (20%) of the minimum or maximum standards of this Ordinance.
 - 3. Variances that exceed twenty percent (20%) or variances that exceed the allowance of administrative variances shall be heard by the Board of Zoning Appeals.
 - 4. Variances can be granted only in the case of extreme hardship or unusual circumstance. The factors to be taken into consideration by the Board may include the following, but shall not be solely economic:
 - a. The ease with which the applicant can alter or revise the proposed development or improvement to accommodate existing trees.
 - b. The economic hardship that would be imposed upon the applicant were the variance denied.
 - c. The heightened desirability of preserving tree cover in densely developed or densely populated areas.
 - d. The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial unsightliness or any other visual affront.
 - e. Whether the continued presence of the tree or trees is likely to cause danger to a person or property.
 - f. Whether the topography of the area in which the tree is located is of such a nature to be damaging or injurious to trees.

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- g. Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.
 - h. Whether tree removal would have an adverse impact upon existing biological and ecological systems.
 - i. Whether tree removal would affect noise pollution by increasing source noise levels to such a degree that a public nuisance may be anticipated or a violation of the noise control ordinance will occur.
 - j. Whether the general health and life expectancy of the tree or trees warrant the measures necessary to prolong the life of the trees based upon accepted ISA practices.
- D. Appeal from the Decisions of the Board of Appeals shall be by Writ of Certiorari to the Fulton Superior Court, and must be filed within thirty (30) days of the date of the Board's decision.

(Ord. No. 739 , 5-1-2017)

3.2.16 Natural Resources Commission.

The Mayor and each City Council member shall appoint one (1) member to a seven (7) member Natural Resources Commission.

- A. The Natural Resources Commission shall give advice to the Council based on an annual re-evaluation of experience under the Ordinance, provide leadership in the development of understanding of the objectives and methods of the tree program, and assist the Director in the development and maintenance of technical specifications and guidelines. In addition, the natural Resources Commission primary objectives shall be:
 - 1. To promote the benefits of maintaining a healthy tree canopy for the City of Alpharetta;
 - 2. To provide educational outreach activities for the purpose of informing the community about resource conservation, protection of the environment, and the maintenance of the city's natural amenities, in particular its trees;
 - 3. To plan and organize Arbor Day and facilitate other events, activities, meetings and projects that support environmental awareness and education;
 - 4. To encourage Alpharetta's citizens to take greater responsibility for improving their community through litter prevention, waste reduction, recycling, tree plantings and other, similar means.
 - 5. To oversee the following:
 - a. Alpharetta's Tree Conservation, Landscape, and Buffer Ordinance.
 - b. Tree City USA designation.
 - c. Keep America Beautiful affiliation.
- B. The Natural Resources Commission shall assist the Arborist in producing and maintaining the Arborist Guidance Document, including the list of proposed changes to the kinds and species of trees described in the Tree Planting List. Any such changes may be adopted and may be changed from time to time.
- C. The Natural Resources Commission shall enlist technical advisors in the fields of land development, landscape architecture and horticulture or related professions.
- D. The Natural Resources Commission shall have the power and authority to maintain the Tree City USA and Keep America Beautiful (KAB) certifications by:

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1. Strengthening environmental outreach opportunities associated with the Tree City USA and KAB organizations by promoting community participation and acting as an advocate of tree and environmental conservation efforts;
 2. Supporting the City's efforts through public/private partnerships;
 3. Making recommendations for the enhancement of public outreach and education programs concerning environmental and tree related issues;
 4. Developing and implementing a sustainable program for their environmental accomplishments; and
 5. Providing regular updates to City Council regarding Natural Resources Commission activities.

(Ord. No. 739 , 5-1-2017)

3.2.17 Penalties.

Any person, firm, corporation, limited liability company, Responsible Party, or other entity found guilty of violating or knowingly assisting in the commission of a violation of this Section shall be subject to the penalties specified herein. Each day any violation of any provision of this Section shall occur and each day any violation shall continue shall constitute a separate offense of this Section.

- A. A violation of this Section shall constitute a misdemeanor punishable by a fine of up to one thousand dollars per incident. Replacement plantings shall also be required. Penalties and fines, including replacement plantings must be satisfied within the timeline stated on the violation and/or stop work order. Appeals can be filed with the Board of Zoning Appeals.
- B. In the event that a Specimen Tree is damaged or removed in violation of this Section on non "For-Sale" residential property or as part of a construction project, violators shall be subject to replace Specimen Trees with trees having a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Furthermore, the location and extent of the tree's Critical Root Zone shall permanently remain in a previous state with no structures or buildings placed on it. In the event that a Specimen Tree is damaged or removed in violation of this Section on a "For-Sale" residential property not in conjunction with a construction project, violators shall be subject to replace Specimen Trees with trees having a total density up to three (3) times the unit value of the tree removed. The city shall take into consideration the amount of trees that can be reasonably placed on the property in violation. If the DBH of the removed tree cannot be determined the measurement shall be taken at the upper most portion of the remaining stump.
- C. In the event that a non-specimen tree, including Trees of Quality and Tree Groupings, is damaged or removed in violation of this Section, violators shall be subject to replacement plantings equal to one (1) times the DBH of the tree removed with a minimum two inch (2") caliper trees. If the DBH of the removed tree cannot be determined the measurement shall be taken as stated in Section 3.2.17.B.
- D. In addition to A. and B., upon notice from the Director, work on any development that is being done contrary to the provisions of this Section shall immediately cease. The stop-work notice shall be in writing and shall go to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, the Director shall not be required to give written notice prior to stopping the work. Further, in the event that work on any development is being done contrary to the provisions of this Section, the Director may revoke any permit pertaining to the development activity for which the Land Disturbance Permit has been issued and may refuse to issue any further permit until, at the discretion of the Director, the work on the development is brought into compliance with the provisions of this Section.

(Ord. No. 739 , 5-1-2017)

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(Supp. No. 18)

SECTION 3.5 INSTALLATION OF STREETS

3.5.1 Access.

- A. When non-residential land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged and designed so as to allow for the opening of future streets and to provide access to those areas not presently served by streets.
- B. No subdivision shall be designed so as to completely eliminate access to adjoining parcels of land. Every non-residential development activity shall be designed to facilitate access to adjoining properties which are existing or anticipated in a manner substantially similar to the subject property. Locations of interior vehicular circulation not involving streets shall be as required by and subject to the approval of the Director.
- C. Right-of-way for all public streets, existing and proposed, shall be dedicated in accordance with the street classifications as shown in the Comprehensive Land Use Plan or Standard Drawings Streets and Design Standards, whether existing or new, shall be constructed or improved to the standards as established in this Ordinance. Street improvements shall be in accordance with the street classifications as shown in the Comprehensive Land Use Plan, or Standard Drawings and Design Standards, as applicable, or as otherwise required by the City Council.

3.5.2 Street improvements ordinance.

- A. Minimum widths for new construction and the minimum standards for new or improved streets shall be in accordance with City Design Standards. In the absence of City Standards, all materials and methods of construction shall be in accordance with the current GDOT standard specifications.
- B. The minimum width of street right-of-way shall be dedicated based upon the street categories as shown in the Comprehensive Land Use Plan or Standard Drawings and as contained in this Ordinance.
- C. Additional street right-of-way width shall be required to be dedicated at intersections or other locations which the development activity abuts upon where deceleration lanes, turning lanes, storage lanes, medians, or realignments are required for traffic safety and minimum right-of-way standards would be inadequate to accommodate the improvements as determined by the City Engineer.
- D. All new streets proposed to be constructed in a subdivision or other property shall be designed and constructed to the standards contained in this Ordinance in accordance with the category of the said streets.
- E. Local streets shall be so designed that their use by through traffic will be discouraged. Collectors shall be to channel through traffic movements from local streets to arterial streets. Dead end streets designed to have one end permanently closed shall provide a cul-de-sac turnaround with a 50-foot minimum pavement radius and 60-foot right-of-way street be no more than 1,000 feet in length. Additional length necessitated by topography or property configuration may be approved by the Director.
- F. Street jogs shall either directly align or have offsets of a minimum of 125 feet for residential subdivision streets, a minimum of 200 feet for non-residential streets, and 600 ft. for major thoroughfares as measured between centerlines of said streets.
- G. Driveway curb cut locations shall be no closer than 300 feet on arterial and collector streets.
- H. Traffic calming design elements, such as intersection bulbouts can help moderate vehicle speeds on Local Roads. Multifunctional bulb-outs that include runoff reduction measures for stormwater management are encouraged if a minimum of 20 feet clear curb to curb and unimpacted drive lanes are provided. Narrower dimensions may be approved on a case-by-case basis. Designs for multi-functional bulbouts can be viewed in the City's Standard Details.

(Ord. No. 732 , § 31, 2-6-2017)

3.5.3 Traffic control devices and street lights.

- A. Street signs and traffic control devices for public streets shall be provided through payment of fees to the City Engineer for the installation thereof. Traffic control devices may also be installed by subcontractors after receiving written approval from the City Engineer.
- B. The installation of all street lighting fixtures within the City right-of-way must be approved by the City Engineer prior to such installation.

3.5.4 Curb and gutter.

- A. All new streets and project access improvements shall be provided with curb and gutter or an alternative curb system to accommodate runoff reduction measures. Alternative curb systems include flat curb, standard curb with openings, or other curb systems as approved by the Community Development Director. Details for standard curb and gutter and alternative curb systems can be viewed in the City of Alpharetta's Standard Details.
- B. Curbing and Gutter shall meet the requirements of the City of Alpharetta Standard Details.

(Ord. No. 732 , § 32, 2-6-2017)

3.5.5 Sidewalks.

- A. Sidewalks shall be provided adjacent to all roadways unless waived as a condition of zoning and shall meet the design and location standards required in this Ordinance and Standard Drawings.
- B. Sidewalks shall be located 2 feet from the back of curb or as may be required by the Director or City Council.
- C. All new sidewalks shall match and provide a smooth transition to any existing sidewalks with no steps.
- D. Sidewalks shall be constructed of concrete and shall be a minimum of 5 feet in width and 4 inches thick. Control joints shall be provided every 10 feet. The use of permeable surfaces shall be permitted if designed in accordance with the most recent version of the GA Stormwater Management Design Manual. Permeable sidewalks shall require inspections and maintenance agreements per Sec. 3.3.3.D.
- E. Sidewalks which are provided as part of Georgia Department of Transportation (DOT) may be required to be built according to DOT standards.
- F. Outdoor dining furniture located on public sidewalks within the historic downtown shall be of quality design and workmanship and made of metal in black or a color approved by the Design Review Board. Decorative items placed on public sidewalks such as planters or sculpture shall be made of metal, concrete, terra cotta or other material approved by the Design Review Board. Menu boards may be made of wood; however, all plastic, fiberglass or resin-type products are prohibited on public sidewalks within the historic downtown.

(Ord. No. 732 , § 33, 2-6-2017)

3.5.6 Gated subdivisions/private streets.

- A. Whenever all of the ownership of all the land within a residential subdivision (dwelling, 'For- Sale', or dwelling, 'For-Rent') or along a street request that a street or streets be closed to through traffic, the City Council, in its discretion may declare the street(s) private and thereby restrict access on that street(s) subject to the following requirements:
 - 1. That a gate or guardhouse be established at the entrance to the private street.

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(Supp. No. 17)

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2. That a sign no greater than three square feet in size be posted at the entrance to identify the roadway as a private street.
 3. That provisions be made to ensure that access at the entrance to the private street is not restricted to law enforcement vehicles, emergency response vehicles, postal delivery vehicles, school buses and City personnel vehicles while conducting City business.
 4. That pedestrian access not be restricted.
 5. That a private street agreement is executed and recorded which addresses provisions for a homeowners association, maintenance, utilities, easements, emergency access, liability and other issues associated with the long-term use and requirements of a private right-of-way.
 6. That plans and specifications for the proposed private street and gate or guardhouse meet all design and construction standards adopted by the City and administered through the Public Works and Community Development Departments.
 7. That the determination is made by the City that the proposed private street(s) is not a critical link in the roadway system which maintains traffic flow from one destination point to another.
 8. That the determination is made by the City that the subject subdivision or proposed private street do not include access to amenities or features which by design or agreement are intended for use by the general public.
- B. In reviewing a request for a gated subdivision or private street, the City Council may consider, but shall not be limited to, the following items:
1. Whether the proposed private street would create an undue burden on traffic, adjacent roadways, or substantially impair access rights of an adjacent property owner.
 2. The importance of the proposed private street relative to the area roadway network.
 3. Whether creating a private street would enhance the residential quality of the neighborhood.
 4. Whether a private street would adequately address "cut-through" traffic if the purpose of creating a private street is to prevent vehicles from traveling through the neighborhood to destinations outside the neighborhood.
- C. Requests for gated subdivisions and private streets shall be considered in accordance with the following procedures:
1. Twenty copies of an application in the form of a letter signed by all the property owners shall be submitted to the Community Development Department. The application shall identify a representative who shall act as applicant and the application shall also include twenty copies of all the necessary drawings, specifications and boundary surveys to describe the request.
 2. One copy of the application and accompanying material shall be submitted to the City for review regarding compliance with adopted design and construction standards.
 3. Copies of the application materials and Public Works Department comments will then be forwarded by the Community Development Department to the City Council for consideration at a public hearing.
 4. Prior to the public hearing, notice will be sent to the property owners within 500 feet of the proposed private street if the subject right-of-way is currently in use as a public street.
 5. If, after public hearing, the City Council approves the application for gated subdivision or private street, all recordable documents shall be amended to identify the gated subdivision or private street accordingly and a private street agreement (as indicated in subsection A.5., herein) shall be executed and recorded.

D. Private streets shall be designed and built to City Standard for public streets.

3.5.7 Multi-Use Trails.

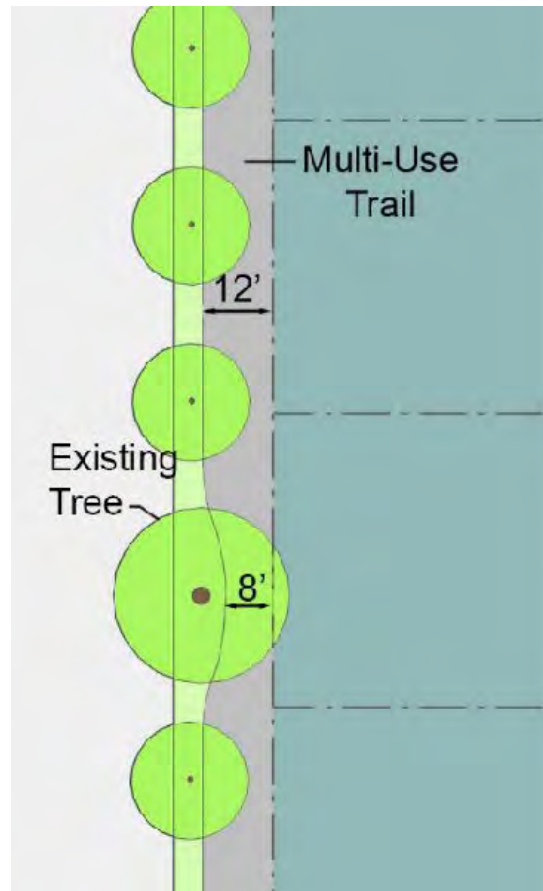
- A. Multi-use trails shall have an average width of 12 feet, but their width may be periodically reduced to 8 feet where topography, wetlands, stream buffers, existing buildings, existing trees, or other existing conditions render this requirement infeasible. The maximum length of this reduced width is 400 feet.
- B. A multi-use trail shall be required instead of a sidewalk along any new or existing street when the location is identified for a multi-use trail in planning documents that has been adopted by the City of Alpharetta.
- C. In approving a multi-use trail in lieu of a sidewalk, the City Transportation Engineer, upon application, shall reduce the required planter width to a minimum width of 5 feet if the proposed reduction is supported by the public health, safety and general welfare.
- D. Buildings shall maintain a minimum setback of twenty-feet (20') from a multi-use trail.

(Ord. No. 732 , §§ 34—36, 2-6-2017)

Sec. 2.3. Streets.

2.3.5. Multi-Use Trails.

- A. Multi-use trails shall have an average width of 12 feet, but their width may be periodically reduced to 8 feet where topography, wetlands, stream buffers, existing buildings, existing trees, or other existing conditions render this requirement infeasible. The maximum length of this reduced width is 400 feet.
- B. A multi-use trail ~~may~~ shall be required instead of a sidewalk along any new or existing street when the location is identified for a multi-use trail in the Downtown Master Plan or other plan that has been adopted by the City of Alpharetta.



- C. Where a City of Alpharetta park or access easement held by the City of Alpharetta abuts a street subject to Section 2.3.5.A above, the multi-use trail may also be located in such park or easement.
- D. In approving a multi-use trail in lieu of a sidewalk, the City Transportation Engineer, upon application, shall ~~may~~ reduce the required planter width to a minimum width of 5 feet if the proposed reduction is supported by the public health, safety and general welfare.
- E. Buildings shall maintain a minimum setback of twenty-feet (20') from a multi-use trail.



Alpharetta Downtown Design Guidelines

May 7, 2018



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The Alpharetta Downtown Design Guidelines (The Design Guidelines) are an amendment to the Alpharetta Design Review Ordinance and Design Guidelines. These guidelines expand the area subject to the Alpharetta Design Review Ordinance and Design Guidelines to include the Downtown Overlay “Downtown Core” identified on page 70 of the adopted Alpharetta-Downtown Master Plan (The Master Plan). These guidelines also provide additional standards that apply to all non-single family detached buildings, structures, sites and areas and the property on which they are located. Other applicable guidelines, regulations, and ordinances regulating development also apply. Where guidelines stated in this document are in conflict with other governing regulations, unless otherwise noted, the more restrictive shall control. Additionally, sculptures, art, and murals shall require review by the Cultural Arts Commission.

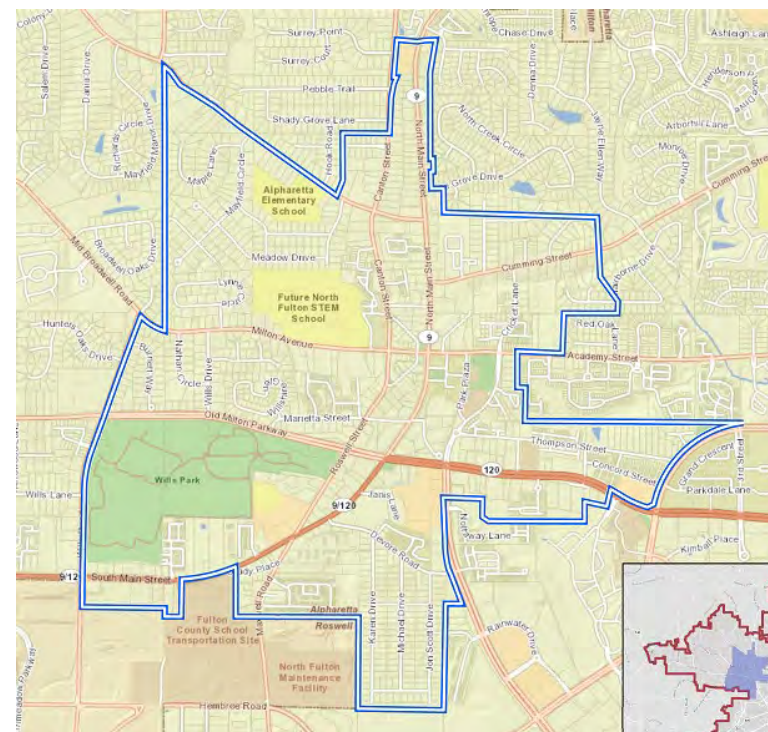
The Design Guidelines are intended to promote new development within Downtown Alpharetta that meets the goals of The Master Plan. These Guidelines include both standards (requirements that must be complied with) and recommendations (suggestions that are strongly encouraged to be complied with). Standards typically use the word “shall”, an active verb (i.e. “provide” or “install”) and/or a clear directive (“are not permitted”, or “are required”). Images and illustrations are provided of many of the issues discussed and are intended to aid developers and City Staff in the design and approval processes.

Finally, some guidelines only apply to specific building types. Definitions of these building types are established in the City of Alpharetta Downtown Code Overlay, which applies to the entire Downtown Core Overlay regulated by these Design Guidelines.

Master Plan Goals

Downtown Alpharetta is envisioned as a vibrant live-work-play district featuring shops and restaurants, walkable streets, a range of open spaces, civic uses, new mixed-use development, contextual housing, preserved historic resources, and much more. With its rich sense-of-place and small town scale, Downtown is intended to represent an authentic town center with programming and designs that differentiate it from other business centers in the Alpharetta area and make it a focal point for citizens of Alpharetta and nearby communities.

While the Design Guidelines are not intended to establish a single architectural design direction for Downtown Alpharetta, they do provide guidance and standards for site design, the design of buildings and streetscapes, material selections, exterior lighting, and signage design that are consistent with the design of the traditional Main Street as seen in small to medium sized towns throughout the United States, most of which were built during the 19th century up through the early part of the 20th century. The Design Guidelines are intended to be flexible and fluid in order to take advantage of future development trends, while maintaining a sense of visual cohesiveness within the downtown area.



These guidelines apply to all non-single family detached buildings, structures, sites and areas and the property on which they are located within the Downtown Core Overlay of the Alpharetta Downtown Master Plan Study Area.

Alpharetta's Downtown is intended to reinforce its established historic scale, character, and connectivity while embodying the architectural practices commonly found within the commercial centers of traditional towns built prior to World War II - commonly referred to as the traditional "Main Street". Overall planning and building arrangement should promote a compact pedestrian-scaled environment while individual buildings should be designed and detailed to reinforce the pedestrian-oriented character of Downtown.

Key Design Principles

The following Key Design Principles establish the foundation of these Design Guidelines whose purpose is to ensure the overall character of this unique environment.

- Buildings shall be located, designed, and programmed to activate open spaces, promote pedestrian activities, provide visual interest, and create an enjoyable, vibrant, and mixed- use environment.
- Building design shall utilize massing, materials, and architectural details and ornament to achieve compatibility with existing buildings within the Historic Business District and nearby areas.
- Compatibility is not meant to be achieved through uniformity or the replication of existing buildings, but through the use of variations in building elements to achieve individual building identity. Traditional Main Street buildings typically employ a variety of architectural styles, sometimes informed by the geographic location or the time period of construction.
- Avoid a pastiche of styles and competing architectural details. Traditional details, when used, should be appropriate to their style.
- Building facades should include appropriate architectural details and ornament to create variety and interest.
- Buildings shall be built to, or close to, the sidewalk with entrances oriented towards the street to promote a consistent and well-defined pedestrian environment.
- Open space that allows for community gatherings and more passive pedestrian activities is a vital component of any successful downtown environment. Rather than create smaller, disconnected spaces on a per development block basis, The Master Plan concentrates open space into larger locations with convenient public access.
- Create a sustainable environment that will be embraced by generations to come.



The historic Milton County Courthouse was built in 1877 and sat at the corner of Main and Academy Streets (razed in 1955).



Buildings and streetscape within Alpharetta's existing downtown.



An illustration of potential development.

Elements of Main Street Design

Prior to World War II, the traditional Main Street served not only as the community's primary commercial center, but also as an important part of its social life by providing a mix of uses and amenities which together activated streets and open spaces and helped define the towns' individual character. Streets, blocks, lots, and buildings were laid out and designed with both function and aesthetics in mind. Utilizing local materials and building techniques, communities were able to create a built environment that represented their individual character and future aspirations. Over time, as the community grew and evolved, additional streets and blocks were added while existing buildings and spaces were adapted or repurposed to meet current needs. The resultant is a Main Street that embodies the community not just at a single point in history, but as an authentic physical narrative of its evolution.

While one cannot ensure great buildings or places by simply copying the best historic ones, there are a number of common architectural attributes found along the traditional Main Street that, when arranged and properly utilized, will contribute to a well-proportioned, visually pleasing, and economically viable downtown neighborhood. These attributes include the size, scale, level of detail, location, and juxtaposition of buildings and individual facades and their associated architectural details. In order to establish and maintain a consistent character, it is important to be mindful of not only the design of a single building facade and its component parts but also understand how each fits into, and interacts with, neighboring buildings and spaces.

Pages 6-9 identify and illustrate key architectural attributes that characterize Main Street architecture. Alternatively, pages 10 and 11 identify and illustrate attributes of design that detract from the character of a traditional Main Street. Because Downtown Alpharetta includes both traditional Main Street areas and traditional residential streets, it is important to note that the following are intended to apply to the latter. Projects that include the preservation of historic residential buildings over 75 years old or completely consist of new residential buildings should be afforded some relief from the standards on pages 6-11.



King Street is both the commercial and social center of Old Town Alexandria, VA.



Town Green in Athens, GA.

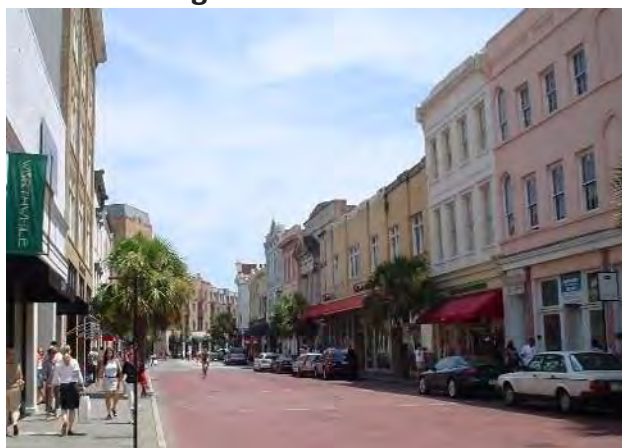


A variety of building massings, styles and uses along with an appropriate amount of open space creates an inviting, human-scaled and viable environment.

Key Attributes of Main Streets

Building Massing

Building Location & Orientation



- Mixed-use and shopfront buildings are built to, or close to, the back of the sidewalk and establish a well-defined street edge that contributes to a greater sense of enclosure and clearly defined path.
- Mixed-use and shopfront buildings are placed close to the sidewalk to increase visibility into ground floor commercial uses.
- Street-level uses and building entries are oriented towards the street.



Block Massing



- Individual blocks are broken down into a series of buildings each with distinct facade expressions.
- Above illustrates a street that is predominately three stories in height with different roof and parapet treatments on each building used to break up the blocks' mass and provide visual interest. Below illustrates a block with more varied building height.



- Larger buildings that occupy a greater percentage of the block, utilize massing changes and fenestration rhythms to break down their length and relate them to smaller buildings.
- Traditional Main Street buildings are characterized by simple massing and forms.



Key Attributes of Main Streets

Variation of Styles

Corner Articulation



- Simple massing and small changes in plane or height are used to emphasize certain intersections and points of interest within Downtown. Variations in massing complement, and do not compete with, other nearby design elements.
- Not all corners require massing articulation and may be treated more simply.

Building Entrances



- Building entries for upper level uses and pedestrian pass throughs may be identified via a change in massing and architectural elements that distinguish them from storefronts, as shown above. Alternately, they may be more discreetly incorporated into the ground floor fenestration, as shown below.



- While most Main Street buildings were erected prior to World War II, the inclusion of more recent styles is typical of many downtowns and brings both authenticity and a sense that a place has evolved over time.
- Variation in style can be expressed either as an element within a facade or as a facade within a block. In the above, the ground floor storefront and upper floor windows vary in style from the rest of the traditional facade. Below, the circa 1930s center building is a counterpoint to its 19th century neighbors.



Key Attributes of Main Streets
Materials & Details

Facade Design



- Ground floors consist of a high percentage of glass in order to provide a high level of visibility into and out of the commercial establishment.
- Traditional Main Street facades are characterized by distinct base, middle, and top (parapet) zones that create an attractive and comfortable human scale to buildings and blocks.
- Ground floors can be expressed as a continuation of the building's upper stories' design expression extending down to the ground (lower left) or with applied storefront elements (lower right).



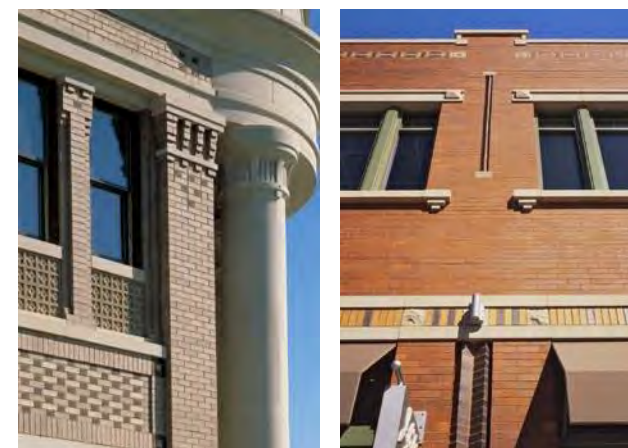
Detail & Fenestration



- Architectural styles can be varied or more similar. The level of detail often is dependent on the style with some buildings more ornate and others simpler.
- Upper level fenestration is typically characterized by simple rhythms of window openings.
- As shown, buildings of similar size and with similar levels of detail can be distinguished by different storefront designs, second floor fenestration and parapet design.



- Main Street buildings are characterized by the use of traditional materials that utilize details appropriate to those materials.
- Well-proportioned architectural elements that have an appropriate level of detail for the style of building they articulate provide a sense of scale and visual interest.
- Detail can be achieved through applied ornament, a change in material, building plane, color and texture.



Key Attributes of Main Streets
Signage

Hierarchy of Detail & Materials



Street Fronting Facade



Entrance at Block Interior

- Not all sides of Main Street buildings are treated the same. The highest level of detail and quality of materials are used on the street fronting facades. Facades at the rear of buildings (block interior) or along alleys favor durability and cost efficiency.
- The materials and level of detail of street-facing facades typically return at corners and sides before transitioning to ones that are less detailed and more cost efficient.



Streetscape



- The streetscape, located between the building face and the curb, is comprised of street trees, accent planting, and street furniture that further promote Main Street's pedestrian activities.
- Sidewalks are sized to an appropriate width to accommodate both pedestrian and commercial uses such as seating and signage.
- Sidewalks built of durable materials and simple patterns are characteristic of traditional Main Streets.



- Signage's prime role is to provide commercial identity and branding. Done properly it adds a level of detail and visual interest to the building and the streetscape.
- Below, two examples of signage that complement the style of each building well and are integrated into their architectural elements.



Building Setback & Materials



- Buildings set back far from the back of the sidewalk degrade the street edge and do not provide the sense of enclosure that traditional Main Streets provide.
- Street facing facades with limited glass area at the ground level detract from, rather than promote, pedestrian activities.
- Buildings that incorporate an excessive number of materials risk creating a streetscape that looks busy and disjointed and are uncharacteristic of traditional Main Streets.



Massing & Scale



- Building facades composed of architectural elements that are oversized or ill-proportioned disrupt the typically consistent rhythms and proportions found along most Main Streets.
- Overly busy massing in close proximity that compete with each other for attention are uncharacteristic of Main Street.

Discouraged Design Elements
Massing & Ground Floor Height

- Contemporary interpretations of traditional architectural styles are best executed when the design maintains the basic principles of the referenced style. In the above, the two top floor balconies create oversized, horizontal openings that erode the facade and are out of character with the building's style.
- Excessively tall ground floor-to-floor heights risk creating buildings with proportions and excessive spandrel zone depths that are not indicative of Main Street buildings.



Discouraged Design Elements
Visibility & Signage

Appropriate Details & Articulation



Architectural Style & Context



- Overly blank and/or unarticulated walls do little to activate the streets and spaces which they front.
- Windows set flush with the face of the facade are uncharacteristic of traditional Main Street buildings.
- Changes in color without changes in material and/or plane have a cartoonish effect that detracts from the character of Main Street.

- Overly thematic designs, particularly when they reference a specific style(s) or time period(s) that is not compatible to the locale, are uncharacteristic of traditional Main Streets.
- Awkward combinations of materials, details and the improper use of architectural style and scale create an inauthentic environment.

- Ground floors that lack visual connections to the street, either through the lack of glazing, as in the above example, or the covering up of storefront with excessive signage, shown below, is a detriment to the pedestrian nature of main streets.
- Signage that is oversized, over-scaled, or blocks visibility into and out of ground floor businesses clutters the facade and does little to activate the streetscape.



The preceding principles establish the foundation for the architectural design of the future development sites within Downtown. Building upon, and reinforcing these principles, the following standards and recommendations are intended to provide guidance in the design and development of buildings and sites that achieve the City of Alpharetta's vision for its heart.

The Standards & Recommendations are broken down into a series of topics, beginning at the larger scale of the block, and successively addressing design issues at the intermediate and finally the smallest scale. In addition to the design of blocks and buildings, streetscape, landscape, signage, and lighting design are addressed owing to their importance in contributing to the character of a place.

Though not specifically called out, sustainability is an overarching goal for new development within Downtown, aspects of which are implied throughout these standards and recommendations by promoting development that is to be built for longevity and embraced by the community. To the extent practical, sustainability should be a consideration in the design, construction and operation of all buildings and spaces within Downtown.

Block Design: Location & Orientation

A city block (or simply block) is defined as a parcel or site bounded by public streets. It provides the space within the city's fabric for the placement of buildings and their associated service and support areas. The buildings, through their location relative to the street, overall massing, and height, articulate the edges of the block within which they are arranged and set the tone for the character of the public realm.

In order to create a well-defined, pedestrian-oriented environment that promotes street-level activity, buildings within a block shall:

- I) Be located at the back edge of the sidewalk.
 - A. Small setbacks from the building line are generally discouraged and should be reserved for special and limited instances where specific street level uses require additional width at the sidewalk. Setbacks should be limited in both their depth and length along the block so as to maintain a well-defined street edge. Minor setbacks may occur, but with limitations, at corners of a block. (See Figure 1)
 - B. Arcades that project over the sidewalk may be permitted along specific block faces with approval of the Design Review Board (The Board). Columns that support arcades may land within the sidewalk zone provided that a minimum five foot (5') continuous path of travel is maintained. (See Figures 2A-C.)

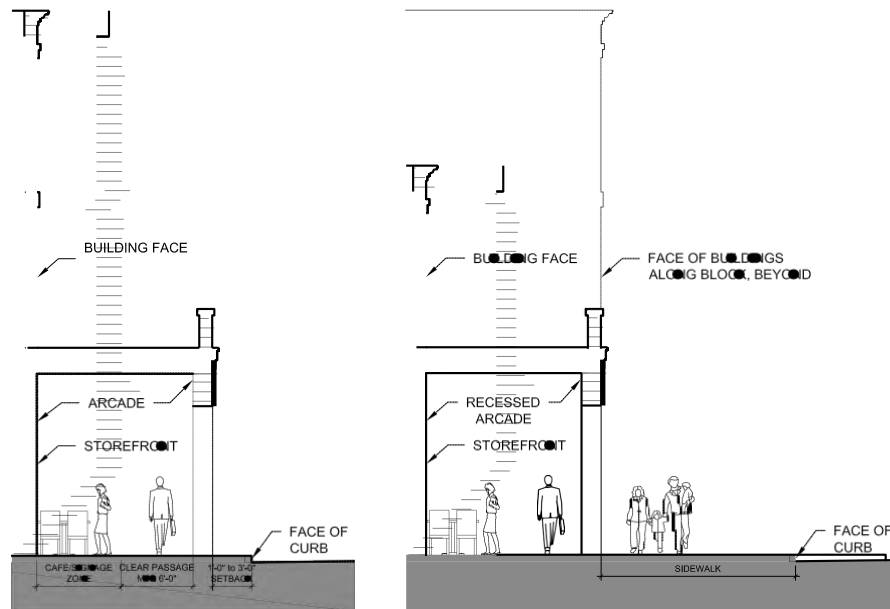


FIGURE 2A: Projecting arcades may be allowed.

FIGURE 2B: Recessed arcades are generally discouraged.



Buildings built to the back of the sidewalk create a well-defined, pedestrian-oriented environment.

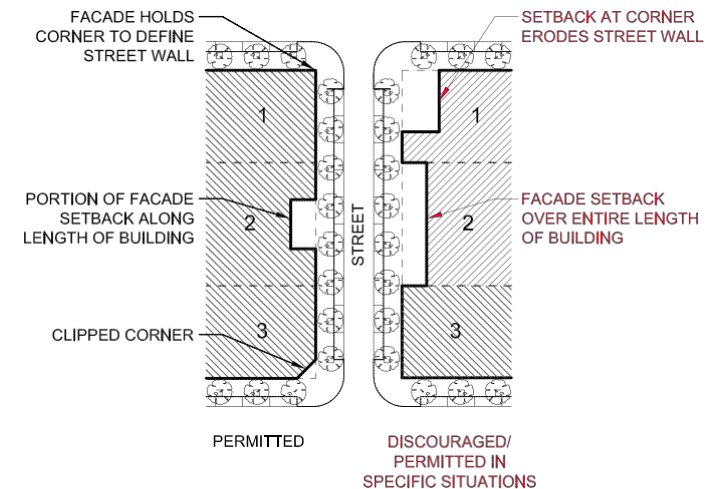


FIGURE 1: Setbacks are generally discouraged.



An arcade that projects over the sidewalk to create a covered seating area while maintaining a clear path for pedestrian travel.

Block Design: Location & Orientation

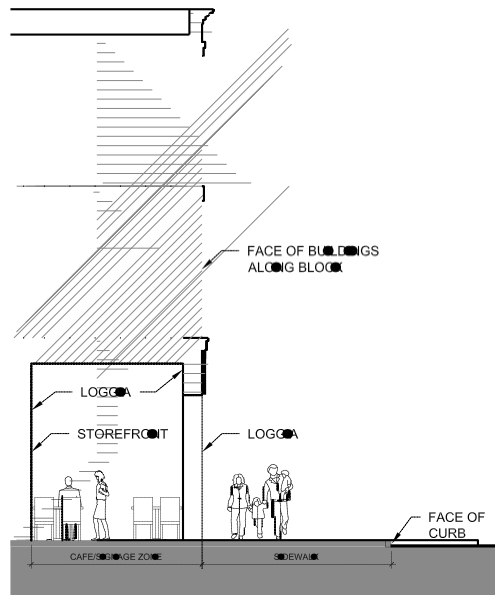


FIGURE 2C: Loggia that are recessed behind the sidewalk are allowed for dining uses only.

- C. Minor setbacks at the ground floor alone for entries, vestibules, commercial houses, or residential buildings types are permitted.
 - D. Parking is not permitted between building and the sidewalk.
 - E. Landscape or front yards between building and sidewalk is discouraged.
- II) Have primary facades and ground floor use entrances that are oriented towards the public street.
- A. Secondary entries may be located at the rear or sides of buildings provided they meet the requirements set forth within The Design Guidelines.
 - B. Entrances to upper floor uses may be located along the street front, side streets, off block breaks, or Block Interior areas.
 - C. Buildings that front multiple public streets or spaces, such as on corner or through lots, have more than one primary facade and should be designed with architectural emphasis placed on each; either hierarchically, with emphasis on the facade oriented towards the more prominent street or space, or equally with both elevations treated as primary facades.



Minor setbacks for building entrances are permitted.



Areas dedicated for dining along the sidewalk may be recessed within a loggia.



A setback from the building line for restaurant seating. Note, the above building extends back out to sidewalk at the ends of the seating area.

The Block Interior consists of that portion of the block located behind buildings. It can consist of built areas, unbuilt areas, or a combination of both (See Figure 3). On smaller blocks, the building or buildings may occupy the entire block, thus eliminating the Block Interior.

- I) Uses that are appropriate to be provided for at the Block Interior include:
 - A. surface parking
 - B. service, loading and delivery areas
 - C. structured parking
 - D. open space
- II) Building facades fronting onto the Block Interior may be simpler in their design than those fronting onto public streets. Though not a requirement, their level of detail may be reduced and/or material palettes may be simplified in favor of durability over cost.

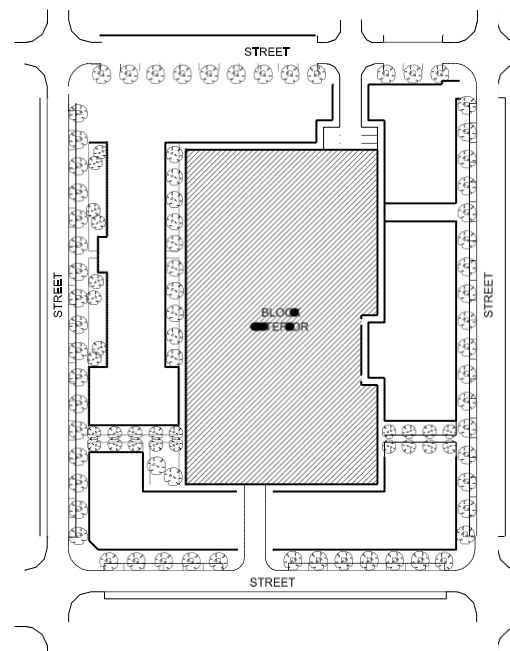


Figure 3: The Block Interior consists of the area located behind buildings.



Block Interiors serve primarily for functional uses such as parking and service. Facades fronting onto block interiors may be much simpler than their street fronting counterparts.

Block breaks provide connections, both pedestrian and vehicular, between the street and Block Interior and are particularly important in adding a level of porosity to longer blocks (See Figure 4). The number and width of these breaks should be minimized in order to screen views into the Block Interior from the street, maintain a defined street edge, and limit the number of vehicle curb cuts along the sidewalk.

- I) Vehicular block breaks:
 - A. shall be located to provide convenient access to parking and service areas within the Block Interior and facilitate efficient traffic movement across the site.
 - B. shall not occur along portions of blocks fronting the Town Green or along Street D.
 - C. should provide an appropriately sized sidewalk on at least one side of the vehicular roadway.
- II) Pedestrian block breaks:
 - A. should be located along key pedestrian routes.
 - B. are encouraged to have landscape plantings and street furniture.
 - C. may provide outdoor dining and seating areas for adjacent ground floor uses.
 - D. should, to the greatest extent possible, be activated by orienting street level openings and building entrances along their length.
- III) Portals are intermediate building breaks that occur at the first floor and allow for upper levels of the building to bridge over. Portals maintain the street edge of a block and provide opportunities for special architectural treatments.
 - A. Vehicular portals provide access for both vehicles and pedestrians to areas at the Block Interior including direct access to surface or structured parking.
 - i. The roadway and sidewalk zones are to be separated either by grade or with bollards or other physical barrier.
 - ii. A change in materials or material color between the vehicular and pedestrian path is encouraged.
 - B. Pedestrian portals provide pedestrian only access to the Block Interior.
 - i. Edges are encouraged to be activated with building entrances, dining/cafe seating, display windows, streetscape furniture, and accent planting.
 - C. Lighting of portals should be designed to provide for a safe and inviting path.
- IV) A block break used for a drive-up window is subject to Board approval.

Block Design: Block Breaks

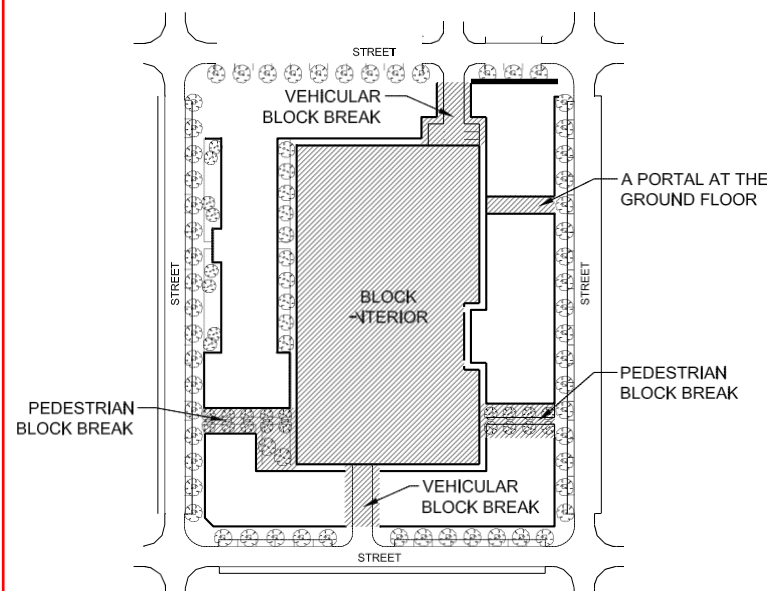
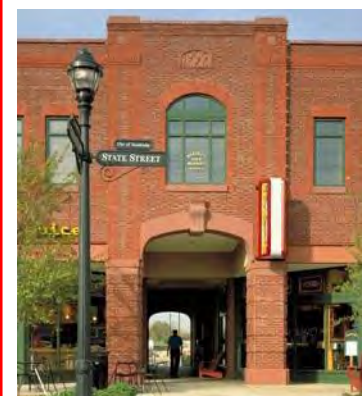


Figure 4 Identifies the access types to the Block Interior.



a Pedestrian Portal connects the street to block interior.



A Vehicular Block Break with an appropriately sized sidewalk.

A Pedestrian Block Break with a covered dining area.

Building massing generally refers to the shape of a building's volume. Traditional Main Street shopfront or mixed-use buildings usually have relatively simple massing; the street facades are relatively planar, have minor, if any, setbacks or projections, and are built straight up to the parapet. Setbacks, when they occur, are often reserved for the uppermost story or at the first floor at an entrance. Projections usually consist of minor facade articulations (e.g., balconies, pilasters, facade folds, and minor bays) except where more significant projections such as bays, oriel, and tower elements are used and are appropriate to the building's stylistic expression and location.

- I) A building's massing should relate to its site location, use, and architectural context.
 - A. Building massing should reinforce the massing patterns of other Downtown buildings.
 - B. Unique massing forms (e.g., towers, domes, and porticos) should be reserved for those buildings located at key points of interest or housing important civic functions.
- II) The massing of longer blocks are encouraged to be broken up by:
 - A. locating multiple buildings along any given block face. (See Figure 5)
 - B. utilizing a segmented facade treatment (see Glossary) on larger buildings. (See Figure 5)
 - i. Changes in segmented facade treatment should be planned to occur at the first floor tenant demising lines. Tenants may take up multiple, whole, segmented facade treatments.
 - ii. The widths of segmented facade treatments are encouraged to be based on a standard module similar to those found along traditional Main Streets.
 - C. breaking up of longer buildings with massing articulation.
 - D. a combination of A, B, and C above.
- III) Variations in the width, height, and rhythm of street-facing facades are encouraged along any block face.

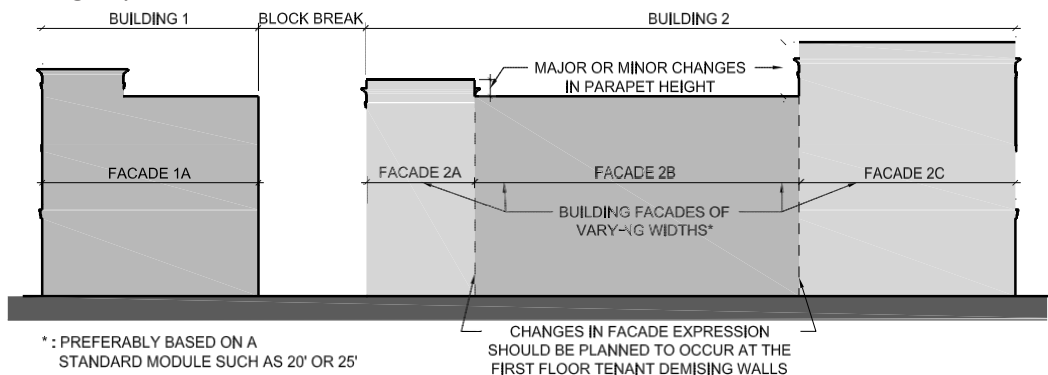
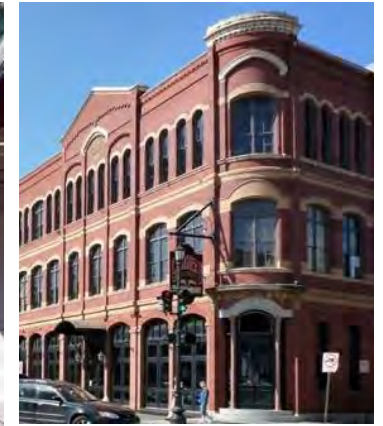


Fig. 5: Diagram of a block broken up by multiple buildings. Building 2's massing is further broken up by segmented facade treatments.



Examples of buildings that use simple massing articulations.



An example of a building that utilizes a segmented facade treatment of varying width facades to break down the perceived length of the block face.



Buildings that take up larger portions of a block, use massing articulations and fenestration rhythms that break down the scale of the block.

IV) Important elements such as building entrances or pedestrian portals may be reinforced with changes in massing or breaks in the predominant rhythm of the block.

V) If the opportunity exists, a building's massing should emphasize and frame or terminate important vistas. Building corners may be articulated in various ways (see Figure 6), but should not compete with other, adjacent massing articulations.

VI) Projections

Architectural elements such as balconies, bay projections, show windows, canopies, and awnings should be integrated into the design of street fronting facades to provide an added layer of variety, detail, and interest along the block face.

- A. Projections should be designed with regard to the individual building's design as well as the overall length of the block and street in terms of location, scale, rhythm, and relationship to one another.
- B. Visually unsupported and unresolved projecting architectural elements are discouraged.
- C. Projections at the ground level should be limited in their depth as to not obstruct sight lines into ground level uses. Where projections reduce the width of the sidewalk, a clear pedestrian path of five feet (5') must be maintained along the length of the building.
- D. Projections are only required in commercial house building types as appropriate to the style.

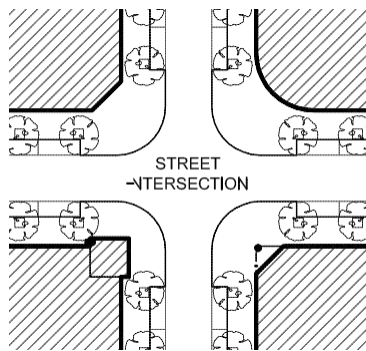


Figure 6: Diagram of building massings that emphasize corners.



Massing articulations at corners should complement plan relationships and not compete with other massing articulations.



Projections of massing or elements within traditional Main Street facades are typically minor.



More significant projections, such as balconies, bays or show windows, may be incorporated into the facade at select locations.

The Master Plan identifies recommended ranges for building heights (in floors) ranging in height from 1-4 stories.

- I) Buildings shall be designed to accommodate a minimum first floor finished ceiling height of twelve feet (12') to allow for retail commercial uses at the ground floor. Taller ceiling heights are allowed provided:
 - A. the height of the storefront is increased proportionately.
 - B. any increase in the height of the spandrel zone (the area between the head of openings on one floor and the sill of the openings on the above adjacent floor) between the ground and second floors is compensated through the use of architectural details that act to subdivide it into smaller areas.
 - C. a combination of A and B, above.
- II) It is encouraged, though not required, that the heights of buildings along the street vary along the length of a block.
- III) Adjoining buildings of the same story height should, where practical and not in conflict with their overall architectural expression, have offsets in their adjoining parapet or cornice heights.



A commercial main street with a large variation of facade and building heights along the block.



A street that is predominately three stories in height with different roof and parapet treatments on each building used to break up the blocks' mass and provide visual interest.

Facade design addresses the organization, fenestration, detailing, and material composition of the exterior of a building.

I) In order to create an attractive and comfortable human scale for buildings and blocks, the designs for all building facades (except commercial houses) that front onto public streets and spaces should express a distinct base, middle, and top (parapet). (See Figure 7)

- A. The Base is the lowermost story of a building. It visually anchors the building to the ground. Areas of wall, piers, and pilasters, together with larger windowed areas, typically comprised of storefront and entrances makeup the majority of the Base. Though not a requirement, some type of horizontal band or belt course separates the building Base from the Middle.
- B. The Middle is the portion of the facade between the Base and Top and comprises the building's upper floors' openings, and, depending on the building's height and facade organization, may or may not encompass the uppermost floor. On most Main Street buildings, the middle zone of the facade is characterized by simple window rhythms. Depending upon the style, the detail and articulation of openings and wall area can range from simple to ornate.
- C. The Top of the facade, which, depending on the overall building height may or may not include the uppermost floor, visually completes the facade as it meets the sky. The Tops of Main Street facades typically consist of the building's cornice and/or parapet.

II) Fenestration is the design and detailing of the openings within a facade. Together with massing, it is one of the primary elements that defines the design character of a building's exterior.

- A. The fenestration at the first floor of commercial buildings should be composed of a high percentage of window area in order to promote visibility into retail and dining establishments. Upper stories, which are less likely to be occupied by retail tenants may have a smaller percentage of window opening area.
 - i. Buildings with first floor commercial uses should have ground floor openings (windows and doors inclusive of framing, dividing, and sub-dividing elements) along street-facing facades that are not less than **50%** of the first floor facade area. Facade area is measured from grade to finished floor at second level.
 - ii. Upper levels should have openings (windows and doors inclusive of framing, dividing, and sub-dividing elements) not less than **20%** of the upper level facade area. Facade area is measured from the finished floor at the second level to finished roof at the face of the facade.

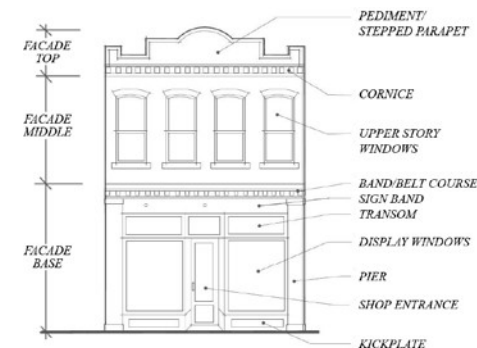


Figure 7: Illustration of a typical mixed-use building facade's organization.



Traditional Main Streets are characterized by a high percentage of glazing at the street with a smaller percentage at sides and upper floors.



An example of a facade that uses both simple fenestration rhythms and level of detail to compose an elegant facade.

- iii. Glass used to satisfy the above must be unpainted and have an external reflectance of less than 15%.
- B. Fenestration rhythm is the regular recurrence or pattern of upper level window openings along the length of a facade or block.
 - i. Facades should be composed of simple fenestration rhythms. Complex rhythms and misalignments, relative to other upper level openings as well as ground level fenestration, should be avoided.
 - ii. Variation in the fenestration rhythms within a block length are encouraged.
 - iii. For most Main Street architectural styles, upper level window openings should utilize vertical window proportions. Where horizontal proportioned openings are appropriate to the building's style, the use of divisions within the window opening to create more vertically proportioned sub-divisions of the window area are encouraged.
 - iv. To the extent practicable, the design of fenestration at upper floors should allow for the use of standardized office planning modules in order to provide the greatest flexibility for future tenant leasing.
- C. Larger window and door openings should be subdivided using both vertical and horizontal elements (e.g., pilasters, mullions, transoms) of varying dimension. Where appropriate to the building's architectural style, muntin bars may also be used to subdivide the glass area. Fenestrations that utilize large amounts of glass (e.g., continuous glazing systems, ribbon windows) may be permitted if appropriate to a building's architectural style and location within a block.
- D. Windows and doors should be recessed within their opening in the exterior wall in order to provide a sense of depth and wall mass.
 - i. Window and door frames should be recessed to the extent compatible with the building's architectural style, but not less than two and one-half inches (2 1/2") from the exterior wall plane.
 - ii. The recess depth identified in II.D.i., above, is measured from the predominant exterior wall plane and is exclusive of the depth of any applied trim or surround at the opening.
- E. Double hung and casement window types are encouraged within openings above the ground floor. Non-operable windows should have sight lines that resemble the appearance of double-hung or casement window types. Horizontal sliding type windows and doors are not permitted.



Variation in simple fenestration rhythms at the upper level along a block.



An example of two similarly sized facades which are distinguished by two different fenestration rhythm at both the ground and upper level.



Windows recessed from the face of the exterior wall provide a sense of depth to an opening and mass of the building.

- F. Storefronts allow visibility into a commercial establishment and allow businesses to display their merchandise to customers.
- i. Storefront windows should be predominantly open to the interior so that the interior of the commercial establishment is visible to customers and pedestrians from the outside.
 - ii. The design of a building's storefront areas can vary within a single building and along the length of the block, but should be consistent for any one tenant. Generally, storefront designs fall into two broad categories: integrated storefronts and applied storefronts.
 - a. Integrated storefronts are those that allow the architectural expression or style of the building to continue down to the first floor. The tenant's branding of their space is typically limited to the installation of signage and possibly awnings or canopies. The ground floor window and door openings are typically consistent with the design of the upper floor openings, though the tenant may make some modifications of the door and window framing elements within the openings.
 - b. Applied storefronts are those that apply a distinct architectural treatment at the first floor that is specific to a particular tenant space. In addition to signage, awnings or canopies, applied storefronts typically utilize architectural elements, such as pilasters, panels, frames, lintels and cornice elements that are applied to the building's ground floor façade and express the tenant's identity. Applied storefronts may interrupt or eliminate non-structural wall or pier elements in order to create larger door or window openings. Where a tenant's space ends at a mullion or pilaster "within" an opening, applied storefront is not permitted to be utilized at only the tenant's portion of the opening, and integrated storefront would need to be used at that opening.
 - iii. The design and detailing of storefront and its component parts are critical to creating attractive and pedestrian scaled ground floors.
 - a. The following attributes of storefront design are strongly encouraged.
 1. Storefronts whose design and details relate to the building's overall style.
 2. Storefront designs, when they differ in style from that of the overall building, that are well designed and detailed and do not detract from or compete with the building's design.
 3. Storefronts that introduce subdivisions into larger glass areas. These can be in the form of pilasters, mullions, horizontal divisions, and muntin bars. These elements, when appropriate to the building's style,



Variation in the treatment and architectural style of storefront along a block face provides for a visually diverse streetscape.



Integrated storefront expresses the building's overall design and architectural style as it continues down to the first floor.



The above illustrate storefront that is applied as a base element to the facade.

should utilize recessed and/or raised profiles to further break down and articulate their surface areas.

4. Storefronts that introduce depth into the window framing and window subdivision elements. This can be achieved with trim elements that are added onto the window framing system, examples which include brick moulds, panning, and other applied trim at the face of the window frame.

- b. Further, the following attributes of storefront design are strongly discouraged.

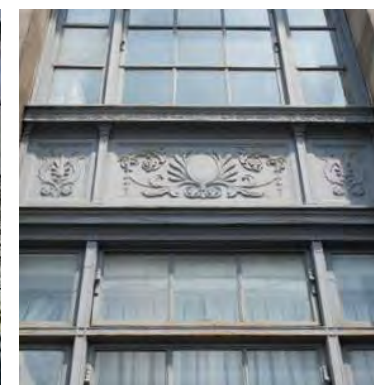
1. The use of dark or heavily tinted glass.
2. The use of translucent, frosted, or film-backed glass (unless in front of service areas that cannot be located to sides or rear of a building).
3. Aluminum storefront framing systems ("storefront systems") with unarticulated frame faces wider than one and one-half inches (1-1/2"). Systems with frame members whose outer face is wider than one and one-half inches (1-1/2") should employ applied trims and panning extrusions to articulate the face of the frame.

- G. The location and design of entrances to both street level and upper floor tenants are important to pedestrian wayfinding and supporting a viable retail environment.

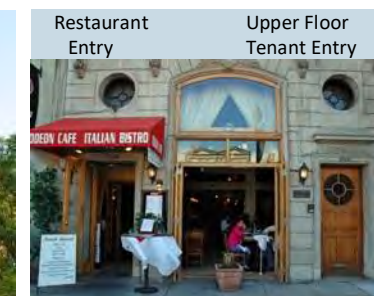
- i. All entrances shall be easily identifiable as primary points of access.
- ii. To the extent practicable, the design of the building's facade at the ground floor should allow for the flexible location of commercial tenant entrances.
- iii. Building entrances for upper floor tenants should be integrated into the design of the overall building facade and should be distinguished from tenant entrances.
- iv. Building entrances for upper floor tenants may be defined by an articulation of the building's massing and/or the use of architectural elements that provide emphasis to the entrance (e.g., lintels, pediments, pilasters, columns, porticos, porches, and canopies). The details should be compatible with the building's overall architectural style in terms of scale, materials, colors, signage, and lighting.
- v. The number of secondary access doors (e.g., egress, service, etc.) located within a public street-facing facade should be minimized. If their location requires their placement within a public street-facing facade, the design of such entrances should be incorporated into that facade's design.



Examples of storefront that are composed of well-proportioned and detailed pilasters, mullions, and cornice trim.



Larger glass areas are subdivided using elements of various width and amount of projection to provide a level of hierarchy within the opening.



Building entries may be identified via a change in massing and architectural details that distinguish them from tenant entrances as shown at left. Alternatively they may be incorporated into the ground floor treatment as illustrated above.

Building facades fronting onto public streets and open spaces should utilize architectural details and ornament that are consistent in their design and scale with each building's style and scale in order to provide visual interest and help to create a human scale. Architectural details include, but are not limited to, such elements as base courses, water tables, pilasters, sills, lintels, band courses, spandrel panels, cornices, and parapets and can be applied to a facade or achieved through a change in materials, plane, color, and texture.

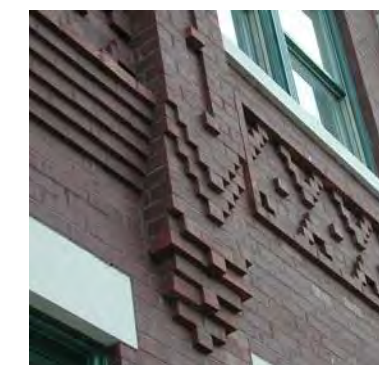
- I) Architectural details should be designed to the appropriate scale, proportions, and complexity of detail of a building's architectural style.
- II) Architectural details should further articulate a building's massing to provide a sense of scale, texture, and visual interest along the street that is appropriate to each building's architectural style.
- III) Architectural details that reinforce the retail character of the ground floor and help to define the pedestrian environment, such as canopies, awnings, overhangs, and well-detailed storefronts, are encouraged and should be integrated into the architecture of the building.
- IV) Oversized architectural details should be avoided.
- V) All buildings are not required to have the same level of detail. Traditional Main Streets are characterized with buildings of varying levels of detail.
- VI) Details that take advantage of the inherent properties of a material are encouraged.



Architectural details that are consistent in their design and scale with the overall facade and adjacent buildings promote a cohesive environment.



Variation in the architectural style and level of detail of facades along a block adds visual interest and provides the sense a place has evolved over time.



Details such as polychrome (left) or corbelled (right) brick patterns take advantage of the inherent properties of brick to cost efficiently add interest and texture.

Exterior building materials should consist of those that have been traditionally used in Main Street architecture. In addition, certain non-traditional materials that emulate traditional materials and provide advantages relative to maintenance, durability, and cost will be permitted as indicated below.

- I) Materials should be selected based on their visual characteristics, quality, and durability.
- II) The sustainability of a material should be considered in the selection and specification of exterior building materials and finishes.
- III) Exterior building materials visible from a street or public open space should be selected from the following:

Brick

Manufactured stone,

Natural stone

Cement-based siding

Hard coat stucco

Fiber reinforced plastic (FRP) – used for exterior details and architectural elements, including but not limited to: cornice and entablature elements, decorative columns and pilasters, storefront trim, railings and balustrades, spandrel panels, and similar elements.

Painted steel and aluminum, cast iron, brass, bronze, copper.

Wood when used as part of a storefront finish or on a residential building or commercial house only. Must be a species recommended for exterior exposure by AWPA (American Wood Protection Association) or equivalent standards.

Roofing materials (visible from any public right of way): copper, factory finished painted metal, slate, synthetic slate, terra cotta, cement tile, glass fiber shingles.

Materials other than those discussed above may be appropriate for architectural trim and accent applications including but not limited to: cornices and decorative brackets, frieze panels, decorative lintels, shutters, and porch or balcony railings.



Materials should be selected with consideration of durability and aesthetics.



The scale of materials should be appropriate to their location on the facade.



Materials of varying color, texture and size can be used to create visual contrast.

IV) Including the materials listed on the previous page, the following additional materials may be used on facades that are not visible from the street or public open space:

Split face concrete masonry units

Exterior insulation finishing systems (EIFS) with Board approval.

V) Building facades should be constructed of a minimum number of primary materials. Additional materials may be used as trim or accent materials, however, the use of an excessive number of materials risks creating a building that is inconsistent with the intended character for Downtown.

VI) Building materials are permitted to vary from the primary facades not fronting onto a public street, right-of-way, or public open space. On secondary and rear-facing facades (i.e., those facades not fronting onto a public street, right-of-way or public open space) the building materials are permitted to vary from the primary facades.

- A. Facades fronting onto alleys, block breaks, and the Block Interior may be designed with additional materials noted above and a reduced level of detail, reflecting the reduced level of importance of the areas they front.
- B. Street facing facade materials and details should return at least one architectural bay along an alley or block break before transitioning to additional materials and details.



Street facing facades use the highest level of detail and quality materials.



Facades fronting onto a block interior, parking and service area employing a simplified level of detail.



Street facing facade materials and details return one bay along an alley or block break.

While the preceding standards and recommendations are style-neutral and apply to all buildings, architectural styles are still critical to establishing a strong sense of place in Downtown Alpharetta. The community takes pride in its historic buildings and recognizes the importance of traditional architecture in reinforcing the local identity and civic pride. The new City Hall and Library are but one demonstration of this and seek to set the standard for new private development in the greater Downtown area.

At its simplest, “architectural style” refers to the way that doors, windows, and building details are designed and organization on a façade. It is different from “building type” and can, in fact, be applied to almost any building.

In order to ensure a cohesive and orderly townscape in Alpharetta, all new buildings should be designed in one of the following architectural styles:

- Georgian
- Neoclassical
- Stick
- Shingle
- Romanesque
- Federal/Adam
- Greek Revival
- Queen Anne
- Folk Victorian
- Italianate
- Tudor Eclectic
- Beaux Arts
- French Colonial
- French Eclectic
- French New Traditional
- Mercantile/Mill

Specific features of these styles are summarized on the following pages. More detail can be found on the in *A Field Guide to American Houses* by Virginia Savage McAlester or *Residential Architectural Styles in Georgia* by the Historic Preservation Division of the Georgia Department of Natural Resources.

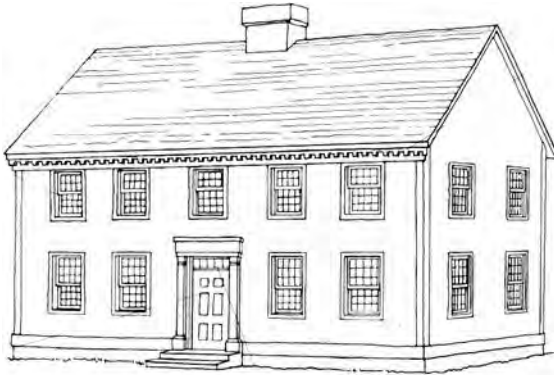
The following pages also identify appropriate building types for each style. The application of these styles to individual buildings can and should vary by building type. Smaller residential buildings should reflect the most “pure” interpretation of the style, while shopfront or mixed-use buildings may incorporate the style through the application of architectural details to simple building forms as described on page 34.



On larger buildings, such as shopfront and mixed-use buildings, architectural styles should be achieved through the application of architectural details to simple building masses.



Georgian



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

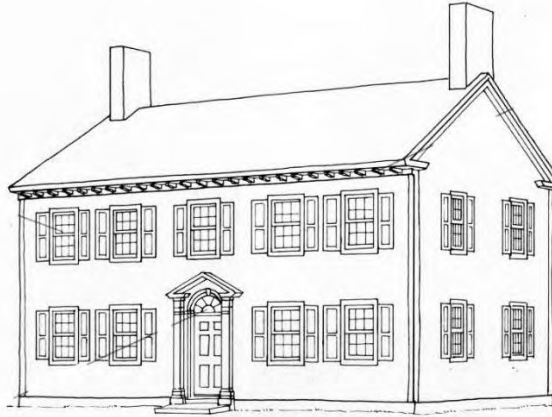
Elements of the Georgian style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings are sometimes seven windows wide. There is never an even number of windows across the front façade.
- Front doors are paneled, centered, and topped with a decorative crown support by decorative pilasters. There is also usually a row of small rectangular glass panes beneath the crown, either within the door or in a transom.
- Windows have double-hung sashes, typically with nine or twelve small panes per sash. Windows are never in adjacent pairs.
- The cornice is usually emphasized with tooth-like dentils or other decorative molding.

Appropriate building types:

- All building types

Federal/Adam



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Federal/Adam style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings are sometimes seven windows wide. There is never an even number of windows across the front façade.
- Front doors are paneled, centered, and topped with a semi-circular or elliptical fanlight. There are also usually sidelights, an elaborate crown and surround, and/or an extended small entry porch.
- Windows have double-hung sashes, typically with six panes per sash. Windows are never in adjacent pairs.
- The cornice is usually emphasized with tooth-like dentils or other decorative molding.

Appropriate building types:

- All building types



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Greek Revival style are as follows:

- Front facades of the principal building mass are usually symmetrical. Exceptions to this are limited to off-centered doors, which may be located at one side of the structure, especially in narrower townhouse or mixed-use building types.
- Front doors include a narrow line of transom and sidelight windows, usually incorporated into an elaborate door surround.
- Front entry porches or full-width porches are usually provided. Porch roofs are always supported by square or rounded columns of one of the Classical Orders.
- The cornice is emphasized with a wide, divided band of trim.
- The roof is usually gabled or hipped with a low pitch.

Appropriate building types:

- All building types

Neoclassical



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Neoclassical style are as follows:

- Front facades are always symmetrical and usually five windows wide. Narrower buildings are sometimes three windows wide and larger buildings are sometimes seven windows wide. There is never an even number of windows across the front façade.
- Front facades are usually dominated by a full-height entry porch with a triangular gable above supported by four columns with shallow square bases.
- Front doors are paneled, centered, and topped with a semi-circular or elliptical fanlight.
- Windows have double-hung sashes.

Appropriate building types:

- All building types

Stick



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Stick style are as follows, although it's rare for one building to have all elements:

- Front facades are usually asymmetrical and include horizontal and vertical bands raised from the wall surface for emphasis.
- Front porches or stoops are always provided and include diagonal or curving support braces.
- Roofs are usually steeply pitched, but may be hidden behind a parapet wall on townhouse or mixed-use building types.
- When roof gables are provided they include decorative trusses. Cross gables are common.

Appropriate building types:

- Semi-detached house
- Townhouse
- Walk-up flat and stacked flat
- Commercial house



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Queen Anne style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the Queen Anne style is used on a shopfront or mixed-use building types.
- All facades often include textured shingles or other devices to avoid a smooth-walled appearance.
- Front facades include a partial- or full-width porch and extend along one or both side walls.
- Roofs are usually steeply pitched, but may be hidden behind a parapet wall on townhouse or mixed-use building types.

Appropriate building types:

- All building types

Shingle



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Shingle style are as follows:

- Front facades are always asymmetrical.
- Front porches are almost always present.
- Irregular, steeply pitched roof line, usually with cross gables and multi-level eaves.
- Wall cladding and roof of continuous wood shingles.
- Shingled walls without interruption at corners.

Appropriate building types:

- Semi-detached house
- Walk-up flat and stacked flat
- Commercial house

Folk Victorian



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Folk Victorian style are as follows:

- Front facades are always symmetrical except when a front gable or wing is provided.
- Front porches with spindlework detailing.
- Roofs are usually gabled and with very simple massing.
- Brackets under roof eaves.

Appropriate building types:

- Semi-detached house
- Commercial house



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Romanesque style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the style is used on shopfront or mixed-use building types.
- Masonry walls.
- Round top arches over windows or entrances.
- Conical roofs on towers, when such are provided.

Appropriate building types:

- Walk-up flat and stacked flat
- Shopfront
- Mixed-use building
- General building
- Civic building

Italianate



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Italianate style are as follows:

- Front facades of the principal building mass are usually asymmetrical. Exceptions to this are when the style is used on shopfront or mixed-use building types.
- Masonry walls.
- Round top arches over windows or entrances.
- Conical roofs on towers, when such are provided.

Appropriate building types:

- Walk-up flat and stacked flat
- Shopfront
- Mixed-use building
- General building
- Civic building

Tudor Eclectic



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Tudor Eclectic Style are as follows:

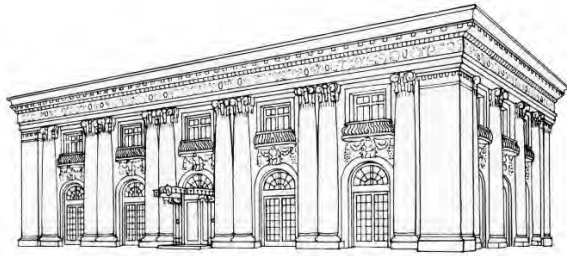
- Steeply pitched roof, usually side-gabled
- Façade dominated by one or more prominent front-facing gables, usually steep pitched
- Tall, narrow windows, usually in multiple groups, with multi-pane glazing
- Massive and prominent chimneys, usually capped with decorative clay pots
- Front door and/or entry porch with round or Tudor arch
- Decorative half-timbering, but not present on all examples

Appropriate building types:

- Semi-detached house
- Walk-up flat and stacked flat
- Commercial house



Beaux Arts



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the Beaux Arts style are as follows:

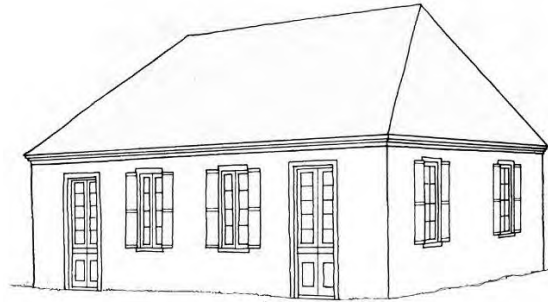
- Flat or symmetrical roof forms.
- Front facades are usually symmetrical.
- Masonry walls, usually of light colored stone, with heavy bases of large, rusticated stone blocks.
- Windows are usually tall and topped with decorative garland, floral patterns, or shield details.
- Use of Classical columns, cornices, quoins, and pilasters.
- Flat or symmetrical roof forms.

Appropriate building types:

- All building types

Images of representative Beaux Arts style buildings are shown at top right and middle right.

French Colonial



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the French Colonial Style are as follows:

- Steeply pitched roof, either hipped or side gabled.
- Front facades are usually symmetrical.
- Tall, narrow door and windows openings.
- Door and window sashes are typically divided vertically into pains.
- Walls are typically faced in true stucco.

Appropriate building types:

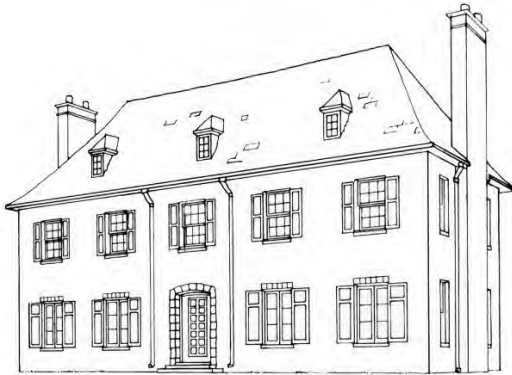
- Semi-detached house
- Commercial house

An images of a representative French Colonial style building is shown at bottom right.



All images courtesy Wikipedia Commons

French Eclectic



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

Elements of the French Eclectic style are as follows:

- Tall, steeply pitched roofs (occasionally gabled) with no dominant front-facing cross gable.
- Roof eaves that often flair upwards at roof-wall junctions.
- Front facades are usually symmetrical.
- Segmented arches are commonly found in doors, windows, and dormers.
- Brick, stone, or stucco wall cladding, sometimes with false half timbering.

Appropriate building types:

- All building types

Images of representative French Eclectic style buildings are shown at top right and middle right.

French New Traditional



Source: *A Field Guide to American Houses* by Virginia Savage McAlester

The French New Traditional style draws upon the three French styles identified earlier in these guidelines, but is a unique style due to the way it blends elements from the various French styles. Elements of the French New Traditional Style are as follows:

- Steeply pitched roof.
- Front facades may be symmetrical or asymmetrical.
- Tall, narrow door and windows opens.
- Brick, stone, or stucco wall cladding.
- Architectural details that reflect historic precedents but are less intricate and generally mass-produced.

Appropriate building types:

- All building types

An image of a representative French New Traditional style building is shown at bottom right.



Top and middle images courtesy Wikipedia Commons. Bottom image courtesy TSW.

Styles on Shopfront and Mixed-Use Buildings

Several of the architectural styles identified are appropriate for shopfront or mixed-use building types. Traditionally, such buildings were simple and relatively small rectangular or box forms which, when placed side by side, created a “Main Street.” As new “Main Street” style shopfront and mixed-use buildings are constructed in Downtown Alpharetta, architectural styles should be applied to them in a manner consistent with these traditional patterns.

Elements of the appropriate application of architectural styles to shopfront and mixed-use buildings are as follows:

- Front facades of large buildings should be broken up into smaller façade units to create the appearance of several smaller buildings (as established in other parts these guidelines).
- No more than one architectural style may be applied per building, although large facades broken up into several smaller units may incorporate different styles on different units to create the appearance of adjacent buildings.
- Architectural style shall be achieved through the addition of key elements of the style to the building façade. This may include architectural details, cornice treatments, roof shapes, window designs, and similar features.

Shopfront and mixed-use buildings may also incorporate sculpture, murals, and additional public art that are not specifically associated or consistent with the building’s architectural style. Traditionally, such features were usually found on the sides and rears of buildings, but not always. These features require review by the Art Commission.



This image shows the application of the Romanesque style to a shopfront building (at left) and the application of the Queen Anne style to a mixed-use building at right.

Mercantile/Mill
(For specific building types)

To further spawn creativity by developers and architects within the downtown fabric, an additional style is allowed for commercial mixed-use or mercantile type buildings. Nineteenth and early 20th century urban mills and/or warehouses are included in this “style” which is characterized by primarily brick/masonry construction and minimal ornamentation with flat (but not always) roofs. Windows were usually metal and varied in size, depending on the historic use of the facility; and many featured large, storefront window elements at street level. Brick surfaces should vary in color and texture to demonstrate age. Indigenous & vernacular stone details are encouraged and would be appropriate if historic precedent details are presented to DRB.

Although remaining historic (agrarian based) structures of this type may not remain in the area, this “Mercantile” aesthetic is charming, appropriate and desired especially when such structures are redeveloped into modern uses. Elevations are usually multi-storied with stairs/elevators pronounced in tower elements, and former “loading dock” areas are apparent. Overall facades should comply with other restrictions in these Guidelines, and minimize large city block masses...and instead, feature smaller elevation blocks that appear to have been built over longer periods of time by different architects and developers.



The streetscape is comprised of the public space located between opposing blocks and encompasses all portions of the street including pedestrian and vehicular areas. Landscape elements such as street trees, accent planting, and street furniture provide scale, texture, and color to the pedestrian environment. Design and detailing of the streetscape shall accommodate the following elements:

I) Sidewalks

Sidewalks will be the predominant element with which pedestrians will be continuously in contact; they should be well constructed of durable materials to provide a practical and long-lasting surface.

- A. Sidewalks along streets are to be provided per the City of Alpharetta Downtown Overlay requirements.
- B. Walkways extending along block breaks and at the Block Interior should be built of durable materials that are attractive, maintainable, and comply with all regulatory requirements.
- C. Special paving applications should be reserved for seating or landscaped areas located off the primary pedestrian zone or in parks.
- D. Elaborate paving patterns should be avoided except where they may be warranted by location (e.g., an interior courtyard, the area surrounding a public fountain)
- E. Pedestrian crosswalks shall be clearly designated and provided at all key street intersections.

II) Street Trees

Street trees are to be provided as per the City of Alpharetta Downtown Overlay and any other applicable regulations, ordinances or guidelines.

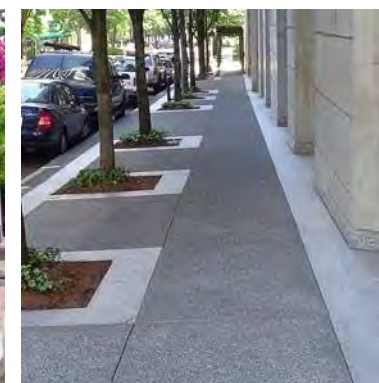
- A. To add to the sense of a cohesive environment, trees should have similar characteristics on both sides of the street.
- B. Utilities and street furnishings should be located so as to not interfere with the placement and growth of street trees.

III) Accent Planting

Accent planting should be located in such areas as tree wells (if ungrated) or beds near intersections where additional sidewalk area may be available. Decorative pots or more formal raised planters may be appropriate in specific locations (i.e., to facilitate grade differences). A consistent application of accent planting can be used



An example of a well detailed streetscape incorporating durable materials, landscape elements and street furniture.



Durable materials (brick within the left image, brushed and smooth concrete on the right) of simple patterns are characteristic of Main Streets.



Street trees and accent planting provide shade and soften the edges of the streetscape.

to distinguish specific areas, such as important streets, the area surrounding a park or square, or an entire neighborhood.

- A. Retail and restaurant tenants may provide supplemental accent planting in the form of planters located within thirty inches (30") of their storefront.
 - i. Planters may be made of terra cotta, cast materials (GFRC, cast stone), metal, or plastics.
 - ii. Planters located adjacent to storefront should not exceed a height of twenty-four inches (24").
- B. Along deeper sidewalks, where an outdoor dining area is provided, planters may be utilized as part of an outdoor cafe railing, provided the planter(s) does not restrict pedestrian movements along traveled portion of sidewalk.

IV) Street Furniture

Street furniture which includes street lamps, benches, and trash receptacles should be provided for both safety and convenience.

- A. Street furnishings shall be located to maintain a continuous minimum 5-foot walking path along the sidewalk and no closer than 30 inches to the curb.
- B. Outdoor dining furniture on public sidewalks shall be of quality design and workmanship and made of metal in black or a color approved by the DRB. Decorative items on public sidewalks such as planters or sculpture shall be made of metal, concrete, terra cotta, or other material approved by the DRB. Menu boards may be made of wood; however, all plastic, fiberglass, or resin-type products are prohibited on public sidewalks. All street furnishing designs must complement the surrounding architecture.
- C. With the exception of outdoor dining areas, street furnishings should be permanently secured to the paved surface for safety and to avoid vandalism.
- D. Bicycle racks are to be provided at various locations along sidewalks or within parking areas behind buildings in order to provide convenient and safe parking for cyclists yet maintain safe separation between pedestrian and cyclist. Locations shall not interfere with pedestrian circulation.
- E. Trash receptacles should be provided only at key points or intersections along paths and streets that are easily accessible for both pedestrian use and trash collection. Trash receptacles shall be in accordance the specifications established by the City of Alpharetta.
- F. Street lights must be provided as per the City of Alpharetta Downtown Overlay and other applicable regulations, ordinances, or guidelines.



Planters with accent plantings may be used to define a sidewalk dining area.



Accent planting and street furniture, both along streets and within open spaces, contribute to providing a pedestrian-oriented environment.



Street furniture such as benches, trash receptacles and bike racks are located at convenient points outside of the pedestrian path of travel.

G. Benches are encouraged to be provided at locations along the sidewalk and paths and oriented towards interesting features such as storefronts or pedestrians paths. Benches shall be made of painted metal, weather and rot resistant wood species (e.g., redwood, teak) or synthetic wood materials.

H. Seating/Cafes

- i. Outdoor dining and seating may occur on any portion of the paved sidewalk provided a minimum path of travel of five feet (5') is maintained.
- ii. Table and chairs shall be made of attractive, yet durable materials that are intended for continuous, year-long, outdoor use.
- iii. Cafe railings and planters shall be made of attractive, yet durable materials with a weather resistant finish.

V) Open Space

Open space within Downtown should provide a number of amenities for the community and visitors alike.

A. Open green space, when provided, at the Block Interior shall be designed to complement and not compete with the open space provided along the streets or within the public spaces of Downtown. It shall consist of:

- i. plantings, including trees, ground cover, lawn area and accent planting, provided at-grade, within wells or raised planters or a combination of each. Plantings that screen or provide a buffer between public and more private uses that are at similar grades are encouraged.
- ii. hardscape areas, including paths and walkways, made of durable materials and connect seating and amenity areas to building access points. Access to the public street, if provided, should be via a block break or portal.
- iii. seating areas with furniture that is made of attractive, yet durable materials that are intended for continuous, year-long, outdoor use.
- iv. lighting with intensities and orientations that avoid excess light spillage and glare directed into buildings and areas that front the open space.

B. Structures, railings, and furniture associated with open space provided at the roof of buildings shall be located or screened to minimize or eliminate their visibility from the adjacent streets or public spaces, or integrated into the building design if visible. (See *Screening - Section I*)



Benches along the pedestrian path provide convenient seating.



The sidewalk may accommodate both pedestrian and dining seating without additional setback of the building face along the block.



The streetscape extends the open space provided within dedicated park areas.

The appropriate location of, and access to, parking and service areas are critical components in creating a successful environment for pedestrians and vehicles alike (*See Figure 8*). Where feasible access to parking and service areas should be through shared circulation routes.

I) On-street parking

As established by The Master Plan, on-street parking provides convenience, enhanced viability for street-level businesses, and a physical buffer between pedestrians and moving vehicles. Parallel and diagonal, on-street parking shall be permitted within Downtown as specified in The Master Plan.

II) Off-street parking

A. Off-street parking shall be located behind buildings, within the Block Interior, and accessed via intermediate block breaks at key points.

B. Structured parking garages shall:

- i. respect the build-to line.
- ii. have visible facades designed to be compatible with adjacent buildings where parking garage facades abut or portions are visible from a street or public right-of-way. (*See Figure 9*)
- iii. not exceed a height of adjacent buildings.

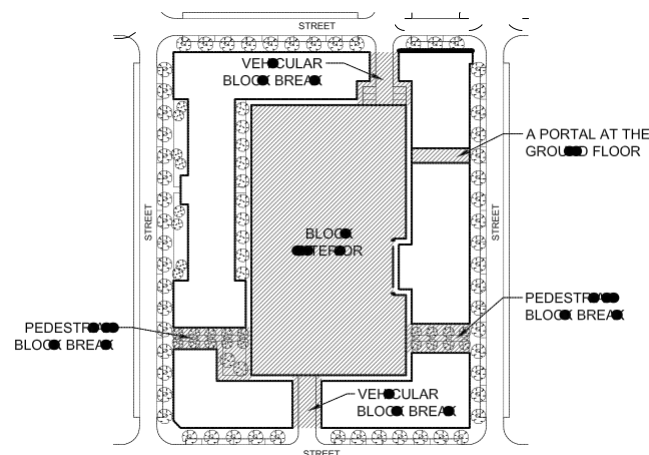


Figure 8: Diagram of permitted access types to the block interior.

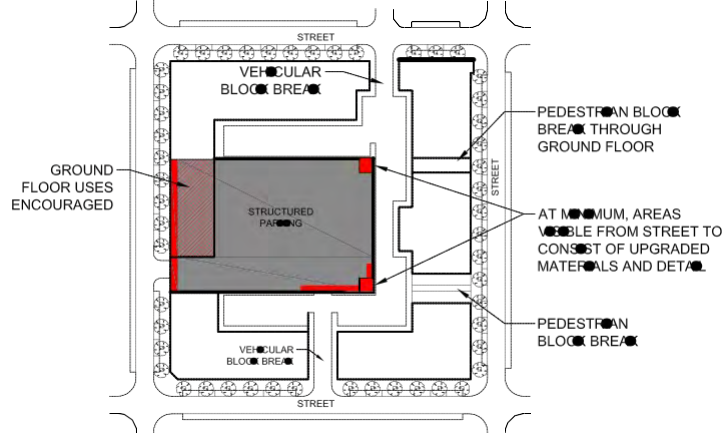


Figure 9: Diagram of structured parking garage with visibility from/on the street.



Example of a parking garage facade that fronts a street that is not permitted.



Garages at rear of buildings, but with portions of facade visible from the street are upgraded in detail and material.



An example of a well-detailed parking structure exposed to the street.

- C. Areas of surface parking within the Block Interior should incorporate landscaping in order to provide visual relief from large expanses of pavement.
- D. When project phasing requires surface parking lots to be exposed to the street, interim surface lots (See Figure 10) may be allowed provided that:
 - i. wheel stops behind a minimum five feet (5') wide, planted landscape buffer with minimum thirty inch (30") high (at maturity) plantings are provided between the sidewalk and interim parking areas, in order to shield pedestrians from bumpers and glare from headlights.
 - ii. they do not front onto an open space.

III) Drop-off areas shall be provided either within the off-street parking areas or within the on-street parking lane.

IV) Service & Loading

Service and loading areas, including but not limited to electrical transformers, mechanical equipment, trash collection, and storage and staging areas, are necessary functions for the viability of any development, yet their aesthetics and uses typically do not contribute positively to the pedestrian-oriented nature of the street.

- A. Service and loading areas shall be located behind buildings, such that they are not visible from the street, and accessed via block breaks at key points. Access that is shared with those provided for parking areas is strongly encouraged.
- B. Where block and building configurations necessitate the location of loading docks with access directly from the street, they may be permitted provided they:
 - i. are not located along those portions of streets bordering an open space.
 - ii. may be completely closed off from the pedestrian sidewalk via a door(s) that is compatible in design and color with the facade in which it is located.

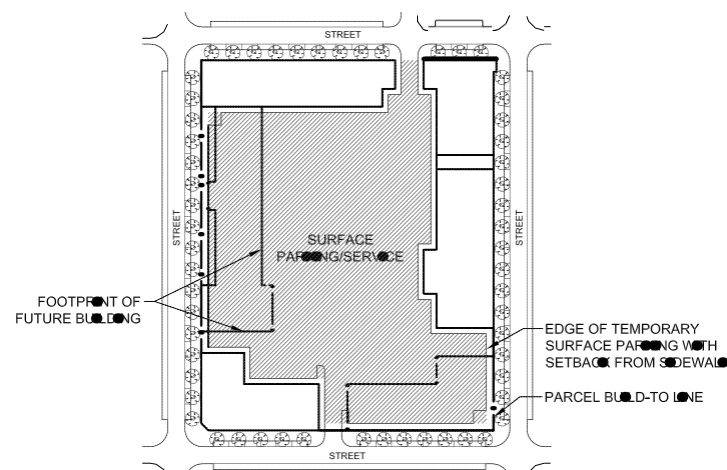


Figure 10: Diagram of permitted interim surfaced parking for phased blocks.



Interim parking along a street is separated from the pedestrian sidewalk by a landscaped buffer of low plantings and trees.



The block interior provides uses for parking, service and loading.

While building systems such as HVAC, generators, transformers or solar panels are necessary for the functional viability of a building, their associated service and equipment areas typically do not contribute positively to the aesthetics of the built environment. As such, screening of these types of elements should adhere to the following in order to limit adverse sight lines.

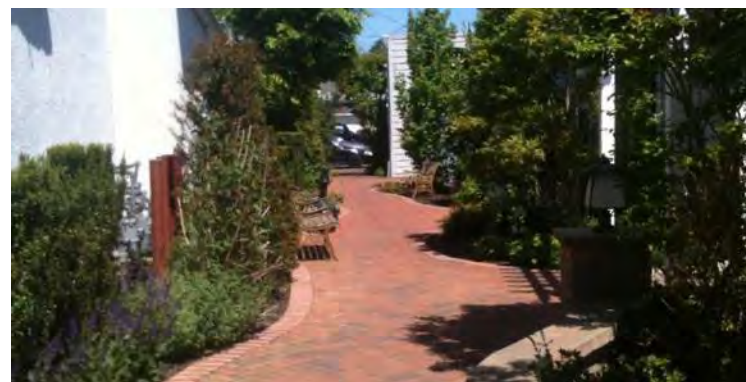
- I) Electrical transformers, mechanical equipment, and other building service equipment shall be located on roofs or at the rear of buildings.
 - A. When located on roofs, equipment should be setback sufficiently from the street face of the facade in order to eliminate visibility from the adjacent streets or public spaces.
 - B. In cases where the size or placement of rooftop equipment requires they are visible from adjacent streets or public space, screen walls or equipment screening panels should be provided to a height necessary to shield views of equipment.
 - C. Where roofs are visible from adjacent developments, roof top equipment should be as unobtrusive as possible. Screening and/or painting to match other roof materials is encouraged.
- II) Building service areas located within the Block Interior shall be screened from public view through the use of landscaping elements, fencing or a combination of the two.
- III) The use of vegetation in combination with screen walls is encouraged in shielding ground mounted equipment from public view.



A detailed wall, setback from the sidewalk, screens a loading area and encloses a landscaped seating zone (Right). Rooftop equipment is set back from the parapet to screen its visibility from the public street (Left).



A tower element is incorporated into the above facade at the building entrance in order to screen the elevator penthouse.



Landscaping along a pedestrian block break is used to screen utilities and soften the less architecturally detailed sides of a building.

Exterior lighting that serves the street and pedestrian or accents a building, facade element, or landscaping feature contributes significantly to the night time character and perception of safety within the downtown environment. Done well, lighting reinforces the architecture of a building or space creating an inviting streetscape.

- I) The size, design, and lumen output of outdoor lighting fixtures shall be appropriate to its location.
- II) Along public streets, street lights should be located toward the curb side of the pedestrian clear path and spaced in coordination with street trees to provide a minimum ambient level of lighting at the sidewalk. The style of street light shall be as specified in the Alpharetta Design Review Board Ordinance and Design Guidelines. Future, additional street lights shall match the style and size of these specified fixtures.
- III) Lighting intensities and orientation shall be controlled to ensure that excessive light spillage and glare are not directed toward neighboring areas, motorists or into the night sky. Light levels shall be designed to avoid extreme contrasts between light and shadow.
- IV) Supplemental lighting at entrances to lobbies serving upper floor tenants is encouraged.
- V) Illumination of a building's architectural features is permitted, however, such building accent lighting should only be used where such illumination does not distract from the overall character of the Downtown.
- VI) The design and scale of exterior building lighting fixtures shall be appropriate to the building's architectural style, material, and color.



Lighting that is integrated in the building's architectural style and use.



Pedestrian street lighting provides a minimal ambient level of lighting at the sidewalk as to not overwhelm the light spilling out from shop fronts.



Building accent lighting is used to accentuate the steps within the parapet and the major pilaster divisions along the facade.

Signage's prime role is commercial identity and branding. Well-designed signage will enhance the pedestrian-oriented character of Downtown and contribute to the activity and vitality of the area. The following signage guidelines are intended to compliment regulations set forth within Alpharetta's Unified Development Code (Section 2.6) for development within Downtown. Where the below standards conflict with those stated within the UDC, the following shall prevail.

I) Other than building address or building name identification signage, signs are limited to the portions of buildings containing commercial uses.

- A. Commercial tenant signage shall be located no higher on the building than the spandrel zone between the first and second floor openings and shall not be located any closer than eight inches (8") of the window sill at the second floor, except for:
 - i. the horizontal arm supporting a banner sign may extend above the above described height.
 - ii. a blade sign may extend above this height.
- B. Second floor office tenants may have a stenciled window sign (black, silver, or gold lettering) with a maximum font size of four inches (4") and a maximum area of 15% of the area of glass pane in which it is located.
- C. A tenant with awnings above all of their storefront may have additional wall signage mounted below the awning (not a window sign) within the transom area of their storefront, not in excess of a total of 0.4 square feet per lineal foot of tenant frontage.

II) The size of signage shall be appropriate to the downtown location where buildings are close to the street and signs are viewed from shorter distances. The maximum letter height on a sign is eighteen inches (18").

III) Signage should not obscure or conflict with significant architectural details on a building.

IV) Signage should complement the architectural character of the building or façade and not detract from it or the overall character of Downtown.

V) Variety in signage type that is also compatible with the building's architectural style is encouraged including blade signs, wall, awning, window, neon (or similar-looking), and banner signage. Businesses are encouraged to provide individually designed signage that is unique to their establishment.

VI) The following signage is prohibited:

- A. Internally lit signs
- B. Internally illuminated lettering



Signs should not conflict with, but enhance the architectural details of buildings.



Signage provides both wayfinding and visual interest for day and night use.



Variety in signage that is compatible with a building's architectural style.

Glossary of Terms

The following terms are used throughout The Design Guidelines and should be construed thus:

Block: A parcel or site surrounded by public streets or right-of-ways.

Block Break: A separation between two adjacent buildings on the same block that allows for pedestrian or vehicular access to the interior of a block.

Block Face: The building facades fronting the street along one side of a Block.

Block Interior: The center or middle of a block at the rear of buildings.

Building Massing: The exterior volume of a building.

Facade: An exterior side of a building.

Facade Height: The vertical distance measured from the point of average grade along the face of the facade to the upper most point of its parapet or roof element.

Fenestration: Design and detailing of the openings within a building's facade.

Portals: Intermediate building breaks that occur only at the ground floor and allow for upper level uses to bridge over.

Rhythm: Pattern created by the regular recurrence or alternation of an architectural element (e.g., bays, windows, pilasters, columns, etc.).

Scale: The relationship of a building's overall size and architectural elements with adjacent buildings, spaces and people.

Segmented Facade Treatment: The breaking up of a building's facade, along any given side of the building, such that it appears as several different buildings.

Spandrel Zone: The area between the head of openings on one floor and the sill of the openings of the above, adjacent floor.

Streetscape: The public space located between opposing blocks and includes the roadway, sidewalk, street trees, street furniture, and open space.