



City Council Meeting and Public Hearing APRIL 24, 2017

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

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 04/10/2017)

V. APPOINTMENTS

A. Appointment of Director of Recreation, Parks, and Cultural Affairs

VI. PUBLIC HEARING

A. CLUP-15-01/MP-15-01/Z-15-01/V-15-01 KB400 Master Plan/1699 Land CO. LLC

NOTE: This item has been deferred and will be neither heard nor considered during this meeting.

Consideration of a request to rezone approximately 12.4 acres from O-I (Office-Institutional) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential) in order to develop 61 'For-Sale' detached homes in a gated community. A master plan amendment to the KB400 Master Plan Pod A is requested to add 'Dwelling, 'For-Sale' Detached' to the list of permitted uses. A Comprehensive Land Use Plan amendment is requested to change the designation of the property from 'Corporate Office' to 'High Density Residential'. Variances are requested to reduce the minimum lot width and setbacks. The property is located at the southwest corner of Kimball Bridge Road and North Point Parkway and is legally described as being located in Land Lots 807, 808, 849 & 850, 1st District, 2nd Section, Fulton County, Georgia.

B. MP-17-04/V-17-09 AdvancED

Consideration of a request for master plan amendment to the Cousins Westside Master Plan Pod Q to allow for the construction of a 40,000 square foot office building. A variance is requested to reduce the required amount of parking. The property is located at 9115 Westside Parkway and is legally described as being located in Land Lot 690, 1st District, 2nd Section, Fulton County, Georgia.

C. PH-17-12 UDC Text Amendments ***(1st reading)***

Consideration of text amendments to the Unified Development Code addressing 'Hotel' definitions and associated modifications to the list of permitted uses, reduce front setback requirements for certain North Main Street properties, Site Grading and Land Disturbance, as well as other miscellaneous amendments.

D. PH-17-02 Historic Preservation Incentive Zoning ***(1st reading)***

Consideration of amendments to the Historic Preservation Incentive Zoning Ordinance to remove and add historic properties to Appendix A: Historic Resources Inventory, as well as miscellaneous text amendments.

VII. OLD BUSINESS

A. MP-16-13/Z-16-11/CU-16-19/V-16-26: TPA/FUQUA DEVELOPMENT/PERIDOT

This item was tabled by City Council on Monday, May 17, 2017. It will need to be removed from the table in order to be considered.

Consideration of a request to amend the Peridot (A.K.A. MetLife) Master Plan and previous conditions of zoning to allow 320 'For-Rent' residential units, 167 'For-Sale' Attached units, 55,500 square feet of retail/restaurant use, 664,400 square feet of office use, and a 200-room hotel. A rezoning is requested on 15.51 acres from O-I (Office-Institutional) to MU (Mixed-Use) and a conditional use is requested to allow 'Dwelling, 'For-Rent' and 'Bank, Savings and Loan' uses. A variance is requested to allow first floor 'For-Rent' dwellings on three building sides and to allow first floor 'For-Rent' dwellings on a Storefront Street. The property is located on the west side of Haynes Bridge Road south of Lakeview Parkway and is legally described as Land Lots 744, 745, 752, and 753, 1st District, 2nd Section, Fulton County, Georgia.

B. Alcohol Ordinance Amendments (1st reading)

VIII. NEW BUSINESS

A. Mayfield Road Sidewalk Improvements, ITB 17-007

B. Renewal of the Intergovernmental Agreement (IGA) concerning the processing, storage, and control of Evidence within the City Of Alpharetta by the City of Milton Police Department.

C. Ratification and Approval of MOU Between Alpharetta and Milton For the Acquisition of Land To Be Jointly Owned and Operated As a Passive Park

D. Approval of Service Delivery Strategy Agreement

IX. WORKSHOP

A. Truck Routes

X. PUBLIC COMMENT

XI. REPORTS

XII. ADJOURNMENT



OFFICIAL MINUTES OF
COUNCIL MEETING
ON APRIL 10, 2017

CITY HALL – 2 PARK PLAZA
6:30 PM

Official Minutes

The public is advised that the following minutes are not a verbatim transcription of business presented at the Council Meeting of the date shown; but are a synopsis of pertinent information. The public is further advised that the tapes recorded at said meeting are a matter of public record and are available to be heard at the City of Alpharetta's Clerk's office during normal business hours and on line at the City web site.

I. CALL TO ORDER

❖ *Mayor Belle Isle called the meeting to order at 6:30 P.M.*

II. ROLL CALL

- Council Members
 - Mayor David Belle Isle
 - Chris Owens (Mayor Pro Tem)
 - Jason Binder
 - Jim Gilvin
 - Mike Kennedy
 - Dan Merkel
 - Donald Mitchell
- Staff
 - Bob Regus, City Administrator
 - Coty Thigpen, City Clerk
 - Sam Thomas, City Attorney
 - James Drinkard, Asst. City Administrator
 - John Robison, Director of Public Safety
 - Pete Sewczwicz, Director of Public Works

- Tom Harris, Director of Finance

III. PLEDGE TO THE FLAG

IV. CONSENT AGENDA

A. Council Meeting Minutes (Meeting of 03/20/2017)

B. Financial Management Report: Month Ending February 28, 2017]

- ❖ *Council Member Mitchell offered a motion to approve the Consent Agenda*
 - *The motion received a second from Council Member Owens*
 - *The motion was approved 7-0*

V. NEW BUSINESS

A. Glass Recycling Services

- Assistant City Administrator, James Drinkard, came forward to present this item
- While cardboard and paper are considered valuable by recycling companies, glass can damage recycling equipment, produce shards that can injure workers, and has a poor cost to revenue ratio to recycle. Because of this, recycling companies are now rejecting glass collected via single-stream recycling from their recycling stream and instead ship it to landfills.
- The City has been notified that, beginning later this month, glass can no longer be accepted in our single-stream recycling program. If a recycling bin contains any glass products, all of the recyclables in that bin will be considered by the recycler to be "contaminated". This will result in the entire load of recyclables being sent to the landfill.

The City was presented with three options for handling glass moving forward:

- Option A: Residents Put Glass In The Trash
Under this option, you would simply place glass products into your trash rather than into your recycling container. The option does not require any additional containers, provides the same level of convenience for residents as you have today, and comes at no additional cost to residents.
- Option B: Residents Drop Glass Off At A Collection Center
Under this option, you would have to hold or store glass recyclables at your home. Periodically, you would load them into your car, drive to a collection center that would be established at our Public Works Department located on Hembree Road, and unload the glass into the collection container. Glass could not be placed into plastic bags or mixed with any other recyclable or waste product. While the option comes at no additional cost to residents, it is less convenient than the curbside service you have today and requires you to temporarily store the glass at your home.
- Option C: Continue Curbside Glass Recycling At Additional Cost

Under this option, you would be provided an additional 18 gallon plastic bin into which you would place any recyclable glass products. On your normally scheduled collection day, you would place the bin at the curb along with your other trash and recyclables. This option provides the convenience of curbside collection, but requires a third waste bin and a \$3 per month increase in your waste service bill. Additionally, it would require Republic to add another collection truck to the three already servicing each route, so there would be more heavy trucks in our neighborhoods.

- To provide an initial opportunity for current customers of the City's residential waste / recycling program to provide feedback on these options, an online survey was launched on March 7 with survey responses being collected through March 24. Information on the issue and the survey was distributed to customers in the form of inserts into their residential waste collection bill and via hang tags 7.

The City received 2,096 responses to the survey, representing approximately 14% of current customers. The results of the survey were:

- Option A: 38.98%
 - Option B: 23.85%
 - Option C: 37.17%
- It should be noted that, if the City chooses to pursue Option A, residents would still have the personal option to collect recyclable glass products at home and physically take them to a recycling center such as the one currently operated by the City of Roswell. Staff has confirmed that the Roswell facility does currently accept glass recyclables from non-Roswell residents and is, in fact, seeing a considerable uptick in usage from residents of an adjoining county.
 - If the City pursues "Option B," the anticipated costs would be minimal, and it is believed that the cost could be absorbed within our current residential waste rate structure.

Public Comment

- Howard Salk, 125 Lake Windward Landing, Alpharetta, GA, came forward to speak on this item
- Don Nahser, 305 Karen Dr, Alpharetta, GA, came forward to speak on this item

- ❖ *Council Member Binder offered a motion to approve option C with staff to come forward at a later date to report the frequency with which the glass will be picked up*
 - *The motion received a second from Council Member Merkel*
 - *The motion was approved 7-0*

B. Memorandum of Understanding with Fulton County Schools for Relocation of the Old Milton Log Cabin

- City Attorney, Sam Thomas, provided a brief summary on this item
- The item is for consideration of a Memorandum of Understanding between Fulton County Schools and the City of Alpharetta allowing for the relocation of the Old Milton Log Cabin from the Milton Center Property.
- The Memorandum of Understanding between the City of Alpharetta and Fulton County Schools whereby the property known as the Old Milton Log Cabin (aka Log Cabin at Milton Center) would be conveyed to the City.

By approving the MOU the City would accept the property and agree that:

- The City will hire, at the City's expense, the services of a licensed and insured contractor for the removal of the Log Cabin property.
- The City shall be responsible for cleaning the area of removal so that no debris is left on the site and that it is in a safe condition with no large holes or trip hazards.
- The City shall remove the slab for the Log Cabin but shall not remove the foundation.
- The City shall ensure that all utilities providing services to the Log Cabin property are disconnected.
- The City agrees that work must be scheduled so that school operations will not be interrupted, including egress to the campus.
- The City shall complete all removal and cleanup of property by December 31, 2017, at which time the transfer of the Log Cabin property shall be completed.
- The total projected cost for the relocation and refurbishment of the cabin is \$400,000. At this time, a total of \$115,000 has been committed from the following sources:
 - \$50,000 City of Alpharetta
 - \$50,000 Alpharetta Historical Society
 - \$15,000 Alpharetta Convention And Visitors Bureau

- The balance of funds is expected to be secured through private donations, a campaign for which is now underway and being led by the Alpharetta Historical Society.

Public Comment

- Ben Hollingsworth, 4881 Hunter's Oak Lane, Alpharetta, GA, came forward to speak on this item
 - Ken Spruill, of Milton, GA, came forward to speak on this item
 - Lee Maloney, 510 Westminster Ct, Alpharetta, GA, came forward to speak on this item
- ❖ *Council Member Gilvin offered a motion to table items B and C until staff can present revised cost figures and come up with a design for the park*
- *The motion received a second from Council Member Kennedy*
 - *The motion was approved 6-1; Mitchell voting no*

C. Consideration to Relocate Old Milton Log Cabin to City Park Land – Milton Avenue Tract

- Consideration to authorize the relocation of the Old Milton Log Cabin from property owned by Fulton County Schools (Milton Center) to City of Alpharetta park land located at 200 and 210 Milton Avenue.
- The City of Alpharetta has been notified by Fulton County Schools (FCS) that the historic Old Milton Log Cabin (the cabin) located on the Milton Center Property (86 School Drive) will not be part of their planned redevelopment of the site.
- In 2016 FCS representatives approached City officials regarding the possibility of interest on the City's part in acquiring and relocating the cabin. FCS has since presented an MOU / Intergovernmental Agreement by which ownership of the log cabin would be conveyed to the City and access to the 86 School Drive Property would be extended to us or our contractors for the purpose of relocating the cabin. Consideration of that agreement has been placed on the April 10 agenda of City Council, immediately before consideration of this item.
- As part of the FY2017 budget, City Council appropriated \$50,000 in capital funds to be applied to the projected \$400,000 cost of relocation and refurbishment of the cabin. Additional funds have since been committed by the Alpharetta Historical Society (\$50,000) and Alpharetta Convention and Visitors Bureau (\$15,000). The balance of funding for the project will be generated through a private fund raising campaign that is currently underway and being led by the Alpharetta Historical Society.
- Discussions have been ongoing with the Alpharetta Historical Society regarding possible site to which the cabin could be relocated. Early on in those discussions a preference for location within a City park was expressed by many participants. In fact, in 2016 discussion centered on a possible location within Wills Park and in March of that year the

Alpharetta Recreation Commission expressed general support for location of the cabin within a park.

- Following the City's acquisition of property at 200 and 210 Milton Avenue for purpose of creating a park, it was determined by the Historical Society that the property would be better suited for location of the cabin than any other site considered. The primary factor leading to the decision is the proximity to the cabin's current location; such proximity reducing both the cost of relocation and the potential for damage to the cabin structure during the relocation process.

Public Comment

None

❖ *This item was tabled in conjunction with Item B above*

D. Pavement Markings (On-Call-Vendor)

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests approval of a task order under the City's On-Call Contract (RFP 15-102) with Peek Pavement LLC in the amount of \$96,251.00 for restoration of pavement markings associated with the annual milling and resurfacing project and maintenance or upgrades to existing roads and authorize the Mayor to execute all necessary documents.
- The City of Alpharetta maintains over 500 lane miles of roadway. Each year the City budgets dollars toward the milling, resurfacing and striping of these roads.
- Peek Pavement Marking, LLC holds the current contract for Pavement Markings On-Call Services for a period of five (5) years. This contract began on October 20, 2014 and is scheduled to end on October 19, 2019. The scope of work includes, but is not limited to, preparation of site layout, the installation of painted traffic stripe, thermoplastic traffic stripe, raised pavement markers (RPMs), pavement arrows, removal of existing pavement markings, removal of temporary marking tape, and On-Call maintenance services.
- This request is for the replacement of striping along the following roads listed as part of the yearly inspection and maintenance program:

Beaver Creek Road from Mansell Road to Dead End
Mill Creek Avenue from North Point Parkway to Palisades
Haynes Bridge Road from Haynes Bridge Middle School to City Limits
Westside Parkway & Kimball Bridge Road (Intersection)
Windward Parkway & Mc Ginnis Ferry Road (Intersection)
Warsaw Road from Old Roswell Road to Mansell Road
Webb Brigde Road & North Point Parkway (Intersection)

Henderson Parkway from SR9 to Cumming Street

Also this request is for the replacement of raised pavement markings along the following roads listed as part of the yearly inspection and maintenance program:

Old Alabama Connector from Mansell Road to City Limits
Canton Street from Old Canton Street to City Limits
Milton Avenue from Mid Broadwell road to SR9
Mansell Road from City Limits to Haynes Bridge Road
Mansell Road from North Point Parkway to City limits
Westside Parkway from Sanctuary Parkway to Mansell Road
Webb Bridge Road from Westside Parkway to Kimball Bridge Road
Mayfield Road from SR 9 to City Limits
Windward Parkway from SR9 to Mc Ginnis Ferry Road

Public Comment

None

❖ *Council Member Owens offered a motion to approve the task order under the City's On-Call Contract (RFP 15-102) with Peek Pavement, LLC in an amount not to exceed \$96,251.00 for restoration of pavement markings as presented by staff*

- The motion received a second from Council Member Gilvin*
- The motion was approved 7-0*

E. MOU for Contract No. 17-005 – Landscape Maintenance Services: SR 400 at Five Interchanges

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests approval of the MOU for shared payment by North Fulton Community Improvement District and the City pertaining to Contract No. 17-005.
- Contract No. 17-005, Landscape Maintenance Services: SR 400 at Five Interchanges, was approved by Council on March 20, 2017. North Fulton Community Improvement District and the City have agreed to partner together for shared payment (50-50) to Russell Landscape for Contract No. 17-005. A Memorandum of Understanding (MOU) has been prepared to document the shared payment agreement.

Public Comment

None

- ❖ *Council Member Owens offered a motion to approve the MOU for shared cost and maintenance between with City and the North Fulton Community Improvement District regarding Contract No. 17-005 previously awarded by Council for landscape maintenance services at the GA 400 interchanges*
 - *The motion received a second from Council Member Gilvin*
 - *The motion was approved 7-0*

F. Change Order #1 for Morris Road (Webb Bridge Road to Old Milton Parkway) Design Services

- Director of Public Works, Pete Sewczwicz, came forward to present this item on behalf of staff
- Staff requests approval of Change Order #1 to Purchase Order 17000337 (Pond & Company) in the amount of \$69,480.00 for the design of a roundabout at the intersection of Morris Road and Preston Ridge Road; and authorize the Mayor to execute all necessary documents.
- This change order request is for design modifications to the Morris Road Operational Improvements project to incorporate a roundabout at the intersection of Morris Road and Preston Ridge Road.
- As design of the Morris Road Operational Improvements has progressed, a need to improve the intersection of Morris Road and Preston Ridge Road has been identified. Based on current traffic counts, the existing stop-controlled west-bound approach of Preston Ridge Road functions at a Level of Service (LoS) D during the AM peak hour and at a LoS F during the PM peak hour. Under a "No-Build" scenario in the design year of 2039 the LoS for this approach worsens during both peak hours to F, with an average delay in excess of 5 minutes. As part of their initial analysis, Pond & Company evaluated the installation of a roundabout at this location to help improve its functionality. Looking at the design year of 2039, the installation of a roundabout would improve the Level of Service for the west-bound approach to A during the AM peak and to C during the PM peak. The roundabout would provide a LoS A for the north-bound approach in both peak hours, a LoS A for the south-bound approach in the AM peak, and a LoS C for the south-bound approach in the PM peak.
- The fee for this change order is \$69,480.00 which consists of a base design fee of \$52,280.00 and an additional \$17,200.00 for the preparation of lighting and landscape plans for the roundabout. This will increase the purchase order from

\$143,565.00 to \$213,045.00. The addition of the roundabout design will add an additional 2 weeks to the project schedule.

Public Comment

None

❖ *Council Member Owens offered a motion to approve Change Order #1 to Purchase Order 17000337 (Pond & Company) in the amount not to exceed \$69,480.00 and authorize the Mayor to execute all necessary documents*

- *The motion received a second from Council Member Gilvin*
- *The motion was approved 7-0*

VI. PUBLIC COMMENT

None

VII. REPORTS

- Council Member Owens – shared a Kimball Bridge Road traffic simulation video depicting the impact of a roundabout. Given this information, the City would like to bring this issue forward at another public input session.

VIII. ADJOURNMENT TO EXECUTIVE SESSION

❖ *Council Member Kennedy offered a motion to adjourn into Executive Session*

- *The motion received a second from Council Member Merkel*
- *The motion was approved 6-1; (Owens voting – no)*

Respectfully Submitted,


Coty Thigpen, City Clerk



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: MP-15-01/CLUP-15-01/Z-15-01/V-15-01 KB400 MASTER PLAN/1699 LAND COMPANY LLC

CITY COUNCIL: APRIL 24, 2017

This item was heard at the April 12, 2017 Planning Commission meeting. Several citizens spoke in opposition to the request stating concerns over traffic, residential high density, safety issues at the proposed driveways and the need for a connection to Rock Mill Road. After discussion, the Planning Commission recommended to deny this item. Vote (6-1)

II. RECOMMENDATION:

Deny MP-15-01/CLUP-15-01/Z-15-01/V-15-01 KB400 Master Plan/1699 Land Company LLC request for master plan amendment, comprehensive land use plan amendment, rezoning and variance.

If approval is considered, staff recommends the following conditions:

1. The property to be rezoned shall have an "R-8A/D" zoning classification with a detached minimum lot size of 4,500 square feet and a minimum lot width of 40' with an overall average minimum lot size of 45'.
2. The Land Use classification shall be "High Density Residential".
3. Property shall be developed substantially as depicted on the zoning plan prepared by Travis Pruitt & Associates, dated 3/6/2017, except for modifications required to comply with these conditions. Current flood plain information shall be required for Land Disturbance Permit and may impact lot yield.

4. 'Dwelling, 'For-Sale' Detached' shall be listed as a permitted use in the KB400 Master Plan Pod A, with a maximum density of 5.01 dwelling units per acre.
5. All 'For-Sale' Detached units shall be side or rear-loaded.
6. The minimum building setbacks shall be:
 - North Point Parkway and Kimball Bridge Road – 30'
 - Side & Rear (Boundary) – 15'
 - Front (Internal) – 10'
 - Side (Internal) – 0' (10' between buildings)
 - Rear (Internal) – 10'
7. Driveways shall provide a minimum 18' between garage and back of sidewalk.
8. Residential structures shall be similar to photographic examples presented by the applicant, except as required to comply with these conditions with final approval by Staff. Residential structures shall have a minimum 50% brick or stone and same level of architectural detail and materials on all four sides with final approval by Staff. Additional architectural elements, such as decorative windows, mullions, recessed windows, shutters with shutter dogs, off sets, entry features, porches, and dormers shall be required as approved by Staff.
9. A minimum 12,600 square foot civic space at the corner of North Point Parkway and Kimball Bridge Road shall be developed per the zoning plan prepared by Travis Pruitt & Associates, dated 3/6/2017 and including landscaping, focal feature with sculpture and/or water feature, benches or seat wall and brick paver hardscape as approved by Staff.
10. Privacy fences and unfinished wood decks shall not be visible from North Point Parkway and Kimball Bridge Road.
11. A minimum 15' undisturbed or replanted buffer shall be provided along the southern property line. The applicant shall save specimen trees and significant tree groupings within the buffer, as approved by Staff. Building setbacks may be included within the buffer.
12. A minimum 2.09 acres of open space shall be developed substantially similar to the zoning plan prepared by Travis Pruitt & Associates, dated 3/6/2017. Open space shall be both amenity and civic spaces and may include a dog walk, trail system, recreation field, and/or passive green space. Developer shall construct a private amenity trail through the stream buffer as depicted on Exhibit A – Private Amenity Trail.
13. Development shall be gated and internal streets shall be private. Pedestrian access shall be unrestricted.
14. All homes shall have connectivity to the sidewalk system.
15. Minimum 5' sidewalks shall be required on both sides of internal streets. Internal streetscape shall include a minimum 4' planting area with street trees, sidewalk, pedestrian lighting, on-street parking and bulb-outs as approved by Staff.
16. Heavily planted minimum 20' landscape strip shall be required along North Point Parkway and Kimball Bridge Road and shall include decorative walls and/or berms similar to Glen Abbey, as approved by Staff. Project entry signage shall be brick or stone and decorative landscaping shall be required at project entrances similar to Glen Abbey as approved by Staff.
17. Pedestrian amenities including pathways, lighting, and benches should be included throughout the development and amenity areas.
18. Coordinate with Fulton County Schools to provide a pedestrian/bike connection to New Prospect Elementary School.
19. Intersection at North Point Parkway and Kimball Bridge Road and project access design shall be based on traffic impact analysis approved by Staff. Intersection at Kimball Bridge Road shall consider proposed City improvements.
20. Frontage improvements along Kimball Bridge Road, including sidewalks, shall incorporate elements of the proposed City project. Impact fee credits shall be available for work beyond the site boundaries.
21. Developer shall improve North Point Parkway and Kimball Bridge Road frontage with 6' planting strips and 8' sidewalks. Landscaping shall be planted in the 6' planting strip, as approved by Staff.
22. Developer shall dedicate a 20' permanent public access easement within the stream buffer for future improvement of a trail by the City, as approved by Staff.
23. Replant the stream buffer where sparse to buffer standards with native trees, shrubs and groundcover. Plantings shall be 80% evergreen and 20% deciduous. Recompense tree planting may be used to count towards the stream buffer replanting.
24. The following specimen trees shall be saved: 30" Elm (#202), 26" Red Maple (#635), 40" Elm (#637) and 36" Red Maple (#769).
25. Site plan modifications may be required in order to incorporate Trees of Quality and Tree Groupings. Modifications to the site plan may include reconfiguration, construction of walls, limited grading or use of innovative techniques to conserve trees and adequate soil area as approved by Staff.
26. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by Staff.
27. If a building permit is not issued by April 24, 2018, KB400 Master Plan Pod A shall revert to original approval.

III. REPORT IN BRIEF:

The applicant, 1699 Land Company LLC, is requesting an amendment to KB400 Master Plan Pod A to add ‘Dwelling, ‘For-Sale’ Detached’ to the list of permitted uses in order to allow for the construction of 61 ‘For-Sale’ single-family detached lots on 12.165 acres in a gated community. The applicant also requests a rezoning of the property from O-I (Office-Institutional) to R-8A/D (Dwelling, ‘For-Sale’, Attached/Detached Residential), as well as a change to the Comprehensive Land Use Plan designation from ‘Corporate Office’ to ‘High Density Residential’. Variances are requested to reduce the minimum lot width and front, side and rear setbacks in the R-8A/D zoning district.

DISCUSSION

The submitted request, if approved, will allow 61 ‘For-Sale’ single-family detached lots on 12.165 acres, with a density of 5.01 dwelling units per acre. The property is subject to the KB400 Master Plan Pod A and the west side of the property is located within the North Point Activity Center LCI. The undeveloped property is heavily wooded with a stream on the southwest side of the property and is located at the southwest corner of North Point Parkway and Kimball Bridge Road.

The property and surrounding properties are zoned O-I, with the exception of the SU (Special Use) property to the south. The applicant proposes to rezone the property to R-8A/D. Surrounding properties include Verizon to the north, Royal 400 South office park to the east, North Point Park office condominiums to the west, Wells Fargo Bank to the southwest and New Prospect Elementary School to the south. The comprehensive land use plan designation of the property is Corporate Office, which allows office and accessory office uses. Surrounding properties are also designated Corporate Office, except for New Prospect Elementary School which is designated Public, Institutional, Education. The applicant requests a comprehensive land use plan amendment to High Density Residential. The interchange at Haynes Bridge Road and Georgia 400 is within a ½-mile of the property.

The applicant is requesting a variance to reduce the minimum lot width in the R-8A/D district from 50’ to 40’. A variance is also requested to reduce the front setback along North Point Parkway and Kimball Bridge Road from 65’ to 20’ and from 35’ to 10’ on internal local roads. Side setbacks are proposed to be reduced from 5’ to 0’ and rear setbacks from 20’ to 10’.

The nearest similar ‘For-Sale’ residential development is located to the south in Kimball Farms and The Palisades at Milton Park, as well as to the north in the Braeden subdivision. Kimball Farms is developed as single-family detached lots with an average lot size of approximately 14,000 square feet and a density of 1.59 dwelling units per acre. The Palisades is developed as single-family detached lots with a minimum lot size of 4,500 square feet and a density of 3.39 dwelling units per acre. Pulte/John Weiland is developing the Braeden subdivision on the northeast side of Kimball Bridge Road at Northwinds Parkway. The Braeden subdivision was approved for 130 townhomes and single-family detached lots at a maximum density of 4.9 dwelling units per acre.

The 27-acre KB400 Master Plan was approved in 1999 and allows office use with accessory retail. A master plan amendment (MP-06-10) was approved for Pod A in 2007 to allow for a maximum of 144,000 square feet of office with accessory retail use. However, a building permit was not issued by 4/23/2008 and Pod A reverted to the original master plan and conditions. Pod B is developed as a Wells Fargo Bank and Pod C is developed as the North Point Park office condominiums.

The City’s vacant office available (for lease) rate has been steadily declining since 2013. At the end of the 2nd quarter of 2016, the City’s vacant office available rate was 9.30%, which is one of the lowest office vacancy rates in the Atlanta metro area. According to the development community, spec office is typically developed when office vacant available rates drop below 10.00%. Hines and Cousins Properties, Inc. are currently developing a spec office building at Avalon. As shown in the table below, over 700,000 square feet of office is currently under construction within the City.

Office Development – Under Construction

Project Name	Location	Building Area (SF)	Status
Avalon Bldg. 8000	Avalon Boulevard	268,405 SF	Under Construction

Avalon Outparcel Office	2700 Old Milton Pkwy	40,000 SF	Under Construction
The Gates at North Point 2	Webb Bridge Rd	40,000 SF	Under Construction
North Point Park Phase 3	5755 North Point Pkwy	48,240 SF	Under Construction
East Village	Old Milton Pkwy & Westside Pkwy	18,000 SF	Under Construction
Teasley Place	50 Canton Street	7,596 SF	Under Construction
Liberty Hall	33 South Main St	12,000 SF	Under Construction
Providence Group Office	2425 Old Milton Pkwy	30,000 SF	Under Construction
Old Milton Office	2845 Old Milton Pkwy	4,500 SF	Under Construction
The Edison	Edison Drive	218,000 SF	Under Construction
City Center	City Center	40,000 SF	Under Construction
TOTAL		726,741 SF	

SITE PLAN

The submitted site plan depicts 61 single-family detached lots, with lots adjacent to North Point Parkway and Kimball Bridge Road oriented to those roads. Single-family detached lots are proposed to have minimum lot widths of 40' and minimum lot sizes of 4,500 square feet. Homes are depicted as rear entry, except that Lots 4-21 will be front entry. The development will be a gated community with private streets. The applicant proposes the following building setbacks:

- North Point Parkway and Kimball Bridge Road – 20'
- Side & Rear (Boundary) – 10'
- Front (Internal) – 10'
- Side (Internal) – 0' (10' between buildings)
- Rear (Internal) – 10'

Access to the site is depicted from driveways on North Point Parkway and Kimball Bridge Road. An eight-foot (8') sidewalk is depicted along North Point Parkway; however, sidewalks are not shown along the internal roadways and alleys. The sidewalk along Kimball Bridge Road shall be expanded to comply with the City's project design for the Kimball Bridge Road improvements.

The Unified Development Code (UDC) requires a 50' undisturbed buffer on non-residential properties adjacent to residential. Since the school property is already developed and the applicant is requesting a change in use from non-residential to residential, a buffer is recommended on the applicant's property. The site plan depicts a 10' building setback along the south property line, with no landscape buffer or landscape strip. Staff recommends a minimum 15' undisturbed or replanted buffer to provide a transition between the school and the subdivision.

2.09 acres, or 16%, of the property is depicted as open space. A 12,600 square foot civic space with hardscape and benches is provided at the corner of North Point Parkway and Kimball Bridge Road. Two (2) small open space areas are depicted internal to the site between lots 47 and 48 and in front of Lots 53-57. A 1.11-acre open space is depicted on the west side of the property along the stream. The KB400 Master Plan requires a trail be developed through the property as part of the City's Greenway system. The applicant's site plan depicts a sidewalk and benches along the stream and provides connectivity to the proposed subdivision, North Point Parkway and New Prospect Elementary School.

According to the applicant, homes will be approximately 2,400 square feet with prices starting in the \$500,000's. Photographic examples were provided depicting the proposed single-family detached product. The photographs depict brick front elevations with brick detailing and side elevations consisting of siding. Staff recommends conditions requiring 4-sided brick and architectural details on all homes.

TRAFFIC

City staff calculated trip generation figures for the existing entitlement and the proposed project. As shown in the table below, the proposed use would reduce the PM Peak Hour traffic in the area by approximately 249 trips as compared to the property being developed under office use.

		ADT	SAT	AM Peak Hour			PM Peak Hour			Sat. Peak Hour		
CURRENT ZONING				In	Out	Total	In	Out	Total	In	Out	Total
710: GENERAL OFFICE												
211,515	SF Gross Floor Area	2,375	471	301	41	342	54	262	316	37	31	68
Total Trips (Current Zoning)		2,390	485	304	48	352	55	262	317	43	37	80
PROPOSED ZONING												
210: Single Family Detached Housing												
61	Number of Units	660	661	13	39	52	44	25	69	35	30	65
Total Trips (Proposed Zoning)		660	661	13	39	52	44	25	69	35	30	65
NET TRIPS INCREASE (DECREASE)		(1,730)	176	(291)	(9)	(300)	(11)	(238)	(249)	(8)	(7)	(15)
* Trip Generation, 7th Edition (ITE)												

The applicant's request was originally submitted in 2015 depicting site access from both North Point Parkway and Kimball Bridge Road. Due to concerns raised by residents in the area over traffic and access, the applicant entered into discussions with Fulton County Schools to purchase land or an easement through the New Prospect Elementary School property in order to gain access to Rock Mill Road. The applicant's traffic engineer determined that an access road from the site to Rock Mill Road was feasible. However, an access agreement was never reached and the applicant decided to move forward without the Rock Mill Road access.

With no access to Rock Mill Road, staff recommends that the development continue to provide access from both North Point Parkway and Kimball Bridge Road. By doing so, traffic from the development is distributed between the two (2) drives, reducing the impact on the surrounding roadway system. Restricting the site access to just the North Point Parkway driveway would require trips between the development and New Prospect Elementary School, Ocee Park and other points east to travel through the North Point Parkway/Kimball Bridge Road intersection multiple times, potentially creating a more significant impact.

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 – 61 Single-Family Detached Residential Units

School	Single Family Average #
New Prospect Elementary School	7 to 28 students
Webb Bridge Middle School	2 to 10 students
Alpharetta High School	5 to 20 students
TOTAL	14 to 58 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 14 – 58 school age children. Numbers provided by Fulton County Schools show that New Prospect Elementary School and Alpharetta High School have capacity; however, Webb Bridge Middle School is currently over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: KB400 Master Plan Pod A was designated for office use, which is consistent with the development pattern along North Point Parkway. The intersection of Kimball Bridge Road and North Point Parkway is not an appropriate location for a residential development as reflected on the City's Comprehensive Land Use Plan.

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

Response: KB400 Master Plan Pod A was designated for office use, which is consistent with the development pattern along North Point Parkway. The intersection of Kimball Bridge Road and North Point Parkway is not an appropriate location for a residential development as reflected on the City's Comprehensive Land Use Plan.

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

Response: The proposed development will have impacts on the natural environment. The applicant's site plan respects the stream buffers on the southwest side of the property; however, very few trees are being saved. However, office or residential uses on the site would be required to incorporate trees.

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

Response: There are not substantial reasons why the property cannot be used for office use. The subject property is located ½-mile away from the interchange at Haynes Bridge Road and Georgia 400. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area and over 725,000 square feet of office is currently under construction in the City. Therefore, it can be justified that the subject property remains a viable office parcel.

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

Response: The proposed change in use from office to residential would generate a greater demand public facilities and services, such as parks and recreational programs, fire and police, and schools. However, the proposed residential use would produce fewer vehicular trips than an office use, reducing traffic impacts.

- 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 master plan amendment is not supported by new or changing conditions. Comprehensive Plan Land Use Strategy 6.2 states, "Designate major entranceways to the city, (the interchanges along GA-400) for office use in order to preserve the corporate campus business environment." The subject property is located ½-mile away from the interchange at Haynes Bridge Road and Georgia 400. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area and over 725,000 square feet of office is currently under construction in the City. Therefore, it can be justified that the subject property remains a viable office parcel.

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

Response: The request to change the use of the property from office to residential does not reflect a reasonable balance as the property is located within a ½-mile of the interchange at Haynes Bridge Road and Georgia 400 and remains a viable office parcel. In addition, the Kimball Bridge Activity Center is envisioned to continue to evolve as a job center and hub for major businesses.

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

Response: The property can be used for office use as envisioned in the KB400 Master Plan. . The subject property is located ½-mile away from the interchange at Haynes Bridge Road and Georgia 400. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area and over 725,000 square feet of office is currently under construction in the City. Therefore, it can be justified that the subject property remains a viable office parcel.

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

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

COMPREHENSIVE LAND USE PLAN

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

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

Response: The subject property is located within a ½-mile of the interchange at Haynes Bridge Road and Georgia 400 and is more suited for office development. If approved for a change in use, conditions are recommended requiring screening, protection of the tree canopy, open space, connectivity, and architectural standards.

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

Response: The applicant's proposal does not comply with the goals and policies of the City's Comprehensive Plan. The Kimball Bridge Activity Center is envisioned to continue to evolve as a job center and hub for major businesses.

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

Response: The proposed change in use from office to residential would generate a greater demand public facilities and services, such as parks and recreational programs, fire and police, and schools. However, the proposed residential use would produce fewer vehicular trips than an office use.

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

Response: If approved for a change in use, conditions are recommended requiring screening, protection of the tree canopy, open space, connectivity, and architectural standards.

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

Response: Not applicable.

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

Response: Not applicable.

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: There are no extraordinary or exceptional conditions pertaining to the subject property that justify the need for the applicant's requested variance. If approval is considered, staff recommends a heavily planted landscape strip along North Point Parkway and Kimball Bridge Road similar to Glen Abbey.

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

Response: The application of the UDC to the subject property would not create an unnecessary hardship. If approval is considered, staff recommends a heavily planted landscape strip along North Point Parkway and Kimball Bridge Road similar to Glen Abbey.

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

Response: There are no peculiarities pertaining to the subject property that justify the applicant's requested variance. If approval is considered, staff recommends a heavily planted landscape strip along North Point Parkway and Kimball Bridge Road similar to Glen Abbey.

(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: There are no peculiarities pertaining to the subject property that justify the applicant's requested variance. If approval is considered, staff recommends a heavily planted landscape strip along North Point Parkway and Kimball Bridge Road similar to Glen Abbey.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it cannot support the request for master plan amendment, comprehensive land use plan amendment, rezoning and variance. The property remains a viable office parcel at the intersection of Kimball Bridge Road and North Point Parkway. The proposed change in use from office to residential would have a greater impact on parks and schools than the permitted office use; however, traffic impacts would be less.

The subject property is located within a ½-mile of the interchange at Georgia 400 and Haynes Bridge Road. Alpharetta has one of the lowest office vacancy rates in the Atlanta metro area and over 725,000 square feet of office is currently under construction in the City. As parcels zoned for office uses are developed or rezoned for other uses, the result will be less opportunity for growth once the office market picks up. Therefore, it can be justified that the subject property remains a viable office parcel.

Pulte/John Weiland is currently developing the Braeden subdivision, which is zoned R-8A/D, on the northeast side of Kimball Bridge Road at Northwinds Parkway. Braeden subdivision was approved for 130 townhomes and single-

family detached units at a maximum density of 4.9 dwelling units per acre. If approval is considered, staff recommends that the residential density be similar to the Braeden subdivision. In addition, architectural and site standards are recommended as conditions to ensure a quality product, promote connectivity and protect natural features.

As identified in the Comprehensive Plan, the subject property is located in the Kimball Bridge Activity Center character area. The vision for the Kimball Bridge Activity Center is to continue to evolve as a job center and hub for major businesses. Residential options in this Activity Center are appropriate near the Downtown. The Comprehensive Plan describes the Kimball Bridge Activity Center in the following way:

“PRESERVE and ENHANCE corporate campuses, businesses, parks and shopping areas as well as connectivity to neighborhoods, corridors and other communities with vehicular, pedestrian, bicycle and public transportation improvements. CREATE development and redevelopment that incorporates a variety of businesses, employment opportunities, retail and commercial services as well as residential options, particularly near Downtown.”

“Future development should emphasize connectivity and accommodate the unique needs of corporate campuses and business parks, as well as commercial and residential areas. Focus should be on expanding the street network, enhancing public transportation service, creating a pedestrian-friendly environment by adding sidewalks, and supporting bicycle use with infrastructure that makes biking safe and convenient. This complete transportation system should link adjacent residential, office and commercial areas to major destinations within the activity center or serve as a safe and convenient connection to other destinations in the community.”

CITIZEN PARTICIPATION PLAN

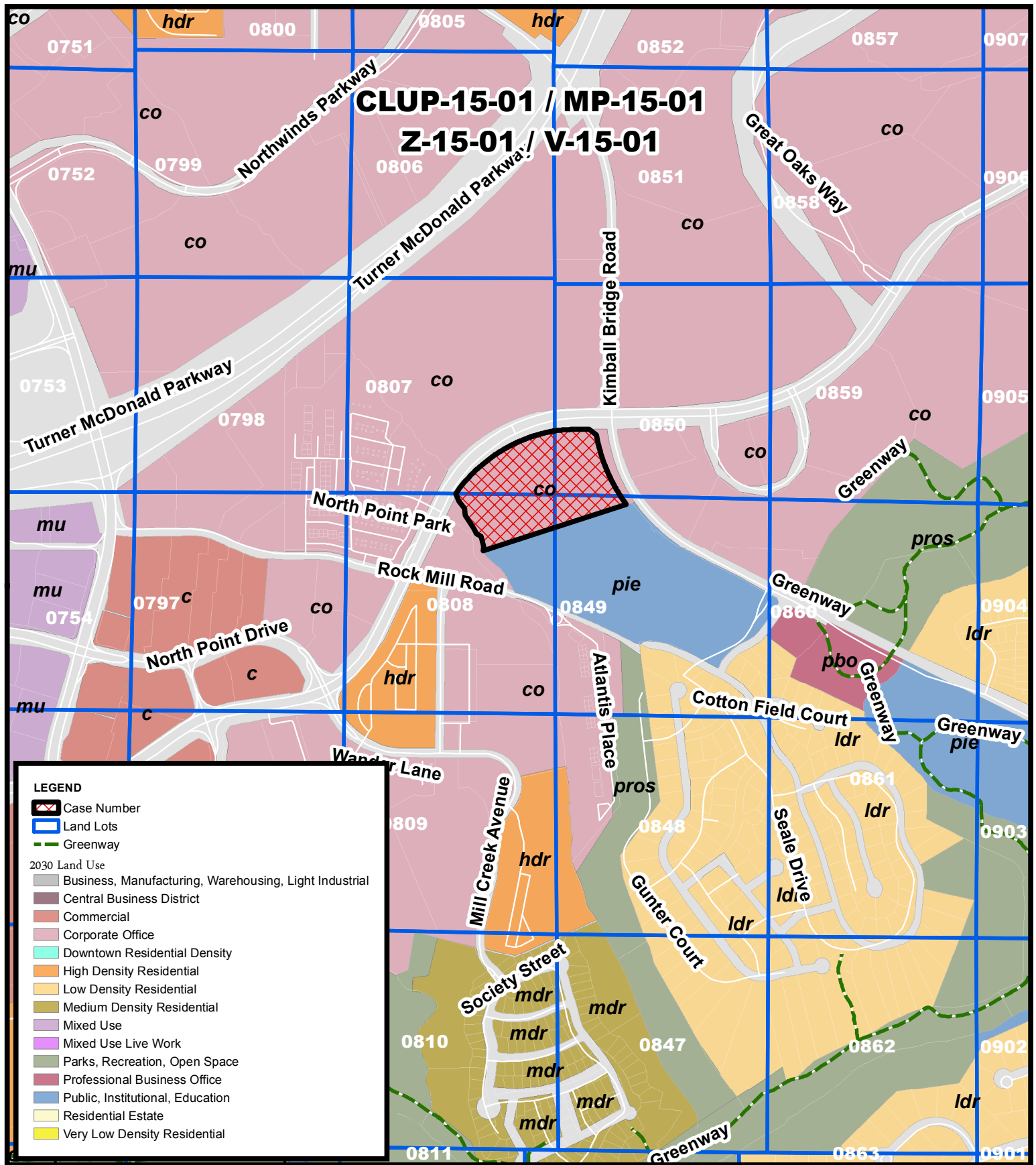
The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received in response to the mailed letters. The applicant met with Kimball Farms HOA and concerns were raised regarding traffic and access from Kimball Bridge Road.

The City has received correspondence from many area residents and business owners objecting to the proposed development due to concerns over high density and traffic. The President of the Kimball Farms HOA cited the following concerns:

- 1. Entrance onto Kimball Bridge will be one way. That means folks may decide to use Rock Mill by the pre-school and New Prospect for a turnaround. More traffic by the children is never good and then there is the extra traffic at the light from turning around.**
- 2. I believe that turning left onto Northpoint Parkway from that proposed driveway will be hazardous, enough so, that someone could get seriously hurt. The builder said it would be hard to make a left during rush hour. I told him I believe it would be worse to try and make it on what I feel is a blind curve when cars are traveling at 40-50 miles per hour during non-rush hour times.**

IV. ATTACHMENTS:

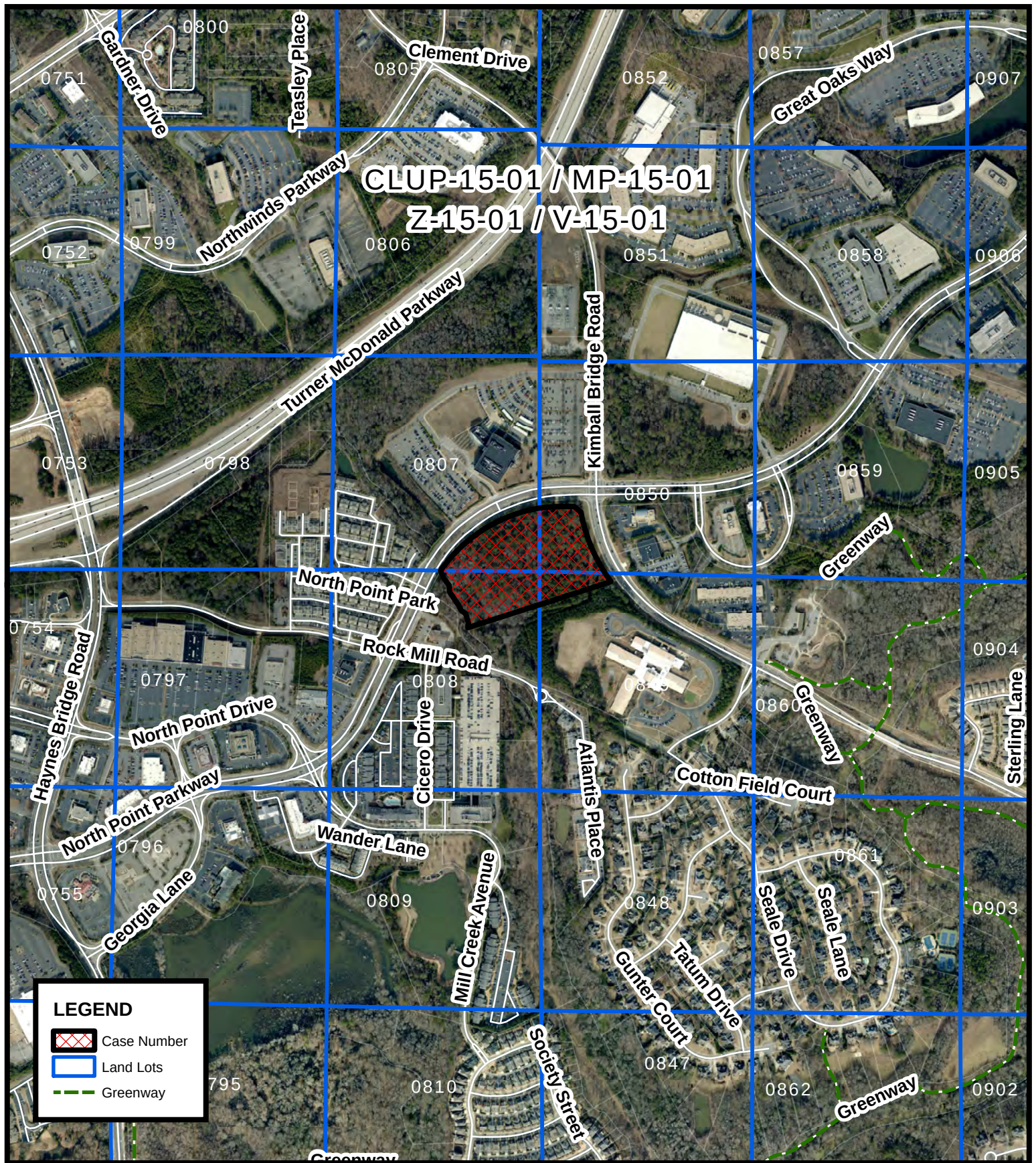
- Site Plan
- Photographic Examples



Future Land Use **KB 400 Master Plan** **1699 Land Company LLC**

CLUP-15-01/MP-15-01
 Z-15-01/V-15-01
 D/LL: 1/2/807, 808
 849 & 850
 PC Date: 04/12/17
 CC Date: 04/24/17

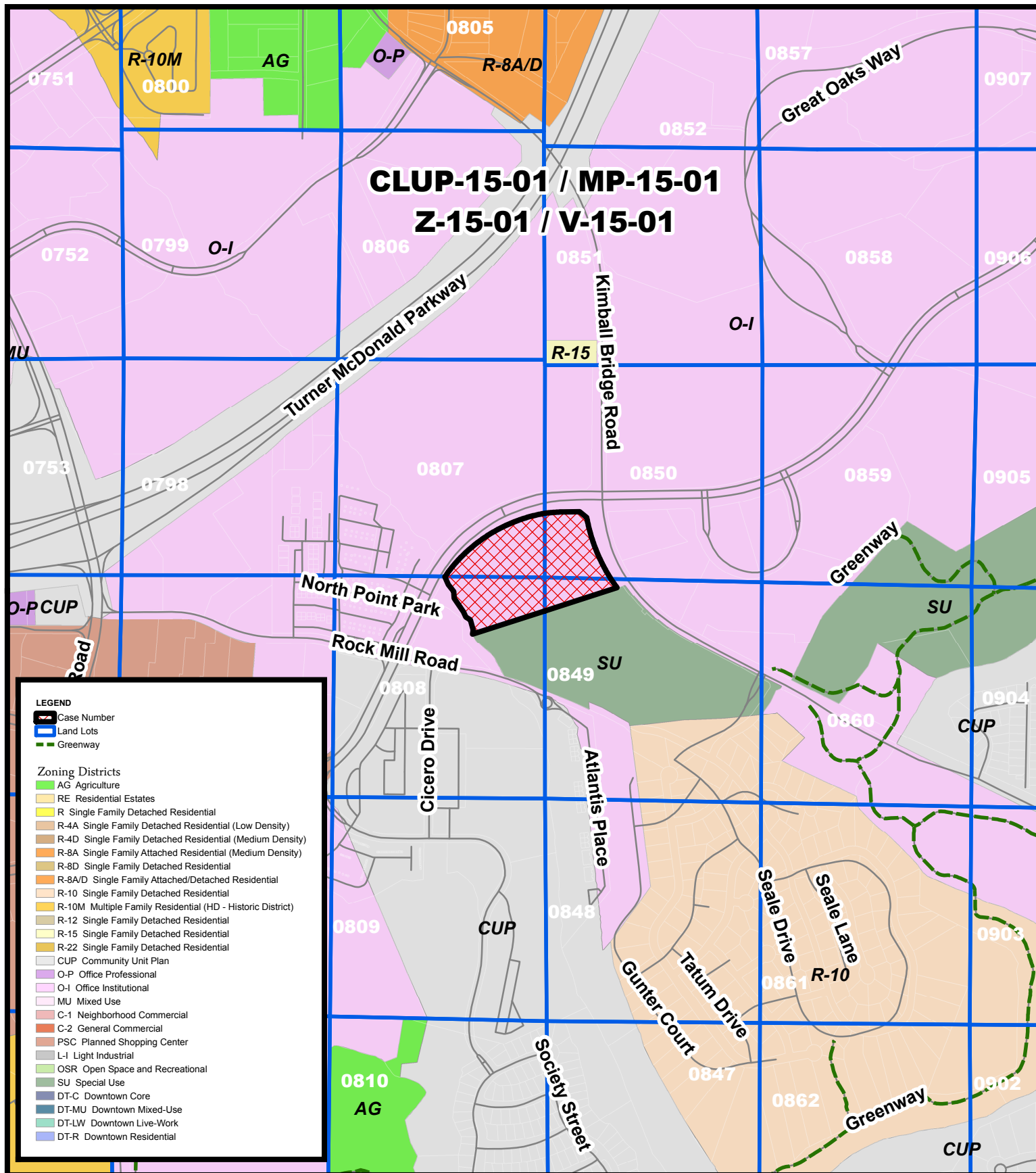
Location Map Provided by:
Community Development - GIS



Aerial Map KB 400 Master Plan 1699 Land Company LLC

CLUP-15-01/MP-15-01
Z-15-01/V-15-01
D/LL: 1/2/807, 808
849 & 850
PC Date: **04/12/17**
CC Date: **04/24/17**

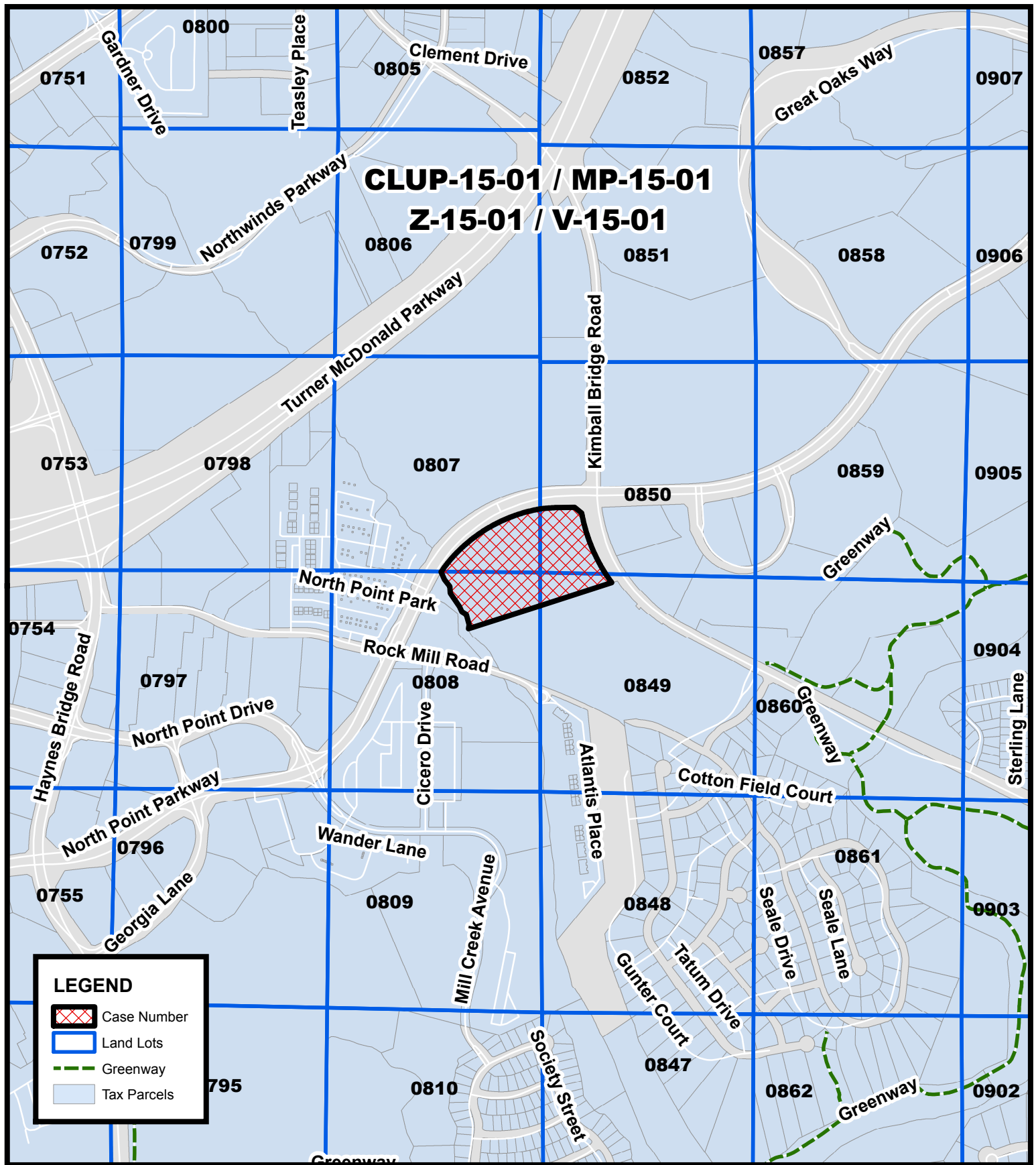
Location Map Provided by:
Community Development - GIS



Zoning Map **KB 400 Master Plan** **1699 Land Company LLC**

CLUP-15-01/MP-15-01
Z-15-01/V-15-01
D/LL: 1/2/807, 808
849 & 850
PC Date: 04/12/17
CC Date: 04/24/17

Location Map Provided by:
Community Development - GIS



Location Map **KB 400 Master Plan** **1699 Land Company LLC**

CLUP-15-01/MP-15-01
 Z-15-01/V-15-01
 D/LL: 1/2/807, 808
 849 & 850
 PC Date: 04/12/17
 CC Date: 04/24/17

Location Map Provided by:
Community Development - GIS

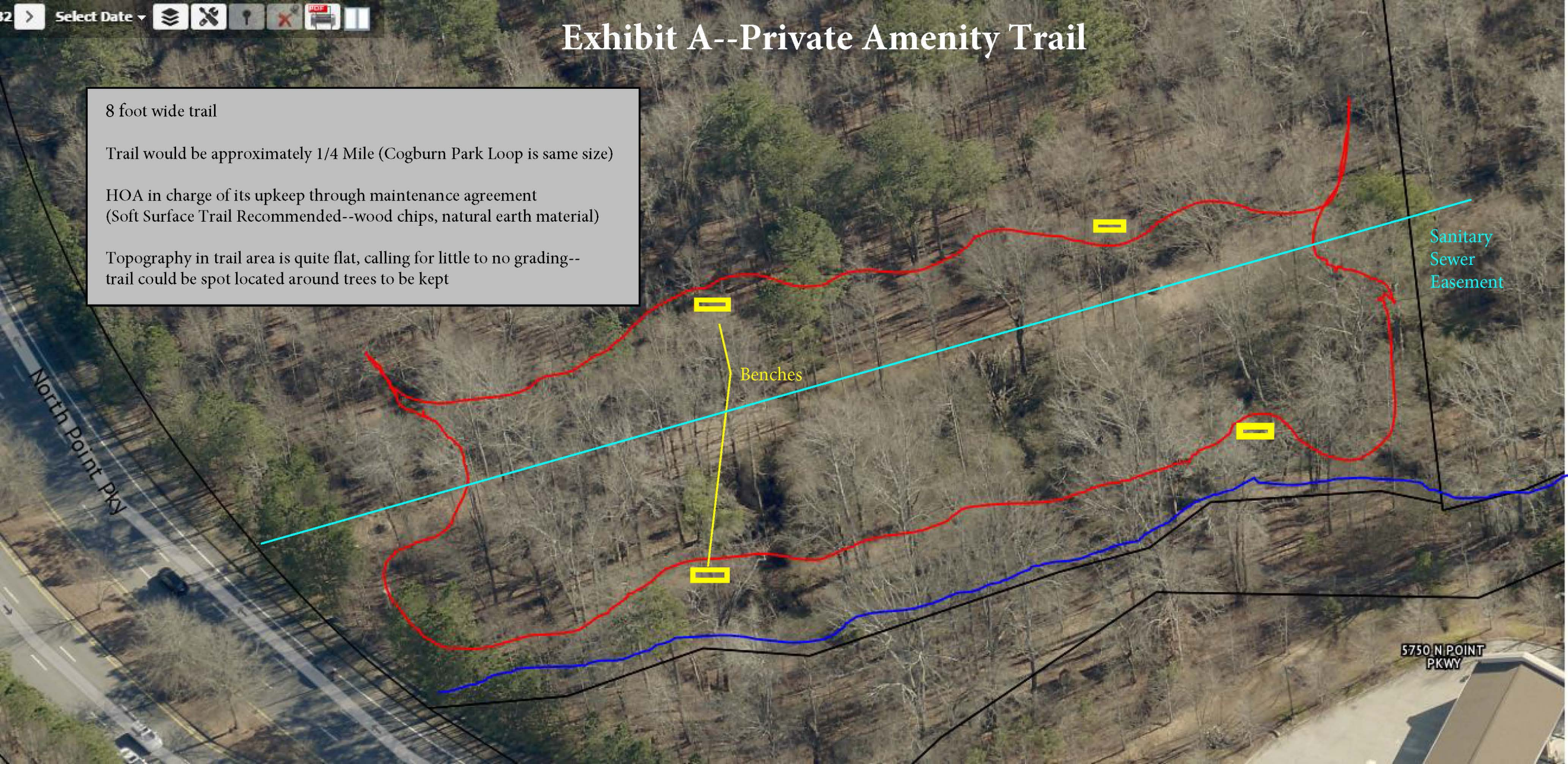
Exhibit A--Private Amenity Trail

8 foot wide trail

Trail would be approximately 1/4 Mile (Cogburn Park Loop is same size)

HOA in charge of its upkeep through maintenance agreement
(Soft Surface Trail Recommended--wood chips, natural earth material)

Topography in trail area is quite flat, calling for little to no grading--
trail could be spot located around trees to be kept

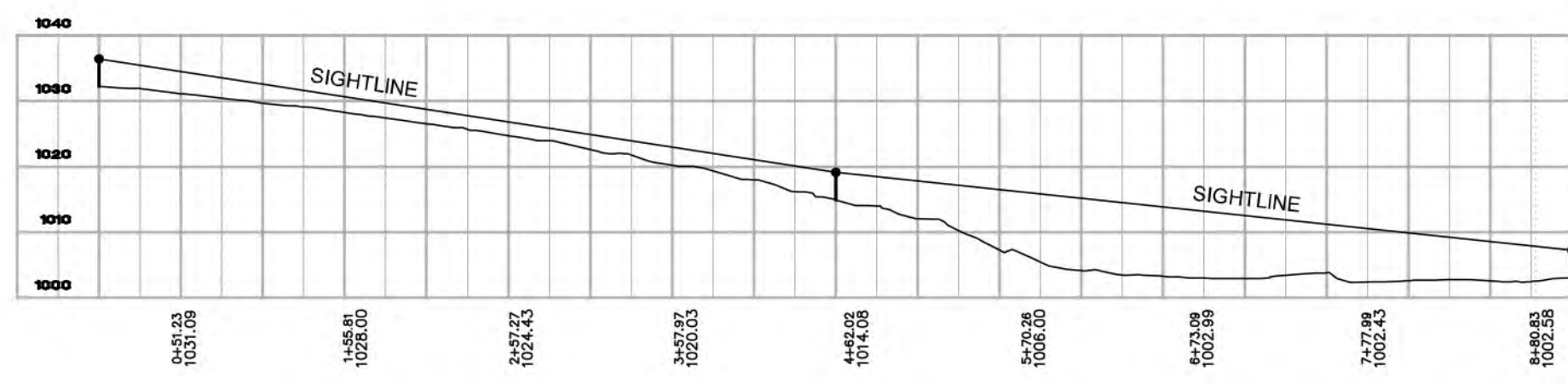


Sanitary
Sewer
Easement

Benches

5750 N. POINT
PKWY

North Point Pky



ENTRANCE SIGHT DISTANCE PROFILE



OVERALL OPEN SPACE = 2.09 ACRES

OPEN SPACE - 2.09 ACRES

FLOOD HAZARD NOTE:
This property does lie within a 100 year flood hazard zone (but only that portion so indicated on this plat) as defined by the F.E.M.A. Flood Insurance Rate Map of
CITY OF ALPHARETTA

Community Panel # 130084 0067 E
Map Number 13121C0067 E
Flood Zone AE
Dated: JUNE 22, 1998

Note: All boundary and topographic information used on this zoning plan has been provided by the owner.

OWNER/DEVELOPER

1699 LAND COMPANY

Alex Tetterton

1424 North Brown Road
Suite 100Lawrenceville, Georgia 30043
Tele: (678) 252 - 2500

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com



A=513.03'
R=988.90'
CH= 507.27'
S 22°10'30"E

N/F
Four Hundres Crestline, LLC.
Zoned O-I

EXISTING SIDEWALK

LL 850
LL 849

Grid North (GA West Zone)

TPA

25 0 50 100 150
GRAPHIC SCALE - IN FEET

SITE NOTES

1. Site area - 12.46 acres
2. Total Number of Lots/Units - 61
3. Density - 4.89 Lot/Units per acre.
4. Existing Zoning - O-I
5. Proposed Zoning - R-8A/D
6. Proposed land use : Single Family
 - 40' Rear Entry Lots - 24
 - 45' Rear Entry Lots - 5
 - 50' Rear Entry Lots - 14
 - 50' Front Entry Lots - 18
7. Minimum Lot Size:
Single Family Detached - 4500 sf
8. Proposed Perimeter Setbacks:
Front Setback from Street - 20'
Side Setback - 10'
Rear Setback - 10'
Proposed Interior Setbacks:
Front Setback - 10'
Side Setback - 0'
Rear Setback - 10'
9. Open Space: 2.09 acres (16%)
10. Proposed development will be gated and will have private streets. All interior setbacks will be measured from the face of curb.

VARIANCES

1. Reduce the lot width on lots 43-61 from 50 feet to 45 feet and reduce the lot widths on Lots 1-3 and 22-42 from 50 feet to 40 feet.
2. Reduce the 65 foot setback on North Point Parkway and Kimball Bridge Road to 20 feet with a landscape strip.
3. Reduce the interior street setbacks from 35 feet to 10 feet (private streets). Reduce the side setbacks to 0 feet with a minimum of 10 feet between structures. Reduce the rear setback on Lots 4-21 from 20 feet to 10 feet.

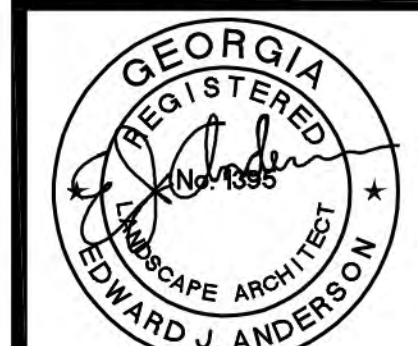
ZONING PLAN

Kimball Bridge Road Tract

Land Lot 807, 808, 849 and 850

Parcel # 12299008490529

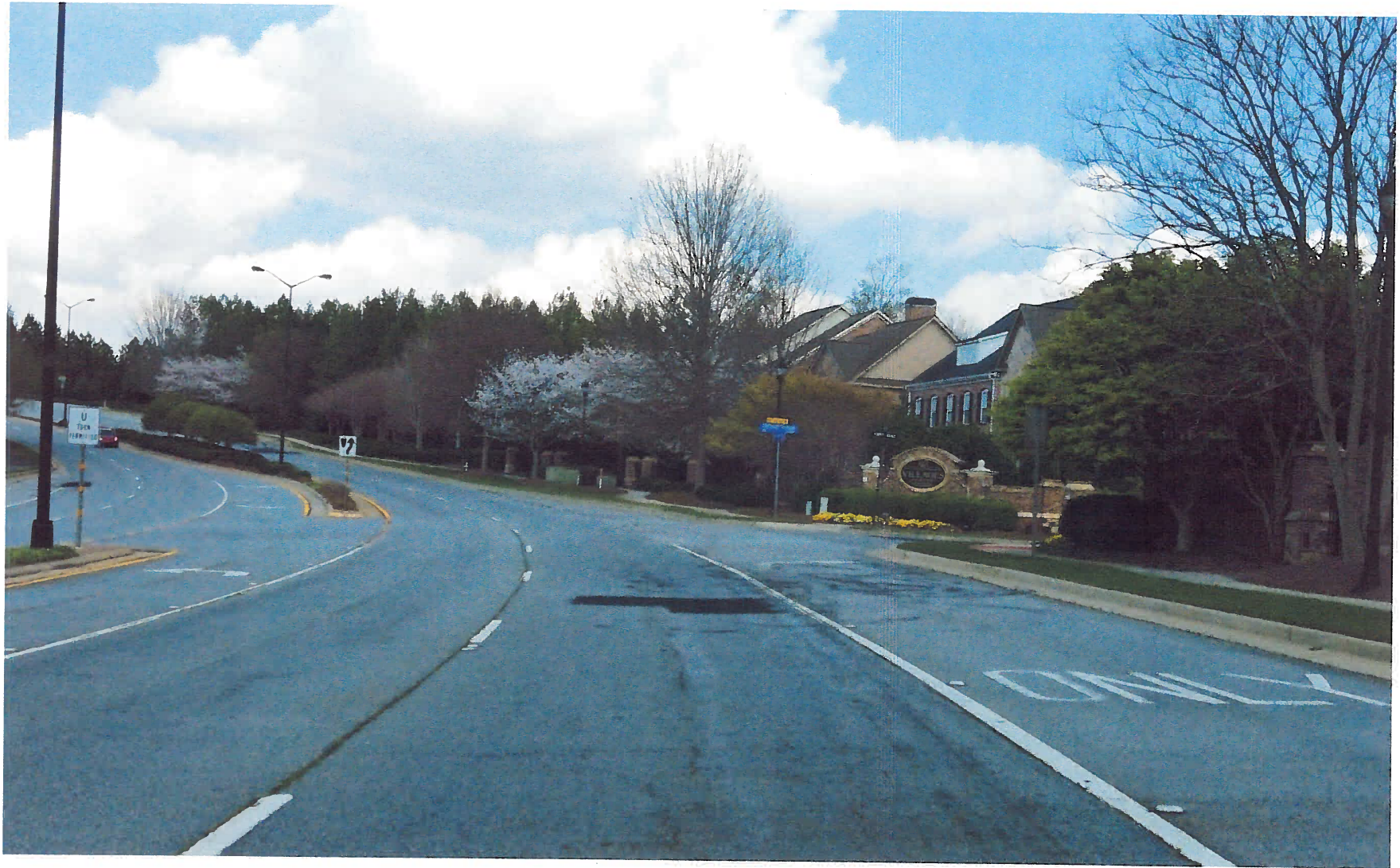
Alpharetta, Georgia



For The Firm
Travis Pruitt
&
Associates, Inc.

DATE: 03-06-2017
SCALE: 1" = 50'
CN
LSV
JN 1-16-0491CP05
FN

Examples of Homes Fronting 4-Lane Road



Examples of Homes Fronting 4-Lane Road



Examples of Homes Fronting 4-Lane Road



Examples of Homes Fronting 4-Lane Road



Examples of Homes Fronting 4-Lane Road



Examples of Homes Fronting 4-Lane Road















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: KB 400 Master Plan

Contact Name: Don Rolader

Telephone: 770-442-0330

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.

The City has received multiple emails from Kimball Farms residents with comments mainly regarding traffic, and subdivision access

with some concerns on school population and land use change. The City has copies of those emails. Applicant has received and

responded to 1 email (attached). Applicant has had previous meetings with Kimball Farms POA board members, and held a public

information meeting on March 22, 2017. The meeting was held at 6pm at the offices of Wakefield Beasley, 5200 Avalon Blvd.,

Alpharetta, GA. A copy of the sign in sheet is attached.

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

- | | |
|--|---|
| ☒ 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.

All those persons listed on Exhibit A attached hereto, and the Kimball Farms Homeowner's Association.

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: _____

Donald A. Rolader

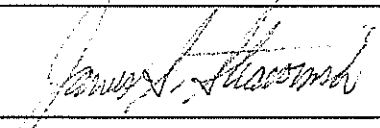
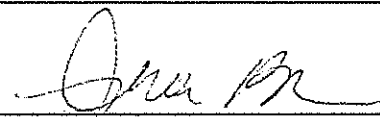
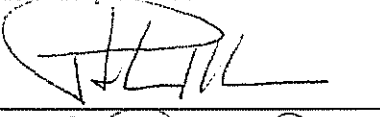
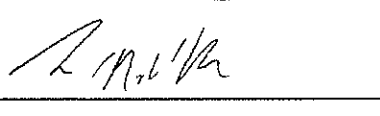
Date: 3/23/2017

Print Form

Kimball Bridge Rezoning Information Meeting

March 22, 2017

1699 Land Company, LLC

	Print Name	Signature	E-mail Address
1	JIM STRAWINSKI		JIMSTRAW@COMCAST.NET
2	Al Modglin		AL@MODGLIN.COM
3	Steve Walst		DLTANGO@HOTMAIL.COM
4	Gina Brown		ginaleo1@bellsouth.net
5	Percy Lindback		percy.lindback@gmail.com
6	RALPH EDWARDS		redwards@ebsprep.com
7	Mark Kochler		markinc@yahoo.com
8			
9			
10			
11			
12			
13			
14			

Don Rolader

From: Richard M. Morgan <rmm@morgandisalvo.com>
Sent: Tuesday, March 14, 2017 11:49 AM
To: Don Rolader
Cc: Frank Tetterton; Graves, Eric
Subject: Re: RMM - Rezoning App of 1699 Land Company, LLC / Kimball & NPP

Understood. Thank you for the clarification.

Richard M. Morgan

Morgan & DiSalvo, P.C.
5755 North Point Parkway, Suite 17
Alpharetta, Georgia 30022-1143
telephone: (678) 720-0750
facsimile: (678) 720-0746



www.morgandisalvo.com

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On Tue, Mar 14, 2017 at 9:56 AM, Don Rolader <don@roladerandrolader.com> wrote:

Richard, none of the homes has a driveway on North Point Parkway or Kimball Bridge Road. The homes are only accessible from within the subdivision. That is what is meant by "no homes will directly access North Point Parkway". There are entrances on North Point Parkway and Kimball Bridge Road for the subdivision. The gates will be set in from

the right of way to allow stacking off of the right of way. The gates will have transponders and will be triggered by devices in the residents' vehicles. They will not have to stop or push any buttons to enter. They simply drive up to the gate and it opens. The subdivision will be gated to prevent any cut through traffic between Kimball Bridge Road and North Point Parkway. There are only 61 homes in the development so we expect no delay at the entry points. This property is presently zoned O&I for "corporate office" development. A major office center with parking decks and far more traffic could be constructed without any consideration or action by the City Council. The proposal represents a much softer use of the property. Please let me know if I can be of further assistance. Thanks, Don Rolader

From: Richard M. Morgan [mailto:rmm@morgandisalvo.com]
Sent: Tuesday, March 14, 2017 9:40 AM
To: don@roladerandrolader.com
Subject: RMM - Rezoning App of 1699 Land Company, LLC / Kimball & NPP

Don, I just reviewed the letter and proposed plat sent to me. I am confused by it, as it states that no no homes will directly access North Point Parkway but the only entrance I see on the Plat is on NPP. Further, it is gated, which could lead to back ups as people try to get by the closed gate. How is this supposed to work on this extremely busy and backed up road anywhere near rush hour traffic in the later afternoon hours? Thanks.

Richard M. Morgan

Morgan & DiSalvo, P.C.
5755 North Point Parkway, Suite 17
Alpharetta, Georgia 30022-1143
telephone: (678) 720-0750
facsimile: (678) 720-0746



www.morgandisalvo.com

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Don Rolader

From: Amanda Mathis <amanda.mathis@thesrteam.com>
Sent: Tuesday, March 14, 2017 10:09 AM
To: Frank Tetterton (Gmail); 'Don Rolader'
Subject: RE: HOA meeting

- Met with Ron and Al on 10/22/15
- Met with Ron and Al on 11/20/15
- Phone call with Ron and Al on 2/22/16
- Emailed update on hearing dates on 1/13/17
- Met with Ron and Al on 1/20/17
- Frank emailed a write up and a new plan on 2/18/17
- Emailed new plans and letter for the HOA to them on 3/9/17

Frank let me know if you have anymore.

Thanks.



Amanda Mathis

Land Development Administration

T: 678-252-2510



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From: Frank Tetterton [mailto:frank@tetterton.com]

March 10, 2017

RE; Rezoning Application of 1699 Land Company, LLC for 12.46 acres at the intersection of Kimball Bridge Road and North Point Parkway; Rezoning from O&I to R-8 A/D Dwelling, "For-Sale", Attached/Detached Residential-Medium Density

Dear Property Owner:

1699 Land Company, LLC has amended its rezoning application in several significant aspects. A site plan is attached for your consideration. The revised application requests 61 single family detached homes in a gated subdivision with private streets. The resulting density will be 4.89 units per acre. The request has changed from C.U.P. to R-8 A/D.

The interior roads will not allow any public access or "cut through" traffic. The homes will be a minimum of 2,400 square feet, and the price point is anticipated to be from \$500,000.00. No homes will directly access North Point Parkway or Kimball Bridge Road. The project will contain 2.09 acres of open space with parks and a trail. Pedestrian access to sidewalks along Kimball Bridge Road and North Point Parkway will be provided through pedestrian gates from the community.

The traffic generated by the proposed development is 82% less than what than that which could be generated by an office development under the current O&I zoning category. The density of this project has been reduced 36% from the initial request and townhome product has been eliminated.

The application includes a master plan amendment, Comprehensive Plan Amendment and the three Variances shown on the site plan.

If you have questions or would like additional information, please contact our representative, Don Rolader. His address is 1865 Lockeway Drive, Suite 601, Alpharetta, GA. His phone number is 770-442-0330 and his fax number is 770-442-0641. His email address is don@roladerandrolader.com.

Thank you for your consideration of this application.

Sincerely,

1699 Land Company, LLC
Mark T. Whitmire, Manager
(678) 252-2500

cc: City of Alpharetta Community Development Department

Exhibit "A" (page 1)

312 HOLDINGS LLC

Or Current Property Owner

1905 WILLSHIRE GLN ALPHARETTA GA 30009

AEG HOLDINGS LLC

Or Current Property Owner

5755 NORTH POINT PKWY # #37 ALPHARETTA GA 30022

ALPHARETTA WELLNESS CLINIC LLC

Or Current Property Owner

5755 NORTH POINT PKWY UNIT 89 ALPHARETTA GA 30022

AMLI AT MILTON PARK LLC

Or Current Property Owner

200 W MONROE ST STE 2200 CHICAGO IL 60606

ANTHEM HOLDINGS LLC

Or Current Property Owner

5755 N POINT PKWY SUITE 96 ALPHARETTA GA 30022

ASSURANCE FORENSIC ACCOUNTING LLC

Or Current Property Owner

2180 SATELLITE BLVD STE 400 DULUTH GA 30097-4927

BHARATH SAMBA MURTHY & GEETHA

Or Current Property Owner

1410 BITTERCRESS CT ALPHARETTA GA 30005

BLOOM INVESTMENTS LLC

Or Current Property Owner

750 PIMLICON PL SUWANEE GA 30024

BLUE FROG CAPITAL MANAGEMENT LLC

Or Current Property Owner

5755 NORTH POINT PKWY # 50 ALPHARETTA GA 30022

BREEN HOLDINGS OF GEORGIA LLC

Or Current Property Owner

5755 NORTH POINT PKWY STE 260 ALPHARETTA GA 30022

BUFORD CARE INC

Or Current Property Owner

2721 BUFORD HWY BUFORD GA 30518

CABOT INVESTMENTS LLC

Or Current Property Owner

1689 DULUTH HWY LAWRENCEVILLE GA 30043-5010

CASE HOLDING GROUP LLC

Or Current Property Owner

315 BOUNDARY PL ROSWELL GA 30075

CHRISTI PROPERTY LLC

Or Current Property Owner

550 PHARR RD # 410 ATLANTA GA 30305

FOUR HUNDRED CRESTLINE L L C

Or Current Property Owner

3000 ROYAL BLVD S ALPHARETTA GA 30022-4432

FULTON COUNTY BOARD OF EDUCATION

Or Current Property Owner

786 CLEVELAND AVE ATLANTA GA 30315

HOUSE & ASSOC INC

Or Current Property Owner

5755 NORTH POINT PKWY # 36 ALPHARETTA GA 30022

HOUSE WILLIAM A

Or Current Property Owner

5755 N POINT PKWY SUITE 36 ALPHARETTA GA 30022

INERTIA REHABILITATION ASSOC INC

Or Current Property Owner

5755 NORTH POINT PKWY STE 31 ALPHARETTA GA 30022

JIA XIANGMING ZHAO ZILIN

Or Current Property Owner

955 WATER GROVE CT ROSWELL GA 30075

JJM REAL ESTATE LTD

Or Current Property Owner

4646 NORTH SHALLOWFORD RD ATLANTA GA 30338

KENNEMORE WILLIAM L

Or Current Property Owner

5755 NORTH POINT PKWY # 20 ALPHARETTA GA 30022

KIMBALL BRIDGE HOLDINGS LLC

Or Current Property Owner

4905 NORTH POINT PKWY ALPHARETTA GA 30022

LH INVESTMENTS LLC

Or Current Property Owner

265 DUNHILL WAY ALPHARETTA GA 30005

LI YONG & DENG YOUYING

Or Current Property Owner

5755 N POINT PKWY SUITE 95 ALPHARETTA GA 30022

LISA SHIPPEL LAW LLC

Or Current Property Owner

5755 N POINT PKWY STE 90 ALPHARETTA GA 30022

MACINTOSH DAVID C & MONICA L TRS OF THE MACINTOSH REVOC TR

Or Current Property Owner

22300 MC CAULEY RD SHAKER HEIGHTS OH 44122

MATHERLY W RICHARD

Or Current Property Owner

5755 NORTH POINT PKWY # 21 ALPHARETTA GA 30022

MCI COMMUNICATIONS SERVICES INC

Or Current Property Owner

7701 E TELECOM PKWY TAMPA FL 33637

NEO REALTY LLC

Or Current Property Owner

5755 NORTH POINT PKWY # #17 ALPHARETTA GA 30022-1143

Exhibit "A" (page 2)

NIDHI NITYA 81&82 LLC
Or Current Property Owner
5755 N POINT PKWY SUITE 85 ALPHARETTA GA 30022

NORTHPOINT PARK 5152 LLC
Or Current Property Owner
5755 N POINT PKWY STE 85 ALPHARETTA GA 30022

PALMER HOUSE LLC
Or Current Property Owner
2911 PIEDMONT RD NE SUITE B ATLANTA GA 30305

PAT LLC
Or Current Property Owner
5755 NORTH POINT PKWY # 93 ALPHARETTA GA 30022

PHILIP REID REALTY LLC
Or Current Property Owner
360 SUMMER SHADE LN ROSWELL GA 30075

PLA MILTON PARK LLC
Or Current Property Owner
200 W MONROE ST STE 2200 CHICAGO IL 60606

ROYAL FOREST PARTNERS LLC
Or Current Property Owner
P O BOX 98309 ATLANTA GA 30359

SAMANTHA ASSOCIATES LLC
Or Current Property Owner
3520 PIEDMONT RD STE 125 ATLANTA GA 30305

SAMATHA ASSOC L L C
Or Current Property Owner
3520 PIEDMONT RD NE SUITE 125 ATLANTA GA 30305-1516

SL PROPERTY HOLDING LLC
Or Current Property Owner
730 CULWORTH MNR ALPHARETTA GA 30022

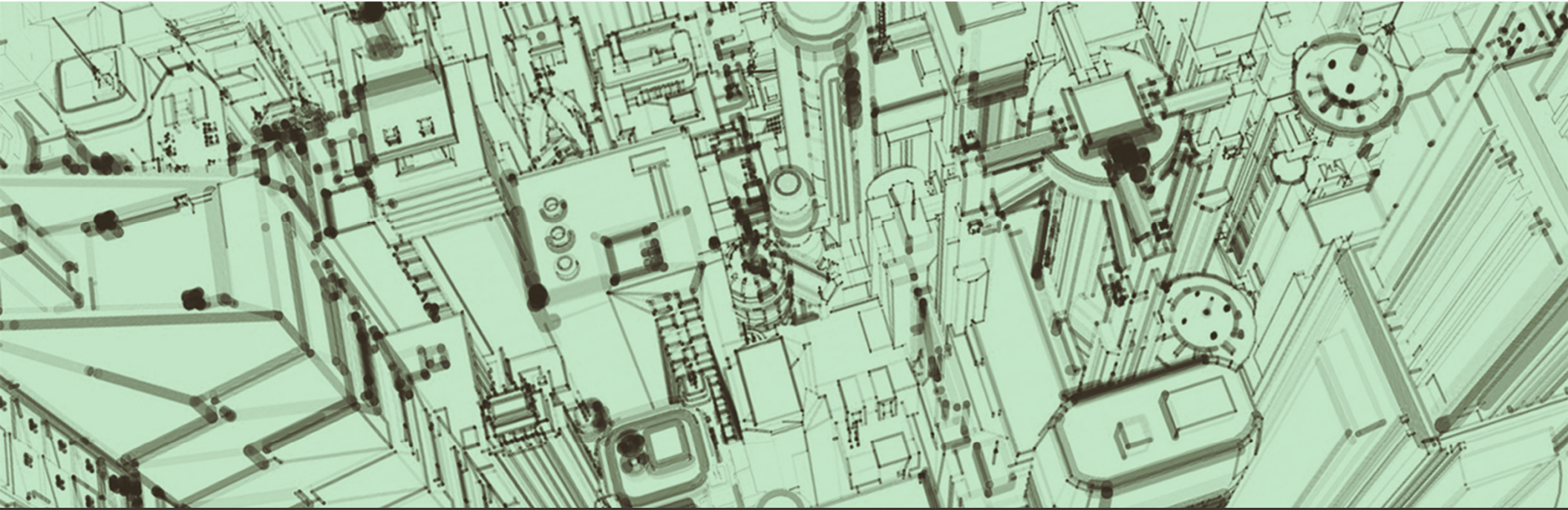
SUGAROAK KIMBALL ROYAL LLC
Or Current Property Owner
481 CARLISLE DR HERNDON VA 20170-4830

TALCOTT III TWO HUNDRED MILTON PARK LLC
Or Current Property Owner
1 FINANCIAL PLAZA HARTFORD CT 06103

V & R INVESTMENTS LLC
Or Current Property Owner
3 VANDY CT SAVANNAH GA 31411

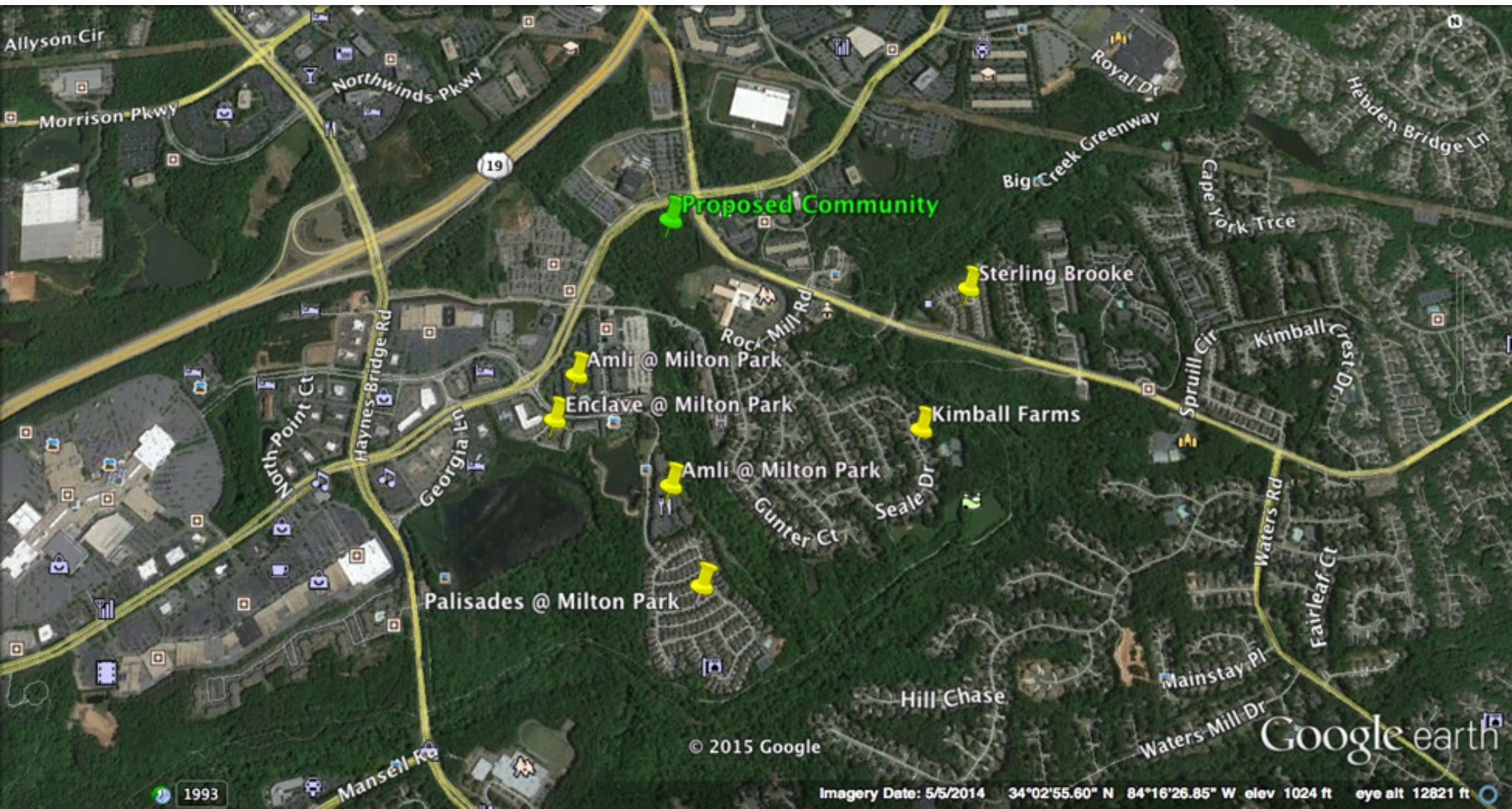
VALUE PLUS VENTURES LLC
Or Current Property Owner
5755 NORTHPOINT PKWY STE 41 ALPHARETTA GA 30022

WACHOVIA BANK NATIONAL ASSN
Or Current Property Owner
P.O. BOX 2609 CARLSBAD CA 92018-2609



Proposed Community





SITE NOTES

1. Site Area: 12.46 acres
2. Total Number of lots/units: 61
3. Density: 4.89 lot/unit per acre
4. Existing Zoning: O-I
5. Proposed Zoning: R-8A/D
6. Proposed Land Use: Single Family
 - 40' Rear Entry Lots: 24
 - 45' Rear Entry Lots: 5
 - 50' Rear Entry Lots: 14
 - 50' Front Entry Lots: 18
7. Minimum Lot Size:
 - Single Family Attached: 4500 sf

8. Proposed Perimeter Setback:

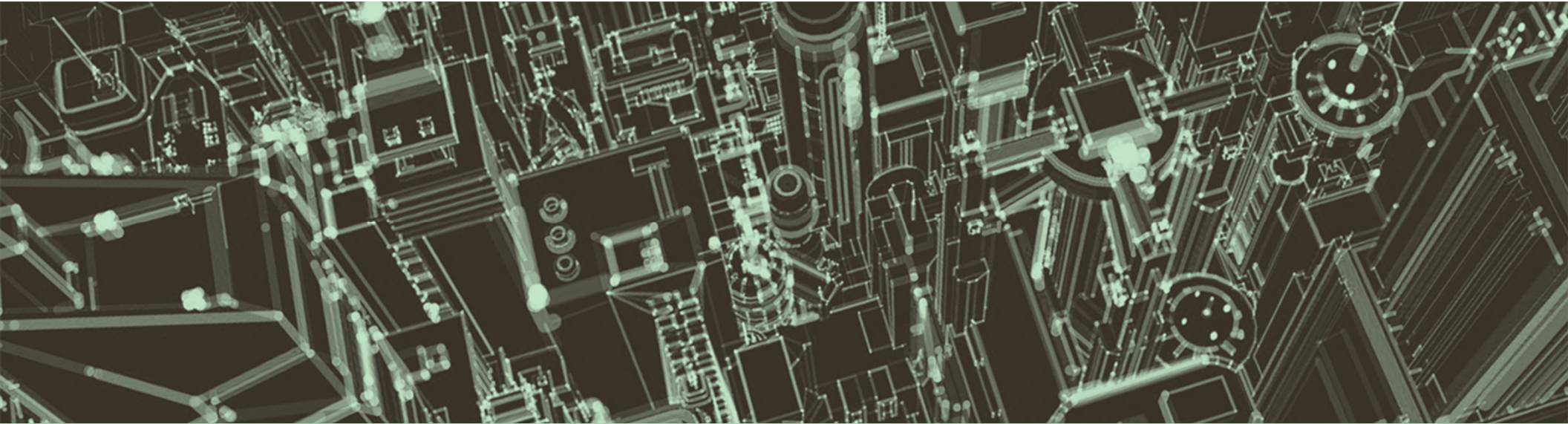
- Front Setback from Street: 20'
- Side Setback: 10'
- Rear Setback: 10'

Proposed Interior Setbacks:

- Front Setback: 10'
- Side Setback: 0'
- Rear Setback: 10'

9. Open Space: 2.09 (16%)

10. Proposed development will be gated and will have private streets. All interior setbacks will be measured from the face of the curb.



Product Examples











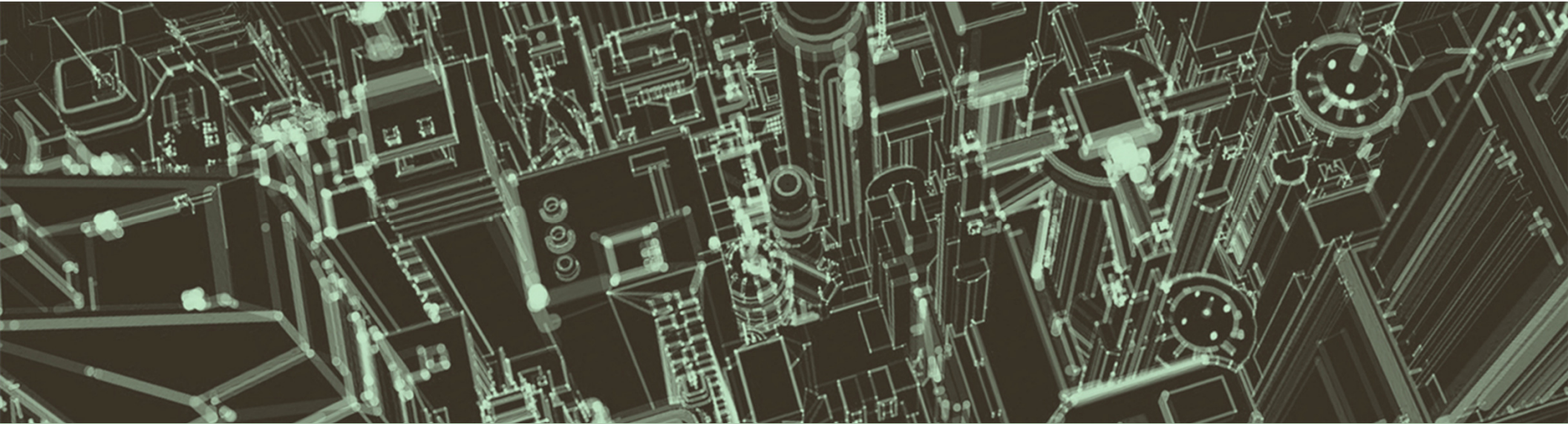












Entrance Examples

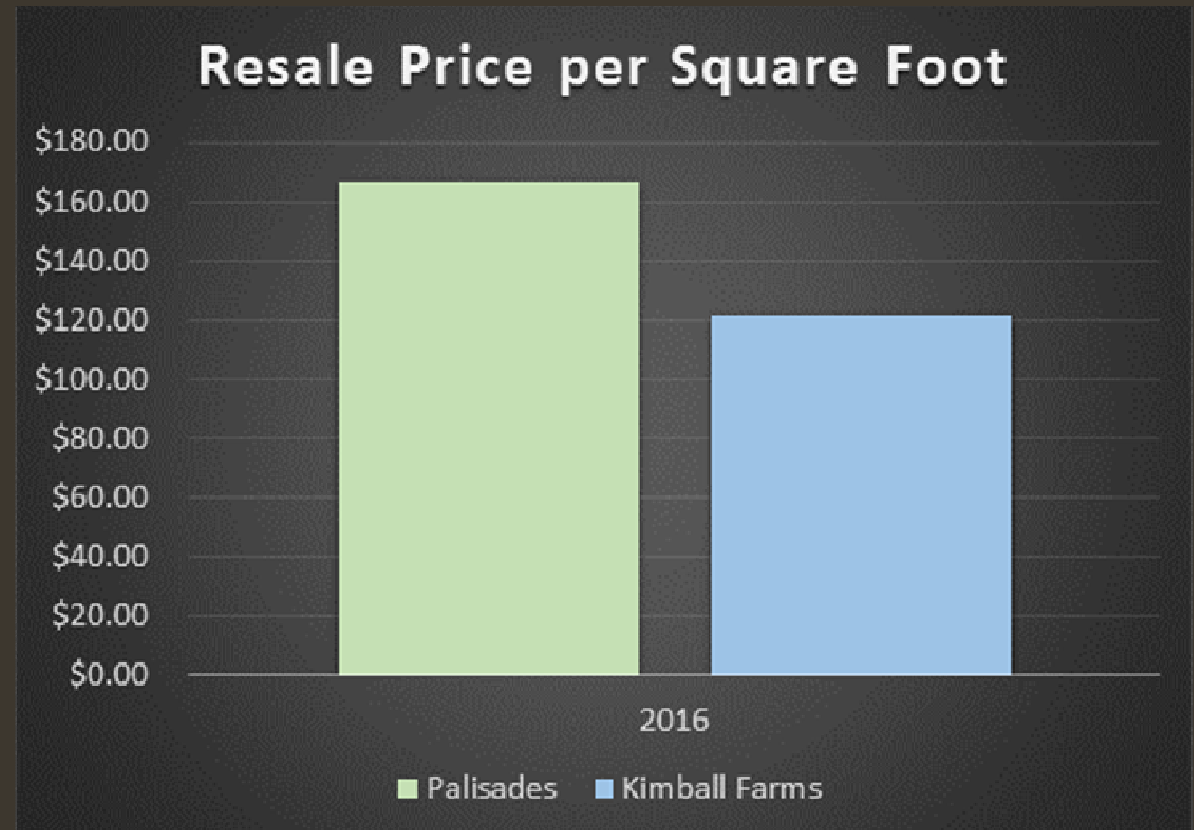






RESALE GROWTH

- In both the Palisades and Kimball Farms, price per square foot (\$/SF) has grown for the last three years.



Trip Generation Analysis (9th Ed.)									
Existing Zoning									
Land Use		Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Site Traffic									
210	Single-Family Detached Housing	0 d.u.	0	0	0	0	0	0	0
230	Residential Condominium/Townhouse	0 d.u.	0	0	0	0	0	0	0
710	General Office Building	211,515 s.f.	2,320	348	306	42	315	54	261
912	Drive-in Bank*	4,000 s.f.	593	48	27	21	97	49	48
Gross Trips			2,913	396	333	63	412	103	309

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

* A bank was assumed for the 2-acre outparcel under existing zoning conditions.

Proposed Use (CUP)

Trip Generation Analysis (9th Ed.)										
Proposed Zoning										
Land Use		Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Proposed Site Traffic										
210	Single-Family Detached Housing	61	d.u.	666	52	13	39	67	42	25
230	Residential Condominium/Townhouse	0	d.u.	0	0	0	0	0	0	0
710	General Office Building	0	s.f.	0	0	0	0	0	0	0
912	Drive-in Bank	0	s.f.	0	0	0	0	0	0	0
Gross Trips				666	52	13	39	67	42	25

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

Comparison Summary

The proposed Kimball Bridge Road Tract residential development is projected to generate less development traffic compared to the projected development traffic with build-out of the existing property's zoning.

The proposed land uses and densities are projected to generate approximately 77% fewer daily trips, 87% fewer AM peak hour trips, and 84% fewer PM peak hour trips, compared to the land uses and densities under existing zoning.

Zoning Changes

- ❖ As the picture to the left displays, the proposed zoning will take daily traffic counts down to *one-third* of that of the existing zoning.

VARIANCES

1. Reduce the lot width on lots 43-61 from 50 feet to 45 feet and reduce the lot widths on lots 1-3 and 22-42 from 50 feet to 40 feet.
2. Reduce the 65 foot setback on North Point Parkway and Kimball Bridge Road to 20 feet with a landscape strip.
3. Reduce the interior street setbacks from 35 feet to 10 feet (private streets). Reduce the side setback to 0 feet with a minimum of 10 feet between structures. Reduce the rear setback on lots 14-21 from 20 feet to 10 feet.

From: [Woodman, Michael](#)
To: [Don Rolader](#)
Cc: [Taylor, Elicia](#)
Subject: FW: Rezoning Kimball Bridge/N.Point Pkwy
Date: Monday, April 17, 2017 4:27:32 PM

FYI

From: Vicki Culbreth [mailto:vculbreth@gmail.com]
Sent: Monday, April 17, 2017 3:52 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Rezoning Kimball Bridge/N.Point Pkwy

Hello,

I live off Waters Road and am writing to express my concern about the rezoning of the corner of Kimball Bridge and North Point Parkway from O-I to High Density Residential.

I'm sure you are well aware of the potential safety issues with increased traffic in front of New Prospect Elementary, since during peak travel times drivers will have a very difficult time turning out of this potential new neighborhood onto either N. Point Parkway heading south or Kimball Bridge heading west, and therefore using Rock Mill Road as a U-turn area.

Let me also express my frustration at the ever maddening traffic at the corner of NPP and KBR. I travel west on Kimball Bridge in the morning and it is sometimes impossible to turn left from Waters road due to the traffic back up. In the afternoons I head east to go home, and it is even more congested than the mornings. Traffic coming from the west (Westside Pkwy and Northwinds Pkwy) takes an incredibly long time to cross NPP because of the backup and motorists turning right onto KBR illegally from the middle lane.

Adding 61 more homes at this corner would make this traffic nightmare exponentially worst. Please consider the current residents of this area before adding more. My commute to work is 8 minutes with no traffic, yet it takes me 45 minutes to get home because of the congestion in this area.

Thanks for your consideration,

Vicki Culbreth

From: [Woodman, Michael](#)
To: [Jennifer Gardner](#)
Cc: [Taylor, Elcia](#)
Subject: RE: Re-zoning for KB-400 to CUP
Date: Monday, January 30, 2017 8:57:04 AM

Jennifer,

Thank you for your comments. We will be sure to include your comments with this public hearing request as it moves forward to Planning Commission on February 2, 2017 and City Council on February 27, 2017. Both meetings will be held in the City Hall Council Chambers and will start at 6:30PM. You are encouraged to attend and participate in the public hearing process.

If you have any questions, please let me know.

Best regards,

Michael A. Woodman, AICP
Senior Planner

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

From: Jennifer Gardner [mailto:jengardner00@gmail.com]
Sent: Sunday, January 29, 2017 3:47 PM
To: Merkel, Dan <dmerkel@alpharetta.ga.us>
Cc: Owens, Chris <cowens@alpharetta.ga.us>; Mitchell, Donald <dmitchell@alpharetta.ga.us>; Gilvin, Jim <jgilvin@alpharetta.ga.us>; Binder, Jason <jbinder@alpharetta.ga.us>; Kennedy, Mike <mkennedy@alpharetta.ga.us>; Belle Isle, David <dbelleisle@alpharetta.ga.us>; Woodman, Michael <mwoodman@alpharetta.ga.us>; Cook, Kathi <Kcook@alpharetta.ga.us>
Subject: Re-zoning for KB-400 to CUP

Mayor Merkel, Alpharetta Planning Commissioners, Alpharetta City Council, and Community Development Director:

My name is Jennifer Gardner, and I am a resident of Kimball Farms and PTA member at New Prospect Elementary. I am writing today to express my concerns over the re-zoning of KB-400 from O-I to CUP at the corner of North Point Parkway and Kimball Bridge Road. My main concern about adding a high density residential development to this corner is that it will exacerbate heavy traffic issues at the following intersections:

- Kimball Bridge Rd. and N. Point Parkway and
- Rock Mill Rd and Kimball Bridge Rd.

According to the drawings I've seen, residents of this new development, will not be able to turn left to head west on Kimball Bridge road. Therefore, I am very concerned that residents will use the intersection of Rock Mill Rd. and Kimball Bridge as a turn around spot to travel west on Kimball Bridge. Traffic at this intersection is already very heavy with parents and busses transporting children to/from New Prospect Elementary and Sundance Academy. Adding "U-Turn" traffic to this congestion, I fear, will increase safety risks for children walking to school, and families traveling by car to school/daycare, and pedestrians accessing the greenway at Rock Mill Park. The other proposed entrance for the development is on North Point Parkway, but will require an unprotected left turn to head south on the parkway. Given the high speeds of cars on this road, and the curve and hill that are in this area, I am also concerned about traffic accidents for drivers trying to left.

I realize that this area will eventually be developed, however I would strongly encourage the board to deny this proposal to re-zone to CUP. If the proposal must be approved and the land re-zoned to residential use, then I would strongly urge the board to consider these two suggestions:

- Reduce the zoning to medium density residential, so as to limit the amount of traffic congestion in this already crowded area.
- Require extra safeguards to protect pedestrians and drivers who travel daily at these intersections. These entrances and exits, as currently planned, seem extremely unsafe.

I appreciate your time and consideration,

Jennifer Gardner
815 Mashburn Dr.
Alpharetta, GA 30022

From: [Joe & Jennifer Worrel](#)
To: [Taylor, Elcia](#)
Subject: Rezoning of North Point Parkway and Kimball Bridge Road
Date: Saturday, January 28, 2017 1:44:35 PM

I am a resident of Kimball Farms subdivision and have children that attend New Prospect Elementary.

I am extremely concerned about the possible rezoning and residential development on the corner of North Point Parkway and Kimball Bridge Road.

My understanding is that the high density housing proposed for this site would include only access onto North Point Parkway between Rock Mill Road and Kimball Bridge Road, and a 'right hand turn only' out of the neighborhood onto Kimball Bridge Road between the intersection and the entrance to Kimball Farms / New Prospect.

New Prospect Elementary is a gem of a school located essentially INSIDE Kimball Farms subdivision. The community has a very vibrant pedestrian feel, with many parents and children walking and riding bicycles to and from school each day. It was communities and schools like this that made Alpharetta the right choice for us when relocating here for a job transfer.

I am highly concerned about additional traffic (on an already congested intersection) whereby residents of the potential new neighborhood would be forced out onto North Point Parkway (into traffic going approx 40-50mph or under heavy congestion) or feel like their safest access to go west from their neighborhood is to 'turn around' in Kimball Farms. Turning around this way would likely lead to an ELEMENTARY SCHOOL being used for traffic easement. The parking lots of the elementary school are adjacent to the playgrounds which are not fenced.

In addition to my concern about increased neighborhood traffic, the safety of elementary school children seems to be at risk if this development goes forward.

Please consider the safety of our youngest residents and quality of life for people already living in this community when making this decision.

Regards,
Jennifer Worrel
270 Seale Ln
Kimball Farms

From: [Marco Wahnig](#)
To: [Cook, Kathi](#); [Taylor, Elicia](#)
Subject: the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.
Date: Saturday, January 28, 2017 8:59:48 AM

Dear,
Mrs. Cook, Mrs. Taylor, Alpharetta Planning Commissioners and Alpharetta City Council:

We are the Wahnig Family (Marco, Suellen, Noah and Lucas) and we are residents of Kimball Farms. We are writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

We are very concerned about re-zoning this land to high density residential (they are proposing 6.58 units/acre). There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour. There is also additional concern that they can only turn right onto Kimball Bridge. Those residents would rely on turning around at the front of Kimball Farms/New Prospect Elementary in order to go west on Kimball Bridge (or in front of Rock Mill Park). This would create an undue increase in traffic directly in front of a school and neighborhood.

Please understand that we have an Elementary School, New Prospect Elementary, which is located right at the corner of Kimball Farms subdivision. In the morning and in the afternoon, we have so many cars and school buses driving in and out through our main exit of the subdivision, causing traffic jams in the junction of Rock Mill Road. We strongly believe that the proposed new subdivision and the critical traffic pattern in this area, is threatening the safety of small children and poses a potential liability risk for the city.

We strongly urge you to deny this proposal to re-zone to CUP.

Best Regards,

Marco Wahnig & Suellen Wahnig
Mobile: ++1-770-757-2449

From: [Woodman, Michael](#)
To: [don@roladerandrolader.com](#)
Cc: [Taylor, Elicia](#); [Cook, Kathi](#)
Subject: Fwd: re-zoning of KB400 from O-I to CUP
Date: Friday, January 27, 2017 4:15:30 PM

FYI

Sent from my iPhone

Begin forwarded message:

From: Steve Walsh <dctango@hotmail.com>
Date: January 27, 2017 at 4:04:35 PM EST
To: "mwoodman@alpharetta.ga.us" <mwoodman@alpharetta.ga.us>
Subject: RE: re-zoning of KB400 from O-I to CUP

To : Mr. Woodman, Alpharetta Planning Commissioners and Alpharetta City Council:

My name is Steve Walsh, I am a resident of Kimball Farms. I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

I am very concerned about re-zoning this land to high density residential (they are proposing 6.58 units/acre).

Even considering the Kimball Bridge road expansion, this would cause a large traffic increase in an already congested area.

There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour.

There is also additional concern that foot traffic would increase on and around the local elementary school causing

pedestrian safety concerns. The proposed expansion allows for 1 additional SHARED lane of traffic in this currently oversubscribed intersection. This will not alleviate all the current traffic, less allow for increased housing in this area.

I strongly urge you to deny this proposal to re-zone to CUP.

Thank you for your time,

Steve Walsh
770-823-9611
swalsh@proliant.com

From: [Woodman, Michael](#)
To: [don@roladerandrolader.com](#)
Cc: [Taylor, Elicia](#); [Cook, Kathi](#)
Subject: Fwd: Opposition to Kimball Bridge/N Point Development
Date: Friday, January 27, 2017 4:14:12 PM

FYI

Sent from my iPhone

Begin forwarded message:

From: L Pod <lypods@gmail.com>
Date: January 27, 2017 at 3:57:06 PM EST
To: mwoodman@alpharetta.ga.us
Subject: Opposition to Kimball Bridge/N Point Development

To Mr. Woodman, Alpharetta Planning Commissioners and Alpharetta City Council:

My name is **Lynn Podsiadlo** and I am a resident of Kimball Farms and have been for 17 years.

I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

I am very concerned about re-zoning this land to high density residential (they are proposing 6.58 units/acre). Even considering the Kimball Bridge road expansion, this would cause a large traffic increase in an already congested area. There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour. There is also additional concern that they can only turn right onto Kimball Bridge. **Those residents would rely on turning around at the front of Kimball Farms/New Prospect Elementary in order to go west on Kimball Bridge (or in front of Rock Mill Park). This would create an undue increase in traffic directly in front of a school and neighborhood.**

This would cause more and more traffic when kids and buses are arriving at the school. We are already backed up at the light all the

way deep up the hill when we try to get out of the neighborhood to go to work in the morning because of the school traffic.

I strongly urge you to deny this proposal to re-zone to CUP.

If the re-zoning request is approved, please consider a condition to reduce the re-zoning request to medium density residential (under 4 units/acre) to better match the current surrounding neighborhoods (nearby surrounding neighborhoods range from 1.9 units/acre to 4.9 units/acre) or **have the exit dump out on Northpoint near Wells Fargo --- NOT KIMBALL BRIDGE**

Please help us protect our home values and not increase traffic congestion.

Thank you for your time,

Lynn Podsiadlo

6

From: [Woodman, Michael](#)
To: [Don Rolader](#)
Cc: [Taylor, Elcia](#)
Subject: FW: objection to rezone plan
Date: Friday, January 27, 2017 2:15:13 PM

FYI

From: kate miao [mailto:miaokate@yahoo.com]
Sent: Friday, January 27, 2017 2:01 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: objection to rezone plan

Dear Mr. Woodman:

I received the public hearing letter "MP-15-01/CLUP-15-01/Z-15-01/ V-15-01 KB400 Master Plan/1699 Land Company". I'd like to voice my concern about the rezone plan.

I've been living in Kimball Farm for more than 4 years. I go to work around 7:20am and come back around 5:00pm. Traffic on that corner is getting worse each year especially around rush hour. I'm normally stuck in the corner for at least 15 minutes. Small accident could make the traffic even worse. I'm very much concerned about the traffic which will be caused by the homeowners enter/exit the "HIGH DENSITY RESIDENTIAL". Therefore I sincerely hope you would drop the rezone plan.

Best Regards,

Haiyan Miao
Kimball Farm resident

From: [Woodman, Michael](#)
To: [don@roladerandrolader.com](#)
Cc: [Taylor, Elcia](#); [Cook, Kathi](#)
Subject: Fwd: objection to "MP-15-01/CLUP-15-01/Z-15-01/ V-15-01 KB400 Master Plan/1699 Land Company"
Date: Friday, January 27, 2017 4:15:01 PM

FYI

Sent from my iPhone

Begin forwarded message:

From: Yabo Guan <yguan8805@yahoo.com>
Date: January 27, 2017 at 3:58:40 PM EST
To: "mwoodman@alpharetta.ga.us" <mwoodman@alpharetta.ga.us>
Subject: objection to "MP-15-01/CLUP-15-01/Z-15-01/ V-15-01 KB400 Master Plan/1699 Land Company"
Reply-To: Yabo Guan <yguan8805@yahoo.com>

Dear Mr. Woodman,

I am a resident of Kimball Farms. I am writing to express my concern on the re-zoning request from O-I to CUP on the subject property, located at the southwest corner of Kimball Bridge Road and North Point Parkway. Our community will be the biggest hit on this matter.

My first concern is traffic. New Prospect Elementary is right at the corner of Kimball Farms subdivision. So many cars and school buses are in and out through our main exit of the subdivision during school hours causing traffic jams in the junction of Rock Mill Road. It is very very very long line and normally wait a couple of traffic lights (like 15 minutes) for my turn during peak hour. You should come and take a look at what we have been going through every day. Adding the "HIGH DENSITY RESIDENTIAL" is really NOT a good idea.

Secondly, Alpharetta is a beautiful city and well planned: offices are along the North Point Pkwy and residential area are away from major road. Re-zoning the land to CUP will destroy the harmony of the picture and look weird.

Lastly, cheap "HIGH DENSITY RESIDENTIAL" will certainly devalue the neighborhood. Rental option will bring a lot of issues. I heard two car break in recently around our neighborhood. I would be concerned about the possibility of safety issue that "HIGH DENSITY RESIDENTIAL" will bring to New Prospect Elementary school.

I strongly oppose the idea of rezoning plan for "HIGH DENSITY

RESIDENTIAL".
Thank you very much!

Yabo Guan
Kimball Farm Resident

From: [Ken Gavranovic](#)
To: [Cook, Kathi](#); [Taylor, Elicia](#)
Subject: re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.
Date: Friday, January 27, 2017 8:17:08 PM

To the Alpharetta Planning Commissioners and Alpharetta City Council:

My name is Ken Gavranovic and I am a resident of Kimball Farms. I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

I am very concerned about re-zoning this land to high density residential (they are proposing 6.58 units/acre). Even considering the Kimball Bridge road expansion, this would cause a large traffic increase in an already congested area. There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour. There is also additional concern that they can only turn right onto Kimball Bridge. Those residents would rely on turning around at the front of Kimball Farms/New Prospect Elementary in order to go west on Kimball Bridge (or in front of Rock Mill Park). This would create an undue increase in traffic directly in front of a school and neighborhood.

I strongly urge you to deny this proposal to re-zone to CUP.

If the re-zoning request is approved, please consider a condition to reduce the re-zoning request to medium density residential (under 4 units/acre) to better match the current surrounding neighborhoods (nearby surrounding neighborhoods range from 1.9 units/acre to 4.9 units/acre).

Please help us protect our home values and not increase traffic congestion.

Thank you for your time,

Ken Gavranovic

kgavranovic@gmail.com

678-357-2975

From: [heather.gavranovic](#)
To: [Cook, Kathi](#); [Taylor, Elicia](#)
Subject: re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy
Date: Friday, January 27, 2017 8:15:20 PM

To the Alpharetta Planning Commissioners and Alpharetta City Council:

My name is Heather Gavranovic and I am a resident of Kimball Farms. I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

I am very concerned about re-zoning this land to high density residential (they are proposing 6.58 units/acre). Even considering the Kimball Bridge road expansion, this would cause a large traffic increase in an already congested area. There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour. There is also additional concern that they can only turn right onto Kimball Bridge. Those residents would rely on turning around at the front of Kimball Farms/New Prospect Elementary in order to go west on Kimball Bridge (or in front of Rock Mill Park). This would create an undue increase in traffic directly in front of a school and neighborhood.

I strongly urge you to deny this proposal to re-zone to CUP.

If the re-zoning request is approved, please consider a condition to reduce the re-zoning request to medium density residential (under 4 units/acre) to better match the current surrounding neighborhoods (nearby surrounding neighborhoods range from 1.9 units/acre to 4.9 units/acre).

Please help us protect our home values and not increase traffic congestion.

Thank you for your time,

Heather Gavranovic

hgavranovic@gmail.com

678-852-3509

From: [Woodman, Michael](#)
To: [Don Rolader](#)
Cc: [Taylor, Elicia](#)
Subject: FW: re-zone request on Land Lots 807, 808, 849 & 850, 1st District, 2nd Section, Fulton County
Date: Friday, January 27, 2017 1:53:31 PM

FYI

From: Doris Chan [mailto:getjrp@comcast.net]
Sent: Friday, January 27, 2017 1:41 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: City Council and Mayor <CityCouncilandMayor@alpharetta.ga.us>
Subject: FW: re-zone request on Land Lots 807, 808, 849 & 850, 1st District, 2nd Section, Fulton County

Hi Mr. Michael Woodman,

I am a resident on Kimball Farms, which is a subdivision on Kimball Bridge Road. I am writing to express my concern on the re-zoning request from O-I to CUP on the subject property, which is at the southwest corner of Kimball Bridge Road and North Point Parkway.

Please understand that we have an Elementary School, New Prospect Elementary which is located right at the corner of Kimball Farms subdivision. In the morning around 7:20 and in the afternoon, around 2:15, we have so many cars and school buses driving in and out through our main exit of the subdivision, causing traffic jams in the junction of Rock Mill Road. With a new subdivision with over hundreds of townhouses and single family homes, I can't imagine what will it be like, especially they can't make left turn on Kimball Bridge road. If any resident from the new development complex would like to make a U turn, they can only get into Rock Mill road by the Day Care or New Prospect Elementary for a turnaround and then this will definitely create a mess at the corner, especially during peak hours.

Another option for the resident from the new development may make a left turn onto Northpoint Parkway from the proposed driveway. This will be very dangerous and difficult as traffic from both directions are traveling at 40 miles per hour and I believe it is quite hazardous too. By foreseeing all these traffic issues, I strongly oppose the idea of re-zoning the subject property to CUP.

As a resident in the area, I strongly oppose the idea of re-zoning a O-I to CUP at that corner since traffic is quite terrible on Kimball Bridge Road during peak hours. I would suggest you to come over and get a hands on experience of what we experience during peak hours every day before you make your decision.

Thank you.
Doris Chan

11

From: [Woodman, Michael](#)
To: [Don Rolader](#)
Cc: [Taylor, Elcia](#)
Subject: FW:
Date: Friday, January 27, 2017 3:29:19 PM

FYI

From: Alyson Coffman [mailto:alyson.coffman@gmail.com]
Sent: Friday, January 27, 2017 3:26 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject:

To Mr. Woodman, Alpharetta Planning Commissioners and Alpharetta City Council:

My name is Alyson Coffman and I am a resident of Kimball Farms. I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

I am very concerned about re-zoning this land to high density residential (proposed 6.58 units/acre). Even considering the Kimball Bridge road expansion, this would cause a large traffic increase in an already congested area. There will be no safe way for those residents to turn left onto N Point Pkwy, especially during rush hour. There is also additional concern that they can only turn right onto Kimball Bridge. Those residents would rely on turning around at the front of Kimball Farms/New Prospect Elementary in order to go west on Kimball Bridge (or in front of Rock Mill Park). This would create an undue increase in traffic directly in front of a school and neighborhood.

I strongly urge you to deny this proposal to re-zone to CUP.

If the re-zoning request is approved, please consider a condition to reduce the re-zoning request to medium density residential (under 4 units/acre) to better match the current surrounding neighborhoods (nearby surrounding neighborhoods range from 1.9 units/acre to 4.9 units/acre).

Please help us protect our home values and not increase traffic congestion.

Thank you for your time,

Alyson

Alyson Coffman
Alyson.coffman@gmail.com

From: [Woodman, Michael](#)
To: don@roladerandrolader.com
Cc: [Taylor, Elicia](#); [Cook, Kathi](#)
Subject: Fwd: Re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy
Date: Friday, January 27, 2017 4:14:34 PM

FYI

Sent from my iPhone

Begin forwarded message:

From: martin cone <mcone4402@yahoo.com>
Date: January 27, 2017 at 3:58:00 PM EST
To: mwoodman@alpharetta.ga.us
Cc: mcone4402@yahoo.com
Subject: RE: Re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy

Hello Mr. Woodman,

My name is Martin Cone and I have been a resident of Kimball Farms since 1998. I am writing to strongly oppose the re-zoning of KB400 from O-I to CUP at the corner of Kimball Bridge and N Point Pkwy.

The lot presents logistic challenges, regardless of its final development. A high density residential development should be considered one of the least viable options for a variety of reasons:

- traffic - the intersection of NP & KB is already a disaster during rush hour. A housing development would require at least one entrance, on either KB or NP. The problem is, there is simply no good/safe place for that entrance.
- locale to the grade school - I'm not quite sure how one would monitor/regulate those who would live in the proposed development, in order to ensure the children are safe from convicted offenders.

I'm sympathetic to the owner of the lot, as he/she/they have been trying to sell/develop the lot since I arrived in 1998. Unfortunately, the adage "location, location, location" applies here. Over the years, I've considered what could potentially go on the lot. It would have to be something that produces very little traffic and does not create any safety issues for the NP students. My thoughts include:

- a storage facility - they seem to be good investments; ascetically acceptable; low traffic; and free of safety issues
- a city park or maintenance facility - perhaps the city could build tennis courts our use it for storing City equipment
- City green space - maybe the city could buy and hold the property for future needs.

- small/low rise office space - probably the least desirable.

Bottom line, I do not believe a housing development of any sort will work on that lot.

Thanks for your time and consideration. I welcome your response.

Martin Cone
404-509-3445

Hello Mayor and City Council,

My family and I are residents in Kimball Farms, which is just past New Prospect Elementary on Rock Mill Rd.

I met with one of the developers for the corner is question this past Friday. I understand their desire to develop the corner. However, I think the plans are a safety concern. Attached is a drawing that I was given for the corner.

My concern is two fold:

1. Entrance onto Kimball Bridge will be one way. That means folks may decide to use Rock Mill by the pre-school and New Prospect for a turnaround. More traffic by the children is never good and then there's the extra traffic at the light from turning around.

2. I believe that turning left onto Northpoint Parkway from that proposed driveway will be hazardous, enough so, that someone could get seriously hurt. The builder said it would hard to make a left during rush hour. I told him I believe it would be worse to try and make it on what I feel is a blind curve when cars are traveling at 40-50 miles per hour during non rush hour times.

I hope you recognize that these risks are significant. If I had a solution I would provide one. I suggested that the developer find a way to exit the neighborhood onto Rock Mill by the Wells Fargo bank but they were not able to reach a deal with the school board. In my opinion, the plan as it stands right now, proposes a safety concern and needs to be vetted before it can go forward.

Thanks for your attention

Ronald Schindler

HOA President Kimball Farms

[678-923-7580](tel:678-923-7580)

TO: Michael Woodman

FROM: Frank Tetterton

Re: 1699 Land Company/Kimball Bridge 400 – Potential Access to Rock Mill Road from the Project (12+ acre tract at the corner of Kimball Bridge Road and North Point Parkway)

Michael, as requested, this memo is to provide a brief description of our discussions with the Fulton County School System regarding the possibility of obtaining additional access for the Project to and from Rock Mill Road.

We first began considering the possibility of obtaining access to Rock Mill when Warren Jolly and I met with the Kimball Farms Homeowners Association in June of 2015. At that meeting, most of the comments regarding our proposed residential development related to the traffic on Kimball Bridge and North Point Parkway that would be generated by the Project [even though the traffic from the Project would be substantially less (at least 70%) than the traffic that would be generated by the office project for which the project is currently zoned].

At the meeting, one of the Kimball Farms homeowners suggested that, if we built an access road from the property to Rock Mill Road, it would reduce the traffic on Kimball Bridge and North Point, particularly in respect to cars intending to head south on North Point Parkway, since there was a red light at the North Point/Rock Mill intersection.

Following this meeting, we explored possible solutions to the homeowners' traffic concerns, and discussed the situation with the City of Alpharetta Transportation Department. We first looked at whether it would be possible to obtain a red light at the North Point entrance to the Project, but determined that this would not be permitted. Next, we asked our engineers (Kimley Horn) to determine whether it was feasible to build an access road to Rock Mill in light of the creek and adjacent flood plain, and concluded that the access road was feasible (though expensive – the preliminary estimate is that road construction costs would be over \$500,000). A plan showing the proposed Rock Mill access road is attached to this memo for your easy reference.

As the Project does not abut Rock Mill Road, however, building the access road would require that we acquire the land (or an easement) over which the road would run from the Fulton County School System. Since the land for the road is mostly flood plain, is traversed by a sewer line, is undevelopable and is at an elevation at least 30 feet below the elevation of the New Prospect Elementary School and adjoining playgrounds, and as we felt the New Prospect school would view the traffic considerations in the same manner as the Kimball Farms homeowners, we were hopeful that we could work out a reasonable arrangement with the school system would obtain the requisite land or easement.

We contacted the school system in July of 2015, and through October of 2016, we have met or communicated (including two site visits) extensively with various employees of the school system, including David Knotts, Patrick Burke, Joseph Clements, and Susan Simpson. In addition, the City of Alpharetta Development Department and Transportation Department and other city officials have been fully supportive of our efforts to obtain the property necessary to build the access, and have discussed this with members of the school system. It would be beyond the scope of this memorandum to detail every email, letter, meeting, contact, and other communication that occurred over this period, but suffice

it to say that the every possible effort was made to work out an arrangement with the school system for this access.

Further, in the spring of 2016, we commissioned a MAI appraisal of the school land that would be needed for the road. The appraisal concluded that the value of the property was \$5,000, which was 1/15th of the amount that we had previously offered the school system for the land.

Despite these efforts, we have not been able to obtain the needed land or easement from the school system to construct this additional access. As we have no way to force the school system to sell its property (as with any landowner) if they don't wish to sell, and as the Project already has adequate dedicated access points on both North Point Parkway and Kimball Bridge Road, we determined that it was necessary to proceed with the Project with the existing access points.

TREE CONDITION STUDY

KIMBALL BRIDGE @
NORTHPOINT PARKWAY
ALPHARETTA GA
PROJECT: 1932

Prepared for:

The Providence Group of Georgia LLC
Dave Bocolucci
11340 Lakefield Drive, Suite 250
Johns Creek, GA 30097



PO BOX 870784
STONE MOUNTAIN GA 30087
☎ 678-344-6948
✉ 678-261-1498
WWW.ONEBARK.COM

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SPECIMEN TREE STUDY

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ASSIGNMENT

Analyze structural and physiological condition of hardwoods 24" DBH and greater, and pines 30" DBH and greater. Document problems that affect tree health and long-term viability. Document developing issues that affect the status of these trees as *Specimen* class trees.

BACKGROUND

Site visit and inspection occurred February 4, 2015

A property survey, including property boundaries, major features, and located trees, was provided to me in preparation of the assignment. Because the condition of trees may affect the design of the site, it is critical during the planning phase to have an understanding of the condition of each tree.

DISCLOSURE

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments and mitigation cannot be guaranteed. Clients may choose to accept or disregard the recommendations of the arborists, or to seek additional advice.

METHODOLOGY

INVENTORY

The entire site was traversed to locate each inventoried tree.

An inspection of each subject tree was conducted, using visual techniques and basic instruments standard for arboricultural inspection. The buttress roots, trunk, limbs, branches, twigs, leaves, and surrounding environment of each tree were reviewed.

Please refer to the Appendix for the results of the inventory. The table below defines the data gathered for each field of information:

ID	Prior to my site visit, each tree had been assigned a unique serial number (by others) with a corresponding stamped aluminum tag affixed to the trunk of the tree. The numbering is not sequential. Four additional specimen-size trees are identified by numbers assigned for this report, #201-204. These had not been marked in the field prior to my visit.
Species	North American common name is used for the tree
Size	Diameter at breast height (approximately 4.5') or diameter at narrowest point below stem splits was measured using a Lufkin Forestry diameter tape. General methodology follows that of the City of Alpharetta recommendations.
Condition	An overall condition was assigned based on tree vigor and structural conditions at the time of inspection. • Good - tree health is vigorous and structure is not problematic. Minor issues can be easily mitigated. • Fair – tree health may not be optimal and some stress may be present. Some structural problems might be present. Minor issues require attention. • Poor – tree vigor is not optimal, tree is stressed or possibly in a slow gradual decline. Tree structure is likely below average. Severe structural problem may exist. Tree may have less than 10 years of useful life. • Dead – Tree is dead. • Declining – Death is imminent, or useful life expectancy will end, within 15 years.
Status	Opinion as to whether the tree meets Specimen Tree criteria
Pathology	Diagnosis of any significant active pathologies
Form	General shape or structural classification of the tree and canopy
Comments	Narrative description of pertinent observations
Recommendation	Recommendations if needed or required

DISCUSSION

The condition of the trees on this parcel are average for a typical urban woodland.

The following criteria are used by the City of Alpharetta administrator to identify specimen trees. Both the size and condition criteria must be met for a tree to qualify.

Size Criteria

- Overstory Trees: 24-inches diameter or larger, pines 30-inches or larger
- Understory Trees: 8-inches diameter or larger

Condition Criteria

- Life expectancy of greater than fifteen (15) years
- Relatively sound and solid trunk with no extensive decay
- No more than one major and several minor dead limbs (hardwoods only).
- No major insect or pathological problem.

RECOMMENDATIONS

The information on forthcoming land surveys for submittal should be updated to reflect the tree sizes and species verifications made in the field. **Eleven (11) of the trees identified in the field clearly appear to meet specimen criteria (both on-site and boundary trees):**

#201, 202, 203, 204, 635, 637, 639, 769, 770, 771 & 773

CERTIFICATION

I certify that all of the statements made in this report are true, complete and correct to the best of my knowledge and belief, and are made in good faith.

1-31



Jesse Milton
Consulting Arborist
Board Certified Master Arborist, ISA # SO-1170B

February 5, 2015

ID: 201

Species: Tulip poplar

Status: **Specimen**

Size: 25

Condition: Fair

Pathology:

Form: Single

Comment: no significant problems

Recommend:



ID: 202

Species: Elm, slippery

Status: **Specimen**

Size: 30

Condition: Fair

Pathology:

Form: Single

Comment: no significant problems

Recommend:



ID: 203

Species: Tulip poplar

Status: **Specimen**

Size: 26

Condition: Fair

Pathology:

Form: Asymmetric

Comment: no significant problems

Recommend:



ID: 204

Species: Tulip poplar

Status: **Specimen**

Size: 26

Condition: Fair

Pathology:

Form: Asymmetric

Comment: no significant problems

Recommend:



ID: 634

Species: Maple, red

Status: **Not Specimen**

Size: 30

Condition: Defect

Pathology:

Form: Bifurcated

Comment: structural defect between codominant stems.

Recommend:



ID: 635

Species: Maple, red

Status: **Specimen**

Size: 26

Condition: Fair

Pathology:

Form: Bifurcated

Comment: some bark inclusion observed in lower trunk. Not yet problematic

Recommend:



ID: 636

Species: Maple, red

Status: **Not Specimen**

Size: 26

Condition: Poor

Pathology: Saprot of trunk

Form: Asymmetric

Comment: multiple regions of cambial and xylem dieback in lower trunk

Recommend:



ID: 637

Species: Elm, american

Status: **Specimen**

Size: 40

Condition: Fair

Pathology:

Form: Multiple trunks

Comment: bark inclusions near trunk base.
canopy is somewhat asymmetrical towards west.

Recommend:



ID: 639

Species: Pine, loblolly

Status: **Specimen**

Size: 35

Condition: Fair

Pathology:

Form: Single

Comment: vines growing on trunk face
somewhat a symmetrical.

Recommend:



ID: 642

Species: Tulip poplar

Status: **Not Specimen**

Size: 28

Condition: Declining

Pathology:

Form: Single

Comment: no significant problems

Recommend:



ID: 643

Species: Tulip poplar

Status: **Not Specimen**

Size: 24

Condition: Defect

Pathology: trunk decay

Form: Bifurcated

Comment: large trunk wound, closed; trunk resonant when tapped with mallet, indicating decay behind woundwood formation

Recommend:



ID: 645

Species: Pine, loblolly

Status: **Not Specimen**

Size: 31

Condition: Unsound

Pathology:

Form: Bifurcated

Comment: Trunk bifurcation is in a state of active failure. Radial crack, open, has developed below bifurcation.

Recommend:



ID: 648

Species: Pine, loblolly

Status: **Not Specimen**

Size: 35

Condition: Unsound

Pathology: Fusiform

Form: Single

Comment: Significant advanced canker with secondary decay infections at base.

Recommend:



ID: 650

Species: Sweetgum

Status: **Not Specimen**

Size: 24

Condition: Poor

Pathology: Buttress Decay

Form: Asymmetric

Comment: Large decaying wound at base of trunk

Recommend:



ID: 653

Species: Tulip poplar

Status: **Not Specimen**

Size: 30

Condition: Unsound

Pathology: Buttress Decay

Form: Single

Comment: Trunk is hollow; large open cavity at base

Recommend:



ID: 769

Species: Maple, red

Status: **Specimen**

Size: 36

Condition: Fair

Pathology:

Form:

Comment: Burley trunk; not problematic
Tree may not be located properly on survey.

Recommend:



ID: 770

Species: Tulip poplar

Status: **Specimen**

Size: 28

Condition: Fair

Pathology:

Form: Multiple trunks

Comment: small side them is dead and decayed, growing from
bottom of trunk

Recommend:



ID: 771

Species: Pine, loblolly

Status: **Specimen**

Size: 35

Condition: Good

Pathology:

Form: Single

Comment: no significant problems

Recommend:



ID: 772

Species: Tulip poplar

Status: **Not Specimen**

Size: 27/25

Condition: Defect

Pathology:

Form: Bifurcated

Comment: tree group is comprised of two widely angled trunks. decay exists at the base of the bark inclusion. Connective tissues are structurally problematic

Recommend:



ID: 773

Species: Pine, loblolly

Status: **Specimen**

Size: 32

Condition: Poor

Pathology: Fusiform

Form: multiple upper

Comment: large disease canker in lower trunk, below trifurcation.

Recommend:



Trees Selected for Study



SURVEY FOR
KB/400 PARTNERS
LAND LOTS 807, 808, 849, & 850
1st DISTRICT, 2nd SECTION
FULTON COUNTY, GEORGIA
CITY OF ALPHARETTA
SCALE: 1"=50'
DATE: DECEMBER 17, 1999

GRAPHIC SCALE - FEET
0 50 100 150

BATES-LONG & ASSOCIATES
11205 ALPHARETTA HWY., SUITE A-1
ROSWELL, GEORGIA 30076
PH 770-442-0282

Kimball Bridge Road Tract
City of Alpharetta, Georgia
Project Trip Generation Comparison

Existing Zoning

Trip Generation Analysis (9th Ed.)											
Existing Zoning											
Land Use			Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
						Total	In	Out	Total	In	Out
Proposed Site Traffic											
	210	Single-Family Detached Housing	0	d.u.	0	0	0	0	0	0	
	230	Residential Condominium/Townhouse	0	d.u.	0	0	0	0	0	0	
	710	General Office Building	211,515	s.f.	2,320	348	306	42	315	54	
	912	Drive-in Bank*	4,000	s.f.	593	48	27	21	97	49	
									</		

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

* A bank was assumed for the 2-acre outparcel under existing zoning conditions.

Proposed Use (CUP)

Trip Generation Analysis (9th Ed.)											
Proposed Zoning											
Land Use			Intensity		Daily Trips	AM Peak Hour			PM Peak Hour		
						Total	In	Out	Total	In	Out
Proposed Site Traffic											
	210	Single-Family Detached Housing	59	d.u.	646	51	13	38	65	41	24
	230	Residential Condominium/Townhouse	37	d.u.	271	23	4	19	27	18	9
	710	General Office Building	0	s.f.	0	0	0	0	0	0	0
	912	Drive-in Bank	0	s.f.	0	0	0	0	0	0	0
	Gross Trips				917	74	17	57	92	59	33

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

Comparison Summary

The proposed Kimball Bridge Road Tract residential development is projected to generate less development traffic compared to the projected development traffic with build-out of the existing property's zoning.

The proposed land uses and densities are projected to generate approximately 69% fewer daily trips, 81% fewer AM peak hour trips, and 78% fewer PM peak hour trips, compared to the land uses and densities under existing zoning.

ROLADER & ROLADER, P.C.

ATTORNEYS AND COUNSELORS AT LAW
1865 LOCKEWAY DRIVE, SUITE 601
ALPHARETTA, GEORGIA 30004
Telephone (770) 442-0330
Fax (770) 442-0641
www.roladerandrolader.com

DONALD A. ROLADER
don@roladerandrolader.com

D.W. "Pete" ROLADER
1924 - 2011

March 10, 2017

Mayor and City Council
City of Alpharetta, Georgia
2 Park Plaza
Alpharetta, Georgia 30009

RE: Application 1699 Land Company, LLC for Amendment to Master Plan, Rezoning from O&I to R-8 A/D, Comprehensive Plan Amendment and Variances on 12.4 acres on North Point Parkway, City of Alpharetta, Fulton County, Georgia owned by Courtenay Partners, LLC. KB 400 Master Plan **REVISED LETTER OF INTENT**

Dear Mayor and Councilpersons:

This firm represents 1699 Land Company, LLC, the Applicant, seeking approval of this Comprehensive Plan Amendment, Amendment to the Master Plan, Rezoning from O&I to R-8 A/D and Variances. This letter shall be construed as the Revised Letter of Intent for this Application, and shall replace the original Letter of Intent filed with the initial application.

The subject property contains approximately 12.4 acres and is located on the south side of North Point Parkway at Kimball Bridge Road. To the north across North Point Parkway is property zoned and developed O&I and the Braeden Subdivision. To the east across Kimball Bridge Road is property zoned O&I (Siemens). To the south is New Prospect Elementary School, the Kimball Farms subdivision and The Palisades Subdivision. To the west on North Point Parkway is property zoned O&I.

Applicant proposes to rezone the property R-8 A/D *"For-Sale", Attached/Detached Residential-Medium Density* and construct 61 detached, for sale, single family residences in a gated community with private streets. The minimum lot size is 4,500 square feet and homes will be a minimum of 2,400 square feet. The development will contain 2.09 acres of open space, including parks and a trail. The density and design are similar to Braeden and Palisades, nearby residential communities. Home prices are projected to begin at \$500,000.00. The gated entry will prevent cut-through vehicular traffic, while pedestrian gates will provide access from the community to the sidewalks on North Point Parkway and Kimball Bridge Road.

Mayor and City Council
March 10, 2017
Page Two

Traffic generated by this development will be 82% less than that which could be generated by O&I Corporate Office development for which the property is presently approved. The number of housing units has been reduced by 36% (96 to 61) since the original application, and the townhome product has been eliminated.

Applicant requests three variances to the UDC. First, Applicant seeks to reduce the lot width on lots 43-61 from 50 feet to 45 feet, and to reduce it to 40 feet on lots 1-3 and 22-42. Second, Applicant seeks to reduce the setbacks along North Point Parkway and Kimball Bridge Road from 65 feet to 20 feet with a landscape strip. Third (Lot Setbacks), the Applicant seeks to reduce (a) the front building setback on internal streets from 35 feet to 10 feet, (b) reduce the side setbacks to zero feet with a minimum of 10 feet between homes, and (c) reduce the rear setback on lots 4-21 from 20 feet to 10 feet.

The impact on the surrounding area would be minimal compared to high density office development for which the property is currently zoned, and will fill an existing need for quality single family housing in the area. The Comprehensive Plan should be amended to show this property as designated for residential use, which is presently the highest and best use for the property. This designation will have far less impact on facilities and services than the current Corporate Office designation.

The granting of this Zoning Application will have no negative impact on adjoining or nearby properties, but will provide a compatible, transitional use. This development will not unduly tax any City of Alpharetta services, including, but not limited to, fire and police protection, water service and garbage collection. Presently sewer is available through Fulton County. The development will have minimal impact on the Fulton County School System. To fail to approve this Application will be of no benefit to the citizens of Alpharetta, Georgia while causing a financial burden upon the property owners and the developer. There is a current demand for high quality housing near office campus development, and that demand is increasing presently. Offering residences near substantial office development significantly reduce overall traffic and permit employees to work near home. Applicant has an outstanding track record for quality residential development in North metro Atlanta.

Applicant has attached Constitutional Objections to this Revised Letter of Intent, and incorporates it herein by reference.

Mayor and City Council
March 10, 2017
Page Three

Property owner respectfully requests that the Mayor and City Council approve this Application for Comprehensive Plan Amendment, Master Plan Amendment, Rezoning and the Variances requested to allow the use of the property as indicated on the site plan.

Very truly yours,
ROLADER & ROLADER, P.C.


Donald A. Rolader

DAR/ddf

CONSTITUTIONAL OBJECTIONS

Georgia Law and the procedures of the City of Alpharetta require us to raise Federal and State Constitutional objections during the rezoning application process. While the Owner anticipates a smooth application process, failure to raise constitutional objections at this stage may mean that the owner will be barred from raising important legal claims later in the process. Accordingly, we are required to raise the following constitutional objections at this time:

A denial of the Application would be unconstitutional in that it would destroy the Owner's property rights without first paying fair, adequate and just compensation for such rights, in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

Any application of the Code of the City of Alpharetta, or the Unified Development Code of the City of Alpharetta, to the Subject Property that prohibits the Owner from developing the Subject Property as proposed is unconstitutional, illegal, null and void because such an application constitutes a taking of the Owner's property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I, of the Constitution of the State of Georgia of 1983 and a violation of the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States because such an application denies the Owner an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would also constitute an arbitrary and capricious act by the City of Alpharetta without any rational basis therefore, thereby constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the City of Alpharetta to grant the Application would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Owner and Owners of similarly situated property in violation of Article I,

Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any approval of the Application that subjects the Subject Property to conditions that are different from the conditions requested by the Owner, to the extent such different conditions would have the effect of further restricting the Owner's utilization of the Subject Property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional category and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

In addition, this constitutes formal written notice to City of Alpharetta, pursuant to O.C.G.A. § 36-33-5, that the Owner plans to seek to recover all damages that it sustains or suffers as a result of the denial of this Application and/or the unconstitutional zoning of the Subject Property by the City of Alpharetta. Such damages may include, but are not necessarily limited to, damages related to the diminution in the value of the Subject Property, attorneys' fees and expenses of litigation.

Accordingly, the Owner respectfully requests that the City of Alpharetta grant the Application as requested.

ROLADER & ROLADER, P.C.

By: 
Donald A. Rolader
Attorney for Owner

1865 Lockeway Drive
Suite 601
Alpharetta, GA 30004
770-442-0330

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

CUP-15-01/MP-15-01/Z-15-01/V-15-01
1699 LAND COMPANY, LLC

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT • 2 PARK PLAZA • ALPHARETTA, GA 30009

1. *This page should be the first page in each of your completed application packets.*
2. *It is preferred that all responses be typed. Illegible applications will not be accepted.*
3. *Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.*
4. *Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta."*
5. *Applications will be accepted only on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.*
6. *If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.*

Contact Information:

Contact Name: 1699 Land Company, LLC
Alex Tetterton

Telephone: 678-252-2500

Address: 1424 N. Brown Road

Suite: 100

City Lawrenceville

State: GA

Zip: 30043

Fax: _____

Mobile Tel: _____

Email: _____

Subject Property Information:

Address: North Point Parkway at Kimball Bridge Road

Current Zoning: O-I

District: 1

Section: 2

Land Lot: 849 & 850

Parcel ID: 12-2860-0807-032-8 12-2990-0849-052-9

Proposed Zoning: CUP

Current Use: Vacant

This Application For (Check All That Apply):

☐ Conditional Use

☒ Master Plan Amendment

☒ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☒ Comprehensive Plan Amendment

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

Single family homes.

Applicant's Request (Please itemize the proposal):

Applicant requests rezoning from O&I to CUP and a variance to the 100 acre minimum for CUP zoning.

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

Applicant intends to develop a residential subdivision of 87 homes (37 town homes and 50 single family homes).

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The proposal will provide high quality housing close to office campus uses, which is desirable. The housing component created will be an ideal transition from existing office use to nearby single family homes.

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

The proposal will have no negative effect on the use and value of nearby properties. It is a complimentary use with lower impact than surrounding uses.

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

The property cannot be developed as zoned O&I. It has been on the market zoned O&I for 15 years with no offers. There are significant vacancies in nearby office buildings and other vacant land available zoned O&I.

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

The project will produce far less traffic and population than would an office project at presently permitted densities.

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

The impact on schools will be minimal. The impact on utilities will be far less than an office development at presently permitted densities.

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

It is inconsistent with the current plan.

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

There is sufficient land available for O&I needs for the future, and there is a need for quality single family homes near office development. The development will be desirable and readily accessible to shopping, restaurants and the greenway.

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.

A - Applicant seeks to reduce the lot widths on Lots 43-61 from 50' to 45'.

B - Applicant seeks to reduce the lot widths on Lots 1-3 and 22-42 from 50' to 40'.

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

The topography slopes from east to west. A substantial portion of the property is located in floodplain, stream buffers and sewer easements. The property slopes downward severely from North Point Parkway and Kimball Bridge Road.

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

The application of Zoning Code standards would expand the home sites closer to buffers and wetland areas. The homes on lots 1-3 and 22-42 will have rear entry garages which are not visible from public streets, giving the appearance of a wider home product. Lots 43 - 61 are interior lots not visible to the public. Requiring standard setbacks would relocate the detention pond, threaten existing trees and increase impervious surface with no resulting gain to the City.

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

There are substantial stream buffers, wetlands and trees on the western boundary worthy of preservation. The property fronts two major collector roads and lies well below the elevations of North Point Parkway and Kimball Bridge Road. The raised road elevations create a hardship in developing a subdivision.

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.

Permitting this Variance will cause no detriment to the public good, or will it impair the purpose and intent of the Zoning Code. There is precedent for allowing lot width variances in R-B A/D developments.

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.

Applicant requests a Variance to reduce the front setbacks on North Point Parkway and Kimball Bridge Road from 65' to 20' with a landscape strip.

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

The property is below the elevation of North Point Parkway and Kimball Bridge Road. Neither road frontage abuts residential development. The adjoining properties are developed as Corporate Office uses. Property Owner has previously conveyed right-of-way on Kimball Bridge Road for right-of-way improvements without charge to the City, reducing the footprint of developable property. If setbacks are not reduced, the homes will face an earthen bank on the right-of-way and road traffic will see only rooftops. The appearance would be undesirable and the product would not be marketable. Variance allows homes to be near street level with decorative walls of stone or brick columns with architectural picket fences with a gate leading to each home.

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

Application of Zoning Code standards would create a hardship to Applicant in reducing the number of and/or altering the uniform shape of the lots in the subdivision with no corresponding benefit to the City. Granting the Variance gives benefit in exchange for the previous contribution of right-of-way, and the overall appearance of the road frontage of the subdivision.

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

The property is much lower than the rights of way of North Point Parkway and Kimball Bridge Road. The western boundary of the property contains wetlands, stream buffers, sewer easements and substantial trees. Locating the homes closer to the streets enhances to appearance of the street frontage.

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.

Granting the requested Variance would cause no detriment to the public good nor cause any threat to the safety or health of the citizens. The granting of the Variance does not impair the purpose or intent of the Zoning Ordinance. There is no benefit to anyone by enforcing the standards. There is benefit to the City and the Applicant due to the topography of the property.

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

Applicant requests Variance to lot setback requirements, as follows:

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

The property is generally lower than North Point Parkway and Kimball Bridge Road. The topography is steep. The planned subdivision will be gated with no public vehicular access and will have private streets. There will be no public streets in the development.

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

Yes, as to A, B & C. For "A" the streets are private and internal. Enforcement of the standard 35' setback would require construction of smaller, less valuable homes. For "B", lots 43-61 are rear alley entry lots with no driveways beside the homes. Zero setbacks with 10' minimum distance between homes permits construction of larger, more desirable homes. For "C", reducing the rear setback to allow construction of larger homes with no impact to the public. Lots 4-13 abut a wooded bank at the rear of the school property and lots 14-21 abut open land which is a part of the development.

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

The property is peculiar in that (i) the south boundary abuts a wooded bank on public school property; (ii) the internal streets are private and not accessible or visible to the public, and (iii) a portion of the lots are served by rear entry alleys. This development is not a standard, residential subdivision design, and the standard setbacks provide no benefit to the public.

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.

Granting these Variances causes no detriment to the public good and only affects the subdivision itself. Granting these variances increases the value of the housing product, but does not impair the purpose and intent of the Zoning Code.

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.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Courtenay Partners, LLC (Ralph G. Edwards, Jr.)

Telephone: 404 364-0022

Address: 3520 Piedmont Road, N.E.

Suite: 400 125

City Atlanta

State: GA

Zip: 30305

- 1516

Authorization:

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

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

☐ Annexation

☐ Special Use

☒ Rezoning

☐ Conditional Use

☐ Variance

☐ Master Plan

☐ Land Use Application

☐ Other _____

Identify Authorized Applicant:

Name of Authorized Applicant: _____

Telephone: _____

Address: _____

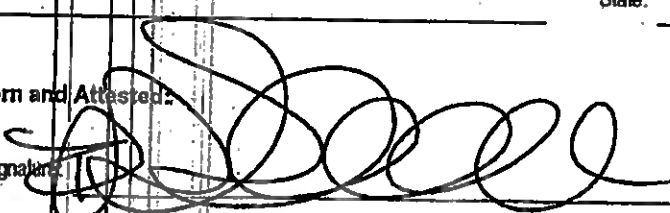
Suite: _____

City _____

State: _____

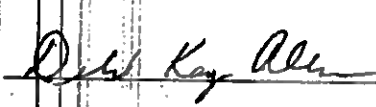
Zip: _____

So Sworn and Attested:

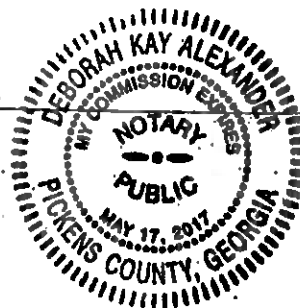
Owner Signature: 

Date: 12-29-14

Notary:

Notary Signature: 

Date: 12/29/14



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Courtenay Partners, LLC (Ralph G. Edwards, Jr.)

Telephone: 404-364-0022

Address: 3520 Piedmont Road

Suite: 125

City Atlanta

State: GA

Zip: 30305

- 1516

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

Comprehensive Plan Amendment

Identify Authorized Applicant:

Name of Authorized Applicant: 1699 Land Company, LLC

Telephone: 678-252-2500

Address: 1424 N. Brown Road

Suite: 100

City Lawrenceville

State: GA

Zip: 30043

-

So Sworn and Attested:

Owner Signature: _____

Date: _____

Notary: _____

Notary Signature: _____

Date: _____

DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: 1699 Land Company, LLC

Subject Public Hearing Case:

Campaign Contribution Information:

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

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

Name of Official: n/a

Position: n/a

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Description of Contribution:

Value:

Campaign Contribution Information:

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

Signature:


Alex Tetterton

Date:

1/5/2015

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: _____

Contact Name: Don Rólader _____

Telephone: 770-442-0330 _____

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.

All those property owners listed on Exhibit A attached hereto

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

Property Owners within 500 feet of subject property:

Frank and Cindy Meertens
2975 Rock Mill Road
Alpharetta, GA 30022

Scope Academy, Inc.
3105 Kimball Bridge Road
Alpharetta, GA 30022

Paul and Karen Duffley
905 Gunter Court
Alpharetta, GA 30022

Jayantha and Irandathy Rodgico
900 Gunter Court
Alpharetta, GA 30022

Wachovia Bank National Association
PO Box 2609
Carlsbad, CA 92018-2609

Sugaroak Kimball Royal LLC
Attn: Philip Nickles
481 Carlisle Drive
Herndon, VA 20170-4830

Samantha Assoc. LLC
3520 Piedmont Road, NE
Suite 125
Atlanta, GA 30305-1516

Win Desmet
1010 Seale Drive
Alpharetta, GA 30022

Terrence and Morgan Moraczewski
910 Gunter Court
Alpharetta, GA 30022

Fulton County Board of Education
786 Cleveland Avenue
Atlanta, GA 30315

Murali Mohan Naredry and Sindhu Chamala
2995 Rock Mill Road
Alpharetta, GA 30022

Development Authority of Fulton County
5055 North Point Parkway
Alpharetta, GA 30022

City of Alpharetta
2 Park Plaza
Alpharetta, GA 30009

Talcott III Two Hundred Milton Park LLC
1 Financial Plaza
Hartford, CT 06103

Royal Forest Partners LLC
PO Box 93809
Atlanta, GA 30359

Four Hundred Crestline LLC
3000 Royal Blvd S
Alpharetta, GA 30022-4432

Kimball Bridge Holdings LLC
3350 Riverwood Parkway SE
Suite 1600
Atlanta, GA 30339-3359

Pla Milton Park LLC
200 W. Monroe Street
Suite 2200
Chicago, IL 60606

Kimball Bridge Road Tract
City of Alpharetta, Georgia
Project Trip Generation Comparison

Existing Zoning

Trip Generation Analysis (9th Ed.)									
Existing Zoning									
Land Use		Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Site Traffic									
210	Single-Family Detached Housing	0 d.u.	0	0	0	0	0	0	0
230	Residential Condominium/Townhouse	0 d.u.	0	0	0	0	0	0	0
710	General Office Building	211,515 s.f.	2,320	348	306	42	315	54	261
912	Drive-in Bank*	4,000 s.f.	593	48	27	21	97	49	48
Gross Trips			2,913	396	333	63	412	103	309

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

* A bank was assumed for the 2-acre outparcel under existing zoning conditions.

Proposed Use (CUP)

Trip Generation Analysis (9th Ed.)									
Proposed Zoning									
Land Use		Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
				Total	In	Out	Total	In	Out
Proposed Site Traffic									
210	Single-Family Detached Housing	59 d.u.	646	51	13	38	65	41	24
230	Residential Condominium/Townhouse	37 d.u.	271	23	4	19	27	18	9
710	General Office Building	0 s.f.	0	0	0	0	0	0	0
912	Drive-in Bank	0 s.f.	0	0	0	0	0	0	0
Gross Trips			917	74	17	57	92	59	33

Source: Institute of Transportation Engineers (ITE)

Source: Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 9th Ed., 2012

Comparison Summary

The proposed Kimball Bridge Road Tract residential development is projected to generate less development traffic compared to the projected development traffic with build-out of the existing property's zoning.

The proposed land uses and densities are projected to generate approximately 69% fewer daily trips, 81% fewer AM peak hour trips, and 78% fewer PM peak hour trips, compared to the land uses and densities under existing zoning.

Kimley»Horn

January 5, 2015

EXHIBIT "A"

ALL THAT TRACT OR PARCEL of land lying and being in the City of Alpharetta, in Land Lots 807, 808, 849, and 850 of the 1st District, 2nd Section, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a concrete monument found on the southeastern right-of-way line of North Point Parkway (130-foot right-of-way), said concrete monument found also being located at the northwestern corner of the mitered intersection of the southeastern right-of-way line of North Point Parkway and the southwestern right-of-way line of Kimball Bridge Road (60-foot right-of-way); running thence along said mitered intersection, south 46 degrees 26 minutes 28 seconds east a distance of 48.62 feet to a point located on the southwestern right-of-way line of Kimball Bridge Road; running thence southeasterly along the arc of a curve to the left in said right-of-way line, said arc being subtended by a chord line having a bearing of south 22 degrees 10 minutes 30 seconds east and a length of 507.27 feet, said curve having a radius of 986.90 feet, an arc distance of 513.03 feet to an iron pin found; thence leaving the southwestern right-of-way line of Kimball Bridge Road, and running south 72 degrees 40 minutes 29 seconds west a distance of 986.33 feet to a point located in the centerline of a creek; running thence along the centerline of said creek the following courses and distances: north 31 degrees 51 minutes 13 seconds west 14.79 feet to a point; north 29 degrees 56 minutes 34 seconds east 46.18 feet to a point; north 15 degrees 09 minutes 55 seconds west 64.57 feet to a point; north 58 degrees 12 minutes 41 seconds west 32.16 feet to a point; north 26 degrees 20 minutes 05 seconds west 34.52 feet to a point; north 34 degrees 12 minutes 52 seconds west 99.83 feet to a point; north 03 degrees 00 minutes 29 seconds west 40.90 feet to a point; north 38 degrees 01 minute 30 seconds west 54.32 feet to a point; and north 24 degrees 20 minutes 04 seconds west 50.69 feet to a point located on the southeastern right-of-way line of North Point Parkway; running thence northeasterly along the arc of a curve to the right in said right-of-way line, said arc being subtended by a chord line having a bearing of north 60 degrees 21 minutes 58 seconds east and a length of 847.45 feet, said curve having a radius of 889.93 feet, an arc distance of 883.26 feet to a concrete monument found; continuing thence along said right-of-way line, north 88 degrees 48 minutes 32 seconds east a distance of 135.22 feet to the concrete monument found at the **POINT OF BEGINNING**; according to Survey for "KB/400 Partners," dated December 17, 1999, prepared by Bates-Long & Associates, under the seal and certification of Fred Wilson Long, Georgia Registered Land Surveyor No. 1685; said tract of land containing 12.4610 acres according to said survey, which survey is incorporated herein and made a part hereof by reference.

LESS AND EXCEPT that portion of the above-described property conveyed by Courtenay Partners, LLC to The City of Alpharetta for the widening of Kimball Bridge Road by that Right of Way Deed dated December 5, 2008, recorded in Deed Book 47501, Page 653 of the Records of the Clerk of the Superior Court of Fulton, County, Georgia.



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: MP-17-04/V-17-09 ADVANCED

CITY COUNCIL: APRIL 24, 2017

This item was heard at the April 12, 2017 Planning Commission meeting. No one spoke in favor or in opposition to the request. After discussion, the Planning Commission recommended to approve this item. Vote (7-0)

II. RECOMMENDATION:

Approve MP-17-04/V-17-09 AdvancED subject to the following conditions:

1. Office density in Cousins Westside Pod Q shall be limited to 18,500 square feet per acre.
2. Property shall be developed substantially in accordance with submitted plan prepared by Warren Epstein & Associates, dated 1/20/2017.
3. Building elevations shall be substantially similar to the existing office building and shall be designed and constructed to meet LEED standards.
4. Applicant shall make an effort to determine if any existing landscaping (ornamental trees and shrubs) can be spaded and relocated on-site to enhance the maturity level of landscaping at time of project completion.
5. Applicant shall set aside sufficient land within the undeveloped wooded area to accommodate 160 parking spaces. At such time that the use of the building(s) change to a traditional office use or City Staff identifies a parking shortage, the property owner shall construct the necessary parking spaces to support the use of the property as determined by Staff.
6. Replace any dead, dying or missing landscape material in required landscape strips and landscape islands.

III. REPORT IN BRIEF:

The applicant, AdvancED, is requesting an amendment to the Cousins Westside Master Plan Pod Q to allow for the construction of a 3-story, 40,000 square foot office building on 5.5 acres. The master plan amendment includes changes to previous conditions of zoning to increase the allowable office density in Pod Q, as well as site plan modifications. A parking variance is requested to reduce the required parking. The subject property is located at 9115 Westside Parkway.

DISCUSSION

The submitted request, if approved, will allow a 3-story, 40,000 square foot office building on a 5.5-acre property. The proposed office density is 18,500 square feet per acre. The subject property is owned by AdvancED and is currently developed with a 3-story, 60,000 square foot office building. Cousins Westside Master Plan Pod Q is zoned CUP (Community Unit Plan) and is approved for office use at a density of 12,000 square feet per acre. The subject property is located at 9115 Westside Parkway on the east side of Westside Parkway, just north of Maxwell Road.

Surrounding properties are zoned CUP and are subject to the Cousins Westside Master Plan, except for the Honda property located to the east is zoned LI (Light Industrial). Master Plan pods surrounding the property include Westside Villas to the west, vacant land and the Westside City Park to the south and North Point Research Park to the north. The vacant land to the south, which is also part of Pod Q, is approximately five (5) acres and is owned by AdvancED. The Comprehensive Land Use Plan designation of the property is Corporate Office, which allows the proposed office use.

A master plan amendment (MP-09-03) was approved on April 27, 2009 for Cousins Westside Pod Q to allow a 60,000 square foot office building for AdvancED on 5.5 acres. Pod Q was originally entitled for a 223,400 square foot community center. A parking variance was granted allowing for a parking reduction of 10% or from 240 to

216 parking spaces. Conditions of zoning required that a park be improved and dedicated to the City on the south side of the applicant's property. The applicant requests the following changes to the Cousins Westside Master Plan Pod Q conditions of zoning:

1. Office use shall be added as a Primary Use to the northern 5.5 acres of Pod 'Q' and density shall be limited to ~~12,000~~ 18,500 square feet per acre, subject to the issuance of a Land Disturbance Permit and commencement of construction of the proposed AdvancED building by 04/27/2011. If this development does not occur, then property uses shall be limited to those in effect for Pod 'Q' prior to this approval.
2. Northern building site plan shall be developed substantially similar to site plan submitted prepared by Warren Epstein & Associates, dated 1/20/2017, with limited parking between Westside Parkway and the building.

The applicant requests a variance from UDC Section 2.5 Parking and Loading, to reduce the required number of parking spaces from 376 to 182 spaces. The UDC requires one (1) parking space per 250 square feet of office use. Therefore, the proposed office building would require an additional 160 parking spaces. The use of the subject property is unique and does not function as a typical office building. The majority of users of the facilities are transported to the property by way of shuttle service and do not drive to the property. Staff has conducted several site visits at various times of the day and has found the utilization of the existing parking lot to be approximately 30%.

AdvancED is a school accreditation business and represents 34,000 public and private schools and district across the nation and worldwide. AdvancED is a non-profit organization that conducts rigorous, on-site external reviews of Pre-K – 12 schools and school systems to ensure that students realize their full potential. The applicant states that the new office building will be LEED Gold Certified to match the existing building.

SITE PLAN ANALYSIS

The applicant's site plan depicts the existing 60,000 square foot AdvancED office building, as well as a 3-story, 40,000 square foot new office building at the rear of the site within the existing parking lot. An aerial bridge crossing is proposed to connect the two (2) office buildings at the 3rd level. 18 parking spaces will be provided underneath the new office building. However, 34 existing parking spaces will be displaced by the new office building and a rain garden at the southeast corner of the property. Previous conditions of zoning required a 15' setback and undisturbed buffer at the rear of the property adjacent to Honda. The applicant's site plan maintains the undisturbed buffer at the rear of the property.

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: There are no extraordinary or exceptional conditions pertaining to the subject property with regard to its size, shape or topography. However, the applicant's use does not function like a traditional office use and requires much less parking. The applicant could develop the office building and/or parking on the adjacent 5-acre parcel to the south, but they would likely impact many of the trees on that property.

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

Response: The applicant could provide the required parking on the adjacent 5-acre property to the south. However, the applicant's use does not generate the need for the Code-required parking and would result in the removal of trees and a significant increase to the overall impervious area of the 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 applicant's use does not function like a traditional office use and requires much less parking. The applicant could develop the office building and or parking on the adjacent 5-acre parcel to the south, but they would likely impact many of the trees on that property.

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

Response: Approval will not cause substantial detriment to the public good, if conditions are in place requiring land be set aside for future parking needs.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the request for master plan amendment and variance. The applicant's use does not operate like a traditional office use and therefore, requires less parking. The applicant states that the majority of employees/visitors are transported to the site via shuttle service and do not drive to the property. Staff has conducted several site visits at various times of the day and has found the utilization of the existing parking lot to be approximately 30%. Construction of parking spaces deemed to be unnecessary would result in the removal of several trees on the 5-acre property to the south, as well as a significant increase in the overall impervious area. The applicant proposes parking underneath the proposed office building, which helps minimize the overall impervious area. If approved, staff recommends that land be set aside to accommodate future parking needs should the use change or if a parking shortage is identified.

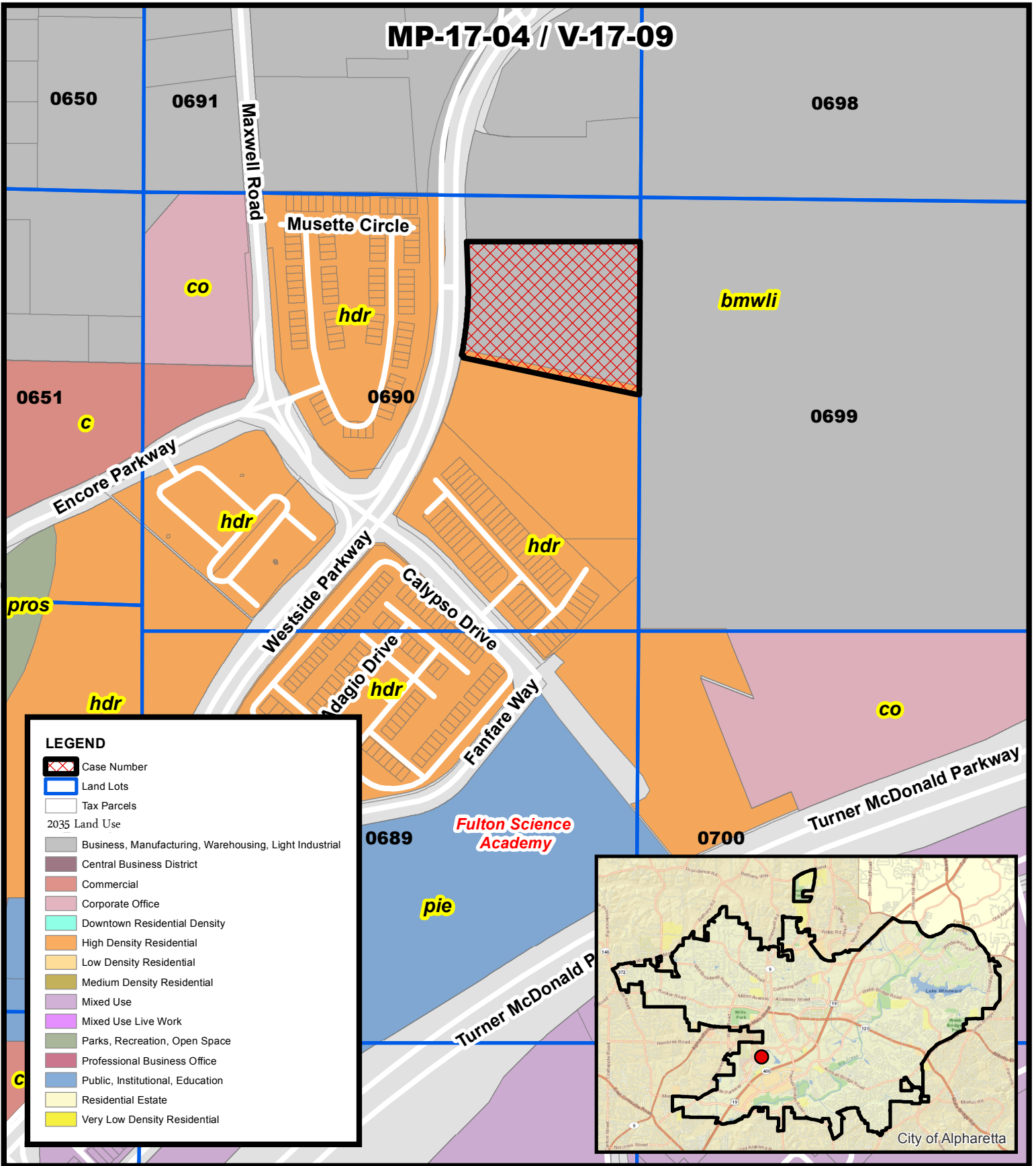
CITIZEN PARTICIPATION PLAN

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.

IV. ATTACHMENTS:

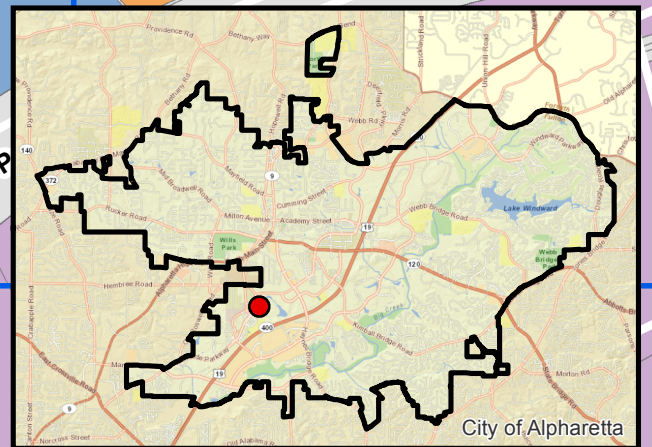
- Site Plan

MP-17-04 / V-17-09



LEGEND

- Case Number
- Land Lots
- Tax Parcels
- 2035 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



**Future Land Use Map
AdvanceED
9115 Westside Parkway**

MP-17-04/V-17-09

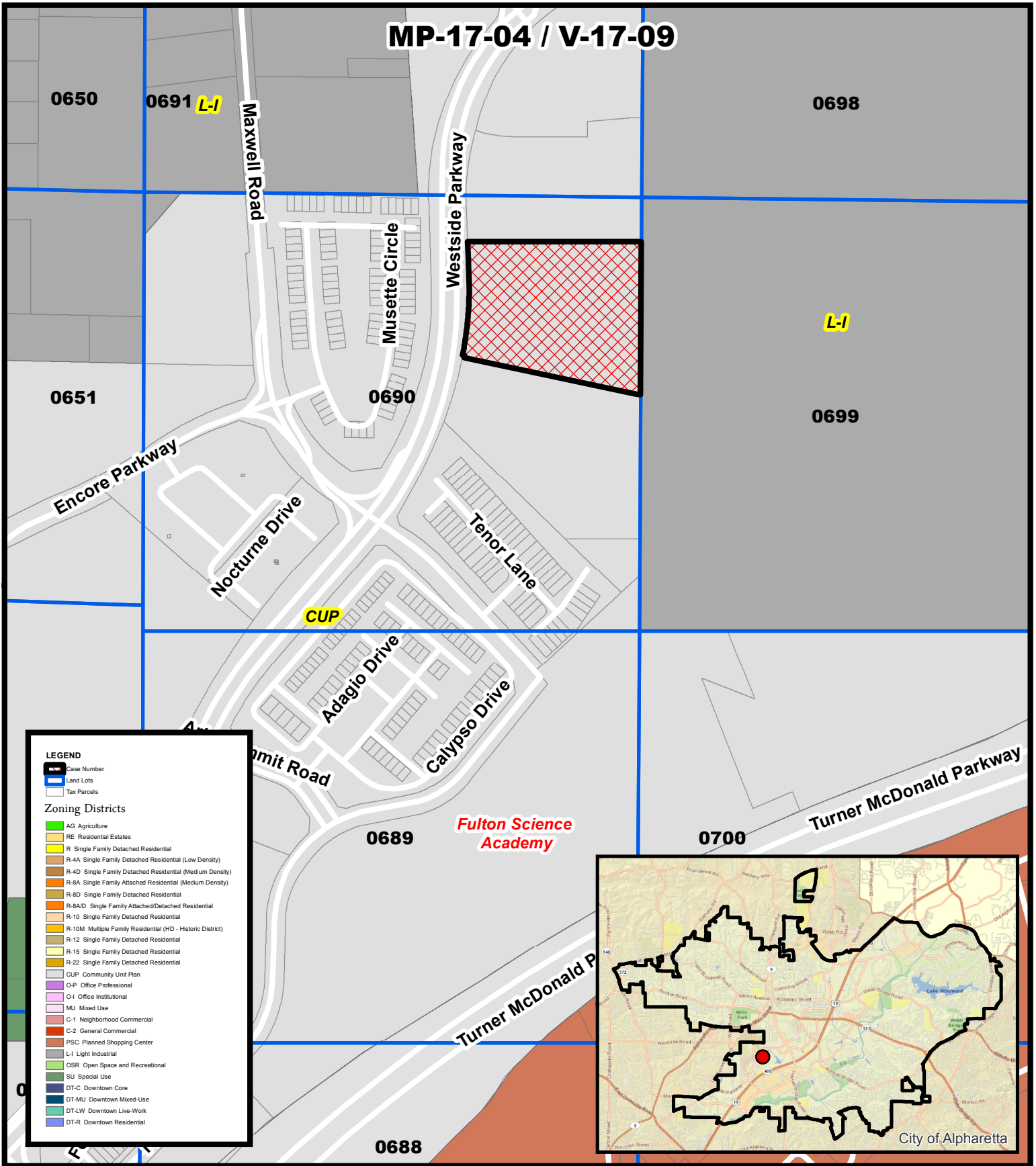
D/LL: 1/2/690

PC: 4/12/17

CC: 4/24/17

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

MP-17-04 / V-17-09



**Zoning Map
AdvanceED
9115 Westside Parkway**

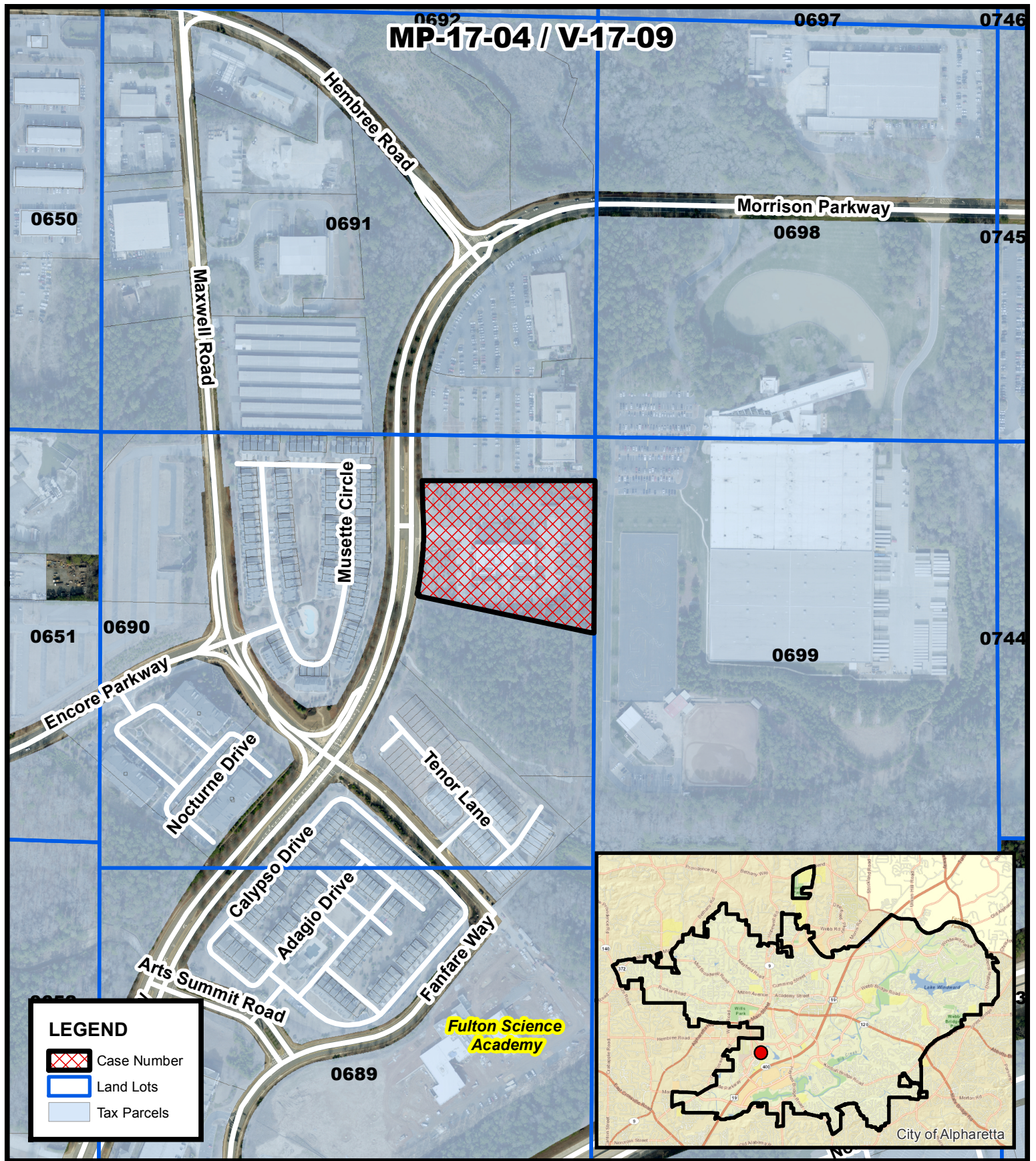
MP-17-04/V-17-09

D/LL: 1/2/690

PC: 4/12/17

CC: 4/24/17

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



**Location Map
AdvanceED
9115 Westside Parkway**

**MP-17-04/V-17-09
D/LL: 1/2/690
PC: 4/12/17
CC: 4/24/17**

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

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

AdvancED
FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

• 2 PARK PLAZA •

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta."
5. Applications will be accepted only on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: Ken Bergman (AdvancED)

Telephone: 678-392-2285 Ext. 5549

Address: 9115 Westside Parkway

Suite: _____

City: Alpharetta

State: GA

Zip: 30009

Fax: 770-346-9260

Mobile Tel: _____

Email: kbergman@advanc-ed.org

Subject Property Information:

Address: 9115 Westside Parkway

Current Zoning: CUP

District: 1

Section: 2

Land Lot: 690

Parcel ID: 12 260006893304

Proposed Zoning: CUP

Current Use: Office use

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

2/3/17

APPLICANT REQUEST AND INTENT

AdvancED

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

The proposed use of the property is a detached building addition with ground access and a third floor connection bridge. The approximate 40,000 square foot addition will be LEED Gold to match the existing building and retain most of the displaced parking spaces below its footprint on the ground floor, with a net loss of only 21 spaces. Conversion of 10 additional parking spaces to a rain garden at the southeast corner of the property will provide additional enhancement with a green space to soften and cool the addition's southern edge while providing more storm water retention and filtering for the site. Since the existing building was finished in 2010, the Owner has determined that the guests to the building are not typically driving and existing spaces are adequate for the staff on hand now and in the future.

Applicant's Request (Please itemize the proposal):

The Applicant requests that:

1. An amendment to the zoning conditions Item 1, dated 04/27/2009, be approved to adjust the density limitation from 12,000 square feet to 18,500 square feet per acre.
2. A reduction in the required parking to allow the existing parking to remain to serve the existing and proposed buildings.

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

See letter of intent.

2/3/17

MP-17-04/V-17-09
AdvancED

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Ken Bergman (AdvancED)

Telephone: 888-413-3669

Address: 9115 Westside Parkway

Suite:

City Alpharetta

State: GA

Zip: 30009

Authorization:

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

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

- | | |
|---|---|
| ☐ Annexation | ☐ Special Use |
| ☐ Rezoning | ☐ Conditional Use |
| ☒ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☒ Other <u>Change in zoning condition</u> |

Identify Authorized Applicant:

Name of Authorized Applicant: (Same as above)

Telephone:

Address:

Suite:

City

State:

Zip:

So Sworn and Attested:

Owner Signature:

Date:

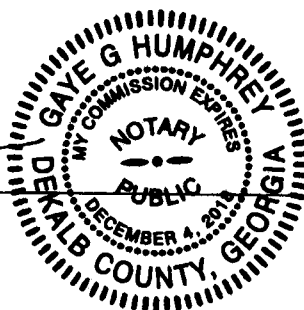
1/25/2017

Notary:

Notary Signature:

Date:

1.25.2017



DISCLOSURE FORM

The Official Code of Georgia Annotated requires disclosure of campaign contributions to government officials by an applicant or opponent of a rezoning or public hearing petition (O.C.G.A. 36-67 A-1).

Applicants must file this form with the City of Alpharetta Community Development Department within ten (10) days after filing for rezoning or public hearing. Opponents to a rezoning or public hearing petition must file this form five (5) days prior to the Planning Commission meeting at which the subject rezoning or public hearing petition is scheduled to be heard.

Name of Applicant or Opponent: Ken Bergman (AdvancED)

Subject Public Hearing Case: Cousins Westside MP Amend/Pod Q AdvancED

Campaign Contribution Information:

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

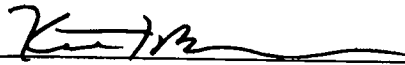
If the individual identified above has made no such contributions to an Alpharetta Official within the past two (2) years, please indicate this by entering "N/A" on the appropriate lines below.

Name of Official: N/A Position: _____

Description of Contribution: _____	Value: _____
Description of Contribution: _____	Value: _____
Description of Contribution: _____	Value: _____
Description of Contribution: _____	Value: _____
Description of Contribution: _____	Value: _____

Campaign Contribution Information:

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

Signature: 

Date: 1/25/2017

2/3/17

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See attached sheet

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

This proposal will increase the value of the surrounding properties. The uses would continue to remain the same under those set forth in the existing building's development.

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

The proposed building addition could not proceed as the density and parking restrictions currently will not allow any expansion on the site.

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

There would not be a significant increase in population or impact on traffic in the surrounding area.

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

See attached sheet

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

This proposal continues in the spirit of the Plan as set forth in the originally approved and built site and building development.

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

There is an opportunity for greater efficiency with respect to the site. The proposed building addition would fit nicely where it has been located.

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.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The uses on the properties directly adjacent to the Owner's property are very similar, many with landscape buffers provided between them. The property to the east is the vast and campus-like Honda motorcycle training and distribution facility. To the north is a two building commercial campus complex. To the south is a wooded green space, with most of it being part of the Owner's property.

The side of the Owner's property where the addition is being proposed is at the back of the site. It is adjacent to Honda's access road to its extensive motorcycle maneuvering course and distribution building with a tree-lined landscape buffer between the two properties. The commercial building to the north also has a tree-lined buffer at the shared property line. In both instances, the buildings are set back quite a distance from the proposed building addition.

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

There would be no direct impact to schools, with respect to increasing class sizes, etc.. However, AdvancED is a non-profit organization that reviews, assesses, provides recommendations and accredits Pre-K-12 schools and school systems nationwide. Expanding their headquarters will allow them to increase their productivity while maintaining efficiency and excellence with their processes to achieve greater results in education.

All new utilities for the addition would be tapped off and expanded from the existing systems to provide water, sewer, electrical and storm water management for the addition with minimal impact.

2/3/17

BOARD OF ZONING APPEALS REVIEW CRITERIA

Advanced

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

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

The requested parking variance is not due to size, shape or topography.

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

The Zoning Standards would effectively prevent any additional development on the site, even though it has been over parked since the building was built in 2010. Although there is a proposed addition, because of how the facility is operated, additional parking is not needed.

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

The existing site, as operated, does not require the code required number of parking spaces. Most of the users of the facility have shuttle transportation and do not drive themselves.

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

The granting of the variance will not cause any detriment to the public good.

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.

2/3/17

Advanced

SIGN VARIANCE REVIEW CRITERIA

Are there exceptional conditions pertaining to the property where the sign is to be located as a result of the property size, shape, or topography which are not applicable to other lands or structures in the area? If "yes," please explain.

☐ Yes☐ No

Would the applicant be deprived of rights that are commonly enjoyed by others similarly situated? If "yes," please explain.

☐ Yes☐ No

Would granting the variance confer on the applicant any significant privileges which are denied to others similarly situated? If "yes," please explain.

☐ Yes☐ No

Are the exceptional circumstances the result of actions of the applicant or the applicant's representatives? If "yes," please explain.

☐ Yes☐ No

Is the requested variance the minimum necessary to allow the applicant to enjoy rights commonly enjoyed by others similarly situated? If "no," please explain.

☐ Yes☐ No

Would granting of the variance violate more than one standard of the Unified Development Code? If "yes," please explain.

☐ Yes☐ No

Would granting the variance result in allowing a sign that interferes with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic? On a separate sheet or sheets, please defend your response.

☐ Yes☐ No

2/3/17

CITIZEN PARTICIPATION FORM - PART A ^{AdvancED}

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: Cousins Westside MP Amend/Pod Q AdvancED

Contact Name: Ken Bergman

Telephone: 678-392-2285 Ext. 5549

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.

Respondents will be able to respond by telephone, mail, email or an in person meeting, if requested.

<u>PIN</u>	<u>ADDRESS</u>
12 260006900513	11314 MUSETTE CIR
12 260006900521	11312 MUSETTE CIR
12 260006900539	11310 MUSETTE CIR
12 260006900547	11308 MUSETTE CIR
12 260006900554	11306 MUSETTE CIR
12 260006900562	11304 MUSETTE CIR
12 260006900570	11302 MUSETTE CIR
12 260006900588	11300 MUSETTE CIR
12 260006900596	11298 MUSETTE CIR
12 260006900604	11296 MUSETTE CIR
12 260006900612	11294 MUSETTE CIR
12 260006900620	11292 MUSETTE CIR
12 260006900893	11311 MUSETTE CIR
12 260006900901	11313 MUSETTE CIR
12 260006900919	11315 MUSETTE CIR
12 260006900927	11317 MUSETTE CIR
12 260006900935	11319 MUSETTE CIR
12 260006900943	11331 MUSETTE CIR
12 260006900950	11333 MUSETTE CIR
12 260006900968	11335 MUSETTE CIR
12 260006900976	11337 MUSETTE CIR
12 260006900984	11339 MUSETTE CIR
12 260006900992	11360 MUSETTE CIR
12 260006901008	11358 MUSETTE CIR
12 260006901016	11356 MUSETTE CIR
12 260006901024	11354 MUSETTE CIR
12 260006901032	11352 MUSETTE CIR
12 260006901040	11350 MUSETTE CIR
12 260006901057	11351 MUSETTE CIR
12 260006901065	11353 MUSETTE CIR
12 260006901073	11355 MUSETTE CIR

<u>OWNER</u>
JOHNSON ANDREW & JOHNSON TAMARA
CLAXTON ANDREW P & STEPHANIE A
IFILL KEN A & DEBORAH
NIDOY VICTOR S JR
SHARPE BONNIE M & GEORGE A JR
CASH KEVIN EUGENE
KRAUTER BRIDGETTE
SUTARIA SAILESH J & MONA
HOWARD AKIMA & HARRIGAN MARC J
ROSS DOUGLAS E
PELLERITO MICHAEL NORMAN & PELLERITO LEE
DI ZHOU & TSANG TOMMY
WILKINSON ELIZABETH JOHNSON WILKINSON ZACHARY LYNDON
MANTELLA BROCK
RERIKH VLADIMIR
RAWDIN SHEILA & RAWDIN DAVID
SOSEBEE CATHLEEN B & JASON M
ALDRICH LARRY W & DEBRA B
PICKETT KATRINA
SCHNARRE ANDREW A & ESQUIVIA LEE VERONICA E
SHAH PURVI G
LIN JIANG TRUST
CREECH WILLIAM H
FORD WILLIAM HENRY JR
BLEM ANNE M
DURHAM GINA B
DODSON JOHN
MORAWSKI BARRETT R
LEE SANGWOOK
SHRAGA TOVAH A DERMER SUSAN
MOSALMANI BATOUL MITRA & TABRIZI MARYAM BITA

12 2600069021817	11357 MUSETTE CIR	JUNKINS JONATHAN L & CRYSTAL L
12 260006902626	11380 MUSETTE CIR	NEUGER DENNIS
12 260006902634	11378 MUSETTE CIR	VERSCHAREN SUSAN
12 260006902642	11376 MUSETTE CIR	BROWN JANCE M & ELLEN T
12 260006902659	11374 MUSETTE CIR	ROBERTS NICOLE M
12 260006902667	11372 MUSETTE CIR	LIGHTFOOT CHRISTOPHER E & CAREN D
12 260006902675	11370 MUSETTE CIR	PADMANABHAN NARAYANAN
12 260006903459	2274 TENOR LN	CMC HOMES LLC
12 260006903467	2277 TENOR LN	CMC HOMES LLC
12 260006903475	2279 TENOR LN	CMC HOMES LLC
12 260006903483	2281 TENOR LN	CMC HOMES LLC
12 260006903491	2183 TENOR LN	CMC HOMES LLC
12 260006903509	2285 TENOR LN	CMC HOMES LLC
12 260006903517	2287 TENOR LN	CMC HOMES LLC
12 260006903525	2289 TENOR LN	CMC HOMES LLC
12 260006903533	2291 TENOR LN	BROCK SHANE C & VANESSA
12 260006903541	2393 TENOR LN	MASON DANIEL JR & SALLY J
12 260006910165	8995 WESTSIDE PKWY	WESTSIDE PARKWAY GA LLC
12 260006990118	0 MORRISON PKY	AMERICAN HONDA MOTOR CO INC

50 Warm Springs Circle
Roswell, Georgia 30075-4937Main: 770.641.1942
Fax: 770.998.6924

February 1, 2017

The Mayor and City Council
City of Alpharetta
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009

RE: **AdvancED**
 Change in Zoning Condition and Parking Variance Application
 Letter of Intent

Dear Mayor and Councilpersons:

The applicant, AdvancED, is seeking a change in the approved zoning condition and a variance to the parking ordinance in order to allow the existing site to be used for a 40,000 s.f. building addition.

The building addition will be located in a current parking area of the property and will provide the additional space AdvancED needs to continue to serve the education community. The addition will retain 18 parking spaces below the proposed addition. It is the intent of the addition to be a LEED Gold building, like the original building, and will utilize many of the systems from the existing building.

The applicant is seeking a variance to the density requirements specified in the Approved Zoning Conditions, dated April 27 2009. Zoning Condition One (1) states that *'The office use shall be added as a Primary Use to Pod 'Q' and density shall be limited to 12,000 square feet per acre, subject to the development of the proposed AdvancED building by 04/27/2011. If this development does not occur, then property uses shall be limited to those in effect for Pod 'Q' prior to this approval'*. The applicant requests that this density requirement be raised to 18,500 square feet per acre. The requested 18,500 s.f. per acre is still well below many of the surrounding densities in the area and will not have any negative impact to the City or its infrastructure.

The applicant also requests a variance the current required parking ratio of 3.6:1000 to a ratio of 1.95:1000. A majority of the current parking on the site is not utilized and not needed to serve the needs of the current operations. Most of the visitors to the site for educational training are from out of town and stay in local hotels. The guests are transported in groups by shuttle and rarely utilize the on site parking. The addition of the proposed building will also function in the same way and

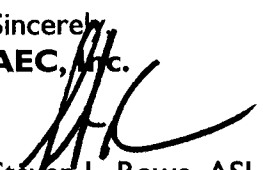
2/3/17

Mayor and City Council
February 1, 2017

providing additional parking will not be used or needed. It will just add unnecessary additional impervious space to the site.

Accordingly, the Applicant respectfully requests that the change in zoning condition and variance be granted as requested. We thank you for your time and consideration of this matter.

Sincerely,
AEC, Inc.



Steven L. Rowe, ASLA
Vice President

SLR/CJF/slr

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2/3/17

AdvancED

Mayor and City Council
February 1, 2017

Page 3

Attachment "A"
Constitutional Assertions

The applicant respectfully submits that the failure to revise the zoning condition and grant a variance would be unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Alpharetta City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I and Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States. A refusal by the Alpharetta City Council to approve the variance application for the Property in accordance with the zoning criteria as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of the similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. The application of the City of Alpharetta Unified Development Code, facially and as applied to the Property, which restricts the Property to any zoning classification, uses, or to any zoning classification other than the classification as proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States; Article I, Section I, Paragraph I, and Section III, Paragraph I of the Constitution of the State of Georgia of 1983; and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

For all the foregoing reasons, it is submitted on behalf of the Applicant that the variance application of the applicant meets the requirements of the Alpharetta Unified Development Code. This notice is being given to comply with the provisions of O.C.G.A. § 36-33-5 to afford the City an opportunity to grant the requested variance. If action is not taken by the City Council to grant the variance within a reasonable time, a claim will be filed in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Property, diminution of value of the Property, attorney's fees and other damages in an amount no less than Ten Million Dollars (\$10,000,000) arising out of the unlawful deprivation of the Applicant's property rights.

AdvancED Parcel
Property Description

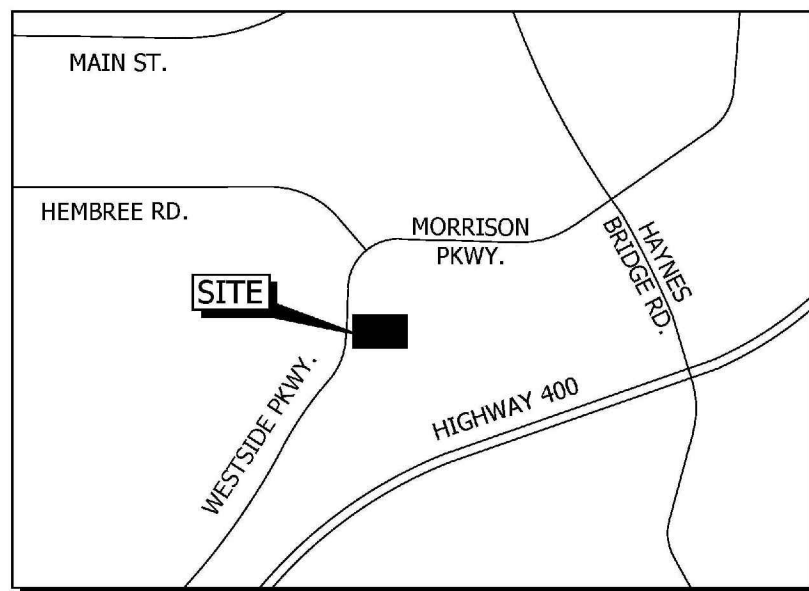
All that tract or parcel of land lying and being Land Lot 690, of the 1nd District, 2st Section, Fulton County, Alpharetta, Georgia, and being more particularly described as follows:

BEGINNING at the southeastern intersection of the eastern right-of-way of Westside Parkway (variable right-of-way) and Maxwell Road (variable right-of-way); said point being the **POINT OF BEGINNING**, thence running along said right-of-way to the North for an approximate distance of 611.2 feet to a point at the corner of the subject property, said point being the **TRUE POINT OF BEGINNING**;

thence running along the Eastern Right of Way of Westside Parkway along a curve to the left for a distance of 190.72 feet with a radius of 1208.31 feet having a chord of North 04 degrees 31 minutes 22 seconds East for a distance of 190.52 feet to a point; thence North 00 degrees 00 minutes 04 seconds East for a distance of 175.07 feet; thence departing said Right of Way North 89 degrees 52 minutes 21 seconds East for a distance of 553.61 feet to a point; thence South 00 degrees 51 minutes 48 seconds West for a distance of 491.62 feet to a point, thence North 78 degrees 02 minutes 18 seconds West for a distance of 568.80 feet to a point; thence North 07 degrees 42 minutes 10 seconds East for a distance of 6.56 feet to a point; thence North 80 degrees 30 minutes 37 seconds West for a distance of 5.74 feet to a point; said point being the **TRUE POINT OF BEGINNING**;

Said tract of land contains 239,410 Square Feet or 5.50 Acres +/-

Said legal based on survey by Land Engineering dated 12-12-2016, last revised 12-20-2016



VICINITY MAP (N.T.S.)

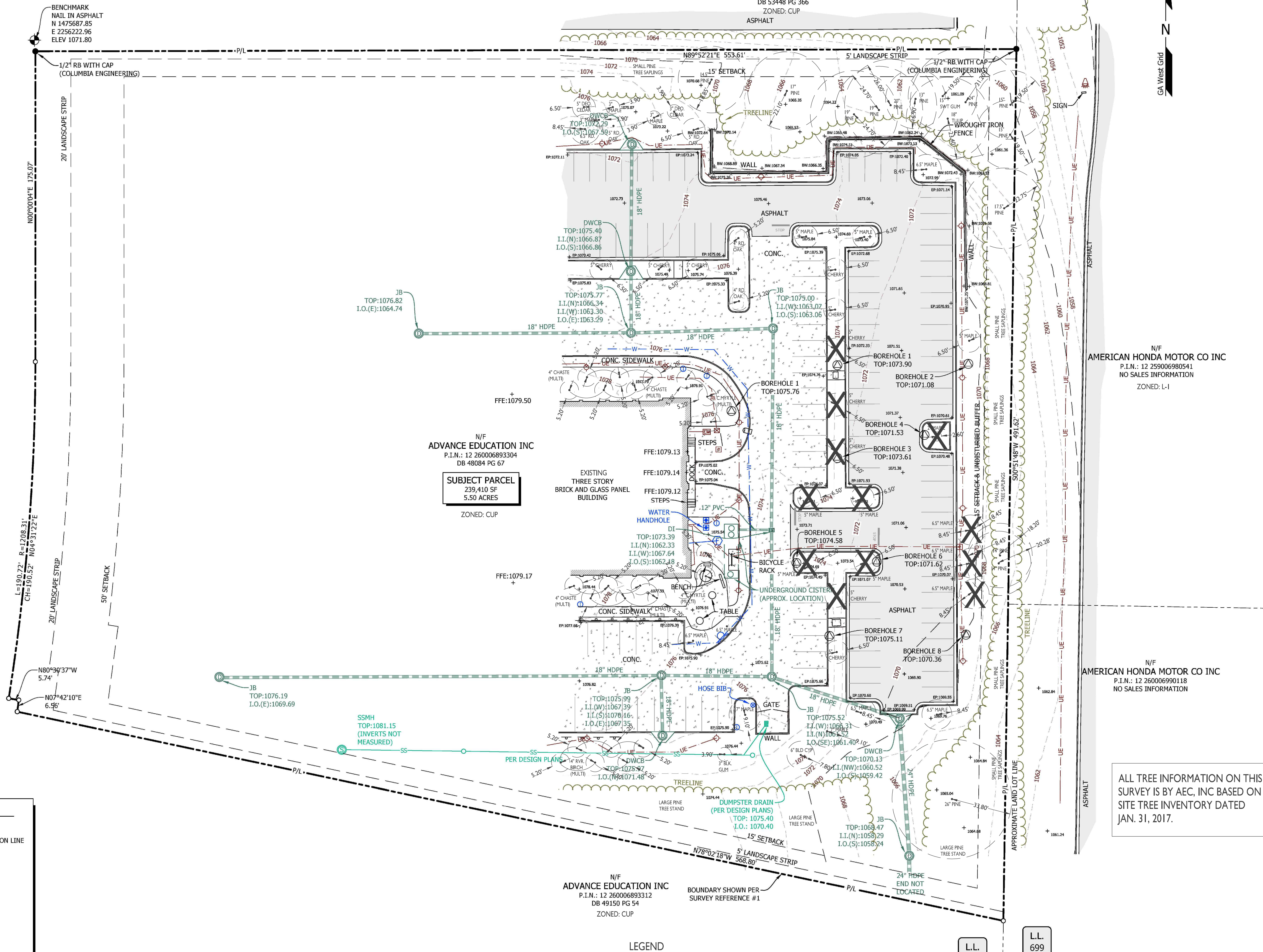
GENERAL NOTES:

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- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 575,442 FEET. A LEICA TS 12 ROBOTIC TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A POSITIONAL TOLERANCE OF 0.02" BASED ON REDUNDANT MEASUREMENTS AND HAS NOT BEEN ADJUSTED. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES. THE HORIZONTAL DATUM REFERENCED HEREON IS REFERENCED TO THE N.A.D.83, GEORGIA WEST ZONE STATE PLANE COORDINATE SYSTEM. A LEICA GPS900 WAS USED TO PERFORM A NETWORK-ADJUSTED REAL TIME KINEMATICS G.N.S.S. SURVEY REFERENCED TO THE EGPS C.O.R.S. NETWORK.
- THE UNDERGROUND UTILITIES SHOWN ON THIS MAP WERE LOCATED BY ABOVE GROUND APPURTENANCES AND MARKINGS LEFT BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. UNDERGROUND UTILITIES NOT OBSERVED OR LOCATED MAY EXIST ON THIS SITE BUT NOT BE SHOWN, AND MAY BE FOUND UPON EXCAVATION. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED.
- SETBACKS, BUFFERS AND OTHER MATTERS OF ZONING SHOWN HEREON ARE SHOWN PER SURVEY REFERENCE #1. THE SURVEYOR DOES NOT CERTIFY TO ANY MATTERS OF ZONING.
- THIS PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA PER F.I.R.M. MAP NUMBER 13121C0066F, EFFECTIVE DATE SEPTEMBER 18, 2013.
- THIS SURVEY WAS PREPARED BY LAND ENGINEERING, INC. REF #: 2051-001
1601 S ZACK HINTON PARKWAY, MCDONOUGH, GEORGIA 30253
OFFICE: (678) 814-4346 FAX: (678) 814-4348
WWW.LAND.ENGINEERING

LEGEND	
●	IRON PIN FOUND
⊙	IRON PIN SET (5/8" REBAR)
○	CALCULATED POINT
⊠	RIGHT OF WAY MONUMENT
⊕	BENCHMARK
⊕	SANITARY SEWER MANHOLE
⊕	CLEAN OUT
⊕	STORM DRAIN MANHOLE
⊕	DROP INLET
⊕	GAS METER
⊕	GAS VALVE
⊕	WATER METER
⊕	WATER VALVE
⊕	FIRE HYDRANT
⊕	IRRIGATION CONTROL VALVE
⊕	FIRE DEPARTMENT CONNECTION
⊕	LIGHT POLE
⊕	ELECTRIC BOX
⊕	TRANSFORMER
⊕	ELECTRIC METER
⊕	GROUND MOUNDED LIGHT
⊕	SIGN
⊕	BORING HOLE

ABBREVIATIONS

BLDG	BUILDING
BW	BOTTOM OF WALL
C	UNDERGROUND COMMUNICATION LINE
CONC.	CONCRETE
DB	DEED BOOK
DI	DROP INLET
DIP	DUCTILE IRON PIPE
EO	OVERHEAD ELECTRIC
FFE	FINISHED FLOOR ELEVATION
-G-	UNDERGROUND GAS LINE
I.I.	INVERT IN
I.O.	INVERT OUT
JB	JUNCTION BOX
L.L.	LAND LOT
N/F	NOW OR FORMERLY
N.T.S.	NOT TO SCALE
PB	PLAT BOOK
PG	PAGE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.I.N.	PARCEL IDENTIFICATION NUMBER
P/L	PROPERTY LINE
PVC	POLYVINYL CHLORIDE PIPE
RB	REBAR
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
SBL	SETBACK LINE
S.F.	SQUARE FEET
SSMH	SANITARY SEWER MANHOLE
TYP	TYPICAL
-W-	UNDERGROUND WATER LINE



LEGEND

X - EXISTING TREE
TO BE REMOVED

30 0 30 60

Scale 1" = 30'

SURVEY REFERENCES

1. CAD FILE PROVIDED BY WARREN EPSTEIN & ASSOCIATES, ARCHITECTS, INC. PREPARED FOR ADVANCE EDUCATION, INC. DATED 8-3-09

TOPOGRAPHIC SURVEY NOTE:

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ADVANCED EDUCATION, INC.

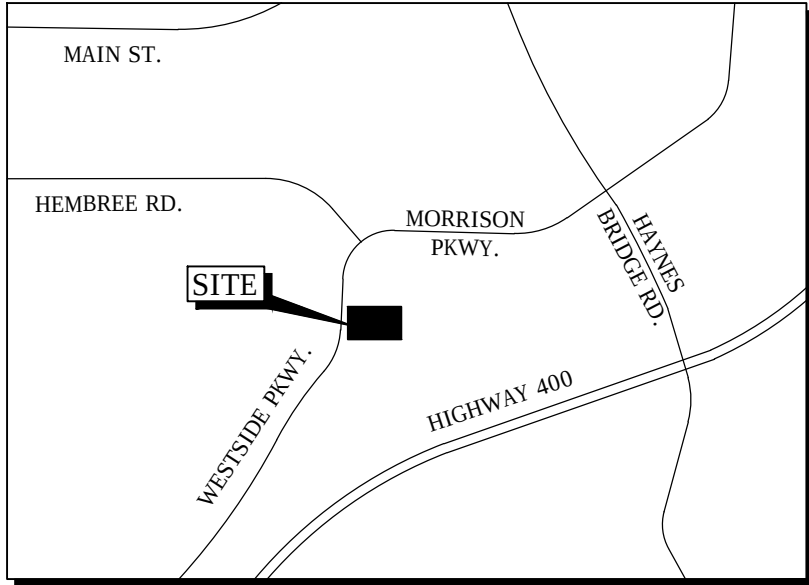
ALPHARETTA, FULTON COUNTY, GEORGIA

NO.	REVISIONS	DATE

PROJECT NO: 17-3948
CIVIL DRAWN BY:
LANDSCAPE DRAWN BY: BCG
LANDSCAPE DESIGNED BY:
CHECKED BY: SLR
DATE - 02/01/2017

SHEET

T1.0



VICINITY MAP (N.T.S.)

GENERAL NOTES:

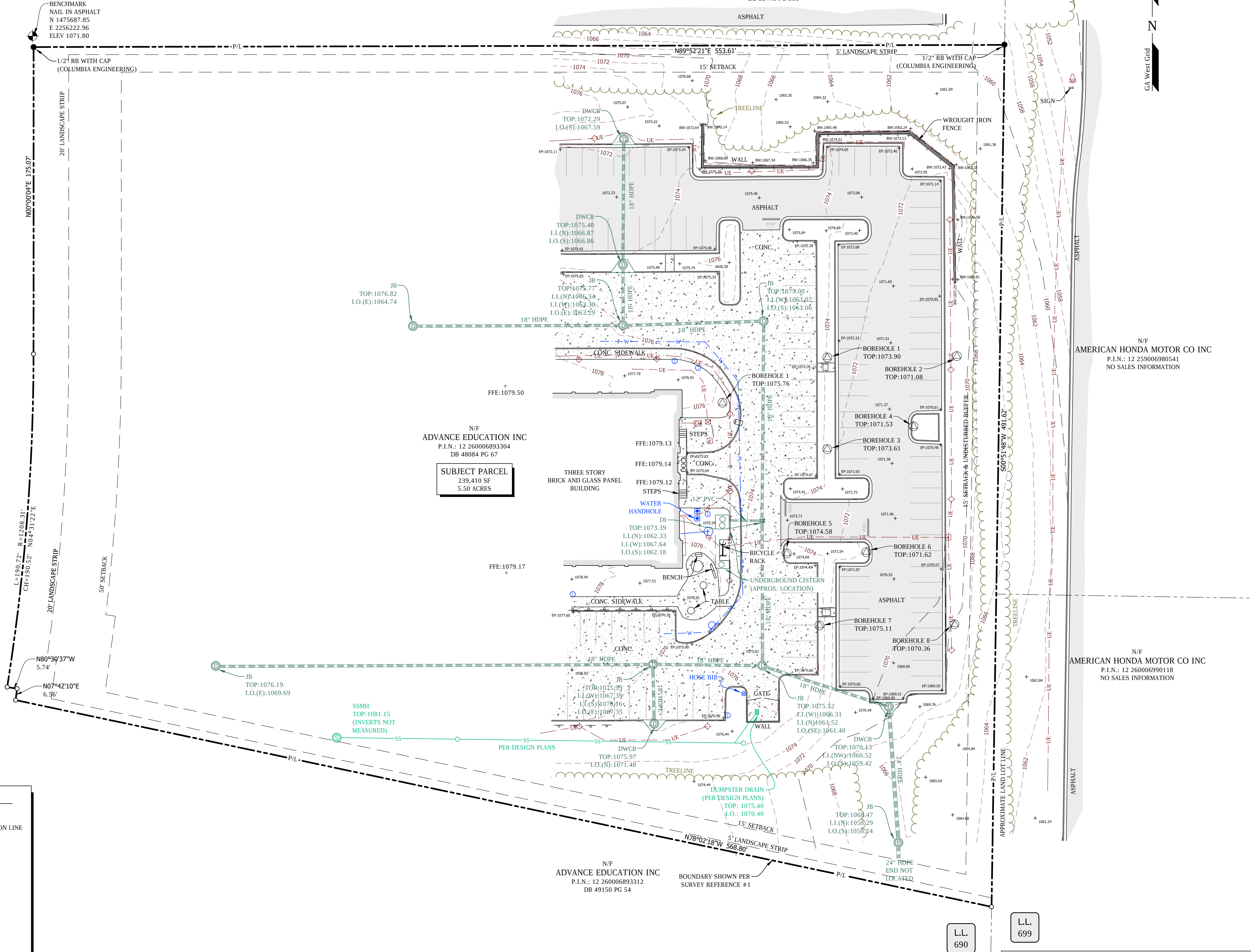
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OFFICE: (678) 814-4346 FAX: (678) 814-4348
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LEGEND

- IRON PIN FOUND
- IRON PIN SET (5/8" REBAR)
- CALCULATED POINT
- ⊕ RIGHT OF WAY MONUMENT
- ⊕ BENCHMARK
- ⊕ SANITARY SEWER MANHOLE
- ⊕ CLEAN OUT
- ⊕ STORM DRAIN MANHOLE
- ⊕ DROP INLET
- ⊕ GAS METER
- ⊕ GAS VALVE
- ⊕ WATER METER
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- ⊕ LIGHT POLE
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- ⊕ ELECTRIC METER
- ⊕ GROUND MOUNDED LIGHT
- ⊕ SIGN
- ⊕ BORING HOLE

ABBREVIATIONS

- BLDG BUILDING
- BW BOTTOM OF WALL
- C- UNDERGROUND COMMUNICATION LINE
- CONC. CONCRETE
- DB DEED BOOK
- DI DROP INLET
- DIP DUCTILE IRON PIPE
- EO- OVERHEAD ELECTRIC
- FFE FINISHED FLOOR ELEVATION
- G- UNDERGROUND GAS LINE
- I.I. INVERT IN
- I.O. INVERT OUT
- JB JUNCTION BOX
- L.L. LAND LOT
- N/F NOW OR FORMERLY
- N.T.S. NOT TO SCALE
- PG PLAT BOOK
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.I.N. PARCEL IDENTIFICATION NUMBER
- P.L. PROPERTY LINE
- PVC POLYVINYL CHLORIDE PIPE
- RB REBAR
- RCP REINFORCED CONCRETE PIPE
- R/W RIGHT OF WAY
- SBL SETBACK LINE
- S.F. SQUARE FEET
- SSMH SANITARY SEWER MANHOLE
- TYP. TYPICAL
- W- UNDERGROUND WATER LINE



SURVEY REFERENCES

1. CAD FILE PROVIDED BY WARREN EPSTEIN & ASSOCIATES, ARCHITECTS, INC. PREPARED FOR ADVANCE EDUCATION, INC. DATED 8-3-09

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LAND ENGINEERING
1601 S Zack Hinton Parkway
McDonough, Georgia 30253
T 678.814.4346, F 678.814.4348
www.land.engineering
GA LSF #0946

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SURVEYOR'S CERTIFICATION

THE SURVEYOR WHOSE SEAL IS AFFIXED HEREON CERTIFIES THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

Project Number: 2051-001
Drawn By: AJB
Date: 12-12-16

No.	Date	Description
0	11-29-16	DATE OF FIELD WORK

Revisions:

No.	Date	Description
1	12-20-16	CLIENT COMMENTS

Client / Prepared for:

**Warren Epstein,
& Associates,
Architects, Inc.**

1785 Cheshire Bridge Rd, NE
Atlanta, Georgia 30324

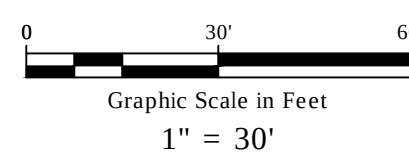
Kyle F. Epstein, AIA
(404) 873-5111

Project Name:

AdvancED

Project Location:
9115 West Parkway
Land Lot: 690
District: 1st
Section: 2nd
City: Alpharetta
County: Fulton
State: Georgia

Drawing Scale:

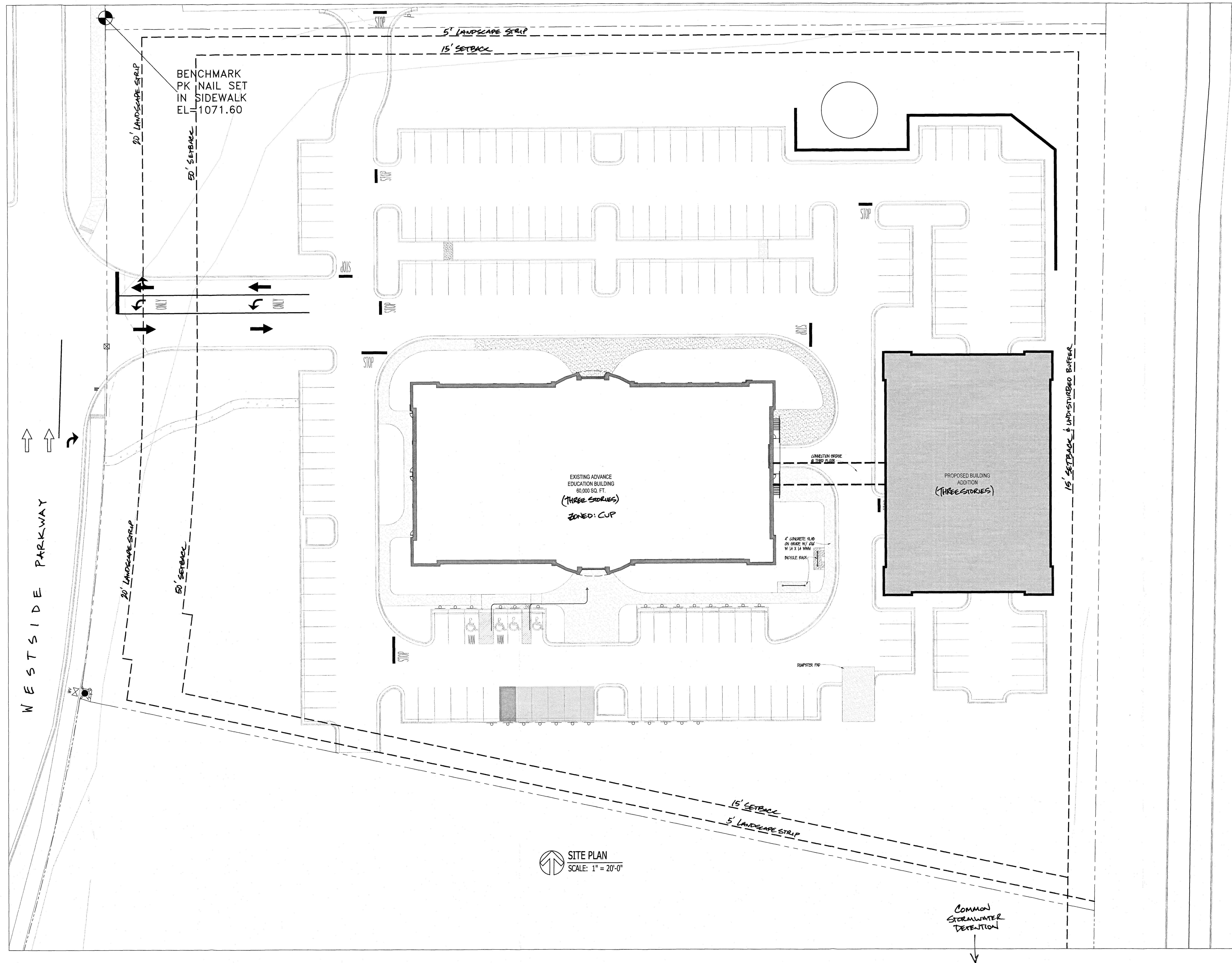


Sheet Title:

**TOPOGRAPHIC
SURVEY**

Drawing Number: Total Sheets: Revision:

1 1 0



**WARREN
EPSTEIN**
& Associates, Architects, Inc.

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1785 CHESHIRE BRIDGE ROAD, N.E.
ATLANTA, GEORGIA 30324 404-573-5111

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PHASE II BUILDING ADDITION
FOR

ADVANCE EDUCATION, INC.
9115 WESTSIDE PARKWAY

ALPHARETTA, FULTON COUNTY GEORGIA 30009

FILENAME

DATE: 1-20-2017
PROJECT # 2254
DRAWN
CHECKED
REVISED

S-1



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: PH-17-12 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – LAND DEVELOPMENT ACTIVITIES, OUTDOOR DINING & MISCELLANEOUS EDITS

CITY COUNCIL: APRIL 24, 2017

This item was heard at the April 12, 2017 Planning Commission meeting. After discussion, the Planning Commission pulled out the text amendments related to Hotels and North Main Street Front Setbacks and voted to table those items. Planning Commission recommended to approve the remaining text amendments. Vote (7-0)

II. RECOMMENDATION:

Approval of various amendments to the Unified Development Code – Land Development Activities, Outdoor Dining & Miscellaneous Edits.

III. REPORT IN BRIEF:

Consideration of amendments to the Unified Development Code (UDC) Sections 3.1 and 3.3 to amend definitions and regulations related to land disturbance activities, UDC Subsection 2.3.5 to add standards for outdoor dining areas and UDC Appendix A: Alpharetta Downtown Code Section 3.8 DT-R: Downtown Residential to correct the front setback regulation.

Outdoor Dining Areas:

Staff proposes amendments to Subsection 2.3.5. Buffers and Landscape Requirements to add regulations for outdoor dining areas requiring landscape and decorative barriers in order to define and shade the space.

Land Development Activities:

Section 3.1 of the UDC establishes procedures and standards pertaining to land disturbance and the control of soil erosion and sedimentation. In compliance with Georgia Code 12-7-4, the proposed text amendments maintain consistency between the City's UDC and the State Code, which was recently updated.

Section 3.3 of the Unified Development Code establishes procedures and standards for stormwater management. The proposed text amendment clarifies the intent of the City's stream buffer regulations by including ponds in the definition of 'Impervious Cover'.

Alpharetta Downtown Code – DT-R: Downtown Residential:

Appendix A, Section 3.8 of the UDC establishes the development standards in the DT-R zoning district. Staff has identified conflicting front setback requirements in Subsection 3.8.4. The minimum front setback in the DT-R district should be ten (10) feet, not three (3) feet.

IV. ATTACHMENTS:

- UDC Strike Through and Underline Edits

SECTION 2.3 - SUPPLEMENTARY REGULATIONS

2.3.5 Buffers and landscape requirements.

- A. *Buffers.* 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 undisturbed buffer shall be in addition to the required building setback line.

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 meet the following standards: Plants must be a minimum of five (5) feet in height at time of installation; plant selection will consist of eighty (80) percent evergreen species and twenty (20) percent deciduous species; and plants will be spaced a maximum of eight (8) feet on center.

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.

Stream buffers must be replanted where disturbed for approved access, detention and utility crossing. Replacement plants must be approved by the arborist.

All buffer plantings are subject to the approval of the Director.

- B. *Parking Lot Screening.* 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. Alternate landscape configurations may be approved if the Community Development Director determines that the alternate design exceeds the standards above. An alternate configuration could include 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 which would result in a minimum of 50% parking lot coverage within 15 years.

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.

- C. *Landscape Strips.*

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. Main streets which are listed below shall have twenty (20) foot landscape strips, except those located within the Historic Business 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. Except that 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. One (1) shade tree with a minimum 4 inch caliper shall be provided for every twenty-five (25) linear feet of landscape strip.

Shrubs shall be provided to screen paved areas and parking lots from the right-of-way. Shrubs shall be two (2) foot high at planting, two (2) rows deep and shall provide a screen within three (3) years of planting. Alternate screening methods such as fencing may be approved by the Director.

Shrubs and trees in quantities as specified above, shall be provided to screen all parking lots, utility areas, dumpsters and detention ponds.

4. A minimum five-foot (5') wide landscape strip shall be provided along all property lines which do not adjoin a public right-of-way. One (1) shade tree with a minimum four inch (4") caliper shall be provided for every fifty (50) linear feet of landscape strip.
- D. *Lighting.* Lighting fixtures shall be arranged so that the source of any light is screened from residential views.
- E. *General.* All required landscape areas shall be provided with a minimum of one (1) water spigot or other water source within one hundred fifty (150) feet.

A bond shall be required for up to 18 months to ensure the irrigation and maintenance of landscaping materials.

(Installation and maintenance requirements are found in Section 3.2 of this Ordinance.)

F. *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. Outdoor dining areas shall include one (1) shade tree per 750 square feet.

([Ord. No. 718](#), § 16, 12-14-2015)

SECTION 3.3 - STORM WATER MANAGEMENT—GENERAL

3.3.1 General.

A. *Introduction.*

It is hereby determined that:

Land development projects and other land use conversions, and their associated changes to land cover, permanently alter the hydrologic response of local watersheds and increase stormwater runoff rates and volumes, which in turn increase flooding, stream channel erosion, and sediment transport and deposition;

Land development projects and other land use conversions also contribute to increased nonpoint source pollution and degradation of receiving waters;

The impacts of post-development stormwater runoff quantity and quality can adversely affect public safety, public and private property, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These adverse impacts can be controlled and minimized through the regulation of stormwater runoff quantity and quality from new development and redevelopment, by the use of both structural facilities as well as nonstructural measures, such as the conservation of open space and greenspace areas. The preservation and protection of natural area and greenspace for stormwater management benefits is encouraged through the use of incentives or "credits." The Georgia Greenspace Program provides a mechanism for the preservation and coordination of those greenspace areas which provide stormwater management quality and quantity benefits;

Localities in the State of Georgia are required to comply with a number of both State and Federal laws, regulations and permits which require a locality to address the impacts of post-development stormwater runoff quality and nonpoint source pollution;

Therefore, the City of Alpharetta has established this set of stormwater management policies to provide reasonable guidance for the regulation of post-development stormwater runoff for the purpose of protecting local water resources from degradation. It has determined that it is in the public interest to regulate post-development stormwater runoff discharges in order to control and minimize increases in stormwater runoff rates and volumes, post-construction soil erosion and sedimentation, stream channel erosion, and nonpoint source pollution associated with post-development stormwater runoff.

B. *Purpose and Intent.* The purpose of this ordinance is to protect, maintain and enhance the public health, safety, environment and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff and nonpoint source pollution associated with new development and redevelopment. It has been determined that proper management of post-development stormwater runoff will minimize damage to public and private property and infrastructure, safeguard the public health, safety, environment and general welfare of the public, and protect water and aquatic resources. This ordinance seeks to meet that purpose through the following objectives:

1. Establish decision-making processes surrounding land development activities that protect the integrity of the watershed and preserve the health of water resources;
2. Require that new development and redevelopment maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding, streambank erosion, nonpoint source pollution and increases in stream temperature, and maintain the integrity of stream channels and aquatic habitats;
3. Establish minimum post-development stormwater management standards and design criteria for the regulation and control of stormwater runoff quantity and quality;

4. Establish design and application criteria for the construction and use of structural stormwater control facilities that can be used to meet the minimum post-development stormwater management standards;
5. Encourage the use of nonstructural stormwater management and stormwater better site design practices, such as the preservation of greenspace and other conservation areas, to the maximum extent practicable. Coordinate site design plans, which include greenspace, with the City's greenspace protection plan;
6. Establish provisions for the long-term responsibility for and maintenance of structural stormwater control facilities and nonstructural stormwater management practices to ensure that they continue to function as designed, are maintained, and pose no threat to public safety; and,
7. Establish administrative procedures for the submission, review, approval and disapproval of stormwater management plans, and for the inspection of approved active projects, and long-term follow up.

C. *Applicability.*

1. This ordinance shall be applicable to all land development, including, but not limited to, site plan applications, subdivision applications, and grading applications, unless exempt pursuant to Subsection b below. These standards apply to any new development or redevelopment site that meets one or more of the following criteria:
 - a. New development that involves the creation of 5,000 square feet or more of impervious cover, or that involves other land development activities of one (1) acre or more;
 - b. Redevelopment that includes the creation or addition of 5,000 square feet or more of impervious cover, or that involves other land development activity of one (1) acre or more;
 - c. Any new development or redevelopment, regardless of size, that is defined by the City Engineer or designee to be a hotspot land use; or,
 - d. Land development activities that are smaller than the minimum applicability criteria set forth in items a and b above if such activities are part of a larger common plan of development, even though multiple, separate and distinct land development activities may take place at different times on different schedules.
2. The following activities are exempt from this ordinance:
 - a. Individual 'For-Sale' dwelling or duplex residential lots that are not part of a subdivision or phased development project;
 - b. Additions or modifications to existing 'For-Sale' dwelling or duplex residential structures;
 - c. Agricultural or silvicultural land management activities within areas zoned for these activities; and,
 - d. Repairs to any stormwater management facility or practice deemed necessary by the City Engineer.

- D. *Stormwater Management Manual.* The City of Alpharetta will utilize the policy, criteria and information including technical specifications and standards in the latest edition of the Georgia Stormwater Management Manual and the City of Alpharetta Stormwater Management Design Manual, for the proper implementation of the requirements of this ordinance. The Engineering/Public Works Department has developed a City Stormwater Management Design Manual to assist in the design and evaluation of stormwater management facilities and practices. The manual may be updated and expanded periodically, based on improvements in science, engineering, monitoring and local maintenance experience. However, the failure to update the manual shall not relieve any applicant from the obligation to comply with the requirements of this ordinance, and shall not prevent the City Engineer from imposing the most current and effective practices. The manual may establish design standards for new development and redevelopment that includes the creation of less than 5,000 square feet of impervious cover or involves land development activity of less than one (1) acre.

E. *Effective Date.* This Ordinance shall become effective immediately upon adoption.

3.3.2 Definitions.

Accidental Discharge. A discharge prohibited by this ordinance which occurs by chance and without planning or thought prior to occurrence.

Agriculture Use. The establishment, cultivation, or harvesting of products of the field or orchard; the preparation and planting of pasture land; farm ponds; and the construction of farm buildings.

Applicant. A person submitting a post-development stormwater management application and plan for approval.

Best Management Practices or "BMPs". A wide range of management procedures, activities, and prohibitions on practices which control the quality and/or quantity of stormwater runoff and which are compatible with the planned land use.

Buffer. With respect to a stream, a natural or enhanced vegetated area, lying adjacent to the stream.

Channel. A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

City of Alpharetta Separate Storm Sewer System. Any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, City streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is State Waters or is: Owned or maintained by the City of Alpharetta; Not a combined sewer; and Not part of a publicly-owned treatment works.

Clean Water Act. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Conservation Easement. An agreement between a land owner and the City of Alpharetta or other government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Construction Activity. Activities subject to the Georgia Erosion and Sedimentation Control Act or NPDES General Construction Permits. These include construction projects resulting in land disturbance. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Detention. The temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention Facility. A detention basin or structure designed for the detention of stormwater runoff and gradual release of stored water at controlled rates.

Developer. A person who undertakes land development activities.

Development. A land development or land development project.

Discharge. The release of treated or untreated water to the stormwater system.

Drainage Easement. An easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Easement. An acquired legal right for a specific use of land owned by others.

Erosion and Sedimentation Control Plan. A plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Extended Detention. The detention of stormwater runoff for an extended period, typically 24 hours or greater.

Extreme Flood Protection. Measures taken to prevent adverse impacts from large low-frequency storm events with a return frequency of 100 years or more.

Flood or Flooding. A volume of surface water that is too great to be confined within the banks or walls of a conveyance or stream channel and that overflows onto adjacent lands; or a general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; or the unusual and rapid accumulation or runoff of surface waters from any source.

Floodplain. Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood.

Greenspace or Open Space. Permanently protected areas of the site that are preserved in a natural state.

Hotspot. An area where the use of the land has the potential to generate highly contaminated runoff, with concentrations of pollutants in excess of those typically found in stormwater.

Hydrologic Soil Group (HSG). A Natural Resource Conservation Service classification system in which soils are categorized into four runoff potential groups. The groups range from group A soils, with high permeability and little runoff produced, to group D soils, which have low permeability rates and produce much more runoff.

Illegal Connection. Either of the following:

Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the storm drain system including but not limited to any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm drain system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or

Any pipe, open channel, drain or conveyance connected to the City of Alpharetta separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Illicit Discharge. Any direct or indirect non-stormwater discharge to the City of Alpharetta separate storm sewer system, except as exempted in Section 3.3.9.C. of this ordinance.

Impervious Cover. A [man-made structure or](#) surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil [below the structure or surface](#). Impervious surfaces include, but are not limited to, rooftops, buildings, [walls](#), streets and roads, [dams](#), [wet extended or micropool detention ponds](#), and any concrete or asphalt surface. Streets, parking areas, sidewalks, and other surfaces constructed with pervious paving and green roofs shall not be considered impervious cover for the purposes of stormwater calculations in this Section of the UDC if it is a stormwater management practice with a recorded long-term maintenance agreement.

Industrial Activity. Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14).

Industrial Stormwater Permit. A National Pollutant Discharge Elimination System (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Infiltration. The process of percolating stormwater runoff into the subsoil.

Inspection and Maintenance Agreement. A written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project, which when properly recorded in the deed records constitutes a restriction on the title to a site or other land involved in a land development project.

Jurisdictional Wetland. An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

Land Development. Any land change, including, but not limited to, clearing, digging, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving, and any other installation of impervious cover.

Land Development Activities. Those actions or activities which comprise, facilitate or result in land development.

Land Development Project. A discrete land development undertaking.

Land Disturbance. Any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, that do not involve construction, paving or any other installation of impervious cover.

Land Disturbance Activity. Those actions or activities which comprise, facilitate or result in land disturbance.

Maintenance. Any action necessary to preserve stormwater management facilities in proper working condition, in order to serve the intended purposes set forth in this Ordinance and to prevent structural failure of such facilities.

National Pollutant Discharge Elimination System (NPDES) Storm Water Discharge Permit. A permit issued by the Georgia EPD under authority delegated pursuant to 33 USC § 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

New Development. A land development activity on a previously undeveloped site.

Non-perennial Stream. Any stream that is not classified as a perennial stream or that the City Engineer determines to be falsely classified as a perennial stream, beginning at: The location of a spring, seep, or groundwater outflow that sustains streamflow; or a point in the stream channel with a drainage area of 25 acres or more; or where evidence indicates the presence of a stream in a drainage area of other than 25 acres, the City of Alpharetta may require field studies to verify the existence of a stream.

Nonpoint Source Pollution. A form of water pollution that does not originate from a discrete point such as a sewage treatment plant or industrial discharge, but involves the transport of pollutants such as sediment, fertilizers, pesticides, heavy metals, oil, grease, bacteria, organic materials and other contaminants from land to surface water and groundwater via mechanisms such as precipitation, stormwater runoff, and leaching. Nonpoint source pollution is a by-product of land use practices such as agricultural, silvicultural, mining, construction, subsurface disposal and urban runoff sources.

Non-Stormwater Discharge. Any discharge to the storm drain system that is not composed entirely of stormwater.

Nonstructural Stormwater Management Practice or Nonstructural Practice. Any natural or planted vegetation or other nonstructural component of the stormwater management plan that provides for or enhances stormwater quantity and/or quality control or other stormwater management benefits, and includes, but is not limited to, riparian buffers, open and greenspace areas, overland flow filtration areas, natural depressions, and vegetated channels.

Off-Site Facility. A stormwater management facility located outside the boundaries of the site.

On-Site Facility. A stormwater management facility located within the boundaries of the site.

Overbank Flood Protection. Measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e. flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the 2-year through 25-year frequency storm events.

Owner. The legal or beneficial owner of a site, including but not limited to, a mortgagee or vendee in possession, receiver, executor, trustee, lessee or other person, firm or corporation in control of the site.

Parcel. Any plot, lot or acreage shown as a unit on the latest county tax assessment records.

Perennial Stream. Means any stream which is designated and shown as a permanent stream on the 7.5-minute quadrangle maps of the U.S. Geological Survey, plus any stream which the Mayor and City Council may determine to be, and designate as, a flowing stream.

Permit. The permit issued by the City of Alpharetta to the applicant which is required for undertaking any land development activity.

Person. Except to the extent exempted from this ordinance, any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity.

Pollutant. Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking grease; detergents (biodegradable or otherwise); degreasers; chemicals; steam cleaning or laundry wastes; heated water; chlorinated water or chlorine (except as exempted above); non-hazardous liquid and solid wastes and yard wastes; bark and other fibrous material; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; animal carcasses; silt; acids or alkalis; recreational vehicle wastes; dyes (without prior permission of the Department); floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; washing of fresh concrete for cleaning and/or finishing purposes or to expose aggregates; and noxious or offensive matter of any kind.

Pollution. The contamination or other alteration of any water's physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

Post-development. The time period, or the conditions that may reasonably be expected or anticipated to exist, after completion of the land development activity on a site as the context may require.

Pre-development. The time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish pre-development conditions.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Private. Property or facilities owned by individuals, corporations, and other organizations and not by city, state, or federal government.

Project. A land development project.

Protection Area, or Stream Protection Area. With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.

Redevelopment. A land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional nonpoint source pollution.

Regional Stormwater Management Facility or Regional Facility. Stormwater management facilities designed to control stormwater runoff from multiple properties, where the owners or developers of the

individual properties may assist in the financing of the facility, and the requirement for on-site controls is either eliminated or reduced.

Riparian. Belonging or related to the bank of a river, stream, lake, pond or impoundment.

Runoff. Stormwater runoff.

Setback. With respect to a stream, the area extending beyond any buffer applicable to the stream.

Site. The parcel of land being developed, or the portion thereof on which the land development project is located.

State Waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface and subsurface water, natural or artificial, lying within or forming a part of the boundaries of the State of Georgia which are not entirely confined and retained completely upon the property of a single person.

Stormwater Better Site Design. Nonstructural site design approaches and techniques that can reduce a site's impact on the watershed and can provide for nonstructural stormwater management. Stormwater better site design includes conserving and protecting natural areas and greenspace, reducing impervious cover and using natural features for stormwater management.

Stormwater Management. The collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner intended to prevent increased flood damage, streambank channel erosion, habitat degradation and water quality degradation, and to enhance and promote the public health, safety and general welfare.

Stormwater Management Facility. Any infrastructure that controls or conveys stormwater runoff.

Stormwater Management Manual. The most recent update of the City of Alpharetta Stormwater Management Design Manual, combined with the latest edition of the Georgia Stormwater Management Manual.

Stormwater Management Measure. Any stormwater management facility or nonstructural stormwater practice.

Stormwater Management Plan. A document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

Stormwater Management System. The entire set of structural and nonstructural stormwater management facilities and practices that are used to capture, convey and control the quantity and quality of the stormwater runoff from a site.

Stormwater Retrofit. A stormwater management practice designed for a currently developed site that previously had either no stormwater management practice in place or a practice inadequate to meet the stormwater management requirements of the site.

Stormwater Runoff or Stormwater. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Stream Bank. The sloping land that contains the stream channel and the normal flows of the stream.

Stream Channel. The portion of a watercourse that contains the base flow of the stream.

Structural Stormwater Control. A structural stormwater management facility or device that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release or the velocity of flow of such runoff.

Subdivision. The division of a tract or parcel of land resulting in one or more new lots or building sites for the purpose, whether immediately or in the future, of sale, other transfer of ownership or land development, and includes divisions of land resulting from or made in connection with the layout or development of a new street or roadway or a change in an existing street or roadway.

Variance. The modification of the minimum stormwater management requirements for specific circumstances where strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of this Ordinance.

Watershed. The land area that drains into a particular stream.

3.3.3 Permit procedures and requirements.

- A. *Permit Application Requirements.* No owner or developer shall perform any land development activities without first meeting the requirements of this ordinance prior to commencing the proposed activity.

Unless specifically exempted by this ordinance, any owner or developer proposing a land development activity shall submit to the City of Alpharetta a permit application on a form provided by the Community Development Department for that purpose.

Unless otherwise exempted by this ordinance, a permit application shall be accompanied by the following items in order to be considered:

1. Stormwater preliminary plan and consultation meeting certification in accordance with Section 3.3.3.B.;
 2. Stormwater management plan in accordance with Section 3.3.3.C.;
 3. Inspection and maintenance agreement in accordance with Section 3.3.3.D., if applicable;
 4. Performance bond in accordance with Section 3.3.3.E., if applicable; and,
 5. Permit application and plan review fees in accordance with Section 3.3.3.F.
- B. *Stormwater Preliminary Plan and Consultation Meeting.* Before any stormwater management permit application is submitted, the land owner or developer shall meet with the City Engineer for a consultation meeting on a preliminary plan for the post-development stormwater management system to be utilized in the proposed land development project. This consultation meeting shall take place at the time of the preliminary plat of subdivision or other early step in the development process. The purpose of this meeting is to discuss the post-development stormwater management measures necessary for the proposed project, as well as to discuss and assess constraints, opportunities and potential ideas for stormwater management designs before the formal site design engineering is commenced.

To accomplish this goal the following information shall be included in the preliminary plan:

Existing conditions and proposed site layout sketch plans, which illustrate at a minimum: existing topography; location of floodplain/floodway boundaries; wetland delineations; lakes and ponds; perennial and non-perennial streams; stream buffers and setbacks; mapping of predominant soils from soil surveys (when available); boundaries of existing predominant vegetation; forest cover; locations of specimen trees; zoning buffers; location of existing and proposed roads and other impervious surfaces; preliminary selection and location of proposed structural stormwater controls; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; relationship of site to upstream and downstream properties and drainages; and preliminary location of proposed stream channel modifications, such as bridge or culvert crossings. Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development.

Local watershed plans, the City greenspace protection plan (if applicable), and any relevant resource protection plans will be consulted in the discussion of the preliminary plan.

- C. *Stormwater Management Plan Requirements.* The stormwater management plan shall detail how post-development stormwater runoff will be controlled or managed and how the proposed project will meet the requirements of this ordinance, including the performance criteria set forth in Section 3.3.4 below.

This plan shall be in accordance with the criteria established in this Section and must be submitted with the stamp and signature of a Professional Engineer (PE) licensed in the state of Georgia, who must

verify that the design of all stormwater management facilities and practices meet the submittal requirements outlined in the submittal checklist(s) found in the Stormwater Management Manual.

The stormwater management plan must ensure that the requirements and criteria in this ordinance are being complied with and that opportunities are being taken to minimize adverse post-development stormwater runoff impacts from the development. The plan shall consist of maps, narrative, and supporting design calculations (hydrologic and hydraulic) for the proposed stormwater management system. The plan shall include all of the information required in the Stormwater Management Site Plan checklist found in the Stormwater Management Manual. This includes:

1. Common address and legal description of site.
2. Vicinity Map.
3. Existing Conditions Hydrologic Analysis. The existing conditions hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of existing site conditions with the drainage basin boundaries indicated; acreage, soil types and land cover of areas for each subbasin affected by the project; all perennial and intermittent streams and other surface water features; all existing stormwater conveyances and structural control facilities; direction of flow and exits from the site; analysis of runoff provided by off-site areas upstream of the project site; and methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. For redevelopment sites, predevelopment conditions shall be modeled using the established guidelines for the portion of the site undergoing land development activities. The redevelopment guidelines, including how the predevelopment conditions will be modeled for redevelopment sites, will be established in the stormwater management manual.
4. Post-Development Hydrologic Analysis. The post-development hydrologic analysis for stormwater runoff rates, volumes, and velocities, which shall include: a topographic map of developed site conditions with the post-development drainage basin boundaries indicated; total area of post-development impervious surfaces and other land cover areas for each subbasin affected by the project; calculations for determining the runoff volumes that need to be addressed for each subbasin for the development project to meet the post-development stormwater management performance criteria in Section 3.3.4; location and boundaries of proposed natural feature protection and conservation areas; documentation and calculations for any applicable site design credits that are being utilized; methodologies, assumptions, site parameters and supporting design calculations used in analyzing the existing conditions site hydrology. If the land development activity on a redevelopment site constitutes more than 50 percent of the site area for the entire site, then the performance criteria in Section 3.3.4 must be met for the stormwater runoff from the entire site.
5. Stormwater Management System. The description, scaled drawings and design calculations for the proposed post-development stormwater management system, which shall include: A map and/or drawing or sketch of the stormwater management facilities, including the location of nonstructural site design features and the placement of existing and proposed structural stormwater controls, including design water surface elevations, storage volumes available from zero to maximum head, location of inlet and outlets, location of bypass and discharge systems, and all orifice/restrictor sizes; a narrative describing how the selected structural stormwater controls will be appropriate and effective; cross-section and profile drawings and design details for each of the structural stormwater controls in the system, including supporting calculations to show that the facility is designed according to the applicable design criteria; a hydrologic and hydraulic analysis of the stormwater management system for all applicable design storms (including stage-storage or outlet rating curves, and inflow and outflow hydrographs); documentation and supporting calculations to show that the stormwater management system adequately meets the post-development stormwater management performance criteria in Section 3.3.4; drawings, design calculations, elevations and hydraulic grade lines for all existing and proposed stormwater conveyance elements including stormwater drains, pipes, culverts, catch basins, channels, swales and areas of overland flow; and where applicable, a narrative describing

how the stormwater management system corresponds with any watershed protection plans and/or local greenspace protection plan.

6. **Post-Development Downstream Analysis.** A downstream peak flow analysis which includes the assumptions, results and supporting calculations to show safe passage of post-development design flows downstream. The analysis of downstream conditions in the report shall address each and every point or area along the project site's boundaries at which runoff will exit the property. The analysis shall focus on the portion of the drainage channel or watercourse immediately downstream from the project. This area shall extend downstream from the project to a point in the drainage basin where the project area is 10 percent of the total basin area. In calculating runoff volumes and discharge rates, consideration may need to be given to any planned future upstream land use changes. The analysis shall be in accordance with the Stormwater Management Manual.
7. **Construction-Phase Erosion and Sedimentation Control Plan.** An erosion and sedimentation control plan in accordance with Section 3.1.1 *Soil Erosion and Sedimentation Control* or the NPDES Permit for Construction Activities. The plan shall also include information on the sequence/phasing of construction and temporary stabilization measures and temporary structures that will be converted into permanent stormwater controls.
8. **Landscaping and Open Space Plan.** A detailed landscaping and vegetation plan describing the woody and herbaceous vegetation that will be used within and adjacent to stormwater management facilities and practices. The landscaping plan must also include: the arrangement of planted areas, natural and greenspace areas and other landscaped features on the site plan; information necessary to construct the landscaping elements shown on the plan drawings; descriptions and standards for the methods, materials and vegetation that are to be used in the construction; density of plantings; descriptions of the stabilization and management techniques used to establish vegetation; and a description of who will be responsible for ongoing maintenance of vegetation for the stormwater management facility and what practices will be employed to ensure that adequate vegetative cover is preserved.
9. **Operations and Maintenance Plan.** Detailed description of ongoing operations and maintenance procedures for stormwater management facilities and practices to ensure their continued function as designed and constructed or preserved. These plans will identify the parts or components of a stormwater management facility or practice that need to be regularly or periodically inspected and maintained, and the equipment and skills or training necessary. The plan shall include an inspection and maintenance schedule, maintenance tasks, responsible parties for maintenance, funding, access and safety issues. Provisions for the periodic review and evaluation of the effectiveness of the maintenance program and the need for revisions or additional maintenance procedures shall be included in the plan.
10. **Maintenance Access Easements.** The applicant must ensure access from public right-of-way to stormwater management facilities and practices requiring regular maintenance at the site for the purpose of inspection and repair by securing all the maintenance access easements needed on a permanent basis. Such access shall be sufficient for all necessary equipment for maintenance activities. Upon final inspection and approval, a plat or document indicating that such easements exist shall be recorded and shall remain in effect even with the transfer of title of the property. The stormwater management manual establishes guidelines for easements and maintenance.
11. **Inspection and Maintenance Agreements.** Unless an on-site stormwater management facility or practice is dedicated to and accepted by the City of Alpharetta as provided in Section 3.3.3.D. below, the applicant must execute an easement and an inspection and maintenance agreement binding on all subsequent owners of land served by an on-site stormwater management facility or practice in accordance Section 3.3.3.D.
12. **Evidence of Acquisition of Applicable Local and Non-local Permits.** The applicant shall certify and provide documentation to the City Engineer that all other applicable environmental permits have been acquired for the site prior to approval of the stormwater management plan.

- D. *Stormwater Management Inspection and Maintenance Agreements.* Prior to the issuance of any permit for a land development activity requiring a stormwater management facility or practice hereunder and for which the City requires ongoing maintenance (as defined in the stormwater management manual), the applicant or owner of the site must, unless an on-site stormwater management facility or practice is dedicated to and accepted by the City, execute an inspection and maintenance agreement, and/or a conservation easement, if applicable, that shall be binding on all subsequent owners of the site.

The inspection and maintenance agreement, if applicable, must be approved by the City Engineer prior to plan approval, and recorded in the deed records upon final plat approval.

The inspection and maintenance agreement shall identify by name or official title the person(s) responsible for carrying out the inspection and maintenance. Responsibility for the operation and maintenance of the stormwater management facility or practice, unless assumed by a governmental agency, shall remain with the property owner and shall pass to any successor owner. If portions of the land are sold or otherwise transferred, legally binding arrangements shall be made to pass the inspection and maintenance responsibility to the appropriate successors in title. These arrangements shall designate for each portion of the site, the person to be permanently responsible for its inspection and maintenance.

As part of the inspection and maintenance agreement, a schedule shall be developed for when and how often routine inspection and maintenance will occur to ensure proper function of the stormwater management facility or practice. The agreement shall also include plans for annual inspections to ensure proper performance of the facility between scheduled maintenance and shall also include remedies for the default thereof.

In addition to enforcing the terms of the inspection and maintenance agreement, the City may also enforce all of the provisions for ongoing inspection and maintenance in Section 3.3.8 of this ordinance.

The City, in lieu of an inspection and maintenance agreement, may accept dedication of any existing or future stormwater management facility for maintenance, provided such facility meets all the requirements of this ordinance and includes adequate and perpetual access and sufficient area, by easement or otherwise, for inspection and regular maintenance. The City may refuse to accept dedication of any existing or future stormwater management facility if the City Engineer determines that accepting the facility is not in the best interest of the City due to maintenance costs or other factors.

- E. *Performance and Maintenance Bonds.* The Stormwater Management Manual may require performance and/or maintenance bonds for stormwater management facilities or practices and define the bond amounts.

F. *Application Procedure.*

1. Applications for land development permits shall be filed with the Community Development Department in accordance with Section 4.4.3 *Land Disturbance Permits*.
2. Permit applications shall include the items set forth in Section 3.3.3.A. above (two copies of the stormwater management plan and the inspection maintenance agreement, if applicable, shall be included).
3. Upon a finding by the City Engineer that the permit application, stormwater management plan and inspection and maintenance agreement, if applicable, meet the requirements of this ordinance, the City Engineer will approve the plans. The land disturbance permit may then be issued by the Community Development Department, provided all other legal requirements for the issuance of such permit have been met.
4. Notwithstanding the issuance of the permit, in conducting the land development project, the applicant or other responsible person shall be subject to the following requirements:
 - a. The applicant shall comply with all applicable requirements of the approved plan and this ordinance and shall certify that all land clearing, construction, land development and drainage will be done according to the approved plan;
 - b. The land development project shall be conducted only within the area specified in the approved plan;

- c. The City shall be allowed to conduct periodic inspections of the project;
- d. No changes may be made to an approved plan without review and written approval by the City; and,
- e. Upon completion of the project, the applicant or other responsible person shall submit the engineer's report and certificate and as-built plans required by Section 3.3.5.B.

G. *Modifications for Off-Site Facilities.* The stormwater management plan for each land development project shall provide for stormwater management measures located on the site of the project, unless provisions are made to manage stormwater by an off-site or regional facility. The off-site or regional facility must be located on property legally dedicated for the purpose, must be designed and adequately sized to provide a level of stormwater quantity and quality control that is equal to or greater than that which would be afforded by on-site practices and there must be a legally-obligated entity responsible for long-term operation and maintenance of the off-site or regional stormwater facility. In addition, on-site measures shall be implemented, where necessary, to protect upstream and downstream properties and drainage channels from the site to the off-site facility.

A stormwater management plan must be submitted to the City Engineer which shows the adequacy of the off-site or regional facility.

To be eligible for a modification, the applicant must demonstrate to the satisfaction of the City Engineer that the use of an off-site or regional facility will not result in the following impacts to upstream or downstream areas:

- 1. Increased threat of flood damage to public health, life, and property;
- 2. Deterioration of existing culverts, bridges, dams, and other structures;
- 3. Accelerated streambank or streambed erosion or siltation;
- 4. Degradation of in-stream biological functions or habitat; or
- 5. Water quality impairment in violation of State water quality standards, and/or violation of any state or federal regulations.

3.3.4 Post-development stormwater management performance criteria.

The following performance criteria shall be applicable to all stormwater management plans, unless otherwise provided for in this ordinance:

- A. *Water Quality.* All stormwater runoff generated from a site shall be adequately treated before discharge. It will be presumed that a stormwater management system complies with this requirement if:
 - 1. It is sized to treat the prescribed water quality treatment volume from the site, as defined in the Georgia Stormwater Management Manual;
 - 2. Appropriate structural stormwater controls or nonstructural practices are selected, designed, constructed or preserved, and maintained according to the specific criteria in the Georgia Stormwater Management Manual; and,
 - 3. Runoff from hotspot land uses and activities identified by the Engineering/Public Works Department are adequately treated and addressed through the use of appropriate structural stormwater controls, nonstructural practices and pollution prevention practices.
- B. *Stream Channel Protection.* Protection of stream channels from bank and bed erosion and degradation shall be provided by using all of the following three approaches:
 - 1. Preservation, restoration and/or reforestation (with native vegetation) of the applicable stream buffer;
 - 2. 24-hour extended detention storage of the 1-year, 24-hour return frequency storm event, this requirement may be adjusted or waived by the City Engineer for sites that discharge directly

into larger streams, rivers, wetlands, or lakes, or to a man-made channel or conveyance system where the reduction in these flows will not have an impact on upstream or downstream streambank or channel integrity;

3. Erosion prevention measures such as energy dissipation and velocity control.
- C. *Overbank Flooding Protection.* Downstream overbank flood and property protection shall be provided by controlling (attenuating) the post-development peak discharge rate to the pre-development rate for the 25-year, 24-hour return frequency storm event. If control of the 1-year, 24-hour storm under Section 3.3.4.B. is exempted, then peak discharge rate attenuation of the 2-year through the 25-year return frequency storm event must be provided. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.
 - D. *Extreme Flooding Protection.* Extreme flood and public safety protection shall be provided by controlling and safely conveying the 100-year, 24-hour return frequency storm event such that flooding is not exacerbated. This requirement may be adjusted or waived by the City Engineer for sites where the post-development downstream analysis shows that uncontrolled post-development conditions will not increase downstream peak flows, or that meeting the requirement will cause greater peak flow downstream impacts than the uncontrolled post-development conditions.
 - E. *Structural Stormwater Controls.* All structural stormwater management facilities shall be selected and designed using the appropriate criteria from the Georgia Stormwater Management Manual. All structural stormwater controls must be designed appropriately to meet their intended function. For other structural stormwater controls not included in the Georgia Stormwater Management Manual, or for which pollutant removal rates have not been provided, the effectiveness and pollutant removal of the structural control must be documented through prior studies, literature reviews, or other means and receive approval from City Engineer before being included in the design of a stormwater management system. In addition, if hydrologic or topographic conditions, or land use activities warrant greater control than that provided by the minimum control requirements, the City Engineer may impose additional requirements deemed necessary to protect upstream and downstream properties and aquatic resources from damage due to increased volume, frequency, and rate of stormwater runoff or increased nonpoint source pollution loads created on the site in question.

Applicants shall consult the Georgia Stormwater Management Manual for guidance on the factors that determine site design feasibility when selecting and locating a structural stormwater control.
 - F. *Stormwater Credits for Nonstructural Measures.* The use of one or more site design measures by the applicant may allow for a reduction in the water quality treatment volume required under Section 3.3.4.A. The applicant may, if approved by the City Engineer, take credit for the use of stormwater better site design practices and reduce the water quality volume requirement. For each potential credit, there is a minimum set of criteria and requirements which identify the conditions or circumstances under which the credit may be applied. The site design practices that qualify for this credit and the criteria and procedures for applying and calculating the credits are included in the Georgia Stormwater Management Manual.
 - G. *Drainage System Guidelines.* Stormwater conveyance facilities, which may include but are not limited to culverts, stormwater drainage pipes, catch basins, drop inlets, junction boxes, headwalls, gutters, swales, channels, ditches, and energy dissipaters shall be provided when necessary for the protection of public right-of-way and private properties adjoining project sites and/or public rights-of-way. Stormwater conveyance facilities that are designed to carry runoff from more than one parcel, existing or proposed, shall meet the following requirements:
 1. Methods to calculate stormwater flows shall be in accordance with the Stormwater Management Manual;

2. All culverts, pipe systems and open channel flow systems shall be sized in accordance with the stormwater management plan using the methods included in the Stormwater Management Manual; and,
 3. Design and construction of stormwater conveyance facilities shall be in accordance with the criteria and specifications found in the Stormwater Management Manual.
- H. *Dam Design Guidelines.* Any land-disturbing activity that involves a site which proposes a dam shall comply with the Georgia Safe Dams Act and Rules for Dam Safety as applicable.

3.3.5 Construction inspections of post-development stormwater management system.

- A. *Inspections to Ensure Plan Compliance During Construction.* Periodic inspections of the stormwater management system construction shall be conducted by the staff of the Engineering/Public Works Department or conducted and certified by a professional engineer who has been approved by the Engineering/Public Works Department. Construction inspections shall utilize the approved stormwater management plan for establishing compliance.

All inspections shall be documented with written reports that contain the following information:

1. The date and location of the inspection;
2. Whether construction is in compliance with the approved stormwater management plan;
3. Variations from the approved construction specifications; and,
4. Any other variations or violations of the conditions of the approved stormwater management plan.

If any violations are found, the applicant shall be notified in writing of the nature of the violation and the required corrective actions.

- B. *Final Inspection and As Built Plans.* Upon completion of a project, and before a certificate of occupancy shall be granted, the applicant is responsible for certifying that the completed project is in accordance with the approved stormwater management plan. All applicants are required to submit actual "as built" plans for any stormwater management facilities or practices after final construction is completed. The plan must show the final design specifications for all stormwater management facilities and practices and must be certified by a Professional Engineer. A final inspection by the Engineering/Public Works Department is required before the release of any performance securities can occur.

3.3.6 Stream buffer protection.

- A. *Findings and Purposes.*

1. *Findings.* Whereas, the Engineering/Public Works Department of City of Alpharetta finds that buffers adjacent to streams provide numerous benefits including:
 - a. Protecting, restoring and maintaining the chemical, physical and biological integrity of streams and their water resources.
 - b. Removing pollutants delivered in urban stormwater.
 - c. Reducing erosion and controlling sedimentation.
 - d. Protecting and stabilizing stream banks.
 - e. Providing for infiltration of stormwater runoff.
 - f. Maintaining base flow of streams.
 - g. Contributing organic matter that is a source of food and energy for the aquatic ecosystem.
 - h. Providing tree canopy to shade streams and promote desirable aquatic habitat.
 - i. Providing riparian wildlife habitat.

- j. Furnishing scenic value and recreational opportunity.
 - k. Providing opportunities for the protection and restoration of greenspace.
2. *Purposes.* The purpose of this Ordinance is to protect the public health, safety, environment and general welfare; to minimize public and private losses due to erosion, siltation and water pollution; and to maintain stream water quality by provisions designed to:
- a. Create buffer zones along the streams of the City for the protection of water resources; and,
 - b. Minimize land development within such buffers by establishing buffer zone requirements and by requiring authorization for any such activities.
- B. *Applicability.* This ordinance shall apply to all land development activity on property containing a stream protection area. These requirements are in addition to, and do not replace or supersede, any other applicable buffer requirements established under state law and approval or exemption from these requirements do not constitute approval or exemption from buffer requirements established under state law or from other applicable local, state or federal regulations.
1. *Grandfather Provisions.* This ordinance shall not apply to the following activities:
- a. Work consisting of the repair or maintenance of any lawful use of land that is zoned and approved for such use on or before the effective date of this ordinance.
 - b. Existing development and on-going land disturbance activities including but not limited to existing agriculture, silviculture, landscaping, gardening and lawn maintenance, except that new development or land disturbance activities on such properties will be subject to all applicable buffer requirements.
 - c. Any land development activity that is under construction, fully approved for development, scheduled for permit approval or has been submitted for approval as of the effective date of this ordinance.
 - d. Land development activity that has not been submitted for approval, but that is part of a larger master development plan, such as for an office park or other phased development that has been previously approved within two years of the effective date of this ordinance.
 - e. Grandfathering provisions only apply to Section 3.3.6 Stream Buffer Protection.
2. *Exemptions.* The following specific activities are exempt from this ordinance. After the effective date of this ordinance, it shall apply to new subdividing and platting activities. Any land development activity within a buffer established hereunder or any impervious cover within a setback established hereunder is prohibited unless a variance is granted pursuant to Section C below. Exemption of these activities does not constitute an exemption for any other activity proposed on a property.
- a. Activities for the purpose of building one of the following:
 - (1) A stream crossing by a driveway, transportation route or utility line;
 - (2) Public water supply intake or public wastewater outfall structures;
 - (3) Intrusions necessary to provide access to a property;
 - (4) Public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
 - (5) Unpaved foot trails and paths;
 - (6) Activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used;
 - (7) The City of Alpharetta Greenway system.
 - b. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank.

This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures. This exemption shall not be construed as allowing the construction of roads, bike paths or other transportation routes in such easements, regardless of paving material, except for access for the uses specifically cited in Item a., above.

- c. Land development activities within a right-of-way existing at the time this ordinance takes effect or approved under the terms of this ordinance.
- d. Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
- e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this Section, the person performing it shall report such work to the Engineering/Public Works Department on the next business day after commencement of the work. Within ten (10) days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the City Engineer to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.
- f. Forestry and silviculture activities on land that is zoned for forestry, silvicultural or agricultural uses and are not incidental to other land development activity. If such activity results in land disturbance in the buffer that would otherwise be prohibited, then no other land-disturbing activity other than normal forest management practices will be allowed on the entire property for three years after the end of the activities that intruded on the buffer.

C. Land Development Requirements.

- 1. **Buffer and Setback Requirements.** All land development activity subject to this ordinance shall meet the following requirements:
 - a. An undisturbed natural vegetative buffer shall be maintained for 50 feet, measured horizontally, on both banks (as applicable) of a non-perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 25 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback.
 - b. An undisturbed natural vegetative buffer shall be maintained for 100 feet, measured horizontally, on both banks (as applicable) of a perennial stream as measured from the top of the stream bank. An additional setback shall be maintained for 50 feet, measured horizontally, beyond the undisturbed natural vegetative buffer, in which all impervious cover shall be prohibited. Grading, filling and earthmoving shall be minimized within the setback. If approved by the City Engineer, the buffer requirement may be achieved by maintaining an average of width of 100 feet and a minimum distance of 50 feet from each side of the stream as measured horizontally from the top of the stream bank. If approved by the City Engineer, the setback may be achieved by restricting the construction of any impervious surface within an average setback of 150 feet on each side of the stream and a minimum distance of 75 feet as measured horizontally from the top of the stream bank. No averaging shall be allowed on the following:
 - (1) Big Creek.
 - (2) Foe Killer Creek.
 - (3) Any perennial stream within a seven (7) mile radius upstream of the Roswell water supply intake protected pursuant to Section 3.3.12.
 - c. No septic tanks or septic tank drain fields shall be permitted within the buffer or the setback.

- d. No solid fences greater than four (4) feet in height are permitted within the buffer. Fences that are not private in nature (such as split rail) may be allowed for the delineation of property or other purposes not intended to disturb the buffer area.
2. *Variance Procedures.* Variances from the above buffer and setback requirements may be granted in accordance with the following provisions:
- a. Where a parcel was platted prior to the effective date of this ordinance, and its shape, topography or other existing physical condition prevents land development consistent with this ordinance, and the City of Alpharetta finds and determines that the requirements of this ordinance prohibit the otherwise lawful use of the property by the owner, the City Engineer may grant a variance from the buffer and setback requirements hereunder, provided such variance require mitigation measures to offset the effects of any proposed land development on the parcel.
 - b. Requests for variances shall follow the procedures described in Section 4.5 and Section 5.2. Variances will be considered only in the following cases:
 - (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.
 - (2) Unusual circumstances when strict adherence to the minimal buffer requirements in the ordinance would create an extreme hardship.

Variances will not be considered when, following adoption of this ordinance, actions of any property owner of a given property have created conditions of a hardship on that property.
 - c. At a minimum, a variance request shall include the following information:
 - (1) A site map that includes locations of all streams, wetlands, floodplain boundaries and other natural features, as determined by field survey;
 - (2) A description of the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (3) A detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
 - (4) Documentation of unusual hardship should the buffer be maintained;
 - (5) At least one alternative plan, which does not include a buffer or setback intrusion, or an explanation of why such a site plan is not possible;
 - (6) A calculation of the total area and length of the proposed intrusion;
 - (7) A stormwater management site plan, if applicable; and,
 - (8) Proposed mitigation, if any, for the intrusion. If no mitigation is proposed, the request must include an explanation of why none is being proposed.
 - d. The following factors will be considered in determining whether to issue a variance:
 - (1) The shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
 - (2) The locations of all streams on the property, including along property boundaries;
 - (3) The location and extent of the proposed buffer or setback intrusion; and,
 - (4) Whether alternative designs are possible which require less intrusion or no intrusion;
 - (5) The long-term and construction water-quality impacts of the proposed variance;

- (6) Whether issuance of the variance is at least as protective of natural resources and the environment.

D. *Additional Information Requirements for Development on Buffer Zone Properties.* All buffer and setback areas must be recorded on the final plat of the property following plan approval. Any permit applications for property requiring buffers and setbacks hereunder must include the following:

1. A site plan showing:
 - a. The location of all streams on the property;
 - b. Limits of required stream buffers and setbacks on the property;
 - c. Buffer zone topography with contour lines at no greater than (2) two-foot contour intervals;
 - d. Delineation of forested and open areas in the buffer zone;
 - e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback; and
 - f. Location of the floodplain;
2. A description of all proposed land development within the buffer and setback; and,
3. Any other documentation that the City of Alpharetta may reasonably deem necessary for review of the application and to insure that the buffer zone ordinance is addressed in the approval process.

E. *Responsibility.* Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this ordinance shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the City of Alpharetta, its officers or employees, for injury or damage to persons or property.

F. *Inspection.* The City may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the City in making such inspections. The City shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this ordinance, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

3.3.7 Wetlands.

A. Definitions.

Wetlands. Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. The ecological parameters for designating wetlands include hydric soils, hydrophytic vegetation, and hydrological conditions that involve a temporary or permanent source of water to cause soil saturation.

Generalized Wetlands Map. The current U.S. fish and Wildlife Service National Wetlands Inventory maps for the City of Alpharetta, Georgia.

Jurisdictional Wetlands. An area that meets the definitional requirements for wetlands as determined by the U.S. Army Corps of Engineers.

Jurisdictional Wetland Determination. A delineation of jurisdictional wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, 33 U.S.C. § 1344, as amended.

Regulated Activity. Any activity that will, or which may reasonably be expected to, result in the discharge of dredged or fill material into waters of the U.S. excepting those activities exempted in Section 404 of the Federal Clean Water Act.

B. *Establishment of the Wetlands Protection District.* The Wetlands Protection District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta Georgia that are mapped as wetland areas by the U.S. Fish and Wildlife Service National Wetlands Inventory Maps. This map shall be referred to as the Wetlands Map and is hereby adopted by reference and declared to be a part of this ordinance, together with all explanatory matter thereon and attached thereto.

The Wetlands Map does not represent the boundaries of jurisdictional wetlands and cannot serve as a substitute for a delineation of wetland boundaries by the U.S. Army Corps of Engineers, as required by Section 404 of the Clean Water Act, as amended. Any local government action under this ordinance does not relieve the landowner from federal or state permitting requirements.

C. *Protection Criteria.* No regulated activity will be permitted within the Wetlands Protection District without a permit from the City of Alpharetta. If the area proposed for development is located within 50 feet of a Wetlands Protection District boundary, as determined by the Director using the Generalized Wetlands Map, a U.S. Army Corps of Engineers determination shall be required. If the Corps determines that wetlands are present on the proposed development site, the local permit or permission will not be granted until a Section 404 Permit or Letter of Permission is issued.

The filling in of established lakes, ponds and wetlands is discouraged.

D. *Permitted Uses.* The following uses shall be allowed as of right within the Wetlands Protection District to the extent that they are not prohibited by any other ordinance or law, including laws of trespass, and provided they do not require structures, grading, fill, draining, or dredging except as provided herein.

1. Conservation or preservation of soil, water, vegetation, fish and other wildlife, provided it does not affect waters of Georgia or of the United States in such a way that would require an individual 404 Permit.
2. Outdoor passive recreational activities, including fishing, bird watching, hiking, boating, horseback riding, and canoeing.
3. Forestry practices applied in accordance with best management practices approved by the Georgia Forestry Commission and as specified in Section 404 of the Clean Water Act.
4. The cultivation of agricultural crops. Agricultural activities shall be subject to best management practices approved by the Georgia Department of Agriculture.
5. The pasturing of livestock, provided that riparian wetlands are protected, that soil profiles are not disturbed and that approved agricultural Best Management Practices are followed.
6. Education, scientific research, and nature trails.

E. *Prohibited Uses.* The following uses are not permitted within the Wetlands Protection District.

1. Receiving areas for toxic or hazardous waste or other contaminants;
2. Hazardous or sanitary waste landfills;

F. *Administration, plan review, and permitting procedures are provided for in Section 4.4 of this code.*

3.3.8 Ongoing inspection and maintenance of stormwater facilities and practices.

A. *Long-Term Maintenance Inspection of Stormwater Facilities and Practices.* Stormwater management facilities and practices included in a stormwater management plan which are subject to an inspection

and maintenance agreement must undergo ongoing inspections to document maintenance and repair needs and ensure compliance with the requirements of the agreement, the plan and this ordinance.

A stormwater management facility or practice shall be inspected on a periodic basis by the responsible person in accordance with the approved inspection and maintenance agreement. In the event that the stormwater management facility has not been maintained and/or becomes a danger to public safety or public health, the City Engineer shall notify the person responsible for carrying out the maintenance plan by registered or certified mail to the person specified in the inspection and maintenance agreement. The notice shall specify the measures needed to comply with the agreement and the plan and shall specify the time within which such measures shall be completed. If the responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Engineering/Public Works Department may correct the violation as provided in Subsection D hereof.

Inspection programs by the Engineering/Public Works Department may be established on any reasonable basis, including but not limited to: routine inspections; random inspections; inspections based upon complaints or other notice of possible violations; and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to: reviewing maintenance and repair records; sampling discharges, surface water, groundwater, and material or water in stormwater management facilities; and evaluating the condition of stormwater management facilities and practices.

- B. *Right-of-Entry for Inspection.* The terms of the inspection and maintenance agreement shall provide for representatives of the City to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this ordinance is occurring or has occurred and to enter when necessary for abatement of a public nuisance or correction of a violation of this ordinance.
- C. *Records of Maintenance Activities.* Parties responsible for the operation and maintenance of a stormwater management facility shall provide records of all maintenance and repairs to the Engineering/Public Works Department.
- D. *Failure to Maintain.* If a responsible person fails or refuses to meet the requirements of the inspection and maintenance agreement, the Engineering/Public Works Department, after thirty (30) days written notice (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient), may correct a violation of the design standards or maintenance requirements by performing the necessary work to place the facility or practice in proper working condition. The City may assess the owner(s) of the facility for the cost of repair work which shall be a lien on the property, and may be placed on the ad valorem tax bill for such property and collected in the ordinary manner for such taxes.
- E. *Maintenance Responsibility.* For all existing and new development the following maintenance responsibilities shall apply:
 - 1. Any stormwater management facility which services individual subdivisions shall be privately owned with routine maintenance provided for by the owner(s). In subdivisions with an established homeowners association, the homeowners association shall be responsible for routine maintenance. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and other maintenance.
 - 2. Any stormwater management facility which services an individual subdivision in which the facility is within designated open areas or an amenity with an established homeowners association shall be privately owned and maintained. The owner shall maintain a perpetual, non-exclusive easement which allows for access for inspection and emergency maintenance.
 - 3. Any stormwater management facility which services commercial and industrial development shall be privately owned and maintained. The City shall reserve the right, but not the duty to enter the premises for emergency repairs.
 - 4. All other stormwater management facilities, including regional stormwater detention, shall be publicly owned and/or maintained only if accepted for maintenance by the City.

5. The director may require dedication of privately owned stormwater facilities, which discharge to the City's stormwater system, to the City.
6. Drainage easements where a subdivision is traversed by a water course, drainage way, natural stream or channel off the street right-of-way shall be clearly defined on the plat and deed of the individual property owner for the purpose of maintaining the free flow of water. The owner shall be required to keep the easement free of obstructions and will maintain same in such a way as to assure free and maximum flow at all times.

3.3.9 Illegal connection.

A. Findings. It is hereby determined that:

Discharges to the City of Alpharetta's separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased nonpoint source pollution and degradation of receiving waters;

These non-stormwater discharges occur due to spills, dumping and improper connections to the City's separate storm sewer system from residential, industrial, commercial or institutional establishments.

These non-stormwater discharges not only impact waterways individually, but geographically dispersed, small volume non-stormwater discharges can have cumulative impacts on receiving waters.

The impacts of these discharges adversely affect public health and safety, drinking water supplies, recreation, fish and other aquatic life, property values and other uses of lands and waters;

These impacts can be minimized through the regulation of spills, dumping and discharges into the City's separate storm sewer system;

Localities in the State of Georgia are required to comply with a number of State and Federal laws, regulations and permits which require a locality to address the impacts of stormwater runoff quality and nonpoint source pollution due to improper non-stormwater discharges to the City's separate storm sewer system;

Therefore, the City of Alpharetta adopts this ordinance to prohibit such non-stormwater discharges to the City's separate storm sewer system. It is determined that the regulation of spills, improper dumping and discharges to the City's separate storm sewer system is in the public interest and will prevent threats to public health and safety, and the environment.

B. Purpose and Intent. The purpose of this ordinance is to protect the public health, safety, environment and general welfare through the regulation of non-stormwater discharges to the City's separate storm sewer system to the maximum extent practicable as required by Federal law. This ordinance establishes methods for controlling the introduction of pollutants into the City's separate storm sewer system in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are to:

1. Regulate the contribution of pollutants to the City's separate storm sewer system by any person;
2. Prohibit illicit discharges and illegal connections to the City's separate storm sewer system;
3. Prevent non-stormwater discharges, generated as a result of spills, inappropriate dumping or disposal, to the City's separate storm sewer system; and,
4. To establish legal authority to carry out all inspection, surveillance, monitoring and enforcement procedures necessary to ensure compliance with this ordinance;
5. No variances shall be granted to illicit discharge or illegal connection.

C. Prohibition of Illicit Discharges. No person shall throw, drain, run, or otherwise discharge, cause, or allow others under its control to throw, drain, or otherwise discharge into any component of the City of Alpharetta separate storm sewer system, or to cause permit or suffer to be thrown, drained, run, or allow to seep or otherwise discharge, into such system, any pollutants or waters containing any pollutants, other than stormwater.

1. The following discharges are exempt from the prohibition provision above:
 - a. Water line flushing performed by a government agency, other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising ground water, ground water infiltration to storm drains, uncontaminated pumped ground water, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, natural riparian habitat or wetland flows, and any other water source not containing pollutants;
 - b. Discharges or flows from firefighting, and other discharges specified in writing by the City of Alpharetta as being necessary to protect public health and safety;
 - c. The prohibition provision above shall not apply to any non-stormwater discharge permitted under an NPDES permit or order issued to the discharger and administered under the authority of the State and the Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval from the City Engineer has been granted for any discharge to the City's separate storm sewer system.
- D. *Prohibition of Illegal Connections.* The construction, connection, use, maintenance or continued existence of any illegal connection to the City's separate storm sewer system is prohibited.
 1. This prohibition expressly includes, without limitation, illegal connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 2. A person violates this ordinance if the person connects a line conveying sewage to the City's separate storm sewer system, or allows such a connection to continue.
 3. The person responsible for any connection in violation of this Ordinance shall immediately cause the illegal connection to be disconnected and redirected, if necessary to Fulton County's sanitary sewer system upon approval by the Director of Fulton County's sanitary sewer department or an approved onsite wastewater management system. Such person shall provide the City Engineer with written confirmation that the connection has been disconnected, and, if necessary, redirected to Fulton County sanitary sewer.
 4. Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the City Engineer requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the City Engineer.
- E. *Industrial or Construction Activity Discharges.* Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City Engineer prior to allowing discharges to the City's separate storm sewer system.
- F. *Access and Inspection of Properties and Facilities.* Representatives of the City shall be permitted to enter and inspect properties and facilities at reasonable times as often as may be necessary to determine compliance with this ordinance.
 1. If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the City.
 2. The owner or operator shall allow representatives of the City ready access to all parts of the premises for the purposes of inspection, sampling, photography, videotaping, examination and copying of any records that are required under the conditions of an NPDES permit to discharge stormwater.

3. The City shall have the right to set up on any property or facility such devices as are necessary in the opinion of representatives of the City to conduct monitoring and/or sampling of flow discharges.
 4. The City may require the owner or operator to install monitoring equipment and perform monitoring as necessary, and make the monitoring data available to the Engineering/Public Works Department. This sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the owner or operator at his/her own expense. All devices used to measure flow and quality shall be calibrated to ensure their accuracy.
 5. Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the City Engineer and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
 6. Unreasonable delays in allowing representatives of the City access to a facility is a violation of this ordinance.
 7. If a representative of the City has been refused access to any part of the premises from which stormwater is discharged, and the representative of the City is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the representative of the City may seek issuance of a search warrant from any court of competent jurisdiction.
- G. *Notification of Accidental Discharges and Spills.* Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation has information of any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the City's separate storm sewer system, State Waters, or Waters of the U.S., said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge.

Said person shall notify the Engineering/Public Works Department by phone, facsimile, or in person within 24 hours of the nature, quantity and time of occurrence of the discharge. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Engineering/Public Works Department within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

Failure to provide notification of a release as provided above is a violation of this ordinance.

3.3.10 Variances from requirements.

- A. The City Engineer may grant a variance in accordance with Section 5.2 if exceptional circumstances applicable to a site exist such that strict adherence to the provisions of this Ordinance will result in unnecessary hardship and will not fulfill the intent of the Ordinance.
- B. In order to have a variance considered, the applicant shall submit a written request to the City Engineer identifying the specific variance sought and the reasons that the variance should be granted. The written request shall include supporting data and all other information necessary to evaluate the proposed variance.
- C. The City Engineer will conduct a review of the request for a variance within fifteen (15) working days of receiving the request.

3.3.11 Conservation subdivision.

A. *Purposes.*

1. To provide for the preservation of greenspace as a nonstructural stormwater runoff and watershed protection measure.
2. To provide a residential zoning district that permits flexibility of design in order to promote environmentally sensitive and efficient uses of the land.
3. To preserve in perpetuity unique or sensitive natural resources such as groundwater, floodplains, wetlands, streams, steep slopes, woodlands and wildlife habitat.
4. To permit clustering of houses and structures on less environmentally sensitive soils which will reduce the amount of infrastructure, including paved surfaces and utility easements, necessary for residential development.
5. To reduce erosion and sedimentation by minimizing land disturbance and removal of vegetation in residential development.
6. To promote interconnected greenways and corridors throughout the community.
7. To promote contiguous greenspace with adjacent jurisdictions.
8. To encourage interaction in the community by clustering houses and orienting them closer to the street, providing public gathering places and encouraging use of parks and community facilities as focal points in the neighborhood.
9. To encourage street designs that reduce traffic speeds and reliance on main arteries.
10. To promote construction of convenient landscaped walking trails and bike paths both within the subdivision and connected to neighboring communities, businesses, and facilities to reduce reliance on automobiles.
11. To conserve scenic views and reduce perceived density by maximizing the number of houses with direct access to and views of open space.
12. To preserve important historic and archaeological sites.
13. No variances shall be granted to conservation subdivisions.

B. *General Regulations.*

1. *Applicability of Regulations.* This Conservation Subdivision option is available in the Residential Estate (RE) zoning district as a use by right. Applicant shall comply with all other provisions of the zoning code and all other applicable laws, except those that are incompatible with the provisions contained herein.
2. *Ownership of Development Site.* The tract of land to be subdivided may be held in single and separate ownership or in multiple ownership. If held in multiple ownership, however, the site shall be developed according to a single plan with common authority and common responsibility.
3. *Housing Density Determination.* The maximum number of lots in the Conservation Subdivision shall be determined by either of the following two methods, at the discretion of the City:
 - a. *Calculation:* The maximum number of lots is determined by dividing the area of the tract of land by the minimum lot size specified in the underlying zoning. In making this calculation, the following shall not be included in the total area of the parcel:
 - (1) Slopes over 25 percent of at least 5,000 square feet contiguous area;
 - (2) The 100-year floodplain;
 - (3) Bodies of open water over 5,000 square feet contiguous area;

- (4) Wetlands that meet the definition of the Army Corps of Engineers pursuant to the Clean Water Act;
- (5) Anticipated right-of-way needs for roads and utilities; or,
- (6) Required stream buffers.

C. *Application Requirements.*

1. *Site Analysis Map Required.* Concurrent with the submission of a preliminary plat, Applicant shall prepare and submit a site analysis map. The purpose of the site analysis map is to ensure that the important site features have been adequately identified prior to the creation of the site design, and that the proposed Open Space will meet the requirements of this article. The preliminary plat shall include the following features, in addition to the other requirements of this document.
 - a. Property boundaries;
 - b. All streams, rivers, lakes, wetlands and other hydrologic features;
 - c. Topographic contours of no less than 10-foot intervals;
 - d. All Primary and Secondary Conservation Areas labeled by type, as described in Section 4 of this Article;
 - e. General vegetation characteristics;
 - f. General soil types;
 - g. The planned location of protected Open Space;
 - h. Existing roads and structures; and,
 - i. Potential connections with existing greenspace and trails.
2. *Open Space Management Plan Required.* An open space management plan, as described in Section 4, shall be prepared and submitted prior to the approval of the preliminary plat.
3. *Instrument of Permanent Protection Required.* An instrument of permanent protection, such as a conservation easement or permanent restrictive covenant and as described in Subsection D below, shall be placed on the Open Space concurrent with the issuance of a land disturbance permit.
4. *Other Requirements.* The Applicant shall adhere to all other applicable requirements of the underlying zoning and the Unified Development Code.

D. *Open Space.*

1. *Definition.* Open Space is the portion of the conservation subdivision that has been set aside for permanent protection. Activities within the Open Space are restricted in perpetuity through the use of an approved legal instrument.
2. *Standards to Determine Open Space.*
 - a. The minimum restricted Open Space shall comprise at least 40% of the gross tract area.
 - b. The following are considered Primary Conservation Areas and are required to be included within the Open Space, unless the Applicant demonstrates that this provision would constitute an unusual hardship and be counter to the purposes of this article:
 - (1) The regulatory 100-year floodplain;
 - (2) Buffer zones of at least 75 ft. width along all perennial and intermittent streams;
 - (3) Slopes above 25 percent of at least 5,000 square feet contiguous area;
 - (4) Wetlands that meet the definition used by the Army Corps of Engineers pursuant to the Clean Water Act;

- (5) Populations of endangered or threatened species, or habitat for such species; and,
 - (6) Archaeological sites, cemeteries and burial grounds.
 - c. The following are considered Secondary Conservation Areas and should be included within the Open Space to the maximum extent feasible:
 - (1) Important historic sites;
 - (2) Existing healthy, native forests of at least one acre contiguous area;
 - (3) Individual existing healthy trees greater than 8 inches caliper, as measured from their outermost drip line;
 - (4) Other significant natural features and scenic viewsheds such as ridge lines, peaks and rock outcroppings, particularly those that can be seen from public roads;
 - (5) Prime agricultural lands of at least five acres contiguous area; and,
 - (6) Existing trails that connect the tract to neighboring areas.
 - d. Above-ground utility rights-of-way and small areas of impervious surface may be included within the protected Open Space but cannot be counted towards the 40 percent minimum area requirement (exception: historic structures and existing trails may be counted). Large areas of impervious surface shall be excluded from the Open Space.
 - e. At least 75 percent of the Open Space shall be in a contiguous tract. The Open Space should adjoin any neighboring areas of Open Space, other protected areas, and non-protected natural areas that would be candidates for inclusion as part of a future area of protected Open Space.
 - f. The Open Space shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe, convenient access to the Open Space.
3. *Permitted Uses of Open Space.* Uses of Open Space may include the following:
- a. Conservation of natural, archeological or historical resources;
 - b. Meadows, woodlands, wetlands, wildlife corridors, game preserves, or similar conservation-oriented areas;
 - c. Walking or bicycle trails, provided they are constructed of porous paving materials;
 - d. Passive recreation areas;
 - e. Active recreation areas, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal. Active recreation areas may include impervious surfaces. Active recreation areas in excess of this limit must be located outside of the protected Open Space;
 - f. Agriculture, horticulture, silviculture or pasture uses, provided that all applicable best management practices are used to minimize environmental impacts, such activities are not conducted within Primary Conservation Areas, and such activities are in compliance with this ordinance;
 - g. Nonstructural stormwater management practices, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal;
 - h. Easements for drainage, access, and underground utility lines, provided that they are limited to no more than 10 percent of the total Open Space, are not located within Primary Conservation Areas, and do not require significant tree removal; or
 - i. Other conservation-oriented uses compatible with the purposes of this ordinance.

4. *Prohibited uses of Open Space.*

- a. Golf courses;
- b. Roads, parking lots and impervious surfaces, except as specifically authorized in the previous sections;
- c. Agricultural and forestry activities not conducted according to accepted Best Management Practices; and,
- d. Other activities as determined by the Applicant and recorded on the legal instrument providing for permanent protection.

5. *Ownership and Management of Open Space.*

- a. Ownership of Open Space. The applicant must identify the owner of the Open Space who is responsible for maintaining the Open Space and facilities located thereon. If a Homeowners Association is the owner, membership in the association shall be mandatory and automatic for all homeowners of the subdivision and their successors. If a Homeowners Association is the owner, the Homeowners' Association shall have lien authority to ensure the collection of dues from all members. The responsibility for maintaining the Open Space and any facilities located thereon shall be borne by the owner.
- b. Management Plan. Applicant shall submit a Plan for Management of Open Space and Common Facilities ("Plan") that:
 - (1) Allocates responsibility and guidelines for the maintenance and operation of the Open Space and any facilities located thereon, including provisions for ongoing maintenance and for long-term capital improvements;
 - (2) Estimates the costs and staffing requirements needed for maintenance and operation of, and insurance for, the Open Space and outlines the means by which such funding will be obtained or provided;
 - (3) Provides that any changes to the Plan be approved by the Board of Commissioners; and,
 - (4) Provides for enforcement of the Plan.
- c. In the event the party responsible for maintenance of the Open Space fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner, Homeowner's Association, or to the individual property owners that make up the Homeowner's Association, and may include administrative costs and penalties. Such costs shall become a lien on all subdivision properties.

6. *Legal Instrument for Permanent Protection.*

- a. The Open Space shall be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument shall be one of the following:
 - (1) A permanent conservation easement in favor of either:
 - (i) A land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - (ii) A governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance.

If the entity accepting the easement is not the City, then a third right of enforcement favoring the City shall be included in the easement;

- (2) A permanent restrictive covenant for conservation purposes in favor of a governmental entity; or,
 - (3) An equivalent legal tool that provides permanent protection, if approved by the City.
- b. The instrument for permanent protection shall include clear restrictions on the use of the Open Space. These restrictions shall include all restrictions contained in this article, as well as any further restrictions the Applicant chooses to place on the use of the Open Space.

3.3.12 Water supply watershed protection.

A. Definitions.

Buffer. A natural or enhanced vegetated area with no or limited minor land disturbances, such as trails and picnic areas, located adjacent to reservoirs or perennial streams within a water supply watershed.

Corridor. All land within the buffer areas established adjacent to reservoirs or perennial streams within a water supply watershed and within other setback areas specified in Section IV of this ordinance.

Impervious Surface. A man-made structure or surface that prevents the infiltration of storm water into the ground below the structure or surface. Examples are buildings, roads, driveways, parking lots, decks, swimming pools, or patios.

Perennial Stream. A stream that flows throughout the whole year as indicated on a USGS Quad map.

Small Water Supply Watershed. A watershed that contains less than 100 square miles of land within the drainage basin upstream of a governmentally owned public drinking water supply intake.

Utility. Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, stormwater systems and railroads or other utilities identified by a local government.

Water Supply Watershed. The area of land upstream of a governmentally owned public drinking water intake.

- B. *Establishment of a Water Supply Watershed District.* The Roswell Water Supply Watershed District is hereby designated and shall comprise the land that drains to City of Roswell water intake at Big Creek. The boundary of this overlay is defined by the ridgeline of the watershed and the boundary of a radius of seven (7) miles upstream of the Roswell Water Supply Intake. This overlay is delineated and defined on the Water Supply Watershed Protection District Map of The City of Alpharetta, hereafter referred to as The Map. The Map is hereby incorporated into and made a part of this ordinance by reference.

The Roswell Intake is within a small water supply watershed. An intake for the City of Roswell Georgia is located on Big Creek. This Water Supply Watershed does not contain a reservoir.

- C. *Protection Criteria.* The following regulations shall apply to the Roswell Water Supply Watershed within the City of Alpharetta as identified on the Map. Stream buffer requirements are also established as part of the City of Alpharetta Soil Erosion and Sedimentation Control Ordinance and the Stormwater Owner Ordinance. In areas of conflict, the stricter Ordinance will prevail.

1. The corridors of all perennial streams within a seven mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 100-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 150-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 150-foot setback area.

2. The corridors of all perennial streams outside a seven-mile radius upstream of the Roswell water supply intake must be protected by the following criteria:
 - a. A buffer shall be maintained for a distance of 50-feet on both sides of the stream as measured from the stream banks.
 - b. No impervious surface shall be constructed within a 75-foot setback area on both sides of the stream as measured from the stream banks. Septic tanks and septic tank drain fields are prohibited in the 75-foot setback area.
 3. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. The total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City Engineer.
 - a. The impervious surface area of facilities, including all public and private structures and utilities, within the water supply watershed shall be limited to 25% of the total area within the development, or the existing use, whichever is greater. All impervious surfaces must be included in the determination of the total impervious surface density of the City.
 - b. If the pending Big Creek Watershed Study recommendations are formally adopted by all of the local governments within the watershed, then the following approach may be considered: the total amount of impervious area may exceed the 25% impervious limit if the following conditions are met and approved by the City Engineer. The total directly connected impervious surface area within the development shall not exceed 25%. Impervious can be considered disconnected from the drainage system if the runoff from the impervious surface flows over a minimum of 25 feet of pervious surface or if the runoff from 1.2 inches of rainfall is treated by the following water quality best management practices:
 - (1) Wet ponds (extended detention for less than 20 acres)—ED-micro pool.
 - (2) Wetlands—constructed.
 - (3) Infiltration Trenches.
 - (4) Dry Swales.
 - (5) Sand Filters.
 - (6) Bio-retention.
 - (7) Vegetated filtration Systems.
 - (8) Any other best management practice approved by the city Engineer.
 4.
 - a. New facilities which handle hazardous materials of the types listed in Section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and amounts of 10,000 pounds or more on any one day, shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements or the requirements of the Standard Fire Prevention Code.
 - b. New sanitary landfills are allowed only if they have synthetic liners and leachate collection systems.
 - c. New hazardous waste treatment or disposal facilities are prohibited.
- D. *Exemptions.* The following uses shall be exempted:
1. Land uses existing prior to the adoption of this ordinance.
 2. Mining activities permitted by the Department of Natural Resources under the Surface Mining Act.
 3. Utilities from the stream corridor buffer and setback area provisions in accordance with the following conditions if the utilities to be located in the buffer or setback areas cannot feasibly be located outside these areas:

- a. The utilities shall be located as far from the stream bank as reasonably possible.
 - b. The installation and maintenance of the utilities shall be such to protect the integrity of the buffer and setback areas as best as reasonably possible.
 - c. The utilities shall not impair the quality of the drinking water stream.
 - 4. Specific forestry and agricultural activities in the stream corridor buffer and setback areas in accordance with the following conditions:
 - a. The activity shall be consistent with best management practices established by the Georgia Forestry Commission or the Georgia Department of Agriculture.
 - b. The activity shall not impair the quality of the drinking water stream.
 - E. *Administration.* Administration, enforcement, review and permitting shall be as per Section 4.4 of this Code.
- All development activities or site work conducted after approval of the site plan shall conform to the specifications of said site plan. Changes to the approved plans must be approved by the Director.
- The following activities and developments are exempt from the requirement for detailed site plans:
- 1. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - 2. Repairs to a facility that is part of a previously approved and permitted development.
 - 3. Construction of minor structures, such as sheds or additions to residences.
 - 4. Commercial development of under 800 square feet within the Central Business District.
- F. *Suspension, Revocation.* The Director may suspend or revoke a permit if she finds that the applicant has not complied with the conditions or limitations set forth in the permit or has exceeded the scope of the work set forth in the permit.

3.3.13 Groundwater recharge areas.

A. Definitions.

Aquifer. Any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Drastic. The standardized system for evaluating groundwater pollution potential using the hydro geologic settings described in U.S. Environmental Protection Agency document EPA-600-2-87-035.

Pollution Susceptibility. The relative vulnerability of an aquifer to being polluted from spills, discharges, leaks, impoundments, application of chemicals and other human activities in the recharge area.

Pollution Susceptibility Map. The relative vulnerability to pollution prepared by the Department of Natural Resources, using the DRASTIC methodology. (Georgia Department of Natural Resources Hydrologic Atlas 20: Groundwater Pollution Susceptibility Map of Georgia)

Recharge Area. Any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.

Significant Recharge Areas. Those areas mapped by the Georgia Department of Natural Resources in Hydrologic Atlas 18 (1989 edition).

Establishment of the Groundwater Recharge Area Protection District. The Groundwater Recharge Area District is hereby established which shall correspond to all lands within the jurisdiction of the City of Alpharetta, Georgia that are mapped as significant recharge areas by the Georgia Department of Natural Resources in Hydrologic Atlas 18, 1989 edition. Said map is hereby adopted and made a part of this ordinance.

Determination of Pollution Susceptibility. Each recharge area shall be determined to have a pollution susceptibility of high, medium, or low based on the Georgia Pollution Susceptibility Map, Hydrologic Atlas 20, 1992 edition. Said map is hereby adopted and made a part of this ordinance.

B. Protection Criteria.

1. No construction may proceed on a building to be served by a septic tank unless the Fulton County Health Department approves the proposed septic tank installations as meeting the requirements of the Georgia Department of Human Resource for On-Site Sewage Management (hereinafter DHR Manual), and Sections B. and C. below.
2. New homes served by a septic tank/drain field system shall be on lots having minimum size limitations as follows, based on application of Table MT-1 of the DHR Manual (hereinafter DHR Table MT-1). The minimums set forth in Table MT-1 may be increased further based on consideration of other factors (set forth in Sections A—F) of the DHR Manual.
 - a. 150% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a high pollution susceptibility area;
 - b. 125% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a medium pollution susceptibility area;
 - c. 110% of the subdivision minimum lot size calculated based on application of DHR Table MT-1 if they are within a low pollution susceptibility area.
3. New agricultural waste impoundment sites shall be lined if they are within a high pollution susceptibility area; a medium pollution susceptibility area and exceed 15 acres; or a low pollution susceptibility area and exceed 50 acres. As a minimum, the liner shall be constructed of compacted clay having a thickness of one-foot and a vertical hydraulic conductivity of less than 5×10^{-7} cm/sec or other criteria established by the Natural Resource and Conservation Service.
4. New above-ground chemical or petroleum storage tanks, having a minimum volume of 660 gallons, shall have secondary containment for 110% of the volume of such tanks or 110% of the volume of the largest tank in a cluster of tanks. Such tanks used for agricultural purposes are exempt, provided they comply with all federal requirements.
5. New facilities that handle hazardous materials of the types listed in section 312 of the Resource Conservation and Recovery Act of 1976 (excluding underground storage tanks) and in amounts of 10,000 pounds or more on any one day shall perform their operations on impervious surfaces and in conformance with any applicable federal spill prevention requirements and local fire code requirements.
6. Permanent storm water infiltration basins shall not be constructed in areas having high pollution susceptibility.

C. Exemptions.

1. Any lot of record approved prior to the adoption of this ordinance is exempt from the minimum lot size requirements contained in [Article IV] Sections IV.B. and C. of this ordinance.

D. Administration, plan review and permitting procedures are provided for in Section 4.4 of this Code.

1. The following activities and developments are exempt from the requirement for detailed site plans:
 - a. Detached 'For-Sale' dwellings constructed within a subdivision of fewer than five parcels.
 - b. Repairs to a facility that is part of a previously approved and permitted development.
 - c. Construction of minor structures, such as sheds or additions to residences.

3.3.14 Violations, enforcement and penalties.

Any action or inaction which violates the provisions of this ordinance or the requirements of an approved stormwater management plan or permit, may be subject to the enforcement actions outlined in

this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this Section or may be restrained by injunction or otherwise abated in a manner provided by law. The imposition of any of the penalties described below shall not prevent such equitable relief.

In the event the violation constitutes an immediate danger to public health or public safety, representatives of the City are authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property. The City is authorized to seek costs of the abatement as outlined in this Section.

A. *Notice of Violation.* If the Engineering/Public Works Department determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved stormwater management plan or the provisions of this ordinance, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this ordinance without having first secured a permit therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site.

1. The notice of violation shall contain:

- a. The name and address of the owner or the applicant or the responsible person;
- b. The address or other description of the site upon which the violation is occurring;
- c. A statement specifying the nature of the violation;
- d. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the stormwater management plan or this ordinance and the date for the completion of such remedial action [the City Engineer shall provide a reasonable opportunity, of not less than ten days (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient) to cure the violation];
- e. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed and the City's intended action; and
- f. A statement that the determination of violation may be appealed to the City of Alpharetta by filing a written notice of appeal within fifteen (15) days after the notice of violation (except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient).

2. Such notice may require without limitation:

- a. The performance of monitoring, analyses, and reporting;
- b. The elimination of illicit discharges and illegal connections;
- c. That violating discharges, practices, or operations shall cease and desist;
- d. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- e. Payment of costs to cover administrative and abatement costs; and,
- f. The implementation of pollution prevention practices.

B. *Appeal of Notice of Violation.* Any person receiving a Notice of Violation may appeal the determination of the City Engineer in accordance with Section 4.5 Appeals.

C. *Enforcement Measures After Appeal.* If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within ten (10) days

of the decision of the appropriate authority upholding the decision of the City Engineer, then representatives of the City may enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

- D. *Costs of Abatement of the Violation.* Within thirty (30) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the assessment or to the amount of the assessment within fifteen (15) days of such notice. If the amount due is not paid within thirty (30) days after receipt of the notice, or if an appeal is taken, within thirty (30) days after a decision on said appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City by reason of such violation.

- E. *Penalties.* In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed.

1. *Stop Work Order*—The City Engineer may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take the necessary remedial measures to cure such violation or violations.
2. *Withhold Certificate of Occupancy*—The City Engineer may refuse to approve a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.
3. *Suspension, Revocation or Modification of Permit*—The City Engineer may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated [upon such conditions as the City Engineer may deem necessary] to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.
4. *Penalties.*
 - a. Each violation of this Ordinance is subject to a penalty not to exceed two thousand dollars (\$2,000.00) or thirty (30) days in the City's jail.
 - (1) The City may institute appropriate actions or proceedings at law or equity for the enforcement of this Ordinance;
 - (2) Any court of competent jurisdiction shall have the right to issue restraining orders, temporary or permanent injunctions, or other appropriate forms of remedy or relief;
 - (3) Each day of noncompliance is considered a separate offense; and
 - (4) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation, including application for injunctive relief.
 - b. Any person who undertakes any development activity requiring a stormwater management plan hereunder without first submitting the plan for review and approval

shall pay to the City, in addition to any permit or inspection fee, an administrative fee of five thousand dollars (\$5,000.00).

- c. The determination by the City Engineer that a violation of this Ordinance has occurred shall be conclusive and final unless the accused violator submits a written request for a hearing within seven (7) days of the violation notice being served.
- F. *Violations Deemed a Public Nuisance.* In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this ordinance is a threat to public health, safety, welfare, and environment and is declared and deemed a nuisance, and may be abated by injunctive or other equitable relief as provided by law.
- G. *Remedies Not Exclusive.* The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable Federal, State or local law and the City of Alpharetta may seek cumulative remedies.

The City may recover attorney's fees, court costs, and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

SECTION 3.1 - SITE GRADING AND LAND DISTURBANCE

3.1.1 Soil erosion and sedimentation control.

This Ordinance will be known as the "Alpharetta Soil Erosion and Sedimentation Control Ordinance".

- A. *Definitions.* The following definitions shall apply in the interpretation and enforcement of this Ordinance, unless otherwise specifically stated:

Best Management Practices (BMPS). ~~A collection of structural practices and vegetative measures which, when properly designed, installed and maintained, will provide effective erosion and sedimentation control. The term "properly designed" means designed in accordance with the hydraulic design specifications contained in the "Manual for Erosion and Sediment Control in Georgia" specified in O.C.G.A. § 12-7-6 subsection (b). These include sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the 'Manual for erosion and Sediment Control in Georgia' published by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.~~

Board. The Board of Natural Resources.

Buffer. The area of land immediately adjacent to the banks of State Waters in its natural state of vegetation, which facilitates the protection of water quality and aquatic habitat.

Certified Personnel. A person who has successfully completed the appropriate certification course approved by the Georgia Soil and Water Conservation Commission.

Commission. The Georgia Soil and Water Conservation Commission (GSWCC).

CPESC. Certified Professional in Erosion and Sediment control with current certification by EnviroCert, Inc. ~~Certified Professional in Erosion and Sediment Control Inc., a corporation registered in North Carolina,~~ which is also referred to as CPESC or CPESC, Inc.

Cut. A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface or excavated surface. Also known as excavation.

Department. The Georgia Department of Natural Resources (DNR).

Design Professional. A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by EnviroCert, Inc. ~~Certified Professional in Erosion and Sediment Control. Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.~~

Director. The Director of the Environmental Protection Division of the Georgia Department of Natural Resources or an authorized representative.

District. The Fulton County Soil and Water Conservation District.

Division. The Environmental Protection Division (EPD) of the Georgia Department of Natural Resources.

Drainage Structure. A device composed of a virtually nonerodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Erosion. The process by which land surface is worn away by the action of the wind, water, ice, or gravity.

Erosion, Sedimentation and Pollution Control Plan. A plan required by the Erosion and Sedimentation Act O.C.G.A. Chapter 12-7, that includes, as a minimum protection, at least as stringent as the State General Permit, best management practices, and requirements in Subsection 3.1.1.C. of this ordinance. A plan for the control of soil erosion and sedimentation resulting from a land-disturbing activity. Also known as the "plan".

Fill. A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

Final Stabilization. All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region.) ~~equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region.~~ Final stabilization applies to each phase of construction.

Finished Grade. The final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Grading. Altering the shape of ground surfaces to a predetermined condition; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Ground Elevation. The original elevation of the ground surface prior to cutting or filling.

Land-Disturbing Activity. Any activity which may result in soil erosion from water or wind and the movement of sediments into State Waters or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in Subsection 3.1.1.B.5.

Larger Common Plan of Development or Sale. A contiguous area where multiple separate and distinct construction activities are occurring under one plan of development or sale. For the purposes of this Paragraph, "plan" means an announcement; piece of documentation such as a sign, public notice or hearing, sales pitch, advertisement, drawing, permit application, zoning request, or computer design; or physical demarcation such as boundary signs, lot stakes, or surveyor markings, indicating that construction activities may occur on a specific plot.

Local Issuing Authority. The governing authority of any county or municipality which is certified pursuant to subsection (a) O.C.G.A. § 12-7-8.

Metropolitan River Protection Act (MRPA). A state law referenced as O.C.G.A. § 12-5-440 et seq., which addresses environmental and developmental matters in certain metropolitan river corridors and their drainage basins.

Natural Ground Surface. The ground surface in its original state before any grading, excavation, or filling.

Nephelometric Turbidity Units (NTU). Numerical units of measure based upon photometric analytical techniques for measuring the light scattered by finely divided particles of a substance in suspension. This technique is used to estimate the extent of turbidity in water in which colloiddally dispersed particles are present.

NOI. A Notice of Intent form provided by EPD for coverage under the State General Permit.

NOT. A Notice of Termination form provided by EPD to terminate coverage under the State General Permit.

Operator. The party or parties that have: (A) operational control of construction project plans and specifications, including the ability to make modifications to those plans and specifications; or (B) day-to-day operational control of those activities that are necessary to ensure compliance with a stormwater pollution prevention plan for the site or other permit conditions, such as a person authorized to direct workers at a site to carry out activities required by the stormwater pollution prevention plan or to comply with other permit conditions.

Outfall. The location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Permit. The authorization necessary to conduct a land-disturbing activity under the provisions of this Ordinance.

Person. Any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this State of Georgia, any interstate body or other legal entity.

Phase or Phased. Sub-parts or segments of construction projects where the sub-part or segment is constructed and stabilized prior to completing construction activities on the entire construction site.

Project. The entire proposed development project regardless of the size of the area of land to be disturbed.

Properly Designed. Designed in accordance with the design requirements and specifications contained in the Manual for Erosion and Sediment Control in Georgia (Manual) published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted and amendments to the Manual as approved by the Commission up until the date of NOI submittal.

Qualified Personnel. Any person who meets or exceeds the education and training requirements of O.C.G.A. § 12-7-19.

Roadway Drainage Structure. A device such as a bridge, culvert, or ditch, composed of a virtually nonerodible material such as concrete, plastic, steel, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Sediment. Solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by air, water, ice, or gravity as a product of erosion.

Sedimentation. The process by which eroded material is transported and deposited by the action of water, wind, ice, or gravity.

Soil and Water Conservation District Approved Plan. An erosion and sedimentation control plan approved in writing by the Fulton County Soil and Water Conservation District.

Stabilization. The process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

State General Permit. The National Pollution Discharge Elimination System general permit or permits for stormwater runoff from construction activities as is now in effect or as may be amended or reissued in the future pursuant to the state's authority to implement the same through federal delegation under the Federal Water Pollution Control Act, as amended, 33 U.S.C. Section 1251, et seq., and subsection (f) of Code Section 12-5-30.

State Waters. Any and all rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells, and other bodies of surface or subsurface water, natural or artificial, lying within or forming a part of the boundaries of the state which are not entirely confined and retained completely upon the property of a single individual, partnership, or corporation.

Structural Erosion and Sedimentation Control Practices. Practices for the stabilization of erodible or sediment producing areas by utilizing the mechanical properties of matter for the purpose of either changing the surface of the land or storing, regulating or disposing of runoff to prevent excessive sediment loss. Examples of structural erosion and sediment control practices are riprap, sediment basins, dikes, level spreaders, waterways or outlets, diversions, grade stabilization structures, sediment traps and land grading, etc. Such measures can be found in the publication Manual for Erosion and Sediment Control in Georgia.

Trout Streams. All streams or portions of streams within the watershed as designated by the Game and Fish Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. § 12-5-20 et seq., in the rules and regulations for Water Quality Control, Chapter 391-3-6 at www.epd.georgia.gov. Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.

Vegetative Erosion and Sedimentation Control Measures. Measures for the stabilization of erodible or sediment-producing areas by covering the soil with:

1. Permanent seeding, sprigging or planting, producing long-term vegetative cover; or
2. Temporary seeding, producing short-term vegetative cover; or
3. Sodding, covering areas with a turf of perennial sod-forming grass.

Such measures can be found in the publication *Manual for Erosion and Sediment Control in Georgia*.

Watercourse. Any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Wetlands. Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

B. *Exemptions.* This Ordinance shall apply to any land-disturbing activity undertaken by any person on any land except for the following:

1. Surface mining, as the same is defined in O.C.G.A. § 12-4-72, "Mineral Resources and Caves Act";
2. Granite quarrying and land clearing for such quarrying;
3. Such minor land-disturbing activities as home gardens and individual home landscaping, repairs, maintenance work, fences and other related activities which result in minor soil erosion;
4. The construction of 'For-Sale' dwellings when such construction disturbs less than one acre and is not a part of a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre and not otherwise exempted under this Subsection; provided, however, that construction of any such residence shall conform to the minimum requirements as set forth in Subsection 3.1.1.C. of this Ordinance and this Subsection. For residential construction covered by the provisions of this Subsection, there shall be a buffer zone between the residence and any State Waters classified as trout streams pursuant to Article 2 of Chapter 5 of the Georgia Water Quality Control Act. In any such buffer zone, no land-disturbing activity shall be constructed between the residence and the point where vegetation has been wrested by normal stream flow or wave action from the banks of the trout waters. For primary trout waters, the buffer zone shall be at least fifty (50) horizontal feet and no variance to a smaller buffer shall be granted. For secondary trout waters, the buffer zone shall be at least fifty (50) horizontal feet but the Director may grant variances to no less than twenty-five (25) feet. Regardless of whether a trout stream is primary or secondary, for first order trout waters, which are streams into which no other streams flow except for springs, the buffer shall be at least twenty-five (25) horizontal feet and no variance to a smaller buffer shall be granted. The minimum requirements of Subsection 3.1.1.C. of this Ordinance and the buffer zones provided by this Section shall be enforced by the Local Issuing Authority;

5. Agricultural operations as defined in O.C.G.A. § 1-3-3, "definitions", to include raising, harvesting or storing of products of the field or orchard; feeding, breeding or managing livestock or poultry; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep, and rabbits or for use in the production of poultry, including but not limited to chickens, hens and turkeys; producing plants, trees, fowl, or animals; the production of aqua culture, horticultural, dairy, livestock, poultry, eggs and apiarian products; farm buildings and farm ponds;
6. Forestry land management practices, including harvesting; provided, however, that when such exempt forestry practices cause or result in land-disturbing or other activities otherwise prohibited in a buffer, as established in Paragraphs o. and p. of Subsection 3.1.1.C.3. of this Ordinance, no other land-disturbing activities, except for normal forest management practices, shall be allowed on the entire property upon which the forestry practices were conducted for a period of three (3) years after completion of such forestry practices;
7. Any project carried out under the technical supervision of the Natural Resources Conservation Service of the United States Department of Agriculture;
8. Any project involving one-tenth (1/10) acre or less; provided, however, that this exemption shall not apply to any land-disturbing activity within a larger common plan of development or sale with a planned disturbance of equal to or greater than one acre or within two hundred feet (200') of the bank of any State Waters, and for purposes of this Subsection, "State Waters" excludes channels and drainageways which have water in them only during and immediately after rainfall events and intermittent streams which do not have water in them year-round; provided, however, that any person responsible for a project which involves less than one-tenth (1/10) acre, which involves land-disturbing activity, and which is within two hundred feet (200') of any such excluded channel or drainageway, must prevent sediment from moving beyond the boundaries of the property on which such project is located and provided, further, that nothing contained herein shall prevent the City from regulating any such project which is not specifically exempted by Subsections 1, 2, 3, 4, 5, 6, 7, 9, or 10 of this Section.
9. Construction or maintenance projects, or both, undertaken and/or financed in whole or in part by the Department of Transportation, the Georgia Highway Authority, or the State Tollway Authority; or any road construction or maintenance project, or both, undertaken by any county or municipality; provided, however, that construction or maintenance projects of the Department of Transportation or State Tollway Authority which disturb one or more contiguous acres of land shall be subject to provisions of O.C.G.A. § 12-7-7.1; except where the Department of Transportation, the Georgia Highway Authority, or the State Road and Tollway Authority is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the City, the City shall enforce compliance with the minimum requirements set forth in O.C.G.A. § 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders;
10. Any land-disturbing activities conducted by any electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power; except where an electric membership corporation or municipal electrical system or any public utility under the regulatory jurisdiction of the Public Service Commission, any utility under the regulatory jurisdiction of the Federal Energy Regulatory Commission, any cable television system as defined in O.C.G.A. § 36-18-1, or any agency or instrumentality of the United States engaged in the generation, transmission, or distribution of power is a secondary permittee for a project located within a larger common plan of development or sale under the state general permit, in which case a copy of a notice of intent under the state general permit shall be submitted to the City, the City shall enforce compliance with the minimum requirements set forth in O.C.G.A.

§ 12-7-6 as if a permit had been issued, and violations shall be subject to the same penalties as violations by permit holders; and

11. Any public water system reservoir.

C. *Minimum Requirements For Erosion And Sedimentation Control Using Best Management Practices.*

1. General Provisions. Excessive soil erosion and resulting sedimentation can take place during land-disturbing activities. Therefore, plans for those land-disturbing activities which are not exempted by this Ordinance shall contain provisions for application of soil erosion and sedimentation control measures and practices. The provisions shall be incorporated into the erosion and sedimentation control plans. Soil erosion and sedimentation control measures and practices shall conform to the requirements of Subsections 3.1.1.C.2. and 3. of this Ordinance. The application of measures and practices shall apply to all features of the site, including street and utility installations, drainage facilities and other temporary and permanent improvements. Measures shall be installed to prevent or control erosion, and sedimentation, and pollution during all stages of any land-disturbing activity in accordance with requirements of this ordinance and the NPDES General Permit.
2. Minimum Requirements/BMPs.
 - a. Best management practices, as set forth in Subsections 3.1.1.C.2. and 3. of this Ordinance, shall be required for all land-disturbing activities. Proper design, installation, and maintenance of best management practices shall constitute a complete defense to any action by the Director or to any other allegation of noncompliance with Paragraph b of Subsection 3.1.1.C.2. or any substantially similar terms contained in a permit for the discharge of stormwater issued pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act". As used in this Subsection, the terms "proper design" and "properly designed" means designed in accordance with the hydraulic design specifications contained in the Manual for Erosion and Sediment Control in Georgia specified in O.C.G.A. § 12-7-6 subsection (b).
 - b. A discharge of stormwater runoff from disturbed areas where best management practices have not been properly designed, installed and maintained shall constitute a separate violation of any land-disturbing permit issued by the City or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act", for each day on which such discharge results in the turbidity of the receiving waters being increased by more than twenty-five (25) nephelometric turbidity units for waters supporting warm water fisheries or by more than ten (10) nephelometric turbidity units for waters classified as trout waters. The turbidity of the receiving waters shall be measured in accordance with guidelines to be issued by the Director. This Subsection shall not apply to any land disturbance associated with the construction of 'For-Sale' dwellings which are not part of a larger common plan of development or sale unless the planned disturbance for such construction is equal to or greater than five acres.
 - c. Failure to properly design, install, or maintain best management practices shall constitute a violation of any land-disturbing permit issued by the City or of any state general permit issued by the Division pursuant to subsection (f) of O.C.G.A. § 12-5-30, the "Georgia Water Quality Control Act", for each day on which such failure occurs.
 - d. The Director may require, in accordance with regulations adopted by the Board, reasonable and prudent monitoring of the turbidity level of receiving waters into which discharges from land-disturbing activities occur.
 - e. The LIA may set more stringent buffer requirements than stated in Subsections 3.1.1.C.3.o. and p. in light of O.C.G.A. § 12-7-6(c).
3. The rules and regulations, ordinances, or resolutions adopted pursuant to O.C.G.A. 12-7-1 et. Seq. and this Section for the purpose of governing land-disturbing activities shall require, as a minimum, protections at least as stringent as the state general permit; and best management

practices, including sound conservation and engineering practices to prevent and minimize erosion and resultant sedimentation, which are consistent with, and no less stringent than, those practices contained in the *Manual for Erosion and Sediment Control in Georgia* published by the Georgia Soil and Water Conservation Commission as of January 1 of the year in which the land-disturbing activity was permitted, as well as the following:

- a. Stripping of vegetation, regrading and other development activities shall be conducted in a manner so as to minimize erosion;
- b. Cut-fill operations must be kept to a minimum;
- c. Development plans must conform to topography and soil type so as to create the lowest practical erosion potential;
- d. Whenever feasible, natural vegetation shall be retained, protected and supplemented;
- e. The disturbed area and the duration of exposure to erosive elements shall be kept to a practicable minimum;
- f. Disturbed soil shall be stabilized as quickly as practicable;
- g. Temporary vegetation or mulching shall be employed to protect exposed critical areas during development;
- h. Permanent vegetation and structural erosion control measures shall be installed as soon as practicable;
- i. To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps, or similar measures until the disturbed area is stabilized. As used in this Subsection, a disturbed area is stabilized when it is brought to a condition of continuous compliance with the requirements of O.C.G.A. § 12-7-1 et seq.;
- j. Adequate provisions must be provided to minimize damage from surface water to the cut face of excavations or the sloping surface of fills;
- k. Cuts and fills may not endanger adjoining property;
- l. Fills may not encroach upon natural watercourses or constructed channels in a manner so as to adversely affect other property owners;
- m. Grading equipment must cross flowing streams by means of bridges or culverts except when such methods are not feasible, provided, in any case, that such crossings are kept to a minimum;
- n. Land-disturbing activity plans for erosion and sedimentation control shall include provisions for treatment or control of any source of sediments and adequate sedimentation control facilities to retain sediments on-site or preclude sedimentation of adjacent waters beyond the levels specified in Paragraph b. of Subsection 3.1.1.C.2. of this Ordinance.
- o. Except as provided in Paragraph p of this Subsection, there is established a twenty-five (25) foot buffer along the banks of all State Waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. § 12-2-8, or where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or along any ephemeral stream. As used in this provision, the term 'ephemeral stream' means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow.. Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established provided, however, the buffers of at least twenty-five (25) feet established pursuant to part 6

of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this Paragraph. The following requirements shall apply to any such buffer:

- (1) No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a 'For-Sale' dwelling when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; and
 - (2) The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within twenty-five (25) degrees of perpendicular to the stream; cause a width of disturbance of not more than fifty (50) feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines.
- p. There is established a fifty (50) foot buffer as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, along the banks of any State Waters classified as "trout streams" pursuant to Article 2 of Chapter 5 of Title 12, the "Georgia Water Quality Control Act", except where a roadway drainage structure must be constructed; provided, however, that small springs and streams classified as trout streams which discharge an average annual flow of twenty-five (25) gallons per minute or less shall have a twenty-five (25) foot buffer or they may be piped, at the discretion of the landowner, pursuant to the terms of a rule providing for a general variance promulgated by the Board, so long as any such pipe stops short of the downstream landowner's property and the landowner complies with the buffer requirement for any adjacent trout streams. The Director may grant a variance from such buffer to allow land-disturbing activity, provided that adequate erosion control measures are incorporated in the project plans and specifications and are implemented. The following requirements shall apply to such buffer:
- (1) No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed; provided, however, that any person constructing a 'For-Sale' dwelling when such residence is constructed by vegetative cover remains to protect water quality and aquatic habitat and a natural canopy is left in sufficient quantity to keep shade on the stream bed, and
 - (2) The buffer shall not apply to the following land-disturbing activities, provided that they occur at an angle, as measured from the point of crossing, within twenty-five (25) degrees of perpendicular to the stream; cause a width of disturbance of not more than fifty (50) feet within the buffer; and adequate erosion control measures are incorporated into the project plans and specifications and are implemented: (i) Stream crossings for water lines; or (ii) Stream crossings for sewer lines.
- q. Disturbed areas of any permitted land development project should be limited at any time to a maximum of twenty (20) acres. Larger areas of disturbance may be permitted with the written approval of the Community Development Director.

- r. Where possible, heavy equipment operation, storage of bulk materials, heavy trafficking, and planned building area should avoid soils with high permeability. Soil permeability shall be based on the most recent soil survey or the best information available.
 - s. Where possible, natural drainage pathways and conveyances, should be preserved and/or enhanced.
- 4. Nothing contained in this Section shall prevent the City from adopting rules and regulations, ordinances or resolutions that contain stream buffer requirements that exceed the minimum requirements in Subsections 3.1.1.C.2 and 3 of this Ordinance.
 - 5. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this Ordinance or the terms of the permit.

D. *Application/Permit Process.*

- 1. *General.* The property owner, developer and designated planners and engineers shall review the general development plans and detailed plans of the City that affect the tract to be developed and the area surrounding it. They shall review local ordinances including but not limited to: zoning, stormwater management, subdivision, flood damage prevention, wetland protection, this ordinance, and others, which regulate the development of land within the jurisdictional boundaries of the City. However, the owner and/or operator is the only party that can obtain a permit.
- 2. *Application requirements.*
 - a. No person shall conduct any land-disturbing activity within the jurisdictional boundaries of the City without first obtaining a permit from the City Engineer to perform such activity and providing a copy of the Notice of Intent submitted to EPD if applicable.
 - b. The application for a permit shall be submitted to the City Engineer and must include the applicant's erosion and sedimentation control plan with supporting data, as necessary. Said plans shall include, as a minimum, the data specified in Subsection 3.1.1.D.3. of this Ordinance. Erosion, sedimentation, and pollution control plans, together with supporting data, must demonstrate affirmatively that the land-disturbing activity proposed will be carried out in such a manner that the provisions of Subsections 3.1.1.C.2. and 3. of this Ordinance will be met. Applications for a permit will not be accepted unless accompanied by six (6) copies of the applicant's soil erosion and sedimentation control plans. All applications shall contain a certification stating that the plan preparer or the designee thereof visited the site prior to creation of the plan in accordance with EPD Rule 391-3-7-10.
 - c. A fee payable to the City shall be paid with each application. The amount of the fee shall be established from time to time by the City Council.
 - d. In addition to the local permitting fees, fees will also be assessed pursuant to paragraph (5) subsection (a) of O.C.G.A. § 12-5-23, provided that such fees shall not exceed \$80.00 per acre of land-disturbing activity, and these fees shall be calculated and paid by the primary permittee as defined in the state general permit for each acre of land-disturbing activity included in the planned development or each phase of development. All applicable fees shall be paid prior to issuance of the land disturbance permit. In a jurisdiction that is certified pursuant to subsection (a) of O.C.G.A. § 12-7-8 half of such fees levied shall be submitted to the Division; except that any and all fees due from an entity which is required to give notice pursuant to paragraph (9) or (10) of O.C.G.A. § 12-7-17 shall be submitted in full to the Division, regardless of the existence of a local issuing authority in the jurisdiction.
 - e. Immediately upon receipt of an application and plan for a permit, the City shall refer the application and plan to the District for its review and approval or disapproval concerning the adequacy of the erosion and sedimentation control plan. A District shall approve or disapprove a plan within thirty-five (35) days of receipt. Failure of a District to act within thirty-five (35) days shall be considered an approval of the pending plan. The results of the District review shall be forwarded to the City. No permit will be issued unless the plan has been

approved by the District, and any variances required in Paragraphs o. and p. of Subsection 3.1.1.C.3. have been obtained, all fees have been paid, –and bonding, if required as per Paragraph g. of Subsection 3.1.1.D.2., have been obtained. Such review will not be required if the City and the District have entered into an agreement which allows the City to conduct such review and approval of the plan without referring the application and plan to the District. The City with plan review authority shall approve or disapprove a revised Plan submittal within 35 days of receipt. Failure of the City with plan review authority to act within 35 days shall be considered an approval of the revised Plan submittal.

- f. If a permit applicant has had two (2) or more violations of previous permits, this Ordinance, or the Erosion and Sedimentation Act, as amended, within three (3) years prior to the date of filing of the application under consideration, the City may deny the permit application.
- g. The City shall require the permit applicant (except a residential owner/builder) to post a bond in the form of a surety bond, cash, irrevocable letter of credit, or any combination thereof in an amount not to exceed ~~\$5,000.00~~ \$3,000.00 per acre or fraction thereof of the proposed land-disturbing activity, but not of less than \$3,000.00 in total, prior to issuing the permit. If the applicant does not comply with this Ordinance or with the conditions of the permit after issuance, the City may declare that the applicant is in default and, in accordance with the bond conditions, the City may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor to stabilize the site of the land-disturbing activity and bring it into compliance or correct any violations which are determined to exist by a finding of the Code Enforcement Board or through a Court ruling. These provisions shall not apply unless there is in effect an ordinance or statute specifically providing for hearing and judicial review of any determination or order of the City with respect to alleged permit violations.

3. *Plan Requirements.*

- a. Plans must be prepared to meet the minimum requirements as contained in Subsections 3.1.1.C.2 and 3 of this Ordinance. Conformance with the minimum requirements may be attained through the use of design criteria in the current issue of the *Manual for Erosion and Sediment Control in Georgia*, published by the State Soil and Water Conservation Commission as a guide; or through the use of more stringent, alternate design criteria which conform to sound conservation and engineering practices. The *Manual for Erosion and Sediment Control in Georgia* is hereby incorporated by reference into this Ordinance. The plan for the land-disturbing activity shall consider the interrelationship of the soil types, geological and hydrological characteristics, topography, watershed, vegetation, proposed permanent structures including roadways, constructed waterways, sediment control and storm water management facilities, local ordinances and state laws. Maps, drawings and supportive computations shall bear the signature and seal of the certified design professional. Persons involved in land development design, review, permitting, construction, monitoring, or inspections or any land-disturbing activity shall meet the education and training certification requirements, dependent on his or her level of involvement with the process, as developed by the Commission and in consultation with the Division and Stakeholder Advisory Board created pursuant to O.C.G.A. § 12-7-20.
- b. Data Required for Site Plan shall include all the information required from the appropriate Erosion, Sedimentation and Pollution Control Plan Review Checklist established by the Commission as of January 1 of the year in which the land-disturbing activity was permitted.
- c. Maintenance of all soil erosion and sedimentation control practices, whether temporary or permanent, shall be at all times the responsibility of the property owner.

4. *Permits.*

- a. Permits shall be issued or denied as soon as practicable but in any event not later than forty-five (45) days after receipt by the City of a properly completed application, providing variances, easements, and bonding are obtained, where necessary and all applicable fees

have been paid prior to permit issuance. The permit shall include conditions under which the activity may be undertaken.

- b. No permit shall be issued by the City unless the erosion and sedimentation control plan has been approved by the District and the City has affirmatively determined that the plan is in compliance with this Ordinance, any variances required by Paragraphs o. and p. of Subsection 3.1.1.C.3 are obtained, bonding requirements, if necessary, as per Paragraph g. of Subsection 3.1.1.D.2 are met and all ordinances and rules and regulations in effect within the jurisdictional boundaries of the City are met. If the permit is denied, the reason(s) for denial shall be furnished to the applicant.
- c. Any land-disturbing activities by a local issuing authority shall be subject to the same requirements of this ordinance, and any other ordinances relating to land development, as are applied to private persons and the division shall enforce such requirements upon the local issuing authority.
- d. If the tract is to be developed in phases, then a separate permit shall be required for each phase.
- e. The permit may be suspended, revoked, or modified by the City, as to all or any portion of the land affected by the plan, upon finding that the holder or his successor in title is not in compliance with the approved erosion and sedimentation control plan or that the holder or his successor in title is in violation of this Ordinance. A holder of a permit shall notify any successor in title to him as to all or any portion of the land affected by the approved plan of the conditions contained in the permit.
- f. The LIA may reject a permit application if the applicant has had two or more violations of previous permits or the Erosion and Sedimentation Act permit requirements within three years prior to the date of the application, in light of O.C.G.A. § 12-7-7(f)(1).
- g. No permit shall be issued unless the applicant provides a written statement certifying that all ad valorem taxes levied against the property and due and owing have been paid.

E. *Inspection And Enforcement.*

- 1. The City Engineer will periodically inspect the sites of land-disturbing activities for which permits have been issued to determine if the activities are being conducted in accordance with the plan and if the measures required in the plan are effective in controlling erosion and sedimentation. Also, the City shall regulate primary, secondary and tertiary permittees as such terms are defined in the state general permit. Primary permittees shall be responsible for installation and maintenance of best management practices where the primary permittee is conducting land-disturbing activities. Secondary permittees shall be responsible for installation and maintenance of best management practices where the secondary permittee is conducting land-disturbing activities. Tertiary permittees shall be responsible for installation and maintenance where the tertiary permittee is conducting land-disturbing activities. If, through inspection, it is deemed that a person engaged in land-disturbing activities as defined herein has failed to comply with the approved plan, with permit conditions, or with the provisions of this Ordinance, a written notice to comply shall be served upon that person. The notice shall set forth the measures necessary to achieve compliance and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this Ordinance and shall be subject to the penalties set forth in this Ordinance.
- 2. The Local Issuing Authority must amend its ordinances to the extent appropriate within twelve (12) months of any amendments to the Erosion and Sedimentation Act of 1975.
- 3. The City shall have the power to conduct such investigations as it may reasonably deem necessary to carry out duties as prescribed in this Ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigation and inspecting the sites of land-disturbing activities.

4. No person shall refuse entry or access to any authorized representative or agent of the City, the Commission, the District, or the Division who requests entry for the purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out his official duties.
5. The Districts or the Commission or both shall semi-annually review the actions of the City which has been certified as a Local Issuing Authority pursuant to O.C.G.A. § 12-7-8(a). The Districts or the Commission or both may provide technical assistance to the City for the purpose of improving the effectiveness of the City's erosion and sedimentation control program. The District or the Commission shall notify the Division and request investigation by the Division if any deficient or ineffective local program is found.
6. The Division may periodically review the actions of the City, which has been certified as a Local Issuing Authority pursuant to O.C.G.A. § 12-7-8(a). Such review may include, but shall not be limited to, review of the administration and enforcement of the City's ordinance and review of conformance with an agreement, if any, between the District and the City. If such review indicates that the City has not administered or enforced its ordinances or has not conducted the program in accordance with any agreement entered into pursuant to O.C.G.A. § 12-7-7 (e), the Division shall notify the City in writing. The City so notified shall have thirty (30) days within which to take the necessary corrective action to retain certification as a Local Issuing Authority. If the City does not take necessary corrective action within thirty (30) days after notification by the Division, the Division may revoke the certification of the City as a Local Issuing Authority.
7. The City shall require all persons holding a permit to request an initial project inspection by the City Engineer prior to the commencing of any land disturbance activity.
8. A land disturbance inspection by the City Engineer shall be requested by the person holding the permit for a final erosion control approval. No Certificate of Occupancy or closure of the land disturbance permit shall be effective until a final site erosion control approval is received from the City Engineer.

F. *Penalties and Incentives.*

1. *Failure to Obtain a Permit for Land-Disturbing Activity.* If any person commences any land-disturbing activity requiring a land-disturbing permit as prescribed in this Ordinance without first obtaining said permit, the person shall be subject to revocation of his business license, work permit or other authorization for the conduct of a business and associated work activities within the jurisdictional boundaries of the City.
2. *Stop-Work Orders.*
 - a. For the first and second violations of the provisions of this Ordinance, the Director or the City Engineer shall issue a written warning to the violator. The violator shall have five (5) days from the issuance of the written warning to correct the violation. If the violation is not corrected within five days, the Director or the City Engineer shall issue a stop-work order requiring that land-disturbing activities be stopped until necessary corrective action or mitigation has occurred; provided, however, that, if the violation presents an imminent threat to public health or Waters of the State or if the land-disturbing activities are conducted without obtaining the necessary permit, the Director or the City Engineer shall issue an immediate stop-work order in lieu of a warning;
 - b. For a third and each subsequent violation, the Director or the City Engineer shall issue an immediate stop-work order; and
 - c. All stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such notice shall be in writing and shall be given to the owner of the property, or an agent of the owner, or the person in charge, or conspicuously posted on the site.
 - d. When a violation in the form of taking action without a permit, failure to maintain a stream buffer, or significant amounts of sediment, as determined by the City Engineer or by the

Director or his or her designee, have been or are being discharged into State Waters and where best management practices have not been properly designed, installed, and maintained, a stop-work order shall be issued by the City Engineer or by the Director or his or her designee. All such stop-work orders shall be effective immediately upon issuance and shall be in effect until the necessary corrective action or mitigation has occurred. Such stop-work orders shall apply to all land-disturbing activity on the site with the exception of the installation and maintenance of temporary or permanent erosion and sediment controls.

3. *Bond Forfeiture.* If, through inspection, it is determined that a person engaged in land-disturbing activities has failed to comply with the approved plan, a written notice to comply shall be served upon that person or served in the same manner as provided above in Paragraph c. of Subsection 3.1.1.F.2. of this Ordinance. The notice shall set forth the measures necessary to achieve compliance with the plan and shall state the time within which such measures must be completed. If the person engaged in the land-disturbing activity fails to comply within the time specified, he shall be deemed in violation of this Ordinance and, in addition to other penalties, shall be deemed to have forfeited his performance bond, if required to post one under the provisions of Paragraph g. of Subsection 3.1.1.D.2. The City may call the bond or any part thereof to be forfeited and may use the proceeds to hire a contractor or use City staff and equipment to stabilize the site of the land-disturbing activity and bring it into compliance.
4. *Monetary Penalties.*
 - a. Any person who violates any provisions of this Ordinance, or any permit condition or limitation established pursuant to this Ordinance, or who negligently or intentionally fails or refuses to comply with any final or emergency order of the Director or the City Engineer issued as provided in this Ordinance shall be liable for a civil penalty not to exceed \$2,500.00 per day. For the purpose of enforcing the provisions of this Ordinance, notwithstanding any provisions in the City charter to the contrary, municipal courts shall be authorized to impose a penalty not to exceed \$2,500.00 for each violation. Notwithstanding any limitation of law as to penalties which can be assessed for violations of City ordinances, any magistrate court or any other court of competent jurisdiction trying cases brought as violations of this Ordinance shall be authorized to impose penalties for such violations not to exceed \$2,500.00 for each violation. Each day during which violation or failure or refusal to comply continues shall be a separate violation.
 - b. After the City Engineer completes three (3) documented final land disturbance inspections requested by the permit holder for the same permit, a fee of fifty dollars (\$50.00) shall be required for each additional inspection request of the same land disturbance permit.

G. *Education and Certification.*

1. Persons involved in land development design, review, permitting, construction, monitoring or inspection or any land-disturbing activity shall meet the education and training certification requirements, dependent on their level of involvement with the process, as developed by the commission in consultation with the division and the stakeholder advisory board created pursuant to O.C.G.A. § 12-7-20.
2. For each site on which land-disturbing activity occurs, each entity or person acting as primary, secondary, or tertiary permittee, as defined in the state general permit, shall have a minimum one person who is in responsible charge of erosion and sedimentation control activities on behalf of said entity or person and meets the applicable education or training certification requirements developed by the Commission present on site whenever land-disturbing activities are conducted on that site. A project site shall herein be defined as any land-disturbance site or multiple sites within a larger common plan or development or sale permitted by an owner or operator for compliance with the state general permit.
3. Persons or entities involved in projects not requiring a state general permit but otherwise requiring certified personnel on site may contract with certified persons to meet the requirements of this ordinance.

4. If a state general permittee who has operational control of land-disturbing activities for a site has met the certification requirements of paragraph (1) of subsection (b) of O.C.G.A. § 12-7-19, then any person or entity involved in land-disturbing activity at that site and operating in a subcontractor capacity for such permittee shall meet those educational requirements specified in paragraph (4) of subsection (b) of O.C.G.A. § 12-7-19 and shall not be required to meet any educational requirements that exceed those specified in said paragraph.

H. *Administrative Appeal and Judicial Review.*

1. *Administrative Remedies.* The suspension, revocation, modification or grant with condition of a permit by the City upon finding that the holder is not in compliance with the approved erosion and sediment control plan; or that the holder is in violation of permit conditions; or that the holder is in violation of any Ordinance; shall entitle the person submitting the plan or holding the permit to a hearing before the Board of Appeals within thirty (30) days after receipt by the City of written notice of appeal.
2. *Judicial Review.* Any person, aggrieved by a decision or order of the City, after exhausting his administrative remedies, shall have the right to appeal de novo to the Superior Court of Fulton County.

I. *Validity, Liability and Effective Date.*

1. *Validity.* If any section, paragraph, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, such decision shall not affect the remaining portions of this Ordinance.
2. *Liability.*
 - a. Neither the approval of a plan under the provisions of this Ordinance, nor the compliance with provisions of this Ordinance shall relieve any person from the responsibility for damage to any person or property otherwise imposed by law nor impose any liability upon the City or District for damage to any person or property.
 - b. The fact that a land-disturbing activity for which a permit has been issued results in injury to the property of another shall neither constitute proof of nor create a presumption of a violation of the standards provided for in this Ordinance or the terms of the permit.
 - c. No provision of this Ordinance shall permit any persons to violate the Georgia Erosion and Sedimentation Act of 1975, the Georgia Water Quality Control Act or the rules and regulations promulgated and approved there under or pollute any Waters of the State as defined thereby.

3.1.2 Burial of materials.

The City has determined that it is in the interest of the public health and safety to regulate the burial of certain materials on any property under development.

A. *Minimum Requirements.*

1. No person shall bury, or cause or permit any person to bury, glass, cans, tires, appliances, and similar man-made materials on any property under development.
2. No person shall bury, or cause or permit any person to bury tree stumps, limbs and similar natural materials on any property under development, except in compliance with the Standards in this Section.

B. *Standards.*

1. No burial shall be permitted on any lot having an area of twenty thousand square feet or less, exclusive of the right-of-way of any road.
2. No portion of any burial site shall lie within fifty feet of any road bed, driveway, building or other structure.

3. Prior to any burial, the Director shall receive and approve a detailed site plan which shall set forth, in addition to other information required by this Ordinance, the location of the proposed burial site(s). In the event that a burial is permitted in accordance with the foregoing provisions, the location of the burial site shall be shown on the Final Plat submitted for recording.

3.1.3 Excavating and trenching.

The City of Alpharetta has determined that most problems and accidents surrounding improperly shored or sloped trench or excavation wall appears to be the result of inadequate planning, failure to build safety into the job planning, failure to provide adequate on the job follow up and inspections to detect hazards and failure to correct job site situations before cave-ins or accidents occur.

Every equipment operator or supervisory personnel shall hold a valid certificate from the City of Alpharetta and the State of Georgia evidencing satisfactory completion of a required educational program on safe trench/excavation practices.

- A. *Definitions.* For purposes of this Section, unless the context indicates otherwise, the following terms shall have the meaning set forth below:

Certificate. Certificate issued by the City of Alpharetta upon satisfactorily completion of a mandatory training/educational program regarding excavation and trenching safety practices, such as to be provided by the City of Alpharetta or other agency sponsored program as recognized by the Alpharetta Fire Chief.

Certificate Holder. The holder of the certificate identified above.

OSHA. The U.S. Department of Labor, Occupational Safety and Health Administration, or successor agency.

Supervisory Personnel. Any person who has the responsibility for layout, oversight, superintending, directing or controlling an excavation or trenching site.

Trench. A narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than 15 feet.

- B. *Minimum Requirements.*

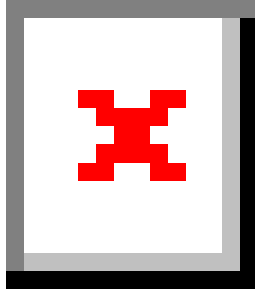
1. No individual, partnership, corporation, or other entity of any kind whatsoever shall engage in any excavation or trenching except in compliance with the provisions of this Ordinance and in compliance with any applicable laws of the State of Georgia or of the United States or any rules and regulations applicable to excavating and trenching.
2. All safety and health regulations adopted by OSHA with regard to excavating and trenching operations, particularly Part 1926, Subpart P-Excavations, Trenching, and Shoring, Section 1926.650, 1926.651, 1926.652, 1926.653 of the Code of Federal Regulations, as the same now exist or may be hereafter amended are adopted as a part of this Ordinance the same as if quoted verbatim herein.
3. No equipment operator or supervisory personnel shall participate in any excavation or trenching or in any way work in an excavation or trench unless such person holds a valid certificate from the City of Alpharetta evidencing satisfactory completion of a required educational program on safe trench/excavation practices. No other person shall participate in or work in any certificate holder is present at the excavation or trench site where work is being performed.
4. In the event any person who holds a valid certificate is found to be in violation of the safety standards and requirements on any job site, the certificate may be revoked after notice and hearing as herein provided. In the event of revocation, the certificate may be reinstated one time upon repeat by the person of the educational program required for issuance of the initial certificate.

C. *Standards.*

1. No excavating or trenching shall be performed until a permit or authorization for same has been obtained from the City of Alpharetta. Any applicant will be required to acknowledge receipt and understanding of safety requirements before any permit will be issued. All such permits shall be conspicuously posted upon the job site.
2. No permit or authorization shall be issued unless an authorized agent of the applicant holds a certificate.
3. A notice of violation shall be issued for any deficiency. Upon receipt of such notice, all excavating and trenching work upon any job site shall cease immediately until such time as the violation is corrected.
4. All excavation and trenching work upon any job site shall cease immediately when there is trench activity by any person not a certificate holder and/or when the deficiencies cannot be corrected immediately and/or when such work is being done without a permit.
5. If deficiencies identified in a notice of violation are not corrected, the building permit, land disturbance permit or any other permit issued by the City of Alpharetta may be suspended or revoked for due cause upon the conditions herein identified for revocation of permit.
6. Flagrant and/or repeat violations shall be reported by the City of Alpharetta to OSHA for action by the agency.

Sec. 3.8. - DT-R: Downtown Residential.

3.8.1. Purpose.



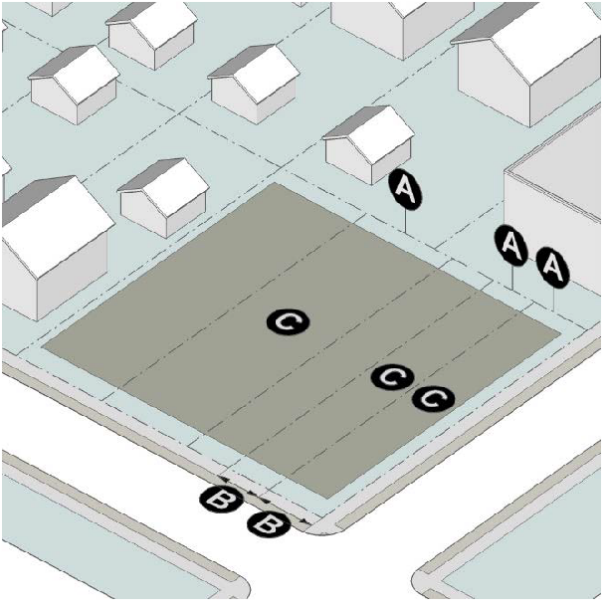
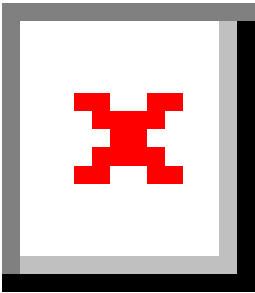
The purpose of this district is to provide for a variety of housing options in a residential setting.

3.8.2. Building Types Allowed.

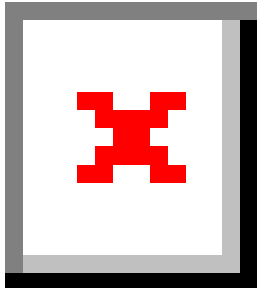
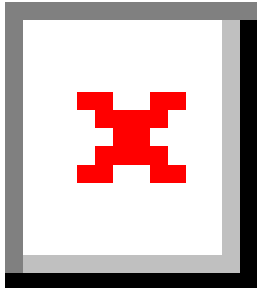
The following building types are allowed:

- A. Detached House
- B. Carriage House
- C. Semi-Detached House
- D. Townhouse
- E. Cottage Court
- F. Civic Building

3.8.3. Dimensional Standards.

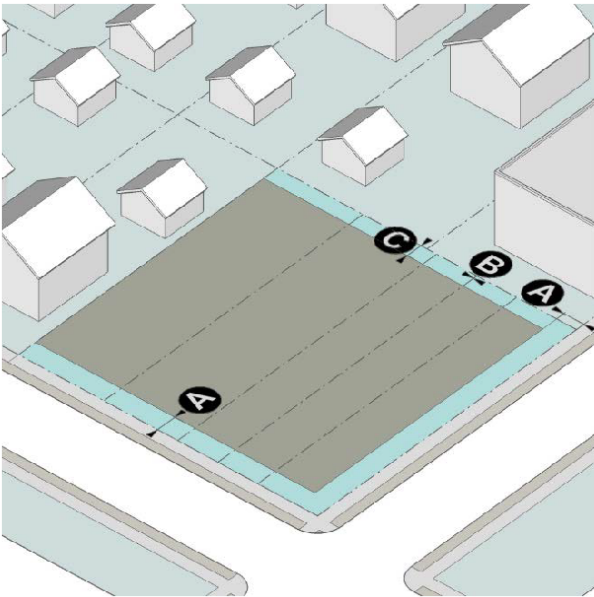
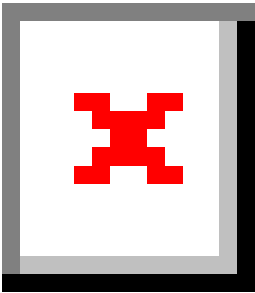


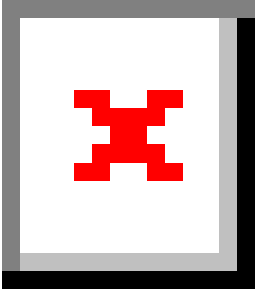
Site Standards	
Residential Density (without Conditional Use Permit):	8 u/a
Residential Density (with Conditional Use Permit):	As approved by City Council
Min. Amenity Space Requirement:	10% of site (all sites)
Min. Civic Space	10% of site (only sites over 5 acres)

Requireme nts:					
Lot Standards			Are a		
	Ⓐ			Ⓑ	
Detached House:		2,500 sf		25 ft	
Carriage House:		Same as principal structure			
Semi- Detached House:		2,500 sf		25 ft	
Townhouse :		900 sf		20 ft	
Cottage Court:		1,200 sf		20 ft	
Civic Building:		5,000 sf		50 ft	
Lot Coverage					
©	All	70% max.			

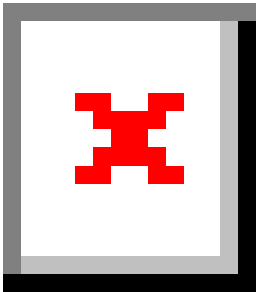
	Building Types:	
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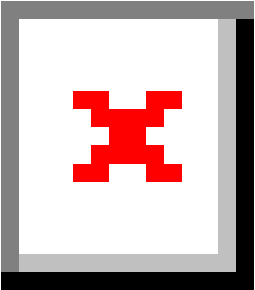
3.8.4. Building Placement.

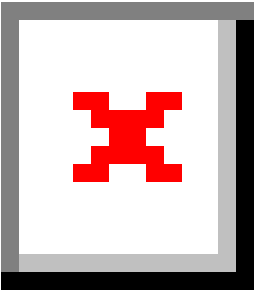


Principal and Accessory Structure Setbacks		
 Ⓐ	Front Yard:	10 ft. min.

3.8.5. Bulk and Mass.



Building Height		
 A	Max. Height in Stories:	3 stories

 Ⓐ	Max. Height in Feet:	35 ft
The maximum permitted building height is whichever is less.		



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Community Development

Submitted By:

Meeting Date: April 24, 2017

I. AGENDA ITEM TITLE: PH-17-02 HISTORIC PRESERVATION INCENTIVE ZONING (1ST READING)
CONSIDERATION OF AMENDMENTS TO THE HISTORIC PRESERVATION INCENTIVE ZONING ORDINANCE TO REMOVE AND ADD HISTORIC PROPERTIES TO APPENDIX A: HISTORIC RESOURCES INVENTORY, AS WELL AS MISCELLANEOUS TEXT AMENDMENTS.

II. RECOMMENDATION:

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT

IV. REPORT IN BRIEF:

V. ALTERNATIVES:

VI. ATTACHMENTS:

Council Agenda Report, Proposed Changes to Appendix A Downtown Code, Sect 2.9 Proposed Amendments, Recommended Changes to Contributing Historic Properties, Photos of Proposed Additions to Contributing Historic Properties, Photos of Proposed Removals from Contributing Historic Properties List, Waters Building Protest Letter, Ordinance



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT
SUBMITTED BY: KATHI COOK
DRAFTED BY: ELLE TAYLOR

I. AGENDA ITEM TITLE: PH-17-02 PROPOSED TEXT AMENDMENTS TO HISTORIC PRESERVATION INCENTIVE ZONING ORDINANCE

CITY COUNCIL: APRIL 24, 2017

This item was heard at the March 2, 2017 Planning Commission meeting. There was no Public Comment. After discussion, the Planning Commission recommended approval of the request.

Staff notified all property owners being considered to be added to the Contributing Historic Properties List.

Since the meeting, Staff received correspondence from the property owner at the Waters Building, LLC representing 20 Milton Ave requesting that they not be added to the Contributing Historic Properties List.

II. RECOMMENDATION:

APPROVE THE HISTORIC PRESERVATION COMMISSION RECOMMENDED TEXT AMENDMENT CHANGES TO HISTORIC PRESERVATION INCENTIVE ZONING ORDINANCE AND APPENDIX A – ALPHARETTA DOWNTOWN CODE SECTION 3.2.4 (I)

III. REPORT IN BRIEF:

After several Meetings in 2016, the Board Members recommend text amendment changes to

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015) Historic Preservation Incentive Zoning. After review by the City Attorney:

1. Proposed Amendments to Section 2.9.4:B -Recommendation of Additional Criteria for Designation of Historic Properties – (Page 5)
2. Historic Preservation Commission Proposed Amendments to Contributing Historic Properties Listing and Appendix A. – Alpharetta Downtown Code Section 3.2.4 (I)
3. Staff Proposed Amendment to Appendix A. – Alpharetta Downtown Code Section 3.2.4 (I)
- 242 Milton Avenue.

DISCUSSION

The submitted recommendations from the Historic Preservation Commission would ensure that there are more criteria for designation than the property being over 75 years old. The City Attorney has reviewed these proposed changes.

As the Contributing Historic Properties List is located in the UDC in the Downtown Code Section 3.2.4 I, removals and additions to this list are text amendment changes; they must be considered by the Planning Commission and approved by City Council.

ATTACHMENTS:

- Proposed Text Amendment Changes to Historic Preservation Incentive Zoning

*** BLUE DENOTES PROPOSED REMOVALS

*** RED DENOTES PROPOSED ADDITIONS

Proposed Additions to Appendix A Alpharetta Downtown Code

A site's Open space requirements shall be considered completely satisfied when a development incorporates a historic building that complies with all of the following:

1. The building is at least 75 years old and is listed on the following table:

Original Building Address		
94 Academy Street	30 Milton Avenue	48 Old Roswell Street
375 Brady Place	35 Milton Avenue	37 Roswell Street
133 Canton Street	90 Milton Avenue	54 Roswell Street
193 Canton Street	242 Milton Avenue	61 Roswell Street
212 Canton Street	333 Milton Avenue	88 Roswell Street
36 Church Street	20 North Main Street	103 Roswell Street
37 Church Street	31 North Main Street	119 Roswell Street
10 Cumming Street	38 North Main Street	164 Roswell Street
18 Cumming Street	69 North Main Street	3 South Main Street
40 Cumming Street	101 North Main Street	9 South Main Street
112 Cumming Street	116 North Main Street	21 South Main Street
130 Cumming Street	126 North Main Street	23 South Main Street
122 Marietta Street	134 North Main Street	50 South Main Street
171 Marietta Street	1720 Old Milton Pkwy	531 South Main Street
24 Milton Avenue	1815 Old Milton Pkwy	86 School Drive
25 Milton Avenue	1835 Old Milton Pkwy	133 Cumming Street
11 Old Canton Street	20 Milton Ave	29 South Main Street

Proposed Additions to Appendix A Alpharetta Downtown Code

3. The building is deemed fit for human habitation in accordance with Article III of Chapter 5 of The Code of the City of Alpharetta, Georgia; and
 4. A binding legal agreement that established a program for guaranteeing maintenance of said building through a condominium association, a homeowner association, bonding, or other protective maintenance guarantees is signed by all property owners and/or their prospective successors in title and is submitted to the City of Alpharetta.
- J. When a historic building used to satisfy open space requirements in accordance with Section 3.2.4.I. is subsequently completely destroyed, the applicable open space requirements of the zoning district must be satisfied within one year unless a variance is granted by the Board of Appeals.

SECTION 2.9 - HISTORIC PRESERVATION INCENTIVE ZONING

2.9.1. Purpose.

In support and furtherance of its findings and determination that the historical, cultural, and aesthetic heritage of the City of Alpharetta, Georgia is among its most valued and important assets and that the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the people; and

In order to encourage property owners to maintain historic buildings and structures and to protect and enhance local historical and aesthetic attractions to residents and tourists and thereby promote and stimulate business; and

In order to encourage property owners to provide for the conservation, preservation, restoration, rehabilitation, and permanent protection of historic buildings and their adjacent lands;

The Mayor and Council of the City of Alpharetta, Georgia ("City Council") hereby declares it to be the purpose and intent of this Section, which shall also be known as the "Historic Preservation Incentive Zoning Ordinance," to establish incentive zoning regulations that are applicable to properties containing significant historic resources in order to encourage and promote the protection, enhancement, perpetuation, and use of buildings and properties having special historical, cultural, archeological, or aesthetic interest or value. The incentives and regulations set forth in this Section have been created in support of the policies of revitalization and preservation of historic buildings and the historic character of the community provided in the Comprehensive Plan and the Downtown Master Plan. The provisions of this Section are further intended to promote the Downtown Master Plan's goal of encouraging the development and redevelopment of properties in Downtown Alpharetta while also preserving historic buildings and maintaining the historic character of Downtown Alpharetta. To promote these objectives, these zoning incentive regulations have been specifically developed for properties that have been designated "historic" in accordance with the procedures for designation established herein.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.2 Definitions.

The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Application for Designation means a formal written request in a form specified by the Community Development Department that the Historic Preservation Commission and City Council consider a property for possible designation as a historic property.

Building means a structure created to shelter any form of human activity, such as a house, barn, church, courthouse, hotel, or similar structure.

Designation (of a historic property) means a decision by the City Council to officially identify and designate a property as a "historic property" in accordance with the procedures set forth in Subsection 2.9.6, and thereby establish the applicability of zoning incentives and other benefits set forth herein for historic preservation and prohibit all material changes in appearance of such property prior to the issuance of a certificate of appropriateness by the Historic Preservation Commission. Such designation is further intended to serve as the local designation of a historic property in order to govern the applicability of other City ordinances, codes, and regulations containing provisions that reference or apply to "historic" buildings, structures or properties when the subject provision does not otherwise expressly limit same to buildings, structures or properties listed on the National or State Register of Historic Places.

Exterior Architectural Features means the architectural style, general design, and general arrangement of the exterior of a building, structure, or object, including but not limited to the kind or texture of the building material and the type and style of all windows, doors, signs, and other appurtenant architectural fixtures, features, details, or elements relative to the foregoing.

Exterior Environmental Features means all aspects of the landscape or the development or appearance of a site which affect the historic character of the property.

Historic Property means a building and the adjacent area of land necessary for the proper appreciation thereof, including structures or objects of historical value located thereon and adjacent historical sites, designated by the City Council as a historic property pursuant to the criteria established in Paragraph B of Subsection 2.9.4.

Material Change in Appearance means a change that will affect the exterior architectural or environmental features of a historic property, such as:

- (1) A reconstruction or alteration of the size, shape, or facade of a historic property, including but not limited to, relocation of any doors or windows or removal or alteration of any architectural features, details, or elements;
- (2) Demolition or relocation of a historic building, or any structure or object of historical value located on the historic property;
- (3) Commencement of excavation for construction purposes;
- (4) A change in the location of advertising visible from the public right-of-way; or
- (5) The erection, alteration, restoration, or removal of any building or structure located on a historic property, including but not limited to walls, fences, steps and pavements, or other appurtenant features, except exterior paint alterations utilizing colors from the "Historic" or "Williamsburg" color palettes by Benjamin Moore (or equivalent colors of another manufacturer matching the foregoing color palettes) as further described in Section 16-44 of the Code of the City of Alpharetta, Georgia.

Object means a material thing of functional, aesthetic, cultural, historical, or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

Site, Historical or Site means the location of a significant event, a prehistoric or historical occupation or activity, or a building or structure, whether standing, ruined or vanished where the location itself maintains historical, or archeological value regardless of the value of any existing structure.

Substantial Alteration means any singular material change in appearance or the cumulative effect of a series of material changes in the appearance of a contributing historic building or a designated historic property (1) that does not comply with the standards set forth in Paragraph G of Subsection 2.9.7, including the U.S. Secretary of the Interior's Standards and Guidelines, and (2) for which the cost to cure or remedy such violation(s) (through the performance of preservation, restoration or rehabilitation measures complying with the foregoing standards) and restore the property to the condition existing at the time of designation (or at the time of completion of any subsequent alterations pursuant to a certificate of appropriateness) exceeds fifty [percent] (50%) of the current value of the property.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.3 Historic Preservation Commission.

- A. Creation of the Historic Preservation Commission. There is hereby created a City commission whose title shall be the "Alpharetta Historic Preservation Commission" (hereinafter, the "HPC").
- B. HPC members: Number, Appointment, Terms, and Compensation. The HPC shall consist of seven (7) members. The mayor and each council member shall each appoint one (1) member to the commission, to serve concurrently with and at the pleasure of the mayor or council member making the appointment. There shall be no limit on the number of terms a member may serve on the HPC. HPC members must be residents of the City. At least four (4) members of the HPC shall have demonstrated special interest, experience, or education in history, architecture or historic preservation. HPC members shall not receive a salary, although they may be reimbursed for expenses with the prior approval of the city administrator.

C. Statement of the HPC's Power. Without limiting authority provided elsewhere in this, or any other, ordinance, the HPC shall be authorized to:

1. Prepare, update and maintain an inventory of all properties and buildings within the City having the potential for designation as a historic property and recommend historic buildings for listing in the City's Historic Resources Inventory — Contributing Historic Buildings;
2. Recommend to the City Council specific buildings (and adjacent land) to be designated by ordinance as a historic property;
3. Recommend to the City Council that any designation of a historic property be removed;
4. Conduct public hearings on all applications for designation of a historic property;
5. Review applications for certain benefits available to historic properties, as may be delegated to the HPC by the City Council, and make recommendations or otherwise provide its approval (with or without modifications) or denial of same, as applicable;
6. Review historic preservation plans and make recommendations or otherwise provide its approval (with or without modifications) or denial of same, as applicable, in accordance with the provisions of this Section;
7. Recommend design guidelines for historic properties, not inconsistent with this Section, for adoption by the City Council;
8. Subject to funding availability and with the prior approval of the City Council, undertake the restoration or preservation of any historic properties acquired by the City;
9. Promote any and all programs related to historic properties established by the City, including the acquisition by the City of facade easements and conservation easements, as appropriate, in accordance with the provisions of the Georgia Uniform Conservation Easement Act (O.C.G.A. §§ 44-10-1 through 44-10-8);
10. Conduct educational programs on historic properties located within the City;
11. Make such investigations and studies of matters relating to historic preservation, including consultation with historic conservation or preservation experts, as the City Council may, from time to time, deem necessary or appropriate for the purposes of preserving historic resources;
12. Upon request of the City Council, recommend to the City Council other possible historic preservation incentive programs for their review;
13. Retain persons with professional expertise to carry out specific tasks, if necessary, subject to approval by the City Council;
14. Work with designated members of City staff, who will serve as liaisons between HPC and the City Council; and
15. Review and perform such other duties and functions as expressly delegated to the HPC by the City Council.

D. Proceedings of the HPC.

1. The HPC shall conduct a public hearing prior to making a recommendation on any application for designation of a historic property, the removal of designation of a property as historic, and any application for a certificate of appropriateness, including any such applications initiated by the HPC.
2. The HPC shall elect a Chairperson and a Vice Chairperson from its members who shall serve for one year or until reelected or until their successors are elected. Public hearings of the HPC shall be held in accordance with a schedule established by the Director. Other meetings of the HPC shall be held at the call of the chairperson and at such other times as the HPC may determine. All meetings of the HPC shall be open to the public and comply with the Georgia Open Meetings Act and the Zoning Procedures Law, when applicable.

3. A majority of the voting members of the HPC shall constitute a quorum. The vote of a majority of the HPC members present and voting at a meeting at which a quorum is present shall be necessary to affirm any decision or recommendation. The HPC may establish bylaws, not inconsistent with this Section, the City Charter, or other ordinance of the City. Any bylaws of the HPC shall be ratified by the City Council before becoming effective.
4. The Director, or his/her designee, shall serve as a non-voting secretary to the HPC. The secretary shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be of public record.
- E. Conflict of Interest. The HPC shall be subject to all conflict of interest laws set forth in the Georgia Statutes, the City Charter, and the City Code of Ethics and Conduct.
- F. HPC's Authority to Receive Funding from Various Sources. Subject to the City Council's prior approval, the HPC shall have the authority to accept donations on behalf of the City and shall ensure that these funds do not displace appropriated governmental funds. The HPC shall be subject to and comply with the City Code of Ethics and Conduct.
- G. Records of HPC Meetings. A public record shall be kept of the HPC's resolutions, proceedings, and actions. Reports to the City Council will also be made on a regular and timely basis.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.4 Recommendation and designation of historic properties.

A. Preliminary Research by HPC.

1. Survey of Local Historic Resources. The HPC shall compile and collect information on historic resources within the City, including the preparation and maintenance of an inventory of all property within the City having the potential for designation as historic. Records shall be maintained in accordance with the City's records management plan.
2. Recommendation for Historic Designation. Pursuant to the procedure provided herein for consideration of properties for designation as historic, the HPC shall present to the City Council recommendations regarding the designation of historic properties. Notwithstanding any other provision of the UDC or City Code to the contrary, the HPC, not the Planning Commission, shall make recommendations to the City Council regarding the designation of a historic property.
3. Documentation Supporting Recommendation for Designation of Historic Property. Prior to the HPC's recommendation to the City Council of a property to designate as historic, the HPC shall prepare a report for recommendation consisting of:
 - a. A detailed physical description of the proposed historic property; and
 - b. A statement of the historical, cultural, architectural, and/or aesthetic significance of the proposed historic property; and
 - c. A map showing the boundaries of the proposed property; and
 - d. A statement justifying the boundaries of the proposed property; and
 - e. Representative photographs of the proposed property.

- B. Criteria for Designation of a Historic Property. ~~In order to be designated a historic property, the following criteria must be met:~~

~~The property is an individual building deemed worthy of preservation and the benefits available due to such status by reason of value to the City, the region, the State of Georgia, or the nation for one or more of the following reasons:~~

- ~~1. It is an outstanding example of a building representative of its era and over 75 years old; or~~
- ~~2. It is one of the few remaining examples of a past architectural style or type and over 75 years old.~~

In order to be designated a historic property, the property must be an individual building that meets the following criteria:

- a. Is of historic, cultural, aesthetic or architectural significance to the City, the region, the State, or the nation; and
- b. Possesses historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and
- c. Is deemed worthy of preservation (and the benefits available due to such status) by reason of value to the City, the region, the State, or the nation for one or more of the following reasons:
 - i. It is an outstanding example of a building representative of its era and over 75 years old;
 - ii. It is one of the few remaining examples of a past architectural style or type and over 75 years old; or
 - iii. It is a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation and over 75 years old.

C. Procedure for Designation of Historic Properties.

1. Application for Designation of Historic Property. An application for designation of a historic property or historic properties may be submitted by:
 - a. The owner of the subject property; or
 - b. The City Council, via majority vote, subject to the written consent of the property owner(s); or
 - c. The HPC, via majority vote, subject to the written consent of the property owner(s).
2. Required Components of Designation Ordinance. Any ordinance designating any property as historic shall:
 - a. List and describe the proposed individual historic property or properties;
 - b. Set forth the name(s) of the owner(s) of the proposed historic property or properties;
 - c. Show the property or properties on the official zoning map of the City of Alpharetta, Georgia, with the letters "HP" (historic property) added to the zoning designation for the subject property in order to keep and maintain a public record providing notice of such designation (e.g., property zoned R-15 and designated as a historic property pursuant to this Ordinance/Section shall be shown as R-15HP on the official zoning map).
3. Public Hearings. The HPC and the City Council shall each hold a public hearing on any proposed ordinance for the designation of a historic property. Such public hearings may be held on the same date. The HPC shall make a recommendation to the City Council and the City Council will take final action. Notice of the public hearing shall be published in at least three consecutive issues of a newspaper of general circulation within the territorial boundaries of the City, with one of such notices being published at least fifteen (15) days, but not more than forty-five (45) days

prior to the date of the hearing, and written notice of the hearing shall be mailed not less than ten (10) nor more than twenty (20) days prior to the date set for the public hearing. A notice sent via the United States mail to the last known address of the property owner as such address appears in the City ad valorem tax records and a notice sent to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this section. Such public hearings and the provisions of notice for same shall otherwise be performed in a manner consistent with the requirements of the Georgia Zoning Procedures Law (O.C.G.A. § 36-66-1, et seq.) and the City public hearing process for a proposed zoning change; provided, however, the HPC, not the Planning Commission, shall serve as the recommending body to the City Council in regard to such matters.

4. Notification of Historic Preservation Division. No less than thirty (30) days prior to making a recommendation on any ordinance designating a property as historic, the HPC must submit the report, required in Subparagraph A.3. of this Subsection, to the Historic Preservation Division of the Department of Natural Resources.
 5. Recommendation on Proposed Designation. A recommendation to affirm, modify, withdraw, or reject the proposed ordinance for designation shall be made by the HPC following the public hearing and shall be in the form of a resolution to the City Council.
 6. City Council Action Following HPC's Recommendation. Following receipt of the HPC recommendation, the City Council may adopt the ordinance for designation as proposed, may adopt the ordinance with any amendments it deems necessary, or reject the ordinance.
 7. Notification of Adoption of Ordinance for Designation. Within thirty (30) days following the adoption of the ordinance for designation by the City Council, the owners and occupants of each designated historic property shall be given written notification of such designation by the City Council, which notice shall apprise said owners and occupants of the necessity of obtaining a certificate of appropriateness prior to undertaking any material change in appearance of the historic property. A notice sent via the United States mail to the last-known owner of the property shown on the City of Alpharetta tax digest and a notice sent via United States mail to the address of the property to the attention of the occupant shall constitute legal notification to the owner and occupant under this Section.
 8. Notification of Other Agencies Regarding Designation. The HPC shall notify all necessary agencies within the City of the ordinance for designation.
 9. Moratorium on Applications for Alteration or Demolition while Designation is Pending. If an ordinance for designation is being considered, the HPC shall notify the permitting division of the Community Development Department. No permit of any kind shall be issued for work which would constitute a material change in the appearance of a building, structure, site, or landscaping located on the proposed property until the proposed ordinance is adopted or rejected by the City Council or otherwise withdrawn by the applicant.
- D. Effect of Historic Property Designation. Subject to a property owner's compliance with regulations set forth herein, the designation of a "historic property" makes additional zoning and other benefits available to owners of such properties, which may be used at their option. After the designation by ordinance of a historic property, no material change in the appearance of such historic property shall occur or be permitted to be made by the owner or occupant thereof unless or until an application for a certificate of appropriateness has been submitted to and approved by the HPC, as further set forth herein. Such designation is further intended to serve as the local designation of a historic property in order to govern the applicability of other City ordinances, codes, and regulations, including building and construction codes, containing provisions that reference or apply to "historic" buildings, structures or properties when the subject provision does not expressly limit same to buildings, structures or properties listed on the National or State Register of Historic Places or otherwise define same.

- E. Removal of Designation. After a property has been designated as a historic property, such designation may thereafter be rescinded and removed by the City Council by the adoption of an ordinance to remove such designation. The adoption of such an ordinance and the procedures applicable thereto shall be consistent with the procedures required for the designation of a property as historic. The City Council may remove such designation upon a finding that the property no longer meets the subject criteria for designation or when it otherwise finds such removal to be in the public interest.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.5 Incentives available to historic properties following designation.

Following designation by the City Council and subject to compliance with the regulations and provisions set forth in this Section 2.9 and any other applicable City, State or federal ordinances, statutes, laws, or regulations, owners of historic properties may utilize or are otherwise eligible for the following zoning incentives, construction code exemptions and other benefits, as applicable:

- A. Zoning and Development Incentives. The following zoning incentives and benefits are available to historic properties, as applicable:
1. Permitted Residential Uses in C-1 and C-2 Districts. 'For-Sale' Dwelling is a permitted principal use for historic properties located within the C-1 and C-2 zoning districts.
 2. Permitted Mixed-Use.
 - a. Historic properties with non-residential principal use: May utilize up to 40% of the heated interior square footage of the principal building for a residential ('For-Sale' dwelling) use. The use of the residence is restricted to the property owner or tenant of the non-residential portion of the building.
 - b. Historic properties with residential principal use located in Downtown Alpharetta: May utilize up to 40% of the heated interior square footage of the principal building for a non-residential use, as listed below, provided no more than two (2) total employees and/or independent contractors, who do not also reside at the property, shall be allowed to work in the premises in connection with such non-residential use at any one time. No more than one (1) patron per 250 sq. ft. of gross floor area may patronize the non-residential space at any one time. Except as previously provided, the use of non-residential portion of the building is restricted to the property owner or tenant of the residence. Non-residential uses are limited to the following permitted uses:
 - i. Art gallery;
 - ii. Barber shop, with no more than two (2) chairs;
 - iii. Beauty shop, with no more than two (2) chairs;
 - iv. Bed and Breakfast;
 - v. Book store;
 - vi. Florist;
 - vii. Medical office, no surgery; and
 - viii. Professional office.
 3. Open Space and Amenity Space.
 - a. General. The area of a historic property incorporated into a development as a community amenity may be applied to and included as part of the minimum area required to be set aside as open space pursuant to regulations and requirements

governing the CUP District, Conservation Subdivisions, and the Downtown Overlay District.

- b. Permitted Uses. In addition to the uses allowed for an open space pursuant to the underlying zoning regulations or conditions of zoning, provided such use is not otherwise prohibited by this Section 2.9, the property may be used as a community amenity or amenity space for use by the occupants, licensees or guests of the development.
 - c. Lot and Development Requirements. The minimum lot size of a historic property eligible for use as an amenity/open space shall be 4,500 square feet. The area of the historic property shall be designated on any required site plans and/or development plans, and shall be subdivided and platted as an individual lot of record on the final plat. To the greatest extent practicable, the layout of the development shall be designed in a manner that allows the historic property to serve as a focal point of the surrounding neighborhood and the community. Other development improvements should be planned and designed in a manner that provides maximum visibility of the historic property from public right-of-way exterior to the development or subdivision. The use of the historic property shall be restricted in perpetuity, or for such other term of years as required by the City, through the use of an approved legal instrument, as further set forth herein.
 - d. Additional Requirements - Permanent Protection of Historic Property. An applicant or owner seeking to utilize a historic property as an open space or amenity space shall be required to comply with the additional requirements regarding the ownership, preservation and maintenance of the historic property, including the execution and recording of an instrument providing for the permanent protection of the historic property, set forth in Paragraph F below.
4. Setback Reduction.
- a. Side setbacks required per the underlying zoning regulations may be reduced by up to 50%.
 - b. Rear setbacks required per the underlying zoning regulations may be reduced by up to 25%.
5. Parking reduction. Parking for office and commercial uses may be reduced up to 50%. Historic properties within Downtown Alpharetta shall not be required to contribute to the Parking Fund as a result of parking reduction.
- B. Building, Construction and Property Maintenance Code Exemptions. Designated historic properties may be exempt from certain building, construction and property maintenance code regulations.
- 1. Building and Construction Code Exemptions. The following types of exemptions from building and construction code requirements and other regulations are available to certain historic properties based on the provisions of the subject code, as determined by the building official:
 - a. Exemptions from the International Energy Conservation Code;
 - b. Exemptions from and compliance alternatives to certain requirements of the International Building Code (2012 Edition) regarding the construction, repair, alteration, addition, restoration and movement of buildings or structures, and change of occupancy, provided the subject condition does not constitute a distinct life safety hazard;
 - c. Exemptions from certain flood hazard area requirements;
 - d. Exemptions from the International Fire Code (2012 Edition); and

- e. Exemptions from (or compliance alternatives to) Americans with Disabilities Act (ADA) regulations and other related code regulations providing standards for accessibility.
 2. International Property Maintenance Code Exemptions. Compliance with requirements of the International Property Maintenance Code may not be mandatory for historic properties when such buildings or structures are determined to be safe and in the public interest of health, safety, and welfare by the code official.
- C. State and Federal Tax Incentive Programs. Several state and federal tax incentive programs are available to owners who rehabilitate historic properties listed, or certified as eligible for listing, in the Georgia Register of Historic Places or National Register of Historic Places, as applicable, including the State Preferential Property Tax Assessment for Rehabilitated Historic Property, the State Income Tax Credit for Rehabilitated Historic Property, and the Federal Rehabilitation Investment Tax Credit (RITC). The HPC provides additional information regarding such programs. The provisions set forth in this Paragraph are provided for information purposes only and do not constitute any representation, commitment or assurance by the City regarding a property owner's qualification for such tax incentive programs or the continuation of such programs.
- D. Economic Incentives—Facade Grants. Subject to the City Council's adoption of an ordinance(s) providing for the appropriation of funding for the subject grant program and annual appropriations thereafter, historic properties are eligible to receive facade grants for the purpose of funding improvements for the preservation, restoration or rehabilitation of historic properties. In addition to meeting any and all other requirements of the City facade grant program for historic properties, as approved by the City Council, an owner of a historic property receiving facade grant funds shall be required to convey to the City a facade easement complying with the applicable requirements set forth in Paragraph F below. Further, any and all proposed improvements constituting a material change in the appearance of the historic property shall require the prior approval of a certificate of appropriateness by the HPC. Notwithstanding any other provision hereof to the contrary, nothing set forth in this Paragraph shall be deemed to create or confer any vested rights to such grant funds or create any obligation of the City to grant or otherwise appropriate funds for the aforementioned purposes. The City's award of facade grant funds in accordance with any facade grant program is subject to funding availability and, in accordance with O.C.G.A. § 36-30-3, any facade grant program may be terminated immediately and absolutely if the City determines that adequate funds are not appropriated or funds are de-appropriated such that the City cannot sufficiently fund the subject grant program, which determination is at the City's sole discretion and shall be conclusive.
- E. Other Available Benefits and Incentives. The following additional benefits and incentives are available to historic properties:
1. Free Design Assistance from the HPC. The HPC provides pre-application technical and design assistance regarding proposed preservation, restoration and/or rehabilitation work and its conformance with the U.S. Secretary of the Interior's Standards and Guidelines to owners of historic properties applying for a building permit or seeking to rezone historic property to the TDR-HC Overlay District.
 2. Bronze Historic Property Plaque. The City will install a bronze plaque on or within the public right-of-way adjacent to each property designated as historic by the City Council.
- F. Requirements to Provide for Permanent Protection of Historic Property — Open/Amenity Spaces and Facade Grants.
1. Applicability. In order to provide for the permanent protection of historic properties utilizing certain incentives and benefits, the following historic properties shall comply with the addition regulations set forth in this Paragraph, as applicable:
 - a. Historic properties used as open space or amenity space; and
 - b. Historic properties receiving facade grants.

2. Responsible Party for Preservation and Maintenance of Open/Amenity Space. The fee simple owner of the historic property used as an open or amenity space shall be responsible for preserving and maintaining the historic property. The options for ownership and responsibility for preservation and maintenance of the historic property shall be as follows:
 - a. The owner of the lots or parcels of the subject development if under common ownership may be the owner of the historic property.
 - b. Property Owners' Association. A property owners' association established in accordance with the Georgia Property Owners Association Act, O.C.G.A. § 44-3-220 et seq., may be the owner of the historic property. Membership in the association shall be mandatory and automatic for all property owners of the development or subdivision for which the historic property serves as open space. Prior to the approval [of] a land disturbance permit, the developer shall submit to the Director a description of the property owners' association, including by-laws, and methods for maintaining the historic property. Prior to the issuance of a land development permit, a permanent restrictive covenant (per O.C.G.A. § 44-5-60(c)) providing for the preservation and maintenance of the historic property shall be recorded and run with the land, or a conservation easement may be conveyed in accordance with The Georgia Uniform Conservation Easement Act, O.C.G.A. § 44-10-1, et seq., as further provided herein.
 - c. Land Trust or Non-profit organization. A land trust or non-profit organization, which is primarily operated for the purpose of preserving historic properties and possesses the legal authority to own such real property in fee simple interest, may be the owner of the historic property.
3. Enforcement. In the event the party responsible for the preservation and maintenance of the historic property fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance may be charged to the owner and may include administrative costs and penalties; if a property owners' association is the owner, such costs may be charged to such association or to the individual property owners that are members of the property owners' association, and such costs shall become a lien on all properties of the development or subdivision until paid in full.
4. Historic Preservation Plan. A historic preservation plan shall be submitted to the HPC for review and approval by owners of historic properties used as open or amenity space (prior to the approval of a land disturbance permit) and owners of historic properties to whom facade grant funds are conditionally awarded (prior to the tender of grant funds by the City). The historic preservation plan shall establish an ongoing maintenance and preservation program for the historic property in order to ensure that the essential features of the historic property that enable it to convey its historical identity and significance are maintained in an excellent condition and the overall condition of the historic property is maintained in a good condition in the future. The historic preservation plan shall provide that any changes to such plan shall require the approval of the HPC. Preservation measures and required maintenance required for compliance with the ongoing preservation and maintenance program for the historic property, as required by the Historic Conservation Plan, shall be performed in a manner consistent with the United States Secretary of the Interior's Standards for Preservation and Guidelines for Preserving Historic Buildings. The historic preservation plan shall be reviewed and considered for approval by the HPC in accordance with the procedures set forth herein.
5. Legal Instrument for Permanent Protection.
 - a. The historic property shall be protected by a binding legal instrument recorded with the Fulton County Clerk of Superior Court. Notwithstanding the use of the term "permanent", the duration of the restrictions and obligations set forth in the legal instrument (providing for the continued preservation of the historic property) shall be for

such term of years as determined to be reasonable by the City, considering the benefit received by the subject property owner, the useful life of the subject building, and other similar criteria. Facade easements granted to the City in consideration of facade grant funds shall meet the requirements set forth below for conservation easements, except such easements must be in favor of the City, as holder of the easement. For historic properties used as open/amenity space, the instrument of permanent protection, which shall be placed on the historic property at the time of issuance of a land disturbance permit, shall be one of the following:

- (i) Conservation Easement. A permanent conservation easement, in accordance with The Georgia Uniform Conservation Easement Act, O.C.G.A. § 44-10-1, et seq., in favor of either a:
 - (a) Land trust or historic preservation oriented non-profit organization with legal authority to accept such easements. The organization shall be bona fide and in perpetual existence and the conveyance instruments shall contain an appropriate provision for retransfer in the event the organization becomes unable to carry out its functions; or
 - (b) Governmental entity with an interest in pursuing goals compatible with the purposes of this ordinance. If the entity accepting the easement is not the City, then a third-party right of enforcement favoring the City shall be included in the easement; or
 - (ii) Permanent Restrictive Covenant. A permanent restrictive covenant for conservation purposes in favor of a governmental entity with an interest in pursuing goals compatible with the purposes of this Section; or
 - (iii) Other. Subject to the approval of the City, an equivalent legal tool that provides permanent protection.
- b. The legal instrument for permanent protection shall:
- (i) Describe the features of the historic property that should be permanently protected;
 - (ii) Provide the duration of the covenants set forth therein, which shall run with the land for such minimum term of years as required by the City;
 - (iii) Clearly identify the boundaries of the historic property by survey and a metes and bounds legal description;
 - (iv) Clearly list the restrictions applicable to the historic property, which shall include such restrictions regarding the use, building and development of the property, as necessary, to comply with and carry out the obligations set forth in this Section and the historic preservation plan, as well as any further restrictions the applicant chooses to place on the use of the historic property not in conflict herewith;
 - (v) Provide for inspections of such property by the owner, the holder of the easement, and the City;
 - (vi) Provide for maintenance of such property in accordance with the requirements of the historic preservation plan and this Section;
 - (vii) Be shown on a certified survey and duly recorded with the Fulton County Clerk of Superior Court prior to the issuance of a land disturbance permit;
 - (viii) Provide for amendments only with the express written permission of the property owner(s), the holder of the easement, and the City. Amendments to the legal instrument for permanent protection shall be filed with the Director and shall be recorded with the Fulton County Clerk of Superior Court; and
 - (ix) Be subject to the review and approval by the City Attorney's office and include such additional terms and provisions as deemed necessary to protect the City's interest.

- c. Additional Requirements for Conservation Easements. In addition to the foregoing requirements, the conservation easement(s) shall:
 - (i) Comply with the requirements set forth in The Georgia Uniform Conservation Easement Act, O.C.G.A. 44-10-1 et seq.;
 - (ii) List the parties, that is, the owner(s) of such property, the holder of the easement, and, if required by the City, a person with a third-party right of enforcement;
 - (iii) Provide a third-party right of enforcement favoring the City if the City is not the grantee/holder of the easement; and
 - (iv) Specify how the easement may be transferred, as in the case of dissolution of the property owners' association or non-profit organization.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.6 Historic resources inventory—Contributing historic buildings.

A. Findings; Purpose and Intent.

1. The City Council finds: (a) the City contains a stock of historic buildings and structures that contribute to the historic, cultural, aesthetic, architectural, or other heritage of the City of Alpharetta; (b) such historic buildings and structures impart a distinct and distinguished appearance to the City of Alpharetta that is of benefit and attractive to residents, tourists and visitors; (c) the preservation, protection and perpetuation of these historic buildings and structures is essential to the promotion of the health, prosperity, and general welfare of the people; (d) the traditional character and heritage of the community cannot be maintained and the health, prosperity, and general welfare of the people cannot be protected by allowing the unnecessary destruction, demolition, removal or defacement of these buildings and structures that are important or essential to defining the community's character; (e) the adaptive reuse of historic buildings or structures has proven to be an economically feasible and potentially profitable alternative to demolition and should be promoted; and (f) the economic feasibility and the viability of adaptive reuse of these historic buildings and structures should be evaluated by the City Council prior to the demolition of such historic resources.
2. This Subsection is intended to provide for the preservation, protection and perpetuation of those certain historic buildings and structures that contribute to the City's historic, cultural, aesthetic, architectural or other heritage, and which impart a distinct and distinguished appearance to the City of Alpharetta that is of benefit and attractive to residents, tourists and visitors, consistent with and in furtherance of the interests, policies and goals of the City: (a) to preserve historic buildings and maintain the traditional and historic character of the community, as set forth in the Comprehensive Plan and the Downtown Master Plan; (b) to foster civic pride in the beauty and accomplishments of the past; (c) to stabilize and protect the aesthetic and economic vitality of such buildings; (d) to protect and promote local historical and aesthetic attractions to residents, tourists and visitors and thereby promote and stimulate business in the City; and (e) to provide for the opportunity and ability to further promote and encourage the protection, enhancement, perpetuation, and use of such buildings by property owners. To further implement these policies and objectives, the purpose of this Subsection is to establish reasonable regulations to prevent the unnecessary destruction, demolition, removal or defacement of such significant buildings.

- B. Established. In order to help carry out the goals and policies of the City's Comprehensive Plan, the Downtown Master Plan and this Ordinance, an official inventory listing and identifying those certain historic buildings that (a) contribute to the City's historic, cultural, aesthetic, architectural, or other heritage, and (b) are at least seventy-five (75) years old is hereby established and designated as the City of Alpharetta Historic Resources Inventory - Contributing Historic Buildings (the "Historic Resources Inventory - Contributing Historic Buildings"). Those certain historic buildings identified in the Comprehensive Plan, Downtown Master Plan and/or which are otherwise found by the City Council

to meet the foregoing criteria as of the date of adoption of this Ordinance, as set forth in Appendix A hereof, are hereby listed on the Historic Resources Inventory - Contributing Historic Buildings. The Historic Resources Inventory may be amended from time to time, with buildings added to or removed therefrom, by the City Council's adoption of an ordinance to amend same. The Historic Resources Inventory shall further serve as a resource document for reviewing and evaluating proposed development on the subject sites and surrounding properties, as well as a foundation for identifying properties eligible for designation as historic properties.

- C. Effect of Listing on City's Historic Resources Inventory. The principal building of a property listed on the Historic Resources Inventory - Contributing Historic Buildings shall be deemed a "contributing historic building."
- D. Requirements for Demolition, Removal or Substantial Alteration of a Contributing Historic Building. The demolition, removal (or relocation) or substantial alteration of a contributing historic building shall be prohibited without the prior approval of the City Council following a public hearing. No building permit involving the demolition, removal or substantial alteration of a contributing historic property shall be issued by the City without the City Council's prior approval of such demolition, removal or substantial alteration. Permits for demolitions, removals or substantial alterations that comply with a zoning change or redevelopment plan that has previously been approved by the City Council shall not require any further approval by the City Council. Whenever an application for a demolition, building or other permit that involves the demolition, removal or substantial alteration of a contributing historic building is submitted to the Building Official or other responsible City department, such application shall be forwarded to the Director for determination as to whether same requires a public hearing and approval by the City Council.
 - 1. Standard for Approval. A request to demolish, remove or substantially alter a contributing historic building shall be approved by City Council upon a finding that any such denial will result in a significant detriment to the property owner that is not justified by the benefit to the public resulting from the preservation, protection and perpetuation of such building.
 - 2. Factors for Consideration. In considering a request to demolish, remove or substantially alter a contributing historic building, the City Council shall consider the following criteria:
 - a. Any substantial changes in circumstances that have occurred since the contributing historic building was added to the Historic Resources Inventory;
 - b. The proposed building or redevelopment plans for the property on which the contributing historic building is located;
 - c. The impact of the proposed demolition on any remaining portion(s) of the building, if applicable;
 - d. The economic hardship which may be experienced by the present owner if the application is denied;
 - e. The present condition of surrounding buildings, and the current level of repair and maintenance of neighboring buildings;
 - f. The potential of the building for renovation and reuse and the cost and extent of possible renovation;
 - g. The degree to which the contributing historic building is out of scale or out of character with surrounding land uses;
 - h. Whether due to the location of the property and surrounding land uses, the restrictions placed on such property adversely affect its reasonable use or usability; and
 - i. Whether there is a reasonable balance between the public benefit from the preservation, protection and perpetuation of the property and the detriment to the owner as a result of prohibiting the request.

2.9.7 Application to HPC for a certificate of appropriateness.

- A. Approval of Material Change in Appearance of Historic Property. After the designation by ordinance of a historic property, no material change in the appearance of such property shall occur or be permitted to be made by the owner or occupant thereof unless or until an application for a certificate of appropriateness has been submitted to and approved by the HPC. A building permit applicable to a historic property shall not be issued without a certificate of appropriateness.
- B. Submission of Plans to HPC. An application for a certificate of appropriateness shall be accompanied by such drawings, photographs, plans and documentation as required by the HPC.
- C. Interior Alterations. In its review of an application for a certificate of appropriateness, the HPC shall not consider interior arrangement or use having no effect on exterior architectural features, other than the existence of adequate heating, cooling and ventilation systems necessary for the preservation of the subject building.
- D. Technical Advice. The HPC shall have the power to seek technical advice from outside its members on any application.
- E. Public Hearings, Notices, and Right to be Heard. The HPC shall hold a public hearing at which each proposed certificate of appropriateness is discussed. Notice of the hearing shall be published in the principal newspaper of general circulation within the City and written notice of the hearing shall be made by the HPC to all owners and occupants of the subject property. The written and published notice shall be provided in the same manner and time frame as notices required by the Georgia Zoning Procedures Law. The HPC shall provide the property owner and/or applicant an opportunity to be heard at the certificate of appropriateness hearing.

F. Acceptable HPC Action on Applications for Certificates of Appropriateness.

HPC action: The HPC may (i) approve the application for a certificate of appropriateness as proposed; (ii) approve the application for a certificate of appropriateness with any modifications it deems necessary; or (iii) reject the application for a certificate of appropriateness.

- G. Design Standards for Proposed Material Changes. Any material change in appearance to a historic property shall comply with the following minimum standards:
 - 1. General Standards. All material changes in the appearance of exterior architectural features of the historic property shall conform with the United States Secretary of the Interior's Standards for the Treatment of Historic Buildings with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (the "U.S. Secretary of the Interior's Standards and Guidelines"), as applicable.
 - 2. Street-Facing Facades. All street-facing facades must be compatible with the existing or original structure:
 - a. The proportion between the width and height of the proposed alterations must be compatible with any street-facing facade of the existing or original structure.
 - b. The proportions and relationships between doors and windows in street-facing facades must be compatible with the existing or original structure.
 - c. Any alterations consisting of side additions to a street-facing facade must have a minimum setback of twelve (12) inches from the plane of the existing street-facing facade, and any associated roofline must have a minimum setback of twelve (12) inches from the existing roof line.
 - d. The following exceptions to the foregoing minimum setback requirements will be permitted where there is, on the effective date, an existing side addition or side porch to a street-facing facade:

- i. An existing open-air porch that does not comply with the 12-inch setback requirement may be enclosed within the existing plane of the porch; and
 - ii. An existing side addition that does not comply with the 12-inch setback requirement may be extended a further five (5) feet to the side of the same plane as the existing side addition.
- 3. Height and Roof Shapes. The height of the proposed alterations must be compatible with the existing building or structure. The design of the roof and any dormers must be compatible with the existing roof and dormers. Any alterations must preserve the existing or original roof ridge, roof pitch and overhangs of the existing or original building or structure and new or altered dormers must be compatible with the typical styles of dormers associated with the original building or structure.
- 4. Architectural Details. Architectural details and materials must be incorporated as necessary to relate the new with the old and to preserve and enhance the character-defining features of the existing or original building or structure. Windows may be replaced as long as they contain real or simulated divided lights, grille patterns, sizes and shapes that are compatible with the typical style of windows associated with the original building or structure and otherwise comply with the requirements of this subparagraph.
- 5. Retention of Original Structure. After completion of the proposed alterations:
 - a. 100% of the existing street-facing facade width and height must be retained intact consistent with the other requirements of this ordinance.
 - b. At least 75% of the floor area of the original structure must remain. Interior renovations and any restoration to match the original will not be deducted in determining compliance with the 75% requirement.
- 6. Landscape Requirements. Landscaping in front yards shall be subject to the following standards:
 - a. Trees greater than six (6) inches in diameter shall be conserved, whenever possible;
 - b. Plantings and landscapes that are significant in defining the character of a property or area shall be retained;
 - c. Diseased or deteriorated plantings and landscapes that are significant in defining the character of a property or area shall be replaced with healthy specimens of identical or similar species, and the landscape shall be retained; and
 - d. Landscaping in front yards shall be designed to reflect the period or style of the principal structure on the property.
- H. Standards for Approval. The HPC shall approve the application and issue a certificate of appropriateness if it finds that the proposed material change(s) in the appearance would not have a substantial adverse effect on the aesthetic, historic, or architectural significance and value of the historic property. In making this determination, the HPC shall consider, in addition to whether the proposed material change(s) in the appearance comply with the foregoing design standards any other pertinent factors, the following criteria:
 - 1. For restoration, renovation, rehabilitation, reconstruction, alteration, or new construction:

Whether the proposed actions conform in design, scale, building material, setback and site features and to the United States Secretary of the Interior's Standards [for] the Treatment of Historic Buildings with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings, as applicable.
 - 2. For relocation:
 - a. The historic character and aesthetic interest of the building, structure, or object contributes to its present setting;

- b. Whether there are definite plans for the area to be vacated and what the effect of those plans on the character of the surrounding area will be;
 - c. Whether the building, structure, or object can be moved without significant damage to its physical integrity; and
 - d. Whether the proposed relocation area is compatible with the historical and architectural character of the building, structure, site, or object.
- 3. For demolition:
 - a. The historic, scenic, or architectural significance of the building, structure, site, or object;
 - b. The importance of the building, structure, site, or object to the ambiance of the area;
 - c. The difficulty or impossibility of reproducing such a building, structure, site, or object because of its design, texture, material, detail, or unique location;
 - d. Whether the building, structure, site, or object is one of the last remaining examples of its kind in the neighborhood or the city;
 - e. Whether there are definite plans for use of the property if the proposed demolition is carried out, and what the effect of those plans on the character of the surrounding area would be;
 - f. Whether reasonable measures can be taken to save the building, structure, site, or object from collapse; and
 - g. Whether the building, structure, site, or object is capable of earning reasonable economic return on its value.
- I. Undue Hardship. When, by reason of unusual circumstances, the strict application of any provision of the ordinance would result in the exceptional practical difficulty or undue economic hardship upon any owner of a specific property, the HPC, in passing upon applications, shall have the power to vary or modify strict provisions, so as to relieve such difficulty or hardship; provided such variances, modifications, interpretations shall remain in harmony with the general purpose and intent of said provisions, so that the architectural or historical integrity, or character of the property, shall be conserved and substantial justice done. In granting variances, the HPC may impose such reasonable and additional stipulations and conditions as will, in its judgment, best fulfill the purpose of this Section. An undue hardship shall not be a situation of the person's own making.
- J. Deadline for Approval or Rejection of Application for a Certificate of Appropriateness.
 - 1. The HPC shall approve, reject or otherwise act on an application for a certificate of appropriateness within forty-five (45) days after the filing thereof by the owner or occupant of a historic property, building, structure, object or historical site. Evidence of approval shall be by a certificate of appropriateness issued by the HPC. Notice of the issuance or denial of a certificate of appropriateness shall be sent by United States certified mail to the applicant and all other persons who have filed a written request for such notice with the HPC.
 - 2. Should the HPC fail to approve or reject an application for a certificate of appropriateness within forty-five (45) days the application shall be deemed automatically approved; provided, however, that such forty-five (45) day period may be extended an additional thirty (30) days if consideration of an application for a certificate of appropriateness is tabled by the HPC.
- K. Notice and Effect of HPC's Rejection of Application for a Certificate of Appropriateness.
 - 1. In the event the HPC rejects an application for a certificate of appropriateness, the HPC shall state its reasons for doing so, and shall transmit a record of such rejection and reasons, in writing, to the applicant. The HPC may suggest alternative courses of action it thinks proper if it rejects the application submitted. The applicant, if he or she so desires, may make modifications to the plans and may resubmit the application at any time after making said plan modifications.
 - 2. In cases where the application for a certificate of appropriateness covers a material change in the appearance of a structure which would require the issuance of a building permit, the rejection of

the application for a certificate of appropriateness by the HPC shall be binding upon the building official or other administrative officer charged with issuing building permits and, in such a case, no building permit shall be issued.

- L. Requirement of Conformance with a Certificate of Appropriateness.
 - 1. All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate. In the event work is performed not in accordance with such certificate, the HPC may request that the City obtain a cease and desist order from the appropriate tribunal and all work shall cease.
 - 2. The City Council or the HPC may, initiate any appropriate action or proceeding in a court of competent jurisdiction to prevent any material change in appearance of a designated historic property, except those changes made in compliance with the provisions of this Section or to prevent any illegal act or conduct with respect to such historic property.
- M. Certificate of Appropriateness Void if Construction Not Commenced.
 - 1. A certificate of appropriateness shall become void unless the work described in the application for a certificate of appropriateness as approved by the HPC has commenced within six (6) months of the date of issuance.
 - 2. A certificate of appropriateness shall expire after eighteen (18) months unless said certificate is renewed. A certificate of appropriateness may be renewed for a single eighteen (18) month period. An application for renewal must be submitted to the Community Development Director prior to the expiration of the original certificate of appropriateness. The Director shall approve the application for renewal provided the project is not in violation of any city ordinance.
- N. Record of Application for Certificate of Appropriateness. The HPC shall keep a public record of all applications for a certificate of appropriateness, and of all the HPC's proceedings in connection with said application. These records shall be maintained in accordance with the City's records management plan.
- O. Appeals. Any person adversely affected by any determination made by the HPC relative to the issuance or denial of an application for a certificate of appropriateness may appeal such determination to the City Council. Any such appeal must be filed with the City Council within thirty (30) days after the issuance of the determination pursuant to Subparagraph J.1. of this Subsection, or in the case of a failure of the HPC to act, within thirty (30) days of the expiration of the forty-five (45) day period allowed for HPC action, as set forth in Subparagraph J.2. of this Subsection. The City Council may approve, modify, or reject the determination made by the HPC if the governing body finds that the HPC abused its discretion in reaching its decision. Decisions of the City Council are final and may only be appealed by application for a writ of certiorari to the Superior Court of Fulton County, which must be filed within thirty (30) days of the date of the decision.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.8 Maintenance of historic properties; building and zoning code provisions.

- A. Ordinary Maintenance or Repair. Ordinary maintenance or repair of any exterior architectural or environmental feature in or on a historic property to correct deterioration, decay, or to sustain the existing form, and that does not involve a material change in design, material, or outer appearance thereof, does not require a certificate of appropriateness.
- B. Failure to Provide Ordinary Maintenance or Repair. Property owners of historic properties shall not allow their buildings to deteriorate by failing to provide ordinary maintenance or repair. The HPC shall be charged with the following responsibilities regarding deterioration by neglect:
 - 1. The HPC shall monitor the condition of historic properties to determine if they are being allowed to deteriorate by neglect. Such conditions as broken windows, doors and openings which allow

the elements and vermin to enter, and the deterioration of a building's structural system shall constitute failure to provide ordinary maintenance or repair.

2. In the event the HPC determines a failure to provide ordinary maintenance or repair, the HPC will notify the owner of the property and set forth the steps which must be taken to remedy the situation. The owner of such property will have thirty (30) days to perform such remedial measures. A building permit may be required to accomplish the necessary remedial measures.
 3. In the event that the condition is not remedied in thirty (30) days, the owner shall be deemed to be in violation of this Section.
- C. Affirmation of Existing Building and Zoning Codes. Nothing in this Section shall be construed as to exempt property owners from complying with existing City building, development, and zoning codes; provided, however, owners of historic properties may be exempt from certain requirements of such codes as expressly provided herein and/or pursuant to the provisions of the subject code(s).

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.9 Violations.

The remedies and penalties set forth herein are nonexclusive and the exercise of one or more of such remedies or penalties shall not preclude the exercise of another. In addition to the other remedies provided for herein, violations of the provisions of this Section shall be enforced, prosecuted and punished in the same manner as set forth in Article V of the Unified Development Code of the City of Alpharetta. Additionally, the City may take all necessary civil action to enforce the provisions hereof and may seek appropriate legal or equitable remedies or relief, including injunctive relief. Further, violations of this Section may constitute due cause for the revocation or removal of the "historic designation" from the property, which shall require the adoption of an ordinance to revoke or remove such designation in accordance with procedures consistent with the procedures required for the designation of a historic property. Further, if a historic property is demolished, removed or relocated without a certificate of appropriateness or in violation of any condition of a certificate of appropriateness, or in the event of a substantial alteration to the historic property, the following restrictions, in addition to any other penalties or remedies set forth in this Section, shall be applicable to the lot or parcel on which the building or structure comprising the historic property was formerly located:

The lot or parcel shall be deemed a nonconforming lot for a period of five (5) years after the date of such demolition, removal, relocation or substantial alteration. No building or other permits will be issued for the construction or development of any improvements on the lot or parcel for a period of five (5) years after the date of such demolition, removal, relocation or substantial alteration, except for permits approving building or construction activities undertaken to cure the violation to the extent that the violation is curable, as evidenced by the HPC's approval of a certificate of appropriateness for same. Notwithstanding the foregoing restrictions, the City may issue permits for improvements necessary for the immediate protection and preservation of life and/or property of other persons.

The remedies set forth for in this Section are in addition to and cumulative of all other remedies provided by law.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

2.9.10 Appeals.

To the extent not otherwise provided herein, any person adversely affected by a determination made by the HPC may appeal such determination to the City Council. Any such appeal must be filed within thirty (30) days of the date of the subject determination. Decisions of the City Council are final and may only be appealed by application for a writ of certiorari to the Superior Court of Fulton County, which must be filed within thirty (30) days of the date of the decision.

([Ord. No. 712](#), § 1(Exh. A), 9-8-2015)

APPENDIX A - HISTORIC RESOURCES INVENTORY— **PROPOSED** CONTRIBUTING HISTORIC BUILDINGS

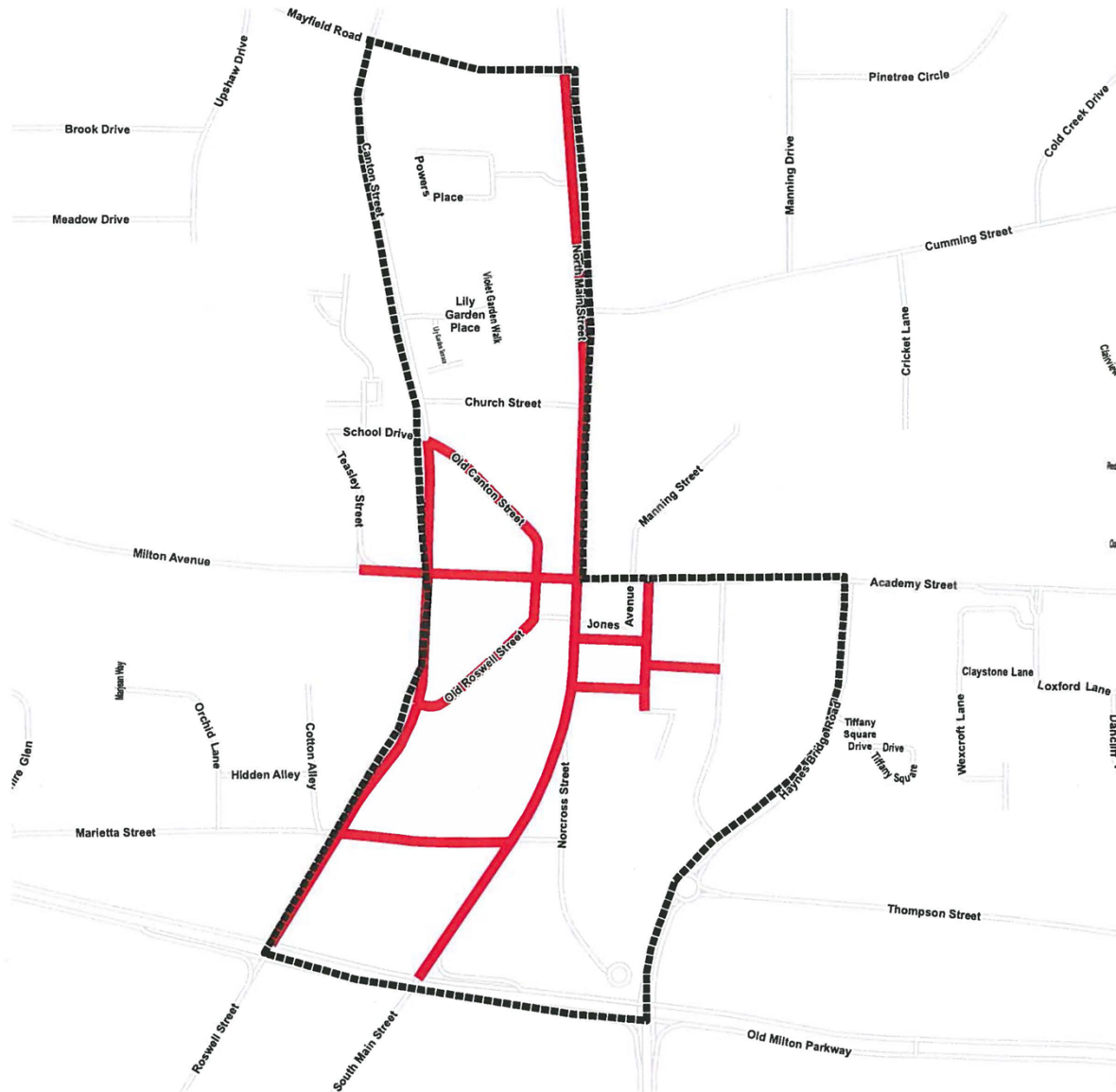
Building Address		
94 Academy Street	69 North Main Street	1240 Mayfield Rd.
375 Brady Place	101 North Main Street	1750 Mayfield Rd.
133 Canton Street	116 North Main Street	1835 Mayfield Rd.
184 Canton Street	126 North Main Street	755 Old Rucker Rd.
193 Canton Street	134 North Main Street	760 Old Rucker Rd.
212 Canton Street	1720 Old Milton Pky	1080 Rucker Rd.
248 Canton Street	1815 Old Milton Pkwy	1225 Rucker Rd.
36 Church Street	1835 Old Milton Pkwy	1670 Rucker Rd.
37 Church Street	11 Old Canton Street	20 Milton Avenue
10 Cumming Street	32 Old Canton Street	24 Milton Avenue
18 Cumming Street	38 Old Canton Street	25 Milton Avenue
40 Cumming Street	11475 Maxwell Rd.	30 Milton Avenue
112 Cumming Street	54 Roswell Street	35 Milton Avenue
130 Cumming Street	61 Roswell Street	242 Milton Avenue
133 Cumming Street	88 Roswell Street	333 Milton Avenue
122 Marietta Street	103 Roswell Street	37 Old Roswell Street
171 Marietta Street	119 Roswell Street	48 Old Roswell Street
38 North Main Street	1145 Mayfield Rd.	9 South Main Street

21 South Main Street	531 South Main Street	31 North Main Street
23 South Main Street	1405 Mid-Broadwell Rd	80 School Drive
29 South Main Street	20 North Main Street	86 School Drive
50 South Main Street	31 North Main Street	

*** RED ARE PROPOSED ADDITIONS

*** BLUE ARE PROPOSED REMOVALS

Central Business District



Central Business District (CBD)

The portion of the City bound by Mayfield Road to the north, Old Milton Parkway to the south, Haynes Bridge Road and North Main St to the east, and Roswell and Canton Streets to the west.

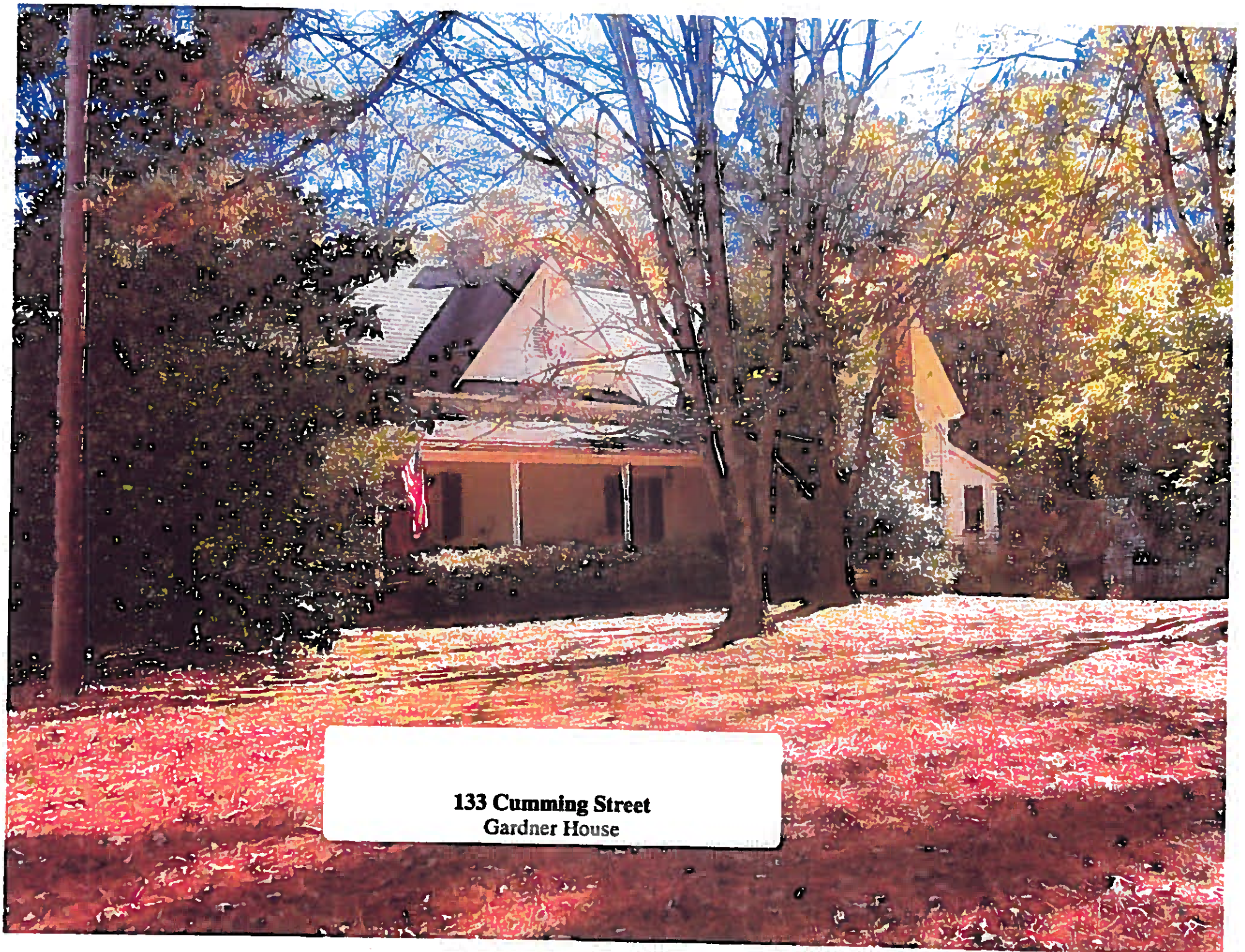
- Store Front
- Central Business District

Recommended Properties to be Removed from Contributing Historic Properties List

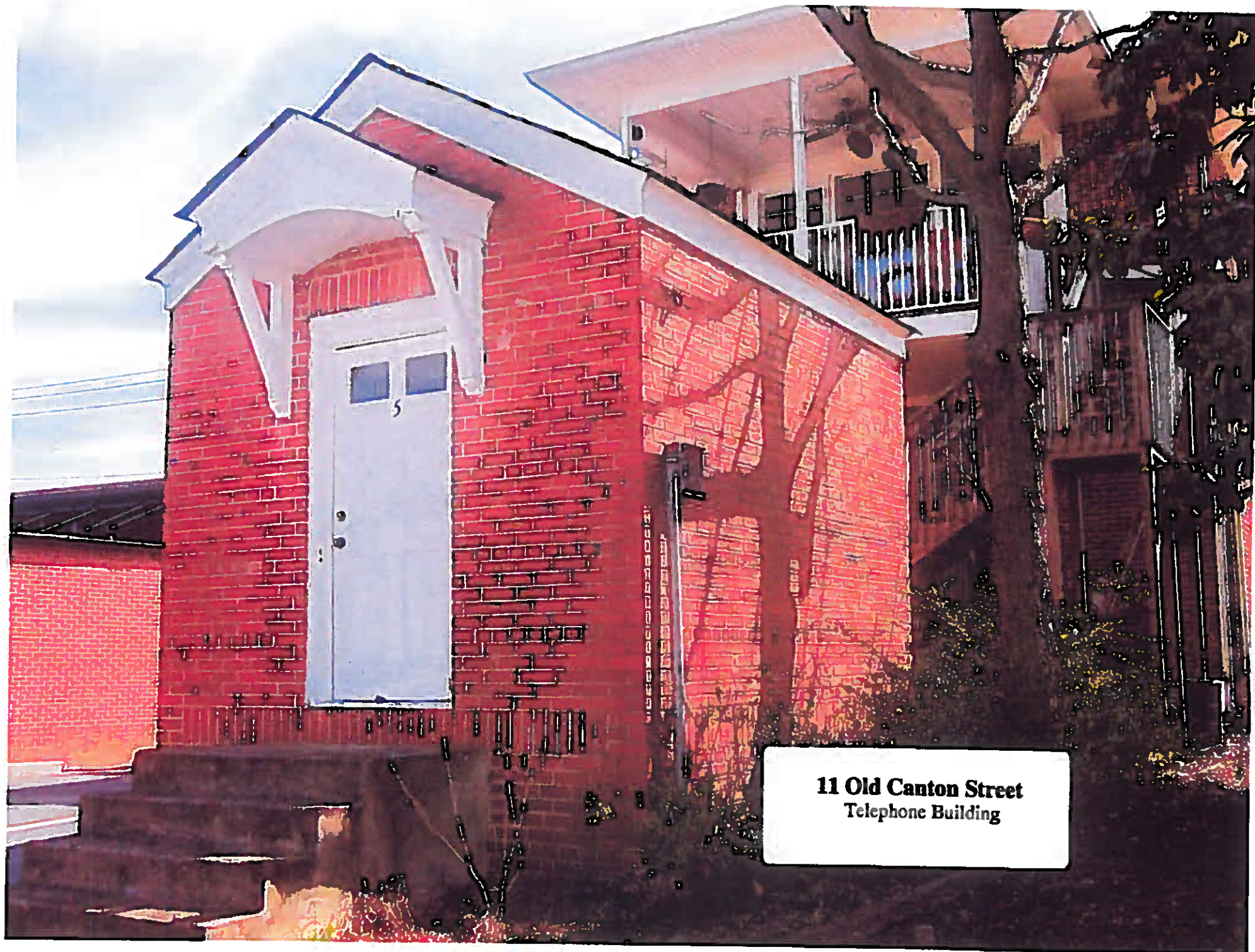
1. 32 Canton Street (Demolished)
2. 38 Canton Street (Demolished)
3. 1720 Old Milton Pky (not 75 years old)
4. 1225 Rucker Road (not 75 years old)
5. 242 Milton Ave (Disrepair)

Recommended Additions to Contributing Historic Properties List

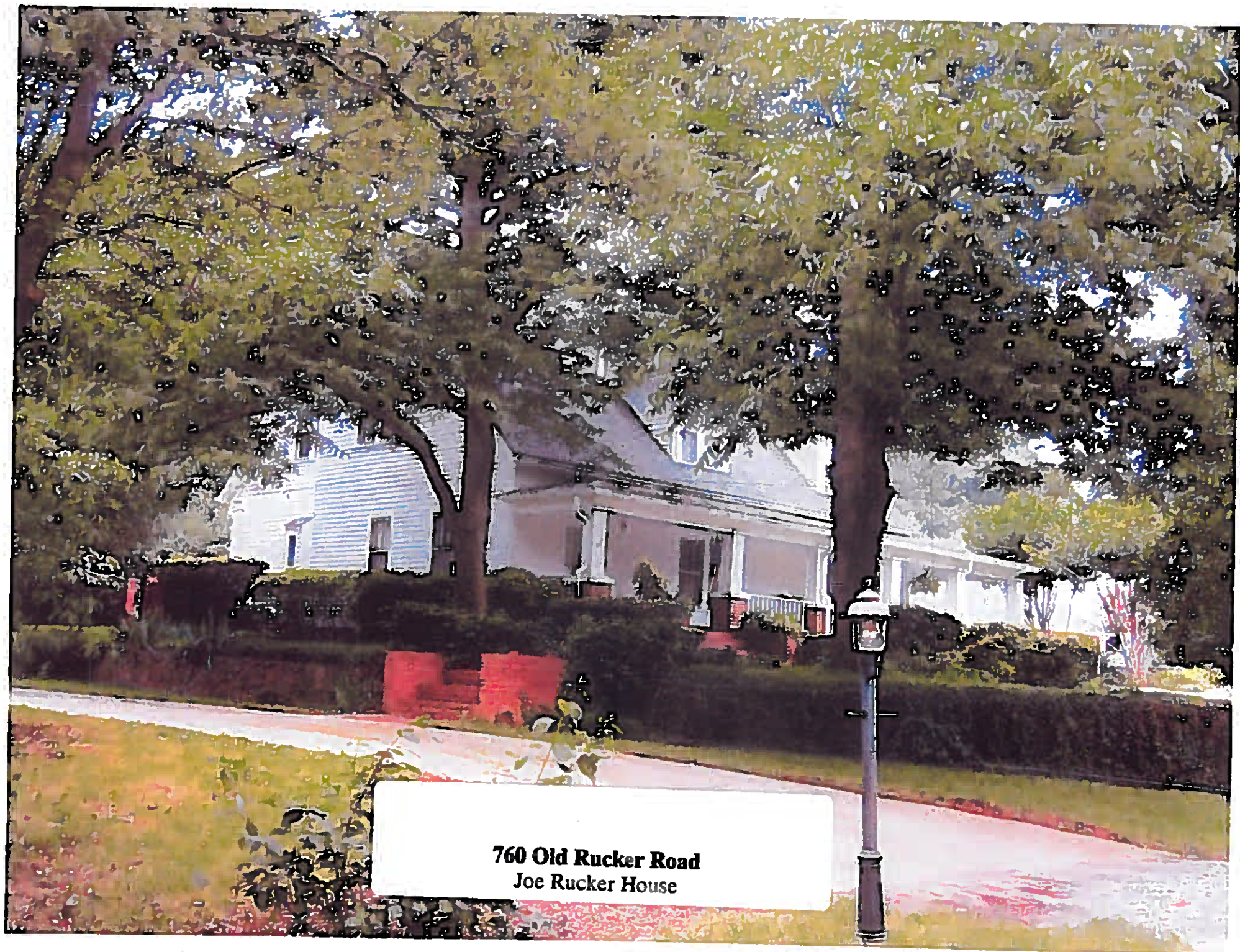
<u>Address</u>	<u>Current</u>	<u>Previous</u>
1. 133 Cumming Street		Gardner House
2. 11 Old Canton Street		Telephone Building on 28 N Main St.
3. 1825 Mayfield Road		W.A. (Pack) Smith
4. 760 Old Rucker Road	Satham	Joe Rucker
5. 20 Milton Avenue		McCollum, Teasley, Vaughan
6. 1405 Mid-Broadwell Road		Morris, Rucker
7. 29 South Main Street	Parsons Building	
8. 50 South Main Street	City Center	Will and Mae Jones House



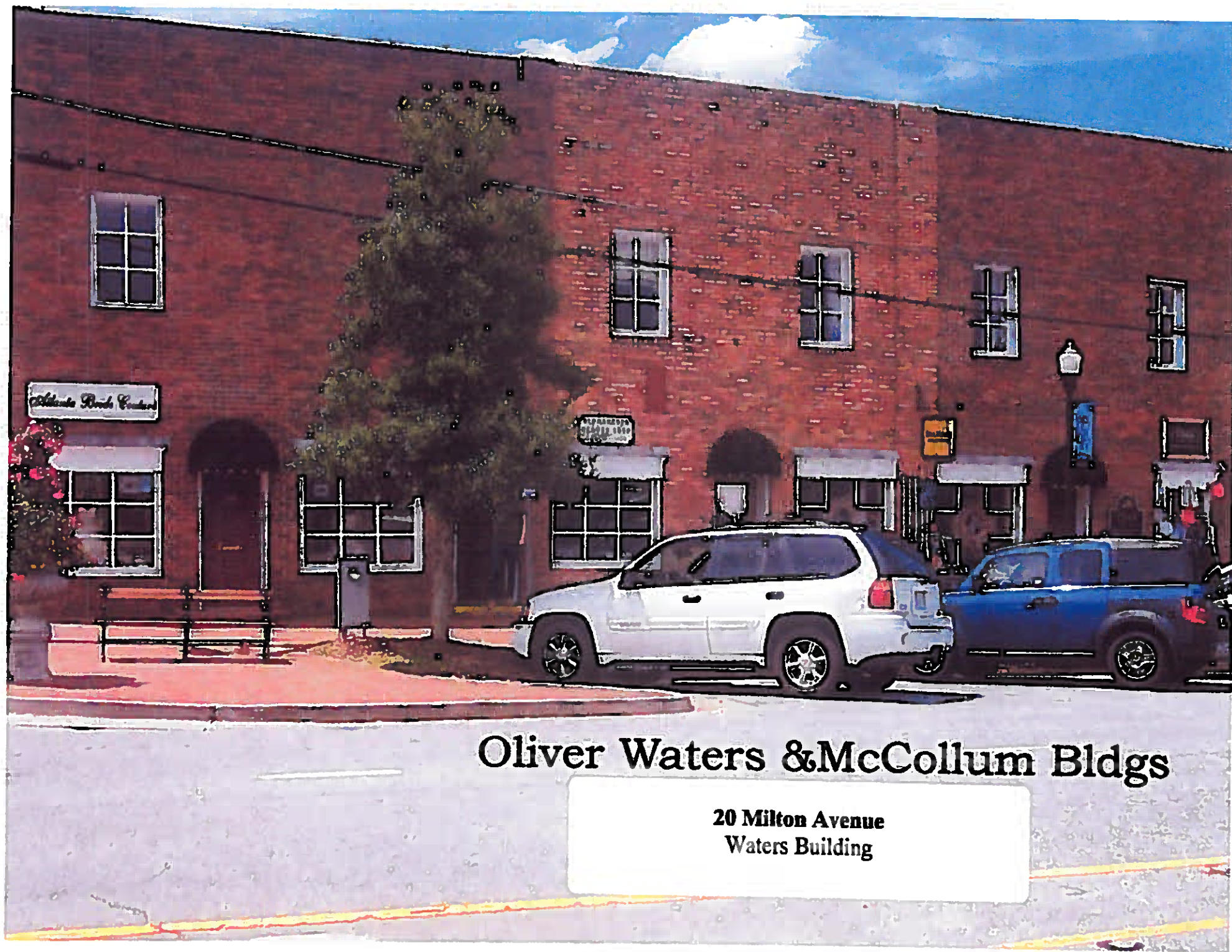
133 Cumming Street
Gardner House



11 Old Canton Street
Telephone Building



760 Old Rucker Road
Joe Rucker House



Oliver Waters & McCollum Bldgs

20 Milton Avenue
Waters Building



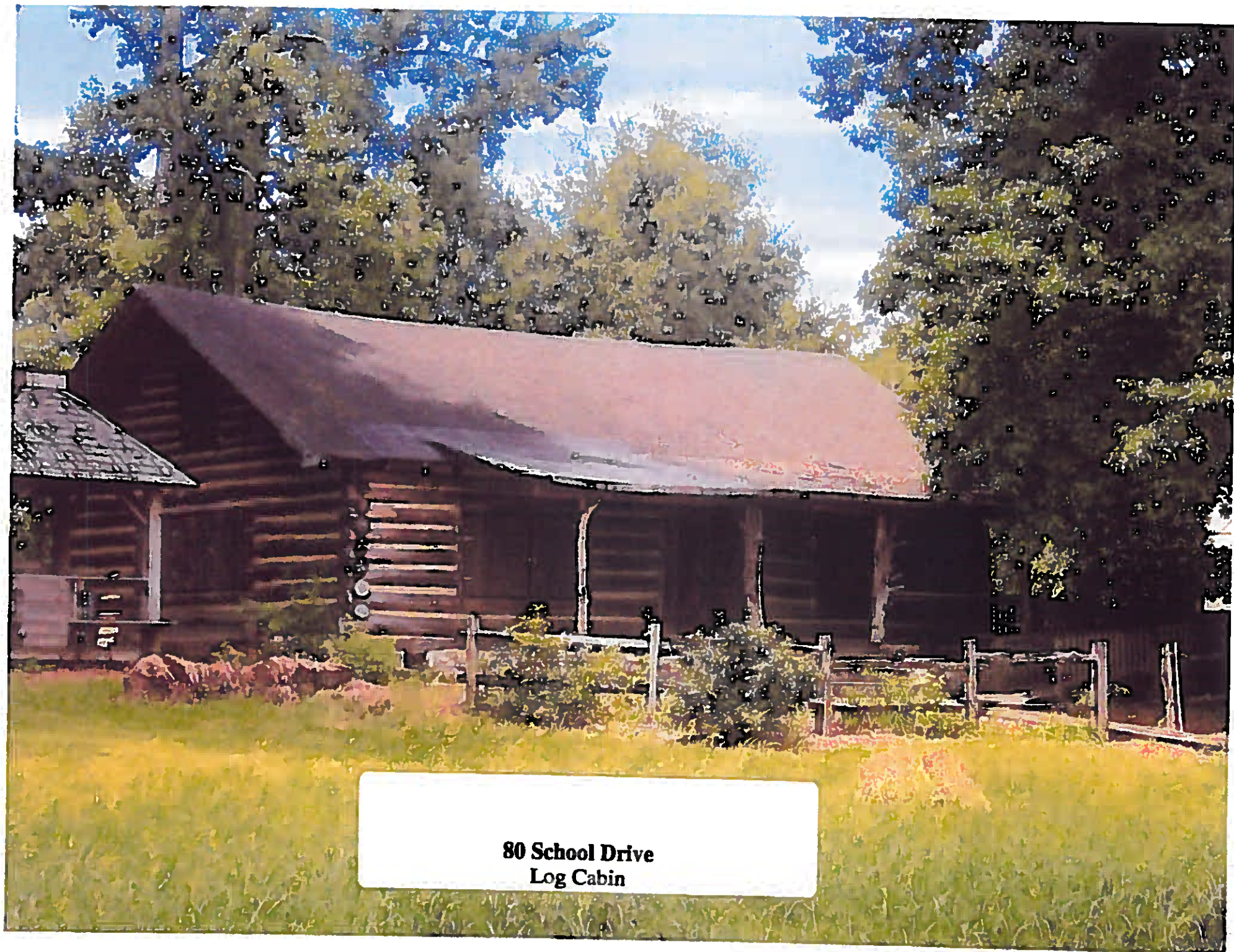
1405 Mid- Broadwell Road
Morris, Rucker House



**29 South Main Street
Parsons Building**



50 South Main Street
Will & Mae Jones House

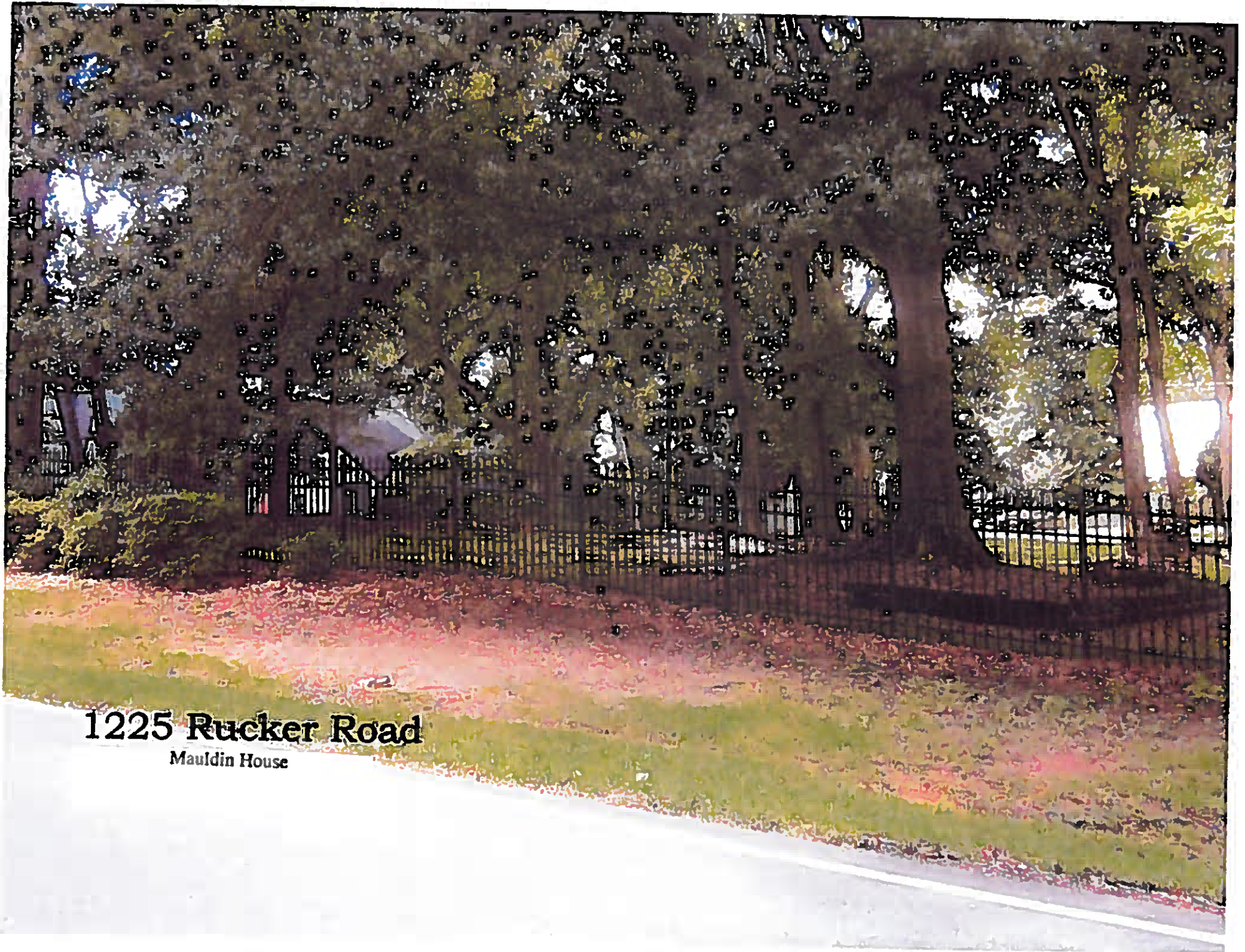


80 School Drive
Log Cabin



**1720 OLD MILTON PKY
(PROPOSED REMOVAL)**





1225 Rucker Road

Mauldin House

242 Milton Ave

242 Milton Avenue

02/02/2017

THE WATERS BUILDING, LLC
241 LAKE FORREST LANE, NE
ATLANTA, GA 30342-3211
TEL 404-481-5067
FAX 866-554-7414
jjsmithcpa@cpa.com

March 7, 2017

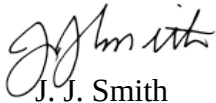
Ms. Elle Taylor
Boards Assistant
City of Alpharetta
Community Development Department

Dear Ms. Taylor,

This is a follow-up to our telephone conversation today and a response to your letter dated February 28, copy attached.

The Waters Building does not want to have any of the properties that it owns in downtown Alpharetta added to the Contributing Historic Property list. Please let me know if I need to do anything else to keep our properties off that list.

Sincerely,

A handwritten signature in black ink, appearing to read "J. J. Smith", is positioned above the printed name.

J. J. Smith
Manager, The Waters Building

AN ORDINANCE TO AMEND ARTICLE II AND APPENDIX A (ALPHARETTA DOWNTOWN CODE) OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO MODIFY THE CRITERIA FOR DESIGNATION OF A HISTORIC PROPERTY SET FORTH IN SUBSECTION 2.9.4(B) OF THE UDC; TO REMOVE CERTAIN BUILDINGS FROM AND ADD CERTAIN BUILDINGS TO THE CITY’S “HISTORIC RESOURCES INVENTORY - CONTRIBUTING HISTORIC BUILDINGS” LISTING (APPENDIX A OF ARTICLE II OF THE UDC); TO MODIFY THE TABLE SET FORTH IN SECTION 3.2.4(I)(2) OF THE ALPHARETTA DOWNTOWN CODE BY DELETING OR ADDING CERTAIN BUILDINGS; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the Unified Development Code of the City of Alpharetta, Georgia (the “Unified Development Code” or “UDC”) was designed to be amended from time to time to provide for the continual improvement of the regulations governing the uses and development of land within the City, such as when circumstances warrant that modifications be made in order to make the Unified Development Code more responsive to community needs or when modifications are otherwise necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City; and

WHEREAS, the City Council desires to modify regulations governing the designation of historic properties within the City to better implement the goals of protecting historic buildings and the historic character of the City; and

WHEREAS, in order to better promote and preserve the aesthetic and historic nature of the City, the City Council desires to remove certain properties from, and add certain properties to, the City of Alpharetta Historic Resources Inventory – Contributing Historic Buildings listing; and

WHEREAS, in order to accomplish the foregoing and for other purposes related to the public health, safety, and welfare, the City Council desires to amend Article II and Appendix A (the Alpharetta Downtown Code) of the Unified Development Code; and

WHEREAS, a public hearing has been properly advertised and conducted pursuant to the requirements of the Georgia Zoning Procedures Law; and

WHEREAS, the City Council finds that principal buildings located on the properties listed in Exhibit B, which is attached hereto as if fully set forth herein, (1) contribute to the City's historic, cultural, aesthetic, architectural, or other heritage and (2) are at least seventy-five (75) years old, and that the principal buildings located on the properties listed in Exhibit A, which is attached hereto as if fully set forth herein, no longer meet such criteria; and

WHEREAS, the City Council finds that the amendment to the Unified Development Code provided hereby promotes the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta.

NOW THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: **Section 2.9.2** (Definitions) of Article II of the Unified Development Code is hereby amended to correct a scrivener’s error by deleting “2.9.6” in the definition for “Designation” and inserting in lieu thereof “2.9.4”.

Section 2: **Paragraph B of Subsection 2.9.4** of Article II of the Unified Development Code is hereby amended by deleting same and inserting in lieu thereof a new Paragraph B to read as follows:

“B. Criteria for Designation of a Historic Property. In order to be designated a historic property, the property must be an individual building that meets the following criteria:

1. Is of historic, cultural, aesthetic or architectural significance to the City, the region, the State, or the nation; and
2. Possesses historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and
3. Is deemed worthy of preservation (and the benefits available due to such status) by reason of value to the City, the region, the State, or the nation for one or more of the following reasons:
 - a. It is an outstanding example of a building representative of its era and over 75 years old;
 - b. It is one of the few remaining examples of a past architectural style or type and over 75 years old; or
 - c. It is a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation and over 75 years old.”

Section 3: The City of Alpharetta Historic Resources Inventory – Contributing Historic Buildings listing, which is appended to Article II of the Unified Development Code as Appendix A, is hereby amended by: (1) removing therefrom the properties set forth in **Exhibit A**, which is attached hereto as if fully set forth herein; and (2) adding thereto the properties set forth in **Exhibit B**, which is attached hereto as if fully set forth herein.

Section 4: **Table 3.2.4(I)(2) of Appendix A** of the Unified Development Code is hereby amended by: (1) deleting therefrom the properties set forth in **Exhibit C**, which is attached hereto as if fully set forth herein; and (2) adding thereto the properties set forth in **Exhibit D**, which is attached hereto as if fully set forth herein.

Section 5: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 6: This Ordinance shall be effective immediately upon its adoption by the City Council and incorporated into The Unified Development Code of the City of Alpharetta, Georgia. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED this the _____ day of _____, 2017.

Approved:

David Belle Isle, Mayor

Attest:

COUNCILMEMBERS

Coty Thigpen, City Clerk
(Seal)

Approved as to Form:

C. Sam Thomas, City Attorney

EXHIBIT A

REMOVED PROPERTIES

The following properties are removed from the **City of Alpharetta Historic Resources Inventory – Contributing Historic Buildings** listing (See **Appendix A of Article II** of the Unified Development Code):

242 Milton Avenue

32 Old Canton Street

38 Old Canton Street

1720 Old Milton Pkwy

1225 Rucker Rd.

EXHIBIT B

ADDED PROPERTIES

The following properties are added to the **City of Alpharetta Historic Resources Inventory – Contributing Historic Buildings** listing (See **Appendix A of Article II** of the Unified Development Code):

133 Cumming Street

1825 Mayfield Rd.

1405 Mid-Broadwell Rd.

20 Milton Avenue

11 Old Canton Street

760 Old Rucker Rd.

29 South Main Street

50 South Main Street

EXHIBIT C

PROPERTIES DELETED FROM TABLE 3.2.4(I)(2) OF APPENDIX A OF THE UDC

The following properties are deleted from **Table 3.2.4(I)(2) of Appendix A** of the Unified Development Code:

“242 Milton Avenue”

“1720 Old Milton Pkwy”

EXHIBIT D

PROPERTIES ADDED TO TABLE 3.2.4(I)(2) OF APPENDIX A OF THE UDC

The following properties are added to **Table 3.2.4(I)(2) of Appendix A** of the Unified Development Code in their appropriate alphabetical order:

“133 Cumming Street”

“1825 Mayfield Rd.”

“20 Milton Avenue”

“11 Old Canton Street”

“29 South Main Street”



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: MP-16-13/Z-16-11/CU-16-19/V-16-26 TPA FUQUA/PERIDOT

CITY COUNCIL: APRIL 17, 2017

This item was heard at the November 3, 2016 Planning Commission meeting. The applicant requested a deferral. After discussion, the Planning Commission recommended to defer the request. Vote (7-0)

This item was heard at the March 2, 2017 Planning Commission meeting. Citizens spoke both for and against the request. Planning Commission recommended that the lake be activated by bringing non-residential uses closer to the lake and moving the townhomes and/or stacked townhomes away from the lake, which is consistent with the site layout reflected on the 2011 site plan. After discussion, the Planning Commission recommended to approve the request subject to staff conditions with a few amendments, including a change to the site plan in order to activate the lake. Vote (6-1)

The applicant provided a revised site plan for the purpose of addressing concerns raised by the Planning Commission. The new site plan depicts a lake side plaza with seating and area for food trucks. However, the site plan shows both the townhome and stacked townhome product next to the lake, which is contrary to the site plan recommended for approval by the Planning Commission. Staff has reviewed the new site plan and believes that it does not adequately address the concerns raised about activating the lake. The site plan referenced in the Planning Commission recommendation (SP-2, dated 9/28/16) depicts an office building next to the lake. Planning Commission recommended approval of this site plan because it included non-residential uses closer to the lake and more closely resembled the site layout on the 2011 plan. There were concerns that people would be reluctant to use the trail due to its close proximity to the residential product. Planning Commission suggested that the office building near the lake include a restaurant and that the dock and lake side plaza include an active use to draw visitors down to the lake.

II. RECOMMENDATION:

Approve MP-16-13/Z-16-11/CU-16-19/V-16-26 TPA Fuqua/Peridot subject to the following conditions:

Conditions that end with (GRTA) are conditions recommended by the Georgia Regional Transportation Authority. All GRTA recommendations are incorporated in a document dated July 13, 2015, RE: DRI 2499 – Innovation.
RED= Changes to previously approved conditions.

1. The **62.47-acre** property shall be zoned MU. Site shall be developed substantially similar to plans by **Wakefield Beasley & Associates**, dated **9/28/16 (SP-2)**, subject to the approved conditions. **Architectural style of all buildings shall be Post-Industrial Mercantile style similar to the renderings and architecture in the 2016 application with non-residential buildings approved by the Design Review Board and residential buildings approved by Staff. Townhomes shall be substantially as depicted in Exhibit A. Subject to approved conditions. Applicant shall work to add additional features to activate the lake; such as, hardscape, restaurants or other commercial uses as approved by Staff.**
2. Development regulations shall be as follows:

- a. Office – 664,400 square foot maximum. Building height shall be limited as depicted on site plan dated 2/21/2017 with 1 building up to 12 stories, remaining office limited to a maximum 6 stories. Mixed use buildings shall be limited to a maximum of 5 stories or 60', whichever is less.
 - b. Up to 63 'For-Sale' townhome units and up to 104 'For-Sale' stacked townhomes shall be permitted in up to 4-story buildings with a maximum height of 50'. In lieu of the stacked townhomes, that portion of the property may be developed with zero lot line 'For-Sale' detached units with no reduction in the overall open space and within the same footprint of the stacked townhomes as depicted on the 12/13/2016 alternate plan prepared by Travis Pruitt and Associates, attached as Exhibit B. A minimum 25% of all residential units shall be 'For-Sale' units. No more than 10% of the 'For-Sale' residential units shall be permitted to be rented, as recorded in the development covenants.
 - c. Retail –Maximum of 26,100 square feet and height of 2 stories or 35', whichever is less. Permitted retail square footage shall include a 9,600 square foot food hall/market. Mixed use buildings shall be limited to a maximum of 5 stories or 60', whichever is less. No more than 3 free standing retail buildings shall be permitted. No more than 2 free-standing 'Bank or Savings and Loan' buildings shall be permitted and shall be a minimum of 2 stories, or 24', and shall have significant architectural features as approved by Staff. Standalone retail buildings shall have a minimum height of 18'. A minimum 3,000 square foot neighborhood grocery shall be required.
 - d. Hotel – One boutique or full-service hotel as approved by staff with a maximum of 200 rooms and 7 stories shall be permitted. Hotel may not be an extended stay facility.
 - e. Restaurant – Maximum of 29,400 square feet and height of 2 stories or 35', whichever is less. A maximum of 3 free-standing restaurants with a combined square footage of not less than 3,500 square feet and not more than 10,000 square feet with no drive-thru or pick up windows. Individual restaurants may be attached via architectural features such as metal arches, outdoor seating areas, patios and similar amenities as approved by Staff. An open air "special event facility" shall be permitted adjacent to the lake with a maximum of 20,000 square feet. One jewel box building shall be permitted in the central park as depicted on the site plan.
 - f. 'For-Rent' Residential – After March 27, 2018, 220 'For-Rent' attached units shall be permitted a Certificate of Occupancy in accordance with UDC 'For-Rent' requirements. 'For-Rent' residential shall be permitted above office or retail uses on at least 1 side of the building. At-grade 'For-Rent' units shall have walkouts with sidewalk connections. Building maximum height shall be 5 stories or 60 feet, whichever is less. No more than 40% of the units may be 2-bedroom units. 'For-Rent' units shall be constructed concurrently with retail, 25% 'For-Sale' units and a minimum 60,000 square feet of office use. A Certificate of Occupancy shall not be issued for rental units until 60,000 square feet of office has been constructed or is substantially under construction as determined by Staff. The units shall be part of a mixed-use project containing a minimum of 50 acres and incorporating retail, 'For-Sale' residential units, hotel, neighborhood grocery, restaurant, and the 60,000 square foot office. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure gated parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. If a building permit is not issued by March 27, 2019 residential units shall revert to 'For-Sale' only.
 - g. Parking Decks – Maximum of 5 levels, except parking deck along Haynes Bridge Road shall be a maximum of 2 levels. With the exception of the 2 parking decks serving office buildings, all parking decks shall be wrapped with residential or non-residential uses where visible from the public right-of-way. Parking decks visible from Haynes Bridge Road, Lakeview Parkway and Morrison Parkway shall be treated with comparable materials and finishes as the buildings they serve or screened from view with evergreen landscaping as approved by Staff. Parking decks visible from Georgia 400 and the interchange shall be screened from view with evergreen landscaping. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the Design Review Board.
3. The Master Plan area shall be limited to the following uses and further restricted by conditions of zoning:
 - a. office
 - b. retail

- c. restaurant (no drive thru)
 - d. hotel
 - e. residential
4. Retail uses shall be those uses customarily accessory to or amenities for office uses, restricted to the following uses:
 - a. Art Gallery
 - b. Bakery
 - c. Barber Shop
 - d. Beauty Shop
 - e. Book Store
 - f. Bowling Entertainment Venue (with approval of a conditional use permit)
 - g. Computer Supply Store
 - h. Copy Center/Print Shop
 - i. Drug Store (not to exceed 2,000 SF)
 - j. Dry Cleaning Pick-up Station
 - k. Fitness Studio
 - l. Florist, Retail without Greenhouse
 - m. Gourmet Food Store
 - n. Office Supply Store (not to exceed 2,000 SF)
 - o. Package Shipping/Mail Box Store
 - p. Restaurant (no drive-thru)
 - q. Retail Sales and Services Establishment
 - r. Shop or Studio, Craftsman/Artist
 - s. School, Commercial
 - t. Spa Services (with approval of a conditional use permit)
 5. Building Setbacks along Haynes Bridge Road and Morrison Parkway shall be 30' building setback with a 20' landscape strip. Building setbacks along Lakeview Parkway shall be 25' with a 20' landscape strip.
 6. Building setbacks along internal streets shall be 0' for the first 60' of building height. Above 60' in height, a 10' setback shall be provided from back of curb. Sidewalks and street trees shall be incorporated throughout the development. Pedestrian bridges, stairs, elevators and escalators may encroach over and into public spaces provided that they don't impede pedestrian circulation or safety.
 7. A building permit shall not be issued for any free-standing retail building before a building permit is issued for the 60,000 square foot office use.
 8. Specimen trees on the site shall be given special consideration and every attempt to incorporate them into the applicant's site plan shall be made as stipulated in the Tree Protection Ordinance. In addition, specimen trees #473, 477, 512, 545, 563, 566, 568, 821, 591, 593, 596, and 600 shall be saved.
 9. A minimum 12.35 acres of park land is required for the proposed development with at least 6.18 acres required to be passive park area. A minimum 6.25 acres of public space shall be required. 29.36 acres of open/green space shall be provided as depicted on the 2/21/2017 zoning plan. The greenspace to the east of the lake shall remain undisturbed, except for the trail and related improvements around the lake. A bocce ball court, or an alternative outdoor recreational feature approved by Staff, shall be required within an area designated public space as approved by Staff.

Design Conditions:

10. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and recreational facilities within the development and across Lakeview Parkway to the existing office development. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products as approved by Staff. Bicycle facilities shall be provided throughout the development.

11. Detention facilities shall not be visible from a public right-of-way, except a decorative water feature approved by Staff.
12. Parking decks and retaining walls shall receive architectural façade treatment or be heavily landscaped, as described in paragraph 2.g. Retaining walls visible from developed areas exceeding 16' in height shall be terraced. In areas where the parking decks are visible to the public, the decks will be screened by landscaping or materials approved by DRB or other materials as approved by Staff, as described in paragraph 2.g.
13. Except for the 'For-Sale' product, priority parking spaces shall be provided for alternative fuel vehicles along with accommodation for a vehicle charging station.
14. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development. A bus drop-off area with shelter and dedicated lane shall be incorporated into the plan design along Haynes Bridge Road or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for employees, residents and guests. The public shall be permitted to park in the office parking lots on evenings and weekends.
15. Prior to LDP for development, the applicant shall submit for approval a document to be entitled 'TPA/Fuqua Design Standards'. This document shall include elevations or architectural themes of buildings, specifications for street furniture including benches, trash receptacles, lighting, fountains, bicycle racks, bus shelter, signage landscaping themes and focal point features and shall be substantially similar to the renderings filed with the 2016 application, as amended. Design standards will be presented to Staff and the Design Review Board for review and approval. This document also shall detail entrance treatment for the Haynes Bridge Road/Lakeview Parkway intersection, which shall compliment any existing or changed entrance feature across Lakeview Parkway. Retaining walls also shall be complementary.
16. Plans for buildings, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the Design Review Board.
17. Awnings shall be provided on buildings at street level in commercial areas where reasonably appropriate in order to protect pedestrians from inclement weather.
18. Surface parking areas other than on-street parking shall be screened from the public right-of-way in compliance with the current UDC. A decorative, short wall shall be located along Lakeview Parkway where needed in order to obscure views of surface parking from Lakeview Parkway.
19. All buildings along Haynes Bridge Road, Morrison Parkway and Lakeview Parkway must face those streets or appear to face those streets. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall not be visible from those streets. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
20. Measurement of building heights shall not include spires or other decorative architectural features.
21. Streets within the development shall be private and shall include a planted median with sufficient space for tree plantings, as approved by Staff.
22. A view corridor shall be created from Haynes Bridge Road to the lake, along the main boulevard, as depicted on the plan. A structure for seating or gathering, such as a gazebo or similar structure, shall be provided at the end of the boulevard near the lake as approved by Staff.
23. The corner of Haynes Bridge Road and Lakeview Parkway shall be designed with a minimum 5,000 square foot green space and shall incorporate existing wall and landscaping with a focal point feature (sculpture) added with final approval by the local arts committee. Applicant shall provide a minimum of 6 original sculptures located at prominent locations throughout the development as approved by Staff and the local arts committee. Locations shall include the corner of Lakeview Parkway and Haynes Bridge Road. Approval and construction of 1 sculpture shall be required concurrent with the first CO. A minimum of 1 additional sculpture shall be required concurrent with the first CO of each subsequent phase of development. All sculptures shall be required prior to final CO issued for the last building constructed.
24. In order to further 2035 Comprehensive Plan strategy LU 6.2, no stand-alone retail development shall be located within 500' of the GA 400 interchange.

25. Prior to the first LDP for development, applicant shall submit a construction phasing plan that shall demonstrate how construction will be staged and implemented in a manner that screens construction views from adjacent roadways.
26. Prior to the first LDP for development, applicant shall submit a revised master plan for the entire parcel to the City, which shall incorporate the approved conditions, as well as the following:
 - Approved specifications and standards identified for each use within the total development.
 - Pedestrian network.
 - Overall planned green space areas.
27. Every plan submitted for a land disturbance permit shall include an on-going density and acreage tabulation.
28. Alcohol license distance requirements from residential development shall be waived.
29. Rooftop signs shall be permitted as approved by the Design Review Board.
30. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: "This plan reflects conditions stipulated through public hearing regarding case MP-16-13/Z-16-11/CU-16-19/V-16-25 TPA/Fuqua"

Landscape Conditions:

31. A 20' landscape strip with trees and shrubs shall be provided along Haynes Bridge Road, Lakeview Parkway and Morrison Parkway. Along Lakeview Parkway, the existing sidewalk shall be widened with brick or similar pavers an additional 2' in the beauty strip to the back of curb. All new utilities shall be located underground. Existing landscape strips adjacent to the development along Morrison Parkway, Haynes Bridge Road and Lakeview Parkway shall be replanted where needed, as approved by Staff. Parking areas adjacent to Lakeview Parkway shall be heavily screened with landscape material as approved by Staff.
32. Landscaping areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscaping area if decorative and will provide an amenity. However, there shall be no encroachment into the Georgia 400 tree buffer, except for multi-use path as approved by Staff.
33. At least 1 roof-top amenity shall be required within the development. In addition, at least 25% of the space occupied by restaurant uses shall be located in open air dining areas. Outdoor dining areas will not count against the min. 29,400 SF of restaurant space.
34. Provide detailed street planting for Haynes Bridge Road, Morrison Parkway and Lakeview Parkway. Landscape plan shall be approved prior to issuance of a Land Disturbance Permit and shall include retaining the current mature street trees, except at curb cuts and in accordance with an approved stream piping plan along Lakeview Parkway, Morrison Parkway and Haynes Bridge Road with final approval by Staff.
35. The developer and/or property owner shall be responsible for the planting and maintenance of medians within the development site and for the medians located on Lakeview Parkway which are contiguous to the development site. The planting and maintenance shall be in accordance with a plan approved by Staff.
36. Parking lot islands shall be planted with trees, shrubs and ground covers (not with mulch only). Provide sufficient green space to provide screening for parking decks. Investigate, as directed by Staff, the possibility of adding shade structures on the top floor of parking decks to cover a minimum 15% of this surface.
37. The developer shall dedicate a permanent easement to the City and construct a 12' multi-use trail with continuous connection from the adjacent Honda property, through the site, around the lake and through the Georgia 400 buffer to Haynes Bridge Road and to the west property line, with final alignment/design approved by Staff and construction completed prior to the first Certificate of Occupancy for residential units. A trail crossing shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of paver material approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Haynes Bridge Road. The applicant shall hand clear undergrowth, invasive species and dead materials within the Georgia 400 buffer for the installation of the trail; maintain such condition to the City's satisfaction until accepted for maintenance; and promote use of the area to the public by providing parking, access and trails for public enjoyment. A bike share station shall be provided

at a location(s) along the trail as approved by Staff. Way finding signage shall be placed at key locations along the trail.

38. The 50' perimeter around the lake shall include a minimum 12' wide multi-use trail and gathering areas (gazebo, grilling stations, fire pits, benches, etc.) and exercise stations around the lake, as approved by Staff. The width of the multi-use trail may be reduced to save trees, as approved by Staff. The condition of the existing pedestrian bridges across the lake shall be assessed, repairs and widening shall be made by the developer/property owner as approved by Staff.
39. The 37,505 square foot park space near the corner of Haynes Bridge Road and Lakeview Parkway shall include landscape and hardscape for public space for recreation, entertainment, and/or civic purposes.
40. The lake shall be designed for active recreation, including stocking the lake with fish and constructing a dock.
41. Wetlands shall be counted as park space, if applicant improves the area with boardwalks, walkways, or educational amenities.
42. Site access off Lakeview Parkway shall be unsignalized. The right-in/right-out only drive on Lakeview Parkway shall be channelized to prevent unlawful turning movements. A roundabout is recommended at site driveway 2. Design of roundabout or other intersection improvement shall meet City LOS standards as approved by Staff.
43. Master Plan approval shall revert to 2015 approval, uses and site plan, if a building permit is not issued for office use by 3/27/2019.

General Conditions of Approval to GRTA Notice of Decision:

44. Development Intensity and Use
 - Provide a mix of residential, office and retail uses.
45. Access Management
 - Signalized intersections along Lakeview Parkway shall be a minimum of 1,000' from the existing signal at the intersection of Haynes Bridge Road and Lakeview Parkway.
 - Provide a maximum of 4 site driveways on Lakeview Parkway.
 - Align driveways on Lakeview Parkway with opposing existing driveways or offset by a minimum of 150'.
 - Any full movement site driveway on Lakeview Parkway must be a minimum of 450' from Haynes Bridge Road.
 - Any right-in/right-out site driveways on Lakeview Parkway must be a minimum of 200' from Haynes Bridge Road.
 - No direct site access is allowed onto Haynes Bridge Road.
 - No outparcels are allowed direct access on Haynes Bridge Road or Lakeview Parkway.
 - Provide shared driveway between adjacent property (shown as "MetLife") and the proposed development, as shown on plan.
 - All internal intersections shall be a minimum of 100' from Lakeview Parkway.
46. Pedestrian Facilities
 - Provide a system of sidewalks throughout the development providing pedestrian access to all uses, building entrances and site driveways.
 - Provide safe pedestrian crossings at all site driveway intersections (four-legged intersections) on Lakeview Parkway, including roundabouts.
47. Road Improvements to GRTA Notice of Decision:
Haynes Bridge Road at Lakeview Parkway/Northwinds Parkway
 - Construct 1 additional northbound left-turn lane along Haynes Bridge Road onto Lakeview Parkway creating dual northbound left-turn lanes.
 - Construct 1 additional eastbound right-turn lane along Lakeview Parkway onto Haynes Bridge Road creating dual eastbound right-turn lanes.
 - All intersections with Haynes Bridge Road and Lakeview Parkway shall be designed as directed by staff.

III. REPORT IN BRIEF:

The applicant, TPA and Fuqua, is requesting a master plan amendment to the Metropolitan Life/Peridot Master Plan to change the development mix and previous conditions of zoning. A request to rezone 15.51 acres from O-I (Office-Institutional) to MU (Mixed-Use), as well as requests for conditional use to allow 'For-Rent' residential use and a bank or savings and loan use. A variance is requested to allow first-floor 'For-Rent' dwellings on three (3) building sides and to allow first-floor 'For-Rent' dwellings on a Storefront Street. If developed as submitted, the development would consist of 55,500 square feet of retail/restaurant, up to a 200-room hotel, 664,400 square feet of office (510,000 square feet new), 320 'For-Rent' units and 167 'For-Sale' townhome and stacked flat units on 62.47 acres. The property is located west of Haynes Bridge Road, south of Lakeview Parkway and north of Georgia 400.

DISCUSSION

The submitted request, if approved, will allow for the construction of a mixed-use development consisting of 55,500 square feet of retail/restaurant use, 664,400 square feet of office use, 167 'For-Sale' townhome and stacked flat units, 320 'For-Rent' apartment units, and a 200-room hotel. The proposed residential density is 7.80 dwelling units/acre. The subject property is located west of Haynes Bridge Road, south of Lakeview Parkway and north of Georgia 400.

The subject property is currently zoned MU (Mixed Use) and O-I (Office-Institutional) and surrounding properties are zoned O-I to the north and east and LI (Light Industrial) to the west. The 62.47 acres is bounded to the north by Lakeview Parkway, to the west by Honda Motor Corp., to the south by Georgia 400, and Haynes Bridge Road to the east.

The applicant is requesting a master plan amendment for a project called "360 Tech Village" to change the permitted mix of uses and changes to previous conditions of zoning. The site is currently entitled for 100,035 square feet of retail, a 211-room hotel, 447,200 square feet of office space and 470 'For-Sale' residential units. A rezoning is requested for 15.51 acres from O-I to MU, subject to the Metropolitan Life/Peridot Master Plan. Conditional use is requested to allow 'Dwelling, 'For-Rent' use and 'Bank, Savings and Loan' use. A variance is requested to allow first-floor 'For-Rent' dwellings on three (3) building sides and to allow first-floor 'For-Rent' dwellings on a Storefront Street.

A conceptual development plan for the assembled tract was submitted in August 2007 at which time Staff submitted the application to the Department of Community Affairs for a Development of Regional Impact Review. On January 24, 2008, the ARC issued a finding that the proposal was in the best interest of the Region, and therefore the State. In 2011, a master plan amendment was approved along with a stream buffer variance. The 2011 master plan amendment did not require DRI review. GRTA submitted a "Notice of Decision" stating the project was approved as submitted with recommended conditions. A master plan amendment was approved in 2015, which included changes to previous conditions of zoning as reflected in the attachment labeled Exhibit A.

The table below provides a comparison between the applicant's current proposal and previously proposed and approved master plan and amendments for the subject property.

		New Plan vs Previous Plans		
	2016 Proposed Plan	2011/2015 Plan	1988 Plan	Changes 2015-2016
Acreage	62.47 acres	47.05 acres	45.5 acres	+15.42 acres
Retail/Rest.	55,500 SF	100,035 SF	119,700 SF	-44,535 SF
Residential	487 Total Units: 167 'For-Sale' Attached 320 'For-Rent' units	470 Total Units: 445 'For-Sale' Condominium units, 25 'For-Sale' Townhomes	0	+320 'For-Rent' -303 'For-Sale' Attached
Density	7.8 du/ac	10 du/ac	0	-2.2 du/ac
Hotel	200 rooms	211 rooms	200 rooms	-11 rooms
Office	664,400 SF	447,200 SF	1,015,520 SF	+217,200 SF
Parking	3,372 spaces	3,415 spaces	N/A	-43 spaces
Open/Park	29.36 acres	11.08 acres	N/A	+18.28 acres

The property is also located within the Tier 1 North Point Development Node as depicted on the 2035 Future Land Use Plan. The City's Comprehensive Land Use Plan describes the North Point Activity Center Character Area in the following way:

"PRESERVE the North Point area as a regional destination for shopping, jobs and entertainment, and ENHANCE the area with improvements and new development that supports a walkable and vibrant community destination with places to shop, work, entertain and live."

"Future development should emphasize connectivity, uses that generate a high level of activity and transit-oriented development that anticipates the extension of MARTA transit service to the area. It should reinforce a walkable, mixed-use destination supported by a range of housing types and transportation modes. It should also focus on expanding the street network, enhancing public transit service, creating a pedestrian-friendly environment by adding sidewalks and supporting bicycle use with infrastructure that makes biking safe and convenient. This complete transportation system should link adjacent residential, office and commercial areas to major destinations within the activity center or serve as a safe and convenient connection to other destinations in the community. Expand entertainment uses and capitalize on amphitheater location."

The property is located in an area of the North Point Activity Center LCI designated Mixed-Use Commercial Center Area, which is described in the following way:

"Mixed-use Commercial Centers seek to take advantage of Georgia 400, Mansell Road, and Haynes Bridge Road to accommodate significant vehicular traffic by locating high intensity uses within a short distance of the Georgia 400 interchanges. While still providing pedestrian connectivity to the mixed-use village center, the two commercial centers are better suited to accommodate taller, regional serving development with higher vehicular traffic demands."

'FOR-RENT' RESIDENTIAL

The applicant requests a conditional use to allow 320 'For-Rent' units in a 4-story building with a parking deck. One (1) side of the building will contain 1st floor retail and/or office uses along the street frontage. The building will include studio, 1-bedroom and 2-bedroom units with rents from \$1,145 for 540 – 610 square feet studios, \$1,400 – \$1,500 for 700 – 800 square foot 1-bedroom units, and 2-bedroom units will be 1,048 – 1,175 square feet and with rents from \$2,000 – \$2,250. Residents will have access to parking and a variety of amenities, including a pool, fitness center, dog park, cyber café, game room and business center.

Careful consideration should be given to maintaining a balance between 'For-Rent' versus 'For-Sale' product in the City. The 2035 Comprehensive Land Use Plan identifies the following policy as it relates to maintaining a balance of 'For-Sale' versus 'For-Rent' housing in the City:

Housing Policy 2: Maintain a balance between 'owner-occupied' and 'renter-occupied' in Alpharetta such that at least 68% of the housing stock is 'owner-occupied'.

There are several factors that should be considered with requests for apartments, such as mix of uses, design, long-term viability, impacts to City facilities and services, as well as traffic and school impacts. Office space already exists on the site and high density housing should be tied to office space where jobs exist and are created and service uses are available to limit vehicular trips. The existing 406,853 square feet of office employs 2,034 people and the 510,000 square feet of new office will generate approximately 2,550 employees (1 employee per 200 square feet). A total of 4,584 office employees could be generated to support the residential and retail uses. Current apartment conditions in the City reflect occupancy ranges from 93% to 100% leased.

The City's Rental Housing Study, which was prepared in May 2015 and recently updated, recommends that the City target an entitlement of between 93 and 159 'For-Rent' units per year in order to achieve a goal of 32% rental housing in the City. It should be noted that this annual target recommendation is not an approved City policy; however, the 32% 'For-Rent' policy is included in the 2035 Comprehensive Land Use Plan.

'FOR-SALE' RESIDENTIAL

The applicant is requesting 167 'For-Sale' units, which represents a reduction of 303 'For-Sale' units from the current master plan entitlement. It is recommended that a mixed-use development contain a variety of residential types. The applicant's proposed development mix provides a greater mix of 'For-Sale' vs. 'For-Rent' residential product as compared to the mixed-use developments at Milton Park and Avalon. Avalon is approved for 16% 'For-Sale' product and Milton Park has over 25%. Staff recommends that the project provide a minimum of 25% 'For-Sale' units.

The applicant's site plan depicts 63 'For-Sale' townhome units and 104 'For-Sale' stacked condominium units. The applicant is requesting flexibility to allow for zero lot line single-family detached units in lieu of the stacked condominiums. Townhome units will range from 2,200 – 2,800 square feet with a price point between \$400,000 – \$600,000. Stacked condominiums will range from 1,250 – 1,700 square feet with price points beginning in the high \$200,000's. If single-family detached units are constructed, homes will be 2,000 – 3,000 square feet with a price point between \$500,000 – \$700,000.

OFFICE

The applicant proposes 510,000 square feet of new office on the site, which is in addition to the 406,853 square feet of office existing in three (3) buildings within the Metropolitan Life/Peridot Master Plan. Two (2) office buildings are located north of Lakeview Parkway and the third is on the west side of the subject property. If the applicant's request is approved, a total of 916,853 square feet of office could be

constructed within the master plan. For comparison, Northwinds is approved for 2.8 million square feet of office on 260 acres and Avalon for 660,000 square feet on 86 acres.

The request includes a 12-story, 300,000 square foot office building near the existing lake, a six (6) story, 150,000 square foot office building along Morrison Parkway and a three (3) story, 60,000 square foot loft-style flex office building near Haynes Bridge Road. The applicant states that the 60,000 square foot office building will be constructed in the first phase of the development. The existing office buildings are six (6) and seven (7) stories and are 93.6% occupied.

RETAIL/RESTAURANT

The development proposes 55,500 square feet of retail/restaurant uses located in freestanding and mixed-use buildings. This represents a 44,535 square foot reduction in retail/restaurant uses from the current master plan entitlement, which is consistent with an office-focused mixed-use development. The applicant proposes 16,500 square feet of retail space, 29,400 square feet of restaurant space, 400 square foot retail jewel box and 9,600 square foot market/food hall building surrounding the town center green and on the first floor of the 'For-Rent' building. A minimum 3,000 square foot neighborhood grocery will be provided within the requested entitlement of 55,500 square feet of retail/restaurant use. Retail uses will be those that are typically accessory to office use and retail services to support the proposed residential uses.

HOTEL

The applicant proposes one (1) boutique or full-service hotel with a maximum of 200 rooms and seven (7) stories. A boutique hotel is defined as a small hotel that typically has between 10 to 100 rooms in unique settings with upscale accommodations and design. The current master plan entitlement is for a 211-room hotel, with a minimum of 6,000 square feet of meeting space. The applicant has indicated that the number of hotel rooms constructed will likely be less than the 200 rooms requested.

PARK & PUBLIC SPACE

The applicant's site plan depicts 3.74 acres of park land, a 9.83-acre lake, a 4.5-acre wetland area, and 3.16 acres in other public spaces. Park space and public space shall not include the Georgia 400 tree buffer (except area improved for multi-use path), building setbacks, or landscape strips. The 4.5-acre wetland area may only be counted as public/park space, if improvements such as boardwalks, walkways, or educational amenities are included.

The 37,505 square foot town center green will be lined with ground floor retail, restaurant and office uses. Restaurants will have outdoor seating and the town center green will offer places for diners to sit and eat. The town center green will also include an outdoor band stand. Five (5) small park areas, totaling 0.57 acres, are depicted in the area of the townhomes and stacked flats. The lakeside park is shown to be 95,100 square feet.

A 9.83-acre lake amenity will be active and include recreational amenities. The lake perimeter already includes walking paths and pedestrian bridges over the lake. The lake should be improved with wider walking paths, gathering and seating areas, grilling stations and exercise stations. The path around the lake will become part of the City's Alpha Loop system and shall be a minimum 12-feet wide.

A 12' multi-use path will be provided through the subject property and connecting into the City's Alpha Loop system. The applicant's site plan depicts the multi-use path beginning at Morrison Parkway and running along Lakeview Parkway and Haynes Bridge Road. The path is also shown around the lake and on the south side of the lake. A future multi-use path easement is depicted running through the Georgia 400 buffer. Staff recommends that the developer provide an easement and construct the 12' multi-use path from Morrison Parkway, running along Lakeview Parkway before entering the site through the townhome portion of the development, continuing around the lake and running east and west along the south side of the property.

The MU zoning district requires a minimum 10% of the land area be designated for public uses, such as recreation, entertainment and/or civic space. Based on the total site area, a minimum of 6.25 acres in public space is required for the proposed development. The total park space goal in the MU zoning district is one (1) acre of parkland per 100 population. Based on the table below, the applicant's proposed development will generate a population of 1,235 people. Therefore, 12.35 acres of parkland is required for the proposed development, of which at least 50%, or 6.18 acres, shall be passive park area.

2011-2013 American Community Survey 3-Year Estimates – Average Household Size

	Alpharetta city, Georgia	
	Estimate	Margin of Error
Total:	2.72	+/-0.09
Owner-occupied	2.93	+/-0.13
Renter-occupied	2.33	+/-0.16

BUILDING ELEVATIONS

The Metropolitan Life/Peridot Master Plan was amended on September 28, 2015, which included a condition of zoning requiring a Mercantile/warehouse architectural style, substantially similar to the renderings dated June 26, 2015. The applicant has submitted building architecture, which is described as Post-Industrial Mercantile style. The applicant provided the following description of the proposed mixed-use development, which will have a technology focus with a post-industrial theme.

"The 360 Tech Village Development is a large 62.4-acre mixed use development of which 29.3 acres are open/green space with an extensive pedestrian/bicycle trail. The retail, the 60,000 square foot office building and the multifamily building and hotel will be a traditional post-industrial/mercantile design. They shall include rich building colors, brick, brick detailing, articulation to break up massing, dark mullioned windows, oversized and/or arched windows, cornice treatments, canopies, awnings, and soft lines to emulate post-industrial/mercantile design. Roll up garage doors are encouraged on retail structures, as are roof top signs of materials intended to reflect the design features of the post-industrial era. The design does not prohibit use of branding elements, glass or traditional architecture but instead encourages consistency with an industrial theme through the development. The 6 to 12 story office buildings may be curtain wall. The single family residential structures also shall compliment this theme. The intent is to blend glass components that suggest "hi-tech" with the mercantile brick facades in an artful and tasteful way. The retail spaces each will have its own brand and will incorporate their façade into a pleasing blend with a mercantile background. The hospitality component will also be very branded and more modern in exterior design. Overall, the style

will reflect an extremely engaging variety of architectural styles with complimentary proportions and materials, and consistent with the theme of Alpharetta being the “technology hub” for the southeast.”

EMPLOYEES

The applicant prepared an Area of Influence analysis consistent with those previously required by ARC and GRTA was conducted for the proposed development. According to the employee recapture analysis, the site is likely to accommodate 3,529 employees based on the mix of land uses, projected occupations, and average monthly income likely to be paid to employees. 3,322 of those employees are generated from the proposed office space based on one (1) employee per 200 square feet.

TRAFFIC

Kimley-Horn and Associates, Inc. prepared an update to the previous Traffic Impact Analysis. A comparison of trip generation from the applicant’s current proposal versus the 2015 proposal is provided below. The analysis found that the current proposal will result in a net 27.6% reduction in PM Peak Hour trips as compared to the 2015 proposal.

Gross Trip Generation Comparison

Site Plan	Daily Trips	AM Peak Hour Trips	PM Peak Hour Trips
360 Tech Village (2017)	14,858	1,420	1,525
Innovation Mixed-Use (2015)	20,582	704	2105
Percentage Difference	-27.8%	101.7%	-27.6%

The updated traffic analysis also included capacity analysis of the intersections and proposed site driveways along Lakeview Parkway. Similar to the previous traffic studies, the intersection at Morrison Parkway is expected to operate well with the proposed development traffic. At Haynes Bridge Road, the recommendations from the DRI study remain relevant; add dual northbound left-turn lanes along Haynes Bridge Road at Lakeview Parkway and provide dual eastbound right-turn lanes along Lakeview Parkway onto southbound Haynes Bridge Road. The added right-turn lane would connect to an extension of the Georgia 400 right-turn lane along Haynes Bridge Road.

Analysis of site driveways along Lakeview Parkway resulted in poor levels of service for vehicles exiting the site. Specifically, vehicles wishing to turn left onto Lakeview Parkway are expected to experience significant delay during the peak travel times. The study further contends that traffic conditions will not likely meet federal guidelines to warrant a traffic signal. Previous site plans included a roundabout to reduce delay at these intersections. Including at least one roundabout along Lakeview Parkway would also help calm traffic and facilitate an offset left turn. The best location would be the highest traffic intersection, proposed site driveway 2. Based on the anticipated traffic movements, some modification will be required of the existing median islands along Lakeview Parkway in order to accommodate vehicle queuing and limit access.

SCHOOLS

Residential development is known to increase school enrollment. Fulton County Schools calculated the potential number of children who may live on the property by using their standard calculation to distinguish

the number of children that a residential development will generate. The following table outlines these figures:

FULTON COUNTY SCHOOLS – 167 Townhomes & 320 Apartments

School	Estimated # New FCS Students Generated
Manning Oaks Elementary School	15 – 223
Northwestern Middle School	6 – 57
Milton High School	21 – 126
Total	42 – 406

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 42 – 406 school age children. All three schools are shown to be over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: The proposed rezoning would permit uses that are consistent with the North Point Activity Center LCI and Comprehensive Land Use Plan designation of the property.

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

Response: The proposed rezoning would permit a mixed-use development, which is consistent with adjacent non-residential properties. Surrounding properties are located with the North Point Activity Center LCI, which envisions a mix of uses in a walkable environment.

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

Response: The proposed development respects the on-site stream buffers. If approved, staff recommends a condition to save certain specimen trees.

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

Response: The property is currently zoned O-I, which allows the requested office use by right. The applicant requests a rezoning of the 15.51-acre O-I parcel to MU to achieve a density of 7.80 dwelling units per acre over the 62.47-acre site.

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: While the proposed mixed-use development would have impacts on public facilities and services, the purpose of a mixed-use development is to reduce impacts on facilities and services by promoting a place to live, work and play. If approved, the applicant's proposal would result in a net reduction in traffic as compared to the current master plan entitlement.

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 proposed MU zoning district is consistent with the Comprehensive Land Use Plan designation of the property, which is Mixed Use.

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

Response: The request to rezone a portion of the property from O-I to MU reflects a reasonable balance as the proposed zoning is consistent with the Comprehensive Land Use Plan designation of the property, which is Mixed Use.

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

Response: The property is currently zoned O-I, which allows the requested office use by right. The applicant requests a rezoning of the 15.51-acre O-I parcel to MU to achieve a density of 7.80 dwelling units per acre over the 62.47-acre site.

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

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

CONDITIONAL USE REVIEW CRITERIA

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

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

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

Response: The project has three (3) full-access driveways and a right-in/right-out driveway on Lakeview Parkway. The proposed development consists of a network of streets featuring connectivity throughout. The proposed mix of uses will reduce vehicular trips generated by the development.

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

Response: The proposed mixed-use development can sufficiently address all development requirements mentioned above.

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

Response: The applicant proposes 'For-Rent' use in association with a mixed-use development, which is consistent with the UDC. The proposed 'For-Rent' use is also consistent with the vision of the Comprehensive Land Use Plan and future land use designation of the property, which identifies the Georgia 400 corridor as an appropriate location to establish mixed-use activity centers and higher residential densities. Staff recommends capping the 'For-Rent' use to no more than 220 dwelling units. The units will accommodate employees from the existing office space, as well as future office space. In addition, this location at the Georgia 400 interchange provides convenient access for higher residential densities. However, careful consideration should be given to the desired ratio of rental units in the City.

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;

Response: Not applicable.

5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area; and

Response: The proposed 'For-Rent' use will not impede the normal and orderly development of surrounding properties. The subject property is already entitled as a mixed-use development.

6. Ensuring that the location and character of the conditional use is considered to be consistent with a desirable pattern of development for the city, in general.

Response: The applicant proposes 'For-Rent' product in association with a mixed-use development, which is consistent with the UDC. The proposed 'For-Rent' use is also consistent with the vision of the Comprehensive Land Use Plan and future land use designation of the property, which identifies the Georgia 400 corridor as an appropriate location to establish mixed-use activity centers and higher residential densities. However, careful consideration should be given to the desired ratio of owner- versus renter-occupied units in the City.

VARIANCE REVIEW CRITERIA

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

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

Response: The subject property is currently approved as a mixed-use development where walkability, mix of uses, site design and architecture are key components to a successful development. The applicant's request to eliminate office or retail under 'For-Rent' uses on 3 sides of each building is a reasonable request given that the Metropolitan Life/Peridot Master Plan is an office-focused mixed-use development and retail uses are limited. At-grade 'For-Rent' units will include individual entrances to each unit.

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

Response: The applicant could provide additional retail uses under 'For-Rent' uses. However, the Metropolitan Life/Peridot Master Plan envisioned an office-driven mixed-use development where retail uses are limited to those that are accessory to office, as well as retail services to support the residential uses.

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

Response: Not applicable.

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

Response: Approval would not cause substantial detriment to the public good, if conditions are in place requiring architectural review and concurrent development of office, residential, retail and recreational uses.

CONCURRENCES

Staff has reviewed the application and is in general agreement with the requests for master plan amendment, rezoning, conditional use and variance. The proposed rezoning to MU is consistent with the vision of the Metropolitan Life/Peridot Master Plan, the North Point Activity Center LCI and Comprehensive Land Use Plan designation of the subject property, which includes a mix of uses within a walkable environment. However, the proposed number of 'For-Rent' units exceeds the annual target range recommended in the City's Rental Housing Study, as well as exceeding the City's desired balance between owner- and renter-occupied dwelling units. Therefore, staff recommends that no more than 220 'For-Rent' units be approved on the subject site in order to maintain the desired housing balance.

The applicant's request is consistent with the following land use, transportation, housing and community services and facilities strategies in the 2035 Comprehensive Plan:

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

LU Strategy 8.3: Encourage owners/developers with large land holdings to plan for multiple land uses.

LU Strategy 8.4: Establish varying levels of mixed use development densities, through overlay districts or other means, such that the highest densities of office, retail and residential development will be located along the GA-400 corridor.

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

T Strategy 1.3: Promote the development of compact mixed-use and transit-oriented development particularly in the GA-400 corridor.

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

T Strategy 4.2: Encourage development designs to promote pedestrian activity that reduces on-site vehicular dependence.

H Strategy 1.2: Encourage higher residential densities and appropriate mix of uses close to Downtown Alpharetta and in the GA-400 corridor.

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

'For-Rent' housing should only be considered within mixed-use developments in the Downtown and at Georgia 400 interchanges. These mixed-use developments should provide sufficient office density to generate jobs/employees to live in the residential units and utilize on-site retail services, grocery and parks and recreational uses to reduce vehicular trips.

Since 2013, there have been three (3) 'For-Rent' mixed-use projects approved, including City Center with 168 units, Avalon with 526 units and Perling/Devore with 129 units. These mixed-use developments included 'For-Rent' product with retail, restaurant, and/or office uses on the first floor. Avalon has 101 'For-Sale' units and 526 'For-Rent' units resulting in a 16:84 ratio of 'For-Sale' to 'For-Rent' units. Milton Park, which was zoned in 1999, was developed prior to 2013 and has 490 'For-Rent' units on 107 acres. Milton Park has 150 'For-Sale' units representing over 25% 'For-Sale' units. If the applicant's request is realized, the mixed-use development would include 34% 'For-Sale' product.

Conditions are recommended to require Post-Industrial Warehouse style, which is important to brand this particular mixed-use development and differentiate it from other mixed-use developments. Additionally, sufficient residential amenities and parks and recreational opportunities should be required in order to limit impacts on the City's parks. Concurrent construction of retail, office, residential and recreational uses should be required in order to ensure that a reduction in vehicular trips is realized.

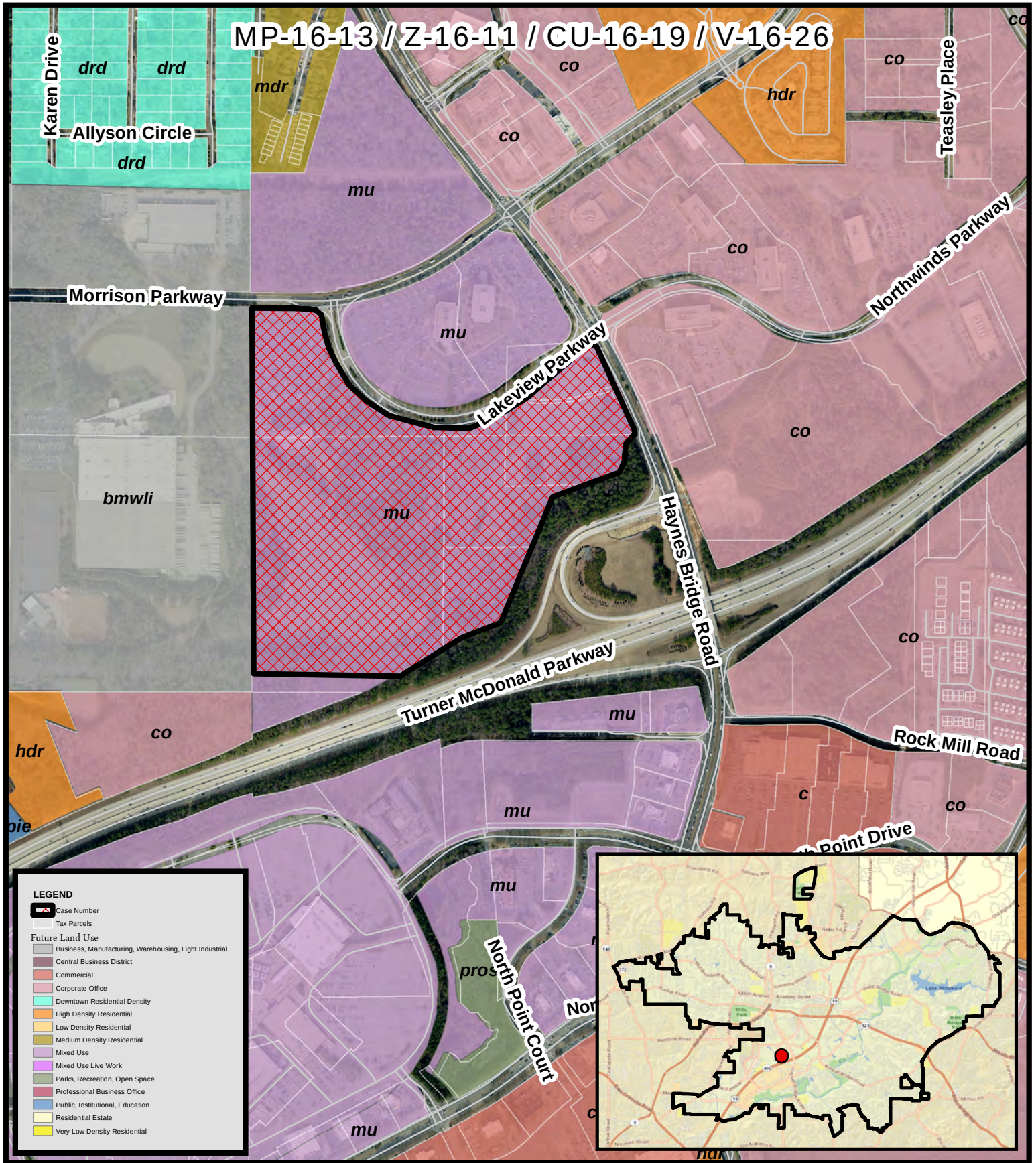
CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received. The City has received correspondence from a resident objecting to the proposed development, specifically concerned with the rental units generating too much traffic.

IV. ATTACHMENTS:

- Site Plan
- Architectural Elevations and Renderings

MP-16-13 / Z-16-11 / CU-16-19 / V-16-26



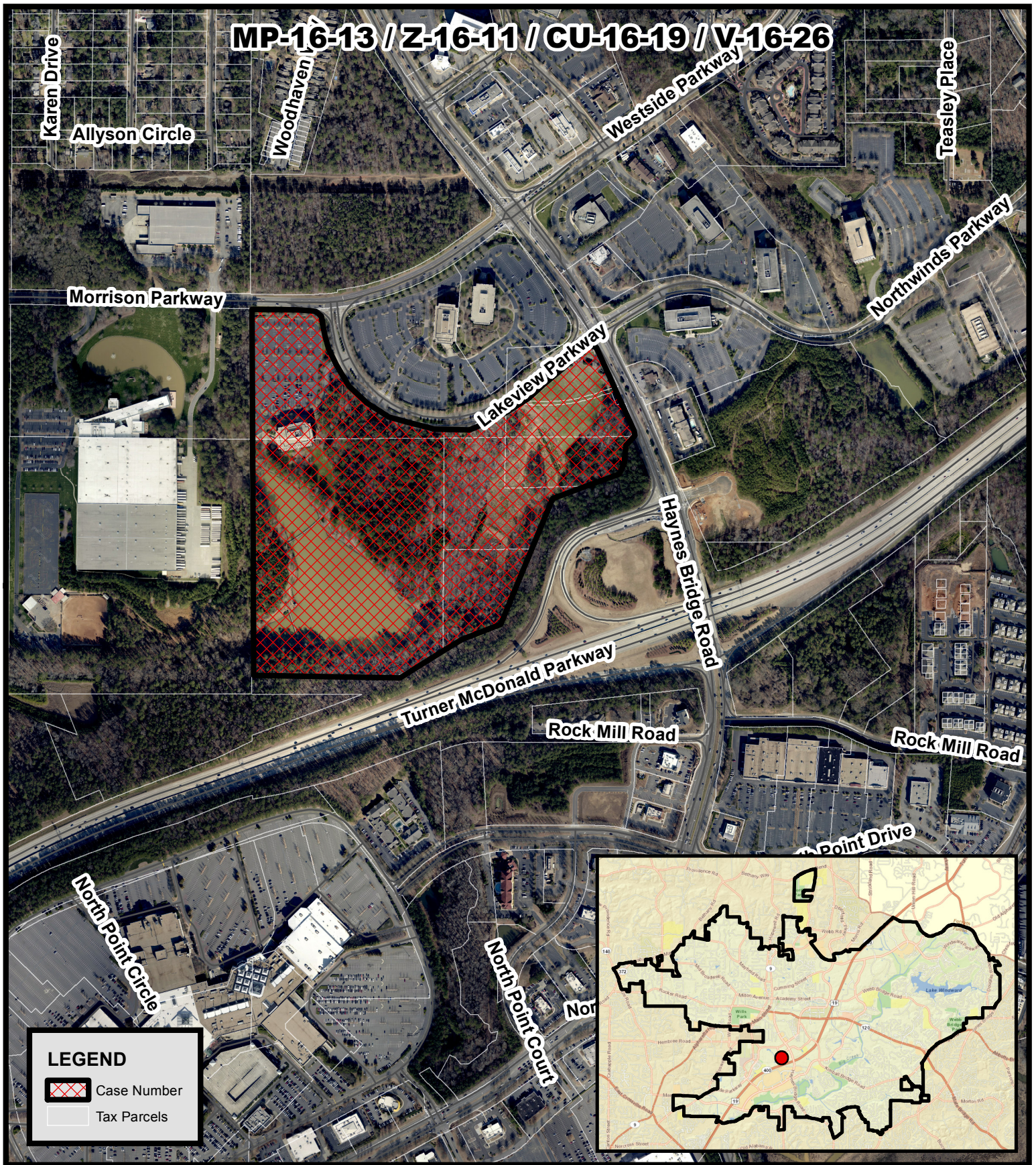
Future Land Use TPA/ Fuqua Development Peridot

MP-16-13 / Z-16-11
CU-16-19 / V-16-26
D/LL: 1/2/744, 745, 752, 753
PC: **03/02/17**
CC: **04/17/17**



Location Map Provided by:
Community Development - GIS

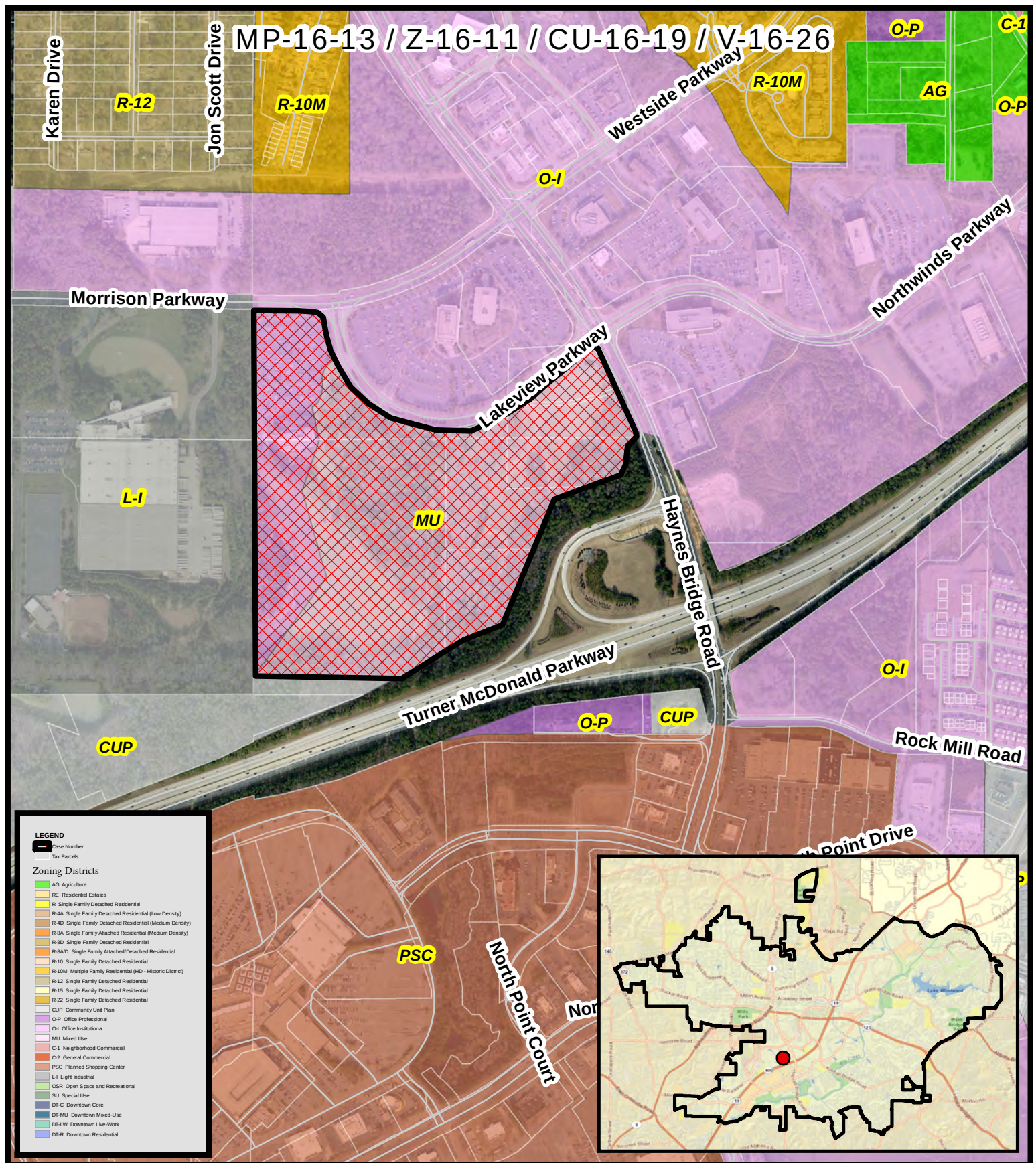
MP-16-13 / Z-16-11 / CU-16-19 / V-16-26



**Aerial Map
TPA/ Fuqua Development
Peridot**

**MP-16-13 / Z-16-11
CU-16-19 / V-16-26
D/LL: 1/2/744, 745, 752, 753
PC: 03/02/17
CC: 04/24/17**

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



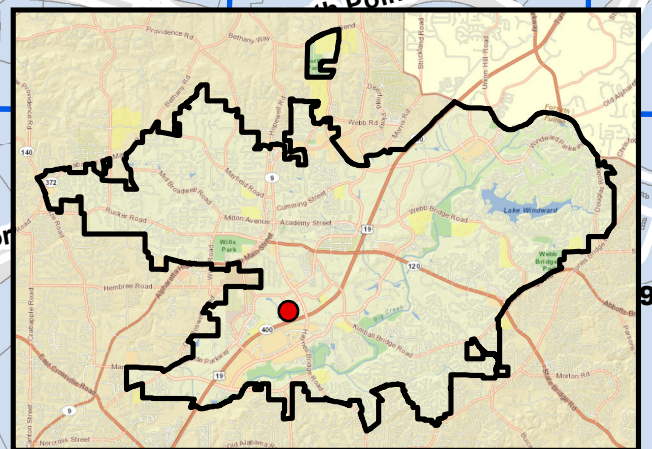
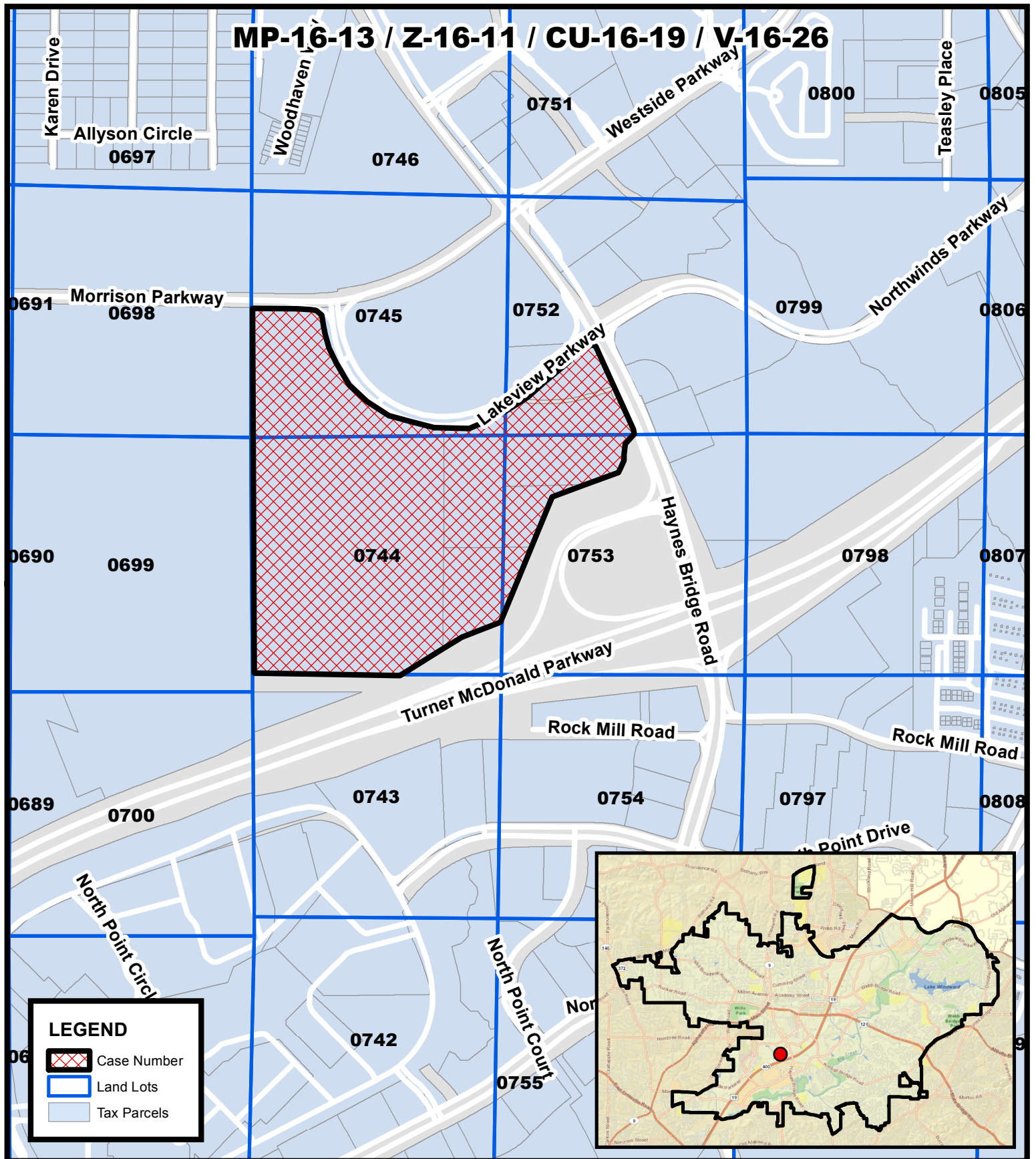
Zoning Map TPA/ Fuqua Development Peridot

MP-16-13 / Z-16-11
CU-16-19 / V-16-26
D/LL: 1/2/744, 745, 752, 753
PC: **03/02/17**
CC: **04/24/17**



Location Map Provided by:
Community Development - GIS

MP-16-13 / Z-16-11 / CU-16-19 / V-16-26



Location Map
TPA/ Fuqua Development
Peridot

MP-16-13 / Z-16-11
CU-16-19 / V-16-26
D/LL: 1/2/744, 745, 752, 753
PC: 03/02/17
CC: 04/17/17

Location Map Provided by:
Community Development - GIS

New office tower built on existing surface parking area - 6 stories +/- 150,000 sf

New parking deck building on existing surface parking lot - new deck to serve existing and new office buildings

Existing office building - 6 stories with 154,400 sf

Office tower - 12 stories +/- 300,000 sf

Sidewalk system along internal streets provides connection from development to city 'Loop' path

Lake front plaza with seating and area for food trucks and bike rental station

Townhome product with park space connecting to lake side trail and park space - 66 units

Lake amenity to be activated 428,320 sf

Existing lake to be used for storm water management

Improve existing lake side trail to and provide connection to city wide path system

Southern portion of lake side trail to be widened to 12' allowing for continuation of city 'Loop' path to continue along GA 400 frontage

Lakeview trail connecting city 'Loop' path along frontage - existing sidewalk to be widened toward curb to preserve existing tree canopy

Market building opening on to village green with outdoor dining patio space

Ground level retail with 3 levels of residential above - 4 stories total

Active uses associated with residential on ground level along main street - includes leasing and amenity space

Residential building with 4/5 story height (4 stories tall along Lakeview and 5 stories tall along internal main street)

Project identity signage at corner of Haynes Bridge and Lakeview

Buildings pulled up to street with parking concealed behind structures

Town center green space surrounded by retail/restaurant buildings and serving as central gathering space

Pedestrian access from Haynes Bridge frontage

Jewel box retail on green

Lower level parking built to take advantage of slope with +/- 190 sp

3 story office building

Access to lower level parking

Hotel with 200 rooms - 8 stories

Stacked townhome product 102 units

City 'Loop' path along GA 400 setback connecting lake area with loop trail and village center

SITE CALCULATIONS

TOTAL DEVELOPMENT	2,805,081 sf	
COMMERCIAL	705,490 sf	25.2%
HORIZONTAL	561,990 sf	
VERTICAL	143,500 sf	
OFFICE	883,847 sf	31.5%
HORIZONTAL	355,347 sf	
VERTICAL	528,500 sf	
RESIDENTIAL	892,004 sf	31.8%
HORIZONTAL	460,144 sf	
VERTICAL	431,860 sf	
PUBLIC SPACE	323,740 sf	11.5%

DEVELOPMENT SUMMARY

SITE ACREAGE	62.47 acres (2,721,193 sf)
COMMERCIAL	182,200 sf
RETAIL	15,300 sf
RESTAURANTS	26,300 sf
MARKET	9,600 sf
ENTERTAINMENT	27,000 sf
HOTEL	104,000 sf (200 keys)
RESIDENTIAL UNITS	488 un
FOR RENT	320 un
FOR SALE	168 un
DENSITY	7.81 un/ac
OFFICE	664,400 sf
EXISTING	154,400 SF
NEW	510,000 SF
PARKING	3,322 spaces
SURFACE	429 sp
ON STREET	105 sp
DECKED	2,788 sp
OPEN/GREEN SPACE	29.40 acres (47.1 %)
PARK SPACE	4.38 ac (190,880 sf)
PUBLIC LOOP TRAIL AREA	3.05 ac (132,860 sf)
OPEN SPACE	7.64 ac (332,800 sf)
LAKE AREA	9.83 ac (428,320 sf)
WETLAND AREA	4.50 ac (196,000 sf)
TOTAL LOT COVERAGE	1,385,520 SF 50.9%

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**360
TECH
VILLAGE**
Alpharetta, Georgia

**TPA Group/
Fuqua Development**
Chris Hayes, Principal TPA Group
3350 Riverwood Parkway
Atlanta, GA 30339
P | 770.436.2197

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print record

17 APRIL 2017 - SUBMITTED FOR ZONING

REVISIONS

16 DECEMBER 2016
31 JANUARY 2017 - REVISED SITE PLAN
21 FEBRUARY 2017 - REVISED SITE PLAN
15 MARCH 2017 - REVISED SITE PLAN
20 MARCH 2017 - REVISED SITE PLAN
30 MARCH 2017 - REVISED SITE PLAN
14 APRIL 2017 - REVISED SITE PLAN
17 APRIL 2017 - REVISED SITE PLAN

date 17 APRIL 2017 job number 1508064.00

drawing title

CONCEPTUAL SITE PLAN

drawing number

SP-9

SUBMITTED FOR ZONING



0 25 50 100 200 500

New office tower built on existng surface parking area - 6 stories +/- 150,000 sf

New parking deck building on existing surface parking lot - new deck to serve existing and new office buildings

Existing office building - 6 stories with 154,400 sf

Townhome product with park space connecting to lake side trail and park space - 70 units

Sidewalk system along internal streets provides connection from development to city 'Loop' path

Lake side park space 40,000 sf

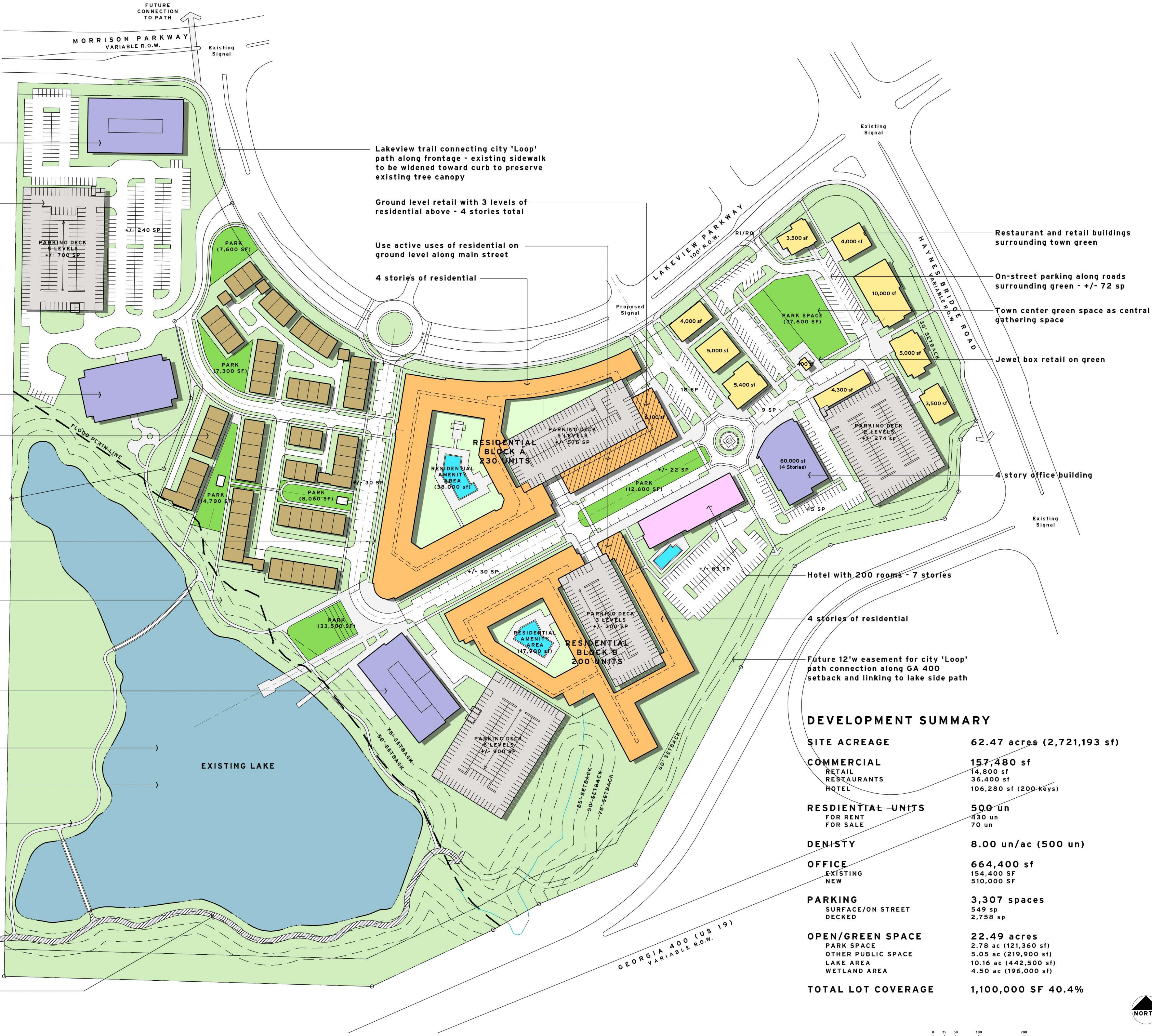
Office tower overlooking lake and open space - 12 stories +/- 300,000 sf

Lake amenity to be activated 605,200 sf

Existing lake to be used for storm water management

Improve existing lake side trail to and provide connection to city wide path system

Southern portion of lake side trail to be widened to 12' allowing for continuation of city 'Loop' path to continue along GA 400 frontage



DEVELOPMENT SUMMARY

SITE ACREAGE	62.47 acres (2,721,193 sf)
COMMERCIAL	157,480 sf
RETAIL	14,800 sf
RESTAURANTS	36,400 sf
HOTEL	106,280 sf (200-Keys)
RESIDENTIAL UNITS	500 un
FOR RENT	430 un
FOR SALE	70 un
DENSITY	8.00 un/ac (500 un)
OFFICE	664,400 sf
EXISTING	154,400 SF
NEW	510,000 SF
PARKING	3,307 spaces
SURFACE/ON STREET	549 sp
DECKED	2,758 sp
OPEN/GREEN SPACE	22.49 acres
PARK SPACE	2.78 ac (121,360 sf)
OTHER PUBLIC SPACE	5.05 ac (219,900 sf)
LAKE AREA	10.16 ac (442,500 sf)
WETLAND AREA	4.50 ac (196,000 sf)
TOTAL LOT COVERAGE	1,100,000 SF 40.4%

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HAYNES
BRIDGE
MIXED-USE

Alpharetta, Georgia

TPA Group/
Fuqua Development

Chris Hayes, Principal TPA Group
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print record

01 AUGUST 2016 - SUBMITTED FOR ZONING

25 AUGUST 2016 - REVISED SITE PLAN

28 SEPTEMBER 2016 - REVISED SITE PLAN

07 OCTOBER 216 - REVISED SITE PLAN

revisions

01 AUGUST 2016

25 AUGUST 2016

28 SEPTEMBER 2016

07 OCTOBER 2016

date
07 OCTOBER 2016

job number
1508064.00

drawing title

CONCEPTUAL SITE PLAN

drawing number

SP-2

SUBMITTED FOR ZONING



APPLICANT MacIsaac
ONE ALLIANCE CENTER
3600 LENOX ROAD - SUITE 1100
ATLANTA, GEORGIA 30326
PHONE 770-319-2027
FAX 878-318-3422

ARCHITECT PIERPONT-ORRINGER HEER ARCHITECTS
3000 ROYAL SOUTH BLVD SOUTH
ALPHARETTA, GEORGIA 30022
PHONE 770-569-1709
FAX 770-599-1768

SURVEYOR WATTS & BROWNING ENGINEERS
8562 PLEANTHRE ROAD
ATLANTA, GEORGIA 30341
PHONE 770-451-7453
FAX 770-455-3055

PROPOSED	
EVENT RESTAURANT	20,000 GSF
RESTAURANTS A & B	20,000 GSF
RETAIL (SHOPPING CENTER)	70,036 GSF
GENERAL OFFICE	447,309 GSF
HOTEL (211 KEYS)	125,000 GSF
TOTAL NON-RESIDENTIAL	660,735 GSF

NOTES
MIXED USE ACREAGE 63.00 AC
CURRENT ZONING: O & I (OFFICE & INSTITUTIONAL)

REQUIRED SPACES	3,300
PROPOSED SPACES	3,415

* PLEASE REFER TO TRAFFIC STUDY FOR MORE DETAILED DESCRIPTION OF PROPOSED IMPROVEMENT

PROPOSED BUILDING

(A) PROPERTY LINE

(B) PROPOSED CURB AND GUTTER

(C) PROPOSED SIDEWALK

(D) BUILDING SETBACK LINE

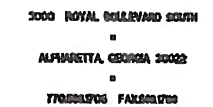
(E) EXISTING SIDEWALK

(F) EXISTING R.O.W. LINE

(G) EXISTING CONTOUR

(H) EXISTING EDGE OF LAKE LINE

(I) WETLANDS



404. The following is the summary of the work done in the year 1964-65. The work was done in the form of a project and the results are given in the form of a report. The work was done in the form of a project and the results are given in the form of a report.

[illegible]

PERIODOT 5 6 7 8 9 10 11 12 13 14 15
PROPOSED MIXED-USE
ALPHARETTA, GA.
DEC 2010
RECEIVED BY
Community
Development

PROJECT NO.	20-07031.00
DATE	16 NOV 2010
SHEET TITLE	

ZONING SUBMITTAL
SITE PLAN

SP-34

Deck Elevations 4.12.17



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print record

12 APRIL 2017 - SUBMITTED FOR ZONING

REVISIONS

16 DECEMBER 2016

31 JANUARY 2017 - REVISED SITE PLAN

25 FEBRUARY 2017 - REVISED SITE PLAN

15 MARCH 2017 - REVISED SITE PLAN

30 MARCH 2017 - REVISED SITE PLAN

30 MARCH 2017 - REVISED SITE PLAN

12 APRIL 2017 - REVISED SITE PLAN

DATE: 12 APRIL 2017

1508064.00

CONCEPTUAL SITE PLAN

SP-8

SUBMITTED FOR ZONING

Deck Elevations 4.12.17

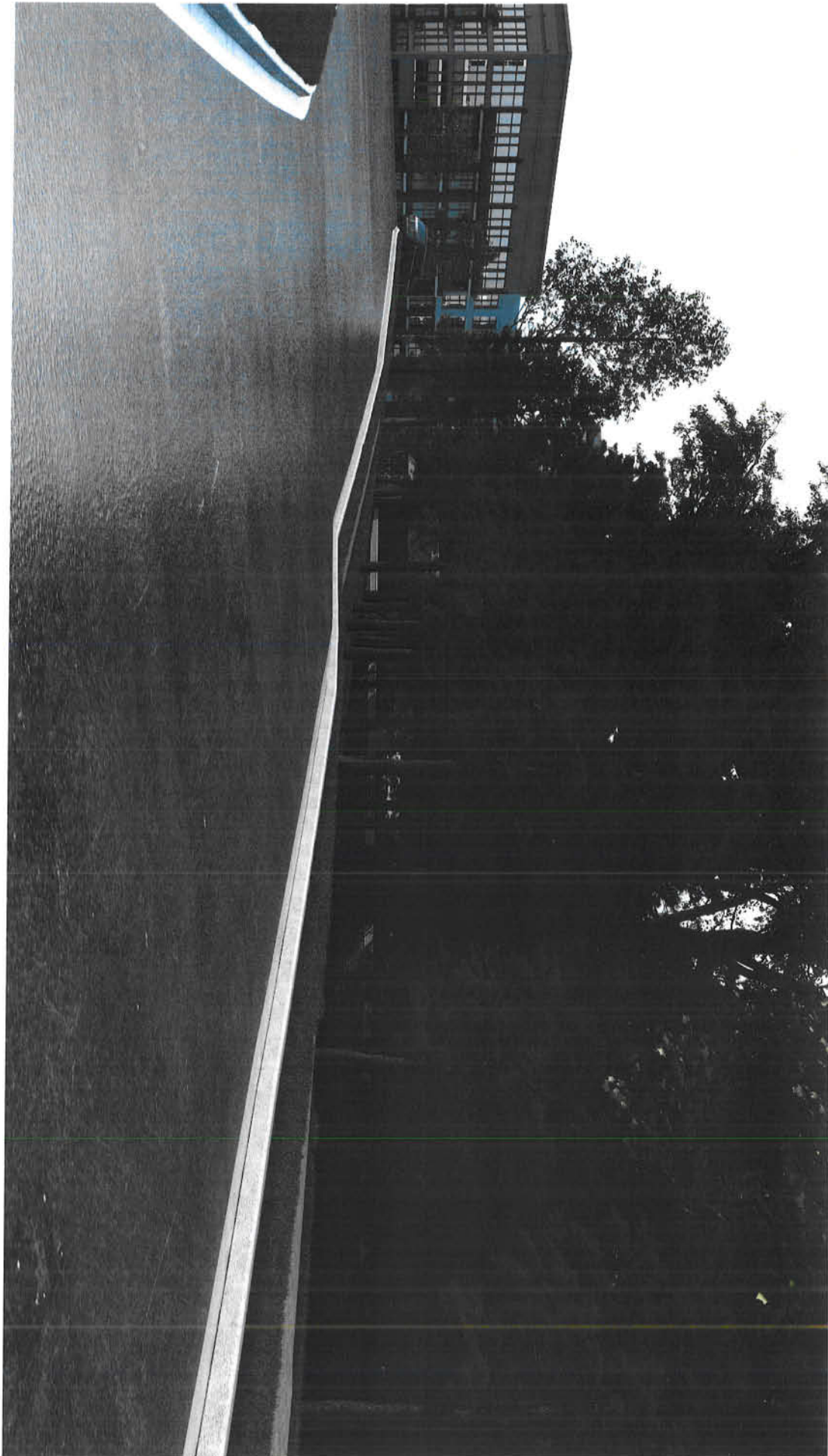


①

Deck Elevations 4.12.17



Deck Elevations 4.12.17



(w)

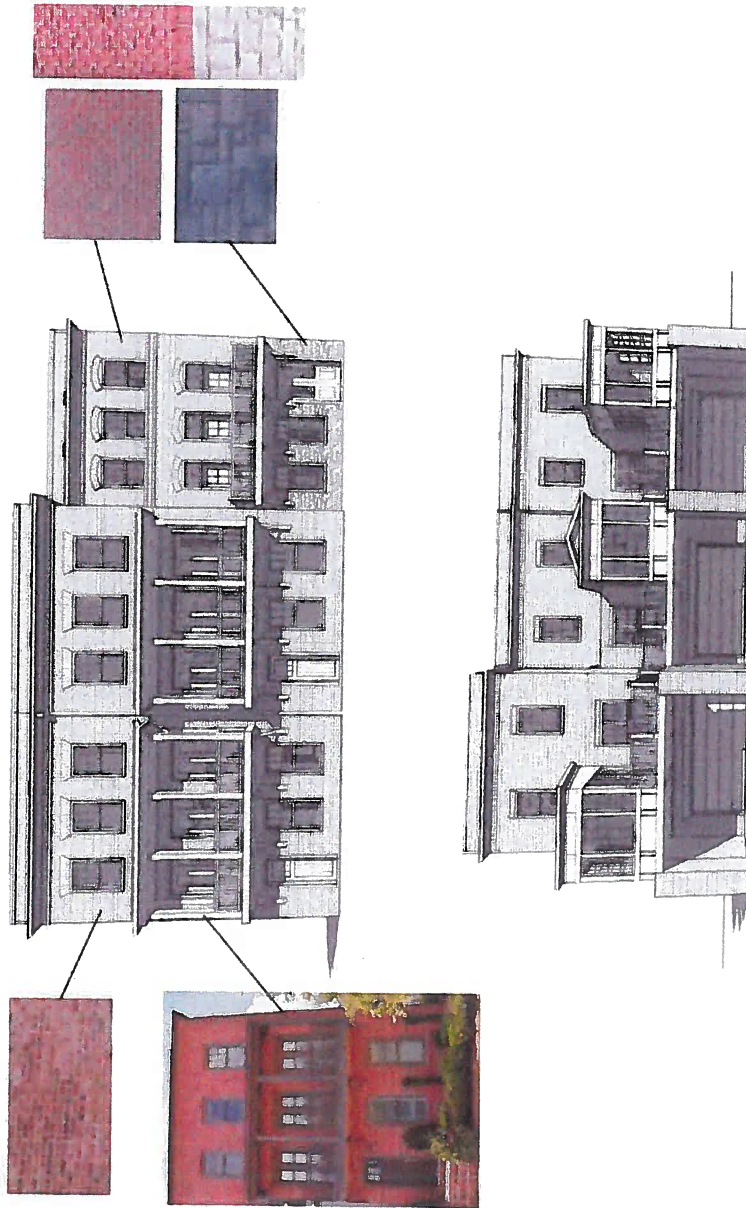
EXHIBIT A

Townhome Product



EXHIBIT A

Townhome Product



thePROVIDENCE group

A GREEN BRICK PARTNER

Haynes Park Zoning Inspiration

4/17/17

Multi-Family Elevation



2/01/2017



February 16, 2017

Eric Graves
City of Alpharetta
2 Park Plaza
Alpharetta, Georgia 30009

RE: *Memorandum for 360 Tech Village*
 (Previously *Innovation Mixed-Use DRI #2499* in 2015)
 Level-of-Service Comparison
 City of Alpharetta, Georgia

Dear Eric,

Kimley-Horn is pleased to provide this letter summarizing the level-of-service analysis for the 360 Tech Village development in the City of Alpharetta, Georgia.

Project Background

This letter presents the level-of-service (LOS) at intersections along Lakeview Parkway for the *360 Tech Village* development (formerly *Innovation Mixed-Use DRI #2499*) located in the City of Alpharetta, Georgia. The site is bordered by Lakeview Parkway to the north and Haynes Bridge Road to the east.

The study intersections for this analysis includes the following five intersections:

1. Morrison Parkway @ Lakeview Parkway (signalized)
2. Lakeview Parkway @ Existing Office Driveway / Proposed Site Driveway (unsignalized)
3. Lakeview Parkway @ Proposed Site Driveway 2 (unsignalized)
4. Lakeview Parkway @ Existing Office Driveway 2 / Proposed Site Driveway 3 (unsignalized)
5. Haynes Bridge Road @ Lakeview Parkway (signalized)

The following three scenarios were analyzed:

1. Existing 2015 Conditions
2. Projected 2019 No-Build Conditions
3. Projected 2019 Build Conditions

The roadway laneage and volumes for each of the three scenarios can be found in **Figure 1**, **Figure 2**, and **Figure 3**.

Level-of-Service Analysis

A level-of-service (LOS) analysis was performed using methodology consistent with the *Highway Capacity Manual 2010 (HCM 2010)* using *Synchro Professional, Version 9.0*.

Table 1 presents the level-of-service comparison between Existing 2015, Projected 2019 No-Build, and Projected 2019 Build conditions for the study intersections.

Table 1: Level-of-Service Comparison LOS (Delay in Seconds)							
Intersection	Approach	Existing 2015		Projected 2019 No-Build		Projected 2019 Build	
		AM Peak	PM Peak	AM Peak	PM Peak	AM Peak	PM Peak
1. Morrison Pkwy @ Lakeview Pkwy	Overall	A (8.7)	B (11.7)	A (8.9)	B (12.2)	A (9.5)	B (13.3)
2. Lakeview Pkwy @ Existing Driveway / Proposed Driveway	EB Approach	-	-	-	-	C (18.8)	F (54.0)
3. Lakeview Pkwy @ Proposed Driveway 2	NB Approach	-	-	-	-	F (79.7)	F (121.0)
4. Lakeview Pkwy @ Existing Driveway 2 / Proposed Driveway 3	NB Approach	-	-	-	-	B (10.1)	B (14.6)
5. Haynes Bridge Rd @ Lakeview Pkwy	Overall	B (17.8)	D (48.4)	C (20.4)	D (53.4)	E (69.6)	F (145.9)

As shown in **Table 1**, the unsignalized intersection of Lakeview Parkway at Existing Driveway / Proposed Driveway (Intersection 2) is projected to operate at LOS F during the PM peak hour for the Proposed Driveway approach. Additionally, the unsignalized intersection of Lakeview Parkway at Proposed Driveway 2 (Intersection 3) is projected to operate at LOS F during both the AM and PM peak hours for the Proposed Driveway approach.

The signalized intersection of Haynes Bridge Road at Lakeview Parkway (Intersection 5) is projected to operate at LOS E and LOS F during the AM and PM peak hours, respectively.

For the intersection of Lakeview Parkway at Proposed Driveway 2 (Intersection 3), the installation of a traffic signal would improve the LOS; however, based on the projected traffic volumes, a traffic signal at this location will likely not be warranted.

Table 2 provides the results for the Projected 2019 Build Improved traffic conditions with the following improvements applied:

Intersection #5: Haynes Bridge Road @ Lakeview Parkway

- Construct one (1) additional northbound left-turn lane along Haynes Bridge Road onto Lakeview Parkway (creating dual northbound left-turn lanes).
- Construct one (1) additional eastbound right-turn lane along Lakeview Parkway onto Haynes Bridge Road (creating dual eastbound right-turn lanes).

Table 2: Level-of-Service (Improved) LOS (Delay in Seconds)			
Intersection	Approach	Projected 2019 Build Improved	
		AM Peak	PM Peak
5. Haynes Bridge Rd @ Lakeview Pkwy	Overall	C (34.2)	D (49.0)

Summary

Based on this analysis, the unsignalized intersection of Lakeview Parkway at Existing Driveway / Proposed Driveway (Intersection 2) is projected to operate at LOS F during the PM peak hour for the Proposed Driveway approach. Additionally, the unsignalized intersection of Lakeview Parkway at Proposed Driveway 2 (Intersection 3) is projected to operate at LOS F during both the AM and PM peak hours for the Proposed Driveway approach.

The signalized intersection of Haynes Bridge Road at Lakeview Parkway (Intersection 5) is projected to operate at LOS E and LOS F during the AM and PM peak hours, respectively.

With the proposed improvements at the intersection of Haynes Bridge Road at Lakeview Parkway (Intersection 5), the intersection is projected to operate at acceptable levels-of-service.

If you have any questions concerning this letter or need additional information, please do not hesitate to contact me.

Sincerely,

KIMLEY-HORN AND ASSOCIATES, INC.



John D. Walker, P.E., PTOE
Vice President/Senior Associate



Jin Seo, E.I.T.
Analyst

Attachments:

- Figure 1: Existing 2015 Conditions
- Figure 2: Projected 2019 No-Build Conditions
- Figure 3: Projected 2019 Build Conditions
- Trip Generation Table
- Proposed Site Plan
- Synchro Reports (Available Upon Request)

LEGEND

→

Existing Roadway Laneage

Existing Traffic Signal

STOP

Existing STOP Control

XX

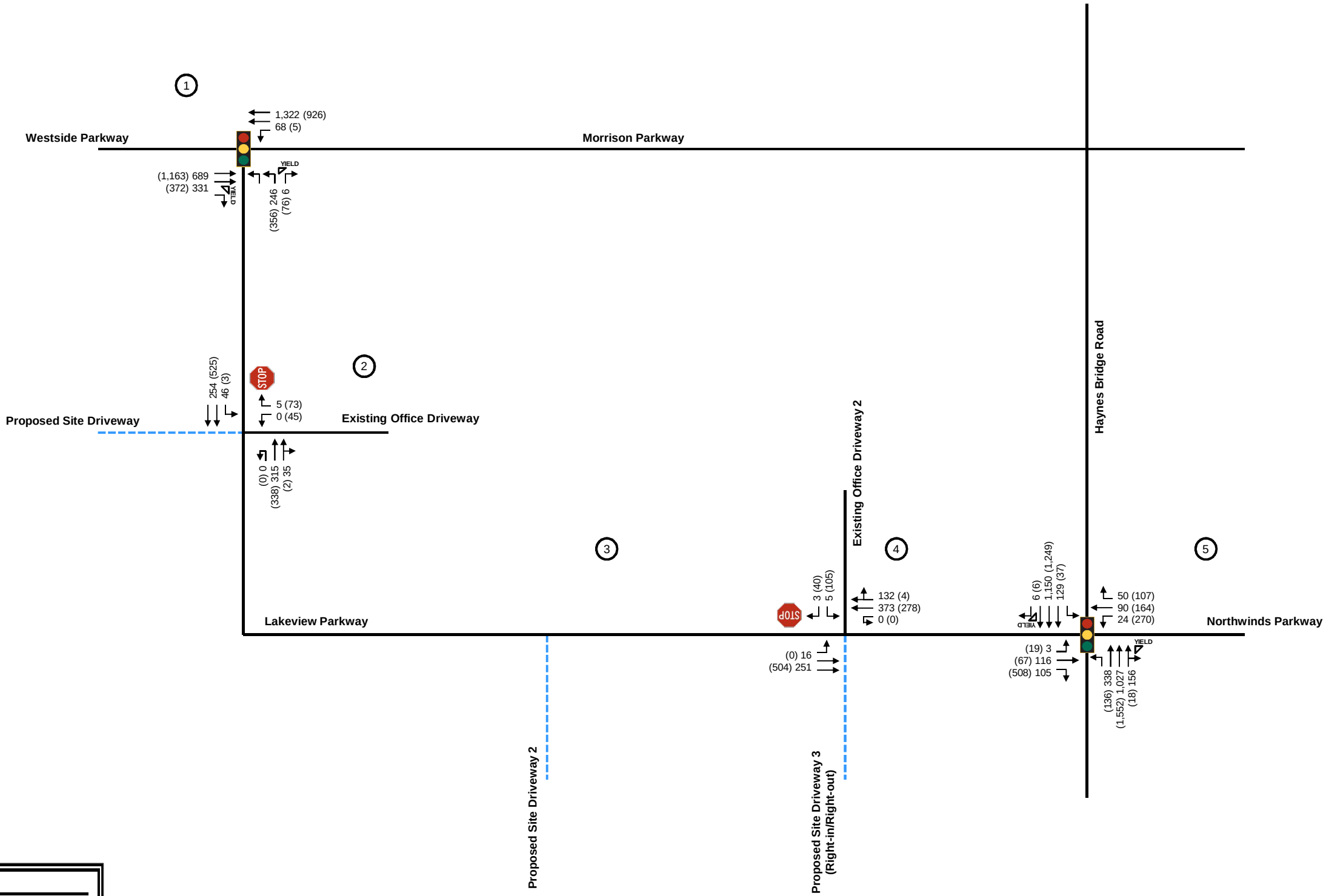
AM Peak Hour Traffic Volumes

(XX)

PM Peak Hour Traffic Volumes

#

Intersection Reference Number



LEGEND

→

Existing Roadway Laneage

Existing Traffic Signal

STOP

Existing STOP Control

XX

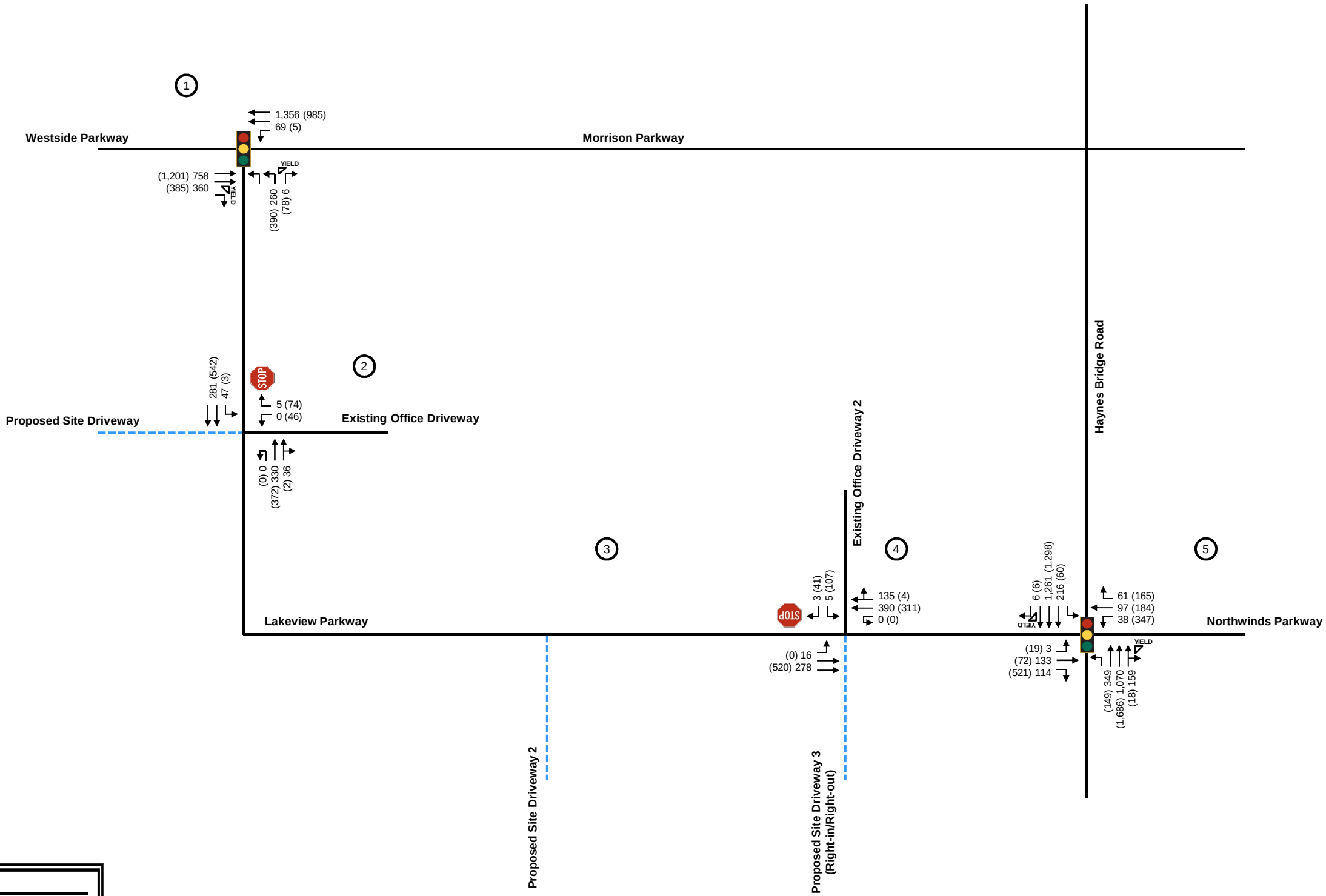
AM Peak Hour Traffic Volumes

(XX)

PM Peak Hour Traffic Volumes

#

Intersection Reference Number



NOT TO SCALE

LEGEND

Existing Roadway Laneage

Recommended Laneage for Build Improved Conditions

Existing Traffic Signal

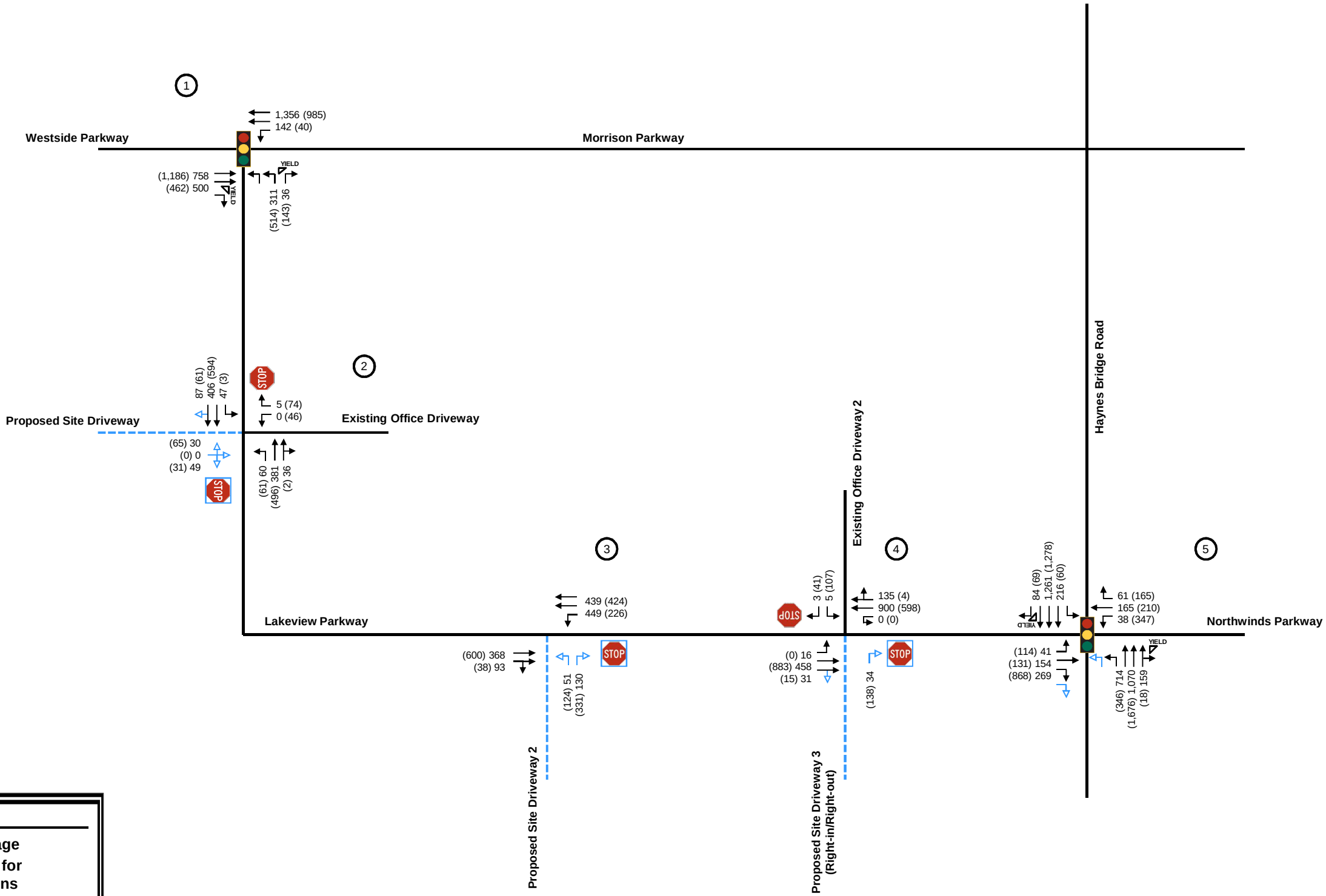
Existing STOP Control

Proposed STOP Control

XX AM Peak Hour Traffic Volumes

(XX) PM Peak Hour Traffic Volumes

Intersection Reference Number



Trip Generation Analysis (9th Ed.) 360 Tech Village (February 2017) Alpharetta, GA								
Land Use	Intensity	Daily Trips	AM Peak Hour			PM Peak Hour		
			Total	In	Out	Total	In	Out
Proposed Site Traffic								
220 Apartment	320 d.u.	2,062	161	32	129	194	126	68
230 Residential Condominium/Townhouse	167 d.u.	1,004	78	13	65	92	62	30
310 Hotel	200 rooms	1,418	106	63	43	120	61	59
710 General Office Building	510,000 s.f.	4,530	705	620	85	650	111	539
820 Shopping Center	16,500 s.f. gross leasable area	2,106	52	32	20	179	86	93
932 High-Turnover (Sit-Down) Restaurant	29,400 s.f.	3,738	318	175	143	290	174	116
Gross Trips		14,858	1,420	935	485	1,525	620	905
Residential Trips		3,066	239	45	194	286	188	98
Mixed-Use Reductions		-430	-44	-3	-41	-90	-53	-37
Alternative Mode Reductions		-132	-10	-2	-8	-10	-7	-3
Adjusted Residential Trips		2,504	185	40	145	186	128	58
Hotel Trips		1,418	106	63	43	120	61	59
Mixed-Use Reductions		-199	-27	-3	-24	-27	-16	-11
Alternative Mode Reductions		-61	-4	-3	-1	-5	-2	-2
Adjusted Hotel Trips		1,158	75	57	18	88	43	46
Office Trips		4,530	705	620	85	650	111	539
Mixed-Use Reductions		-250	-123	-73	-50	-27	-9	-18
Alternative Mode Reductions		-214	-29	-27	-2	-31	-5	-26
Adjusted Office Trips		4,066	553	520	33	592	97	495
Retail Trips		2,106	52	32	20	179	86	93
Mixed-Use Reductions		-284	-26	-16	-10	-119	-61	-58
Alternative Mode Reductions		-91	-1	-1	-1	-3	-1	-2
Pass By Reductions (Based on ITE Rates)		-588	0	0	0	-20	-10	-10
Adjusted Retail Trips		1,143	25	15	9	37	14	23
Restaurant Trips		3,738	318	175	143	290	174	116
Mixed-Use Reductions		-505	-134	-82	-52	-118	-60	-58
Alternative Mode Reductions		-162	-9	-5	-5	-9	-6	-3
Pass By Reductions (Based on ITE Rates)		-1,321	0	0	0	-70	-35	-35
Adjusted Restaurant Trips		1,750	175	88	86	93	73	20
Mixed-Use Reductions - TOTAL		-1,668	-354	-177	-177	-381	-199	-182
Alternative Mode Reductions - TOTAL		-660	-53	-38	-17	-58	-21	-36
Pass-By Reductions - TOTAL		-1,909	0	0	0	-90	-45	-45
New Trips		10,621	1,013	720	291	996	355	642
Driveway Volumes		12,530	1,013	720	291	1,086	400	687

k:\atl_tpto\015002001 haynes bridge mixed use (previously innovation), alpharetta - sept 2016\2017-02_haynes bridge mixed-use update\analysis\20170213 haynes bridge_analysis.xlsm\trip generation

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360 TECH VILLAGE

Alpharetta, Georgia

**TPA Group/
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print record

16 DECEMBER 2016 - SUBMITTED FOR ZONING
31 JANUARY 2017 - SUBMITTED FOR ZONING

revisions

16 DECEMBER 2016
30 JANUARY 2017 - REVISED SITE PLAN

date
31 JANUARY 2017
drawing title

job number
1508064.00

CONCEPTUAL SITE PLAN

drawing number

SP-5

SUBMITTED FOR ZONING

New office tower built on existing surface parking area - 6 stories +/- 150,000 sf

New parking deck building on existing surface parking lot - new deck to serve existing and new office buildings

Existing office building - 6 stories with 154,400 sf

Townhome product with park space connecting to lake side trail and park space - 63 units

Sidewalk system along internal streets provides connection from development to city 'Loop' path

Lake side park space 2.18 ac (95,100 sf)

Potential location for bike rental station

Stacked townhome product 104 units

Lake amenity to be activated 428,320 sf

Existing lake to be used for storm water management

Improve existing lake side trail to and provide connection to city wide path system

Path connection into main street area for bicycles and pedestrians - sidewalks along internal street and village green to accommodate bicycle circulation

Southern portion of lake side trail to be widened to 12' allowing for continuation of city 'Loop' path to continue along GA 400 frontage

Lakeview trail connecting city 'Loop' path along frontage - existing sidewalk to be widened toward curb to preserve existing tree canopy

Market building opening on to village green with outdoor dining patio space

Ground level retail with 3 levels of residential above - 4 stories total

Active uses associated with residential on ground level along main street - includes leasing and amenity space

Residential building with 4/5 story height (4 stories tall along Lakeview and 5 stories tall along internal main street)

Project identity signage at corner of Haynes Bridge and Lakeview

Buildings pulled up to street with parking concealed behind structures

Town center green space surrounded by retail/restaurant buildings and serving as central gathering space

Jewel box retail on green

Lower level parking built to take advantage of slope with +/- 192 sp

3 story office building

Access to lower level parking

Hotel with 200 rooms - 7 stories

Office tower - 12 stories +/- 300,000 sf

Future 12'w easement for city 'Loop' path connection along GA 400 setback and linking to lake side path

DEVELOPMENT SUMMARY

SITE ACREAGE 62.47 acres (2,721,193 sf)

COMMERCIAL
RETAIL 16,500 sf
RESTAURANTS 29,400 sf
MARKET 9,600 SF
HOTEL 106,300 sf (200 keys)

RESIDENTIAL UNITS 487 un
FOR RENT 320 un
FOR SALE 167 un

DENSITY 7.80 un/ac

OFFICE
EXISTING 664,400 sf
NEW 154,400 SF
510,000 SF

PARKING
SURFACE 600 sp
ON STREET 95 sp
DECKED 2,782 sp

OPEN/GREEN SPACE 29.36 acres (47.0 %)
PARK SPACE 3.74 ac (162,820 sf)
OTHER PUBLIC SPACE 3.16 ac (137,576 sf)
OPEN SPACE 8.13 ac (354,100 sf)
LAKE AREA 9.83 ac (428,320 sf)
WETLAND AREA 4.50 ac (196,000 sf)

TOTAL LOT COVERAGE 1,268,540 SF 46.6%



0 25 50 100 200 500

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	689	331	68	1322	246	6		
Future Volume (veh/h)	689	331	68	1322	246	6		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	733	0	72	1406	262	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	2325	1040	520	2325	551	253		
Arrive On Green	0.66	0.00	0.66	0.66	0.16	0.00		
Sat Flow, veh/h	3632	1583	721	3632	3442	1583		
Grp Volume(v), veh/h	733	0	72	1406	262	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	721	1770	1721	1583		
Q Serve(g_s), s	5.8	0.0	3.1	14.7	4.5	0.0		
Cycle Q Clear(g_c), s	5.8	0.0	8.9	14.7	4.5	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2325	1040	520	2325	551	253		
V/C Ratio(X)	0.32	0.00	0.14	0.60	0.48	0.00		
Avail Cap(c_a), veh/h	2325	1040	520	2325	551	253		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	4.8	0.0	6.8	6.3	24.8	0.0		
Incr Delay (d2), s/veh	0.4	0.0	0.3	0.7	2.9	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	5.2	0.0	1.2	11.7	4.3	0.0		
LnGrp Delay(d),s/veh	5.2	0.0	7.0	7.0	27.8	0.0		
LnGrp LOS	A		A	A	C			
Approach Vol, veh/h	733			1478	262			
Approach Delay, s/veh	5.2			7.0	27.8			
Approach LOS	A			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		49.0		16.0		49.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		42.7		10.4		42.7		
Max Q Clear Time (g_c+1), s		7.8		6.5		16.7		
Green Ext Time (p_c), s		30.8		0.4		23.6		
Intersection Summary								
HCM 2010 Ctrl Delay			8.7					
HCM 2010 LOS			A					

Intersection							
Int Delay, s/veh	0.7						
Movement	WBL	WBR	NBU	NBT	NBR	SBL	SBT
Lane Configurations							
Traffic Vol, veh/h	0	5	0	315	35	46	254
Future Vol, veh/h	0	5	0	315	35	46	254
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free	Free
RT Channelized	-	None	-	-	None	-	None
Storage Length	0	0	130	-	-	100	-
Veh in Median Storage, #	0	-	-	0	-	-	0
Grade, %	0	-	-	0	-	-	0
Peak Hour Factor	88	88	92	88	88	88	88
Heavy Vehicles, %	0	20	2	2	2	2	3
Mvmt Flow	0	6	0	358	40	52	289
Major/Minor	Minor1	Major1		Major2			
Conflicting Flow All	627	199	210	0	0	398	0
Stage 1	378	-	-	-	-	-	-
Stage 2	249	-	-	-	-	-	-
Critical Hdwy	6.8	7.3	6.44	-	-	4.14	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-	-
Follow-up Hdwy	3.5	3.5	2.52	-	-	2.22	-
Pot Cap-1 Maneuver	420	756	1055	-	-	1157	-
Stage 1	669	-	-	-	-	-	-
Stage 2	775	-	-	-	-	-	-
Platoon blocked, %				-	-		-
Mov Cap-1 Maneuver	401	756	1055	-	-	1157	-
Mov Cap-2 Maneuver	401	-	-	-	-	-	-
Stage 1	669	-	-	-	-	-	-
Stage 2	740	-	-	-	-	-	-
Approach	WB	NB		SB			
HCM Control Delay, s	9.8	0		1.3			
HCM LOS	A						
Minor Lane/Major Mvmt	NBU	NBT	NBRWBLn1WBLn2	SBL	SBT		
Capacity (veh/h)	1055	-	-	756	1157	-	
HCM Lane V/C Ratio	-	-	-	0.008	0.045	-	
HCM Control Delay (s)	0	-	-	9.8	8.3	-	
HCM Lane LOS	A	-	-	A	A	-	
HCM 95th %tile Q(veh)	0	-	-	0	0.1	-	

Intersection							
Int Delay, s/veh	0.3						
Movement	EBL	EBT	WBU	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Vol, veh/h	16	251	0	373	132	5	3
Future Vol, veh/h	16	251	0	373	132	5	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	-	None	-	None
Storage Length	130	-	60	-	-	0	0
Veh in Median Storage, #	-	0	-	0	-	0	-
Grade, %	-	0	-	0	-	0	-
Peak Hour Factor	97	97	92	97	97	97	97
Heavy Vehicles, %	2	5	2	2	2	2	2
Mvmt Flow	16	259	0	385	136	5	3
Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	521	0	188	-	0	615	260
Stage 1	-	-	-	-	-	453	-
Stage 2	-	-	-	-	-	162	-
Critical Hdwy	4.14	-	6.44	-	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	-	5.84	-
Follow-up Hdwy	2.22	-	2.52	-	-	3.52	3.32
Pot Cap-1 Maneuver	1041	-	1089	-	-	423	739
Stage 1	-	-	-	-	-	607	-
Stage 2	-	-	-	-	-	850	-
Platoon blocked, %	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1041	-	1089	-	-	416	739
Mov Cap-2 Maneuver	-	-	-	-	-	416	-
Stage 1	-	-	-	-	-	607	-
Stage 2	-	-	-	-	-	837	-
Approach	EB		WB		SB		
HCM Control Delay, s	0.5		0		12.3		
HCM LOS					B		
Minor Lane/Major Mvmt	EBL	EBT	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1041	-	1089	-	-	416	739
HCM Lane V/C Ratio	0.016	-	-	-	-	0.012	0.004
HCM Control Delay (s)	8.5	-	0	-	-	13.8	9.9
HCM Lane LOS	A	-	A	-	-	B	A
HCM 95th %tile Q(veh)	0	-	0	-	-	0	0

HCM 2010 Signalized Intersection Summary
5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	116	105	24	90	50	338	1027	156	129	1150	6
Future Volume (veh/h)	3	116	105	24	90	50	338	1027	156	129	1150	6
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1827	1863	1863	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	3	123	112	26	96	53	360	1093	0	137	1223	0
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	2	4	2	2	2	2	2	2	2	2	2
Cap, veh/h	41	171	143	129	181	153	440	3371	0	427	3139	977
Arrive On Green	0.02	0.09	0.09	0.02	0.10	0.10	0.09	0.66	0.00	0.04	0.62	0.00
Sat Flow, veh/h	1774	1863	1553	1774	1863	1583	1774	5253	0	1774	5085	1583
Grp Volume(v), veh/h	3	123	112	26	96	53	360	1093	0	137	1223	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1553	1774	1863	1583	1774	1695	0	1774	1695	1583
Q Serve(g_s), s	0.2	8.3	9.2	1.7	6.4	4.1	9.2	12.0	0.0	3.7	15.8	0.0
Cycle Q Clear(g_c), s	0.2	8.3	9.2	1.7	6.4	4.1	9.2	12.0	0.0	3.7	15.8	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	41	171	143	129	181	153	440	3371	0	427	3139	977
V/C Ratio(X)	0.07	0.72	0.78	0.20	0.53	0.35	0.82	0.32	0.00	0.32	0.39	0.00
Avail Cap(c_a), veh/h	41	249	208	161	292	248	777	3371	0	531	3139	977
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	62.1	57.4	57.8	51.9	55.9	54.8	12.1	9.4	0.0	8.3	12.5	0.0
Incr Delay (d2), s/veh	0.3	4.2	9.4	0.3	1.8	1.0	1.5	0.3	0.0	0.2	0.4	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	0.2	8.0	7.7	1.5	6.1	3.3	13.0	9.5	0.0	3.2	11.9	0.0
LnGrp Delay(d),s/veh	62.4	61.5	67.2	52.2	57.7	55.8	13.6	9.7	0.0	8.4	12.9	0.0
LnGrp LOS	E	E	E	D	E	E	B	A		A	B	
Approach Vol, veh/h		238			175			1453			1360	
Approach Delay, s/veh		64.2			56.3			10.6			12.5	
Approach LOS		E			E			B			B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	17.3	86.5	8.0	18.2	11.3	92.5	8.6	17.6				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	36.4	47.7	3.0	20.4	13.4	70.7	5.4	17.4				
Max Q Clear Time (g_c+I1), s	11.2	17.8	2.2	8.4	5.7	14.0	3.7	11.2				
Green Ext Time (p_c), s	0.5	26.7	0.0	1.1	0.1	46.5	0.0	0.8				
Intersection Summary												
HCM 2010 Ctrl Delay				17.8								
HCM 2010 LOS				B								

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	1163	372	5	926	356	76		
Future Volume (veh/h)	1163	372	5	926	356	76		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1743	1863	1863		
Adj Flow Rate, veh/h	1251	0	5	996	383	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	2	9	2	2		
Cap, veh/h	2053	918	266	1921	815	375		
Arrive On Green	0.58	0.00	0.58	0.58	0.24	0.00		
Sat Flow, veh/h	3632	1583	442	3399	3442	1583		
Grp Volume(v), veh/h	1251	0	5	996	383	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	442	1656	1721	1583		
Q Serve(g_s), s	14.9	0.0	0.5	11.7	6.2	0.0		
Cycle Q Clear(g_c), s	14.9	0.0	15.4	11.7	6.2	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2053	918	266	1921	815	375		
V/C Ratio(X)	0.61	0.00	0.02	0.52	0.47	0.00		
Avail Cap(c_a), veh/h	2053	918	266	1921	815	375		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	8.9	0.0	13.9	8.2	21.3	0.0		
Incr Delay (d2), s/veh	1.4	0.0	0.1	1.0	1.9	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	12.0	0.0	0.1	9.4	5.7	0.0		
LnGrp Delay(d),s/veh	10.2	0.0	14.0	9.2	23.2	0.0		
LnGrp LOS	B		B	A	C			
Approach Vol, veh/h	1251			1001	383			
Approach Delay, s/veh	10.2			9.2	23.2			
Approach LOS	B			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		44.0		21.0		44.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		37.7		15.4		37.7		
Max Q Clear Time (g_c+I1), s		16.9		8.2		17.4		
Green Ext Time (p_c), s		19.2		1.0		18.8		
Intersection Summary								
HCM 2010 Ctrl Delay			11.7					
HCM 2010 LOS			B					

Intersection

Int Delay, s/veh 1.5

Movement	WBL	WBR	NBU	NBT	NBR	SBL	SBT
Lane Configurations							
Traffic Vol, veh/h	45	73	0	338	2	3	525
Future Vol, veh/h	45	73	0	338	2	3	525
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free	Free
RT Channelized	-	None	-	-	None	-	None
Storage Length	0	0	130	-	-	100	-
Veh in Median Storage, #	0	-	-	0	-	-	0
Grade, %	0	-	-	0	-	-	0
Peak Hour Factor	88	88	92	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2	2
Mvmt Flow	51	83	0	384	2	3	597

Major/Minor	Minor1	Major1		Major2			
Conflicting Flow All	690	193	435	0	0	386	0
Stage 1	385	-	-	-	-	-	-
Stage 2	305	-	-	-	-	-	-
Critical Hdwy	6.84	6.94	6.44	-	-	4.14	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.52	-	-	2.22	-
Pot Cap-1 Maneuver	379	816	761	-	-	1169	-
Stage 1	657	-	-	-	-	-	-
Stage 2	721	-	-	-	-	-	-
Platoon blocked, %				-	-		-
Mov Cap-1 Maneuver	378	816	761	-	-	1169	-
Mov Cap-2 Maneuver	378	-	-	-	-	-	-
Stage 1	657	-	-	-	-	-	-
Stage 2	719	-	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	12.2	0	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBU	NBT	NBRWBLn1	WBLn2	SBL	SBT
Capacity (veh/h)	761	-	-	378 816	1169	-
HCM Lane V/C Ratio	-	-	-	0.135 0.102	0.003	-
HCM Control Delay (s)	0	-	-	16 9.9	8.1	-
HCM Lane LOS	A	-	-	C A	A	-
HCM 95th %tile Q(veh)	0	-	-	0.5 0.3	0	-

Intersection

Int Delay, s/veh 2.4

Movement	EBL	EBT	WBU	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Vol, veh/h	0	504	0	278	4	105	40
Future Vol, veh/h	0	504	0	278	4	105	40
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	-	None	-	None
Storage Length	130	-	60	-	-	0	0
Veh in Median Storage, #	-	0	-	0	-	0	-
Grade, %	-	0	-	0	-	0	-
Peak Hour Factor	85	85	92	85	85	85	85
Heavy Vehicles, %	0	2	2	2	2	2	2
Mvmt Flow	0	593	0	327	5	124	47

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	332	0	432	-	0	625
Stage 1	-	-	-	-	-	329
Stage 2	-	-	-	-	-	296
Critical Hdwy	4.1	-	6.44	-	-	6.84
Critical Hdwy Stg 1	-	-	-	-	-	5.84
Critical Hdwy Stg 2	-	-	-	-	-	5.84
Follow-up Hdwy	2.2	-	2.52	-	-	3.52
Pot Cap-1 Maneuver	1239	-	764	-	-	417
Stage 1	-	-	-	-	-	701
Stage 2	-	-	-	-	-	729
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1239	-	764	-	-	417
Mov Cap-2 Maneuver	-	-	-	-	-	417
Stage 1	-	-	-	-	-	701
Stage 2	-	-	-	-	-	729

Approach	EB	WB	SB
HCM Control Delay, s	0	0	15.1
HCM LOS			C

Minor Lane/Major Mvmt	EBL	EBT	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1239	-	764	-	-	417	849
HCM Lane V/C Ratio	-	-	-	-	-	0.296	0.055
HCM Control Delay (s)	0	-	0	-	-	17.2	9.5
HCM Lane LOS	A	-	A	-	-	C	A
HCM 95th %tile Q(veh)	0	-	0	-	-	1.2	0.2

HCM 2010 Signalized Intersection Summary
 5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	19	67	508	270	164	107	136	1552	18	37	1249	6
Future Volume (veh/h)	19	67	508	270	164	107	136	1552	18	37	1249	6
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1845	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	21	73	552	293	178	116	148	1687	0	40	1358	0
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	26	565	480	416	688	591	230	2084	0	142	1899	591
Arrive On Green	0.01	0.30	0.30	0.08	0.37	0.37	0.07	0.41	0.00	0.03	0.37	0.00
Sat Flow, veh/h	1774	1863	1583	1774	1845	1583	1774	5253	0	1774	5085	1583
Grp Volume(v), veh/h	21	73	552	293	178	116	148	1687	0	40	1358	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1583	1774	1845	1583	1774	1695	0	1774	1695	1583
Q Serve(g_s), s	1.5	3.7	39.4	10.4	8.7	6.4	6.5	38.1	0.0	1.8	29.7	0.0
Cycle Q Clear(g_c), s	1.5	3.7	39.4	10.4	8.7	6.4	6.5	38.1	0.0	1.8	29.7	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	26	565	480	416	688	591	230	2084	0	142	1899	591
V/C Ratio(X)	0.82	0.13	1.15	0.70	0.26	0.20	0.64	0.81	0.00	0.28	0.71	0.00
Avail Cap(c_a), veh/h	68	565	480	416	688	591	274	2084	0	158	1899	591
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(l)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	63.9	32.9	45.3	31.1	28.3	27.6	27.4	33.9	0.0	28.7	34.8	0.0
Incr Delay (d2), s/veh	20.4	0.1	89.4	4.5	0.1	0.1	2.1	3.5	0.0	0.4	2.3	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	1.6	3.5	52.3	12.1	7.9	5.1	5.9	25.5	0.0	1.6	20.4	0.0
LnGrp Delay(d),s/veh	84.2	32.9	134.7	35.7	28.4	27.7	29.5	37.4	0.0	29.1	37.1	0.0
LnGrp LOS	F	C	F	D	C	C	C	D		C	D	
Approach Vol, veh/h		646			587			1835			1398	
Approach Delay, s/veh		121.5			31.9			36.8			36.9	
Approach LOS		F			C			D			D	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	14.1	54.9	6.9	54.1	9.4	59.6	16.0	45.0				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	11.8	45.3	5.0	45.4	5.0	52.1	10.4	39.4				
Max Q Clear Time (g_c+I1), s	8.5	31.7	3.5	10.7	3.8	40.1	12.4	41.4				
Green Ext Time (p_c), s	0.1	13.4	0.0	3.3	0.0	11.8	0.0	0.0				
Intersection Summary												
HCM 2010 Ctrl Delay			48.4									
HCM 2010 LOS			D									

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	758	360	69	1356	260	6		
Future Volume (veh/h)	758	360	69	1356	260	6		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	806	0	73	1443	277	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	2325	1040	485	2325	551	253		
Arrive On Green	0.66	0.00	0.66	0.66	0.16	0.00		
Sat Flow, veh/h	3632	1583	673	3632	3442	1583		
Grp Volume(v), veh/h	806	0	73	1443	277	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	673	1770	1721	1583		
Q Serve(g_s), s	6.6	0.0	3.5	15.4	4.8	0.0		
Cycle Q Clear(g_c), s	6.6	0.0	10.1	15.4	4.8	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2325	1040	485	2325	551	253		
V/C Ratio(X)	0.35	0.00	0.15	0.62	0.50	0.00		
Avail Cap(c_a), veh/h	2325	1040	485	2325	551	253		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	5.0	0.0	7.2	6.5	24.9	0.0		
Incr Delay (d2), s/veh	0.4	0.0	0.3	0.7	3.3	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	5.9	0.0	1.2	11.9	4.5	0.0		
LnGrp Delay(d),s/veh	5.4	0.0	7.5	7.2	28.2	0.0		
LnGrp LOS	A		A	A	C			
Approach Vol, veh/h	806			1516	277			
Approach Delay, s/veh	5.4			7.2	28.2			
Approach LOS	A			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		49.0		16.0		49.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		42.7		10.4		42.7		
Max Q Clear Time (g_c+1), s		8.6		6.8		17.4		
Green Ext Time (p_c), s		30.9		0.4		23.5		
Intersection Summary								
HCM 2010 Ctrl Delay			8.9					
HCM 2010 LOS			A					

Intersection							
Int Delay, s/veh	0.6						
Movement	WBL	WBR	NBU	NBT	NBR	SBL	SBT
Lane Configurations							
Traffic Vol, veh/h	0	5	0	330	36	47	281
Future Vol, veh/h	0	5	0	330	36	47	281
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free	Free
RT Channelized	-	None	-	-	None	-	None
Storage Length	0	0	130	-	-	100	-
Veh in Median Storage, #	0	-	-	0	-	-	0
Grade, %	0	-	-	0	-	-	0
Peak Hour Factor	88	88	92	88	88	88	88
Heavy Vehicles, %	0	20	2	2	2	2	3
Mvmt Flow	0	6	0	375	41	53	319
Major/Minor	Minor1	Major1		Major2			
Conflicting Flow All	661	208	233	0	0	416	0
Stage 1	395	-	-	-	-	-	-
Stage 2	266	-	-	-	-	-	-
Critical Hdwy	6.8	7.3	6.44	-	-	4.14	-
Critical Hdwy Stg 1	5.8	-	-	-	-	-	-
Critical Hdwy Stg 2	5.8	-	-	-	-	-	-
Follow-up Hdwy	3.5	3.5	2.52	-	-	2.22	-
Pot Cap-1 Maneuver	400	745	1021	-	-	1139	-
Stage 1	656	-	-	-	-	-	-
Stage 2	760	-	-	-	-	-	-
Platoon blocked, %				-	-		-
Mov Cap-1 Maneuver	381	745	1021	-	-	1139	-
Mov Cap-2 Maneuver	381	-	-	-	-	-	-
Stage 1	656	-	-	-	-	-	-
Stage 2	725	-	-	-	-	-	-
Approach	WB	NB		SB			
HCM Control Delay, s	9.9	0		1.2			
HCM LOS	A						
Minor Lane/Major Mvmt	NBU	NBT	NBRWBLn1WBLn2	SBL	SBT		
Capacity (veh/h)	1021	-	-	745	1139	-	
HCM Lane V/C Ratio	-	-	-	0.008	0.047	-	
HCM Control Delay (s)	0	-	-	9.9	8.3	-	
HCM Lane LOS	A	-	-	A	A	-	
HCM 95th %tile Q(veh)	0	-	-	0	0.1	-	

Intersection

Int Delay, s/veh 0.3

Movement	EBL	EBT	WBU	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Vol, veh/h	16	278	0	390	135	5	3
Future Vol, veh/h	16	278	0	390	135	5	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	-	None	-	None
Storage Length	130	-	60	-	-	0	0
Veh in Median Storage, #	-	0	-	0	-	0	-
Grade, %	-	0	-	0	-	0	-
Peak Hour Factor	97	97	92	97	97	97	97
Heavy Vehicles, %	2	5	2	2	2	2	2
Mvmt Flow	16	287	0	402	139	5	3

Major/Minor	Major1		Major2		Minor2	
Conflicting Flow All	541	0	209	-	0	648
Stage 1	-	-	-	-	-	472
Stage 2	-	-	-	-	-	176
Critical Hdwy	4.14	-	6.44	-	-	6.84
Critical Hdwy Stg 1	-	-	-	-	-	5.84
Critical Hdwy Stg 2	-	-	-	-	-	5.84
Follow-up Hdwy	2.22	-	2.52	-	-	3.52
Pot Cap-1 Maneuver	1024	-	1057	-	-	403
Stage 1	-	-	-	-	-	594
Stage 2	-	-	-	-	-	837
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	1024	-	1057	-	-	397
Mov Cap-2 Maneuver	-	-	-	-	-	397
Stage 1	-	-	-	-	-	594
Stage 2	-	-	-	-	-	824

Approach	EB	WB	SB
HCM Control Delay, s	0.5	0	12.6
HCM LOS			B

Minor Lane/Major Mvmt	EBL	EBT	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1024	-	1057	-	-	397	727
HCM Lane V/C Ratio	0.016	-	-	-	-	0.013	0.004
HCM Control Delay (s)	8.6	-	0	-	-	14.2	10
HCM Lane LOS	A	-	A	-	-	B	B
HCM 95th %tile Q(veh)	0	-	0	-	-	0	0

HCM 2010 Signalized Intersection Summary
 5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	3	133	114	38	97	61	349	1070	159	60	1298	6
Future Volume (veh/h)	3	133	114	38	97	61	349	1070	159	60	1298	6
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1827	1863	1863	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	3	141	121	40	103	65	371	1138	0	64	1381	0
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	2	4	2	2	2	2	2	2	2	2	2
Cap, veh/h	41	182	152	134	203	172	401	3358	0	394	3048	949
Arrive On Green	0.02	0.10	0.10	0.03	0.11	0.11	0.10	0.66	0.00	0.03	0.60	0.00
Sat Flow, veh/h	1774	1863	1553	1774	1863	1583	1774	5253	0	1774	5085	1583
Grp Volume(v), veh/h	3	141	121	40	103	65	371	1138	0	64	1381	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1553	1774	1863	1583	1774	1695	0	1774	1695	1583
Q Serve(g_s), s	0.2	9.6	9.9	2.6	6.8	5.0	10.0	12.7	0.0	1.8	19.4	0.0
Cycle Q Clear(g_c), s	0.2	9.6	9.9	2.6	6.8	5.0	10.0	12.7	0.0	1.8	19.4	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	41	182	152	134	203	172	401	3358	0	394	3048	949
V/C Ratio(X)	0.07	0.77	0.80	0.30	0.51	0.38	0.93	0.34	0.00	0.16	0.45	0.00
Avail Cap(c_a), veh/h	41	249	208	156	292	248	728	3358	0	515	3048	949
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(l)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	62.1	57.2	57.4	51.0	54.6	53.8	17.6	9.7	0.0	9.1	14.3	0.0
Incr Delay (d2), s/veh	0.3	8.4	12.2	0.5	1.5	1.0	4.8	0.3	0.0	0.1	0.5	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	0.2	9.2	8.3	2.3	6.4	4.0	13.6	10.0	0.0	1.6	14.2	0.0
LnGrp Delay(d),s/veh	62.4	65.6	69.5	51.5	56.1	54.8	22.4	9.9	0.0	9.2	14.8	0.0
LnGrp LOS	E	E	E	D	E	D	C	A		A	B	
Approach Vol, veh/h		265			208			1509			1445	
Approach Delay, s/veh		67.4			54.8			13.0			14.6	
Approach LOS		E			D			B			B	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	18.0	84.2	8.0	19.7	10.1	92.1	9.4	18.3				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	36.4	47.7	3.0	20.4	13.4	70.7	5.4	17.4				
Max Q Clear Time (g_c+1), s	12.0	21.4	2.2	8.8	3.8	14.7	4.6	11.9				
Green Ext Time (p_c), s	0.5	24.5	0.0	1.3	0.0	48.7	0.0	0.8				
Intersection Summary												
HCM 2010 Ctrl Delay				20.4								
HCM 2010 LOS				C								

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	1201	385	5	985	390	78		
Future Volume (veh/h)	1201	385	5	985	390	78		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1743	1863	1863		
Adj Flow Rate, veh/h	1291	0	5	1059	419	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	2	9	2	2		
Cap, veh/h	2053	918	255	1921	815	375		
Arrive On Green	0.58	0.00	0.58	0.58	0.24	0.00		
Sat Flow, veh/h	3632	1583	426	3399	3442	1583		
Grp Volume(v), veh/h	1291	0	5	1059	419	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	426	1656	1721	1583		
Q Serve(g_s), s	15.7	0.0	0.5	12.8	6.9	0.0		
Cycle Q Clear(g_c), s	15.7	0.0	16.2	12.8	6.9	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2053	918	255	1921	815	375		
V/C Ratio(X)	0.63	0.00	0.02	0.55	0.51	0.00		
Avail Cap(c_a), veh/h	2053	918	255	1921	815	375		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	9.0	0.0	14.4	8.4	21.5	0.0		
Incr Delay (d2), s/veh	1.5	0.0	0.1	1.1	2.3	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	12.6	0.0	0.1	10.1	6.3	0.0		
LnGrp Delay(d),s/veh	10.5	0.0	14.5	9.6	23.9	0.0		
LnGrp LOS	B		B	A	C			
Approach Vol, veh/h	1291			1064	419			
Approach Delay, s/veh	10.5			9.6	23.9			
Approach LOS	B			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		44.0		21.0		44.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		37.7		15.4		37.7		
Max Q Clear Time (g_c+1), s		17.7		8.9		18.2		
Green Ext Time (p_c), s		18.8		1.1		18.4		
Intersection Summary								
HCM 2010 Ctrl Delay			12.2					
HCM 2010 LOS			B					

Intersection							
Int Delay, s/veh	1.5						
Movement	WBL	WBR	NBU	NBT	NBR	SBL	SBT
Lane Configurations							
Traffic Vol, veh/h	46	74	0	372	2	3	542
Future Vol, veh/h	46	74	0	372	2	3	542
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free	Free
RT Channelized	-	None	-	-	None	-	None
Storage Length	0	0	130	-	-	100	-
Veh in Median Storage, #	0	-	-	0	-	-	0
Grade, %	0	-	-	0	-	-	0
Peak Hour Factor	88	88	92	88	88	88	88
Heavy Vehicles, %	2	2	2	2	2	2	2
Mvmt Flow	52	84	0	423	2	3	616
Major/Minor	Minor1	Major1		Major2			
Conflicting Flow All	739	213	449	0	0	425	0
Stage 1	424	-	-	-	-	-	-
Stage 2	315	-	-	-	-	-	-
Critical Hdwy	6.84	6.94	6.44	-	-	4.14	-
Critical Hdwy Stg 1	5.84	-	-	-	-	-	-
Critical Hdwy Stg 2	5.84	-	-	-	-	-	-
Follow-up Hdwy	3.52	3.32	2.52	-	-	2.22	-
Pot Cap-1 Maneuver	353	792	746	-	-	1131	-
Stage 1	628	-	-	-	-	-	-
Stage 2	713	-	-	-	-	-	-
Platoon blocked, %				-	-		-
Mov Cap-1 Maneuver	352	792	746	-	-	1131	-
Mov Cap-2 Maneuver	352	-	-	-	-	-	-
Stage 1	628	-	-	-	-	-	-
Stage 2	711	-	-	-	-	-	-
Approach	WB	NB		SB			
HCM Control Delay, s	12.7	0		0			
HCM LOS	B						
Minor Lane/Major Mvmt	NBU	NBT	NBRWBLn1WBLn2	SBL	SBT		
Capacity (veh/h)	746	-	- 352 792	1131	-		
HCM Lane V/C Ratio	-	-	- 0.149 0.106	0.003	-		
HCM Control Delay (s)	0	-	- 17 10.1	8.2	-		
HCM Lane LOS	A	-	- C B	A	-		
HCM 95th %tile Q(veh)	0	-	- 0.5 0.4	0	-		

Intersection							
Int Delay, s/veh	2.2						
Movement	EBL	EBT	WBU	WBT	WBR	SBL	SBR
Lane Configurations							
Traffic Vol, veh/h	0	520	0	311	4	107	41
Future Vol, veh/h	0	520	0	311	4	107	41
Conflicting Peds, #/hr	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	-	None	-	None
Storage Length	130	-	60	-	-	0	0
Veh in Median Storage, #	-	0	-	0	-	0	-
Grade, %	-	0	-	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	3	2	2	2
Mvmt Flow	0	565	0	338	4	116	45
Major/Minor	Major1		Major2		Minor2		
Conflicting Flow All	342	0	412	-	0	623	171
Stage 1	-	-	-	-	-	340	-
Stage 2	-	-	-	-	-	283	-
Critical Hdwy	4.14	-	6.44	-	-	6.84	6.94
Critical Hdwy Stg 1	-	-	-	-	-	5.84	-
Critical Hdwy Stg 2	-	-	-	-	-	5.84	-
Follow-up Hdwy	2.22	-	2.52	-	-	3.52	3.32
Pot Cap-1 Maneuver	1214	-	787	-	-	418	843
Stage 1	-	-	-	-	-	692	-
Stage 2	-	-	-	-	-	740	-
Platoon blocked, %	-	-	-	-	-	-	-
Mov Cap-1 Maneuver	1214	-	787	-	-	418	843
Mov Cap-2 Maneuver	-	-	-	-	-	418	-
Stage 1	-	-	-	-	-	692	-
Stage 2	-	-	-	-	-	740	-
Approach	EB		WB		SB		
HCM Control Delay, s	0		0		14.8		
HCM LOS					B		
Minor Lane/Major Mvmt	EBL	EBT	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	1214	-	787	-	-	418	843
HCM Lane V/C Ratio	-	-	-	-	-	0.278	0.053
HCM Control Delay (s)	0	-	0	-	-	16.9	9.5
HCM Lane LOS	A	-	A	-	-	C	A
HCM 95th %tile Q(veh)	0	-	0	-	-	1.1	0.2

HCM 2010 Signalized Intersection Summary
5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	19	72	521	347	184	165	149	1686	18	60	1298	6
Future Volume (veh/h)	19	72	521	347	184	165	149	1686	18	60	1298	6
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1845	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	21	78	566	377	200	179	162	1833	0	65	1411	0
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92
Percent Heavy Veh, %	2	2	2	2	3	2	2	2	2	2	2	2
Cap, veh/h	26	565	480	411	688	591	229	2057	0	134	1872	583
Arrive On Green	0.01	0.30	0.30	0.08	0.37	0.37	0.07	0.40	0.00	0.03	0.37	0.00
Sat Flow, veh/h	1774	1863	1583	1774	1845	1583	1774	5253	0	1774	5085	1583
Grp Volume(v), veh/h	21	78	566	377	200	179	162	1833	0	65	1411	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1583	1774	1845	1583	1774	1695	0	1774	1695	1583
Q Serve(g_s), s	1.5	4.0	39.4	10.4	9.9	10.4	7.2	43.6	0.0	3.0	31.5	0.0
Cycle Q Clear(g_c), s	1.5	4.0	39.4	10.4	9.9	10.4	7.2	43.6	0.0	3.0	31.5	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	26	565	480	411	688	591	229	2057	0	134	1872	583
V/C Ratio(X)	0.82	0.14	1.18	0.92	0.29	0.30	0.71	0.89	0.00	0.48	0.75	0.00
Avail Cap(c_a), veh/h	68	565	480	411	688	591	264	2057	0	141	1872	583
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	63.9	33.0	45.3	37.4	28.6	28.8	28.6	36.0	0.0	31.7	35.9	0.0
Incr Delay (d2), s/veh	20.4	0.1	100.6	24.9	0.2	0.2	5.3	6.3	0.0	1.0	2.9	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	1.6	3.7	55.0	17.6	8.8	8.1	6.8	29.2	0.0	2.7	21.7	0.0
LnGrp Delay(d),s/veh	84.2	33.0	145.9	62.3	28.8	29.0	33.9	42.4	0.0	32.7	38.8	0.0
LnGrp LOS	F	C	F	E	C	C	C	D		C	D	
Approach Vol, veh/h	665				756				1995			
Approach Delay, s/veh	130.7				45.6				41.7			
Approach LOS	F				D				D			
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	14.8	54.2	6.9	54.1	10.1	58.9	16.0	45.0				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	11.8	45.3	5.0	45.4	5.0	52.1	10.4	39.4				
Max Q Clear Time (g_c+I1), s	9.2	33.5	3.5	12.4	5.0	45.6	12.4	41.4				
Green Ext Time (p_c), s	0.0	11.6	0.0	3.7	0.0	6.4	0.0	0.0				
Intersection Summary												
HCM 2010 Ctrl Delay	53.4											
HCM 2010 LOS	D											

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	758	500	142	1356	311	36		
Future Volume (veh/h)	758	500	142	1356	311	36		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	806	0	151	1443	331	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	2325	1040	485	2325	551	253		
Arrive On Green	0.66	0.00	0.66	0.66	0.16	0.00		
Sat Flow, veh/h	3632	1583	673	3632	3442	1583		
Grp Volume(v), veh/h	806	0	151	1443	331	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	673	1770	1721	1583		
Q Serve(g_s), s	6.6	0.0	8.4	15.4	5.8	0.0		
Cycle Q Clear(g_c), s	6.6	0.0	14.9	15.4	5.8	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2325	1040	485	2325	551	253		
V/C Ratio(X)	0.35	0.00	0.31	0.62	0.60	0.00		
Avail Cap(c_a), veh/h	2325	1040	485	2325	551	253		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	5.0	0.0	8.3	6.5	25.4	0.0		
Incr Delay (d2), s/veh	0.4	0.0	0.8	0.7	4.8	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	5.9	0.0	2.9	11.9	5.6	0.0		
LnGrp Delay(d),s/veh	5.4	0.0	9.0	7.2	30.2	0.0		
LnGrp LOS	A		A	A	C			
Approach Vol, veh/h	806			1594	331			
Approach Delay, s/veh	5.4			7.4	30.2			
Approach LOS	A			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		49.0		16.0		49.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		42.7		10.4		42.7		
Max Q Clear Time (g_c+I1), s		8.6		7.8		17.4		
Green Ext Time (p_c), s		31.3		0.4		23.7		
Intersection Summary								
HCM 2010 Ctrl Delay			9.5					
HCM 2010 LOS			A					

Intersection

Int Delay, s/veh 2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕		↕		↕	↕	↕↕		↕	↕↕	
Traffic Vol, veh/h	30	0	49	0	0	5	60	381	36	47	406	87
Future Vol, veh/h	30	0	49	0	0	5	60	381	36	47	406	87
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	0	-	0	130	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	0	0	0	20	0	2	2	2	3	0
Mvmt Flow	34	0	56	0	0	6	68	433	41	53	461	99

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	971	1228	280	928	-	237	560	0	0	474	0	0
Stage 1	618	618	-	590	-	-	-	-	-	-	-	-
Stage 2	353	610	-	338	-	-	-	-	-	-	-	-
Critical Hdwy	7.5	6.5	6.9	7.5	-	7.3	4.1	-	-	4.14	-	-
Critical Hdwy Stg 1	6.5	5.5	-	6.5	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.5	5.5	-	6.5	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	-	3.5	2.2	-	-	2.22	-	-
Pot Cap-1 Maneuver	210	180	723	226	0	712	1021	-	-	1084	-	-
Stage 1	448	484	-	466	0	-	-	-	-	-	-	-
Stage 2	642	488	-	656	0	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	190	160	723	191	-	712	1021	-	-	1084	-	-
Mov Cap-2 Maneuver	190	160	-	191	-	-	-	-	-	-	-	-
Stage 1	418	460	-	435	-	-	-	-	-	-	-	-
Stage 2	594	455	-	576	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	18.8	10.1	1.1	0.7
HCM LOS	C	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1WBLn2	SBL	SBT	SBR
Capacity (veh/h)	1021	-	-	350	-	712	1084
HCM Lane V/C Ratio	0.067	-	-	0.256	-	0.008	0.049
HCM Control Delay (s)	8.8	-	-	18.8	0	10.1	8.5
HCM Lane LOS	A	-	-	C	A	B	A
HCM 95th %tile Q(veh)	0.2	-	-	1	-	0	0.2

Intersection

Int Delay, s/veh 12.6

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↑	↑↑	↑	↑
Traffic Vol, veh/h	368	93	449	439	51	130
Future Vol, veh/h	368	93	449	439	51	130
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Yield
Storage Length	-	-	185	-	150	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	94	94	94	94	94	94
Heavy Vehicles, %	2	0	0	2	0	0
Mvmt Flow	391	99	478	467	54	138

Major/Minor	Major1	Major2	Minor1
Conflicting Flow All	0	0	1630
Stage 1	-	-	441
Stage 2	-	-	1189
Critical Hdwy	-	4.1	6.8
Critical Hdwy Stg 1	-	-	5.8
Critical Hdwy Stg 2	-	-	5.8
Follow-up Hdwy	-	2.2	3.5
Pot Cap-1 Maneuver	-	1084	94
Stage 1	-	-	622
Stage 2	-	-	256
Platoon blocked, %	-	-	-
Mov Cap-1 Maneuver	-	1084	~ 53
Mov Cap-2 Maneuver	-	-	~ 53
Stage 1	-	-	622
Stage 2	-	-	143

Approach	EB	WB	NB
HCM Control Delay, s	0	5.5	79.7
HCM LOS			F

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	53	762	-	-	1084	-
HCM Lane V/C Ratio	1.024	0.181	-	-	0.441	-
HCM Control Delay (s)	255.2	10.8	-	-	10.9	-
HCM Lane LOS	F	B	-	-	B	-
HCM 95th %tile Q(veh)	4.6	0.7	-	-	2.3	-

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

Intersection

Int Delay, s/veh 0.5

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations													
Traffic Vol, veh/h	16	458	31	0	0	900	135	0	0	34	5	0	3
Future Vol, veh/h	16	458	31	0	0	900	135	0	0	34	5	0	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	-	None	-	-	None	-	-	None
Storage Length	130	-	-	-	60	-	-	-	-	0	0	-	0
Veh in Median Storage, #	-	0	-	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	92	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	2	2	4	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	487	33	0	0	957	144	0	0	36	5	0	3

Major/Minor	Major1			Major2			Minor1			Minor2			
Conflicting Flow All	1101	0	0	379	-	-	0	-	-	260	1307	-	551
Stage 1	-	-	-	-	-	-	-	-	-	-	1029	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	278	-	-
Critical Hdwy	4.14	-	-	6.44	-	-	-	-	-	6.94	7.54	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Follow-up Hdwy	2.22	-	-	2.52	-	-	-	-	-	3.32	3.52	-	3.32
Pot Cap-1 Maneuver	630	-	-	826	0	-	-	0	0	739	117	0	478
Stage 1	-	-	-	-	0	-	-	0	0	-	250	0	-
Stage 2	-	-	-	-	0	-	-	0	0	-	705	0	-
Platoon blocked, %		-	-			-	-						
Mov Cap-1 Maneuver	630	-	-	788	-	-	-	-	-	739	109	-	478
Mov Cap-2 Maneuver	-	-	-	-	-	-	-	-	-	-	109	-	-
Stage 1	-	-	-	-	-	-	-	-	-	-	243	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	652	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	0	10.1	29.5
HCM LOS			B	D

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	739	630	-	-	788	-	-	109	478
HCM Lane V/C Ratio	0.049	0.027	-	-	-	-	-	0.049	0.007
HCM Control Delay (s)	10.1	10.9	-	-	0	-	-	39.7	12.6
HCM Lane LOS	B	B	-	-	A	-	-	E	B
HCM 95th %tile Q(veh)	0.2	0.1	-	-	0	-	-	0.2	0

HCM 2010 Signalized Intersection Summary
5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	41	154	269	38	165	61	714	1070	159	216	1261	84
Future Volume (veh/h)	41	154	269	38	165	61	714	1070	159	216	1261	84
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1827	1863	1863	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	44	164	286	40	176	65	760	1138	0	230	1341	0
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	2	4	2	2	2	2	2	2	2	2	2
Cap, veh/h	41	249	208	155	270	229	616	2873	0	409	1928	600
Arrive On Green	0.02	0.13	0.13	0.03	0.14	0.14	0.28	0.56	0.00	0.09	0.38	0.00
Sat Flow, veh/h	1774	1863	1553	1774	1863	1583	1774	5253	0	1774	5085	1583
Grp Volume(v), veh/h	44	164	286	40	176	65	760	1138	0	230	1341	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1553	1774	1863	1583	1774	1695	0	1774	1695	1583
Q Serve(g_s), s	3.0	10.9	17.4	2.5	11.6	4.8	36.4	16.3	0.0	10.2	28.9	0.0
Cycle Q Clear(g_c), s	3.0	10.9	17.4	2.5	11.6	4.8	36.4	16.3	0.0	10.2	28.9	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	41	249	208	155	270	229	616	2873	0	409	1928	600
V/C Ratio(X)	1.07	0.66	1.38	0.26	0.65	0.28	1.23	0.40	0.00	0.56	0.70	0.00
Avail Cap(c_a), veh/h	41	249	208	176	292	248	616	2873	0	425	1928	600
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	63.5	53.5	56.3	47.0	52.5	49.6	34.1	15.9	0.0	20.7	34.0	0.0
Incr Delay (d2), s/veh	163.6	5.7	196.5	0.3	4.1	0.5	119.1	0.4	0.0	0.9	2.1	0.0
Initial Q Delay(d3),s/veh	2.7	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	6.0	10.0	33.9	2.2	10.4	3.8	76.4	12.2	0.0	8.7	20.0	0.0
LnGrp Delay(d),s/veh	229.8	59.2	252.8	47.4	56.6	50.1	153.1	16.3	0.0	21.6	36.1	0.0
LnGrp LOS	F	E	F	D	E	D	F	B		C	D	
Approach Vol, veh/h		494			281			1898			1571	
Approach Delay, s/veh		186.5			53.7			71.1			34.0	
Approach LOS		F			D			E			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	42.0	55.6	8.0	24.4	17.8	79.7	9.4	23.0				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	36.4	47.7	3.0	20.4	13.4	70.7	5.4	17.4				
Max Q Clear Time (g_c+I1), s	38.4	30.9	5.0	13.6	12.2	18.3	4.5	19.4				
Green Ext Time (p_c), s	0.0	15.9	0.0	1.6	0.0	45.5	0.0	0.0				
Intersection Summary												
HCM 2010 Ctrl Delay			69.6									
HCM 2010 LOS			E									

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	1186	462	40	985	514	143		
Future Volume (veh/h)	1186	462	40	985	514	143		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1743	1863	1863		
Adj Flow Rate, veh/h	1275	0	43	1059	553	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	2	9	2	2		
Cap, veh/h	2053	918	259	1921	815	375		
Arrive On Green	0.58	0.00	0.58	0.58	0.24	0.00		
Sat Flow, veh/h	3632	1583	432	3399	3442	1583		
Grp Volume(v), veh/h	1275	0	43	1059	553	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	432	1656	1721	1583		
Q Serve(g_s), s	15.4	0.0	4.7	12.8	9.5	0.0		
Cycle Q Clear(g_c), s	15.4	0.0	20.1	12.8	9.5	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2053	918	259	1921	815	375		
V/C Ratio(X)	0.62	0.00	0.17	0.55	0.68	0.00		
Avail Cap(c_a), veh/h	2053	918	259	1921	815	375		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	9.0	0.0	15.6	8.4	22.5	0.0		
Incr Delay (d2), s/veh	1.4	0.0	1.4	1.1	4.5	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	12.4	0.0	1.2	10.1	8.6	0.0		
LnGrp Delay(d),s/veh	10.4	0.0	16.9	9.6	27.1	0.0		
LnGrp LOS	B		B	A	C			
Approach Vol, veh/h	1275			1102	553			
Approach Delay, s/veh	10.4			9.9	27.1			
Approach LOS	B			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		44.0		21.0		44.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		37.7		15.4		37.7		
Max Q Clear Time (g_c+I1), s		17.4		11.5		22.1		
Green Ext Time (p_c), s		19.2		1.0		14.9		
Intersection Summary								
HCM 2010 Ctrl Delay			13.3					
HCM 2010 LOS			B					

Intersection												
Int Delay, s/veh	5.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔		↔		↔	↔	↔		↔	↔	
Traffic Vol, veh/h	65	0	31	46	0	74	61	496	2	3	594	61
Future Vol, veh/h	65	0	31	46	0	74	61	496	2	3	594	61
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	0	-	0	130	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	0	2	0	2	0	2	2	2	2	0
Mvmt Flow	74	0	35	52	0	84	69	564	2	3	675	69
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1136	1421	372	1047	-	283	744	0	0	566	0	0
Stage 1	716	716	-	703	-	-	-	-	-	-	-	-
Stage 2	420	705	-	344	-	-	-	-	-	-	-	-
Critical Hdwy	7.5	6.5	6.9	7.54	-	6.94	4.1	-	-	4.14	-	-
Critical Hdwy Stg 1	6.5	5.5	-	6.54	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.5	5.5	-	6.54	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.52	-	3.32	2.2	-	-	2.22	-	-
Pot Cap-1 Maneuver	159	138	631	182	0	714	873	-	-	1002	-	-
Stage 1	392	437	-	394	0	-	-	-	-	-	-	-
Stage 2	587	442	-	645	0	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	131	127	631	161	-	714	873	-	-	1002	-	-
Mov Cap-2 Maneuver	131	127	-	161	-	-	-	-	-	-	-	-
Stage 1	361	436	-	363	-	-	-	-	-	-	-	-
Stage 2	477	407	-	607	-	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	54			21.1			1			0		
HCM LOS	F			C								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	WBLn2	SBL	SBT	SBR			
Capacity (veh/h)	873	-	-	176	161	714	1002	-	-			
HCM Lane V/C Ratio	0.079	-	-	0.62	0.325	0.118	0.003	-	-			
HCM Control Delay (s)	9.5	-	-	54	37.8	10.7	8.6	-	-			
HCM Lane LOS	A	-	-	F	E	B	A	-	-			
HCM 95th %tile Q(veh)	0.3	-	-	3.5	1.3	0.4	0	-	-			

Intersection						
Int Delay, s/veh	24.1					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↑	↑↑	↑	↑
Traffic Vol, veh/h	600	38	226	424	124	331
Future Vol, veh/h	600	38	226	424	124	331
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	Yield
Storage Length	-	-	185	-	150	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	93	93	93	93	93	93
Heavy Vehicles, %	2	0	0	2	0	0
Mvmt Flow	645	41	243	456	133	356
Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	686	0	1380	343
Stage 1	-	-	-	-	666	-
Stage 2	-	-	-	-	714	-
Critical Hdwy	-	-	4.1	-	6.8	6.9
Critical Hdwy Stg 1	-	-	-	-	5.8	-
Critical Hdwy Stg 2	-	-	-	-	5.8	-
Follow-up Hdwy	-	-	2.2	-	3.5	3.3
Pot Cap-1 Maneuver	-	-	917	-	138	659
Stage 1	-	-	-	-	478	-
Stage 2	-	-	-	-	452	-
Platoon blocked, %	-	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	917	-	~ 101	659
Mov Cap-2 Maneuver	-	-	-	-	~ 101	-
Stage 1	-	-	-	-	478	-
Stage 2	-	-	-	-	332	-
Approach	EB		WB		NB	
HCM Control Delay, s	0		3.6		87.1	
HCM LOS					F	
Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBL	WBT
Capacity (veh/h)	101	659	-	-	917	-
HCM Lane V/C Ratio	1.32	0.54	-	-	0.265	-
HCM Control Delay (s)	275	16.7	-	-	10.3	-
HCM Lane LOS	F	C	-	-	B	-
HCM 95th %tile Q(veh)	9.4	3.2	-	-	1.1	-
Notes						
~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon						

Intersection															
Int Delay, s/veh	11.3														
Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR		NBL	NBT	NBR		SBL	SBT	SBR
Lane Configurations															
Traffic Vol, veh/h	0	883	15	0	0	598	4		0	0	138		107	0	41
Future Vol, veh/h	0	883	15	0	0	598	4		0	0	138		107	0	41
Conflicting Peds, #/hr	0	0	0	0	0	0	0		0	0	0		0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Free		Stop	Stop	Stop		Stop	Stop	Stop
RT Channelized	-	-	None	-	-	-	None		-	-	None		-	-	None
Storage Length	130	-	-	-	60	-	-		-	-	0		0	-	0
Veh in Median Storage, #	-	0	-	-	-	0	-		-	0	-		-	0	-
Grade, %	-	0	-	-	-	0	-		-	0	-		-	0	-
Peak Hour Factor	92	92	92	92	92	92	92		92	92	92		92	92	92
Heavy Vehicles, %	2	2	2	2	2	3	2		2	2	2		2	2	2
Mvmt Flow	0	960	16	0	0	650	4		0	0	150		116	0	45
Major/Minor	Major1			Major2			Minor1			Minor2					
Conflicting Flow All	654	0	0	712	-	-	0		-	-	488		1132	-	327
Stage 1	-	-	-	-	-	-	-		-	-	-		652	-	-
Stage 2	-	-	-	-	-	-	-		-	-	-		480	-	-
Critical Hdwy	4.14	-	-	6.44	-	-	-		-	-	6.94		7.54	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	-		-	-	-		6.54	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-	-		-	-	-		6.54	-	-
Follow-up Hdwy	2.22	-	-	2.52	-	-	-		-	-	3.32		3.52	-	3.32
Pot Cap-1 Maneuver	929	-	-	508	0	-	-		0	0	526		158	0	669
Stage 1	-	-	-	-	0	-	-		0	0	-		423	0	-
Stage 2	-	-	-	-	0	-	-		0	0	-		536	0	-
Platoon blocked, %		-	-		-	-									
Mov Cap-1 Maneuver	929	-	-	375	-	-	-		-	-	526		~ 113	-	669
Mov Cap-2 Maneuver	-	-	-	-	-	-	-		-	-	-		~ 113	-	-
Stage 1	-	-	-	-	-	-	-		-	-	-		423	-	-
Stage 2	-	-	-	-	-	-	-		-	-	-		383	-	-
Approach	EB			WB			NB			SB					
HCM Control Delay, s	0			0			14.6			122.4					
HCM LOS							B			F					
Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBU	WBT	WBR	SBLn1	SBLn2						
Capacity (veh/h)	526	929	-	-	375	-	-	113	669						
HCM Lane V/C Ratio	0.285	-	-	-	-	-	-	1.029	0.067						
HCM Control Delay (s)	14.6	0	-	-	0	-	-	165.1	10.8						
HCM Lane LOS	B	A	-	-	A	-	-	F	B						
HCM 95th %tile Q(veh)	1.2	0	-	-	0	-	-	6.8	0.2						
Notes															
~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon															

HCM 2010 Signalized Intersection Summary
 5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

																
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR				
Lane Configurations																
Traffic Volume (veh/h)	114	131	868	347	210	165	346	1676	18	60	1278	69				
Future Volume (veh/h)	114	131	868	347	210	165	346	1676	18	60	1278	69				
Number	3	8	18	7	4	14	1	6	16	5	2	12				
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0				
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00				
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00				
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1845	1863	1863	1863	1900	1863	1863	1863				
Adj Flow Rate, veh/h	124	142	943	377	228	179	376	1822	0	65	1389	0				
Adj No. of Lanes	1	1	1	1	1	1	1	3	0	1	3	1				
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92				
Percent Heavy Veh, %	2	2	2	2	3	2	2	2	2	2	2	2				
Cap, veh/h	68	565	480	324	644	553	257	2055	0	136	1772	552				
Arrive On Green	0.04	0.30	0.30	0.08	0.35	0.35	0.09	0.40	0.00	0.04	0.35	0.00				
Sat Flow, veh/h	1774	1863	1583	1774	1845	1583	1774	5253	0	1774	5085	1583				
Grp Volume(v), veh/h	124	142	943	377	228	179	376	1822	0	65	1389	0				
Grp Sat Flow(s),veh/h/ln	1774	1863	1583	1774	1845	1583	1774	1695	0	1774	1695	1583				
Q Serve(g_s), s	5.0	7.5	39.4	10.4	11.9	10.8	11.8	43.3	0.0	3.0	31.8	0.0				
Cycle Q Clear(g_c), s	5.0	7.5	39.4	10.4	11.9	10.8	11.8	43.3	0.0	3.0	31.8	0.0				
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00				
Lane Grp Cap(c), veh/h	68	565	480	324	644	553	257	2055	0	136	1772	552				
V/C Ratio(X)	1.82	0.25	1.97	1.16	0.35	0.32	1.47	0.89	0.00	0.48	0.78	0.00				
Avail Cap(c_a), veh/h	68	565	480	324	644	553	257	2055	0	142	1772	552				
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00				
Upstream Filter(l)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00				
Uniform Delay (d), s/veh	62.5	34.2	45.3	38.4	31.4	31.0	30.6	36.0	0.0	32.2	38.0	0.0				
Incr Delay (d2), s/veh	419.2	0.2	441.8	101.5	0.2	0.2	229.6	6.1	0.0	1.0	3.6	0.0				
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0				
%ile BackOfQ(95%),veh/ln	18.7	6.9	136.9	30.6	10.2	8.3	35.6	29.0	0.0	2.7	22.0	0.0				
LnGrp Delay(d),s/veh	481.7	34.3	487.1	139.8	31.7	31.3	260.1	42.1	0.0	33.2	41.5	0.0				
LnGrp LOS	F	C	F	F	C	C	F	D		C	D					
Approach Vol, veh/h	1209				784				2198							
Approach Delay, s/veh	433.4				83.6				79.4							
Approach LOS	F				F				E							
Timer	1	2	3	4	5	6	7	8								
Assigned Phs	1	2	3	4	5	6	7	8								
Phs Duration (G+Y+Rc), s	17.4	51.6	10.0	51.0	10.2	58.8	16.0	45.0								
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6								
Max Green Setting (Gmax), s	11.8	45.3	5.0	45.4	5.0	52.1	10.4	39.4								
Max Q Clear Time (g_c+I1), s	13.8	33.8	7.0	13.9	5.0	45.3	12.4	41.4								
Green Ext Time (p_c), s	0.0	11.4	0.0	6.6	0.0	6.8	0.0	0.0								
Intersection Summary																
HCM 2010 Ctrl Delay	145.9															
HCM 2010 LOS	F															

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	758	500	142	1356	311	36		
Future Volume (veh/h)	758	500	142	1356	311	36		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1863	1863		
Adj Flow Rate, veh/h	806	0	151	1443	331	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	2	2	2	2	2	2		
Cap, veh/h	2053	918	418	2053	815	375		
Arrive On Green	0.58	0.00	0.58	0.58	0.24	0.00		
Sat Flow, veh/h	3632	1583	673	3632	3442	1583		
Grp Volume(v), veh/h	806	0	151	1443	331	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	673	1770	1721	1583		
Q Serve(g_s), s	8.1	0.0	10.2	18.8	5.3	0.0		
Cycle Q Clear(g_c), s	8.1	0.0	18.3	18.8	5.3	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2053	918	418	2053	815	375		
V/C Ratio(X)	0.39	0.00	0.36	0.70	0.41	0.00		
Avail Cap(c_a), veh/h	2053	918	418	2053	815	375		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	7.4	0.0	12.4	9.7	20.9	0.0		
Incr Delay (d2), s/veh	0.6	0.0	2.4	2.0	1.5	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	7.3	0.0	3.9	14.7	4.8	0.0		
LnGrp Delay(d),s/veh	8.0	0.0	14.8	11.7	22.4	0.0		
LnGrp LOS	A		B	B	C			
Approach Vol, veh/h	806			1594	331			
Approach Delay, s/veh	8.0			12.0	22.4			
Approach LOS	A			B	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		44.0		21.0		44.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		37.7		15.4		37.7		
Max Q Clear Time (g_c+I1), s		10.1		7.3		20.8		
Green Ext Time (p_c), s		25.7		0.9		16.1		
Intersection Summary								
HCM 2010 Ctrl Delay			12.1					
HCM 2010 LOS			B					

Intersection

Int Delay, s/veh 2.2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Vol, veh/h	30	0	49	0	0	5	60	381	36	47	406	87
Future Vol, veh/h	30	0	49	0	0	5	60	381	36	47	406	87
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	0	-	0	130	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	0	0	0	20	0	2	2	2	3	0
Mvmt Flow	34	0	56	0	0	6	68	433	41	53	461	99

Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	971	1228	280	928	-	237	560	0	0	474	0	0
Stage 1	618	618	-	590	-	-	-	-	-	-	-	-
Stage 2	353	610	-	338	-	-	-	-	-	-	-	-
Critical Hdwy	7.5	6.5	6.9	7.5	-	7.3	4.1	-	-	4.14	-	-
Critical Hdwy Stg 1	6.5	5.5	-	6.5	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.5	5.5	-	6.5	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.5	-	3.5	2.2	-	-	2.22	-	-
Pot Cap-1 Maneuver	210	180	723	226	0	712	1021	-	-	1084	-	-
Stage 1	448	484	-	466	0	-	-	-	-	-	-	-
Stage 2	642	488	-	656	0	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	190	160	723	191	-	712	1021	-	-	1084	-	-
Mov Cap-2 Maneuver	190	160	-	191	-	-	-	-	-	-	-	-
Stage 1	418	460	-	435	-	-	-	-	-	-	-	-
Stage 2	594	455	-	576	-	-	-	-	-	-	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	18.8	10.1	1.1	0.7
HCM LOS	C	B		

Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1WBLn1WBLn2	SBL	SBT	SBR
Capacity (veh/h)	1021	-	-	350	-	712	1084
HCM Lane V/C Ratio	0.067	-	-	0.256	-	0.008	0.049
HCM Control Delay (s)	8.8	-	-	18.8	0	10.1	8.5
HCM Lane LOS	A	-	-	C	A	B	A
HCM 95th %tile Q(veh)	0.2	-	-	1	-	0	0.2

HCM 2010 Signalized Intersection Summary

3: Proposed Site Driveway 2 & Lakeview Pkwy

360 Tech Village

02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑		↵	↑↑	↵	↵		
Traffic Volume (veh/h)	368	93	449	439	51	130		
Future Volume (veh/h)	368	93	449	439	51	130		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1870	1900	1900	1863	1900	1900		
Adj Flow Rate, veh/h	391	99	478	467	54	0		
Adj No. of Lanes	2	0	1	2	1	1		
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94		
Percent Heavy Veh, %	2	2	0	2	0	0		
Cap, veh/h	2080	521	751	2614	139	124		
Arrive On Green	0.74	0.74	0.74	0.74	0.08	0.00		
Sat Flow, veh/h	2910	706	921	3632	1810	1615		
Grp Volume(v), veh/h	245	245	478	467	54	0		
Grp Sat Flow(s),veh/h/ln	1777	1746	921	1770	1810	1615		
Q Serve(g_s), s	2.7	2.8	21.3	2.6	1.8	0.0		
Cycle Q Clear(g_c), s	2.7	2.8	24.1	2.6	1.8	0.0		
Prop In Lane		0.40	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	1312	1289	751	2614	139	124		
V/C Ratio(X)	0.19	0.19	0.64	0.18	0.39	0.00		
Avail Cap(c_a), veh/h	1312	1289	751	2614	139	124		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	2.6	2.6	6.3	2.6	28.5	0.0		
Incr Delay (d2), s/veh	0.3	0.3	1.8	0.0	8.0	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	2.5	2.5	9.6	2.2	2.2	0.0		
LnGrp Delay(d),s/veh	2.9	2.9	8.0	2.6	36.5	0.0		
LnGrp LOS	A	A	A	A	D			
Approach Vol, veh/h	490			945	54			
Approach Delay, s/veh	2.9			5.3	36.5			
Approach LOS	A			A	D			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		54.0		11.0		54.0		
Change Period (Y+Rc), s		6.0		6.0		6.0		
Max Green Setting (Gmax), s		48.0		5.0		48.0		
Max Q Clear Time (g_c+I1), s		4.8		3.8		26.1		
Green Ext Time (p_c), s		13.2		0.0		10.2		
Intersection Summary								
HCM 2010 Ctrl Delay			5.7					
HCM 2010 LOS			A					

Intersection

Int Delay, s/veh 0.5

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations													
Traffic Vol, veh/h	16	458	31	0	0	900	135	0	0	34	5	0	3
Future Vol, veh/h	16	458	31	0	0	900	135	0	0	34	5	0	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	-	None	-	-	None	-	-	None
Storage Length	130	-	-	-	60	-	-	-	-	0	0	-	0
Veh in Median Storage, #	-	0	-	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	94	94	94	92	94	94	94	94	94	94	94	94	94
Heavy Vehicles, %	2	2	4	2	2	2	2	2	2	2	2	2	2
Mvmt Flow	17	487	33	0	0	957	144	0	0	36	5	0	3

Major/Minor	Major1			Major2			Minor1			Minor2			
Conflicting Flow All	1101	0	0	379	-	-	0	-	-	260	1307	-	551
Stage 1	-	-	-	-	-	-	-	-	-	-	1029	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	278	-	-
Critical Hdwy	4.14	-	-	6.44	-	-	-	-	-	6.94	7.54	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Follow-up Hdwy	2.22	-	-	2.52	-	-	-	-	-	3.32	3.52	-	3.32
Pot Cap-1 Maneuver	630	-	-	826	0	-	-	0	0	739	117	0	478
Stage 1	-	-	-	-	0	-	-	0	0	-	250	0	-
Stage 2	-	-	-	-	0	-	-	0	0	-	705	0	-
Platoon blocked, %		-	-			-	-						
Mov Cap-1 Maneuver	630	-	-	788	-	-	-	-	-	739	109	-	478
Mov Cap-2 Maneuver	-	-	-	-	-	-	-	-	-	-	109	-	-
Stage 1	-	-	-	-	-	-	-	-	-	-	243	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	652	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	0	10.1	29.5
HCM LOS			B	D

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	739	630	-	-	788	-	-	109	478
HCM Lane V/C Ratio	0.049	0.027	-	-	-	-	-	0.049	0.007
HCM Control Delay (s)	10.1	10.9	-	-	0	-	-	39.7	12.6
HCM Lane LOS	B	B	-	-	A	-	-	E	B
HCM 95th %tile Q(veh)	0.2	0.1	-	-	0	-	-	0.2	0

HCM 2010 Signalized Intersection Summary
 5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	41	154	269	38	165	61	714	1070	159	216	1261	84
Future Volume (veh/h)	41	154	269	38	165	61	714	1070	159	216	1261	84
Number	3	8	18	7	4	14	1	6	16	5	2	12
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Adj Sat Flow, veh/h/ln	1863	1863	1827	1863	1863	1863	1863	1863	1900	1863	1863	1863
Adj Flow Rate, veh/h	44	164	286	40	176	65	760	1138	0	230	1341	0
Adj No. of Lanes	1	1	2	1	1	1	2	3	0	1	3	1
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	2	2	4	2	2	2	2	2	2	2	2	2
Cap, veh/h	57	214	968	135	218	185	823	3004	0	427	2232	695
Arrive On Green	0.03	0.11	0.11	0.03	0.12	0.12	0.24	0.59	0.00	0.09	0.44	0.00
Sat Flow, veh/h	1774	1863	2733	1774	1863	1583	3442	5253	0	1774	5085	1583
Grp Volume(v), veh/h	44	164	286	40	176	65	760	1138	0	230	1341	0
Grp Sat Flow(s),veh/h/ln	1774	1863	1367	1774	1863	1583	1721	1695	0	1774	1695	1583
Q Serve(g_s), s	3.2	11.1	9.8	2.6	12.0	4.9	28.0	15.3	0.0	9.2	26.1	0.0
Cycle Q Clear(g_c), s	3.2	11.1	9.8	2.6	12.0	4.9	28.0	15.3	0.0	9.2	26.1	0.0
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00
Lane Grp Cap(c), veh/h	57	214	968	135	218	185	823	3004	0	427	2232	695
V/C Ratio(X)	0.78	0.77	0.30	0.30	0.81	0.35	0.92	0.38	0.00	0.54	0.60	0.00
Avail Cap(c_a), veh/h	82	264	1041	157	264	224	990	3004	0	529	2232	695
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00
Uniform Delay (d), s/veh	62.5	55.8	30.3	49.2	56.0	52.9	48.3	14.0	0.0	16.8	27.8	0.0
Incr Delay (d2), s/veh	14.6	9.3	0.1	0.4	13.3	0.8	11.3	0.4	0.0	0.4	1.2	0.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(95%),veh/ln	3.2	10.4	6.7	2.3	11.3	3.9	20.9	11.7	0.0	7.9	18.2	0.0
LnGrp Delay(d),s/veh	77.0	65.1	30.4	49.6	69.3	53.7	59.6	14.4	0.0	17.2	29.0	0.0
LnGrp LOS	E	E	C	D	E	D	E	B		B	C	
Approach Vol, veh/h		494			281			1898			1571	
Approach Delay, s/veh		46.1			62.9			32.5			27.3	
Approach LOS		D			E			C			C	
Timer	1	2	3	4	5	6	7	8				
Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	36.7	63.4	9.1	20.8	17.0	83.1	9.4	20.5				
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6				
Max Green Setting (Gmax), s	37.4	45.7	6.0	18.4	18.9	64.2	5.4	18.4				
Max Q Clear Time (g_c+I1), s	30.0	28.1	5.2	14.0	11.2	17.3	4.6	13.1				
Green Ext Time (p_c), s	1.1	16.6	0.0	1.2	0.2	41.3	0.0	1.4				
Intersection Summary												
HCM 2010 Ctrl Delay			34.2									
HCM 2010 LOS			C									

HCM 2010 Signalized Intersection Summary

1: Lakeview Pkwy & Morrison Pkwy

360 Tech Village
02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑	↑	↑	↑↑	↑↑	↑		
Traffic Volume (veh/h)	1186	462	40	985	514	143		
Future Volume (veh/h)	1186	462	40	985	514	143		
Number	2	12	1	6	7	14		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1863	1863	1863	1743	1863	1863		
Adj Flow Rate, veh/h	1275	0	43	1059	553	0		
Adj No. of Lanes	2	1	1	2	2	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	2	9	2	2		
Cap, veh/h	2053	918	259	1921	815	375		
Arrive On Green	0.58	0.00	0.58	0.58	0.24	0.00		
Sat Flow, veh/h	3632	1583	432	3399	3442	1583		
Grp Volume(v), veh/h	1275	0	43	1059	553	0		
Grp Sat Flow(s),veh/h/ln	1770	1583	432	1656	1721	1583		
Q Serve(g_s), s	15.4	0.0	4.7	12.8	9.5	0.0		
Cycle Q Clear(g_c), s	15.4	0.0	20.1	12.8	9.5	0.0		
Prop In Lane		1.00	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	2053	918	259	1921	815	375		
V/C Ratio(X)	0.62	0.00	0.17	0.55	0.68	0.00		
Avail Cap(c_a), veh/h	2053	918	259	1921	815	375		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(l)	1.00	0.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	9.0	0.0	15.6	8.4	22.5	0.0		
Incr Delay (d2), s/veh	1.4	0.0	1.4	1.1	4.5	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	12.4	0.0	1.2	10.1	8.6	0.0		
LnGrp Delay(d),s/veh	10.4	0.0	16.9	9.6	27.1	0.0		
LnGrp LOS	B		B	A	C			
Approach Vol, veh/h	1275			1102	553			
Approach Delay, s/veh	10.4			9.9	27.1			
Approach LOS	B			A	C			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4		6		
Phs Duration (G+Y+Rc), s		44.0		21.0		44.0		
Change Period (Y+Rc), s		6.3		5.6		6.3		
Max Green Setting (Gmax), s		37.7		15.4		37.7		
Max Q Clear Time (g_c+I1), s		17.4		11.5		22.1		
Green Ext Time (p_c), s		19.2		1.0		14.9		
Intersection Summary								
HCM 2010 Ctrl Delay			13.3					
HCM 2010 LOS			B					

Intersection												
Int Delay, s/veh	5.8											
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↔		↔		↔	↔	↔		↔	↔	
Traffic Vol, veh/h	65	0	31	46	0	74	61	496	2	3	594	61
Future Vol, veh/h	65	0	31	46	0	74	61	496	2	3	594	61
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Stop	Stop	Stop	Stop	Stop	Stop	Free	Free	Free	Free	Free	Free
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	0	-	0	130	-	-	100	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	88	88	88	88	88	88	88	88	88	88	88	88
Heavy Vehicles, %	0	0	0	2	0	2	0	2	2	2	2	0
Mvmt Flow	74	0	35	52	0	84	69	564	2	3	675	69
Major/Minor	Minor2			Minor1			Major1			Major2		
Conflicting Flow All	1136	1421	372	1047	-	283	744	0	0	566	0	0
Stage 1	716	716	-	703	-	-	-	-	-	-	-	-
Stage 2	420	705	-	344	-	-	-	-	-	-	-	-
Critical Hdwy	7.5	6.5	6.9	7.54	-	6.94	4.1	-	-	4.14	-	-
Critical Hdwy Stg 1	6.5	5.5	-	6.54	-	-	-	-	-	-	-	-
Critical Hdwy Stg 2	6.5	5.5	-	6.54	-	-	-	-	-	-	-	-
Follow-up Hdwy	3.5	4	3.3	3.52	-	3.32	2.2	-	-	2.22	-	-
Pot Cap-1 Maneuver	159	138	631	182	0	714	873	-	-	1002	-	-
Stage 1	392	437	-	394	0	-	-	-	-	-	-	-
Stage 2	587	442	-	645	0	-	-	-	-	-	-	-
Platoon blocked, %								-	-		-	-
Mov Cap-1 Maneuver	131	127	631	161	-	714	873	-	-	1002	-	-
Mov Cap-2 Maneuver	131	127	-	161	-	-	-	-	-	-	-	-
Stage 1	361	436	-	363	-	-	-	-	-	-	-	-
Stage 2	477	407	-	607	-	-	-	-	-	-	-	-
Approach	EB			WB			NB			SB		
HCM Control Delay, s	54			21.1			1			0		
HCM LOS	F			C								
Minor Lane/Major Mvmt	NBL	NBT	NBR	EBLn1	WBLn1	WBLn2	SBL	SBT	SBR			
Capacity (veh/h)	873	-	-	176	161	714	1002	-	-			
HCM Lane V/C Ratio	0.079	-	-	0.62	0.325	0.118	0.003	-	-			
HCM Control Delay (s)	9.5	-	-	54	37.8	10.7	8.6	-	-			
HCM Lane LOS	A	-	-	F	E	B	A	-	-			
HCM 95th %tile Q(veh)	0.3	-	-	3.5	1.3	0.4	0	-	-			

HCM 2010 Signalized Intersection Summary

3: Proposed Site Driveway 2 & Lakeview Pkwy

360 Tech Village

02/16/2017

								
Movement	EBT	EBR	WBL	WBT	NBL	NBR		
Lane Configurations	↑↑		↖	↑↑	↖	↗		
Traffic Volume (veh/h)	600	38	226	424	124	331		
Future Volume (veh/h)	600	38	226	424	124	331		
Number	4	14	3	8	5	12		
Initial Q (Qb), veh	0	0	0	0	0	0		
Ped-Bike Adj(A_pbT)		1.00	1.00		1.00	1.00		
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00		
Adj Sat Flow, veh/h/ln	1865	1900	1900	1863	1900	1900		
Adj Flow Rate, veh/h	645	41	243	456	133	0		
Adj No. of Lanes	2	0	1	2	1	1		
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93		
Percent Heavy Veh, %	2	2	0	2	0	0		
Cap, veh/h	1801	114	444	1883	484	432		
Arrive On Green	0.53	0.53	0.53	0.53	0.27	0.00		
Sat Flow, veh/h	3477	215	768	3632	1810	1615		
Grp Volume(v), veh/h	337	349	243	456	133	0		
Grp Sat Flow(s),veh/h/ln	1772	1827	768	1770	1810	1615		
Q Serve(g_s), s	6.6	6.6	16.0	4.1	3.5	0.0		
Cycle Q Clear(g_c), s	6.6	6.6	22.6	4.1	3.5	0.0		
Prop In Lane		0.12	1.00		1.00	1.00		
Lane Grp Cap(c), veh/h	943	972	444	1883	484	432		
V/C Ratio(X)	0.36	0.36	0.55	0.24	0.27	0.00		
Avail Cap(c_a), veh/h	1095	1129	510	2188	484	432		
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00		
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	0.00		
Uniform Delay (d), s/veh	8.1	8.1	14.6	7.5	17.3	0.0		
Incr Delay (d2), s/veh	0.2	0.2	1.1	0.1	1.4	0.0		
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0		
%ile BackOfQ(95%),veh/ln	5.8	6.0	6.3	3.6	3.5	0.0		
LnGrp Delay(d),s/veh	8.3	8.3	15.7	7.6	18.7	0.0		
LnGrp LOS	A	A	B	A	B			
Approach Vol, veh/h	686			699	133			
Approach Delay, s/veh	8.3			10.4	18.7			
Approach LOS	A			B	B			
Timer	1	2	3	4	5	6	7	8
Assigned Phs		2		4				8
Phs Duration (G+Y+Rc), s		22.0		37.8				37.8
Change Period (Y+Rc), s		6.0		6.0				6.0
Max Green Setting (Gmax), s		16.0		37.0				37.0
Max Q Clear Time (g_c+I1), s		5.5		8.6				24.6
Green Ext Time (p_c), s		0.2		11.6				7.2
Intersection Summary								
HCM 2010 Ctrl Delay			10.2					
HCM 2010 LOS			B					

Intersection

Int Delay, s/veh 11.3

Movement	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations													
Traffic Vol, veh/h	0	883	15	0	0	598	4	0	0	138	107	0	41
Future Vol, veh/h	0	883	15	0	0	598	4	0	0	138	107	0	41
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	-	None	-	-	None	-	-	None
Storage Length	130	-	-	-	60	-	-	-	-	0	0	-	0
Veh in Median Storage, #	-	0	-	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	92	92	92	92	92	92	92	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	3	2	2	2	2	2	2	2
Mvmt Flow	0	960	16	0	0	650	4	0	0	150	116	0	45

Major/Minor	Major1			Major2			Minor1			Minor2			
Conflicting Flow All	654	0	0	712	-	-	0	-	-	488	1132	-	327
Stage 1	-	-	-	-	-	-	-	-	-	-	652	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	480	-	-
Critical Hdwy	4.14	-	-	6.44	-	-	-	-	-	6.94	7.54	-	6.94
Critical Hdwy Stg 1	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Critical Hdwy Stg 2	-	-	-	-	-	-	-	-	-	-	6.54	-	-
Follow-up Hdwy	2.22	-	-	2.52	-	-	-	-	-	3.32	3.52	-	3.32
Pot Cap-1 Maneuver	929	-	-	508	0	-	-	0	0	526	158	0	669
Stage 1	-	-	-	-	0	-	-	0	0	-	423	0	-
Stage 2	-	-	-	-	0	-	-	0	0	-	536	0	-
Platoon blocked, %		-	-			-	-						
Mov Cap-1 Maneuver	929	-	-	375	-	-	-	-	-	526	~ 113	-	669
Mov Cap-2 Maneuver	-	-	-	-	-	-	-	-	-	-	~ 113	-	-
Stage 1	-	-	-	-	-	-	-	-	-	-	423	-	-
Stage 2	-	-	-	-	-	-	-	-	-	-	383	-	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0	0	14.6	122.4
HCM LOS			B	F

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBU	WBT	WBR	SBLn1	SBLn2
Capacity (veh/h)	526	929	-	-	375	-	-	113	669
HCM Lane V/C Ratio	0.285	-	-	-	-	-	-	1.029	0.067
HCM Control Delay (s)	14.6	0	-	-	0	-	-	165.1	10.8
HCM Lane LOS	B	A	-	-	A	-	-	F	B
HCM 95th %tile Q(veh)	1.2	0	-	-	0	-	-	6.8	0.2

Notes

~: Volume exceeds capacity \$: Delay exceeds 300s +: Computation Not Defined *: All major volume in platoon

HCM 2010 Signalized Intersection Summary
 5: Haynes Bridge Rd & Lakeview Pkwy/Northwinds Pkwy

360 Tech Village

02/16/2017

																
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR				
Lane Configurations																
Traffic Volume (veh/h)	114	131	868	347	210	165	346	1676	18	60	1278	69				
Future Volume (veh/h)	114	131	868	347	210	165	346	1676	18	60	1278	69				
Number	3	8	18	7	4	14	1	6	16	5	2	12				
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0				
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00				
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00				
Adj Sat Flow, veh/h/ln	1863	1863	1863	1863	1845	1863	1863	1863	1900	1863	1863	1863				
Adj Flow Rate, veh/h	124	142	943	377	228	179	376	1822	0	65	1389	0				
Adj No. of Lanes	1	1	2	1	1	1	2	3	0	1	3	1				
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92	0.92				
Percent Heavy Veh, %	2	2	2	2	3	2	2	2	2	2	2	2				
Cap, veh/h	149	450	1017	358	518	445	424	2171	0	146	1724	537				
Arrive On Green	0.08	0.24	0.24	0.12	0.28	0.28	0.12	0.43	0.00	0.04	0.34	0.00				
Sat Flow, veh/h	1774	1863	2787	1774	1845	1583	3442	5253	0	1774	5085	1583				
Grp Volume(v), veh/h	124	142	943	377	228	179	376	1822	0	65	1389	0				
Grp Sat Flow(s),veh/h/ln	1774	1863	1393	1774	1845	1583	1721	1695	0	1774	1695	1583				
Q Serve(g_s), s	9.0	8.1	31.4	15.4	13.2	11.9	14.0	41.6	0.0	3.1	32.3	0.0				
Cycle Q Clear(g_c), s	9.0	8.1	31.4	15.4	13.2	11.9	14.0	41.6	0.0	3.1	32.3	0.0				
Prop In Lane	1.00		1.00	1.00		1.00	1.00		0.00	1.00		1.00				
Lane Grp Cap(c), veh/h	149	450	1017	358	518	445	424	2171	0	146	1724	537				
V/C Ratio(X)	0.83	0.32	0.93	1.05	0.44	0.40	0.89	0.84	0.00	0.45	0.81	0.00				
Avail Cap(c_a), veh/h	218	450	1017	358	518	445	434	2171	0	152	1724	537				
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00				
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	0.00	1.00	1.00	0.00				
Uniform Delay (d), s/veh	58.7	40.5	39.6	38.2	38.4	37.9	56.1	33.3	0.0	31.1	39.1	0.0				
Incr Delay (d2), s/veh	10.9	0.3	14.0	62.0	0.4	0.4	18.4	4.1	0.0	0.8	4.1	0.0				
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0				
%ile BackOfQ(95%),veh/ln	8.5	7.6	25.1	37.9	11.0	9.0	12.3	27.6	0.0	2.8	22.2	0.0				
LnGrp Delay(d),s/veh	69.6	40.8	53.6	100.2	38.8	38.3	74.5	37.4	0.0	31.9	43.2	0.0				
LnGrp LOS	E	D	D	F	D	D	E	D		C	D					
Approach Vol, veh/h	1209				784				2198							
Approach Delay, s/veh	53.7				68.2				43.7							
Approach LOS	D				E				D							
Timer	1	2	3	4	5	6	7	8								
Assigned Phs	1	2	3	4	5	6	7	8								
Phs Duration (G+Y+Rc), s	21.6	50.4	15.9	42.1	10.2	61.8	21.0	37.0								
Change Period (Y+Rc), s	5.6	6.3	5.0	5.6	5.6	6.3	5.6	5.6								
Max Green Setting (Gmax), s	16.4	43.7	16.0	31.4	5.1	55.0	15.4	31.4								
Max Q Clear Time (g_c+I1), s	16.0	34.3	11.0	15.2	5.1	43.6	17.4	33.4								
Green Ext Time (p_c), s	0.0	9.3	0.1	5.5	0.0	11.3	0.0	0.0								
Intersection Summary																
HCM 2010 Ctrl Delay	49.0															
HCM 2010 LOS	D															

Taylor, Elicia

From: Woodman, Michael
Sent: Thursday, October 27, 2016 2:54 PM
To: Taylor, Elicia
Subject: FW: I am opposed to the Peridot project!

This needs to go with PC packet for Met Life. Thanks.

From: Taylor, Elicia
Sent: Friday, September 23, 2016 10:54 AM
To: Pamela Reddeman <mochamepam@yahoo.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Re: I am opposed to the Peridot project!

Ms. Reddeman,

I will forward this to the Planning Commission and City Council.

I want to make sure you are aware; This item has been deferred by Staff until November. It will not be heard in October.

Thank you.

From: Pamela Reddeman <mochamepam@yahoo.com>
Sent: Friday, September 23, 2016 10:23:54 AM
To: Taylor, Elicia
Subject: I am opposed to the Peridot project!

Dear Ms. Taylor:

I am hoping you can forward this to the planning commission and city council.

I have recently learned about a mixed use development planned for Haynes Bridge near the Quick Trip (Peridot).

I live off Mayfield Road, and am currently experiencing first hand the results of additional homes and traffic in a negative way, and I would like to voice my opposition in whatever way possible to the scope of this proposed project.

During the research and planning stages of the rezoning for the Sharp properties almost four years ago, existing residents were told there would be minimal impact on traffic from the 106 homes for the Hearthstone project. While the second phase of Hearthstone is nowhere near complete, and the third phase barely started, the impact on my morning commute down Mayfield Road has been quite substantial. At 8:45 am on a weekday morning, the drive down Mayfield Rd. from Colony Dr. to Main St. used to take less than 5 minutes; most mornings now it takes at least 15 minutes. There is only one alternate route, so there is not really anyway to avoid this congestion. Bottom line is that too many homes have been added, with no substantiating road infrastructure in place to offset the increase in traffic (mainly because a traffic study downplayed the impact, encouraging the higher

density development proposal to be passed). My fear is that the Peridot project will cause even worse traffic problems due to its size and the density proposed. Haynes Bridge Road already has enough congestion, and I didn't see plans to widen it included in the proposal.

Additionally, there are already too many rental units in this area of Alpharetta. Adding 430 apartments and 70 townhomes, in addition to the townhomes that are currently under construction in the same area, will make traffic on Haynes Bridge ridiculous, despite another (bogus) traffic study that might claim otherwise.

The continued increases in construction, rental units and its resultant traffic are all adversely impacting the quality of life for the current residents of Alpharetta. I am hoping that members of the planning commission and city council care enough about this city to not continue changing the quality of life for this city.

Sincerely,

Pam Reddeman
1081 Colony Drive, Alpharetta, GA 30009
mochamepam@yahoo.com

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: TPA/Fuqua Development/Periodot MP-16-13; Z-16-1; CU-16-19; V-16-25

Contact Name: Kathryn M. Zickert, ESq.

Telephone: 404-815-3500

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.

Notice of filing of these Applications were mailed to all property owners within 500 feet on August 8, 2016. Copies are attached.

To date, we have not received any inquiries or comments in response to the notices. We will supplement if any inquiries are

received at a later date.

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: Kathryn M Zickert

Date: 9/15/14

Print Form

Promenade, Suite 3100
1230 Peachtree Street, N.E.
Atlanta, Georgia 30309-3592
Main: (404) 815-3500
www.sgrlaw.com

SMITH, GAMBRELL & RUSSELL LLP
Attorneys at Law

Kathryn M. Zickert
Direct Tel: (404) 815-3704
Direct Fax: (404) 685-7004
kmzickert@sgrlaw.com

August 8, 2016

American Honda Motor Company, Inc.
1500 Morrison Parkway
Alpharetta, Georgia 30009

This letter is to inform you that a Public Hearing Application has been submitted to the City of Alpharetta Community Development Department for property located at 2325 Lakeview Parkway, which adjoins your property.

Please be advised of the following information pertaining to the applications and public hearings:

CASE NUMBERS: PHA-16-0049	APPLICANT NAME: TPA Group and Fuqua Development Company
MASTER PLAN AMENDMENT: 62.47 acres REZONE REQUEST: From O-I to M-U (15.51 acres) VARIANCE REQUESTS: (1) allow for private roads; (2) waive prohibition upon liquor sales within certain distance of residential units; (3) eliminate requirement for retail under residential on part of two sides of the building; and (4) allow commercial component to constitute 23.1% of the use mix. CONDITIONAL USE PERMITS: (1) allow 430 "for rent" units in the Master Plan; (2) allow a bank or savings and loan; (3) allow private indoor recreational facilities; and (4) allow a spa facility.	PROPERTY SIZE: +/- 62.47 acres
STREET LOCATION: 2845 Old Milton Parkway	CONTACT PERSON: Kathryn M. Zickert TELEPHONE NUMBER: (404) 815-3500
PROPOSED DEVELOPMENT: Master Planned Community	

CITY COUNCIL HEARING October 24, 2016 at 6:30 P.M.	
PUBLIC HEARING LOCATION:	Alpharetta City Hall 2 Park Plaza, Council Chambers Alpharetta, Georgia



American Honda Motor Company, Inc.
August 8, 2016
Page 2

If you have any questions regarding this project or would like detailed information regarding this project, please feel free to contact me at the number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathryn Zickert", with a long horizontal flourish extending to the right.

Kathryn M. Zickert
Attorney

Enclosure: Application file 8/1/16

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1230 Peachtree Street, N.E.
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SMITH, GAMBRELL & RUSSELL LLP
Attorneys at Law

Kathryn M. Zickert
Direct Tel: (404) 815-3704
Direct Fax: (404) 685-7004
kuzickert@sgrlaw.com

August 8, 2016

Fulton Science Academy, Inc.
3035 Fanfare Way
Alpharetta, Georgia 30009

This letter is to inform you that a Public Hearing Application has been submitted to the City of Alpharetta Community Development Department for property located at 2325 Lakeview Parkway, which adjoins your property.

Please be advised of the following information pertaining to the applications and public hearings:

CASE NUMBERS: PHA-16-0049	APPLICANT NAME: TPA Group and Fuqua Development Company
MASTER PLAN AMENDMENT: 62.47 acres REZONE REQUEST: From O-I to M-U (15.51 acres) VARIANCE REQUESTS: (1) allow for private roads; (2) waive prohibition upon liquor sales within certain distance of residential units; (3) eliminate requirement for retail under residential on part of two sides of the building; and (4) allow commercial component to constitute 23.1% of the use mix. CONDITIONAL USE PERMITS: (1) allow 430 "for rent" units in the Master Plan; (2) allow a bank or savings and loan; (3) allow private indoor recreational facilities; and (4) allow a spa facility.	PROPERTY SIZE: +/- 62.47 acres
STREET LOCATION: 2845 Old Milton Parkway	CONTACT PERSON: Kathryn M. Zickert TELEPHONE NUMBER: (404) 815-3500
PROPOSED DEVELOPMENT: Master Planned Community	

CITY COUNCIL HEARING
October 24, 2016 at 6:30 P.M.

PUBLIC HEARING LOCATION: Alpharetta City Hall
2 Park Plaza, Council Chambers
Alpharetta, Georgia



Fulton Science Academy, Inc.
August 8, 2016
Page 2

If you have any questions regarding this project or would like detailed information regarding this project, please feel free to contact me at the number listed above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kathryn Zickert', written in a cursive style.

Kathryn M. Zickert
Attorney

Enclosure: Application file 8/1/16

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION AMENDED

FOR OFFICE USE ONLY

MP-16-13; Z-16-1

Case #: CU-16-19; V-16-25

☐ Fee Paid

Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

1. This page should be the first page in each of your completed application packets.
2. It is preferred that all responses be typed. Illegible applications will not be accepted.
3. Prior to signing and submitting your application, please check all information supplied on the following pages to ensure that all responses are complete and accurate. Incomplete applications will not be accepted.
4. Payment of all applicable fees must be made at the time of application. Payment may be made via cash, credit card (American Express, Master Card or Visa), or check made payable to "City of Alpharetta."
5. Applications will be accepted only on the designated submittal dates between the hours of 8:30 AM and 3:30 PM.
6. If you have any questions regarding this form, please contact the Community Development Department by calling 678-297-6070.

Contact Information:

Contact Name: Kathryn M. Zickert

Telephone: 404-815-3704

Address: 1230 Peachtree St., NE

Suite: 3100

City Atlanta

State: GA

Zip: 30309

Fax: 404-685-7004

Mobile Tel: 404-906-2792

Email: kmzickert@sgrlaw.com

Subject Property Information:

Address: See Attachment A

Current Zoning: O-1 / MU

District: 1

Section: 2

Land Lot: See Att. A

Parcel ID: See Attachment A

Proposed Zoning: MU

Current Use: In use for three office buildings, mixed office/retail/residential use is already approved for this site

This Application For (Check All That Apply):

☒ Conditional Use

☒ Master Plan Amendment

☒ Rezoning

☐ Master Plan Review

☒ Variance

☒ Public Hearing

☐ Comprehensive Plan Amendment

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

Mixed use community, 62.47 acres, density is 8/units per acre

420 for rent units

70 for sale units

14,800 GSF retail

36,400 GSF restaurant

664,400 GSF office

Up to 200 room hotel

22.49 acres of green space

TOTAL LOT COVERAGE 40.4%

Applicant's Request (Please itemize the proposal):

To amend the Master Plan for 47.05 acre tract currently zoned MU. The specific conditions of master plan approval are listed on Attachment B

To rezone the 15.51 acre tract currently zoned O-I to M-U and to be attached to the 47.05 acre tract and subject it to the new Master Plan.

To secure variances: (1) to eliminate requirement for retail under residential on part of two sides of the residential buildings "for rent" as shown in Site Plan dated 9/28/16; and (2) to allow a minimum 3,000 square foot grocery store.

To secure three Conditional Use Permits: (1) to allow 430 "for rent" units in the Master Plan; (2) to allow a bank or savings and loan; and (3) to allow a hotel with up to 200 rooms.

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

See attached Amended Letter of Intent

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The property is already zoned for very similar uses and is surrounded by compatible non-residential property

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

This proposal will not have any negative impact upon the use and value of surrounding properties, to the contrary, their use and value should be improved

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

The current number of "for sale" units in stacked flat format cannot be financed at this time in light of current market conditions

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

Traffic generation numbers are in the Letter of Intent. Kimley Horn is updating its 2015 study and it will be filed with the City. Projected for rent occupancy is set forth in the attached Amended Letter of Intent, projected for sale occupancy is 140.

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

There are fewer residential units in the requested project than is currently zoned. Additionally, the price points and bedroom mixes are such that school age child generation should be normal

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

The project is fully compliant with the Comprehensive Plan and FLUM which is mixed use. The project is also fully compliant with the North Point Activity Center LCI Study (2008).

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

Yes. The recent additional "for rent" approval of 276 residential rental units in Avalon, as well as those in City Center, signifies the appropriateness of rental product in a mixed use community. Additionally, the MU regulations expressly contemplate this type of planned community. This project is consistent with the May 22, 2015 City of Alpharetta Rental Housing Study.

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.

See Amended Letter of Intent

Promenade, Suite 3100
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SMITH, GAMBRELL & RUSSELL, LLP
Attorneys at Law

Kathryn M. Zickert
Direct Tel: 404-815-3704
Direct Fax: 404-685-7004
kzickert@sgrlaw.com

October 3, 2016



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

Re: Amended Application of Fuqua Development Company ("Fuqua") and the TPA Group ("TPA") to rezone 15.51 acres of property from O-I to MU and to Subject it to a Master Plan; to Amend a Master Plan and Change Zoning Conditions for 47.05 acres of land zoned MU; to Obtain Four Conditional Use Permit(s) and to Obtain Four Concurrent Variances; all in the Northwest Quadrant of Georgia 400 and Haynes Bridge Road, Land Lots 698, 699, 744, 745, 752, 753, 1st District, 2nd Section, Fulton County, Georgia

Dear Ms. Cook:

Please accept this letter as the Amended Letter of Intent for the above-referenced Applications. As you know I represent Fuqua and TPA in their efforts to rezone certain property from O-I to MU, to subject what was the O-I tract to a new Mixed Use Master Plan, and to modify a Master Plan and certain conditions of zoning relative to the mixed use development formerly known as "Peridot". Additionally, the Applicants need three Conditional Use Permits for (1) "for rent" units; (2) a full service hotel with up to 200 rooms; and (3) a bank. Fuqua and TPA also require two variances. Given the technology and office focus of the present plan, we have revised multiple aspects of the prior Master Plan. The project will blend office, retail, restaurant and residential uses into a development that will stand out from all other current mixed use developments in the City. The first phase of the project will set the tone for the entire project and will feature buildings that reference the classic architecture found in the early 1900s. The distinctive structures will blend with more modern steel and glass buildings in a second phase that will speak to the project's desire to bring people together to think creatively and to create a youthful and energetic environment that advances excellence.

The former Peridot plan for a mixed use, Master Planned Community was approved on the 47.05 acre tract in 2012. The O-I tract is part of a contiguous site zoned in 1988 and which contains 406,853 square feet of office space in three mid-rise buildings (6 to 7 stories). This



application adds an additional 15.51 acres zoned O-I to the site which includes the lake and the O-I land surrounding it. Rather than seeking to build this property as a typical office park of the type which abounded in the 80's and 90's, this tract has been held in stewardship in the hopes that ultimately it could be developed in a manner which focused upon its natural beauty. Prime among these features is the 10.16 acre lake which exists in the southwest corner of the site, and which will be one of its primary focal points. Also prime among these features is the Developers' commitment to incorporate a segment of the City's Outer Trail Loop. The third focal point is both park space at the front of the development where Haynes Bridge intersects with Lakeview Parkway (37,600 square feet), as well as the 33,506 square foot park space intended to help activate the existing lake on the property.

This project is intended to be a community in and of itself, complete with multiple dining options, office space, grocery, retail uses and residences. But it will also be a community which invites others into its center with a particular focus on the lake and multiple parks throughout the development. Most parking has been neatly tucked behind buildings and effectively screened. The project includes a roundabout, on-street parking, and linear parks as inherent traffic calming and pedestrian-friendly measures. This project, unlike some of the other mixed use developments in Atlanta, is not trying to be a huge traffic/customer draw. Instead it is intended to create a district with a full interrelationship between its residents and these nonresidential uses.

Please accept this correspondence as our Amended Letter of Intent for this Application.

I. Project Description

A. **Summary**

The Subject Property contains 62.47 acres presently zoned MU-10 (47.05 acres) and O-I (15.51 acres). It is bounded by Haynes Bridge Road on its northeastern border; the interchange and on ramp of Haynes Bridge and GA 400 and GA 400 itself to the southeast, property zoned Light Industrial and developed for the America Honda Motor facility to the west; and Westside/Morrison Parkway to the north. To the north of Westside/Morrison Parkway is property zoned office institutional and currently in use by Federal Express. East of Haynes Bridge Road are a number of tracts zoned office and a number of nonresidential uses including hotels, restaurants, an office and a bank. South of Georgia 400 is North Point Mall. The overall site is bisected by a four lane internal boulevard known as Lakeview Parkway, which serves as a connection between Northwinds Parkway and Westside Parkway. The general nature of the area as a whole is nonresidential, with a heavy emphasis upon office development with commercial outparcels.

At present three six- or seven-story office buildings have been constructed on TPA's adjacent property. They total 406,853 square feet of office space. Two are to the north of Lakeview Parkway; the third is on part of the O-I land to be rezoned to Mixed Use as proposed herein. Occupancy of these buildings is very high, with a census of 93.6%. The existing offices

alone are capable of accommodating 2,034 employees. This project contains 150% more office space, and translates into 3,322 new employees. It is these total employees who will eat, shop, and even live here.

The proposed 37,600± square foot park which fronts Lakeview Parkway, and which echoes the large green lawn that many Alpharetta residents equate to this property, is the focal point of Phase I. It will be rimmed with ground floor retail and restaurant uses, as well as a four-story office building. Restaurants will have sidewalk seating opportunities, and the park will provide further opportunities for passive and recreational uses and to enjoy food purchased from the surrounding providers. It will become a public gathering opportunity for such things as arts and crafts fairs, concerts, yoga classes, and impromptu athletic events with many programmed events each year. Parking will be allowed on the streets which surround it to afford easy access, and 10-foot sidewalks and bicycle lanes will surround it as well. Essentially it will emulate Bryant Park in New York City: a 40,000 square foot public space that has been revitalized and is considered one of the greatest public spaces in the country.

The boutique office space which faces the Park is intended to accommodate a 60,000 square foot, technology-oriented, co-working environment which will become the seed from which the project's other office developments will likely grow. Alpharetta has advertised its desire to be "The Technology City of the South" and Fuqua/TPA will seek to draw these users into a location that will provide world class technological infrastructure upon which the project's live, work and play elements will be built. This building contains flexible office space. The roof of the building could provide an opportunity for networking, social and business activities as well.

Of the total 121,400 square feet of retail space, it is anticipated that approximately 36,400 square feet will be restaurant space. The balance of the retail space will include a neighborhood grocery store per the Unified Development Ordinance, as an amenity for our proposed residences and office employees, as well as guests to the development. The hotel comprises the rest of the retail space and will be full-service.

The proposed development is not intended to create a new Alpharetta skyscraper. The tallest office building, at 12-stories, is tucked in the center of Phase II of the mixed use component adjacent to the lake on some of the lowest property of the development in terms of elevation. The development recognizes its own step down pattern: 12 stories, to 4 to 5 stories, to 2 story and one-story uses up at Lakeview Parkway. This office building, along with adjacent park and townhome community, is focused upon the existing lake and the amenities it will offer. Those include creation of a segment of Alpharetta's "Out Loop" project, as well as improvement of existing trails which encircle the lake. These will have scattered fire pits, picnic tables, and dog walking areas; as well as a new dock which would accommodate fishing and even boating in the lake itself. Finally, there is a stepped park space adjacent to that dock which would accommodate outdoor entertainment.

The larger of the two apartment buildings will offer 250 apartment homes in a four- and five-story building with a mix of studio, one-bedroom, and two-bedroom units. The one-bedrooms will include studio units at 540 to 610 square feet and will cost \$1,145 in rent. Regular one-bedroom units which will range in size from 700 square feet to 800 square feet with rents starting at \$1,400 up to \$1,500. The two bedroom units will contain 1,048 square feet up to 1,175 square feet with rents starting at \$2,000 and ranging upwards to \$2,250. These apartment homes will feature modern floorplans, quartz countertops with designer backsplashes, stainless steel appliances, 42-inch hardwood cabinetry, nine-foot ceilings, eight-foot entry doors, oversized bathtubs with tile surrounds and full-size washers and dryers. Both Studio and 1 Bedroom units will provide function and design catering towards a younger demographic working within the Alpharetta community.

The smaller of the two apartment buildings will offer 200 apartment homes on 4 levels (JDA has not site planned for P2, this is merely an estimate) above the ground floor. These units will be a mix of one and two bedrooms. The rent on the one-bedrooms will start at \$1,400 and ranging up to \$1,500. Two-bedroom apartment homes, 1,048 square feet up to 1,175 square feet with rents starting at \$2,000 and ranging upwards to \$2,250. Along with the aforementioned interior features, these apartment homes will be loft-style with open floor plans and ten-foot ceilings. Residents will have access to parking and amenity offerings by way of a bridge connecting the two apartment buildings.

In addition to the community amenities mentioned above, the apartment residents will have access to a state-of-the-art fitness center, cyber café, dog park, business center, game room, and controlled-access parking.

When the Fuqua/TPA mixed-use development project is completed, the project will offer a total of 500 “for rent” residential units: 70 luxury “for sale” townhomes and 430 luxury apartment homes in two buildings. Residents will enjoy a 24-hour live/work environment in an urban setting with outstanding amenities including multiple parks, a lake amenity with a landscaped walking path, a resort-style swimming pool, convenient street-level retail, and a neighborhood grocery as defined in Alpharetta’s Unified Development Ordinance.

A chart which summarizes the changes from the original 2010 Master Plan is as follows:

<u>Prior Plan</u>	<u>Current Proposal</u>	<u>Changes</u>
47 ± acres	62.47 acres	+ 15.51 acres
Retail: 110,035 square feet	Retail: 121,400 square feet	+ 11,365 square feet
Hotel (211 keys) 123,000 square feet	Hotel (200 Keys), 106,280 square feet	- 16,720 square feet
Office: 447,200 square feet	Office: 664,400 square feet	+ 217,200 square feet
Single family townhomes: 35 units	Townhome units “for sale”: 70 units	+ 35 units
Single family stacked flats: 470 units	Multi-Family over nonresidential/retail on	
Residential over retail 41 units	at least two sides: 430 units	
Density = 9.17 u/a 546 units	Density = 8 u/a, 500 total units	- 46 units

B. Mixture of Uses

The project as a whole meets or exceeds the new MU requirements regarding a mixture of uses. The regulation (§ 2.02.20(b)) states that at least 25% of every mixed-use development must be commercial, office and residential space. At least 10% must be public space. The breakdown is as follows:

	<u>Square Footage</u>
TOTAL SIZE	2,983,810
Office	1,019,100
Commercial	795,160
Residential	828,290 (27.7%)
Public Space	341,260

These numbers reflect a mix which is 34.2% office, 26.6% commercial, 27.7% residential and 11.5% public space. Additionally the new regulations require the provision of park space at 1 acre per 100 likely residents. Assuming occupancy at census rates of 2.2 persons per unit, 11 acres would be required. This project actually supplies 12.94 acres of park space and 5.05 acres of other public space, exclusive of the multi-family amenity package.

C. Area of Influence Analysis

An Area of Influence analysis is no longer required by ARC or GRTA. However, Alpharetta has requested one, which follows.

Employee Recapture is a function of the type of employment (occupation), how many of the future employees are likely to be employed in those occupations, the average monthly income likely to be paid to employees in each household, and the monthly rent. The land uses here and number of employees generated are as follows.

<u>Land Use</u>	<u>Size</u>	<u>*Employees</u>
<u>Retail Space</u>		
Restaurant	36,400 SF	1/300 SF / 121
Specialty Sales	14,800 SF	1/560 SF / 26
<u>Office</u>	664,400 SF	1/200 SF / 3,322
<u>Residential</u>	470 units	<u>57</u>
<u>Hotel</u>	200 rooms .9/180	
TOTAL:		<u>3,589</u>

*Ratios are from GRTA's AOI Guidebook, April 2003.

This total number of employees is the basis upon which to calculate the number of persons likely to be employed in a particular type of occupation. Regrettably, the US

Department of Labor does not “copy” the occupancy in general land use terms. Instead, it uses defined Occupations. Based upon the 2015 Metropolitan Area Occupational Employment and Wage Estimates – Atlanta – Sandy Springs- Marietta, Georgia, the following general codes to be used are:

11.000	Management Occupations
13.000	Business and Financial Operations
15.000	Computer Operations
17.000	Architecture and Engineering
35.000	Food Preparation and Serving
35-2012	Supervisory
35-3021	Staff
37.000	Maintenance and Repair, General
37-2012	Maids and Housekeeping
39-6011	Baggage Porters and Bellhops
41.000	Retail Sales
41-1011	Management
41-2031	Sales Persons
43.000	Office and Administrative Support
43-4081	Hotel Desk

These occupational codes are then analyzed by the DOL to see how many employees are likely to be found in that occupation, and further breaks that down by annual mean/monthly income.

The percentages to be used in an analysis of Area of Influence, within the potential 3,589 employees, is as follows:

Land Use	Occupation	Employees by Percentage	Monthly Employee Salary	Housing Affordability
General Office	Management Occupations	5.9	9763.33	3254.44
	Architecture and Engineering	19.8	6544.16	2181.38
	Office and Administrative Support	7.9	2979.16	993.00
	Computer Operations	15.9	6544.16	2181.38
	Business and Financial Operations	19.9	6153.33	2051.10
Hotel	Baggage Porters and Bellhops	.3	1839.00	613.00
	Maids and Housekeeping Cleaners	1.8	1600.83	633.60
	Hotel, Motel, and Resort Desk Clerks	1.8	1679.16	559.72
	Maintenance and Repair, General	.3	2098.33	699.44
	Food Preparation and Serving	1.1	1693.33	564.44
Specialty Retail	Manager of Retail Sales	1.9	3554.00	1184.72
	Retail Salesperson	7.7	2115.00	705.00
Restaurant	Restaurant Manager	.6	2477.50	824.16

Restaurant Staff	2.6	1495.83	498.00
Other:	11.1%	N/A	N/A

Whether an employee can afford to live in these units is a function of rent vs. monthly income. GRTA's previous Area of Influence guidelines state that rents should be no more than 30% of monthly income. Additionally, GRTA required a demonstration that the proposed project be "reasonably anticipated to contribute to the balance of uses within the Area of Influence, such that "25% of the people that are reasonably anticipated to be employed in the proposed project, have an opportunity to live in the Area of Influence". In this instance, employees in five of the total occupation categories would be able to afford a dwelling unit in this project: Management Occupations, Architecture and Engineering Occupations, Computer Operations, Business and Financial Operations, and Retail Sales Manager. These five categories contain 63.4% of all of the employees anticipated to work in this property at build out, well in excess of the 25% goal.

D. Phasing

The project will consist of two distinct phases. Phase I will include: 60,000 square feet of office space, 70 townhome units and 230 multifamily for rent units. It will also include the 33,000 square foot park on Lakeside, and the road system (including sidewalks and linear parks); the addition to the Outer Loop trail and the lake area improvements. Phase II will contain: 200 "for rent" apartments and the remaining office buildings. Phase II will be built when the market dictates.

II. Zoning History

The zoning history for the Subject Property reveals that this 55.09 acre tract was a part of a larger 81 acre Master Plan zoned O-I in 1988. That 1988 plan contemplated the development of 1,015,520 square feet of office space in a campus like setting; 17,700 square feet of restaurant space; 119,700 square feet of retail space; and a 200 room (102,000 square feet) hotel. No residential component(s) was/were contemplated when it was first zoned. Subsequently the three existing office buildings were built on the site. The total amount of office space today on site is 406,853 square feet.

In 2011, a Master Plan amendment and variances were sought relative to the original tract. The City Council allowed a reduction in retail use to 110,035 square feet (15,100 restaurant); an increase in hotel space to 211 rooms; a reduction in office space to 447,200 square feet; and the addition of 546 "for sale" residential units.

A comparison of the ultimate development at build out, under each Master Plan, is as follow:

Summary of Plan Differences

	<u>1988</u>	<u>2012 Peridot</u>	<u>2016 Proposal</u>
Office	1,015,520 square feet	854,053 square feet	1,071,253 square feet
Retail	118,700 square feet	110,035 square feet	51,200 square feet
Hotel	200 rooms	211 rooms	200 rooms
Residential	0	546 units (505 “for sale”)	500 (70 “for sale”)

III. **Analysis of Proposed Uses**

A. Factors

The City’s new MU ordinance also sets forth sixteen review factors to be considered in evaluating an MU application, as follows:

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

Fuqua/TPA address these factors. It has 51,200 square feet of ground floor retail space. 36,400 square feet of this retail space is restaurant space. Pedestrian connectivity via an extensive sidewalk grid system exists in reference to all uses, and the block lengths do not exceed 300 feet in length, making them conducive to pedestrian use. All large parking areas are in decks or screened areas. Public transportation can be accommodated on site should MARTA desire. All buildings face the roadways, and the architectural standards for them are high quality. All elevations contain architectural devices which break up the massing.

The extensive park system creates focal points in both the retail area and at the lake. This site feature has been fully incorporated into the project, and will, as it currently does,

double as the detention feature for the site. Use of the lake for storm water control allows open space to be maximized, and it exceeds 11 acres in size.

Street furniture will exist on all sidewalks, as well as in all park spaces. A high quality landscape plan is contemplated for the site. A current arborist report is being filed contemporaneously.

Finally, as per the analysis in Section B below, recapture of employees from jobs on site is highly likely. This recapture means that employees are likely to live at the Project and eat/shop and work there. It reduces automobile dependency.

B. Rental Product

Per the approved Avalon apartments, there are several factors to be considered when evaluating requests for new apartments. These include design, long term viability, impacts to Parks and other City services, as well as traffic and school impacts. Units which are vertically integrated with nonresidential uses, for example, are preferred to garden apartments. Projects which include services such as a private fitness facility, resort-style pools with cabanas, a full time concierge, a common great room with kitchen, and a fireside retreat with grills; as well as upgrades within units such as granite or marble countertops, 10-foot ceilings, fireplaces, and laundry rooms within units are also preferred as these amenities relate to long term viability, value, and rental rates. The project will have these amenities. A favorable comparison between square footage of the rental product versus nonresidential uses, (with the latter higher in size), is also a factor. Finally, the amount of office space is relevant, since the offices are likely to generate demand for the rental units. This Applicant has committed to the same vertical integration and the amenities and upgrades noted by Staff relative to Avalon.

Perception suggests that dense multi-family housing brings in too many school children without a concomitant increase in taxes to offset the financial burden occasioned by same. In actuality, however, that conclusion is unwarranted; especially in relation to new luxury apartments with only one or two-bedroom units. According to a 2012 Study of this issue in Montgomery County, Pennsylvania, .21 students between the ages of 5 and 17 are generated by new single family attached homes. By way of contrast, .06 students come from new "for rent" product in this price range. The approved 505 single family "for sale" condominiums and townhomes, with the 41 stacked flat "for rent" units now allowed, would generate 109 school age children. The proposed 430 "for rent" units and 70 condominiums will generate only 31 school aged children: three-quarters less than what was approved in 2012.

The staff analysis of the City Center project stated that as of May of 2015, Alpharetta was home to 6,012 "for rent" residential dwelling units and 18,232 "for sale" residential dwelling units. An additional 1,192 "for sale" units currently are under construction or have been approved. Thus the anticipated ratio of "for sale" to "for rent" units at that point was 20,071 to 6,012, or 77% to 23%. Current rental units in Alpharetta are 96% to 100% leased.

The proposed new non-residential spaces also will generate a certain amount of recapture, i.e. use of the residential units and retail space by the employees who work there. The proposed office buildings themselves, at 664,400 square feet, will generate 3,320 potential residents and shoppers (assuming 1 employee per 200 square feet as was assumed vis-à-vis Avalon). And, of course, if the existing 406,853 square feet of office space is added to the equation, it generates 2,034 employees. The total of 5,354 retail users and potential residents is an excellent resource for this Plan. Retail space generates a smaller number of on-site employees, but is anticipated to add jobs to the ultimate number. The multifamily component will create 41 likely jobs. Potentially, the residential units could capture a substantial number of all onsite jobs.

The value of these apartments is substantial and they have a positive economic impact:

C. Transportation Impacts

GROSS TRIP GENERATION

Land Use (intensity)	ITE CODE	DAILY TRAFFIC		AM PEAK HOUR		PM PEAK HOUR	
		ENTER	EXIT	ENTER	EXIT	ENTER	EXIT
Apartment (430 units)	220	1367	1367	46	172	163	86
Townhomes (70 units)	230	407	407	3	15	14	8
Office Building (664,400)	710	3664	3664	912	124	168	822
Retail (14,800)	820	316	316	9	5	26	29
Sit Down Restaurants (36,400)	932	2314	2314	257	228	363	310
TOTAL GROSS TRIPS:		8068	8068	1227	544	734	1255

However, ARC and GRTA both recognize that gross trip generation is to be adjusted for the mixed use nature of the project, use of alternative modes of transportation, and the “pass-by” phenomena. The adjusted numbers are being studied by Kimley-Horn and will be filed shortly.

IV. Approvals Required

The Applicant seeks the following changes to the Peridot Master Plan:

- Amend Condition 1 to substitute the plan and architectural renderings designed by Wakefield Beasley and Associates, dated 9/28/16.
- Amend Condition 2(a) to increase office space to a maximum of 664,400 square feet. Amend it further to limit building heights to those reflected on the site plan dated 9/28/16.
- Amend Condition 2(b) to allow 70 “for sale” townhome units and located per the site plan dated 8/1/16.
- Amend Condition 2(c) to increase retail uses to a maximum of 121,400 square feet and as per the building heights reflected on the site plan dated 9/28/16. Further amend it to allow seven free-standing retail buildings.
- Eliminate Condition 2(d).
- Amend Condition 2(e) to allow a maximum of six free-standing restaurants. No individual restaurant shall exceed 10,000 square feet in size.
- Amend Condition 2(e) to allow 430 multi-family “for rent” units over office or retail uses on two sides of each building.
- Amend Condition 4 to add “Above sixty feet in height, a 10’ setback shall be provided from back of curb”.
- Revise Condition 5 to reflect that Phase I shall consist of the 70 townhomes, 230 “for rent” units, the 60,000 square foot office, a grocery store, and a bank. Building permits must be secured concurrently for all of these elements. At the applicants option, Phase I also may include the hotel. No more than 225 “for rent” units may be granted a Certificate of Occupancy in any given calendar year.
- Amend Condition 7 to delete the last sentence and allow for recompense if specimen trees are removed.
- Amend Condition 10 to add the following at the beginning: “Parking decks and retaining walls shall receive architectural façade treatment or”.
- Amend Conditions 13 and 23 to change the name to Fuqua/TPA and to reference this Amendment once filed.
- Amend Condition 15 to add that “awnings shall be provided on buildings at street level “in commercial areas””.

- Amend Condition 16 to add at the beginning “other than parallel on-street parking”.
- Amend Condition 27 to eliminate the deck shading requirement.

This application also requires approval of four Conditional Uses, i.e. the rental units, the bank, and the hotel. The following factors are to be considered in evaluating a conditional use:

1. The conditional use will not be injurious to the use and enjoyment of the environment or of other property values within the surrounding neighborhood;

There should be no injury to the environment or surrounding property values.

2. The proposed conditional use will not increase local or state expenditures in relation to cost of servicing or maintaining neighboring properties;

All surrounding properties are nonresidential. No increased expenditures will be required.

3. The establishment of the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area; and

All surrounding properties are already developed.

4. The location and character of the proposed conditional use is considered to be consistent with a desirable pattern of development for the City, in general.

The land use plan designates this area as appropriate for a mixed-use.

Fuqua and TPA also require two variances:

- (1) to eliminate requirement for retail under residential on part of two sides of the residential building “for rent” as shown in Site Plan dated 9/28/16; and
- (2) to allow a minimum 3,00 square foot grocery store.

V. Notice of Constitutional Challenge and Preservation of Rights

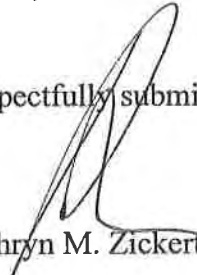
It is the position of the Applicant that the Alpharetta Zoning Ordinance, in zoning the property MU and O&I as it currently exists and with existing conditions, is unconstitutional in that it destroys the marketability of the property and renders the property exceptionally less valuable, and such zoning 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 to any intervening category which is less than requested is unconstitutional, renders the property unusable and constitutes 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 be had 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 citizens.

The Applicant has tried very hard to work within the confines of the recently-enacted MU ordinance. We have had many meetings with your staff, and we have tried to be responsive to their comments and observations. We pledge to continue to work with the City to deliver a mutually-acceptable final plan.

The Applicant respectfully requests that the Alpharetta City Council grant the requested rezoning, the change of Master Plan conditions, the Conditional Use Permit, and the two variances as submitted.

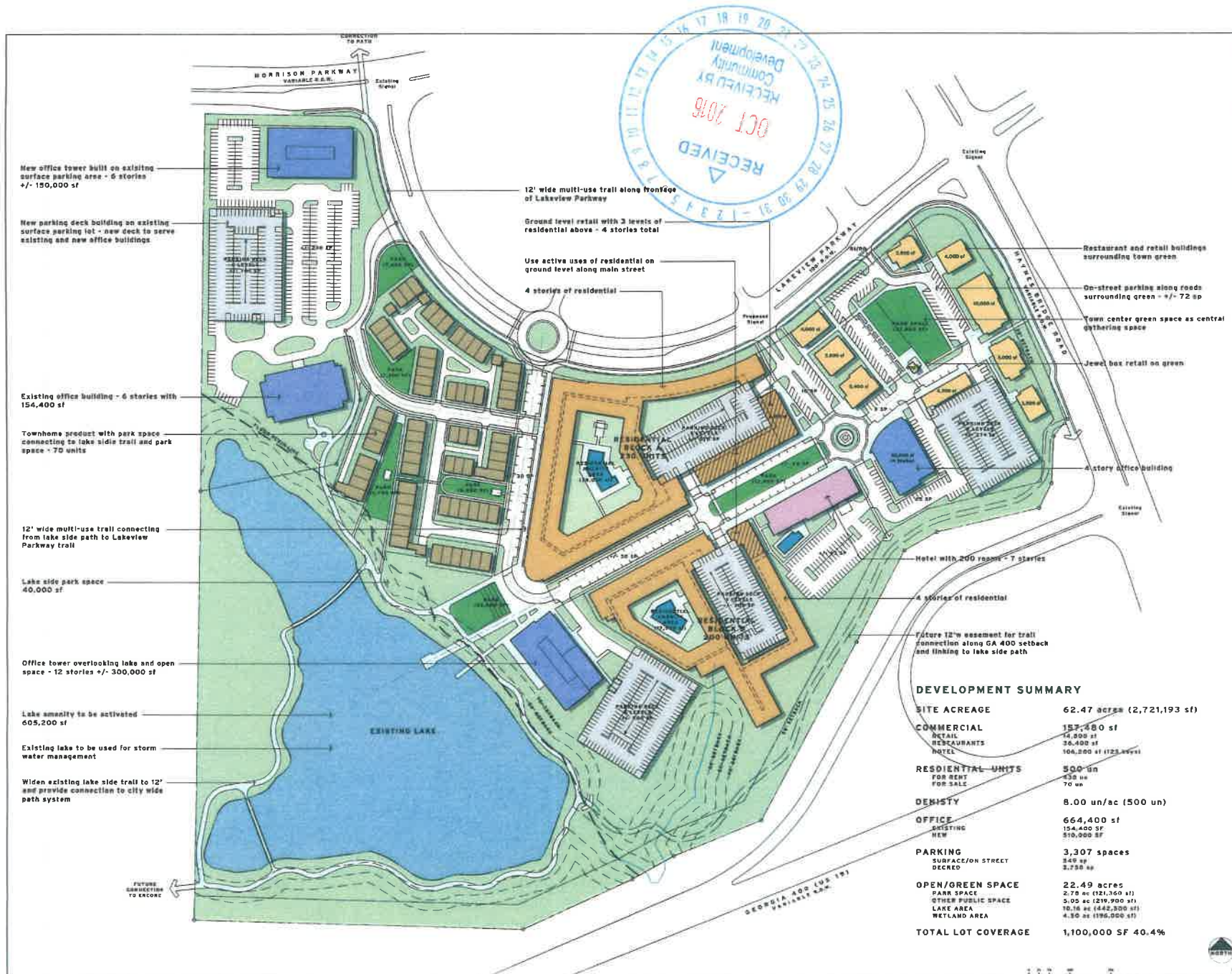
Respectfully submitted,



Kathryn M. Zickert

KMZ/tcr

cc: Mr. Brad Smith
Mr. Chris Hayes
Mr. Jeff Fuqua
Ms. Heather Correa
Mr. Lamar Wakefield
Mr. John Walker



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HAYNES BRIDGE MIXED-USE

Alpharetta, Georgia

TPA Group/
Fuqua Development

12001 Woodward Parkway
Atlanta, GA 30339
P | 770.436.2987

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This is a conceptual site plan for informational purposes only. It is not intended to be used for any purpose other than informational.
No warranty is made by the architect for the accuracy of the information shown on this plan.

REVISIONS

01 AUGUST 2016 - HANDED FOR ZONING
25 AUGUST 2016 - REVISED SITE PLAN
08 SEPTEMBER 2016 - REVISED SITE PLAN

REVISIONS

01 AUGUST 2016
25 AUGUST 2016
08 SEPTEMBER 2016

18 SEPTEMBER 2016 1506064.00
(Drawing Title)

CONCEPTUAL SITE PLAN

© Wakefield Beasley & Associates

SP-2

SUBMITTED FOR ZONING

16-07-29-01 GA 400
Haynes Bridge Arborist
Report Alpharetta
Arborist Report

Reference UDC
Alpharetta, Georgia



Location Map



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

Outdoor Spaces, LLC

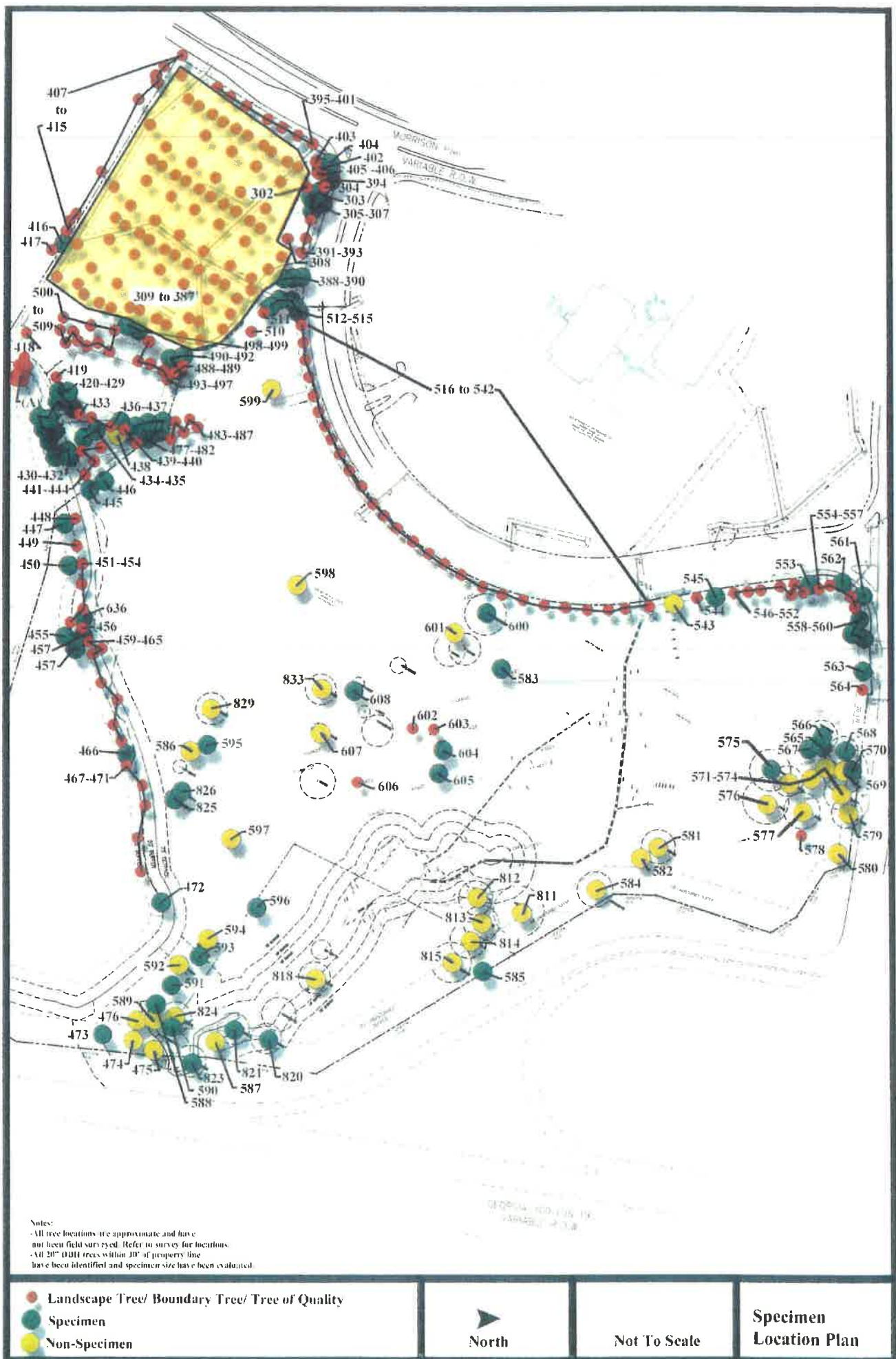
By Scott Hall, Owner



On Site Specimen Evaluation Date: August 8, 10, 11, 16, 2016
Report Date: August 17, 2016
Revised Date:



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



Warranty Disclaimer:

Although, this report will determine whether or not a tree is a specimen or "Tree of Quality"; it is provided as best judgment opinion. Ultimately, the governing body's (City of Alpharetta) arborist or representative shall determine whether a tree is classified as a specimen/"Tree of Quality" or not.

All specimen/"Tree of Quality" tree locations shall be approximate. The provided tree locations shall NOT be GPS located and in no manner shall the provided tree location plan be used or represented as a tree survey. It is the sole responsibility of the OWNER to have all tagged specimen/"Tree of Quality" trees located by a Certified Land Surveyor.

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

Arborist Note:

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

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

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

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

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

ARTICLE III. LAND DEVELOPMENT ACTIVITIES

SECTION 3.2 TREE PROTECTION

3.2.1 DEFINITIONS

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

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

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

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

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

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

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

APPENDIX A

SPECIMEN TREES

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

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

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

Size Criteria

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

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

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

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

Any Specimen Tree which is removed without the appropriate review and approval of the Director must be replaced by trees with a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Size alone will determine whether a tree was a specimen quality if the tree is removed without approval and there is no evidence of its condition. Violations will be subject to the applicable penalties as described in Section 3.2.19.

Specimen Analysis
(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
302	11" Red Maple	Good	Good	No	Landscape Tree		No
303	19" Crape Myrtle	Good	Good	Yes			Yes
304	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
305	18" Crape Myrtle	Good	Good	Yes			Yes
306	18" Crape Myrtle	Good	Good	Yes			Yes
307	15" Crape Myrtle	Good	Good	Yes			Yes
308	3" Red Maple	Good	Good	No	Landscape Tree		No
309	8" Red Maple	Good	Good	No	Landscape Tree		No
310	8" Red Maple	Good	Good	No	Landscape Tree		No
311	8" Red Maple	Good	Good	No	Landscape Tree		No
312	8" Red Maple	Good	Good	No	Landscape Tree		No
313	8" Red Maple	Good	Good	No	Landscape Tree		No
314	8" Red Maple	Good	Good	No	Landscape Tree		No
315	8" Red Maple	Good	Good	No	Landscape Tree		No
316	8" Red Maple	Good	Good	No	Landscape Tree		No
317	8" Red Maple	Good	Good	No	Landscape Tree		No
318	8" Red Maple	Good	Good	No	Landscape Tree		No
319	11" Red Maple	Good	Good	No	Landscape Tree		No
320	11" Red Maple	Good	Good	No	Landscape Tree		No
321	5" Zelkova	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
322	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Cavity at base of tree. Lichen on trunk, an indication of poor growth.	1	No
323	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	2	No
324	4" Red Maple	Good	Good	No	Landscape Tree		No
325	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	3	No
326	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	4	No
327	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	5	No
328	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk.	6-7	No
329	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	8	No

Specimen Analysis							(General)
Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)							
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
330	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
331	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
332	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
333	12" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
334	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
335	11" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
336	11" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
337	9" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
338	10" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
339	10" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
340	4" Trident Maple	Poor	Poor	No	Landscape Tree. Several cavities. Tree staking strap grown into trunk. Severe tip die back. Tree has out grown landscape island.	9-11	No
341	4" Trident Maple	Poor	Poor	No	Landscape Tree. Tree has out grown landscape island.		No
342	4" Trident Maple	Fair	Fair	No	Landscape Tree. Several cavities. Severe tip die back. Tree has out grown landscape island.	12-13	No
343	4" Trident Maple	Poor	Poor	No	Landscape Tree. Early change of leaf color, an indication of stress. Tree has out grown landscape island.		No
344	4" Trident Maple	Poor	Poor	No	Landscape Tree. Tree has out grown landscape island.		No
345	6" Red Maple	Fair	Fair	No	Landscape Tree. Tree has out grown landscape island.		No

Specimen Analysis							(General)
Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)							
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
346	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk. Lichen on trunk, an indication of poor growth.	14-15	No
347	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	16	No
348	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk. Lichen on trunk, an indication of poor growth.	17-18	No
349	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Cavity exposing heartwood. Severe tip die back. Lichen on trunk, an indication of poor growth.	19-20	No
350	7" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Cavity with decay. Severe tip die back. Lichen on trunk, an indication of poor growth.	21-22	No
351	16" Willow Oak	Good	Good	No	Landscape Tree		No
352	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
353	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
354	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
355	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
356	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
357	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
358	12" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
359	11" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No

Specimen Analysis

(General

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
360	14" Willow Oak	Good	Good	No	Landscape Tree.		No
361	10" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
362	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	23	No
363	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	24	No
364	9" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
365	8" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
366	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	25	No
367	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	26	No
368	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
369	5" Zelkova	Poor	Poor	No	Landscape Tree. Cavity exposing heartwood. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	27-28	No
370	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
371	14" Red Maple	Good	Good	No	Landscape Tree.		No
372	9" Red Maple	Good	Good	No	Landscape Tree.		No

(General

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
373	9" Red Maple	Good	Good	No	Landscape Tree.		No
374	10" Red Maple	Good	Good	No	Landscape Tree. Small Trunk gall.		No
375	10" Red Maple	Good	Good	No	Landscape Tree. Small Trunk gall.		No
376	8" Red Maple	Good	Good	No	Landscape Tree.		No
377	9" Red Maple	Good	Good	No	Landscape Tree.		No
378	8" Red Maple	Good	Good	No	Landscape Tree.		No
379	8" Red Maple	Good	Good	No	Landscape Tree.		No
380	14" Willow Oak	Good	Good	No	Landscape Tree.		No
381	14" Willow Oak	Good	Good	No	Landscape Tree.		No
382	19" Willow Oak	Good	Good	No	Landscape Tree.		No
383	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	29	No
384	16" Willow Oak	Good	Good	No	Landscape Tree.		No
385	20" Willow Oak	Good	Good	No	Landscape Tree.		No
386	17" Willow Oak	Good	Good	No	Landscape Tree.		No
387	22" Willow Oak	Good	Good	No	Landscape Tree.		No
388	15" Crape Myrtle	Good	Good	Yes			Yes
389	16" Crape Myrtle	Good	Good	Yes			Yes
390	19" Crape Myrtle	Good	Good	Yes			Yes
391	19" Willow Oak	Good	Good	No	Landscape Tree.		No
392	17" Willow Oak	Good	Good	No	Landscape Tree.		No
393	17" Willow Oak	Good	Poor	No	Landscape Tree. Several trunk galls. Circling roots impacting structural system of tree.	30-32	No
394	21" Crape Myrtle	Good	Good	Yes			Yes
395	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
396	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
397	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
398	21" Willow Oak	Good	Good	No	Landscape Tree.		Yes
399	17" Willow Oak	Good	Good	No	Landscape Tree.		Yes
400	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
401	16" Willow Oak	Good	Good	No	Landscape Tree.		Yes
402	9" Fosterii Holly	Good	Good	Yes			Yes
403	7" Fosterii Holly	Good	Good	No	Landscape Tree.		No
404	9" Fosterii Holly	Good	Good	Yes			Yes
405	6" Fosterii Holly	Good	Good	No	Landscape Tree.		No
406	6" Fosterii Holly	Good	Good	No	Landscape Tree.		No
407	21" Red Maple	Fair	Fair	No	Boundary Tree.		No
408	21" Sweet Gum	Fair	Poor	No	Boundary Tree. 2 Co-Dominate Leaders with included bark 20' high. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	33	No
409	22" Red Maple	Fair	Poor	No	Boundary Tree. 2 Trees grown together creating 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	34	No
410	20" Red Maple						

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
373	9" Red Maple	Good	Good	No	Landscape Tree.		No
374	10" Red Maple	Good	Good	No	Landscape Tree. Small Trunk gall.		No
375	10" Red Maple	Good	Good	No	Landscape Tree. Small Trunk gall.		No
376	8" Red Maple	Good	Good	No	Landscape Tree.		No
377	9" Red Maple	Good	Good	No	Landscape Tree.		No
378	8" Red Maple	Good	Good	No	Landscape Tree.		No
379	8" Red Maple	Good	Good	No	Landscape Tree.		No
380	14" Willow Oak	Good	Good	No	Landscape Tree.		No
381	14" Willow Oak	Good	Good	No	Landscape Tree.		No
382	19" Willow Oak	Good	Good	No	Landscape Tree.		No
383	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	29	No
384	16" Willow Oak	Good	Good	No	Landscape Tree.		No
385	20" Willow Oak	Good	Good	No	Landscape Tree.		No
386	17" Willow Oak	Good	Good	No	Landscape Tree.		No
387	22" Willow Oak	Good	Good	No	Landscape Tree.		No
388	15" Crape Myrtle	Good	Good	Yes			Yes
389	16" Crape Myrtle	Good	Good	Yes			Yes
390	19" Crape Myrtle	Good	Good	Yes			Yes
391	19" Willow Oak	Good	Good	No	Landscape Tree.		No
392	17" Willow Oak	Good	Good	No	Landscape Tree.		No
393	17" Willow Oak	Good	Poor	No	Landscape Tree. Several trunk galls. Circling roots impacting structural system of tree.	30-32	No
394	21" Crape Myrtle	Good	Good	Yes			Yes
395	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
396	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
397	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
398	21" Willow Oak	Good	Good	No	Landscape Tree.		Yes
399	17" Willow Oak	Good	Good	No	Landscape Tree.		Yes
400	19" Willow Oak	Good	Good	No	Landscape Tree.		Yes
401	16" Willow Oak	Good	Good	No	Landscape Tree.		Yes
402	9" Fosterii Holly	Good	Good	Yes			Yes
403	7" Fosterii Holly	Good	Good	No	Landscape Tree.		No
404	9" Fosterii Holly	Good	Good	Yes			Yes
405	6" Fosterii Holly	Good	Good	No	Landscape Tree.		No
406	6" Fosterii Holly	Good	Good	No	Landscape Tree.		No
407	21" Red Maple	Fair	Fair	No	Boundary Tree.		No
408	21" Sweet Gum	Fair	Poor	No	Boundary Tree. 2 Co-Dominate Leaders with included bark 20' high. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	33	No
409	22" Red Maple	Fair	Poor	No	Boundary Tree. 2 Trees grown together creating 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	34	No
410	20" Red Maple						

Specimen Analysis

(General

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
411	29" Pine	Good	Good	No	Boundary Tree.		Yes
412	20" Red Maple	Fair	Fair	No	Boundary Tree.		No
413	25" Pine	Good	Good	No	Boundary Tree.		Yes
414	28" Pine	Good	Good	No	Boundary Tree.		Yes
415	28" Pine	Good	Good	No	Boundary Tree.		Yes
416	30" Pine	Good	Good	Yes			Yes
417	22" Pine	Good	Good	No	Boundary Tree.		Yes
418	11" Red Maple	Good	Good	No	Landscape Tree.		No
(A)	9"-20" Bald Cypress	Good	Good	No	8 Trees of Quality		Yes
419	22" River Birch	Good	Good	No	Tree of Quality		Yes
420	16" Crape Myrtle	Good	Good	Yes			Yes
421	13" Crape Myrtle	Good	Good	Yes			Yes
422	17" Crape Myrtle	Good	Good	Yes			Yes
423	17" Crape Myrtle	Good	Good	Yes			Yes
424	17" Crape Myrtle	Good	Good	Yes			Yes
425	9" Crape Myrtle	Good	Good	Yes			Yes
426	9" Crape Myrtle	Good	Good	Yes			Yes
427	9" Crape Myrtle	Good	Good	Yes			Yes
428	9" Crape Myrtle	Good	Good	Yes			Yes
429	9" Crape Myrtle	Good	Good	Yes			Yes
430	9" Crape Myrtle	Good	Good	Yes			Yes
431	13" Crape Myrtle	Good	Good	Yes			Yes
432	12" Crape Myrtle	Good	Good	Yes			Yes
433	9" Red Maple	Good	Good	No	Landscape Tree		Yes
434	8" Dogwood	Fair	Fair	Yes	Some dieback		Yes
435	9" Japanese Maple	Good	Good	Yes			Yes
436	12" Red Maple	Good	Good	No	Landscape Tree		Yes
437	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	35	No
438	9" Dogwood	Poor	Poor	No	Hollow cavity and dieback.	36	No
439	14" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	37	No
440	10" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	38	No
441	14" Chinese Elm	Poor	Poor	No	Landscape Tree. Severe cankers on trunk.	39	No
442	14" Willow Oak	Good	Good	No	Landscape Tree		Yes
443	11" Red Maple	Poor	Poor	No	Landscape Tree. Main Trunk has Phytophthora. Fruiting bodies on root system. Circling roots impacting structural system of tree.	40-41	No
444	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
445	20" Crape Myrtle	Good	Good	Yes			Yes
446	8" East Palatka Holly	Good	Good	Yes			Yes
447	13" Crape Myrtle	Good	Good	Yes			Yes
448	15" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
449	12" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
450	13" Crape Myrtle	Good	Good	Yes			Yes

Specimen Analysis
(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
451	16" Water Oak	Good	Good	No	Tree of Quality		Yes
452	11" Red Maple	Good	Good	No	Tree of Quality		Yes
453	14" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
454	16" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
455	11" Crape Myrtle	Good	Good	Yes			Yes
636	13" Crape Myrtle	Good	Good	Yes			Yes
456	13" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
457	12" Crape Myrtle	Good	Good	Yes			Yes
458	16" Crape Myrtle	Good	Good	Yes			Yes
459	9" Red Maple	Good	Good	No	Tree of Quality		Yes
460	9" Red Maple	Good	Good	No	Tree of Quality		Yes
461	7" Red Maple	Good	Good	No	Tree of Quality		Yes
462	15" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
463	13" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
464	7" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
465	7" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
466	14" Crape Myrtle	Good	Good	Yes			Yes
467	8" Red Maple	Good	Good	No	Tree of Quality		Yes
468	20" White Oak	Good	Good	No	Tree of Quality		Yes
469	22" White Oak	Good	Good	No	Tree of Quality		Yes
825	16" Sourwood	Good	Good	Yes			Yes
826	11" Sourwood	Good	Good	Yes			Yes
470	12" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
471	17" Riverbirch	Good	Good	No	Tree of Quality		Yes
472	14" Crape Myrtle	Good	Good	Yes			Yes
473	28" Scarlett Oak	Good	Good	Yes			Yes
474	28" Tulip Poplar	Poor	Poor	No	Large cavity with decay.	42	No
475	38" Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Trunk gall. Trunk sound hollow.	43-44	No
476	38" Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	45	No
477	9" Dogwood	Good	Good	Yes			Yes
478	19" Crape Myrtle	Good	Good	Yes			Yes
479	14" Crape Myrtle	Good	Good	Yes			Yes
480	14" Crape Myrtle	Good	Good	Yes			Yes
481	15" Crape Myrtle	Good	Good	Yes			Yes
482	15" Crape Myrtle	Good	Good	Yes			Yes
483	3" Dogwood	Good	Good	No	Landscape Tree		Yes
484	4" Red Bud	Good	Good	No	Landscape Tree		Yes
485	7" Crape Myrtle	Good	Good	No	Landscape Tree		Yes
486	4" Dogwood	Good	Good	No	Landscape Tree		Yes
487	4" Red Bud	Good	Good	No	Landscape Tree		Yes
488	6" Red Maple	Good	Good	No	Landscape Tree		Yes

Specimen Analysis (General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
489	8" Red Maple	Good	Good	No	Landscape Tree		Yes
490	16" Crape Myrtle	Good	Good	Yes			Yes
491	16" Crape Myrtle	Good	Good	Yes			Yes
492	16" Crape Myrtle	Good	Good	Yes			Yes
493	12" Red Maple	Good	Good	No	Landscape Tree		Yes
494	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
495	4" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
496	6" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
497	17" Willow Oak	Good	Good	No	Landscape Tree		Yes
498	16" Crape Myrtle	Good	Good	Yes			Yes
499	13" Crape Myrtle	Good	Good	Yes			Yes
500	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
501	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
502	5" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
503	6" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
504	20" Southern Magnolia	Good	Good	No	Landscape Tree		Yes
505	15" Red Maple	Good	Good	No	Landscape Tree		Yes
506	13" Willow Oak	Good	Good	No	Landscape Tree		Yes
507	8" Red Maple	Good	Good	No	Landscape Tree		Yes
508	16" Willow Oak	Good	Good	No	Landscape Tree		Yes
509	11" Red Maple	Good	Good	No	Landscape Tree		Yes
510	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
511	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
512	24" Willow Oak	Good	Good	Yes			Yes
513	20" Crape Myrtle	Good	Good	Yes			Yes
514	18" Crape Myrtle	Good	Good	Yes			Yes
515	22" Crape Myrtle	Good	Good	Yes			Yes
516	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	46	No
517	22" Willow Oak	Poor	Poor	No	Landscape Tree. Fruiting Bodies on root system. Circling roots impacting structural system of tree.	47-48	No
518	22" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.	49	Yes
519	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
520	20" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.	50	Yes
521	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
522	22" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.		Yes
523	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
524	20" Willow Oak	Poor	Poor	No	Landscape Tree. Numerous trunk galls.	51	No
525	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
526	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
527	20" Willow Oak	Good	Good	No	Landscape Tree		Yes

Specimen Analysis

(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
528	16" Willow Oak	Poor	Poor	No	Landscape Tree. Fruiting Bodies on root system. Circling roots impacting structural system of tree.	52-53	No
529	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	54	No
530	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
531	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
532	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
533	19" Willow Oak	Poor	Poor	No	Landscape Tree. Numerous trunk galls.	55	No
534	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
535	17" Willow Oak	Poor	Fair	No	Landscape Tree. Numerous Trunk galls. Circling roots should be cut before impacting structural system of tree.	56-57	No
536	16" Willow Oak	Poor	Fair	No	Landscape Tree. Numerous Trunk galls. Circling roots should be cut before impacting structural system of tree.	56-58	No
537	17" Willow Oak	Good	Good	No	Landscape Tree		Yes
538	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
539	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
540	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
541	23" Willow Oak	Good	Good	No	Landscape Tree		Yes
542	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
543	25" Willow Oak	Poor	Poor	No	Cavity with decay.	59	No
544	23" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.		Yes
545	24" Willow Oak	Good	Good	Yes			Yes
546	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
547	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
548	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
549	15" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	61-62	No
550	17" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	63	No
551	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
552	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
553	9" Fosterii Holly	Good	Good	Yes			Yes
554	18" Red Maple	Good	Good	No	Landscape Tree		Yes
555	18" Red Maple	Good	Good	No	Landscape Tree		Yes
556	17" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	64	No
557	19" Red Maple	Good	Good	No	Landscape Tree		Yes
558	8" Fosterii Holly	Good	Good	Yes			Yes
559	8" Fosterii Holly	Good	Good	Yes			Yes
560	10" Fosterii Holly	Good	Good	Yes			Yes
561	21" Crape Myrtle	Good	Good	Yes			Yes
562	23" Crape Myrtle	Good	Good	Yes			Yes

Specimen Analysis (General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
563	25" Willow Oak	Good	Good	Yes			Yes
564	23" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	65	No
565	9" Sourwood	Fair	Fair	Yes			No
566	28" White Oak	Good	Good	Yes			Yes
567	10" Sourwood	Good	Good	Yes			Yes
568	25" White Oak	Good	Good	Yes			Yes
569	40" (23"-21") White Oak	Fair	Poor	No	Tree is being undermined from erosion. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	66-67	No
570	8" Sourwood	Good	Good	Yes			Yes
571	31" Southern Red Oak	Poor	Poor	No	Fruiting bodies at base of trunk indicating Butt/trunk rot.	68-70	No
572	11" Sourwood	Poor	Poor	No	Cavity with decay.	71	No
573	11" Sourwood	Poor	Poor	No	Trunk grown into boulder impacting structural system of tree.	72	No
574	27" Southern Red Oak	Poor	Poor	No	Large cavity with decay.	73	No
575	41" White Oak	Good	Good	Yes			Yes
576	42" Southern Red Oak	Poor	Poor	No	Fruiting bodies at base of trunk indicating Butt/trunk rot. Severe dieback.	74	No
577	31" Southern Red Oak	Poor	Poor	No	Several main limbs dead with symptoms of Hypoxylon Canker.	75-76	No
578	20" Southern Magnolia	Good	Good	No	Tree of Quality		Yes
579	26" Southern Red Oak	Poor	Poor	No	Severe trunk gall. Several main limbs dead with symptoms of Hypoxylon Canker.	77-78	No
580	17" Dogwood	Poor	Poor	No	Severe dieback.		No
581	27" Red Maple	Poor	Poor	No	Cavities with decay.	79-80	No
582	24" Red Maple	Poor	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark 1 Dead causing severe decay in trunk. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	81	No
583	25" White Oak	Good	Good	Yes			Yes
584	33"(23"-14") Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No

Specimen Analysis

(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
811	43" Tulip Poplar	Poor	Poor	No	3 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	83	No
812	28" Tulip Poplar	Poor	Poor	No	Several main limbs dead/gone.		No
813	29" Tulip Poplar	Poor	Poor	No	Several main limbs dead/gone. Barbwire in trunk	85	No
814	31" Southern Red Oak	Poor	Poor	No	2 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	84	No
815	34" White Oak	Poor	Poor	No	3 Co-Dominate Leaders with weak crotches and included bark Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No
585	24" Tulip Poplar	Fair	Fair	Yes			No
818	41"(27"-14") Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No
820	26" Tulip Poplar	Fair	Fair	Yes			No
821	29" White Oak	Good	Good	Yes			Yes
823	26" Tulip Poplar	Good	Good	Yes			Yes
824	27" Red Maple	Poor	Poor	No	Main Trunk has Phytophthora.	88	No
829	41"(27"-22") Sweet Gum	Poor	Poor	No	Cavity at base and fruiting bodies on trunk. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	92-93	No
586	8" Sourwood	Fair	Poor	No	45* lean in trunk.	91	No
587	34" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders 20' high with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	86	No
588	25" Sweet Gum	Fair	Fair	Yes			No
589	27" Tulip Poplar	Fair	Poor	No	Severe lean in Trunk	87	No
590	25" Tulip Poplar	Good	Good	Yes			Yes
591	24" Water Oak	Fair	Fair	Yes			No
592	24" Southern Red Oak	Poor	Poor	No	Several main limbs dead with symptoms of Hypoxylon Canker.	89	No
593	26" Southern Red Oak	Fair	Fair	Yes			No
594	28" White Oak	Poor	Poor	No	Large cavity with decay.	90	No

Specimen Analysis

(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
595	9" Sourwood	Good	Good	Yes			Yes
596	25" Southern Red Oak	Fair	Fair	Yes			No
597	24"(12"-12") White Oak	Poor	Poor	No	Cavity at base with decay. Root Damage. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	94-95	No
598	26" Tulip Poplar	Poor	Poor	No	3 Co-Dominate Leaders with included bark and trunk gall in the inclusion. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	96	No
599	26"(17"-12") Tulip Poplar	Poor	Poor	No	2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	97	No
600	27" Southern Red Oak	Good	Good	Yes			Yes
601	27" Southern Red Oak	Poor	Poor	No	Large cavity at base with decay.	98	No
602	22" White Oak	Good	Good	No	Tree of Quality		Yes
603	20" White Oak	Good	Good	No	Tree of Quality		Yes
604	25" White Oak	Good	Good	Yes			Yes
605	25" White Oak	Good	Good	Yes			Yes
606	20" White Oak	Good	Good	No	Tree of Quality		Yes
607	12" Sourwood	Poor	Poor	No	Several cavities with decay.	99	No
608	24" White Oak	Good	Good	Yes			Yes
833	27" Sweet Gum	Poor	Poor	No	2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	100	No

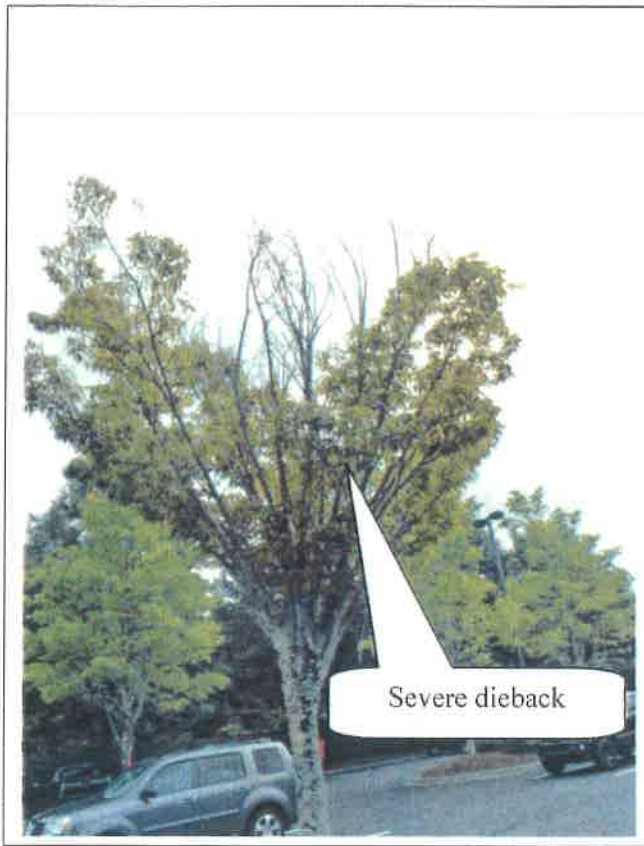


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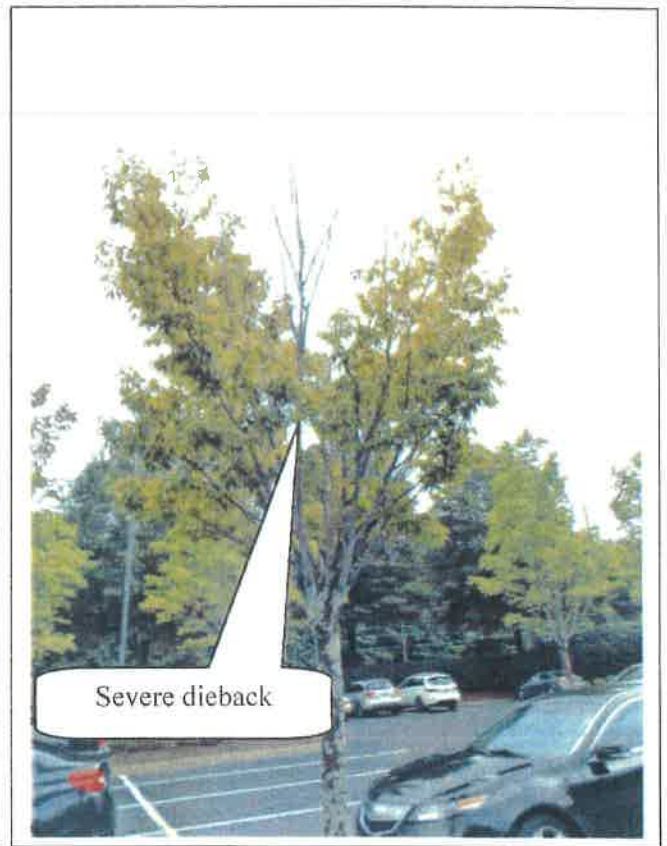


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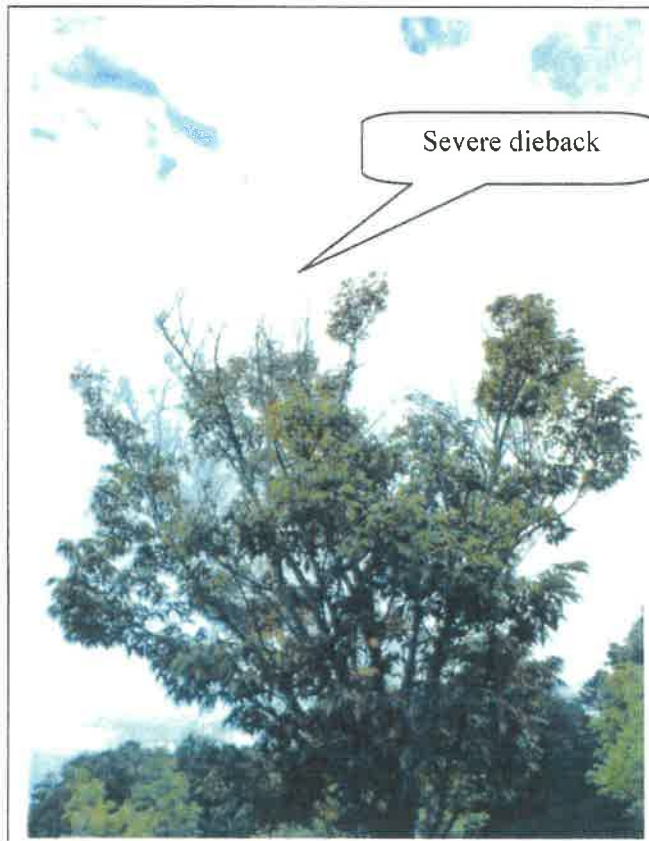


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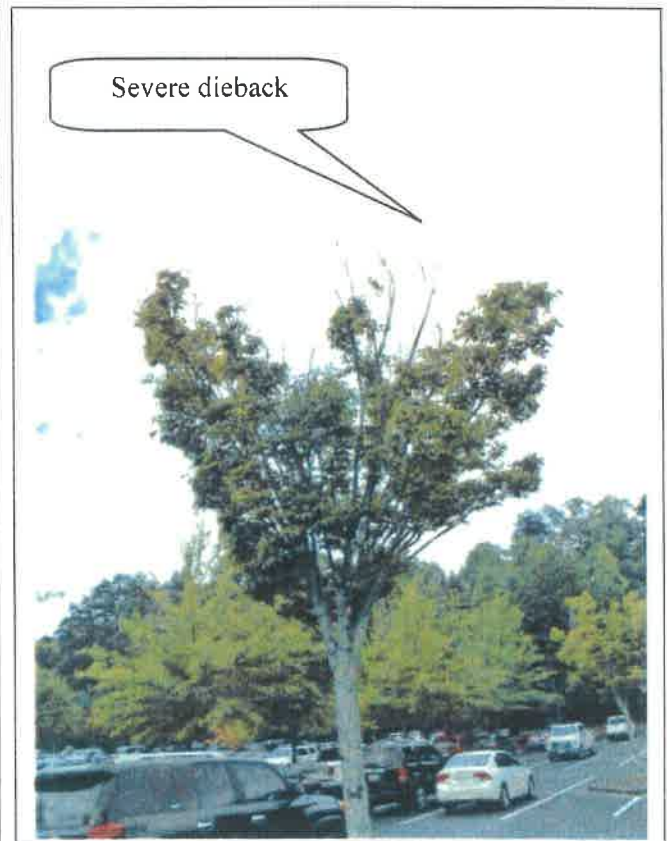


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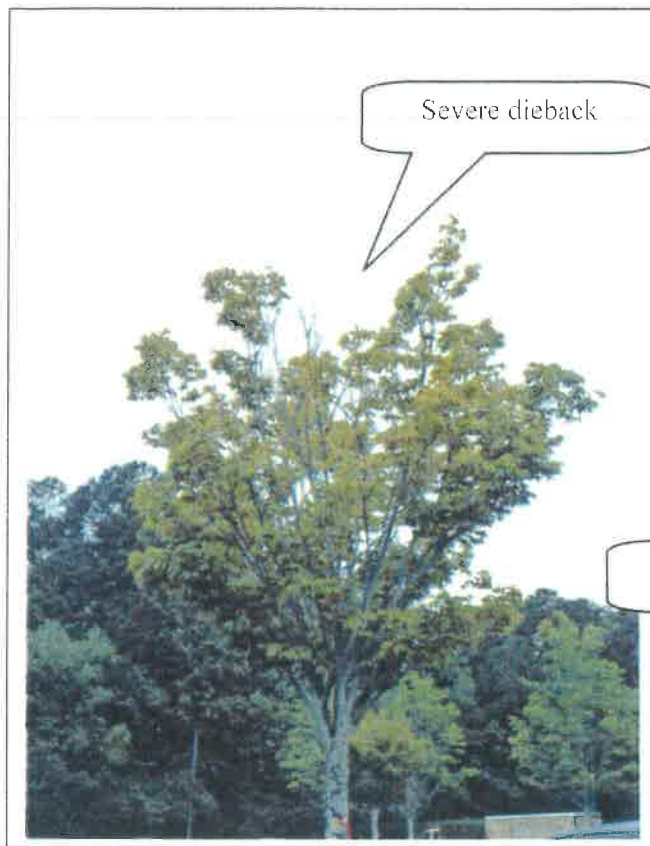


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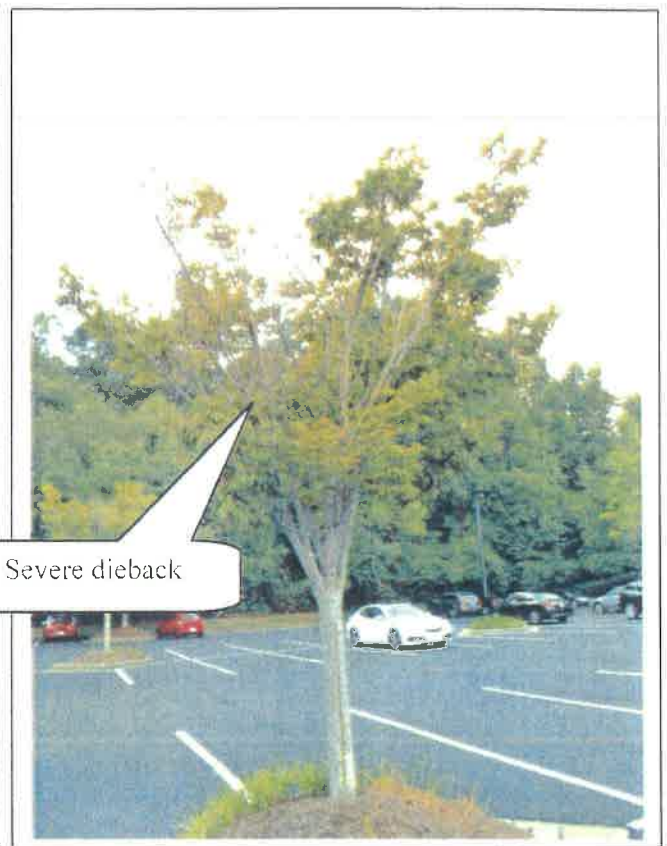


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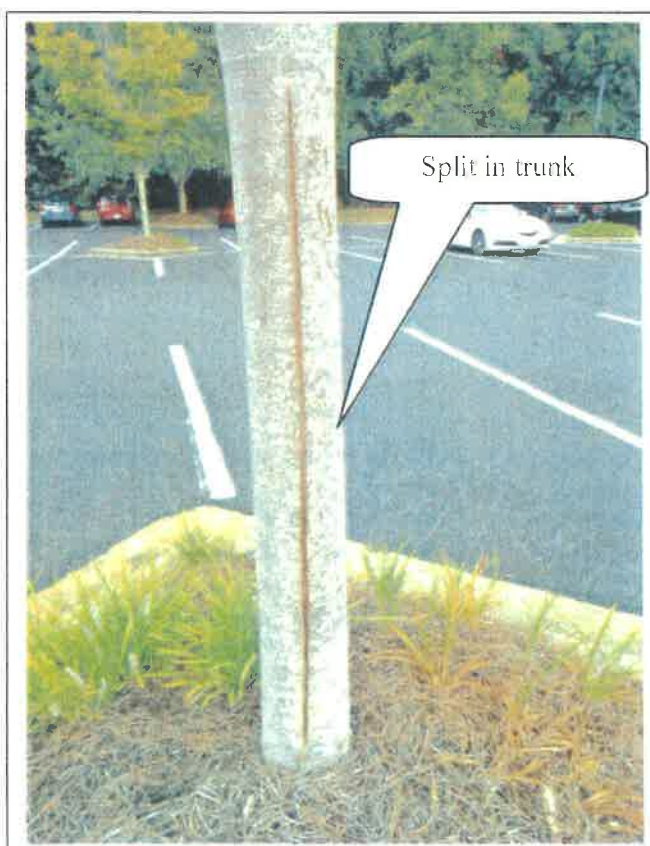


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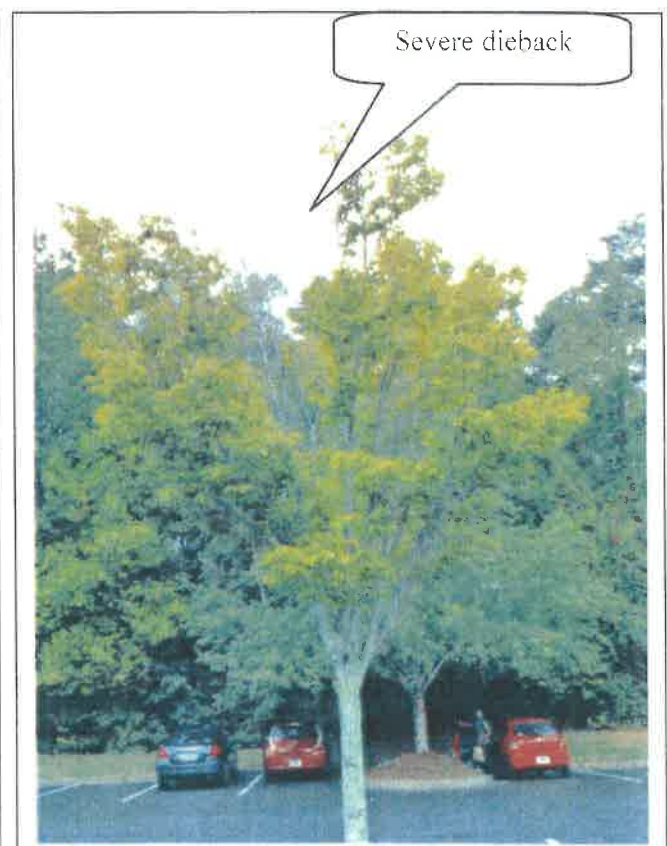
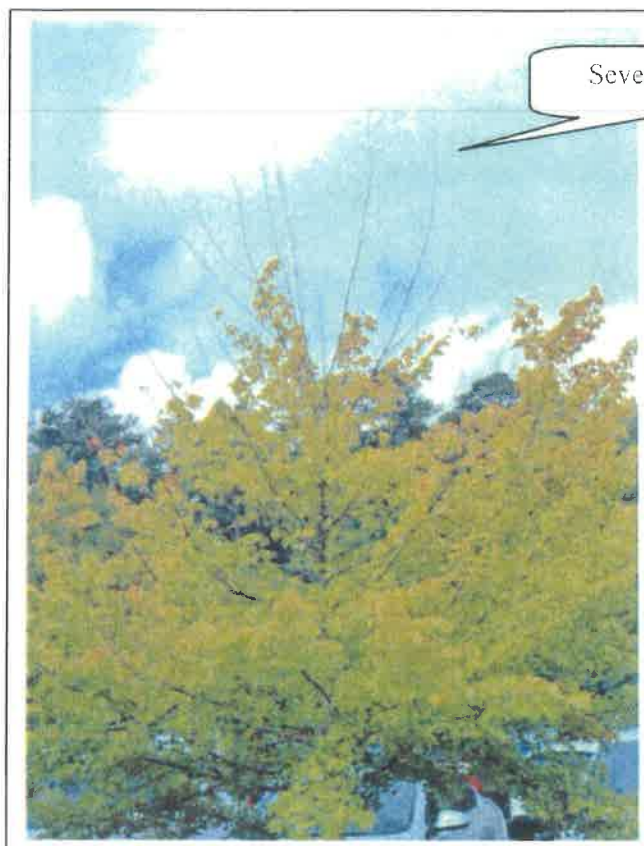


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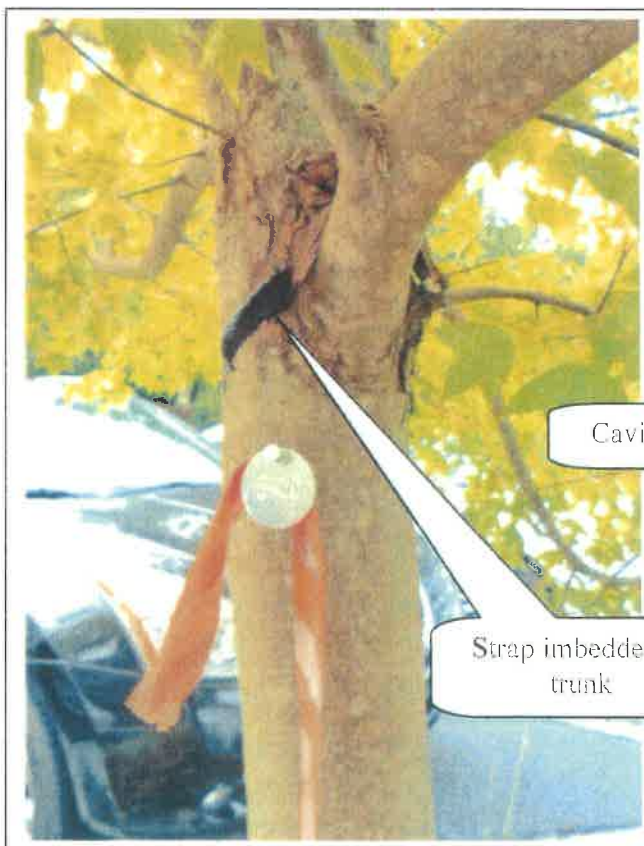
Severe dieback

Photo 9



Cavity with decay

Photo 10



Cavity with decay

Strap imbedded in trunk

Photo 11



Photo 12

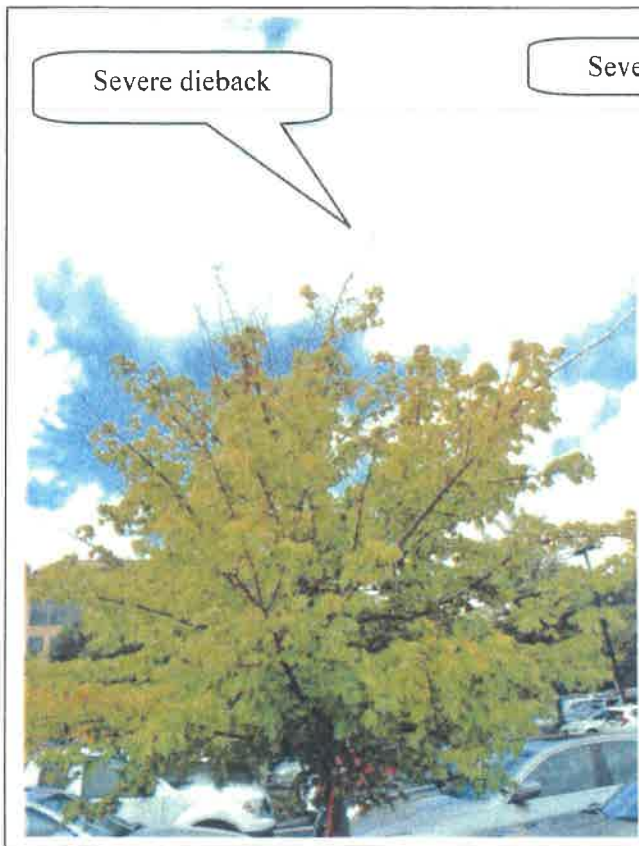


Photo 13



Photo 14



Photo 15

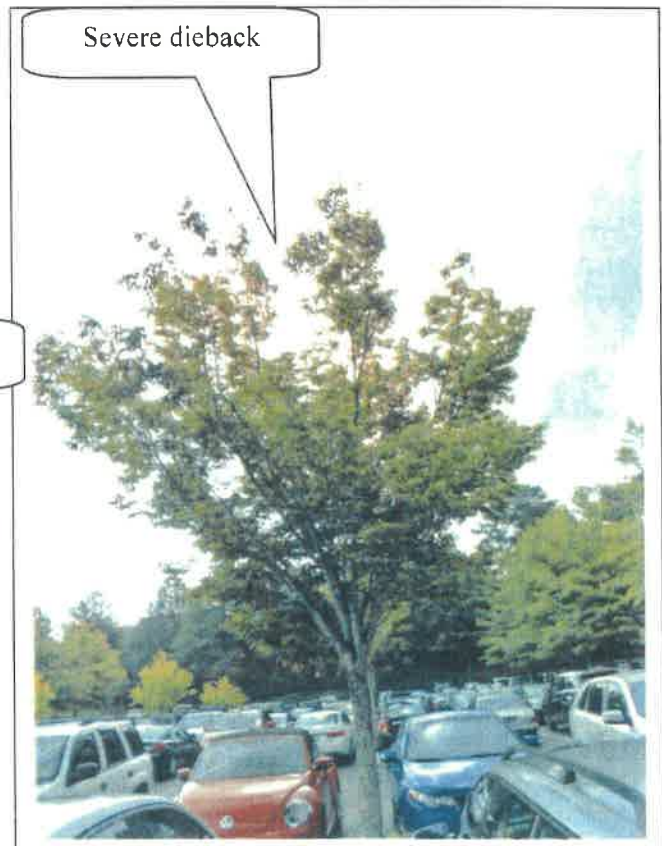


Photo 16



Severe dieback

Photo 17



Split in trunk

Photo 18



Severe dieback

Photo 19



Cavity with decay

Photo 20



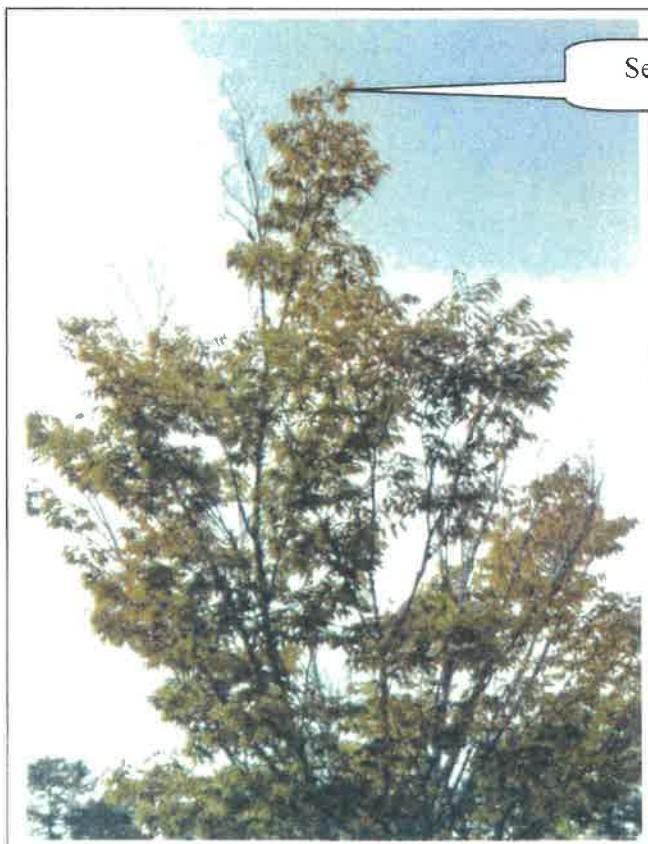
Severe dieback

Photo 21



Cavity with decay

Photo 22



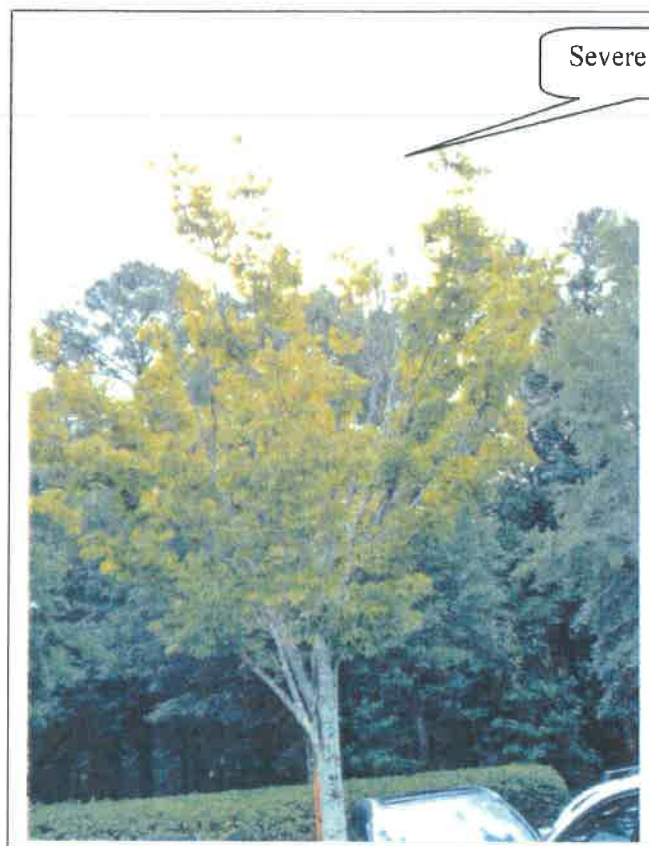
Severe dieback

Photo 23



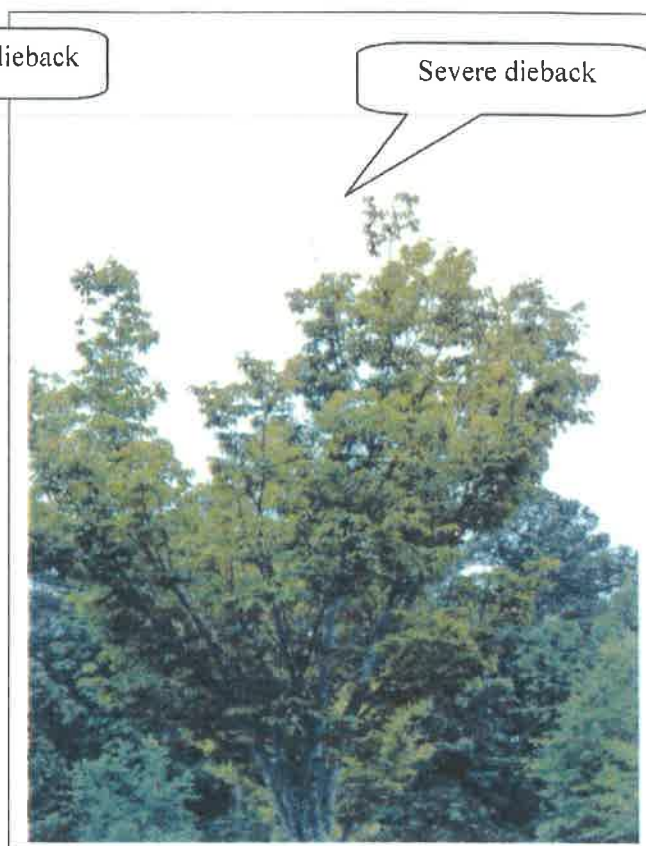
Severe dieback

Photo 24



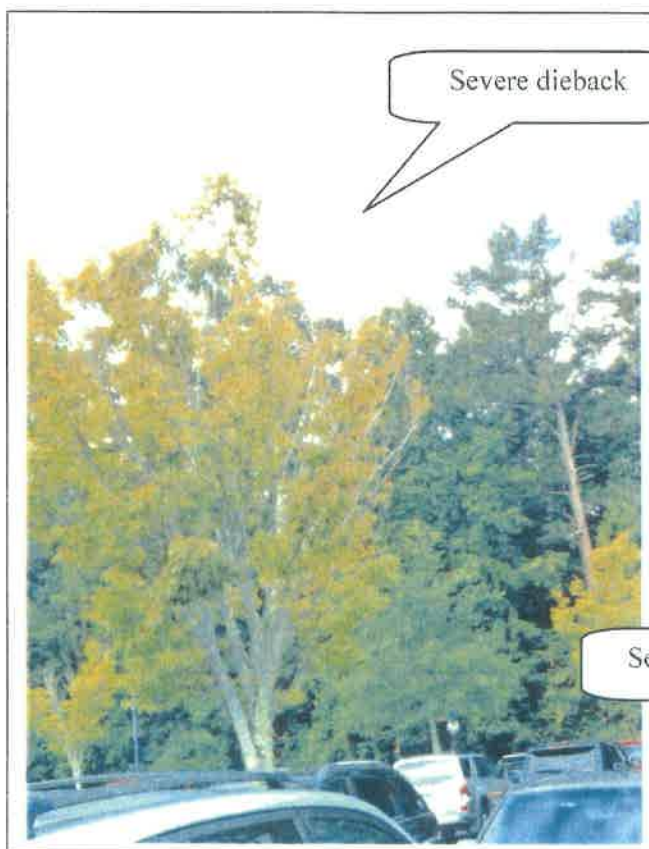
Severe dieback

Photo 25



Severe dieback

Photo 26



Severe dieback

Photo 27



Severe dieback

Photo 28



Photo 29

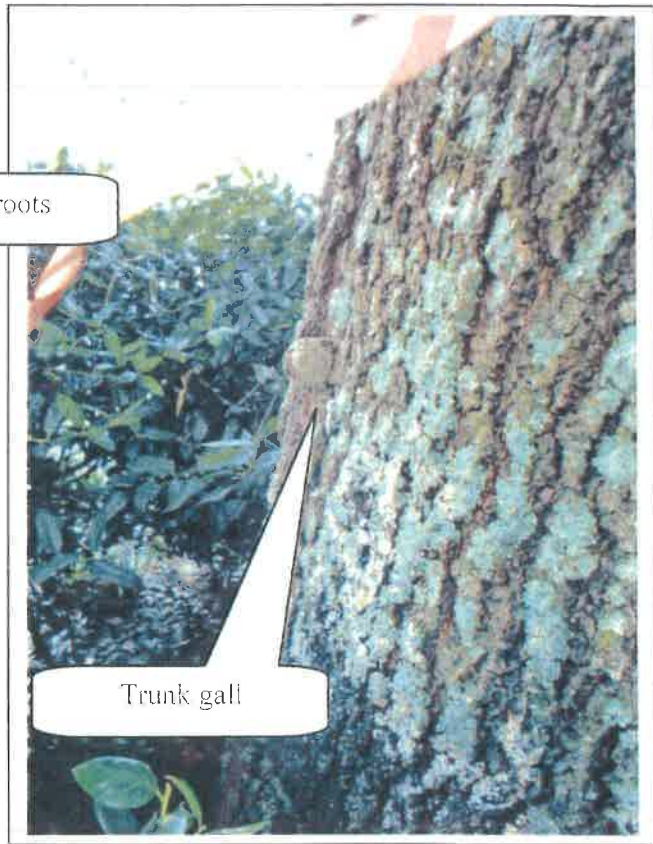


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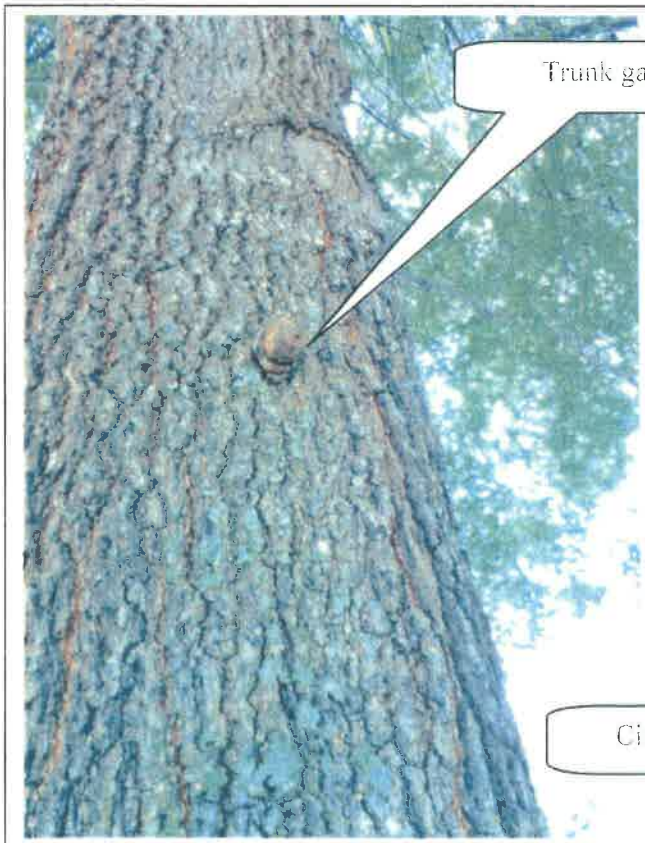
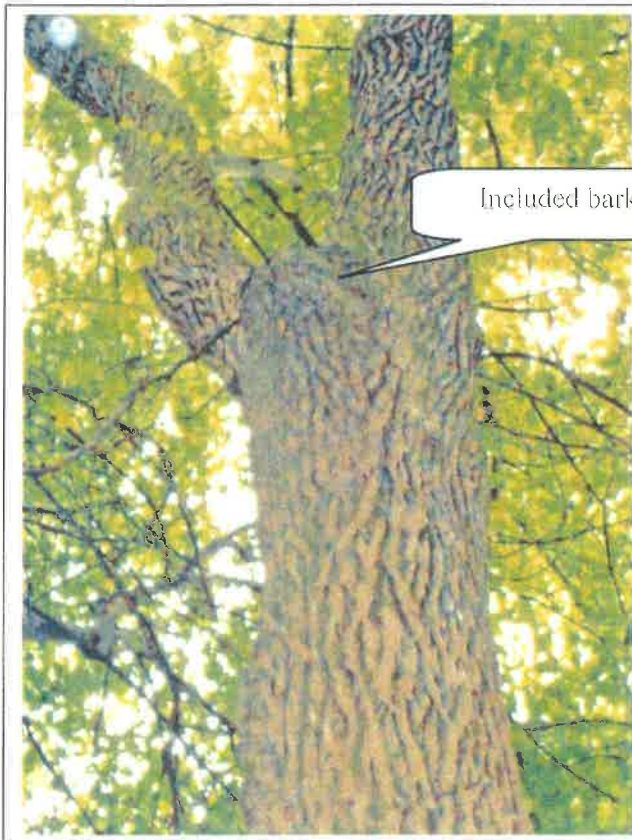


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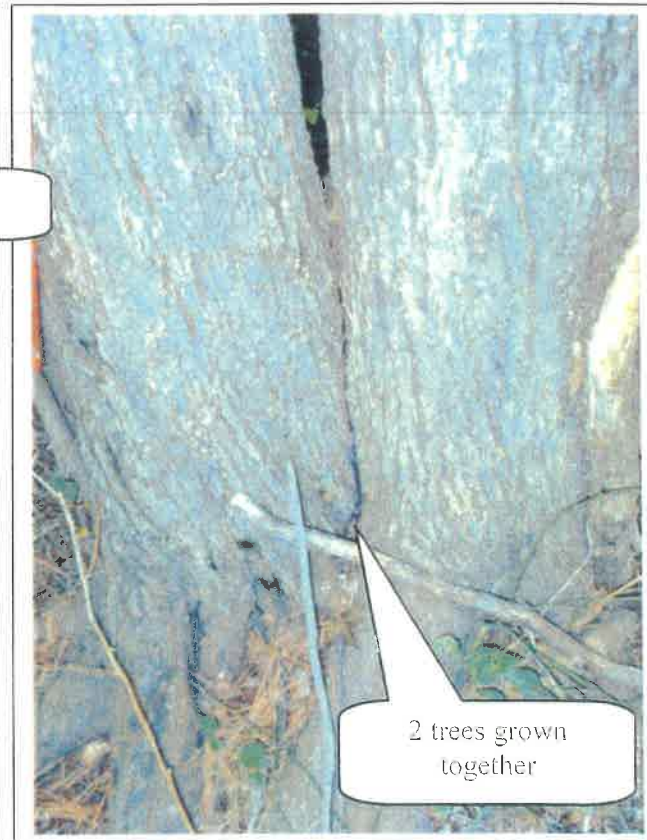


Photo 32



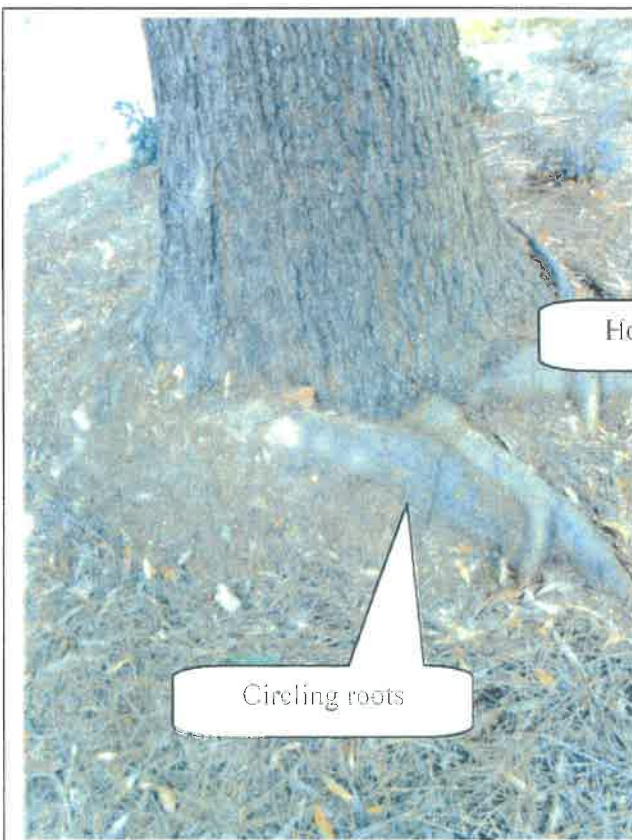
Included bark

Photo 33



2 trees grown together

Photo 34



Circling roots

Photo 35



Hollow cavity

Photo 36

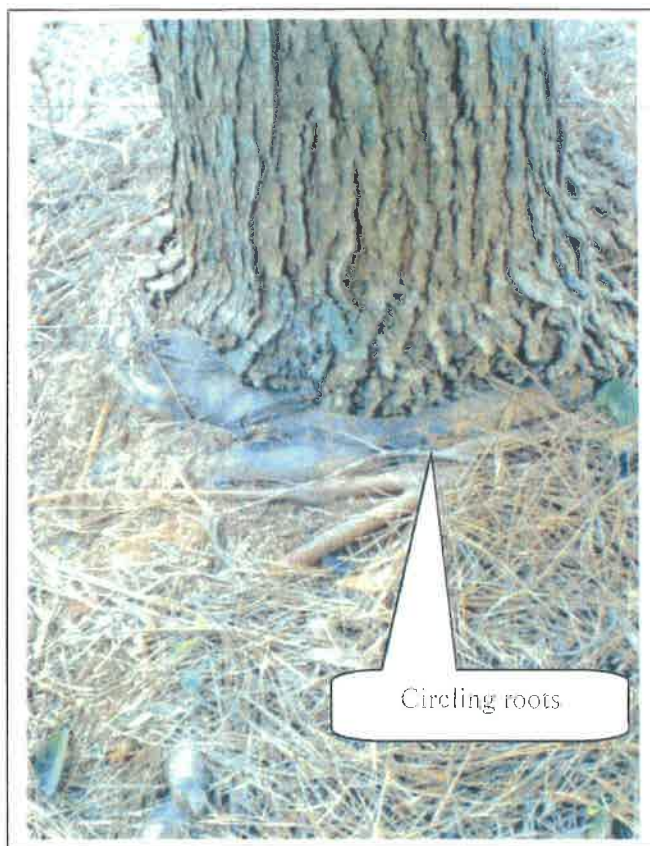


Photo 37

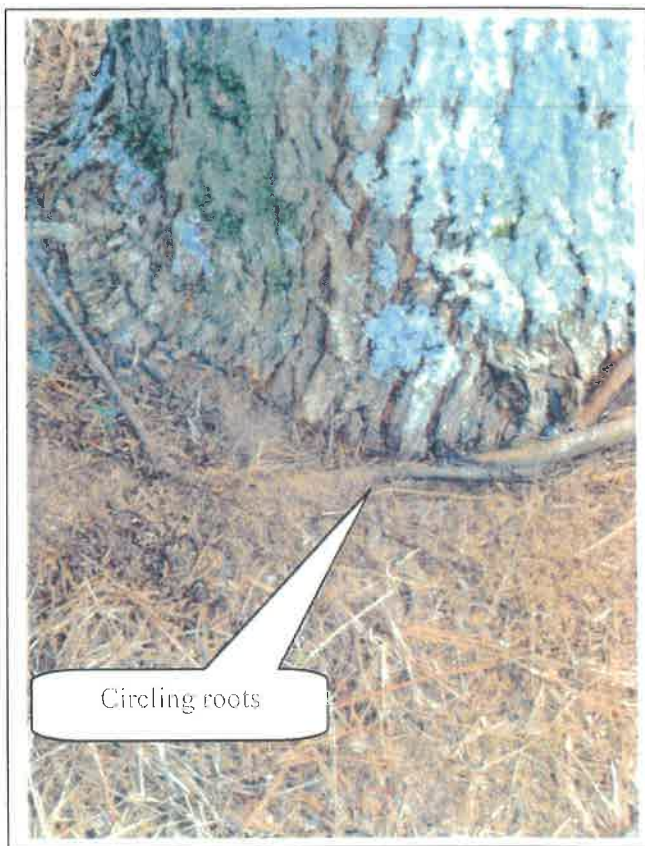


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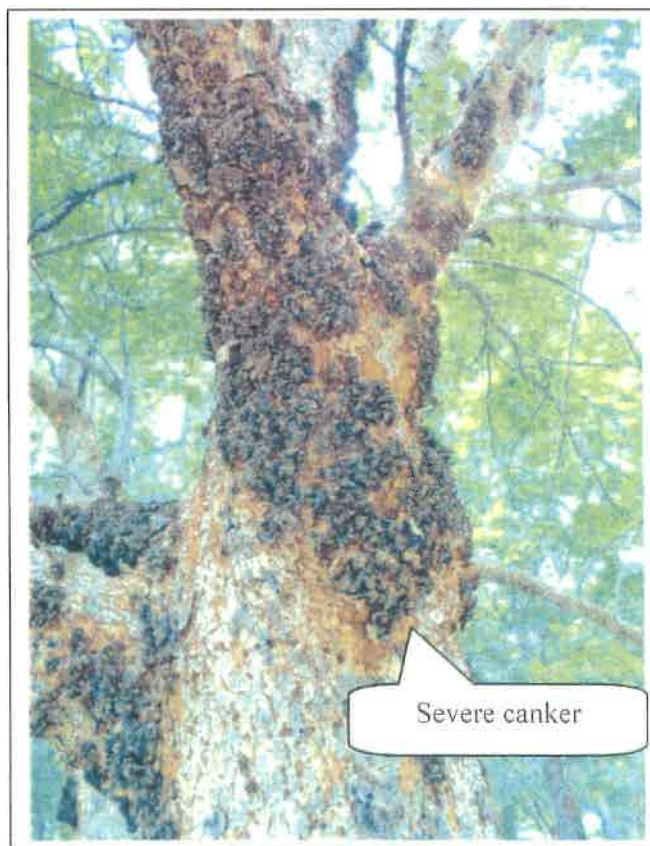


Photo 39



Photo 40

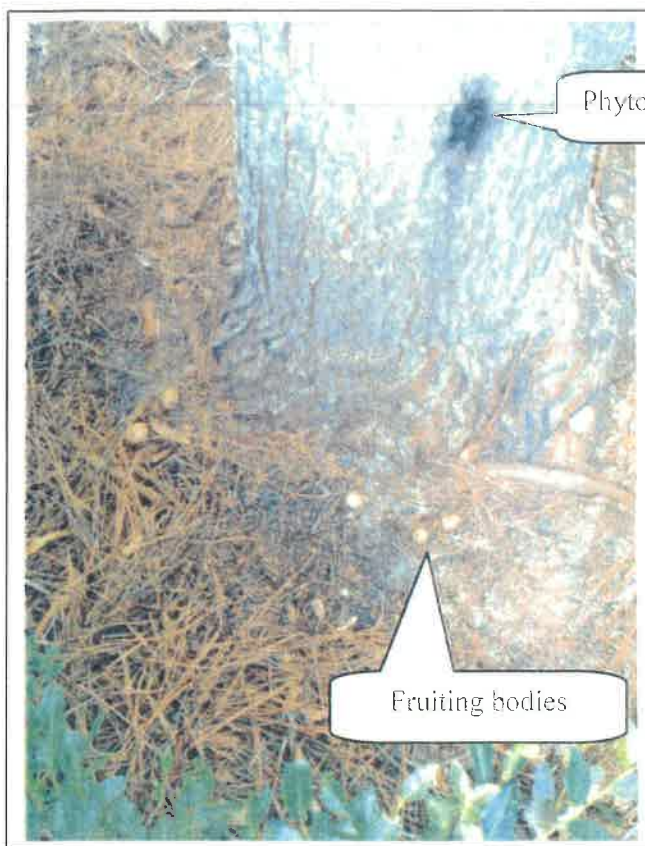


Photo 41



Photo 42

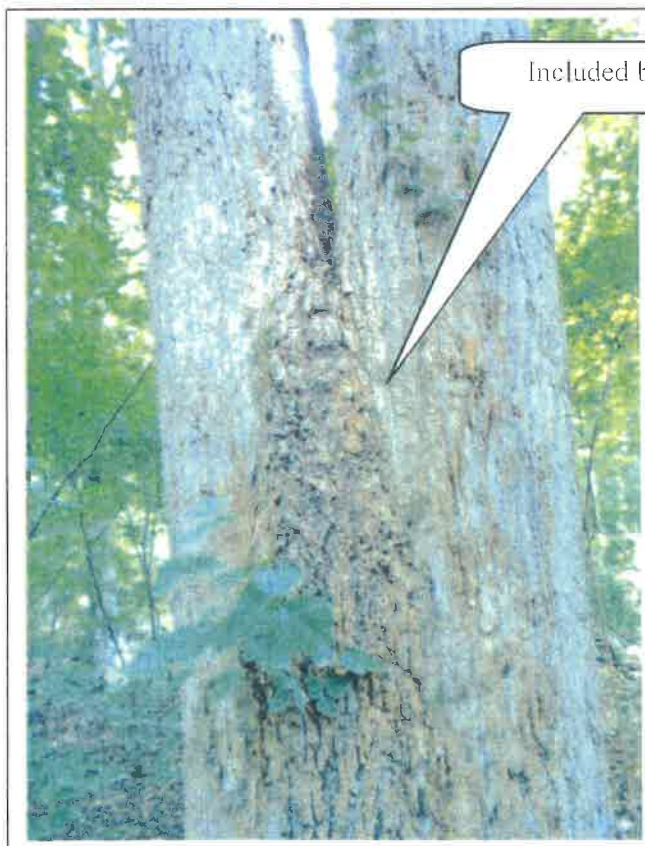


Photo 43

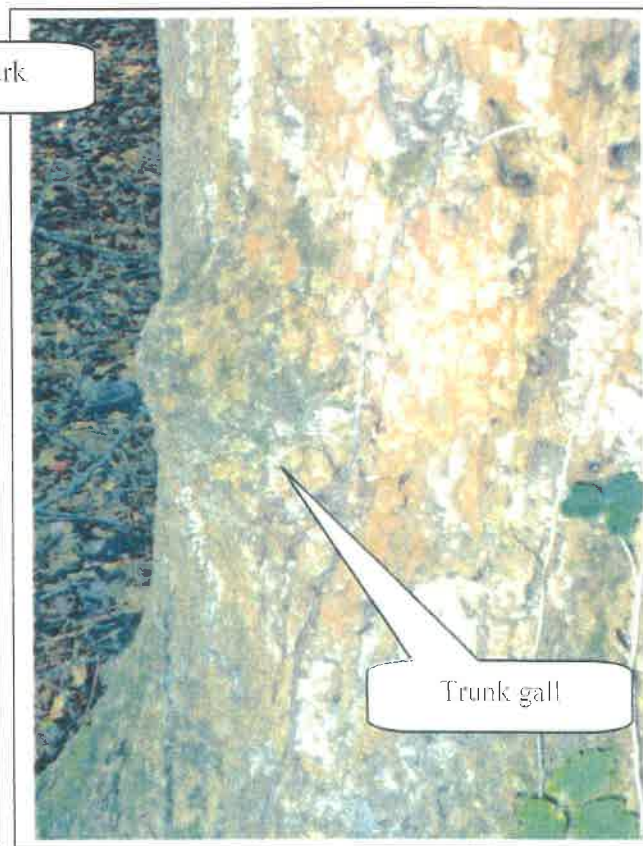
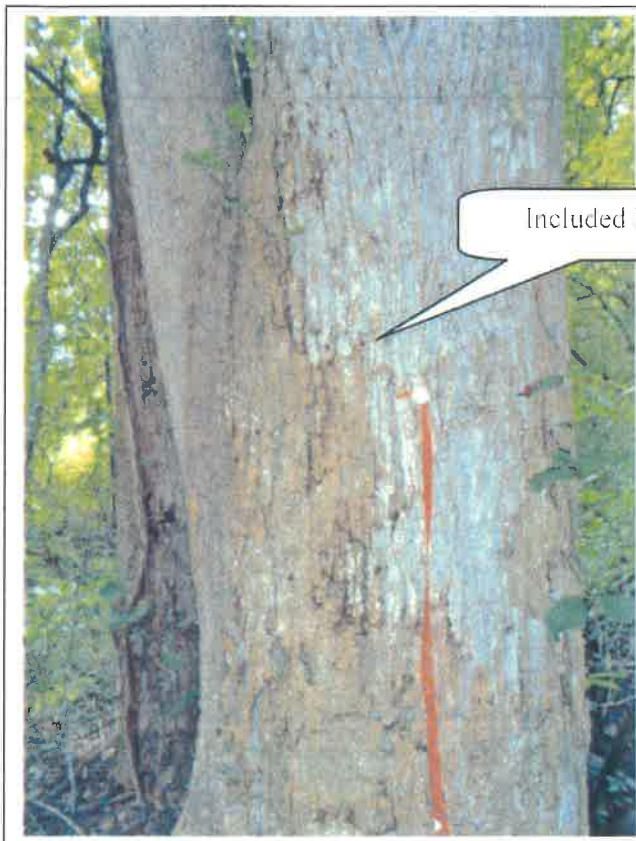
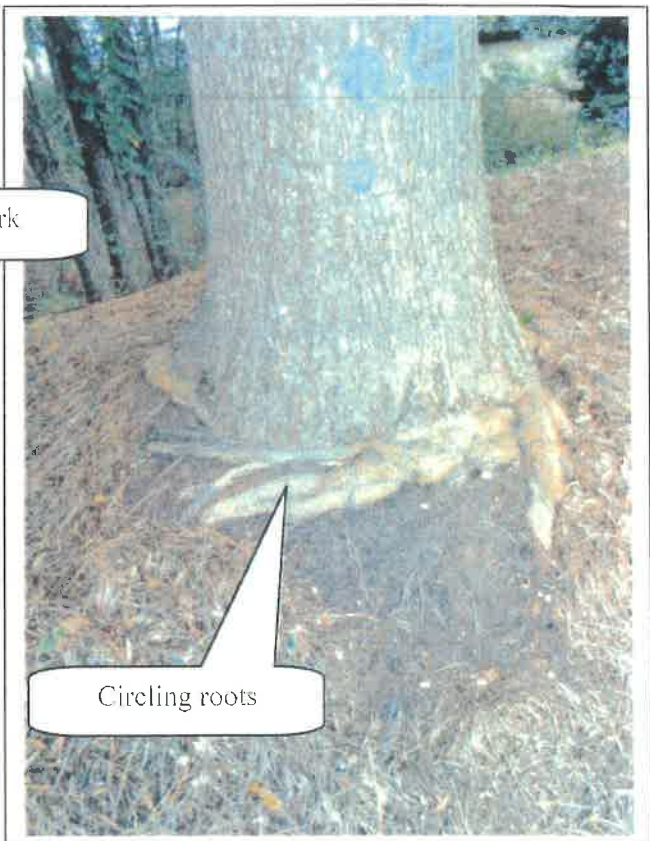


Photo 44



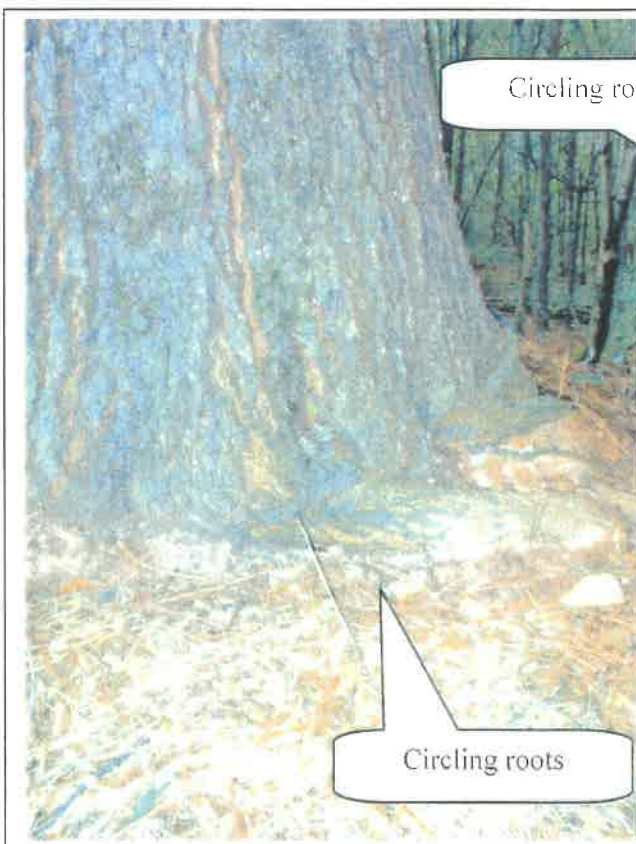
Included bark

Photo 45



Circling roots

Photo 46



Circling roots

Circling roots

Photo 47



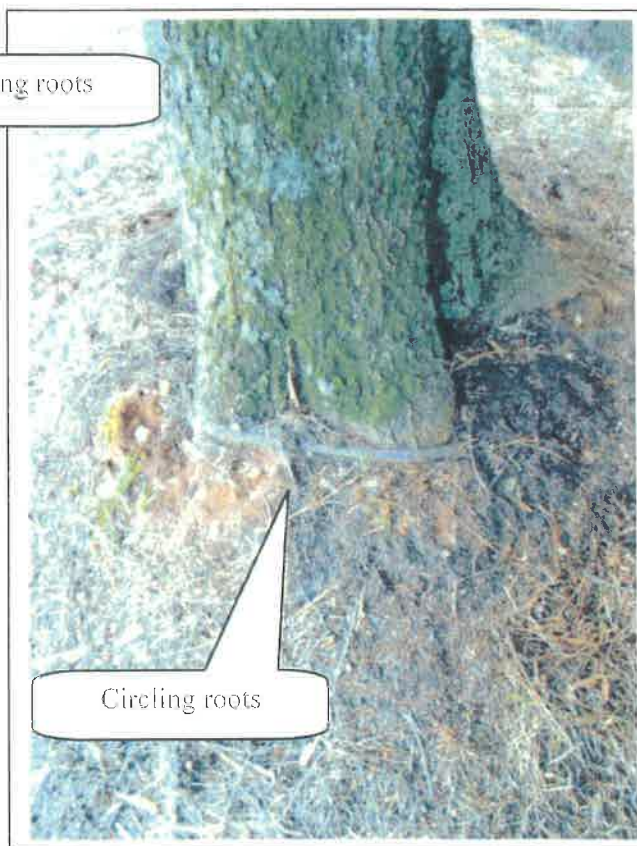
Fruiting bodies

Photo 48



Circling roots

Photo 49



Circling roots

Photo 50



Numerous trunk
galls

Photo 51



Fruiting bodies

Photo 52



Photo 53

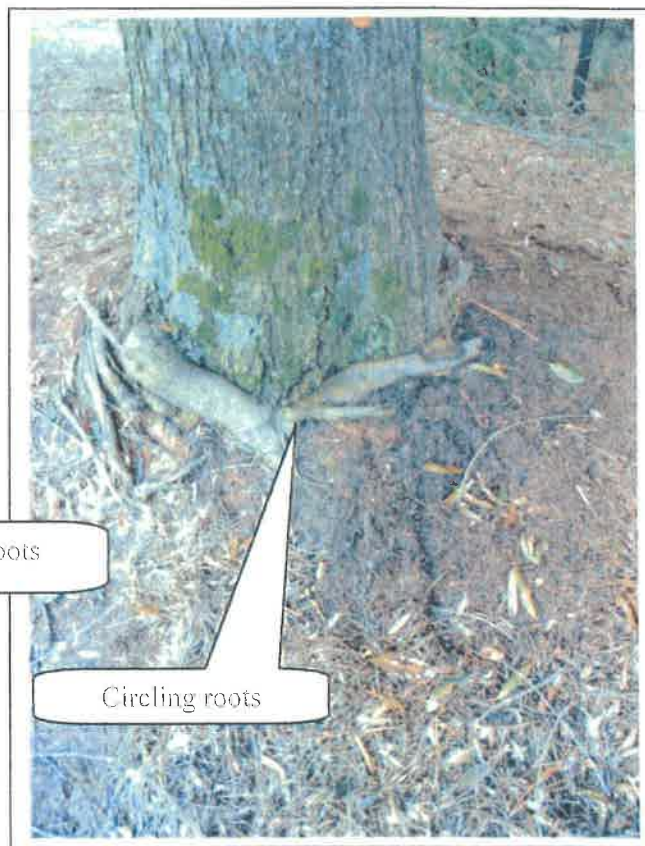


Photo 54



Photo 55

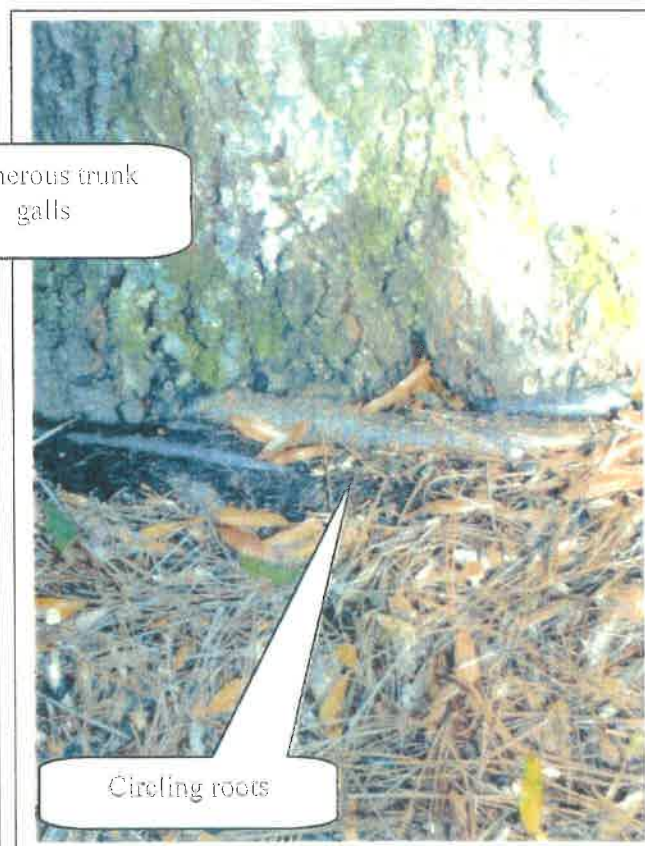


Photo 56



Photo 57

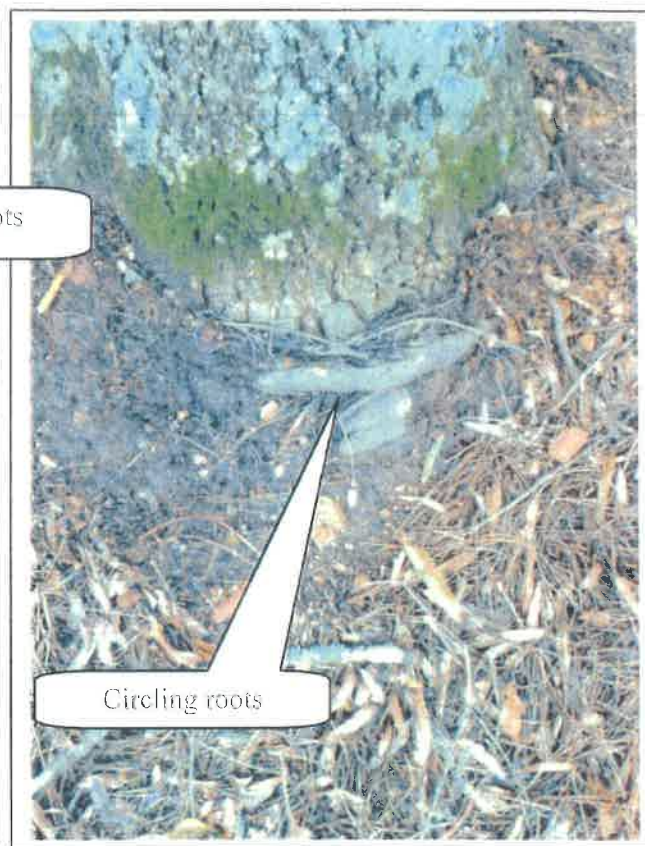


Photo 58

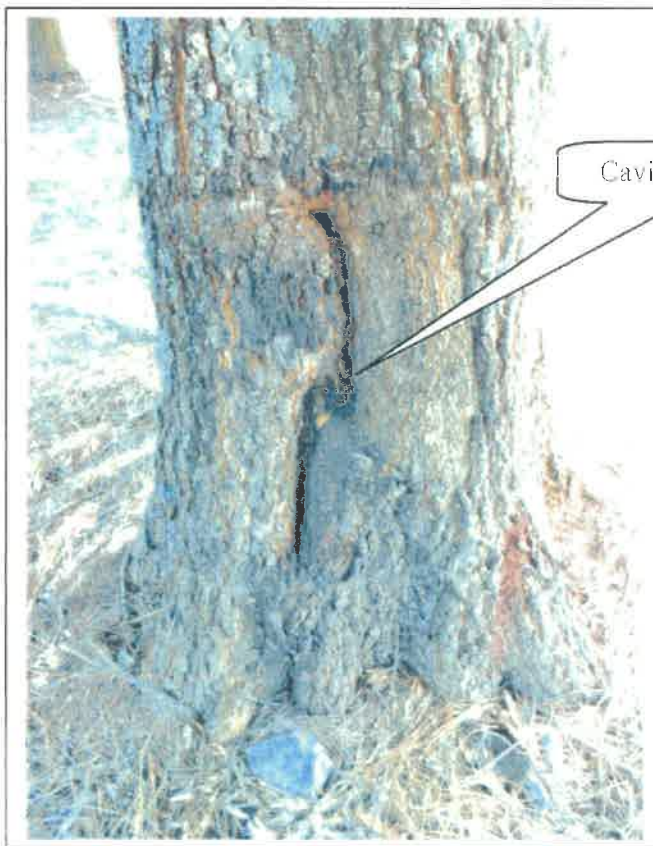


Photo 59



Photo 60



Photo 61

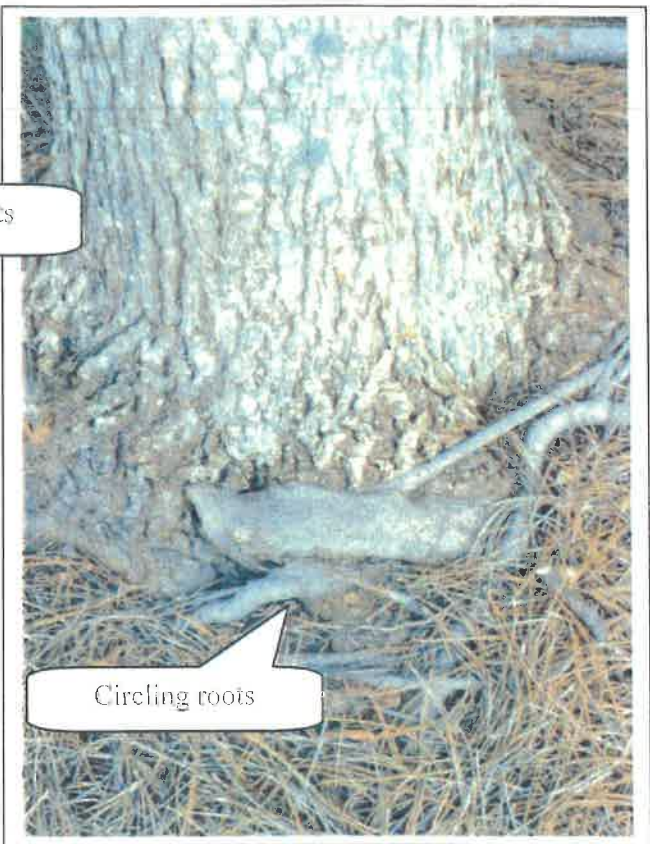


Photo 62



Photo 63



Photo 64



Circling roots

2 Trees grown together

Photo 65

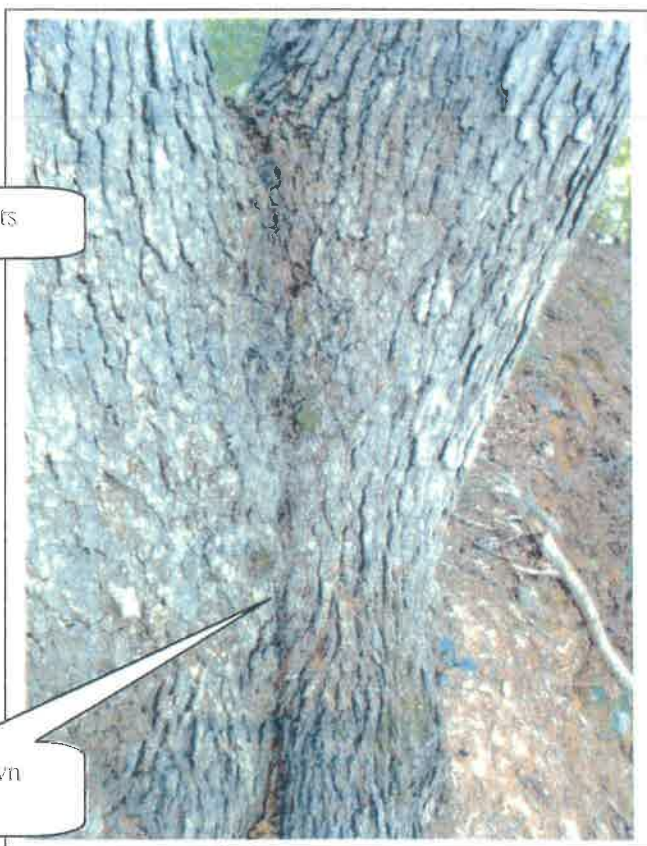


Photo 66



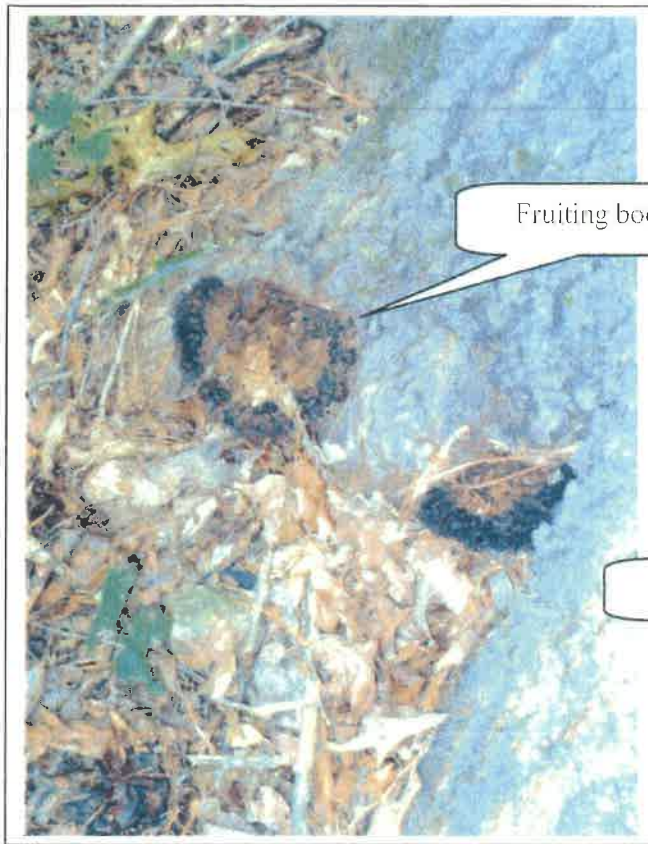
Severe undermining of tree

Photo 67



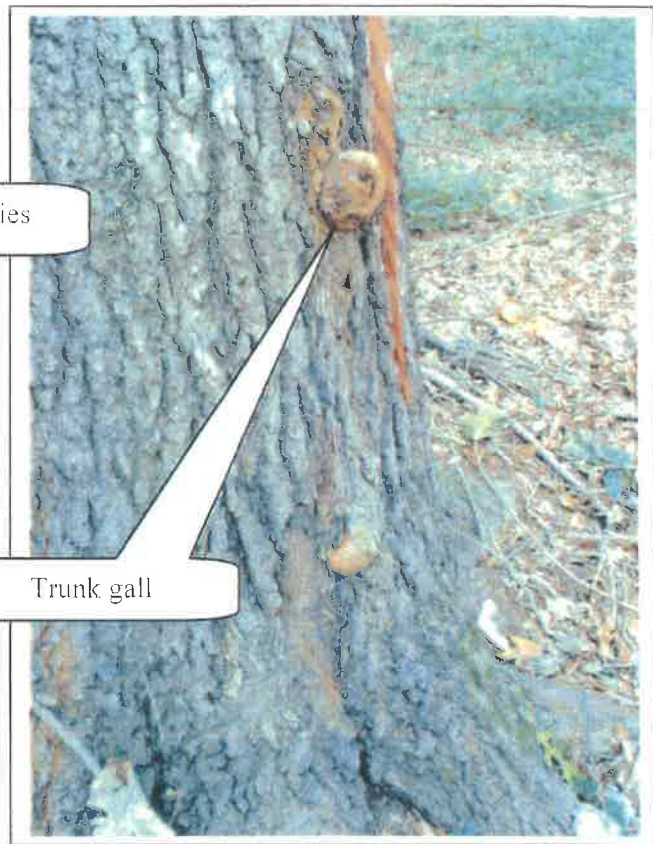
Fruiting body

Photo 68



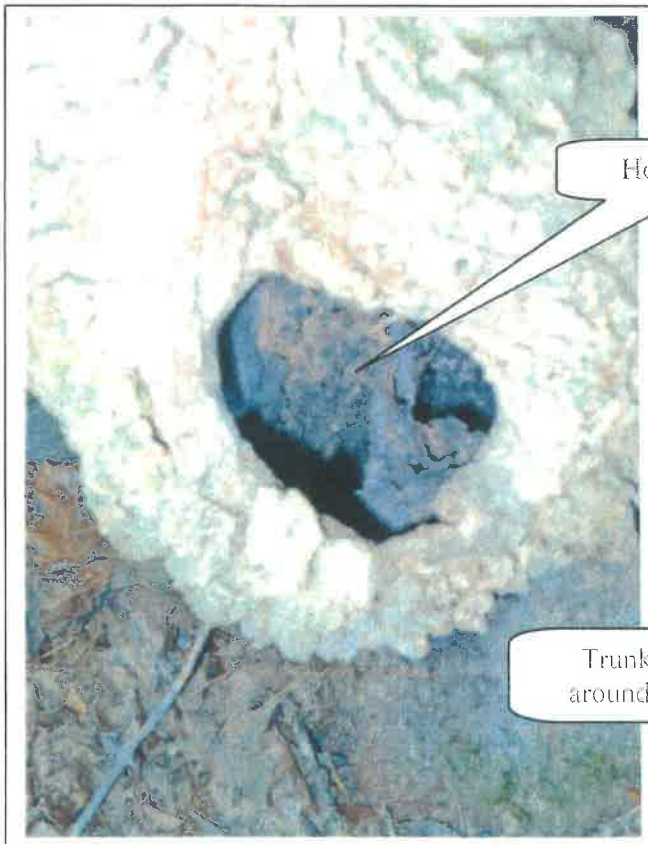
Fruiting bodies

Photo 69



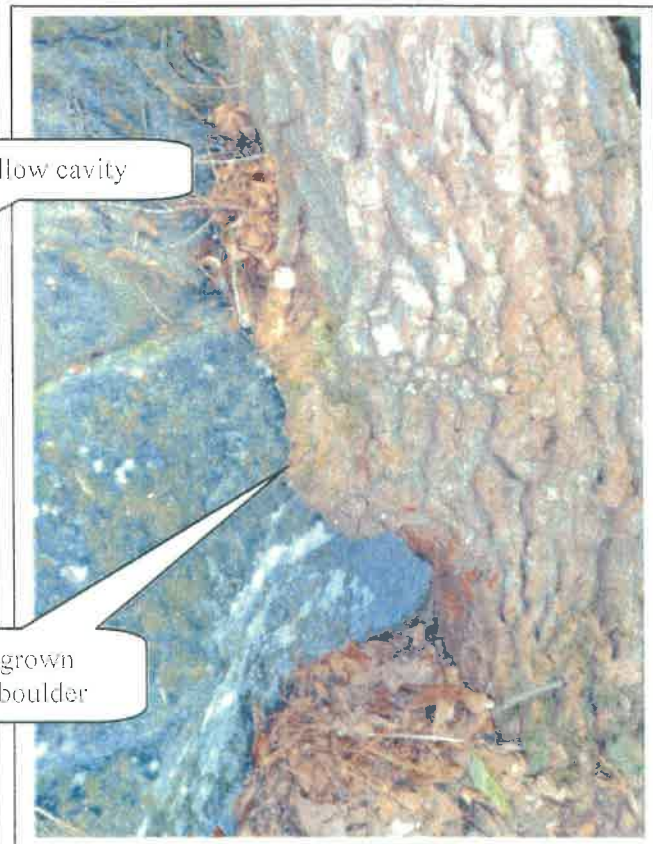
Trunk gall

Photo 70



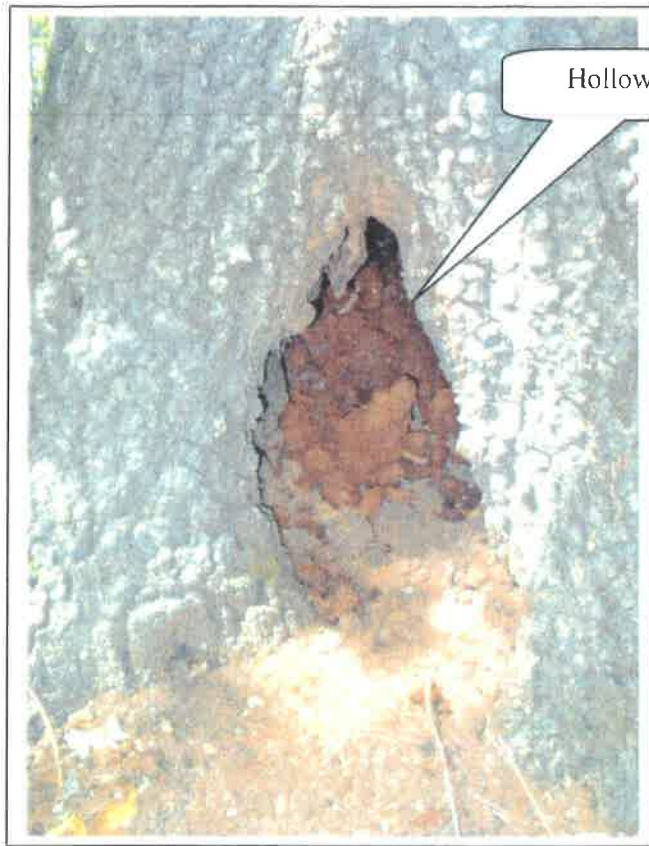
Hollow cavity

Photo 71



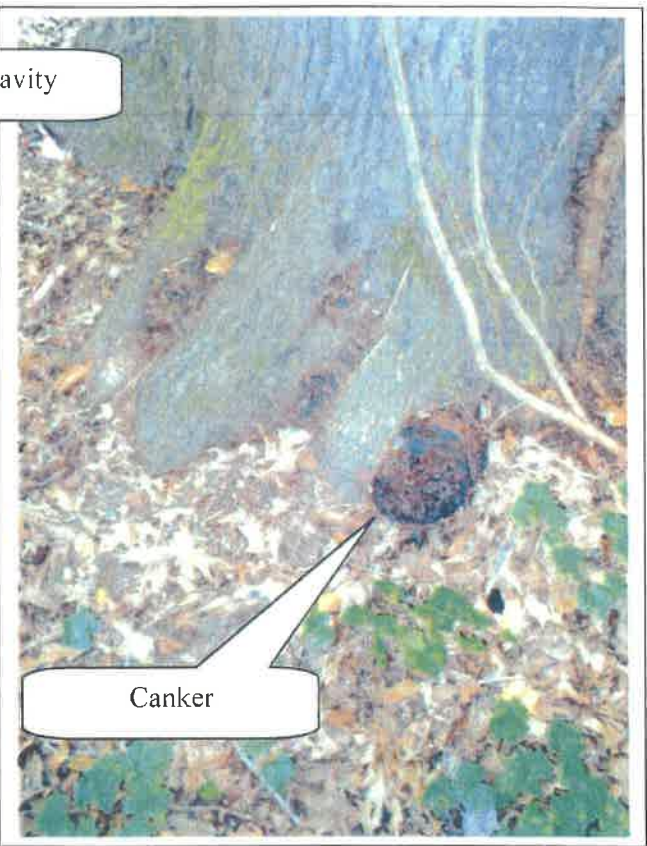
Trunk grown
around boulder

Photo 72



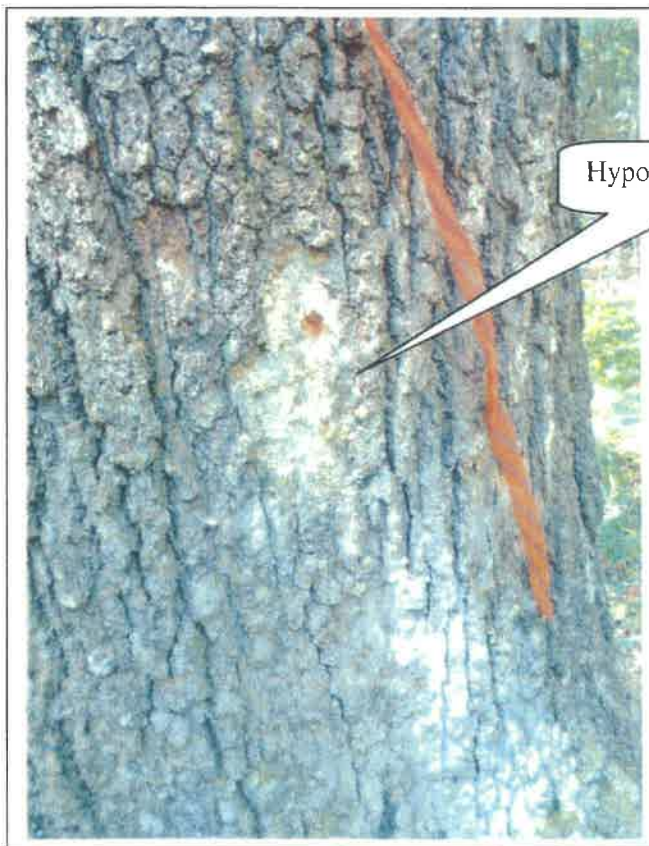
Hollow cavity

Photo 73



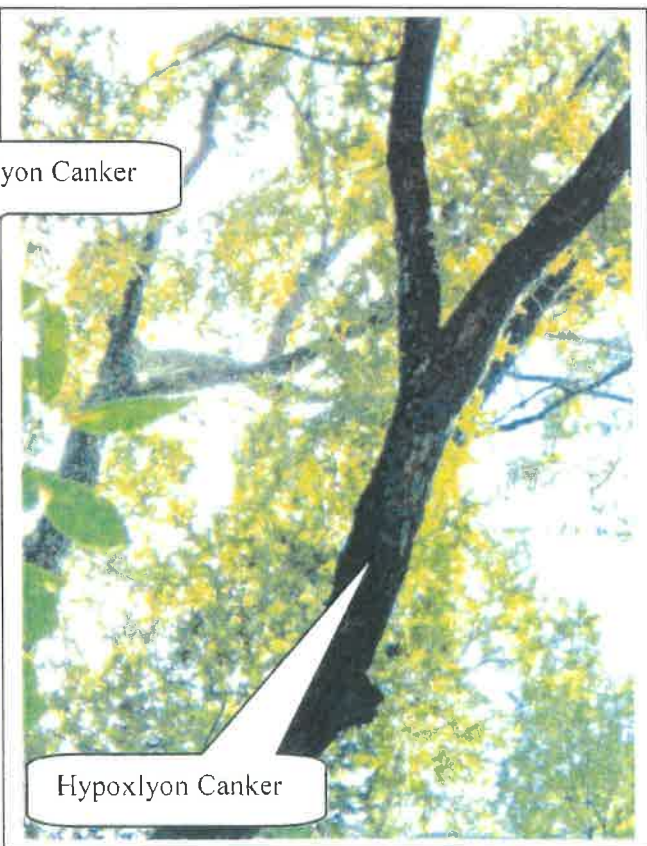
Canker

Photo 74



Hypoxylon Canker

Photo 75



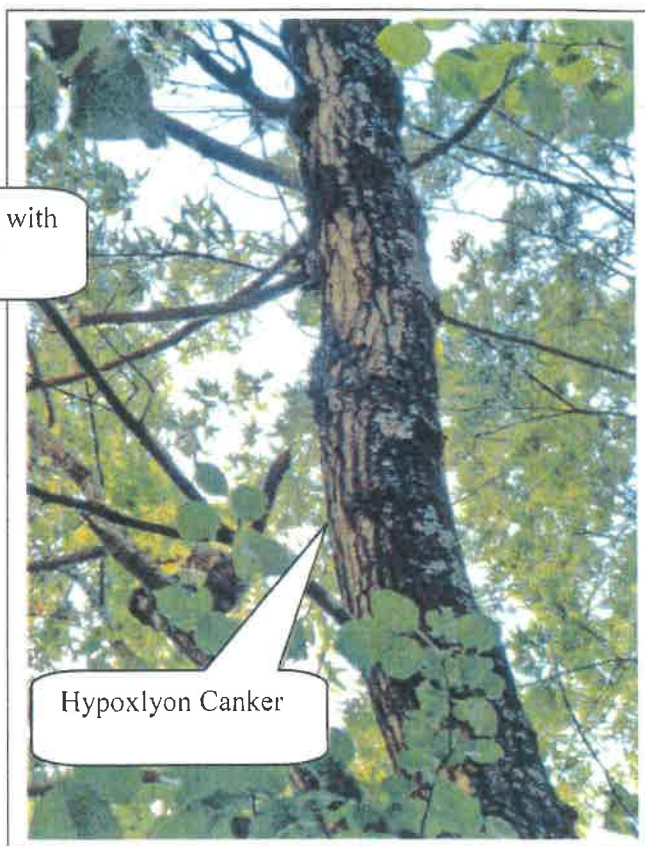
Hypoxylon Canker

Photo 76



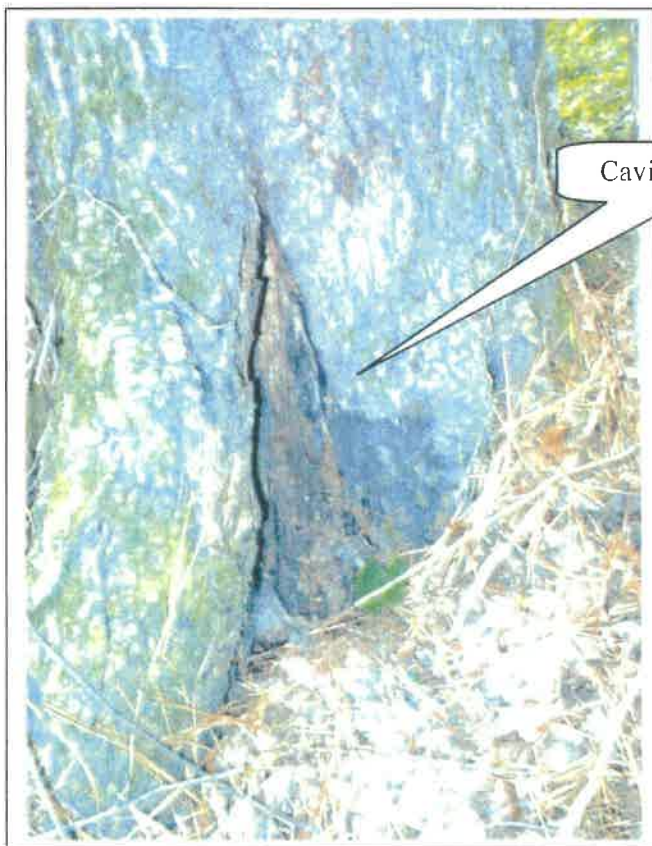
Distorted trunk with
trunk gall

Photo 77



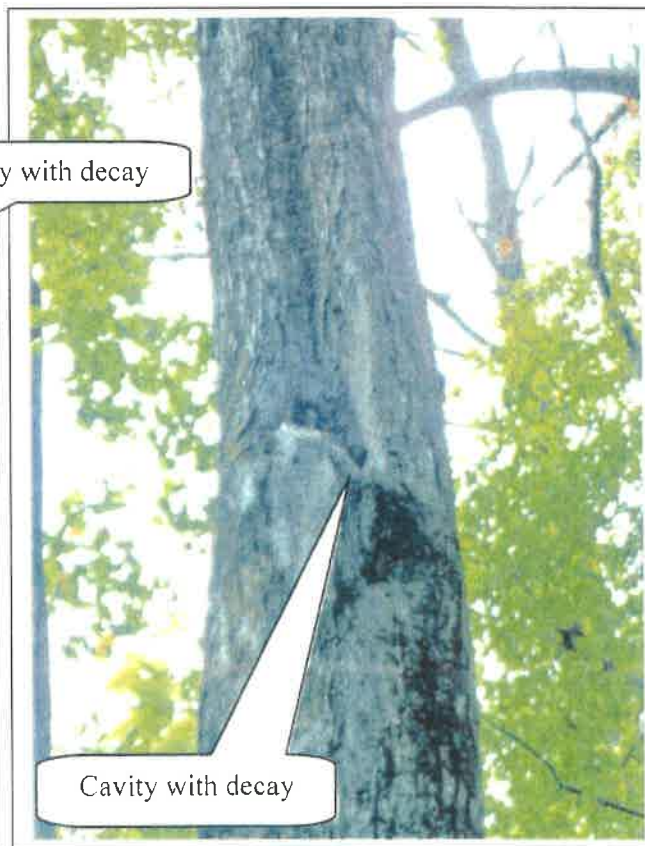
Hypoxylon Canker

Photo 78



Cavity with decay

Photo 79



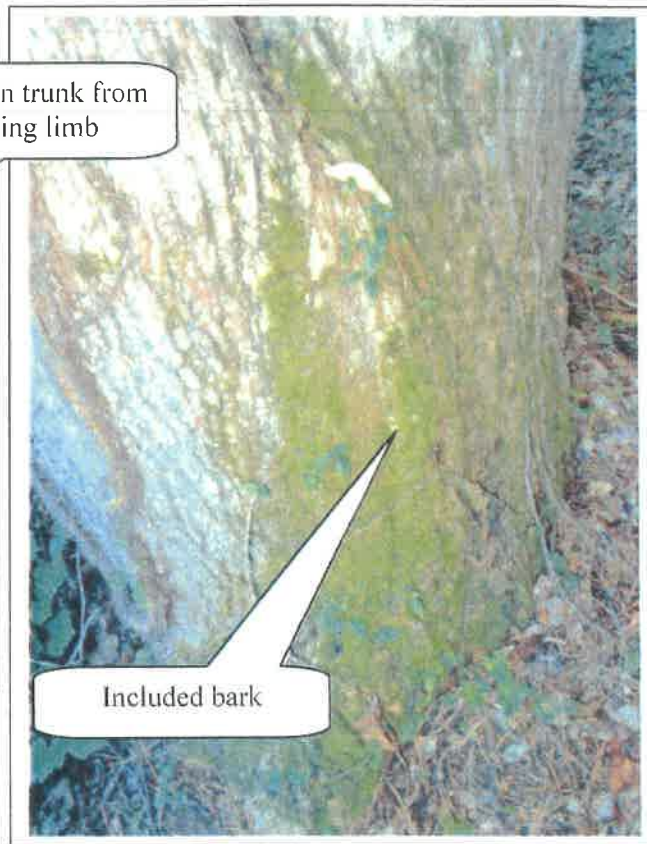
Cavity with decay

Photo 80



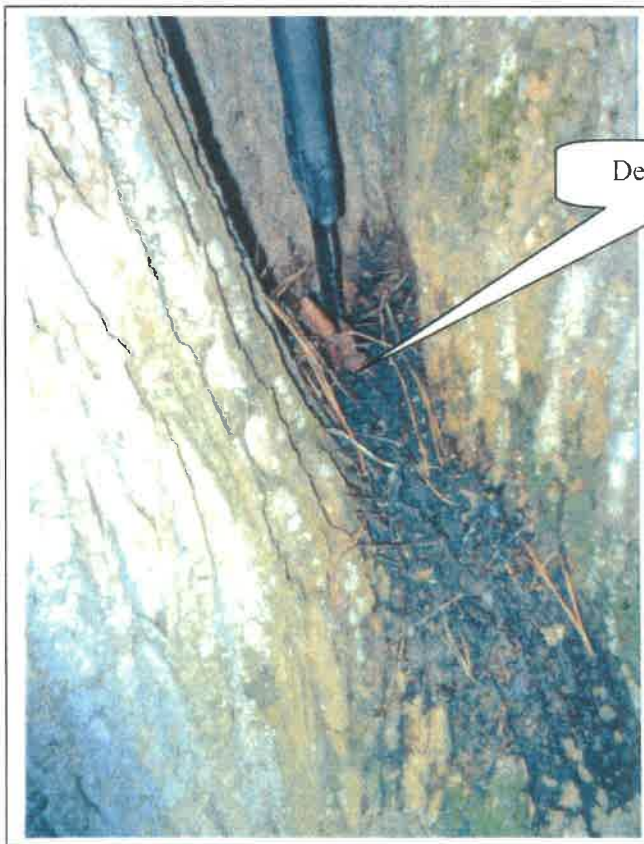
Decay in trunk from
rotting limb

Photo 81



Included bark

Photo 82



Decay in crotch

Photo 83



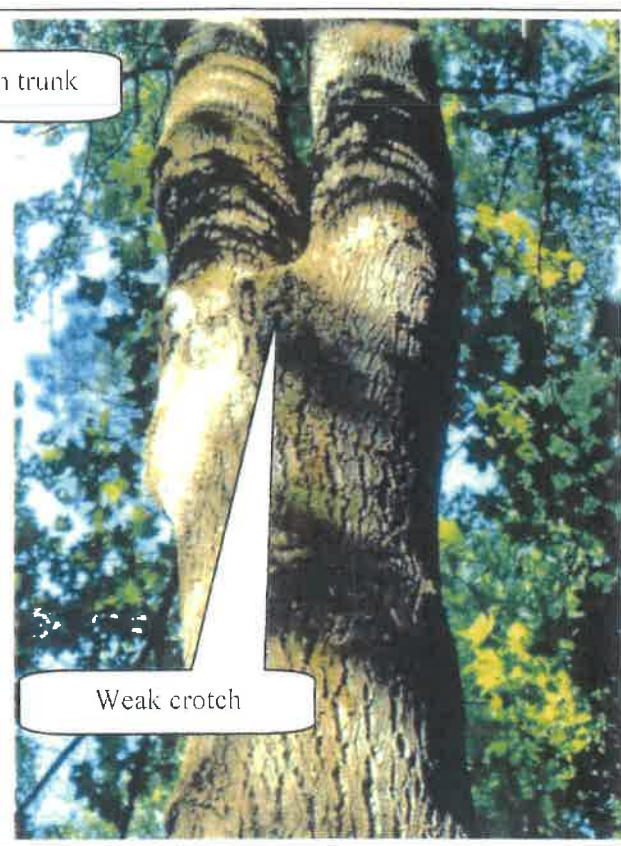
Decay in crotch

Photo 84



Barbwire in trunk

Photo 85



Weak crotch

Photo 86



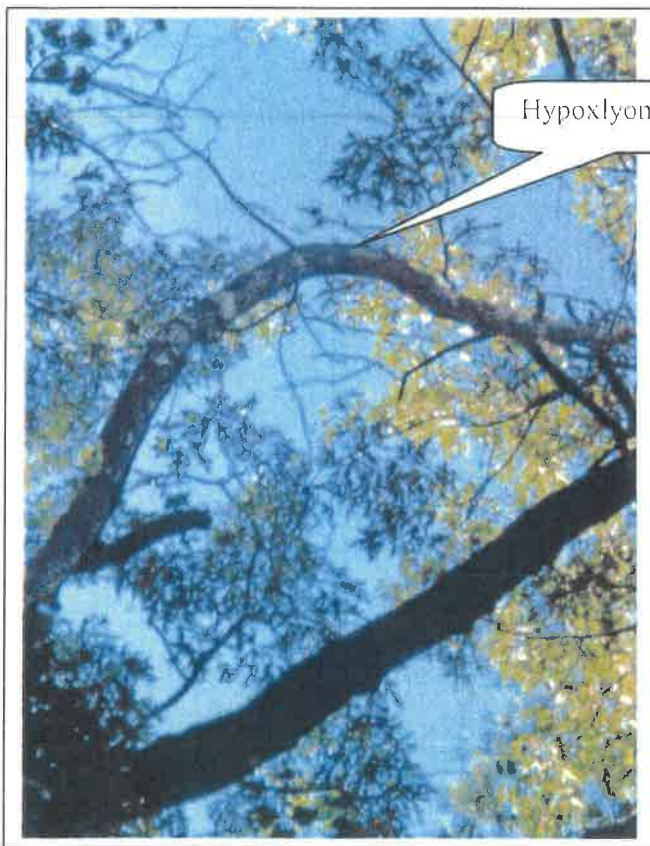
Severe lean

Photo 87



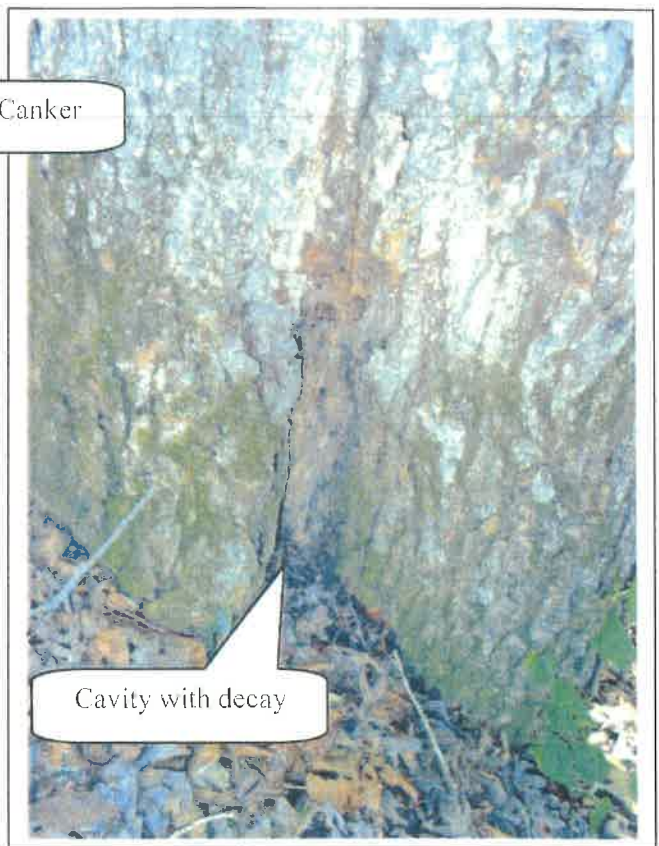
Phytophthora

Photo 88



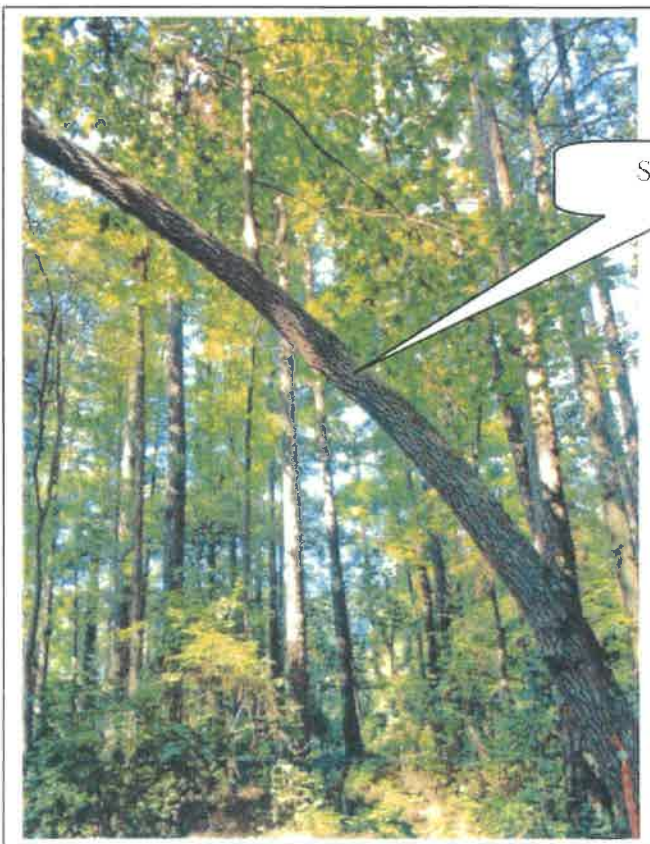
Hypoxylon Canker

Photo 89



Cavity with decay

Photo 90



Severe lean

Photo 91



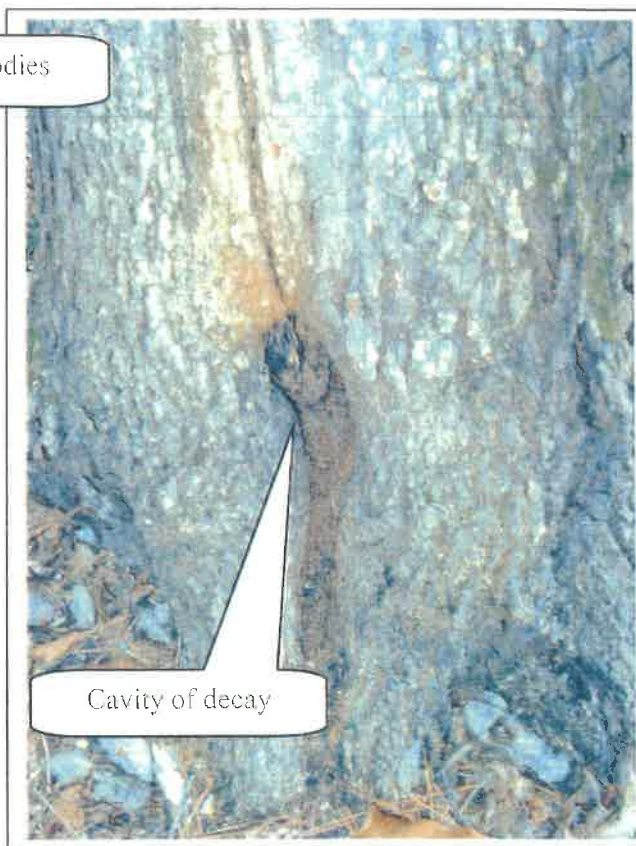
Cavity with decay

Photo 92



Fruiting bodies

Photo 93



Cavity of decay

Photo 94



Root damage

Photo 95



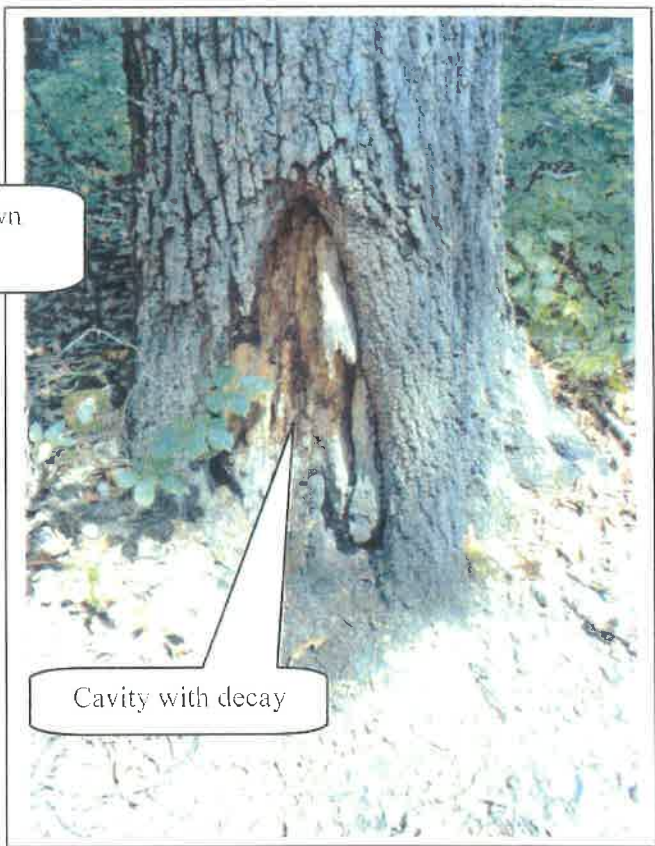
Included bark with
trunk gall in the
inclusion

Photo 96



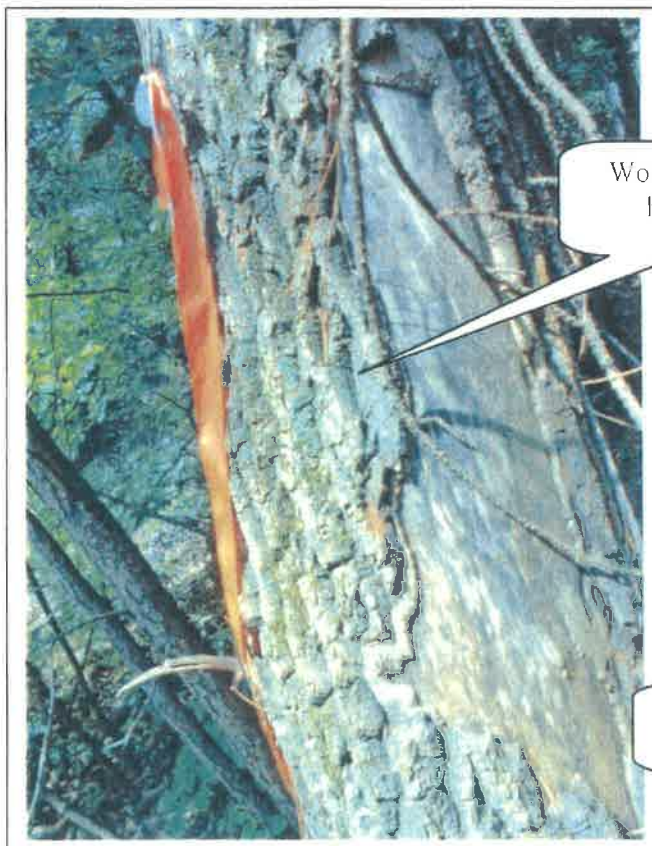
2 Trees grown together

Photo 97



Cavity with decay

Photo 98



Wound exposing heartwood

Photo 99



2 Trees grown together

Photo 100

16-07-29-01 GA 400
Haynes Bridge Arborist
Report Alpharetta
Arborist Report

Reference UDC
Alpharetta, Georgia



Location Map



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

Outdoor Spaces, LLC

By Scott Hall, Owner

On Site Specimen Evaluation Date: August 8, 10, 11, 16, 2016

Report Date: August 17, 2016

Revised Date:



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

Warranty Disclaimer:

Although, this report will determine whether or not a tree is a specimen or "Tree of Quality"; it is provided as best judgment opinion. Ultimately, the governing body's (City of Alpharetta) arborist or representative shall determine whether a tree is classified as a specimen/"Tree of Quality" or not.

All specimen/"Tree of Quality" tree locations shall be approximate. The provided tree locations shall NOT be GPS located and in no manner shall the provided tree location plan be used or represented as a tree survey. It is the sole responsibility of the OWNER to have all tagged specimen/"Tree of Quality" trees located by a Certified Land Surveyor.

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

Arborist Note:

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

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

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

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

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

ARTICLE III. LAND DEVELOPMENT ACTIVITIES

SECTION 3.2 TREE PROTECTION

3.2.1 DEFINITIONS

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

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

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

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

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

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

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

APPENDIX A

SPECIMEN TREES

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

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

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

Size Criteria

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

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

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

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

Any Specimen Tree which is removed without the appropriate review and approval of the Director must be replaced by trees with a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Size alone will determine whether a tree was a specimen quality if the tree is removed without approval and there is no evidence of its condition. Violations will be subject to the applicable penalties as described in Section 3.2.19.

Specimen Analysis							(General
Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)							
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
302	11" Red Maple	Good	Good	No	Landscape Tree		No
303	19" Crape Myrtle	Good	Good	Yes			Yes
304	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
305	18" Crape Myrtle	Good	Good	Yes			Yes
306	18" Crape Myrtle	Good	Good	Yes			Yes
307	15" Crape Myrtle	Good	Good	Yes			Yes
308	3" Red Maple	Good	Good	No	Landscape Tree		No
309	8" Red Maple	Good	Good	No	Landscape Tree		No
310	8" Red Maple	Good	Good	No	Landscape Tree		No
311	8" Red Maple	Good	Good	No	Landscape Tree		No
312	8" Red Maple	Good	Good	No	Landscape Tree		No
313	8" Red Maple	Good	Good	No	Landscape Tree		No
314	8" Red Maple	Good	Good	No	Landscape Tree		No
315	8" Red Maple	Good	Good	No	Landscape Tree		No
316	8" Red Maple	Good	Good	No	Landscape Tree		No
317	8" Red Maple	Good	Good	No	Landscape Tree		No
318	8" Red Maple	Good	Good	No	Landscape Tree		No
319	11" Red Maple	Good	Good	No	Landscape Tree		No
320	11" Red Maple	Good	Good	No	Landscape Tree		No
321	5" Zelkova	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
322	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Cavity at base of tree. Lichen on trunk, an indication of poor growth.	1	No
323	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	2	No
324	4" Red Maple	Good	Good	No	Landscape Tree		No
325	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	3	No
326	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	4	No
327	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	5	No
328	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk.	6-7	No
329	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	8	No

Specimen Analysis							(General
Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)							
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
330	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
331	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
332	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
333	12" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
334	10" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
335	11" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
336	11" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
337	9" Willow Oak	Fair	Fair	No	Landscape Tree. Thin canopy an indication tree has out grown landscape island.		No
338	10" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
339	10" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Thin canopy an indication tree has out grown landscape island.		No
340	4" Trident Maple	Poor	Poor	No	Landscape Tree. Several cavities. Tree staking strap grown into trunk. Severe tip die back. Tree has out grown landscape island.	9-11	No
341	4" Trident Maple	Poor	Poor	No	Landscape Tree. Tree has out grown landscape island.		No
342	4" Trident Maple	Fair	Fair	No	Landscape Tree. Several cavities. Severe tip die back. Tree has out grown landscape island.	12-13	No
343	4" Trident Maple	Poor	Poor	No	Landscape Tree. Early change of leaf color, an indication of stress. Tree has out grown landscape island.		No
344	4" Trident Maple	Poor	Poor	No	Landscape Tree. Tree has out grown landscape island.		No
345	6" Red Maple	Fair	Fair	No	Landscape Tree. Tree has out grown landscape island.		No

Specimen Analysis							(General)
Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)							
Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
346	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk. Lichen on trunk, an indication of poor growth.	14-15	No
347	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	16	No
348	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Split in trunk. Lichen on trunk, an indication of poor growth.	17-18	No
349	6" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Cavity exposing heartwood. Severe tip die back. Lichen on trunk, an indication of poor growth.	19-20	No
350	7" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Cavity with decay. Severe tip die back. Lichen on trunk, an indication of poor growth.	21-22	No
351	16" Willow Oak	Good	Good	No	Landscape Tree.		No
352	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
353	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
354	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
355	13" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
356	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
357	11" Willow Oak	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
358	12" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
359	11" Willow Oak	Fair	Fair	No	Landscape Tree. Improper pruning for parking lights. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No

Specimen Analysis

(General

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
360	14" Willow Oak	Good	Good	No	Landscape Tree.		No
361	10" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
362	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	23	No
363	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	24	No
364	9" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Lichen on trunk, an indication of poor growth.		No
365	8" Red Maple	Fair	Fair	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
366	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	25	No
367	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	26	No
368	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
369	5" Zelkova	Poor	Poor	No	Landscape Tree. Cavity exposing heartwood. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.	27-28	No
370	5" Zelkova	Poor	Poor	No	Landscape Tree. Has out grown landscape island. Severe tip die back. Lichen on trunk, an indication of poor growth.		No
371	14" Red Maple	Good	Good	No	Landscape Tree.		No
372	9" Red Maple	Good	Good	No	Landscape Tree.		No

(General

[illegible]

Specimen Analysis (General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. The are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
411	29" Pine	Good	Good	No	Boundary Tree.		Yes
412	20" Red Maple	Fair	Fair	No	Boundary Tree.		No
413	25" Pine	Good	Good	No	Boundary Tree.		Yes
414	28" Pine	Good	Good	No	Boundary Tree.		Yes
415	28" Pine	Good	Good	No	Boundary Tree.		Yes
416	30" Pine	Good	Good	Yes			Yes
417	22" Pine	Good	Good	No	Boundary Tree.		Yes
418	11" Red Maple	Good	Good	No	Landscape Tree.		No
(A)	9"-20" Bald Cypress	Good	Good	No	8 Trees of Quality		Yes
419	22" River Birch	Good	Good	No	Tree of Quality		Yes
420	16" Crape Myrtle	Good	Good	Yes			Yes
421	13" Crape Myrtle	Good	Good	Yes			Yes
422	17" Crape Myrtle	Good	Good	Yes			Yes
423	17" Crape Myrtle	Good	Good	Yes			Yes
424	17" Crape Myrtle	Good	Good	Yes			Yes
425	9" Crape Myrtle	Good	Good	Yes			Yes
426	9" Crape Myrtle	Good	Good	Yes			Yes
427	9" Crape Myrtle	Good	Good	Yes			Yes
428	9" Crape Myrtle	Good	Good	Yes			Yes
429	9" Crape Myrtle	Good	Good	Yes			Yes
430	9" Crape Myrtle	Good	Good	Yes			Yes
431	13" Crape Myrtle	Good	Good	Yes			Yes
432	12" Crape Myrtle	Good	Good	Yes			Yes
433	9" Red Maple	Good	Good	No	Landscape Tree		Yes
434	8" Dogwood	Fair	Fair	Yes	Some dieback		Yes
435	9" Japanese Maple	Good	Good	Yes			Yes
436	12" Red Maple	Good	Good	No	Landscape Tree		Yes
437	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	35	No
438	9" Dogwood	Poor	Poor	No	Hollow cavity and dieback.	36	No
439	14" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	37	No
440	10" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	38	No
441	14" Chinese Elm	Poor	Poor	No	Landscape Tree. Severe cankers on trunk.	39	No
442	14" Willow Oak	Good	Good	No	Landscape Tree		Yes
443	11" Red Maple	Poor	Poor	No	Landscape Tree. Main Trunk has Phytophthora. Fruiting bodies on root system. Circling roots impacting structural system of tree.	40-41	No
444	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
445	20" Crape Myrtle	Good	Good	Yes			Yes
446	8" East Palatka Holly	Good	Good	Yes			Yes
447	13" Crape Myrtle	Good	Good	Yes			Yes
448	15" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
449	12" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
450	13" Crape Myrtle	Good	Good	Yes			Yes

Specimen Analysis

(General

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as an office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
451	16" Water Oak	Good	Good	No	Tree of Quality		Yes
452	11" Red Maple	Good	Good	No	Tree of Quality		Yes
453	14" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
454	16" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
455	11" Crape Myrtle	Good	Good	Yes			Yes
636	13" Crape Myrtle	Good	Good	Yes			Yes
456	13" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
457	12" Crape Myrtle	Good	Good	Yes			Yes
458	16" Crape Myrtle	Good	Good	Yes			Yes
459	9" Red Maple	Good	Good	No	Tree of Quality		Yes
460	9" Red Maple	Good	Good	No	Tree of Quality		Yes
461	7" Red Maple	Good	Good	No	Tree of Quality		Yes
462	15" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
463	13" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
464	7" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
465	7" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
466	14" Crape Myrtle	Good	Good	Yes			Yes
467	8" Red Maple	Good	Good	No	Tree of Quality		Yes
468	20" White Oak	Good	Good	No	Tree of Quality		Yes
469	22" White Oak	Good	Good	No	Tree of Quality		Yes
825	16" Sourwood	Good	Good	Yes			Yes
826	11" Sourwood	Good	Good	Yes			Yes
470	12" Nuttall Oak	Good	Good	No	Tree of Quality		Yes
471	17" Riverbirch	Good	Good	No	Tree of Quality		Yes
472	14" Crape Myrtle	Good	Good	Yes			Yes
473	28" Scarlett Oak	Good	Good	Yes			Yes
474	28" Tulip Poplar	Poor	Poor	No	Large cavity with decay.	42	No
475	38" Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue. Trunk gall. Trunk sound hollow.	43-44	No
476	38" Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	45	No
477	9" Dogwood	Good	Good	Yes			Yes
478	19" Crape Myrtle	Good	Good	Yes			Yes
479	14" Crape Myrtle	Good	Good	Yes			Yes
480	14" Crape Myrtle	Good	Good	Yes			Yes
481	15" Crape Myrtle	Good	Good	Yes			Yes
482	15" Crape Myrtle	Good	Good	Yes			Yes
483	3" Dogwood	Good	Good	No	Landscape Tree		Yes
484	4" Red Bud	Good	Good	No	Landscape Tree		Yes
485	7" Crape Myrtle	Good	Good	No	Landscape Tree		Yes
486	4" Dogwood	Good	Good	No	Landscape Tree		Yes
487	4" Red Bud	Good	Good	No	Landscape Tree		Yes
488	6" Red Maple	Good	Good	No	Landscape Tree		Yes

Specimen Analysis

(General)

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Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
489	8" Red Maple	Good	Good	No	Landscape Tree		Yes
490	16" Crape Myrtle	Good	Good	Yes			Yes
491	16" Crape Myrtle	Good	Good	Yes			Yes
492	16" Crape Myrtle	Good	Good	Yes			Yes
493	12" Red Maple	Good	Good	No	Landscape Tree		Yes
494	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
495	4" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
496	6" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
497	17" Willow Oak	Good	Good	No	Landscape Tree		Yes
498	16" Crape Myrtle	Good	Good	Yes			Yes
499	13" Crape Myrtle	Good	Good	Yes			Yes
500	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
501	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
502	5" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
503	6" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
504	20" Southern Magnolia	Good	Good	No	Landscape Tree		Yes
505	15" Red Maple	Good	Good	No	Landscape Tree		Yes
506	13" Willow Oak	Good	Good	No	Landscape Tree		Yes
507	8" Red Maple	Good	Good	No	Landscape Tree		Yes
508	16" Willow Oak	Good	Good	No	Landscape Tree		Yes
509	11" Red Maple	Good	Good	No	Landscape Tree		Yes
510	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
511	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
512	24" Willow Oak	Good	Good	Yes			Yes
513	20" Crape Myrtle	Good	Good	Yes			Yes
514	18" Crape Myrtle	Good	Good	Yes			Yes
515	22" Crape Myrtle	Good	Good	Yes			Yes
516	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	46	No
517	22" Willow Oak	Poor	Poor	No	Landscape Tree. Fruiting Bodies on root system. Circling roots impacting structural system of tree.	47-48	No
518	22" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.	49	Yes
519	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
520	20" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.	50	Yes
521	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
522	22" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.		Yes
523	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
524	20" Willow Oak	Poor	Poor	No	Landscape Tree. Numerous trunk galls.	51	No
525	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
526	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
527	20" Willow Oak	Good	Good	No	Landscape Tree		Yes

Specimen Analysis

(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
528	16" Willow Oak	Poor	Poor	No	Landscape Tree. Fruiting Bodies on root system. Circling roots impacting structural system of tree.	52-53	No
529	19" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	54	No
530	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
531	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
532	19" Willow Oak	Good	Good	No	Landscape Tree		Yes
533	19" Willow Oak	Poor	Poor	No	Landscape Tree. Numerous trunk galls.	55	No
534	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
535	17" Willow Oak	Poor	Fair	No	Landscape Tree. Numerous Trunk galls. Circling roots should be cut before impacting structural system of tree.	56-57	No
536	16" Willow Oak	Poor	Fair	No	Landscape Tree. Numerous Trunk galls. Circling roots should be cut before impacting structural system of tree.	56-58	No
537	17" Willow Oak	Good	Good	No	Landscape Tree		Yes
538	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
539	21" Willow Oak	Good	Good	No	Landscape Tree		Yes
540	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
541	23" Willow Oak	Good	Good	No	Landscape Tree		Yes
542	20" Willow Oak	Good	Good	No	Landscape Tree		Yes
543	25" Willow Oak	Poor	Poor	No	Cavity with decay.	59	No
544	23" Willow Oak	Good	Fair	No	Landscape Tree. Circling roots should be cut before impacting structural system of tree.		Yes
545	24" Willow Oak	Good	Good	Yes			Yes
546	22" Willow Oak	Good	Good	No	Landscape Tree		Yes
547	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
548	18" Willow Oak	Good	Good	No	Landscape Tree		Yes
549	15" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	61-62	No
550	17" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	63	No
551	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
552	7" Fosterii Holly	Good	Good	No	Landscape Tree		Yes
553	9" Fosterii Holly	Good	Good	Yes			Yes
554	18" Red Maple	Good	Good	No	Landscape Tree		Yes
555	18" Red Maple	Good	Good	No	Landscape Tree		Yes
556	17" Red Maple	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	64	No
557	19" Red Maple	Good	Good	No	Landscape Tree		Yes
558	8" Fosterii Holly	Good	Good	Yes			Yes
559	8" Fosterii Holly	Good	Good	Yes			Yes
560	10" Fosterii Holly	Good	Good	Yes			Yes
561	21" Crape Myrtle	Good	Good	Yes			Yes
562	23" Crape Myrtle	Good	Good	Yes			Yes

Specimen Analysis
(General

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
563	25" Willow Oak	Good	Good	Yes			Yes
564	23" Willow Oak	Good	Poor	No	Landscape Tree. Circling roots impacting structural system of tree.	65	No
565	9" Sourwood	Fair	Fair	Yes			No
566	28" White Oak	Good	Good	Yes			Yes
567	10" Sourwood	Good	Good	Yes			Yes
568	25" White Oak	Good	Good	Yes			Yes
569	40" (23"-21") White Oak	Fair	Poor	No	Tree is being undermined from erosion. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	66-67	No
570	8" Sourwood	Good	Good	Yes			Yes
571	31" Southern Red Oak	Poor	Poor	No	Fruiting bodies at base of trunk indicating Butt/trunk rot.	68-70	No
572	11" Sourwood	Poor	Poor	No	Cavity with decay.	71	No
573	11" Sourwood	Poor	Poor	No	Trunk grown into boulder impacting structural system of tree.	72	No
574	27" Southern Red Oak	Poor	Poor	No	Large cavity with decay.	73	No
575	41" White Oak	Good	Good	Yes			Yes
576	42" Southern Red Oak	Poor	Poor	No	Fruiting bodies at base of trunk indicating Butt/trunk rot. Severe dieback.	74	No
577	31" Southern Red Oak	Poor	Poor	No	Several main limbs dead with symptoms of Hypoxylon Canker.	75-76	No
578	20" Southern Magnolia	Good	Good	No	Tree of Quality		Yes
579	26" Southern Red Oak	Poor	Poor	No	Severe trunk gall. Several main limbs dead with symptoms of Hypoxylon Canker.	77-78	No
580	17" Dogwood	Poor	Poor	No	Severe dieback.		No
581	27" Red Maple	Poor	Poor	No	Cavities with decay.	79-80	No
582	24" Red Maple	Poor	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. 1 Dead causing severe decay in trunk. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	81	No
583	25" White Oak	Good	Good	Yes			Yes
584	33"(23"-14") Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No

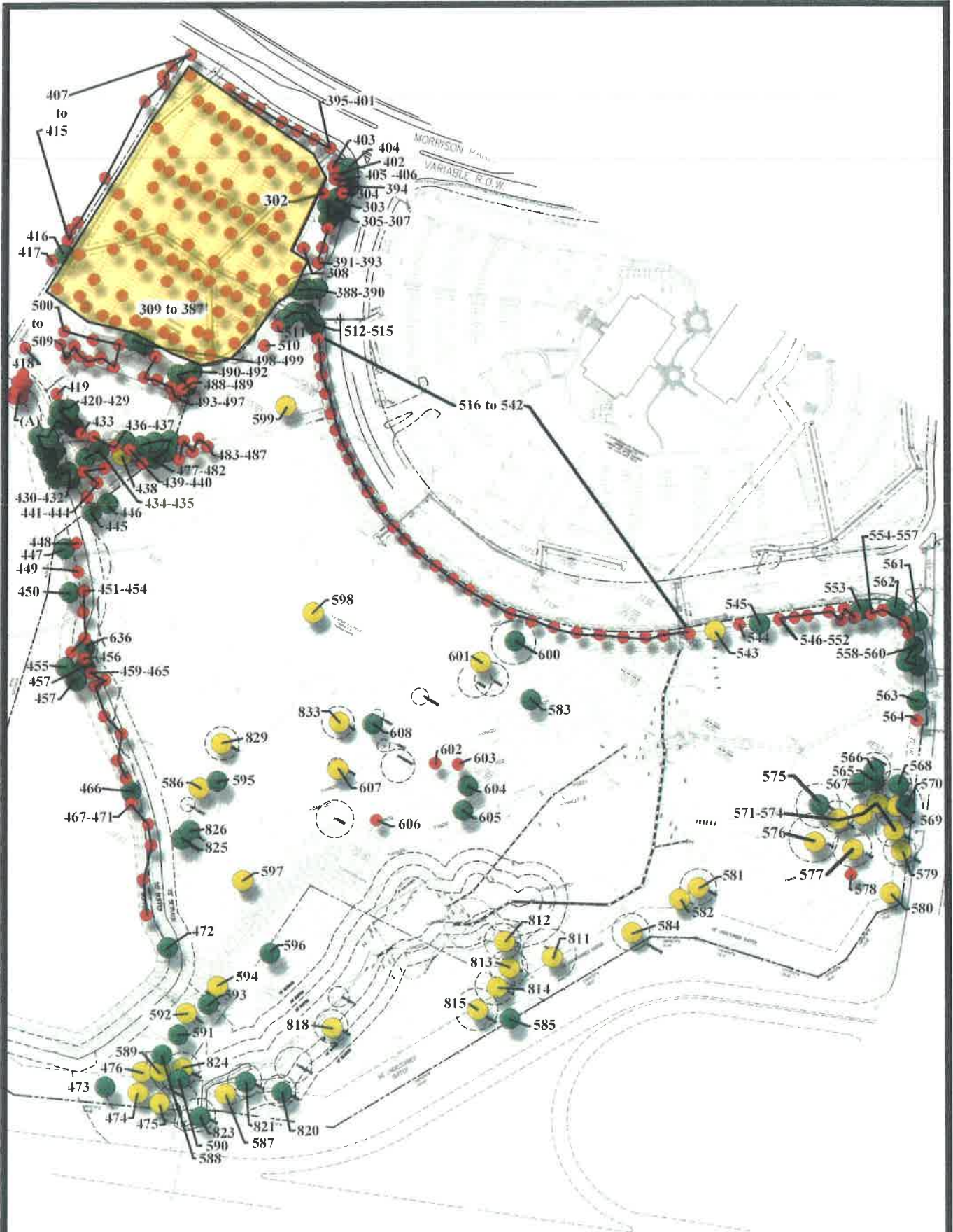
Specimen Analysis

(General)

Observations: The site is broken into 3 zones. The wooded zone appears to be in between Pioneer and Climax phase of succession. The site is dominated with Overstory Oaks, Hickories and Pines. Numerous understory trees such as; Sourwoods, Dogwoods and Black Cherries are throughout the zone. There are numerous Oak species with age that are standing dead, a strong indication of some sort of disease or blight impacting this site. There are several of these trees alive and dead with symptoms of Hypoxylon Canker. One zone has been cleared and is just underbrush. The last zone has been developed as and office building with parking. The zone has numerous landscape trees with the trees on the edge of this zone are of good quality and the parking tree are sadly in decline.)

Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
811	43" Tulip Poplar	Poor	Poor	No	3 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	83	No
812	28" Tulip Poplar	Poor	Poor	No	Several main limbs dead/gone.		No
813	29" Tulip Poplar	Poor	Poor	No	Several main limbs dead/gone. Barbwire in trunk	85	No
814	31" Southern Red Oak	Poor	Poor	No	2 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	84	No
815	34" White Oak	Poor	Poor	No	3 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No
585	24" Tulip Poplar	Fair	Fair	Yes			No
818	41"(27"-14") Tulip Poplar	Poor	Poor	No	2 Co-Dominate Leaders with decay in crotch and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.		No
820	26" Tulip Poplar	Fair	Fair	Yes			No
821	29" White Oak	Good	Good	Yes			Yes
823	26" Tulip Poplar	Good	Good	Yes			Yes
824	27" Red Maple	Poor	Poor	No	Main Trunk has Phytophthora.	88	No
829	41"(27"-22") Sweet Gum	Poor	Poor	No	Cavity at base and fruiting bodies on trunk. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	92-93	No
586	8" Sourwood	Fair	Poor	No	45* lean in trunk.	91	No
587	34" Tulip Poplar	Fair	Poor	No	2 Co-Dominate Leaders 20' high with included bark. Due the species, a multi stem tree at or near the base of the tree is undesirable and a life safety issue.	86	No
588	25" Sweet Gum	Fair	Fair	Yes			No
589	27" Tulip Poplar	Fair	Poor	No	Severe lean in Trunk	87	No
590	25" Tulip Poplar	Good	Good	Yes			Yes
591	24" Water Oak	Fair	Fair	Yes			No
592	24" Southern Red Oak	Poor	Poor	No	Several main limbs dead with symptoms of Hypoxylon Canker.	89	No
593	26" Southern Red Oak	Fair	Fair	Yes			No
594	28" White Oak	Poor	Poor	No	Large cavity with decay.	90	No

Specimen Analysis							(General
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Tree #	Size/ Species	Health Condition	Structural Condition	Specimen	Comments	Photo # (See Attached)	Is tree a design consideration
595	9" Sourwood	Good	Good	Yes			Yes
596	25" Southern Red Oak	Fair	Fair	Yes			No
597	24"(12"-12") White Oak	Poor	Poor	No	Cavity at base with decay. Root Damage. 2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	94-95	No
598	26" Tulip Poplar	Poor	Poor	No	3 Co-Dominate Leaders with included bark and trunk gall in the inclusion. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	96	No
599	26"(17"-12") Tulip Poplar	Poor	Poor	No	2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	97	No
600	27" Southern Red Oak	Good	Good	Yes			Yes
601	27" Southern Red Oak	Poor	Poor	No	Large cavity at base with decay.	98	No
602	22" White Oak	Good	Good	No	Tree of Quality		Yes
603	20" White Oak	Good	Good	No	Tree of Quality		Yes
604	25" White Oak	Good	Good	Yes			Yes
605	25" White Oak	Good	Good	Yes			Yes
606	20" White Oak	Good	Good	No	Tree of Quality		Yes
607	12" Sourwood	Poor	Poor	No	Several cavities with decay.	99	No
608	24" White Oak	Good	Good	Yes			Yes
833	27" Sweet Gum	Poor	Poor	No	2 Trees grown together to create 2 Co-Dominate Leaders with weak crotches and included bark. Due the species, a multi-stem tree at or near the base of the tree is undesirable and a life safety issue.	100	No



Notes:
 - All tree locations are approximate and have not been field surveyed. Refer to survey for locations.
 - All 20" DBH trees within 90' of property line have been identified and specimen size have been evaluated.

- Landscape Tree/ Boundary Tree/ Tree of Quality
- Specimen
- Non-Specimen

North

Not To Scale

Specimen
Location Plan

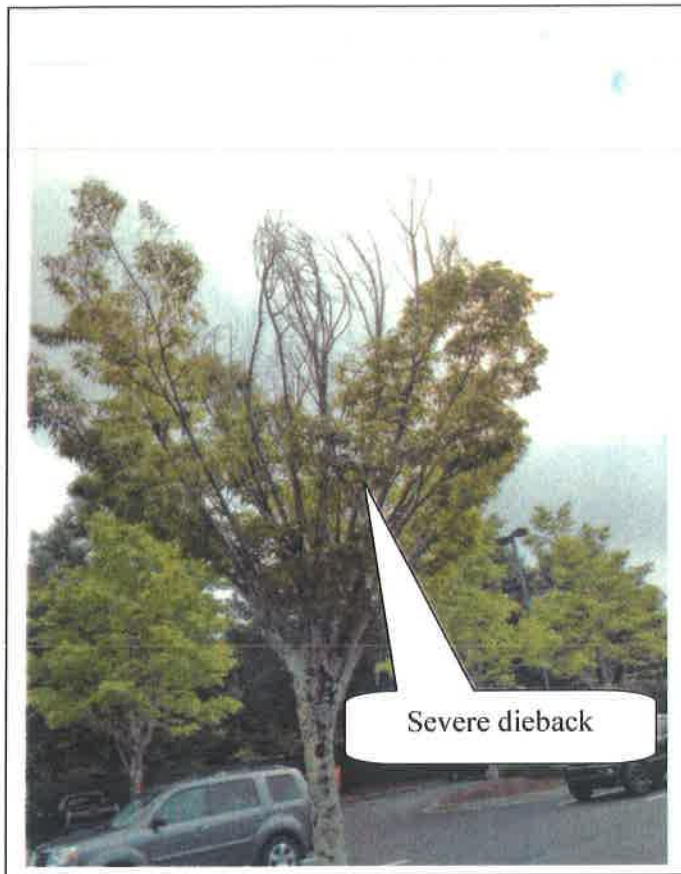


Photo 1

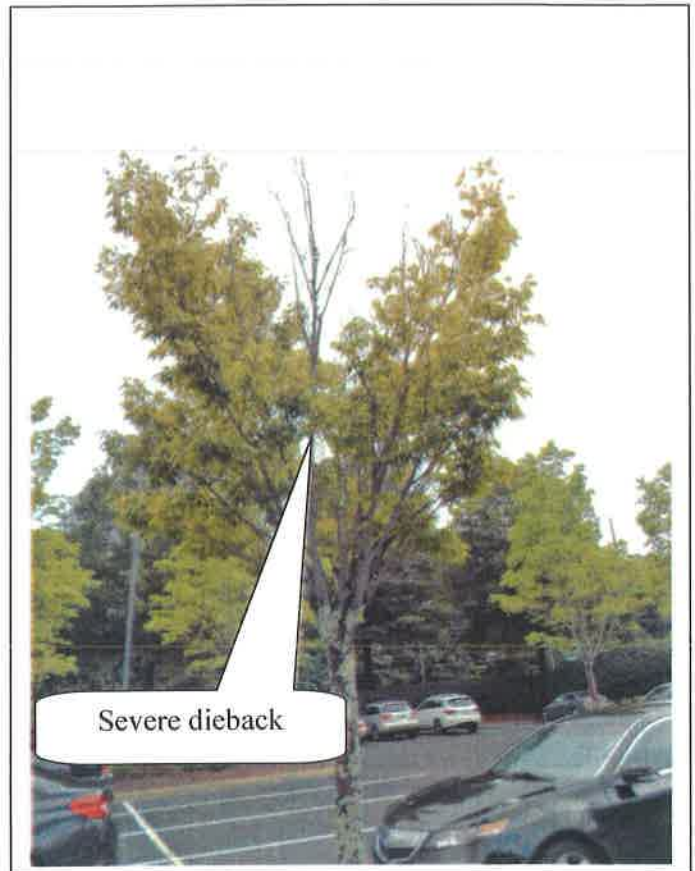


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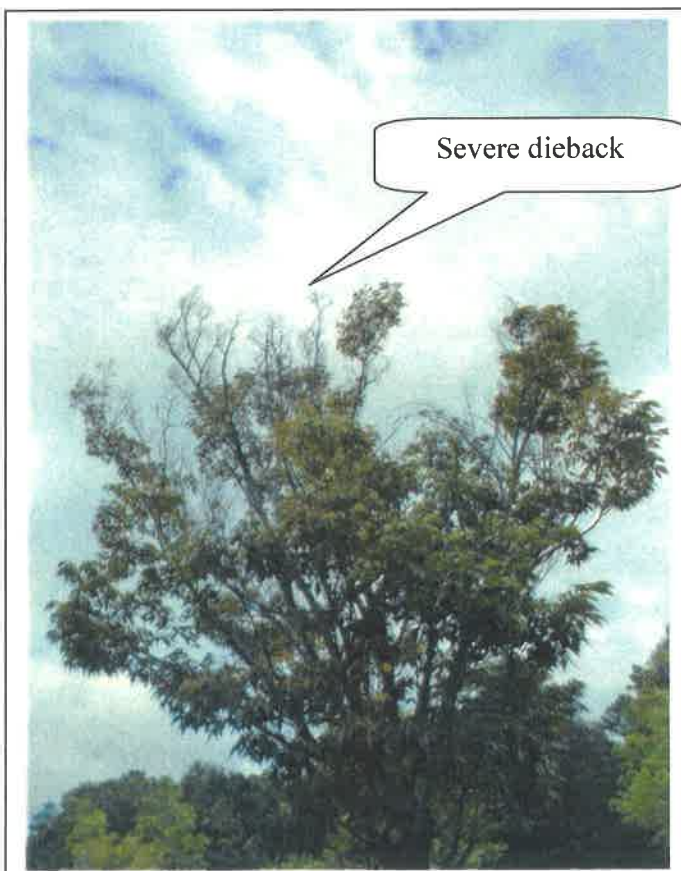


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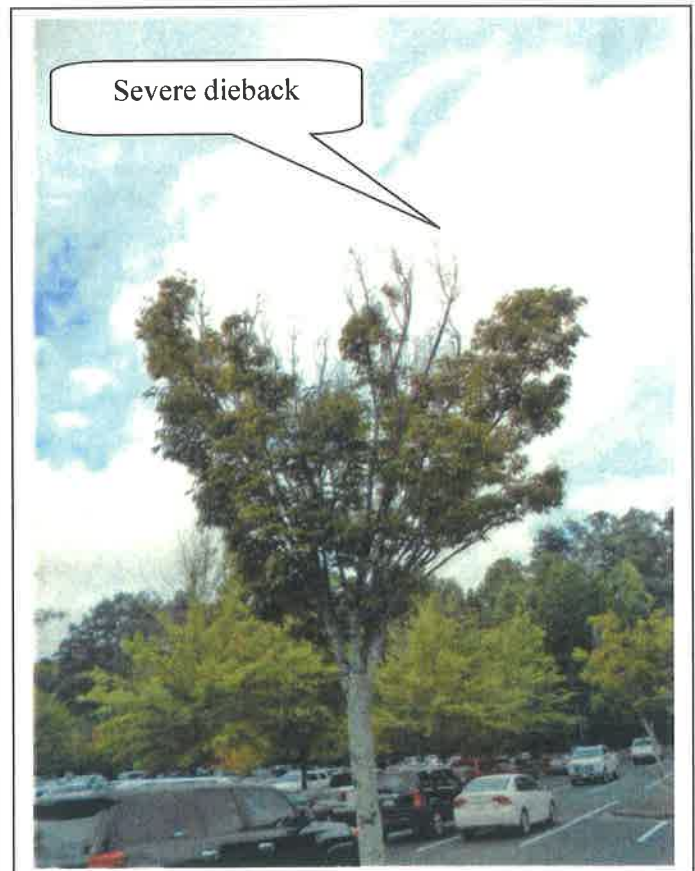


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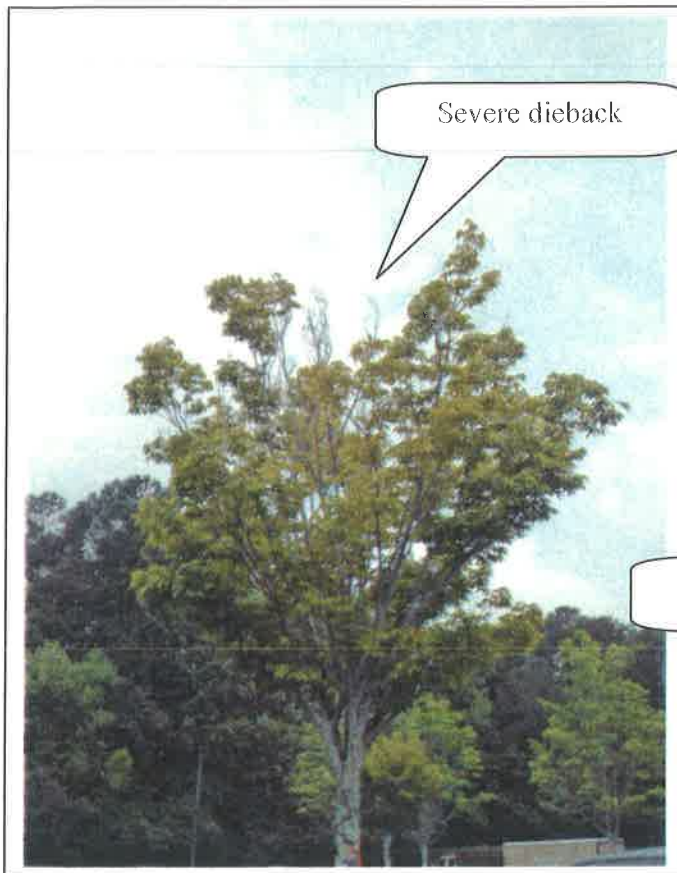


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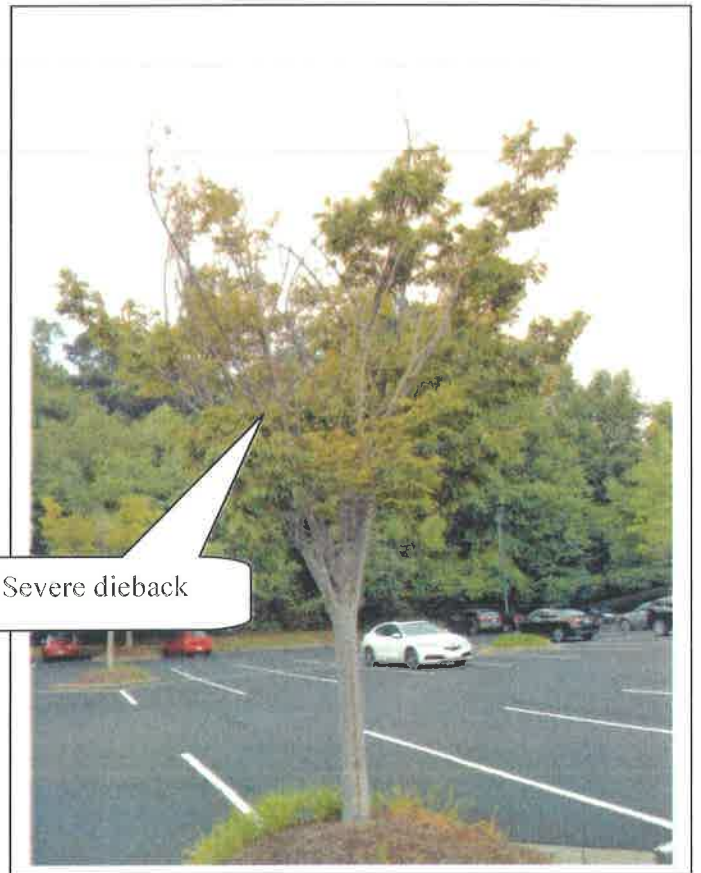


Photo 6



Photo 7

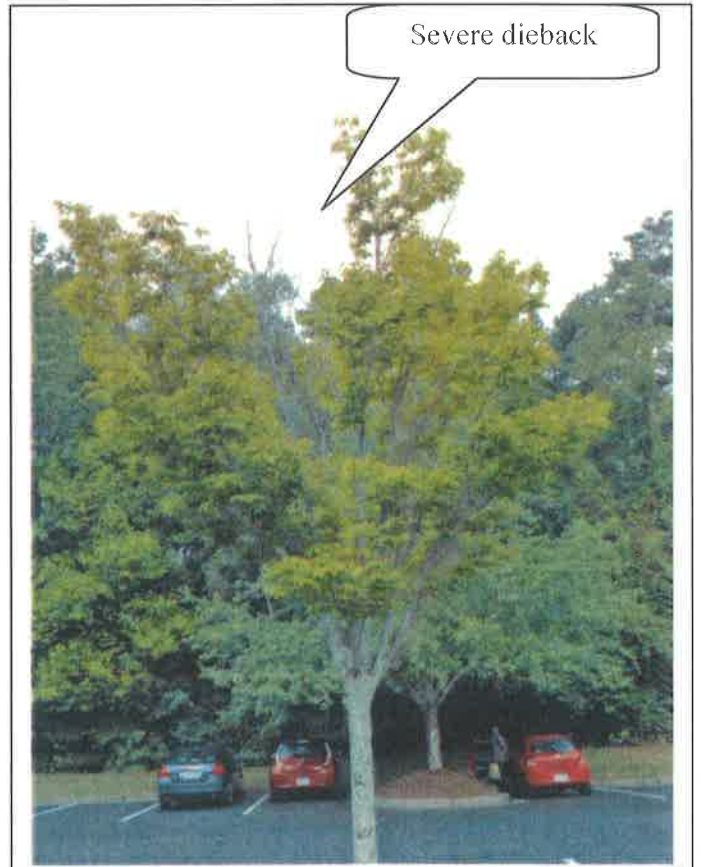


Photo 8



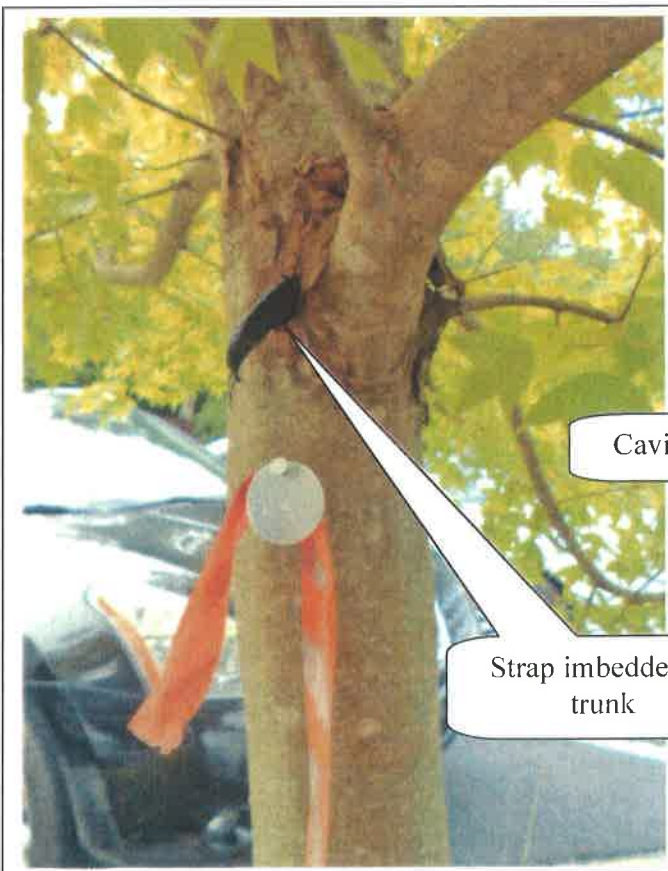
Severe dieback

Photo 9



Cavity with decay

Photo 10



Cavity with decay

Strap imbedded in trunk

Photo 11



Photo 12



Photo 13



Photo 14



Photo 15

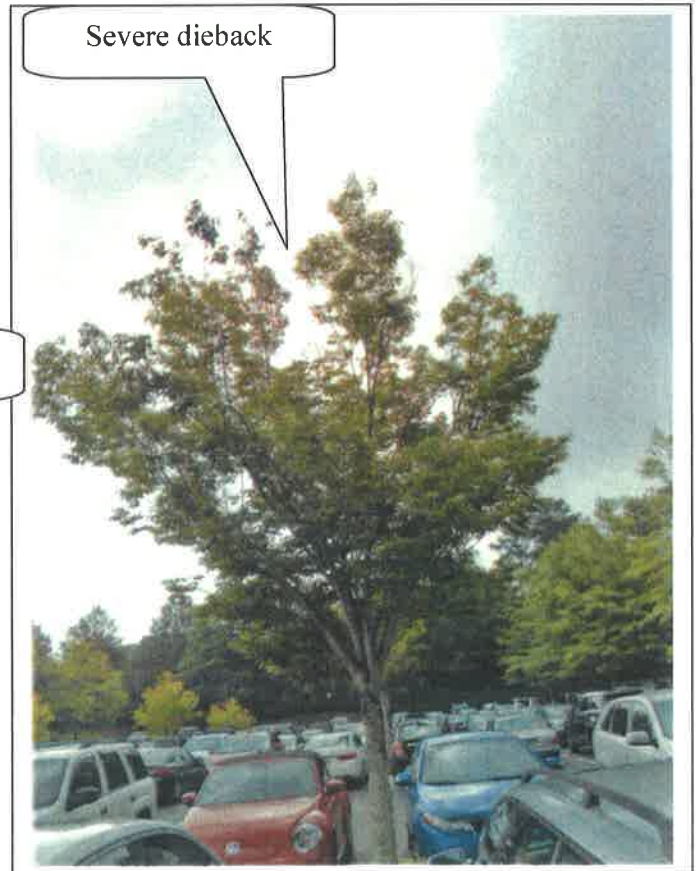
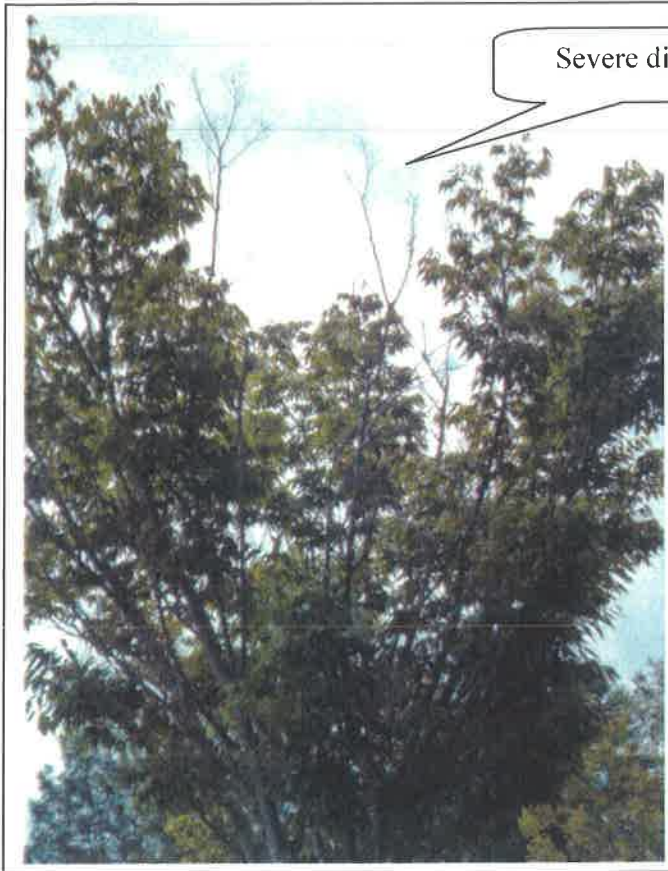


Photo 16



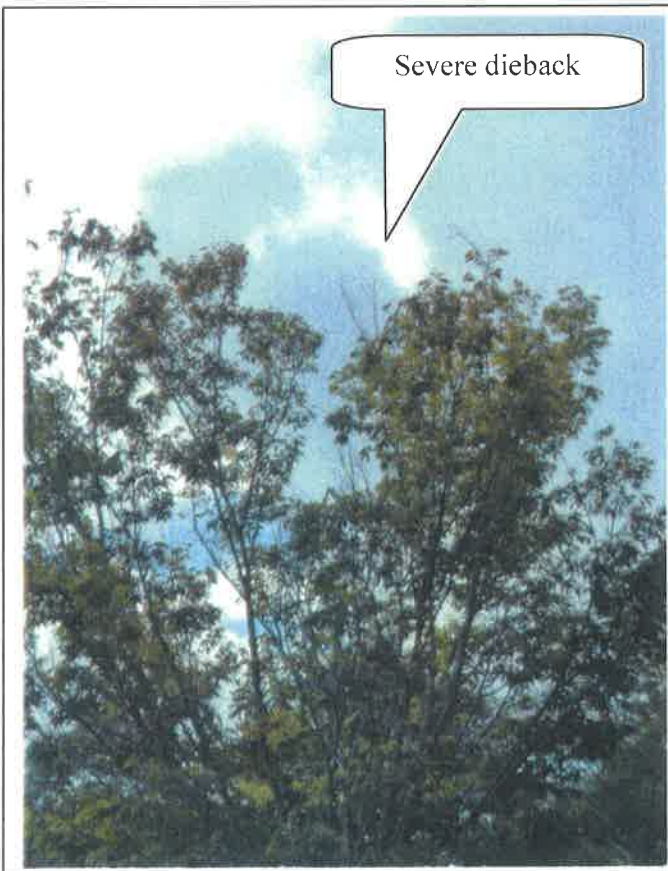
Severe dieback

Photo 17



Split in trunk

Photo 18



Severe dieback

Photo 19



Cavity with decay

Photo 20

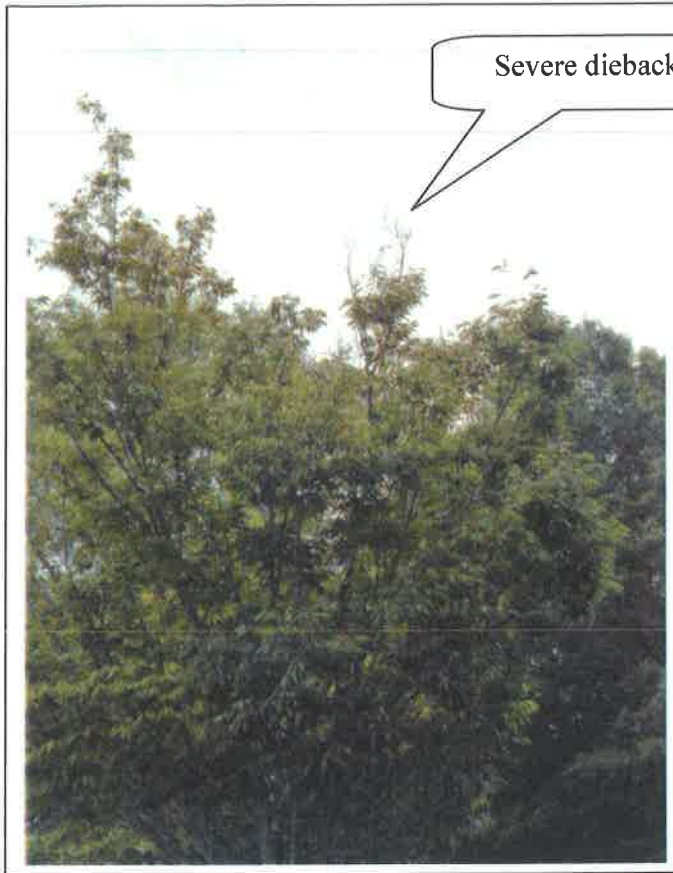


Photo 21



Photo 22

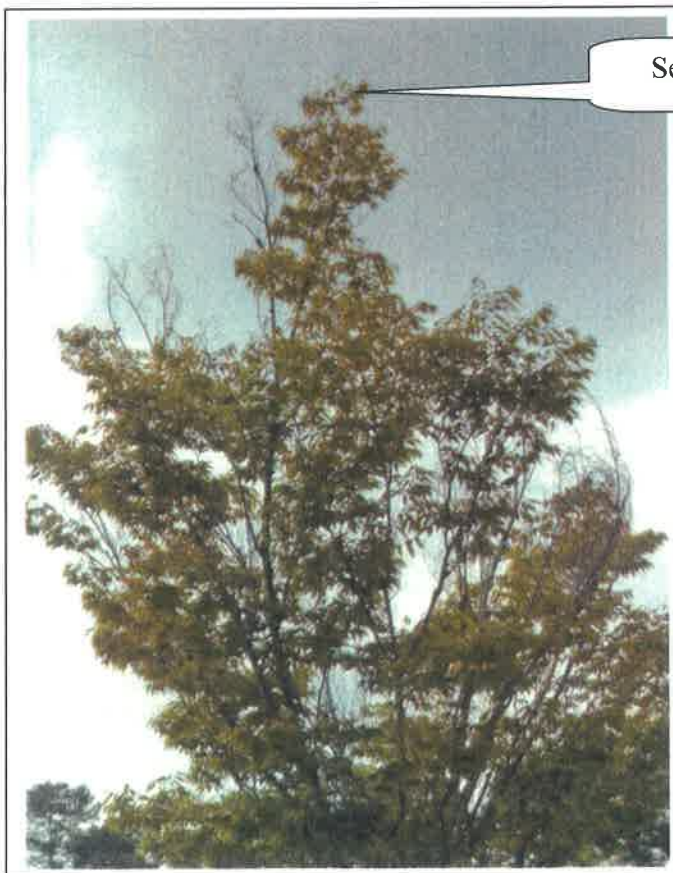


Photo 23



Photo 24



Photo 25

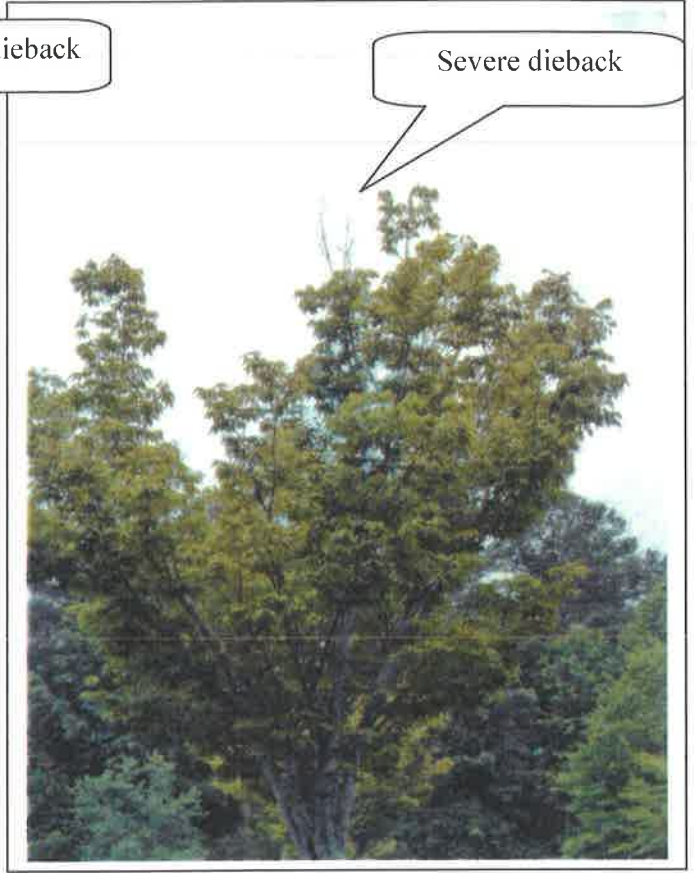


Photo 26



Photo 27



Photo 28



Photo 29

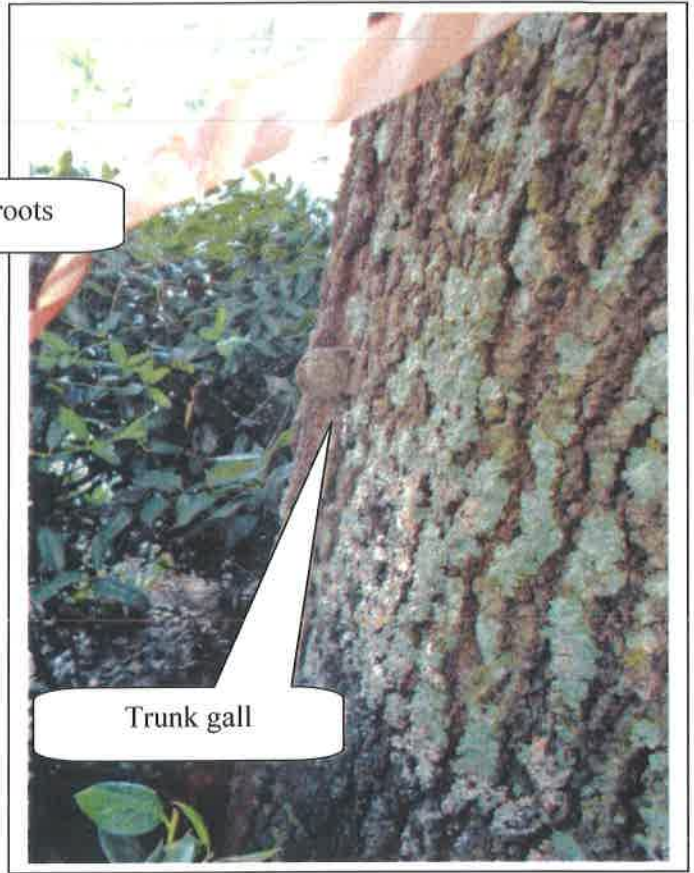


Photo 30

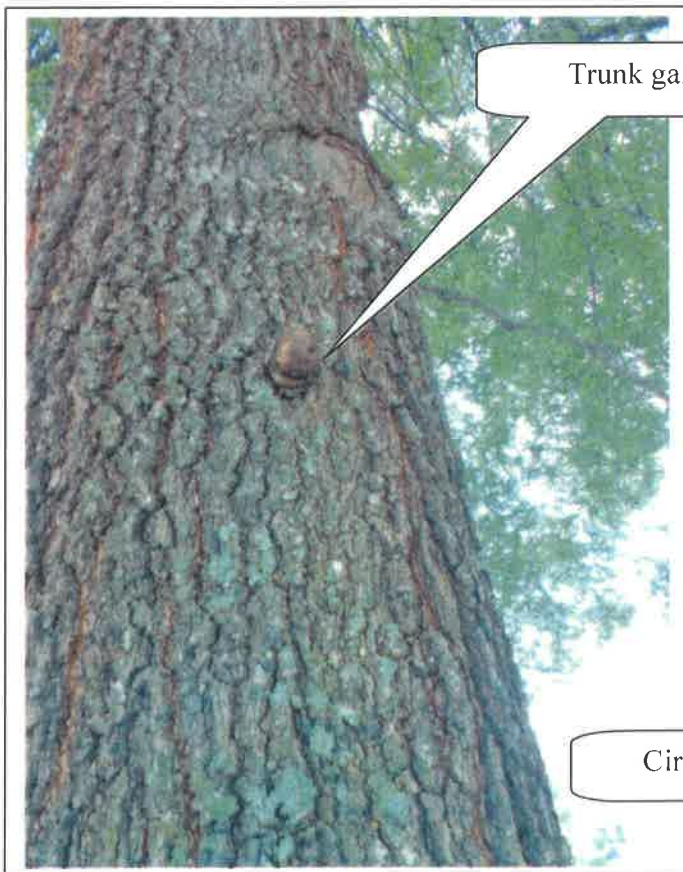
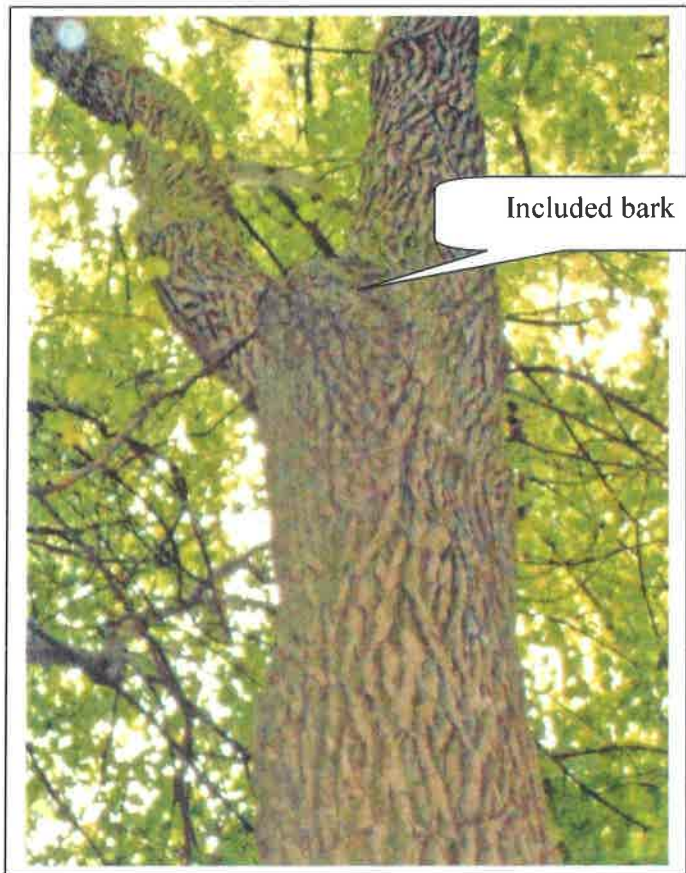


Photo 31



Photo 32



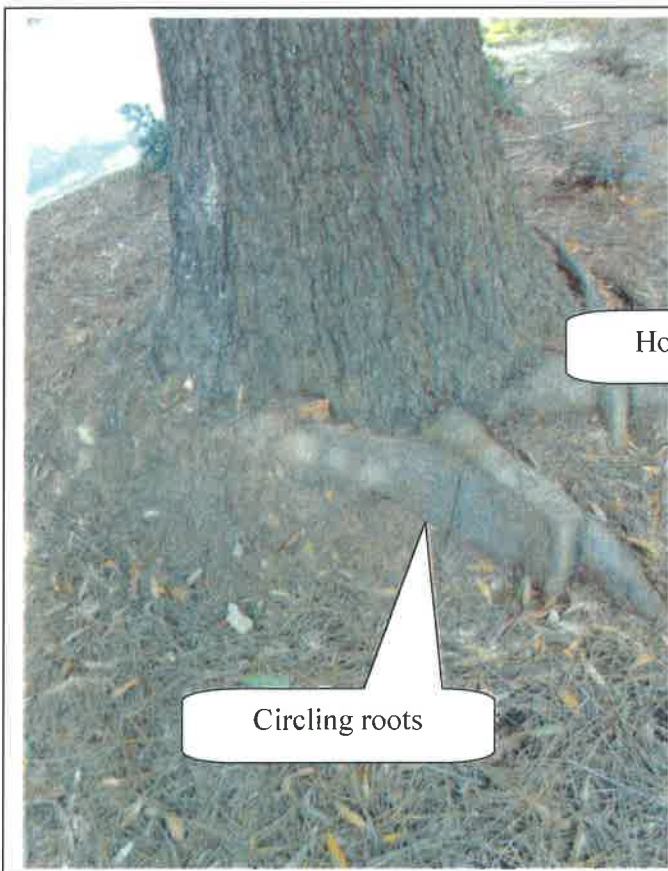
Included bark

Photo 33



2 trees grown together

Photo 34



Circling roots

Photo 35



Hollow cavity

Photo 36



Photo 37

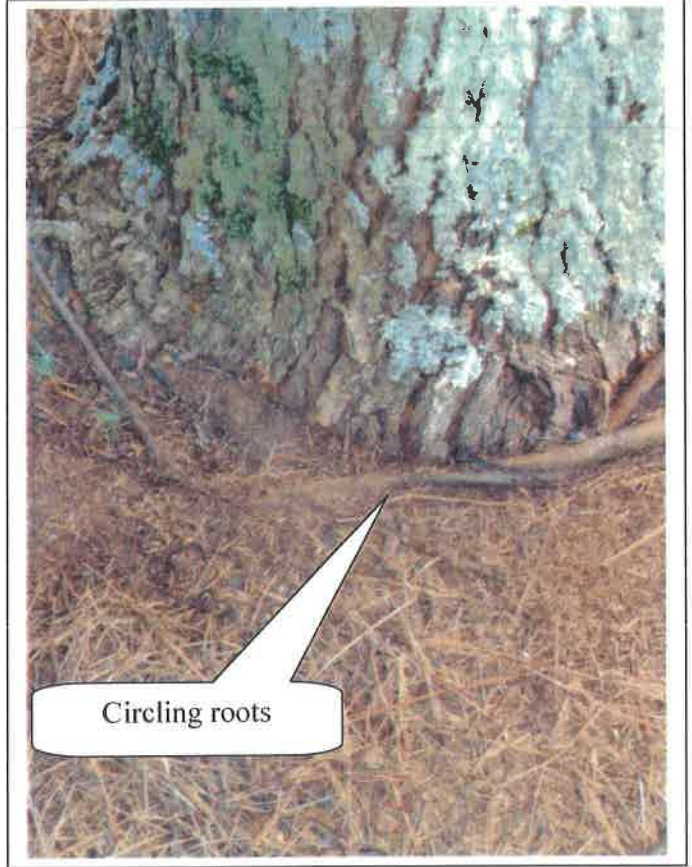


Photo 38

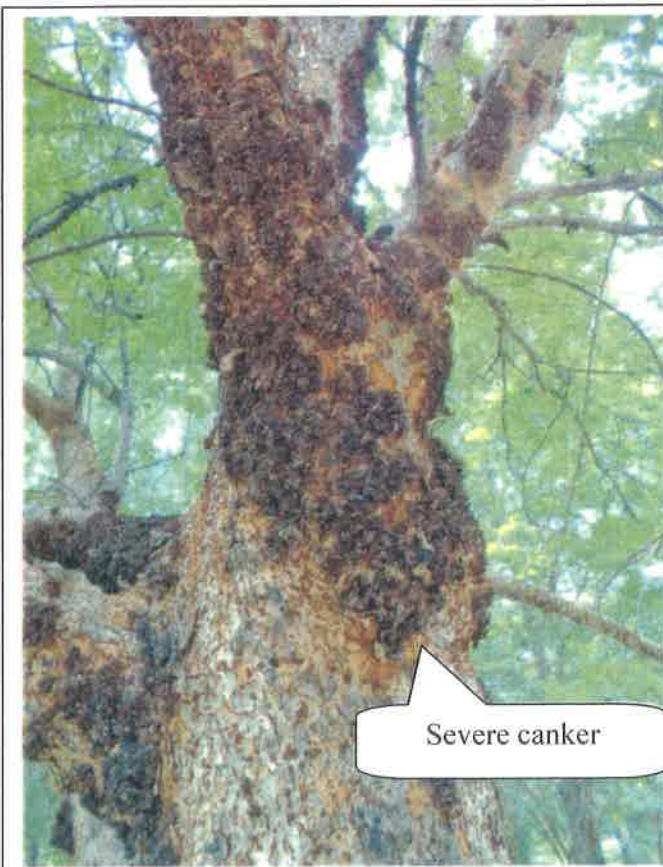


Photo 39



Photo 40

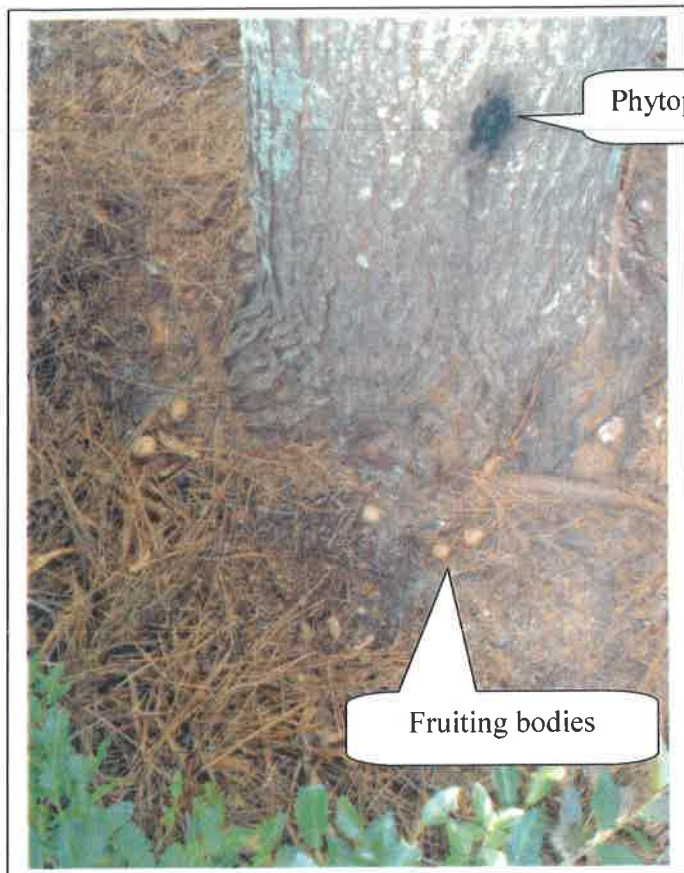


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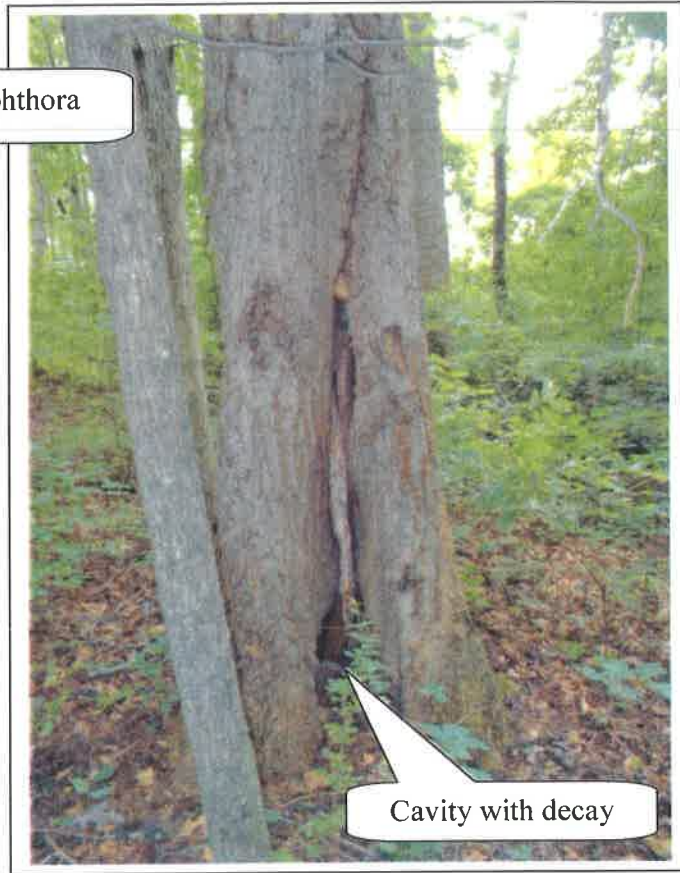


Photo 42

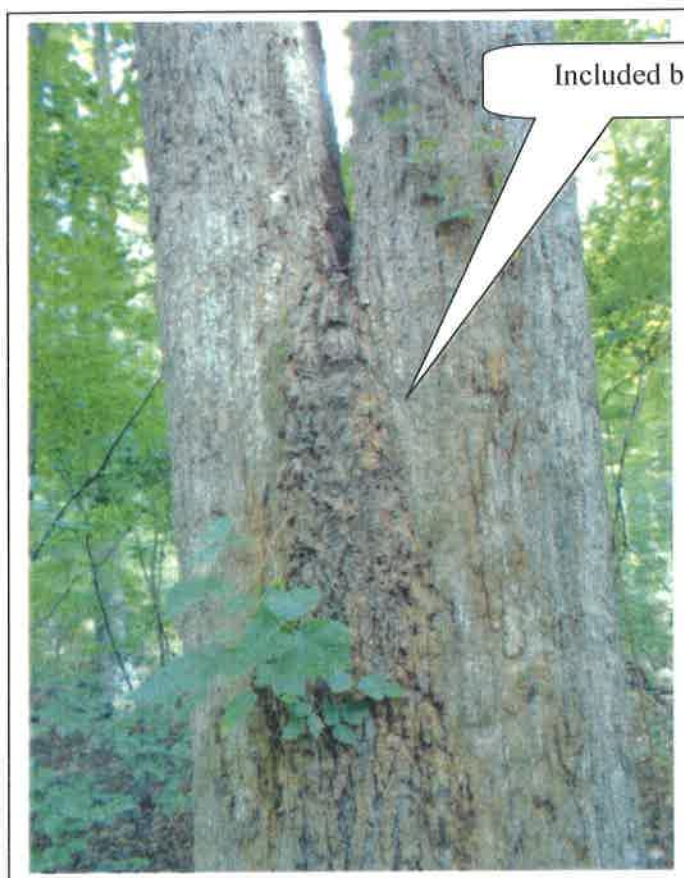
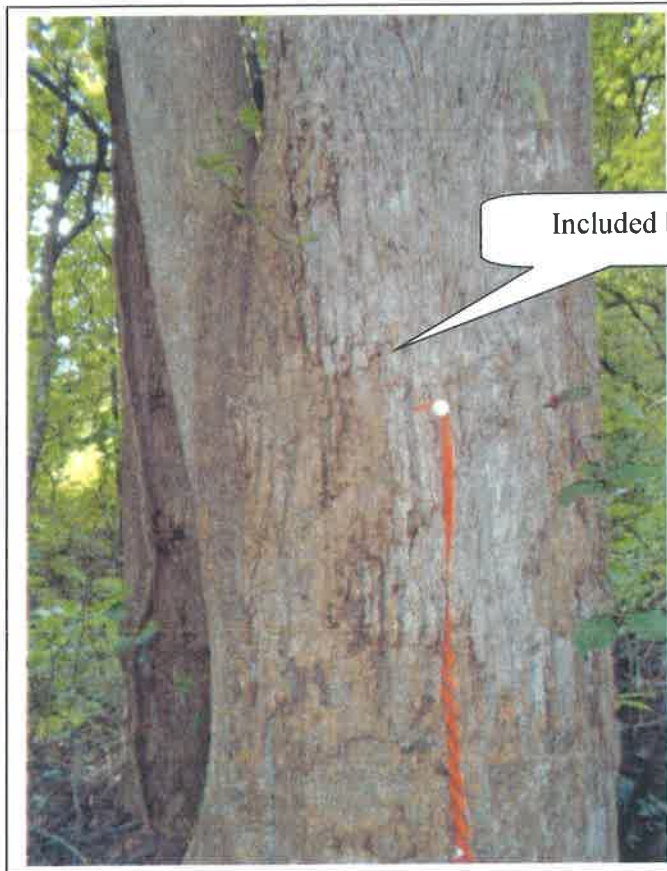


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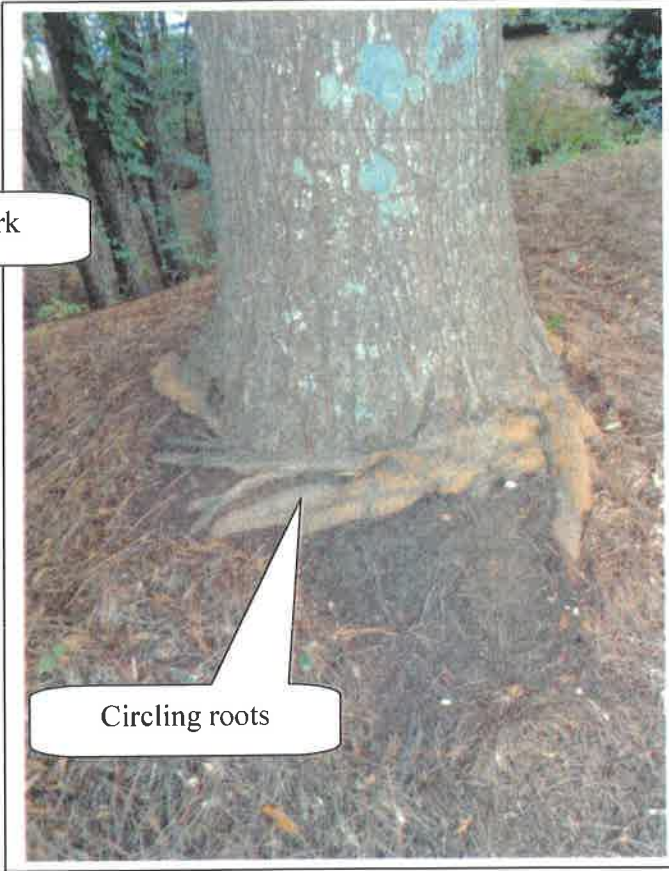


Photo 44



Included bark

Photo 45



Circling roots

Photo 46



Circling roots

Circling roots

Photo 47



Fruiting bodies

Photo 48



Photo 49

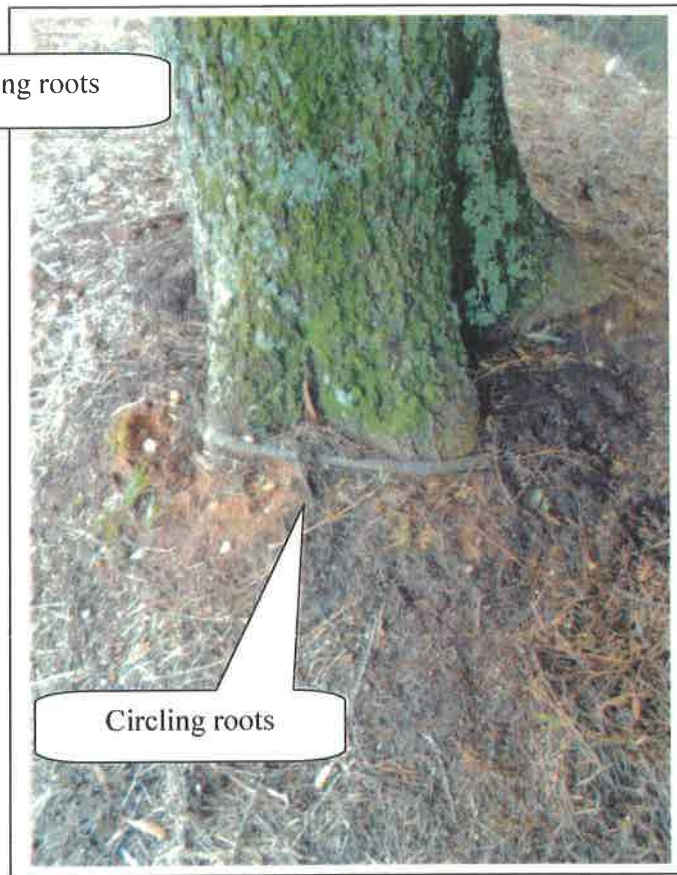


Photo 50

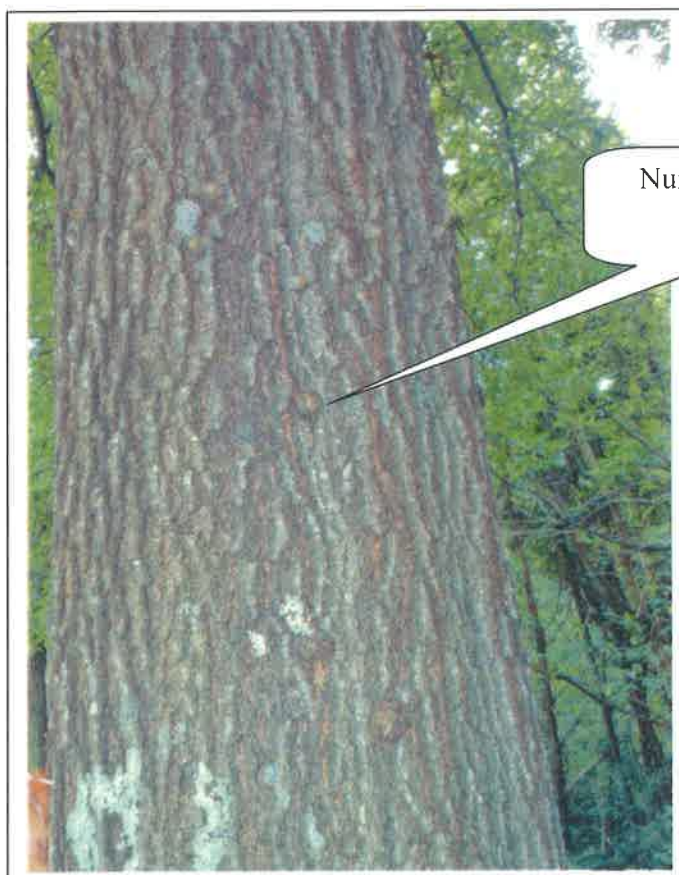


Photo 51

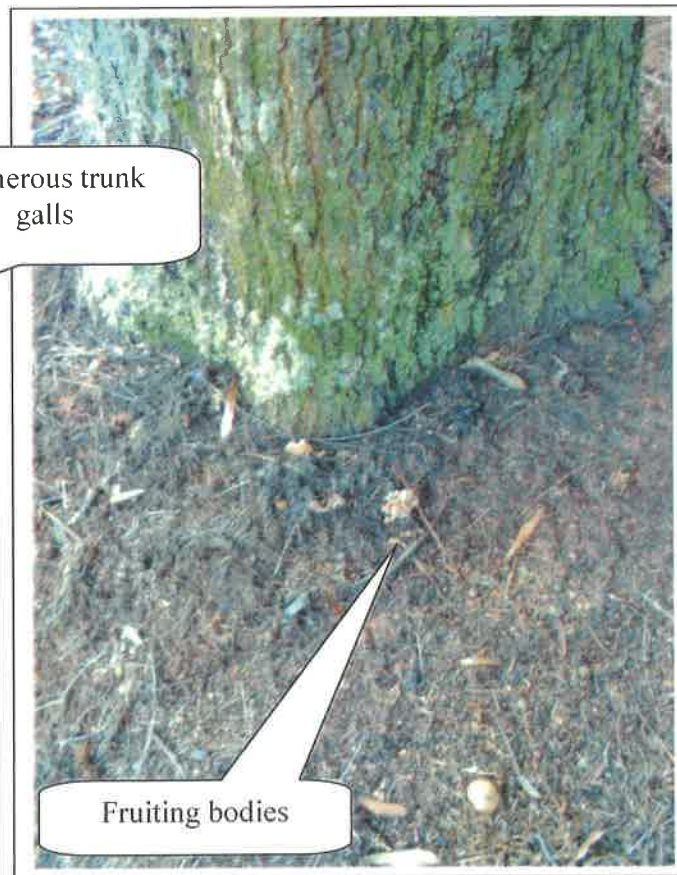
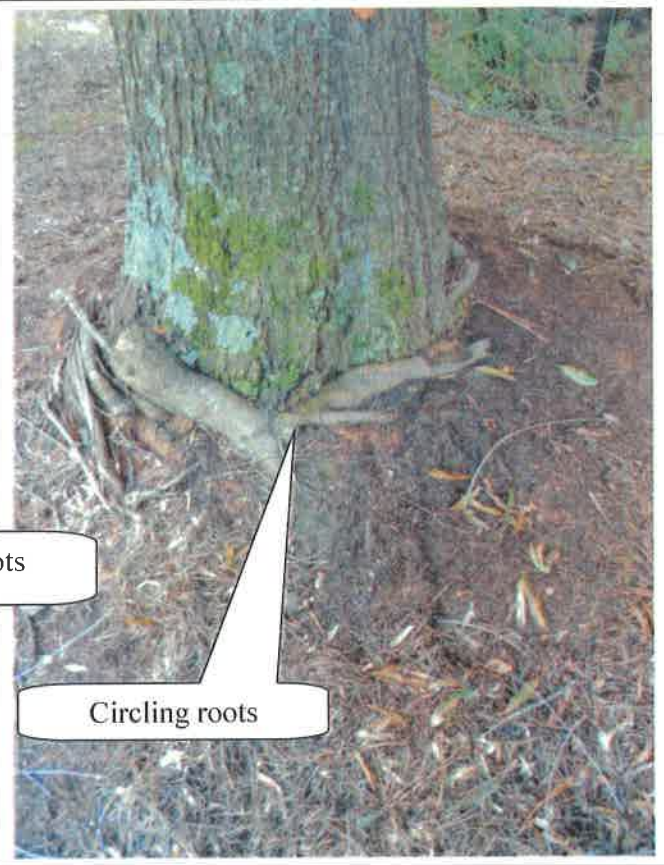


Photo 52



Circling roots

Photo 53



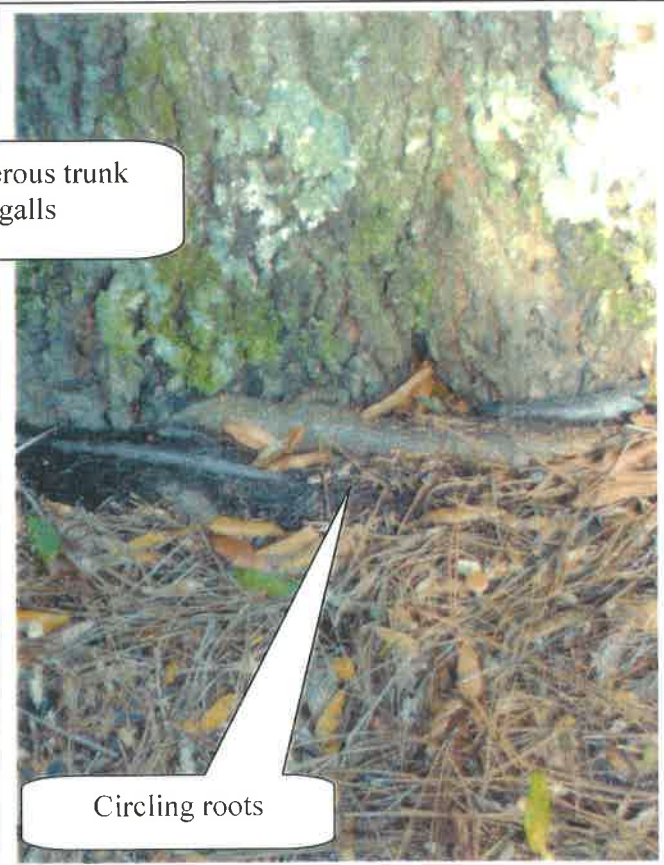
Circling roots

Photo 54



Numerous trunk galls

Photo 55



Circling roots

Photo 56



Photo 57

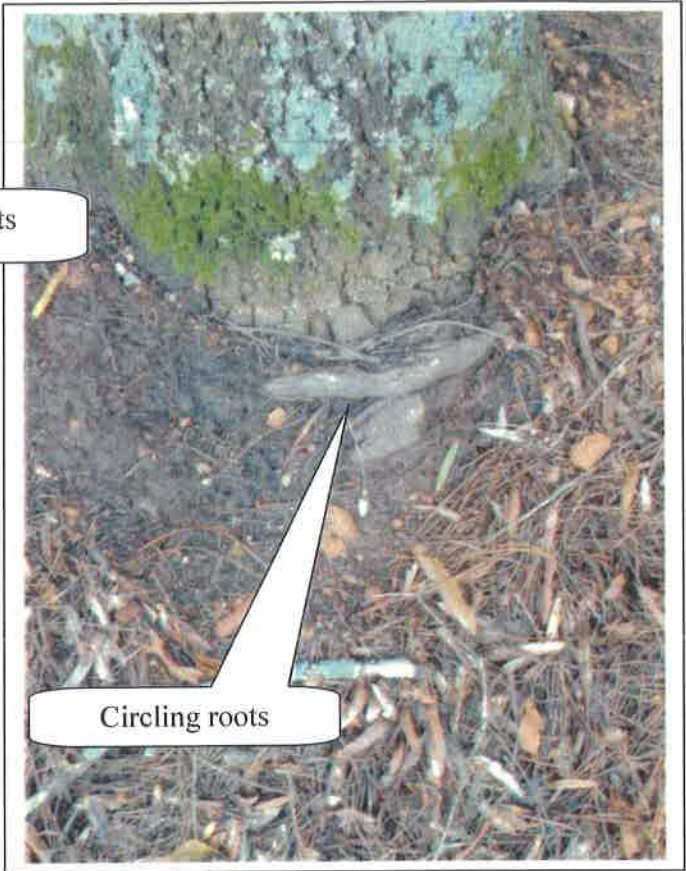


Photo 58

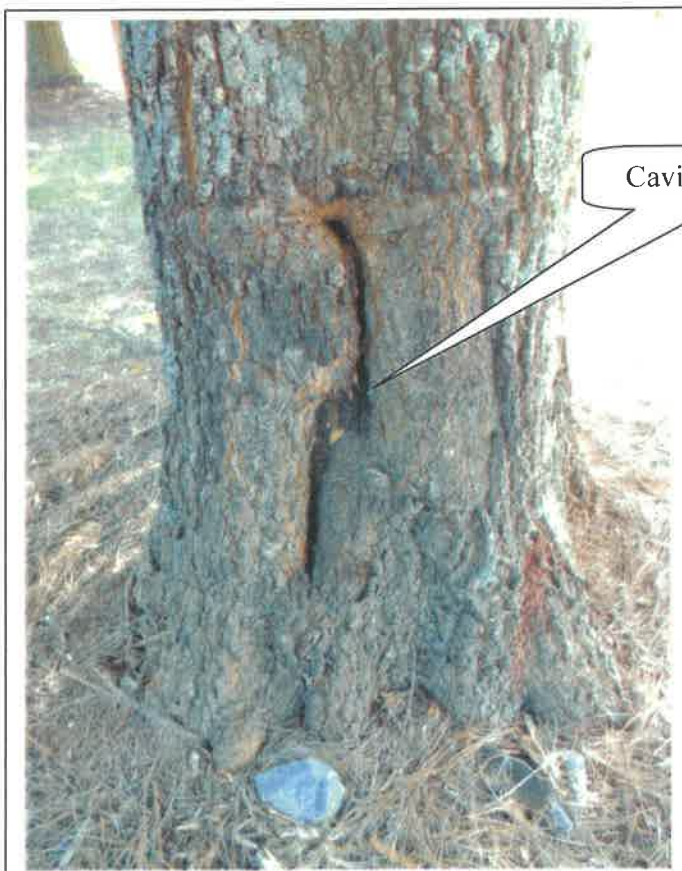


Photo 59

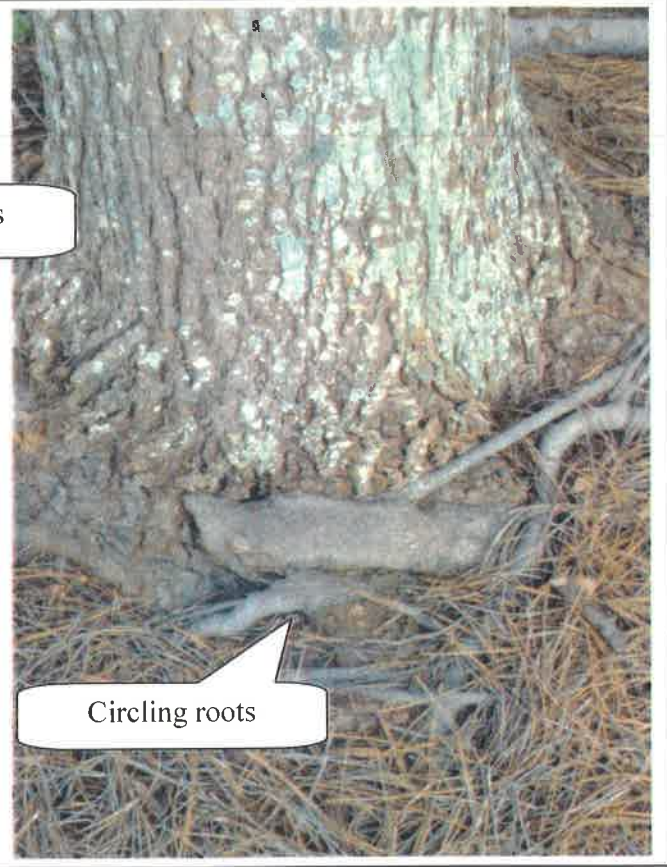


Photo 60



Circling roots

Photo 61



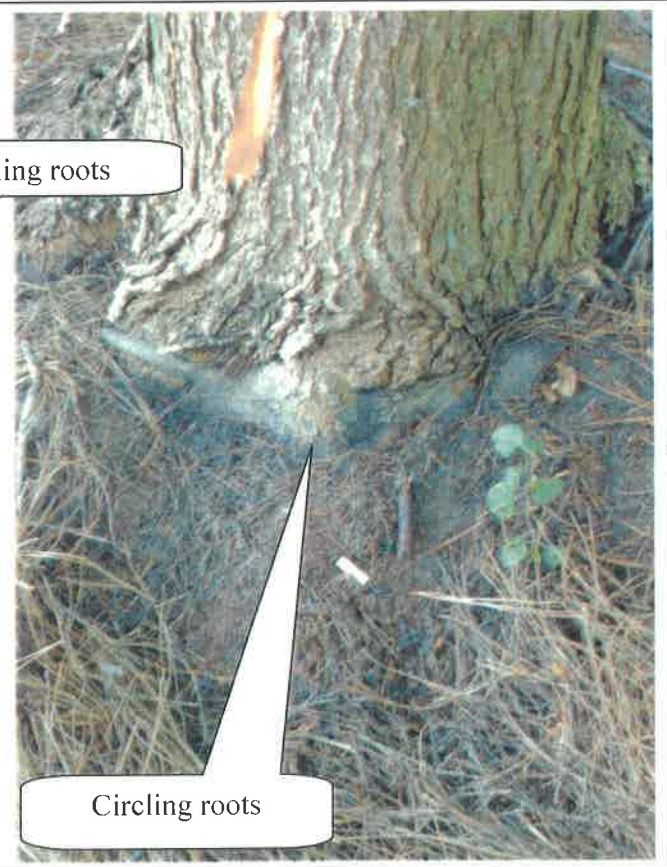
Circling roots

Photo 62



Circling roots

Photo 63



Circling roots

Photo 64



Photo 65

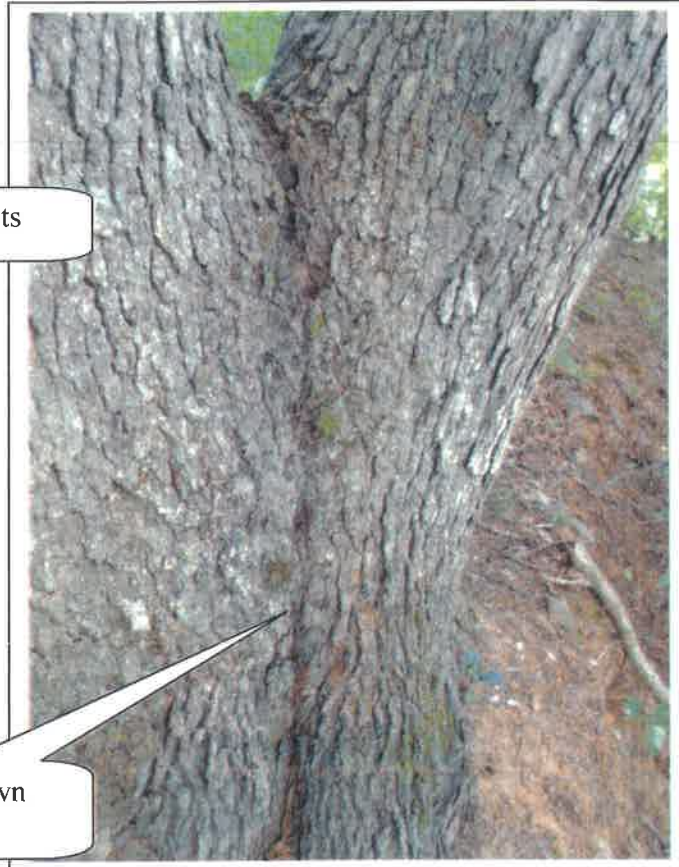


Photo 66



Photo 67



Photo 68



Photo 69



Photo 70



Photo 71



Photo 72

Fruiting bodies

Trunk gall

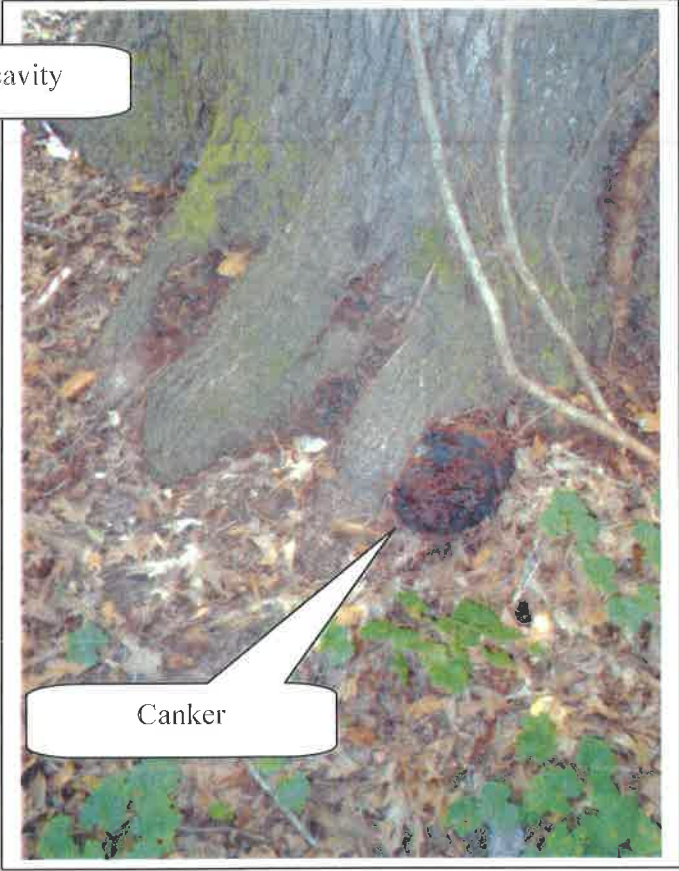
Hollow cavity

Trunk grown
around boulder



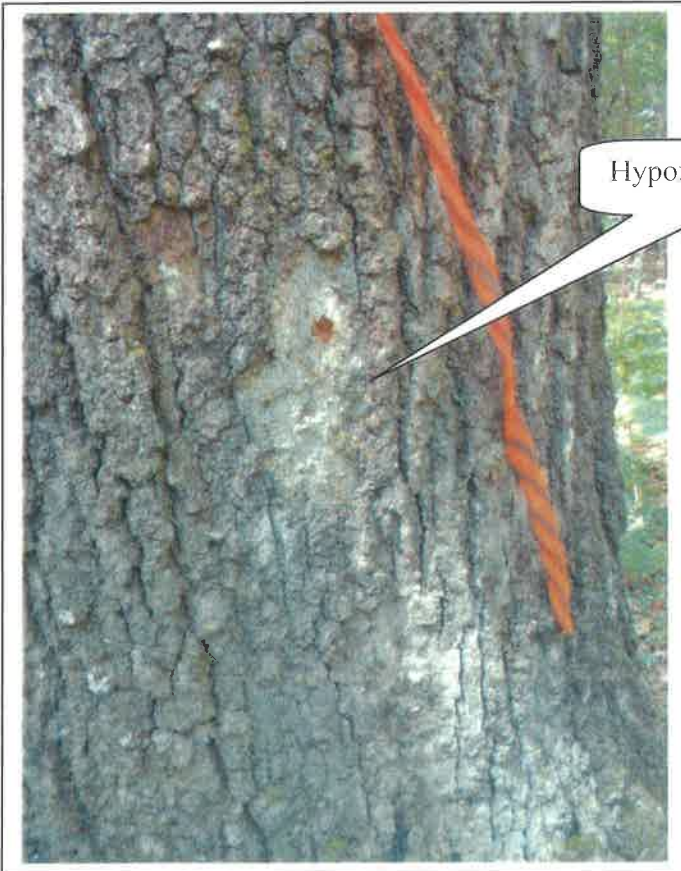
Hollow cavity

Photo 73



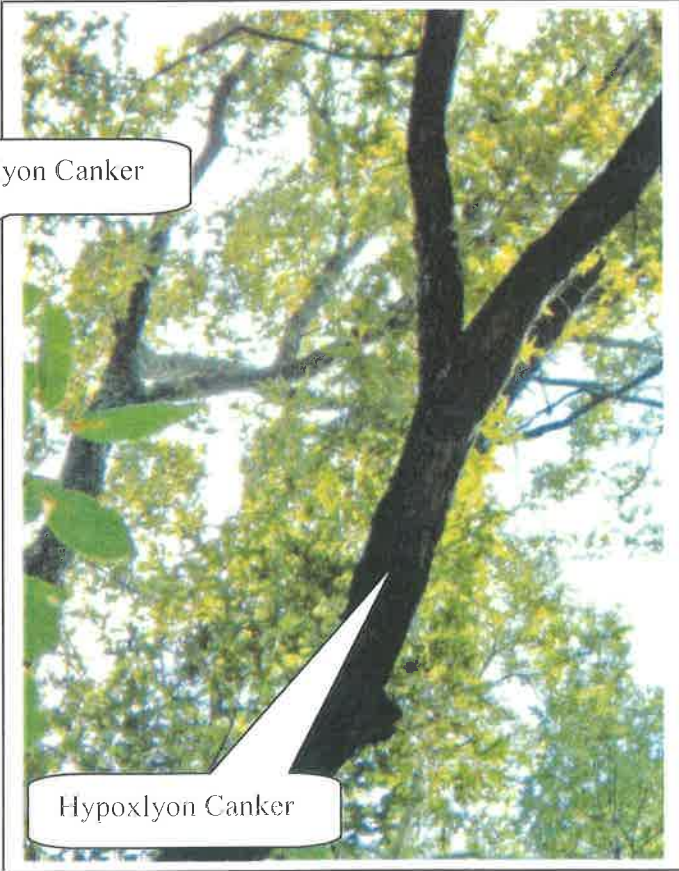
Canker

Photo 74



Hypoxylon Canker

Photo 75



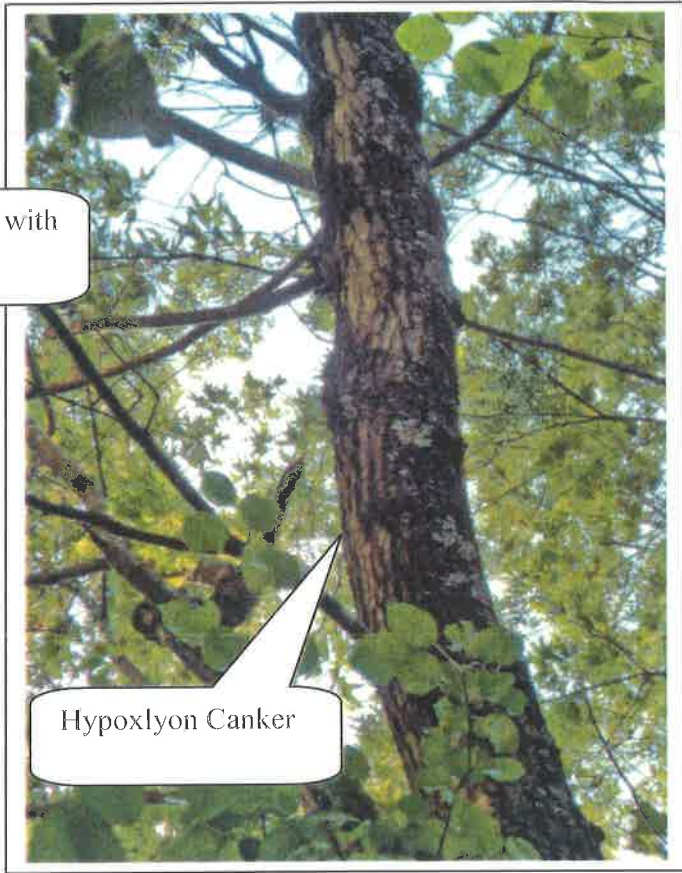
Hypoxylon Canker

Photo 76



Distorted trunk with
trunk gall

Photo 77



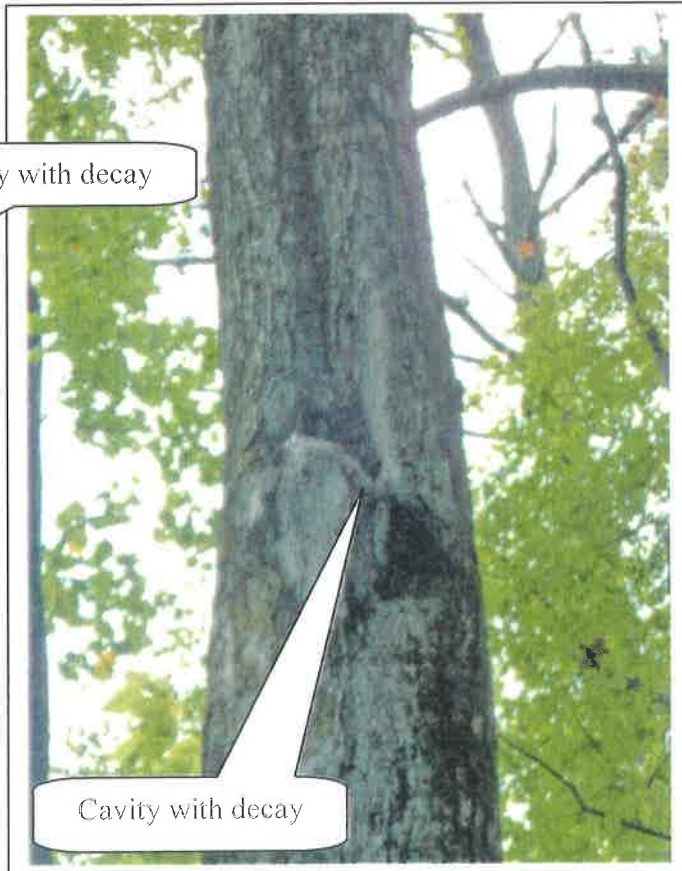
Hypoxylon Canker

Photo 78



Cavity with decay

Photo 79



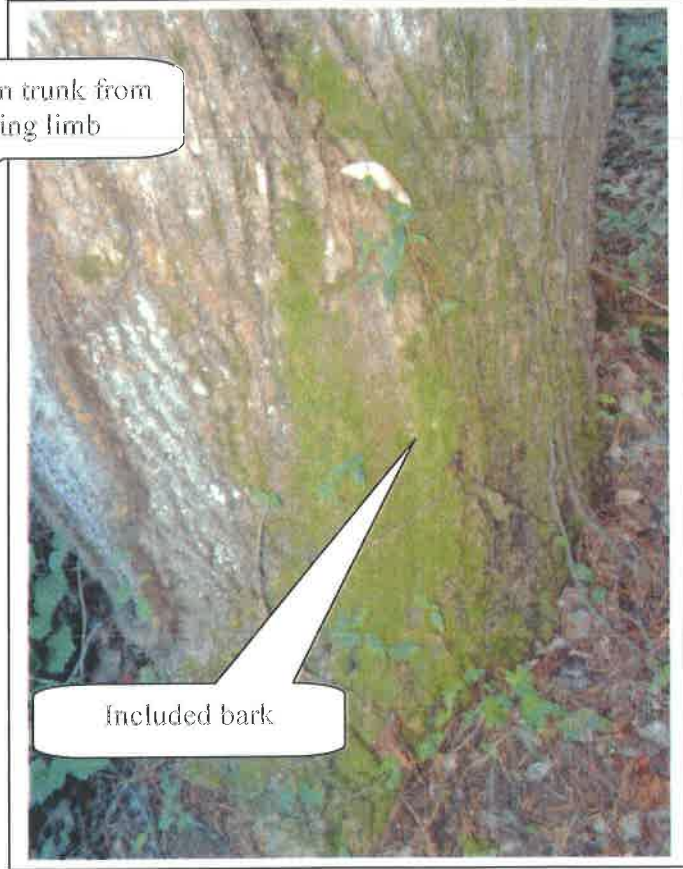
Cavity with decay

Photo 80



Decay in trunk from
rotting limb

Photo 81



Included bark

Photo 82



Decay in crotch

Photo 83



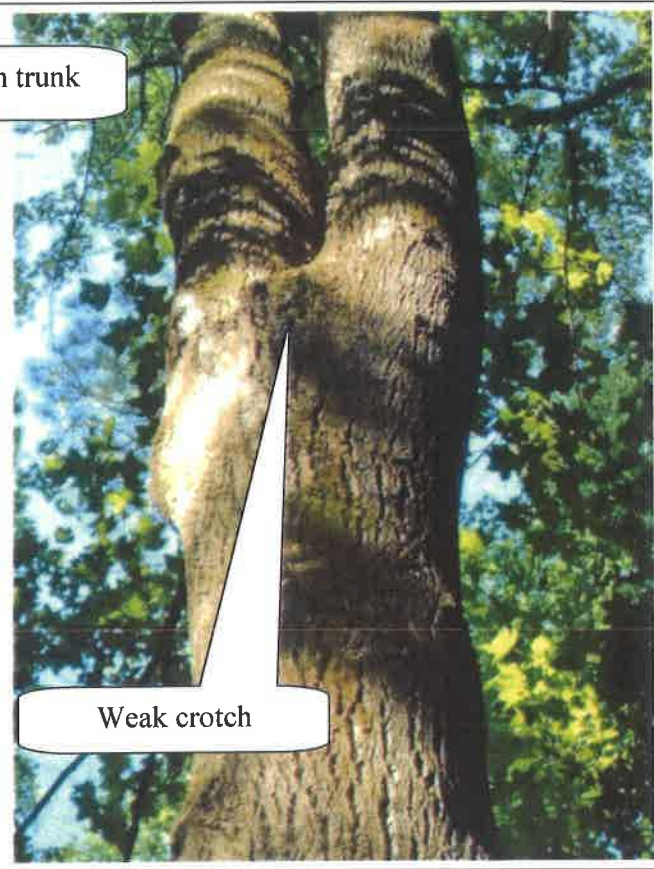
Decay in crotch

Photo 84



Barbwire in trunk

Photo 85



Weak crotch

Photo 86



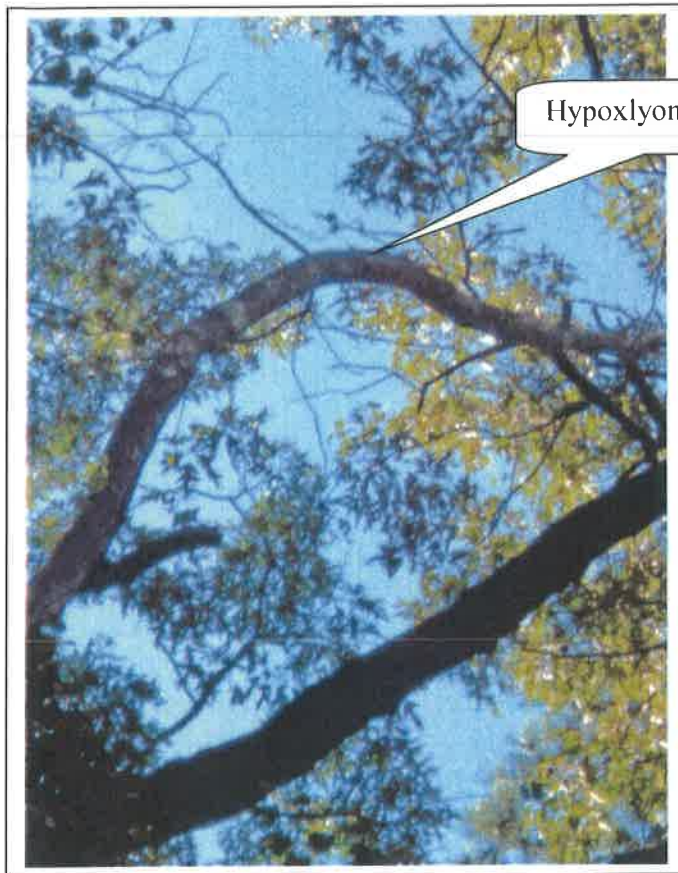
Severe lean

Photo 87



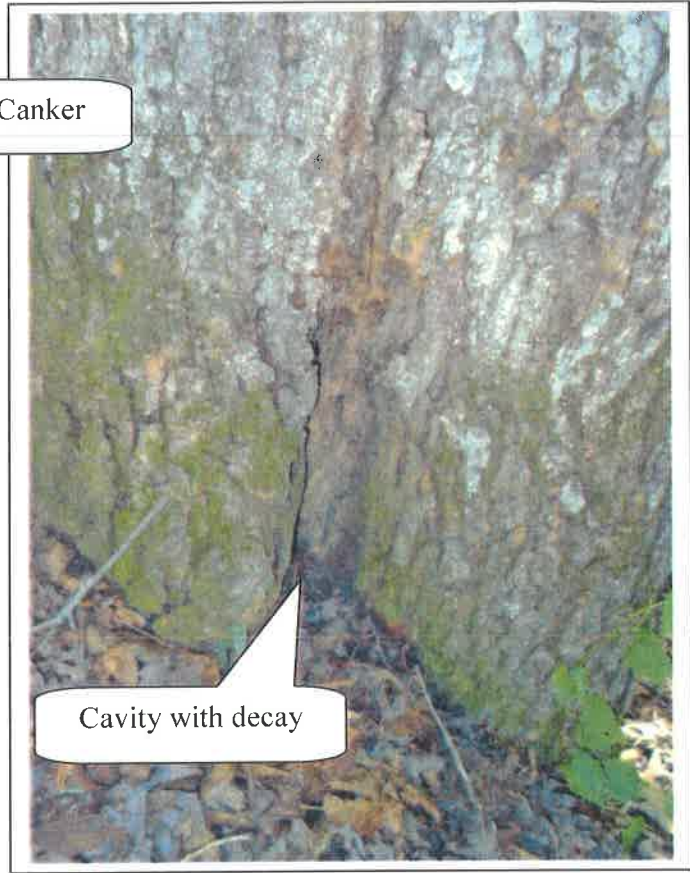
Phytophthora

Photo 88



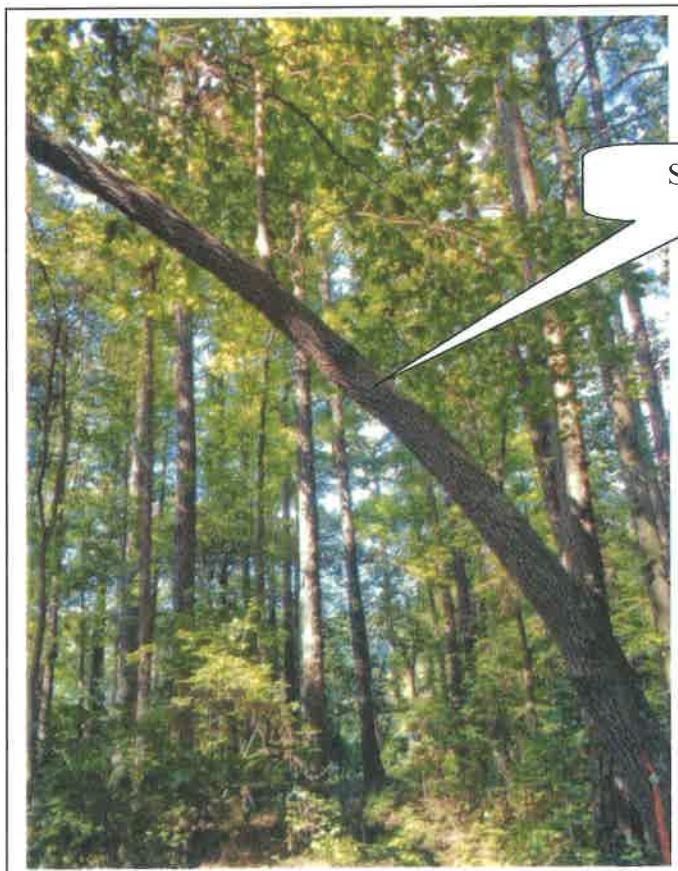
Hypoxylon Canker

Photo 89



Cavity with decay

Photo 90



Severe lean

Photo 91



Cavity with decay

Photo 92



Fruiting bodies

Photo 93



Cavity of decay

Photo 94



Root damage

Included bark with trunk gall in the inclusion

Photo 95

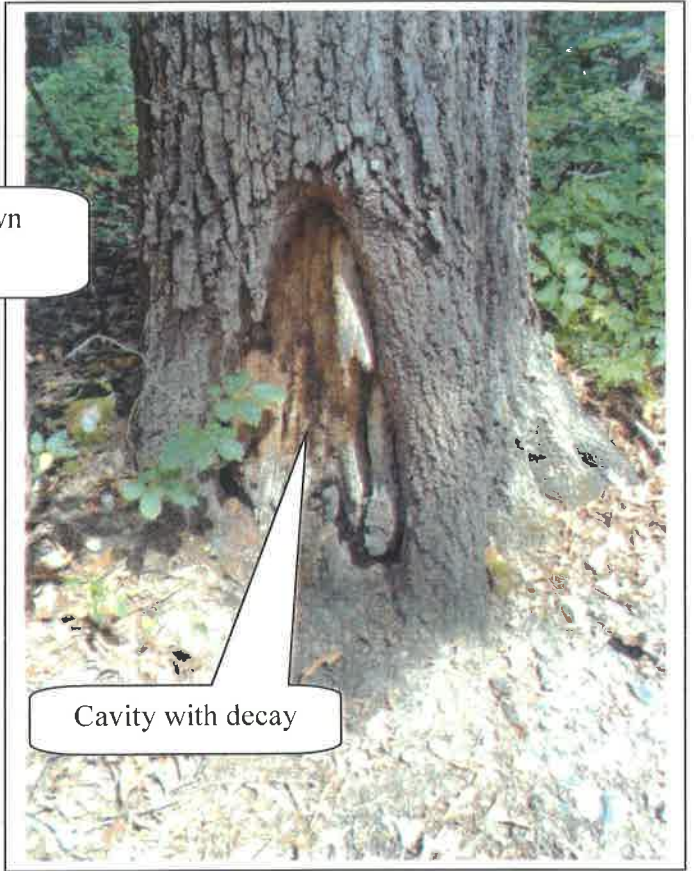


Photo 96



2 Trees grown together

Photo 97



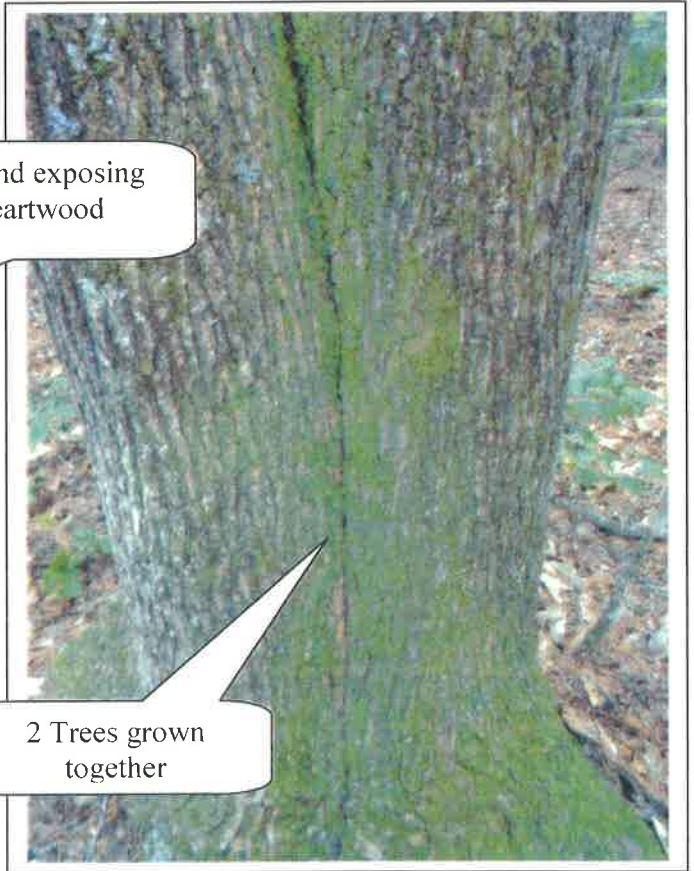
Cavity with decay

Photo 98



Wound exposing heartwood

Photo 99



2 Trees grown together

Photo 100



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Meeting Date: April 24, 2017

I. AGENDA ITEM TITLE: ALCOHOL ORDINANCE AMENDMENTS (1ST READING)

II. RECOMMENDATION:

III. REPORT IN BRIEF:

As a follow up to the Alcohol Ordinance Amendment Workshop we held at the April 17, 2017 Council Meeting, the attached amendments are proposed as a result of the feedback received from Council at that meeting and subsequent direction given to staff.

The revisions regarding the expansion of the downtown district and alcohol in City parks have both been removed from the current ordinance amendment so that we can get proper notice out to those that would be impacted and receive feedback.

Highlights of the proposed amendments include:

- Provide consumption on premises exceptions to art studios, galleries, and cooking classes
- Expansion of wine tastings provisions and allow retailers to charge for tastings
- Revisions to comply with recent state law regarding breweries

IV. ALTERNATIVES:

V. ATTACHMENTS:

Alcohol Ordinance Amendments, Ordinance - redline version

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND CHAPTER 3 (ALCOHOLIC BEVERAGES) OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES; TO PROVIDE EXCEPTIONS APPLICABLE TO ART STUDIOS, GALLERIES AND COOKING CLASSES FROM CERTAIN REGULATIONS GOVERNING ON-PREMISES CONSUMPTION; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING ANCILLARY WINE TASTING LICENSES; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING BREWERIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, Chapter 3 (Alcoholic Beverages) of The Code of the City of Alpharetta, Georgia provides regulations governing the sale of alcoholic beverages within the City; and

WHEREAS, the Mayor and Council of the City of Alpharetta ("City Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the City Council has determined that it is appropriate from time to time to modify alcoholic beverage regulations to comport with current conditions; and

WHEREAS, the City Council desires to amend Chapter 3 (Alcoholic Beverages) of The Code of the City of Alpharetta, Georgia in order to delete, modify and add certain provisions regulating the sale of alcoholic beverages.

NOW, THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Section 3-1 of The Code of the City of Alpharetta, Georgia (the "Code") is hereby amended by adding the following terms and definitions in their appropriate alphabetical order:

"Art Gallery. A retail establishment primarily engaged in, and which derives at least seventy percent (70%) of its total annual gross sales from, the sale or display of art books, paintings, sculptures, or other works of art; but specifically excluding libraries, book stores, theaters, and establishments where the display of works of art is incidental to its primary use."

"Art Studio. A retail establishment primarily engaged in providing instruction in painting, sculpture, drawing,

photography, craft work, fiber art, or other visual or graphic art techniques, and which derives at least seventy percent (70%) of its total annual gross sales from the sale of such services and art products related to such services; but specifically excluding body art studios and tattoo parlors."

Section 2: Section 3-40 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-40. Locations where prohibited.

No alcoholic beverages may be sold by the drink for consumption on the premises where sold except in: (1) eating establishments regularly serving prepared food, with a full-service kitchen consisting of a four-compartment pot sink, a stove or grill permanently installed, and a refrigerator, all of which must be approved by the county health department and the city fire marshal, prepared to serve food every hour they are open; (2) supermarkets or wine bars, where these establishments are permitted to seat forty-five (45) or more persons pursuant to applicable building, fire and safety codes in effect for the city; (3) cigar shops; (4) art galleries or art studios; or (5) hotels, motels or high rise office and apartment buildings. When located in hotels, motels and high rise office and apartment buildings, every entrance to the establishment shall be from a public lobby, hallway, mall or other publicly used interior portion of the primary use structure. Unless otherwise expressly exempted in this Chapter from this requirement, establishments not located in hotel or motels shall derive a minimum of fifty (50) percent of their total annual gross food and beverage sales from the sale of prepared meals or food (except that wine bars shall derive a minimum of forty (40) percent). Hotels or motels containing such establishments shall derive a minimum of fifty (50) percent of their total annual gross income from the sales of prepared meals or food and from the rental of rooms for overnight lodging. For the purposes of this Chapter, the term "hotel" or the term "motel" means an establishment that contains not less than thirty-five (35) separate rooms for overnight lodging. On or before the 20th day of each calendar month, each such establishment shall file a report of the previous calendar month's operation with the office of the director of finance verifying compliance with the above provisions. Such reports shall be filed on forms designated by the city. These forms are also used to report excise taxes on the sale of distilled spirits by the drink, which are also due by the tenth day of each calendar month. Any licensed establishment that fails to meet the appropriate percentage requirements for two (2)

consecutive months shall be subject to immediate revocation. An audit may be required at any time to ensure compliance with these provisions. Nothing in this section shall be deemed to prohibit hotel room service of alcoholic beverages."

Section 3: Section 3-41 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-41. - Hours of sale.

Alcoholic beverages shall not be sold for consumption on the premises except:

- (a) Monday through Saturday between the hours of 9:00 a.m. and 2:00 a.m. of the following day; and
- (b) on Sunday from 12:30 p.m. until 2:00 a.m. on Monday in any licensed establishment which derives at least fifty (50) percent of its total annual gross food and beverage sales from the sale of prepared meals or food or which derives a minimum of fifty (50) percent of its total annual gross income from the rental of rooms for overnight lodging."

Section 4: Section 3-42 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-42. Consumption sales only.

- (a) Except as may be otherwise expressly provided in this chapter, establishments holding a license to sell alcoholic beverages for consumption on the premises shall not hold a license for the sale of alcoholic beverages by the package.
- (b) The foregoing prohibition, however, shall not apply with respect to the following:
 - (1) Supermarkets and brewpubs, as defined in Sec. 3-1; provided, however, no such license shall include or authorize the sale of distilled spirits by the package; and
 - (2) Eating establishments, as defined in Sec. 3-1, may sell wine by the package for off-premises consumption, provided that no more than ten percent (10%) of the interior floor area of the establishment

is devoted to the display of package wine and no more than ten percent (10%) of the establishment's revenues derived from the sale of alcoholic beverages is derived from package wine sales. Notwithstanding the foregoing, the sales of wine by the package for off-premises consumption shall not be used in calculating the total annual gross food and beverage sales for the establishment for the purpose of determining whether the establishment constitutes an eating establishment as set forth in Sec. 3-1.

- (c) For the purposes of this chapter, where a person holds a license to sell alcoholic beverages by the package, including distilled spirits, at one establishment and a license to sell to sell alcoholic beverages for consumption on the premises at a contiguous establishment, and the licensed premises of each establishment are physically separate from the other, with the only interconnectivity between the establishments (if any) being an inside connecting service door or passage-way, such establishments shall be considered separate and distinct establishments, provided that:
- (1) each establishment operates under a trade name different from the other;
 - (2) all business transactions are kept separate;
 - (3) each establishment must operate in compliance with all other provisions of this Chapter and all other laws and regulations applicable to such business;
 - (4) each establishment has a separate entrance for the public and the establishments share no common entrance;
 - (5) the inside connecting service door or passage-way (if any) must be located behind the bar or service counter of each establishment or otherwise so situated or maintained as to be reasonably accessible only to the licensee or employees of the establishments, and only the licensee and employees of the establishments may use such door or passage-way; and
 - (6) all other conditions required by state regulations applicable to such contiguous operations are met."

Section 5: Section 3-46 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-46. Brown-bagging or BYOB prohibited; exceptions.

It is prohibited for any person to bring his or her own alcoholic beverage (brown-bagging) into any retail establishment, without regard to whether such establishment is licensed to sell alcoholic beverages, for consumption on such premises.

(a) *Exceptions.* The foregoing prohibition is subject to the following specific exceptions:

- (1) *Furnishing of wine by patron of restaurant.* Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to bring into the restaurant one (1) unopened bottle of wine for consumption on the premises. In order for this provision to apply, the restaurant must establish a policy for permitting same and must charge a minimum corkage fee of ten dollars (\$10.00) per bottle. Nothing in this section shall be deemed to require a restaurant to establish such a policy. Any wine not consumed at a restaurant, shall be disposed of at the premises and not carried out in an open container, unless the restaurant is able to reseal and repack the opened bottle of wine in accordance with Section 3-47.
- (2) *Patrons participating in cooking classes.* This section shall not prohibit any person who is participating in a cooking class offered by a retail establishment from bringing one (1) unopened bottle of wine into the retail establishment to consume with the meal prepared as part of such class provided:
 - (a) the retail establishment has a policy permitting a patron participating in a cooking class to bring an unopened bottle of wine into the retail establishment for consumption on the premises by the patron;
 - (b) the retail establishment does not charge a corking or other fee for same;
 - (c) the price of a cooking class offered by the retail establishment does not vary based on whether class participants will be permitted to bring wine into the retail establishment for consumption on the premises;
 - (d) no employee of the retail establishment under the

age of 18 shall be working in the establishment during the times such classes are offered; and (e) the retail establishment has an established closing time of no later than 10:00 p.m. Any opened bottle of wine not consumed at the retail establishment during the cooking class shall be disposed of at the premises and not carried out in an open container. All other applicable state and city laws, regulations and ordinances which address the use and serving of alcoholic beverages shall apply to this subsection.

- (b) For the purposes of this section, the term retail establishment shall not include a private hotel room or similar guest room or a private club."

Section 6: Article II of Chapter 3 of the Code is hereby amended by adding a new Section 3-49 to read as follows:

"Sec. 3-49. Art Gallery Exception.

An art gallery may obtain a license for the sale of alcoholic beverages for consumption on the premises without meeting the requirement that the establishment provides a full-service kitchen serving prepared foods or derives a minimum of fifty percent (50%) of its total annual gross food and beverage sales from the sale of prepared meals or food; provided that no more than ten percent (10%) of the establishment's total annual gross sales are derived from the sale of alcoholic beverages."

Section 7: Section 3-60 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-60. Types of establishments where retail sale permitted.

- (a) No distilled spirits by the package shall be sold at retail except in: (1) retail establishments devoted exclusively to the retail sale of alcoholic beverages by the package; (2) retail establishments in which space has been set aside devoted exclusively to the retail sale of distilled spirits by the package, with ingress and egress provided directly to and only to the exterior of the building in which the facility is located and not to any other enclosed part of the building in which the facility is located, except as provided in item (3) of this subsection; or (3) in hotels, motels and highrise

office buildings where every public entrance to this use shall be from a lobby, hallway or other interior portion of the primary use structure.

- (b) Nothing in this section shall prohibit the retail sale within these establishments of liquid commodities and mixes normally used in the preparation and serving of distilled spirits."

Section 8: Section 3-160 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-160. Ancillary wine tasting license; conditions.

The holder of a package wine license, with or without a package malt beverage license, but in no event with a package distilled spirits license, with licensed premises having a minimum of 200 square feet of floor space dedicated to the display of wine offered for sale, shall be eligible for an ancillary wine tasting license to sell or provide samples or tastings of wine offered for sale by the package to customers for consumption on the premises under the following conditions:

- (a) The licensee shall maintain on the premises and offer for sale by the package at least twenty-five (25) different brands of wine.
- (b) Wine sampling and tasting for customers shall only be conducted at a wine counter area constituting no more than ten percent (10%) of the entire floor area of the premises.
- (c) Wine samples shall not exceed two (2) ounces, and no customer shall consume more than eight (8) ounces in any calendar day.
- (d) Wine bottles shall be opened only by the licensee or an employee, and samples shall only be poured by the licensee and/or an employee.
- (e) No open containers of wine shall be removed from the licensed premises.
- (f) Wine sampling and tasting is only permitted within the enclosed portion of the premises.
- (g) Wine sampling and tasting is only permitted during the hours the licensed premises are authorized to provide package sales of alcoholic beverages; provided, however, no wine sampling and tasting shall be permitted on Sunday.

- (h) Wine sampling and tasting shall not be permitted prior to the City's approval of a package license holder's application for an ancillary wine tasting license and the package license holder's payment of the subject license fee. The annual fee for an ancillary wine tasting license shall be two hundred and fifty dollars (\$250.00), which fee may be revised from time to time by resolution of the mayor and council."

Section 9: Section 3-193 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-193. Exception for breweries.

As a limited exception to the provisions of this chapter which implement and enforce the three-tier system for the manufacture, distribution and sale of malt beverages established under state law, a brewer's license authorizes the holder of such license to sell directly to the public on its licensed premises up to 3,000 barrels of malt beverages manufactured on such licensed premises per year for: (1) consumption on the premises; and (2) consumption off the premises (sales by the package), provided that such sales by the package shall not exceed a maximum of 288 ounces per consumer per day. Such retail sales are permitted on the days and at the times that the retail sale of malt beverages for consumption on the premises or by the package, as applicable, is authorized for other retailer licensees under this chapter. Under no circumstances shall such malt beverages be sold by a licensed brewer to a licensed retailer or retail consumption dealer for the purpose of resale. Any brewer engaging in the retail sales of malt beverages pursuant to this section shall remit all state and local excise taxes to the proper tax collecting authority. For the purposes of this article, "barrel" means thirty-one (31) gallons of malt beverages."

Section 10: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Alpharetta, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

Section 11: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 12: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 13: Except for Section 9 hereof, this Ordinance shall become effective immediately upon adoption. Section 9 of this Ordinance shall become effective on September 1, 2017.

ORDINANCE NO. _____

SO ORDAINED this _____ day of _____, 2017.

CITY OF ALPHARETTA, GEORGIA

By: _____
David C. Belle Isle, Mayor

COUNCIL MEMBERS

(SEAL)
Attest:

City Clerk

First Reading _____

Second Reading _____

Adopted _____

[REDLINE VERSION IDENTIFYING REVISIONS SINCE 4.17.17 WORKSHOP]

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND CHAPTER 3 (ALCOHOLIC BEVERAGES) OF THE CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON THE PREMISES; TO PROVIDE EXCEPTIONS APPLICABLE TO ART STUDIOS, GALLERIES AND COOKING CLASSES FROM CERTAIN REGULATIONS GOVERNING ON-PREMISES CONSUMPTION; TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING ANCILLARY WINE TASTING LICENSES; ~~TO MODIFY THE DEFINITION OF "DOWNTOWN DISTRICT" SET FORTH IN SECTION 3-181; TO DELETE, MODIFY AND ADD PROVISIONS PERTAINING TO THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN CERTAIN PUBLIC PARKS LOCATED IN THE DOWNTOWN DISTRICT;~~ TO DELETE, MODIFY AND ADD PROVISIONS GOVERNING BREWERIES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

WHEREAS, Chapter 3 (Alcoholic Beverages) of The Code of the City of Alpharetta, Georgia provides regulations governing the sale of alcoholic beverages within the City; and

WHEREAS, the Mayor and Council of the City of Alpharetta ("City Council") are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the City Council has determined that it is appropriate from time to time to modify alcoholic beverage regulations to comport with current conditions; and

WHEREAS, the City Council desires to amend Chapter 3 (Alcoholic Beverages) of The Code of the City of Alpharetta, Georgia in order to delete, modify and add certain provisions regulating the sale of alcoholic beverages.

NOW, THEREFORE, The Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Section 3-1 of The Code of the City of Alpharetta, Georgia (the "Code") is hereby amended by adding the following terms and definitions in their appropriate alphabetical order:

"Art Gallery. A retail establishment primarily engaged in, and which derives at least seventy percent (70%) of its total annual gross sales from, the sale or display of art books, paintings, sculptures, or other works of art; but specifically excluding libraries, book stores, theaters, and establishments

where the display of works of art is incidental to its primary use."

"Art Studio. A retail establishment primarily engaged in providing instruction in painting, sculpture, drawing, photography, craft work, fiber art, or other visual or graphic art techniques, and which derives at least seventy percent (70%) of its total annual gross sales from the sale of such services and art products related to such services; but specifically excluding body art studios and tattoo parlors."

Section 2: Section 3-40 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-40. Locations where prohibited.

No alcoholic beverages may be sold by the drink for consumption on the premises where sold except in: (1) eating establishments regularly serving prepared food, with a full-service kitchen consisting of a four-compartment pot sink, a stove or grill permanently installed, and a refrigerator, all of which must be approved by the county health department and the city fire marshal, prepared to serve food every hour they are open; (2) supermarkets or wine bars, where these establishments are permitted to seat forty-five (45) or more persons pursuant to applicable building, fire and safety codes in effect for the city; (3) cigar shops; (4) art galleries or art studios; or (5) hotels, motels or high rise office and apartment buildings. When located in hotels, motels and high rise office and apartment buildings, every entrance to the establishment shall be from a public lobby, hallway, mall or other publicly used interior portion of the primary use structure. Unless otherwise expressly exempted in this Chapter from this requirement, establishments not located in hotel or motels shall derive a minimum of fifty (50) percent of their total annual gross food and beverage sales from the sale of prepared meals or food (except that wine bars shall derive a minimum of forty (40) percent). Hotels or motels containing such establishments shall derive a minimum of fifty (50) percent of their total annual gross income from the sales of prepared meals or food and from the rental of rooms for overnight lodging. For the purposes of this Chapter, the term "hotel" or the term "motel" means an establishment that contains not less than thirty-five (35) separate rooms for overnight lodging. On or before the 20th day of each calendar month, each such establishment shall file a report of the previous calendar month's operation with the office of the director of finance verifying compliance with the above

provisions. Such reports shall be filed on forms designated by the city. These forms are also used to report excise taxes on the sale of distilled spirits by the drink, which are also due by the tenth day of each calendar month. Any licensed establishment that fails to meet the appropriate percentage requirements for two (2) consecutive months shall be subject to immediate revocation. An audit may be required at any time to ensure compliance with these provisions. Nothing in this section shall be deemed to prohibit hotel room service of alcoholic beverages."

Section 3: Section 3-41 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-41. - Hours of sale.

Alcoholic beverages shall not be sold for consumption on the premises except:

- (a) Monday through Saturday between the hours of 9:00 a.m. and 2:00 a.m. of the following day; and
- (b) on Sunday from 12:30 p.m. until 2:00 a.m. on Monday in any licensed establishment which derives at least fifty (50) percent of its total annual gross food and beverage sales from the sale of prepared meals or food or which derives a minimum of fifty (50) percent of its total annual gross income from the rental of rooms for overnight lodging."

Section 4: Section 3-42 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-42. Consumption sales only.

- (a) Except as may be otherwise expressly provided in this chapter, establishments holding a license to sell alcoholic beverages for consumption on the premises shall not hold a license for the sale of alcoholic beverages by the package.
- (b) The foregoing prohibition, however, shall not apply with respect to the following:
 - (1) Supermarkets and brewpubs, as defined in Sec. 3-1; provided, however, no such license shall include or authorize the sale of distilled spirits by the package; and

(2) Eating establishments, as defined in Sec. 3-1, may sell wine by the package for off-premises consumption, provided that no more than ten percent (10%) of the interior floor area of the establishment is devoted to the display of package wine and no more than ten percent (10%) of the establishment's revenues derived from the sale of alcoholic beverages is derived from package wine sales. Notwithstanding the foregoing, the sales of wine by the package for off-premises consumption shall not be used in calculating the total annual gross food and beverage sales for the establishment for the purpose of determining whether the establishment constitutes an eating establishment as set forth in Sec. 3-1.

(c) For the purposes of this chapter, where a person holds a license to sell alcoholic beverages by the package, including distilled spirits, at one establishment and a license to sell to sell alcoholic beverages for consumption on the premises at a contiguous establishment, and the licensed premises of each establishment are physically separate from the other, with the only interconnectivity between the establishments (if any) being an inside connecting service door or passage-way, such establishments shall be considered separate and distinct establishments, provided that:

- (1) each establishment operates under a trade name different from the other;
- (2) all business transactions are kept separate;
- (3) each establishment must operate in compliance with all other provisions of this Chapter and all other laws and regulations applicable to such business;
- (4) each establishment has a separate entrance for the public and the establishments share no common entrance;
- (5) the inside connecting service door or passage-way (if any) must be located behind the bar or service counter of each establishment or otherwise so situated or maintained as to be reasonably accessible only to the licensee or employees of the establishments, and only the licensee and employees of the establishments may use such door or passage-way; and

(6) all other conditions required by state regulations applicable to such contiguous operations are met."

Section 5-4: Section 3-46 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-46. Brown-bagging or BYOB prohibited; exceptions.

It is prohibited for any person to bring his or her own alcoholic beverage (brown-bagging) into any retail establishment, without regard to whether such establishment is licensed to sell alcoholic beverages, for consumption on such premises.

(a) *Exceptions.* The foregoing prohibition is subject to the following specific exceptions:

- (1) *Furnishing of wine by patron of restaurant.* Any restaurant which is licensed to sell wine for consumption on the premises may permit a patron to bring into the restaurant one (1) unopened bottle of wine for consumption on the premises. In order for this provision to apply, the restaurant must establish a policy for permitting same and must charge a minimum corkage fee of ten dollars (\$10.00) per bottle. Nothing in this section shall be deemed to require a restaurant to establish such a policy. Any wine not consumed at a restaurant, shall be disposed of at the premises and not carried out in an open container, unless the restaurant is able to reseal and repackage the opened bottle of wine in accordance with Section 3-47.
- (2) *Patrons participating in cooking classes.* This section shall not prohibit any person who is participating in a cooking class offered by a retail establishment from bringing one (1) unopened bottle of wine into the retail establishment to consume with the meal prepared as part of such class provided:
 - (a) the retail establishment has a policy permitting a patron participating in a cooking class to bring an unopened bottle of wine into the retail establishment for consumption on the premises by the patron;
 - (b) the retail establishment does not charge a corking or other fee for same;
 - (c) the price of a cooking class offered by the retail establishment

does not vary based on whether class participants will be permitted to bring wine into the retail establishment for consumption on the premises; (d) no employee of the retail establishment under the age of 18 shall be working in the establishment during the times such classes are offered; and (e) the retail establishment has an established closing time of no later than 10:00 p.m. Any opened bottle of wine not consumed at the retail establishment during the cooking class shall be disposed of at the premises and not carried out in an open container. All other applicable state and city laws, regulations and ordinances which address the use and serving of alcoholic beverages shall apply to this subsection.

- (b) For the purposes of this section, the term retail establishment shall not include a private hotel room or similar guest room or a private club."

Section 65: Article II of Chapter 3 of the Code is hereby amended by adding a new Section 3-49 to read as follows:

"Sec. 3-49. Art Gallery Exception.

An art gallery may obtain a license for the sale of alcoholic beverages for consumption on the premises without meeting the requirement that the establishment provides a full-service kitchen serving prepared foods or derives a minimum of fifty percent (50%) of its total annual gross food and beverage sales from the sale of prepared meals or food; provided that no more than ten percent (10%) of the establishment's total annual gross sales are derived from the sale of alcoholic beverages."

Section 7: Section 3-60 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-60. Types of establishments where retail sale permitted.

- (a) No distilled spirits by the package shall be sold at retail except in: (1) retail establishments devoted exclusively to the retail sale of alcoholic beverages by the package; (2) retail establishments in which space has been set aside devoted exclusively to the retail sale of distilled spirits by the package, with ingress and egress provided directly to and only to the exterior

of the building in which the facility is located and not to any other enclosed part of the building in which the facility is located, except as provided in item (3) of this subsection; or (3) in hotels, motels and highrise office buildings where every public entrance to this use shall be from a lobby, hallway or other interior portion of the primary use structure.

(b) Nothing in this section shall prohibit the retail sale within these establishments of liquid commodities and mixes normally used in the preparation and serving of distilled spirits."

Section 86: Section 3-160 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-160. Ancillary wine tasting license; conditions.

The holder of a package wine license, with or without a package malt beverage license, but in no event with a package distilled spirits license, with licensed premises having a minimum of 200 square feet of floor space dedicated to the display of wine offered for sale, shall be eligible for an ancillary wine tasting license to sell or provide samples or tastings of wine offered for sale by the package to customers for consumption on the premises under the following conditions:

- (a) The licensee shall maintain on the premises and offer for sale by the package at least twenty-five (25) different brands of wine.
- (b) Wine sampling and tasting for customers shall only be conducted at a wine counter area constituting no more than ten percent (10%) of the entire floor area of the premises.
- (c) Wine samples shall not exceed two (2) ounces, and no customer shall consume more than eight (8) ounces in any calendar day.
- (d) Wine bottles shall be opened only by the licensee or an employee, and samples shall only be poured by the licensee and/or an employee.
- (e) No open containers of wine shall be removed from the licensed premises.
- (f) Wine sampling and tasting is only permitted within the enclosed portion of the premises.

- (g) Wine sampling and tasting is only permitted during the hours the licensed premises are authorized to provide package sales of alcoholic beverages; provided, however, no wine sampling and tasting shall be permitted on Sunday.
- (h) Wine sampling and tasting shall not be permitted prior to the City's approval of a package license holder's application for an ancillary wine tasting license and the package license holder's payment of the subject license fee. The annual fee for an ancillary wine tasting license shall be two hundred and fifty dollars (\$250.00), which fee may be revised from time to time by resolution of the mayor and council."

~~Section 7: Chapter 3 of the Code is hereby amended by adding a new Appendix A, entitled "Map of Downtown District," to read as set forth in Exhibit "A" attached hereto as if fully set forth herein.~~

~~Section 8: Section 3-181 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:~~

~~"Sec. 3-181. Definition of Downtown District.~~

~~For the purpose of this article only, the "Downtown District" is defined as that certain portion or area of the City described and depicted in Appendix A (Map of Downtown District) to this Chapter. For the purposes of this definition, the premises of any licensed establishment that abuts the boundaries depicted in Appendix A shall be considered to be located within the Downtown District."~~

~~Section 9: Section 3-182 of the Code is hereby amended by adding a new paragraph (h), to read as follows:~~

- ~~"(h) Public Parks and Squares in the Downtown District. Notwithstanding any contrary provision of paragraph (c) of this section, alcoholic beverages purchased from an establishment which is located in the Downtown District and licensed to sell alcoholic beverages for consumption on the premises may be consumed in the following parks and squares located in the Downtown District, including on the sidewalks adjacent thereto: (i) Brooke Street Park; (ii) Town Green (located in City Center); (iii) Old Milton Park; and (iv) any public pocket park or~~

~~square located within the Downtown District. Nothing set forth in this section shall be construed to permit the possession of open alcoholic beverages in the foregoing public parks or squares located in the Downtown District other than alcoholic beverages purchased on the premises of a licensed on-premises consumption establishment located in the Downtown District or pursuant to a city-issued special event permit."~~

Section 910: Section 3-193 of the Code is hereby amended by deleting same in its entirety and inserting in lieu thereof the following:

"Sec. 3-193. Exception for breweries.

As a limited exception to the provisions of this chapter which implement and enforce the three-tier system for the manufacture, distribution and sale of malt beverages established under state law, a brewer's license authorizes the holder of such license to sell directly to the public on its licensed premises up to 3,000 barrels of malt beverages manufactured on such licensed premises per year for: (1) consumption on the premises; and (2) consumption off the premises (sales by the package), provided that such sales by the package shall not exceed a maximum of 288 ounces per consumer per day. Such retail sales are permitted on the days and at the times that the retail sale of malt beverages for consumption on the premises or by the package, as applicable, is authorized for other retailer licensees under this chapter. Under no circumstances shall such malt beverages be sold by a licensed brewer to a licensed retailer or retail consumption dealer for the purpose of resale. Any brewer engaging in the retail sales of malt beverages pursuant to this section shall remit all state and local excise taxes to the proper tax collecting authority. For the purposes of this article, "barrel" means thirty-one (31) gallons of malt beverages."

Section 1011: It is the intention of the City Council and it is hereby ordained by the authority of the City Council that the provisions of this Ordinance shall become and be made a part of The Code of the City of Alpharetta, Georgia, and the codifier is authorized to make the specified deletions, insertions, additions, and to insert headings, article numbers and section numbers as and where appropriate.

Section 1112: All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 1213: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional, or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 1314: Except for Section ~~109~~ hereof, this Ordinance shall become effective immediately upon adoption. Section ~~109~~ of this Ordinance shall become effective on September 1, 2017.

ORDINANCE NO. _____

SO ORDAINED this _____ day of _____, 2017.

CITY OF ALPHARETTA, GEORGIA

By: _____
David C. Belle Isle, Mayor

COUNCIL MEMBERS

(SEAL)
Attest:

City Clerk

First Reading _____

Second Reading _____

Adopted _____



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Public Works
Submitted By: Pam Bush
Meeting Date: April 24, 2017

I. AGENDA ITEM TITLE: MAYFIELD ROAD SIDEWALK IMPROVEMENTS, ITB 17-007

II. RECOMMENDATION:

Please award Bid No. 17-007 to Ohmshiv Construction, LLC in the amount of \$941,270.00 for the Mayfield Road Sidewalk Improvements Project and authorize the Mayor to execute all necessary documents.

III. BUDGET IMPLICATIONS:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$941,270.00

APPROPRIATIONS:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
Sidewalk Improvements (31741100-541420-C1512)	\$922,370.00
Tree Planting & Landscaping Imp (30141100-541200-C1302)	\$18,900.00

EXTERNAL FUNDING SOURCES:

ACCOUNT TITLE/NUMBER	DOLLAR AMOUNT
N/A	\$0.00
N/A	\$0.00

IV. REPORT IN BRIEF:

The award of this bid is for the construction of the Mayfield Road Sidewalk Improvements Project. The project consists of the construction of approximately 2,750 linear feet of a 6' wide sidewalk on the west/south side of Mayfield Road from Chantilly Drive to Bates Road and approximately 870 linear feet of 6' wide sidewalk along the east/north side of Mayfield Road from Harrington Drive to Bates Road. Also included in the project is the installation of curb and gutter, the installation of storm drainage, the construction of 4' wide bicycle lanes where new curb and gutter is being installed, and the resurfacing of Mayfield Road within the project limits. When complete, this project will provide contiguous sidewalks along the west/south side of Mayfield Road from Chantilly Drive to Main Street and along the east/north side from Harrington Drive to Bates Road.

The Department of Public Works prepared plans and specifications for the sidewalk project and advertised for competitive bids during March, 2017. Bids for the project were received on April 6, 2017 and the City received a total of thirteen bids from the following:

Ohmshiv Construction LLC	\$ 941,270.00
A1 Landscape and Lawn Care LLC	\$1,028,000.00
Construction 57 Inc.	\$1,052,635.00
Georgia Development Partners LLC	\$1,079,174.45
Sol Construction LLC	\$1,116,969.00
Multiplex LLC	\$1,123,580.00
Vertical Earth, Inc.	\$1,185,049.00
Lewallen Construction Company	\$1,196,955.46
Ed Castro Landscape Inc.	\$1,244,586.50
SD&C Inc.	\$1,249,161.50
Tople Construction & Engineering, Inc.	\$1,290,957.50
Precision 2000 Inc.	\$1,353,987.22
Excellere Construction, Inc.	\$1,724,000.00

The apparent low bidder, Ohmshiv Construction LLC, is an experienced contractor and has worked on numerous projects with similar scopes of work in Georgia for several agencies including the City of Duluth and Gwinnett County. The contacted references stated that Ohmshiv Construction LLC provided reliable work on time and within budget and would utilize their services again. Additionally, Ohmshiv Construction, LLC was previously awarded the City's North Main Street Walk Drainage Improvements in May 2013. Ohmshiv Construction, LLC consistently demonstrated an exceptional level of communication, performance, professionalism, and workmanship.

Staff met with Ohmshiv Construction LLC on April 12, 2017 to review the scope of work and the City's expectations. Ohmshiv Construction LLC assured Staff that they could complete the project for the bid amount and within the allocated time frame. Thus, Staff determined Ohmshiv Construction LLC to be the lowest responsive and responsible bidder.

This project will require the relocation of a couple of utility poles. Originally, a total of 8 utility poles would need to be relocated, however Public Works Staff was able to reduce the number to 2-3 due to modifying the beauty strip to keep the pole in place. Since a bike lane is part of the project, a buffer exists between vehicles and the poles. Staff is still awaiting pricing from the affected utility owners and will present these costs to City Council at a later date.

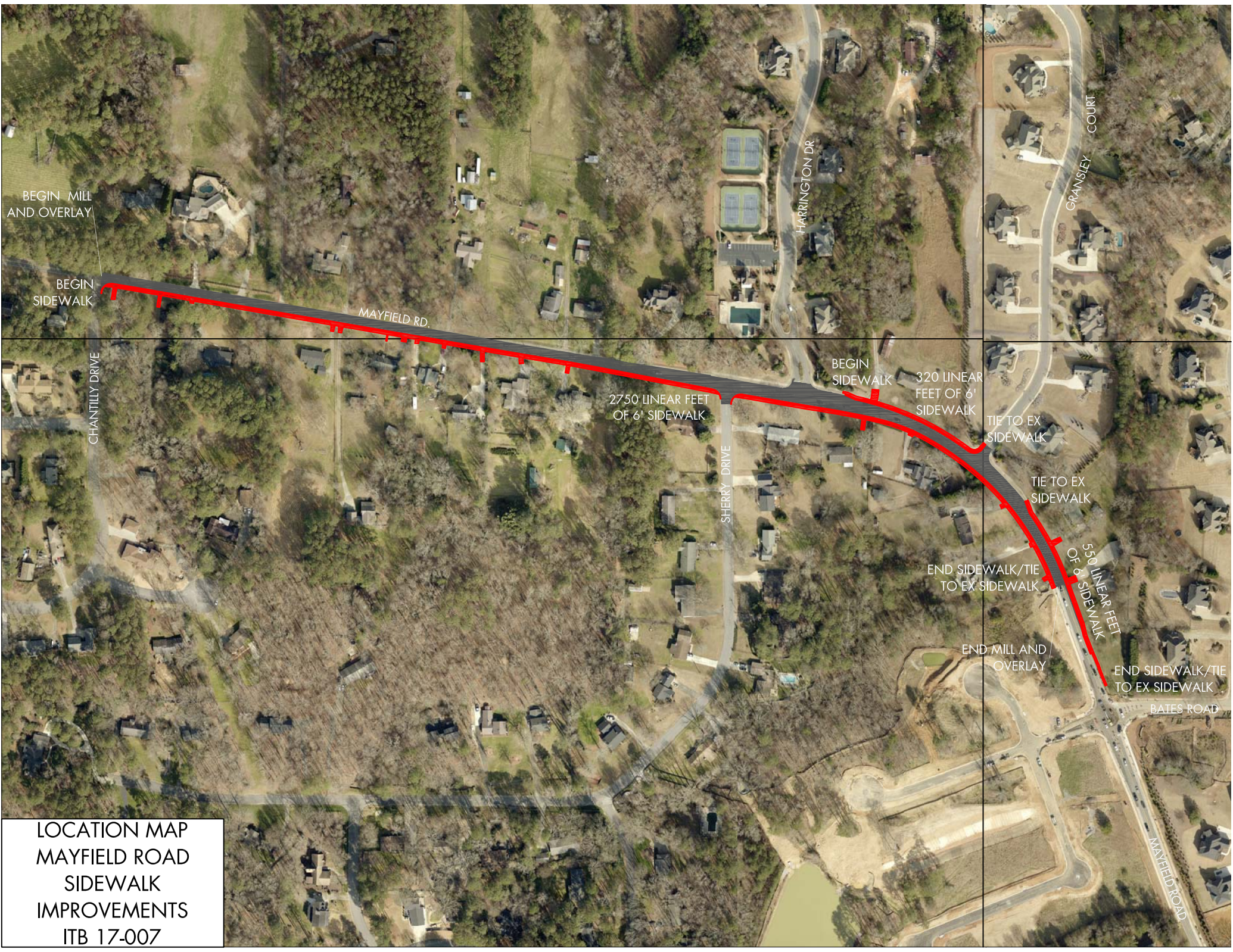
Once a contract with Ohmshiv, Inc. has been finalized and executed, construction may begin immediately. The anticipated completion date is no more than 180 days from notice to proceed.

V. ALTERNATIVES:

None

VI. ATTACHMENTS:

Location Map



LOCATION MAP
MAYFIELD ROAD
SIDEWALK
IMPROVEMENTS
ITB 17-007



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Public Safety
Submitted By: Will Merrill
Meeting Date: April 24, 2017

I. AGENDA ITEM TITLE:

RENEWAL OF THE INTERGOVERNMENTAL AGREEMENT (IGA) CONCERNING THE PROCESSING, STORAGE, AND CONTROL OF EVIDENCE WITHIN THE CITY OF ALPHARETTA BY THE CITY OF MILTON POLICE DEPARTMENT.

II. RECOMMENDATION:

Approve the renewal of the Intergovernmental Agreement, with changes, concerning the processing, storage, and control of Evidence within the City Of Alpharetta by the City of Milton Police Department.

III. REPORT IN BRIEF:

The Alpharetta Department of Public Safety has a current Intergovernmental Agreement (IGA) with the City of Milton Police Department for the storage and control of all evidence secured by the City of Milton Police Department. During a review of the IGA for renewal, the City of Milton Attorney requested minor, non-substantive changes. These changes have been reviewed and agreed to by the Director of Public Safety and City of Alpharetta Attorney Sam Thomas. The City of Alpharetta must approve this IGA prior the City of Milton City Council approval which is scheduled for May 1st.

IV. ALTERNATIVES:

V. ATTACHMENTS:

IGA for Milton PD Evidence - renewal

INTERGOVERNMENTAL AGREEMENT
CONCERNING THE PROCESSING, STORAGE, AND CONTROL OF
EVIDENCE WITHIN THE CITY OF ALPHARETTA BY THE CITY OF
MILTON POLICE DEPARTMENT

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”), by and between the City of Alpharetta, Georgia (“Alpharetta”) and the City of Milton, Georgia (“Milton”) entered into this _____ day of _____, 2017.

W I T N E S S E T H:

WHEREAS, since April 16, 2007, Alpharetta has provided evidence storage services to Milton pursuant to an Intergovernmental Agreement that will terminate on April 17, 2017; and

WHEREAS, the parties desire for Alpharetta to continue to provide evidence storage services to Milton as described in this new Agreement; and

WHEREAS, the Parties are authorized to enter into this Agreement pursuant to Article IX, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 regarding intergovernmental contracts.

NOW, THEREFORE, it is agreed by and between the parties as follows:

ARTICLE I
GENERAL PURPOSE

The general purpose of this Agreement is to provide an effective and efficient method for the processing, storage and control of evidence of Milton within the City of Alpharetta Public Safety Center located at 2565 Old Milton Parkway, Alpharetta, Georgia 30004 (“Center”), and to ensure an adequate chain of custody of all evidence and property seized and held by the above listed agencies.

This Agreement is entered into by each party in the spirit of joint cooperation and mutual good will.

ARTICLE II
DEFINITION OF TERMS

For the purpose of this Agreement, the terms defined in this Article shall have the meanings given them.

“Party” means each of the two above named parties to this Agreement.

“Milton” ~~means~~ includes the City of Milton Police Department.

“Alpharetta” ~~means~~ includes the City of Alpharetta Public Safety Department.

“Officer” means any employee of the responding party, whether full time sworn, part time sworn, reserve, or civilian.

“Property and Evidence Technician” means an employee of the City of Alpharetta who is responsible for evidence collection, processing and control in accordance with Alpharetta Police Department policies and state law.

ARTICLE III PROCEDURE

The Parties agree that the following procedures will govern the processing, storage and control of evidence by Alpharetta within the Center:

Section 301. For security management purposes, the portion of the Center designated for evidence processing and storage shall be under the exclusive control of the City of Alpharetta and the Property and Evidence Technician.

Section 302. Each party agrees that the Property and Evidence Technician is the designated evidence custodian for any evidence placed in the Center.

Section 303. Each party agrees to follow any reasonable procedures established by the Property and Evidence Technician for placing evidence into storage.

Section 304. The Property and Evidence Technician and the City of Alpharetta will maintain a record of all evidence placed into the Center, and when requested by any of the parties shall prepare reports concerning evidence submitted by their agency.

Section 305. All parties agree to share the expense of supplies needed for packaging and submittal of evidence. This expense will be based on the percentage of use by each of the parties.

Section 306. The Property and Evidence Technician, at no additional cost to Milton, will be available to Milton and will provide sworn testimony for any party in regard to evidentiary chain of custody issues.

Section 307. Each party agrees to appoint an independent staff level officer, on an annual basis, to complete an audit of the evidence storage facility(ies) at the Center.

Section 308. The Alpharetta Director of Public Safety, or his designee, shall be responsible for the overall supervision of the Property and Evidence Technician.

Section 309. Any officer who collects evidence shall be the custodian of all evidence and/or property collected until such time as it is booked into evidence at the Center.

Section 310. The collecting/submitting officer shall be the custodian of all evidence and/or property collected until such time as it is booked into evidence at the Center.

Section 311. Only the Director of Public Safety of the collecting agency, or their designee, shall respond to media requests for information concerning any evidence placed into the Center.

Section 312. The Property and Evidence Technician shall be responsible for the transportation or shipping of any evidence that must be sent to the Georgia Bureau of Investigation, or any other agency/lab for testing.

Section 313. The Alpharetta Police Department is a nationally accredited agency through the Commission on Accreditation for Law Enforcement Agencies, Inc. The Alpharetta Police Department is also a certified agency through the State of Georgia Law Enforcement Certification program, which is administered by the Georgia Association of Chiefs of Police. Alpharetta agrees to maintain ~~their~~-its compliance with the standards relating to the processing, storage and control of evidence within the Center of both of the programs listed above in this section, as well as all applicable requirements of state and federal law regarding evidentiary chain of custody matters. Any non-compliance issues shall promptly be reported to the City of Milton Police Chief.

Section 314. Any complaints of officer misconduct arising out of the collection of evidence shall be investigated and addressed by the Director of Public Safety, or Police Chief, or their designee, of the party employing the officer complained of. Any complaints of misconduct arising out of the storage of evidence shall be investigated by the City of Alpharetta, which may request assistance from Milton.

ARTICLE IV COMPENSATION AND CONSIDERATION

For the processing, storage and control within the Center of evidence of the City of Milton Police Department rendered pursuant to this Agreement, Alpharetta employs one (1) additional investigative technician. All obligations of employment of such employee are the sole responsibility of the City of Alpharetta, and continuation of the terms of this Agreement is not depend~~ant~~ on the continued employment of such employee.

Alpharetta will provide actual costs it incurs for the additional one (1) investigative technician, if applicable, and invoice Milton monthly those actual costs plus an amount equal to one-third of the cost of supplies and specific outside laboratory analysis for the City of Milton at a total cost not to exceed \$5,000.00 per month. The Milton Chief of Police ~~must~~ authorize any total monthly cost (i.e. investigative technician costs plus cost of supplies and specific outside laboratory analysis) amount greater than \$5,000.00 per month. Documentation shall be provided by Alpharetta to Milton itemizing Alpharetta's expenses upon request by Milton.

ARTICLE V DURATION AND TERMINATION

This Agreement shall begin on April 17, 2017, and shall remain in place for a term of five (5) years, unless terminated earlier as provided for herein. Either party may terminate this Agreement for convenience by providing at least sixty (60) days prior written notice of such termination to the other party. Additionally, in the event of the breach of a material term of this Agreement by either party and the failure of the breaching party to remedy such breach within thirty (30) days of receipt of notice of the breach from the non-breaching party, this Agreement shall terminate. Milton shall take custody of and remove its stored evidence from the Center within ten (10) days of the termination of this Agreement.

ARTICLE VI. MISCELLANEOUS

Section 601. Assignment. Neither party shall, without written consent of the other party, assign or transfer this Agreement or any rights or obligations hereunder.

Section 602. Amendment. The terms of this Agreement shall not be altered, amended, or modified except in writing signed by duly authorized officers or representatives of the parties.

Section 603. Construction of Agreement. This Agreement shall be construed under the laws of the State of Georgia.

Section 604. Severability. If any paragraph, subparagraph, sentence, clause, phrase, or any portion of this Intergovernmental Agreement shall be declared invalid or unconstitutional by any court of competent jurisdiction or if the provisions of any part of this Agreement as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Agreement not held to be invalid. It is hereby declared to be the intent of the parties to provide for separable and divisible parts, and they do hereby adopt any and all parts hereof as may not be held invalid for any reason.

Section 605. No Third Party Rights. This Agreement shall be exclusively for the benefit of Alpharetta and Milton and shall not provide any third parties with any remedy, claim, liability, reimbursement, cause of action, or other right.

Section 606. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall constitute an original. It shall not be necessary that each signatory sign the same counterpart as long as each has signed an identical counterpart.

Section 607. Authority to Enter Agreement. Each of the individuals who executes this Agreement agrees and represents that he is authorized to execute this Agreement on behalf of the respective government and further agrees and represents that this Agreement has been duly passed upon by his respective government and spread upon the Minutes. Accordingly, Alpharetta and Milton both waive and release any right to contest the enforceability of this Agreement based upon the execution and/or approval thereof.

Section 608. Notice.

Any notice of communications hereunder shall be in writing and shall be deemed to have been delivered when deposited in the United States mail, registered or certified, addressed as follows:

Notice to Alpharetta should be mailed to:

Public Safety Director
City of Alpharetta Department of Public Safety
2565 Old Milton Parkway
Alpharetta, GA 30004

Notice to Milton should be mailed to:

Chief of Police
City of Milton Police Department
13000 Deerfield Parkway
Milton, GA. 30004

Or to such other address as either party may designate for itself by written notice to the other party from time to time.

IN WITNESS WHEREOF, the Cities of Milton and Alpharetta have executed this Agreement through their duly authorized officers on the day and year first written above.

David Belle Isle
Mayor
City of Alpharetta

Joe Lockwood
Mayor
City of Milton

City Clerk

City Clerk

Approved as to form:

Approved as to form:

C. Sam Thomas, City Attorney
for Alpharetta, Georgia

Ken Jarrard, City Attorney
for Milton, Georgia

1265623



City Council Meeting and Public Hearing STAFF REPORT

Submitting Department: Administration

Submitted By:

Meeting Date: April 24, 2017

I. AGENDA ITEM TITLE: RATIFICATION AND APPROVAL OF MOU BETWEEN ALPHARETTA AND MILTON FOR THE ACQUISITION OF LAND TO BE JOINTLY OWNED AND OPERATED AS A PASSIVE PARK

II. RECOMMENDATION:

III. REPORT IN BRIEF:

This MOU is for the City of Alpharetta's consideration to enter into an agreement with the City of Milton for the purpose of memorializing each City's intent to jointly acquire, own, operate, improve and maintain a City Park at 1470, 1480, 1490 Mayfield Road located in the City of Alpharetta.

IV. ALTERNATIVES:

V. ATTACHMENTS:

MOU

**MEMORANDUM OF UNDERTANDING BY AND BETWEEN
THE CITY OF ALPHARETTA AND THE CITY OF MILTON
FOR A JOINTLY OWNED PASSIVE PARK**

WHEREFORE the City of Alpharetta (“Alpharetta”) and the City of Milton (“Milton”) (collectively the “Parties” or individually a “Party”) do hereby enter into this Memorandum of Understanding (MOU) for the purpose of memorializing the parties’ intention of jointly acquiring, owning, operating, improving, and maintaining a municipal park located at 1470, 1480 and 1490 Mayfield Road, Alpharetta, Georgia, (the “Property”) in the City of Alpharetta. Based upon the receipt of \$10.00 and other good and valuable consideration exchanged, the receipt and sufficiency of which are acknowledged by the signatures affixed below, the Parties do hereby express their intention to undertake the following:

1. The Parties shall jointly make an offer to the Property owner(s), with both Alpharetta and Milton responsible for fifty (50) percent of the purchase price, with the capped purchase price being no more than \$[REDACTED]; and no Party responsible for more than \$[REDACTED].
2. Alpharetta and Milton shall individually be responsible for their own respective legal fees related to the acquisition.
3. The Property, following closing, shall be jointly titled in the name of Milton and Alpharetta.
4. The Parties shall split equally all due diligence and closing costs.
5. It is the expectation and intention of the Parties that the Property shall be jointly insured by each Parties’ general liability insurance carrier.
6. During due diligence, the Parties shall enter into a formal Intergovernmental Agreement to confirm:

- a. Future obligations with respect to how daily and long-term decisions shall be made relative to the Property;
 - b. Future obligations with respect to maintenance, repair, and upkeep relative to the Property;
 - c. Future obligations with respect to capital improvements relative to the Property;
 - d. Future obligations and decision-making relative to park and recreation programming as to the Property.
 - e. The Parties agree that all decisions relative to items 6 (a) through (d) shall be guided by the principal that the Property is to be a park jointly owned by Alpharetta and Milton, on an equal basis, for the joint and equal usage by citizens of Alpharetta and Milton.
7. It is the expectation of the Parties that the Property shall be a passive amenity as opposed to an active park, thereby allowing trails, pavilions, children's play areas, and other similar passive recreational amenities.

SO APPROVED, this _____ day of April, 2017.

Joe Lockwood, Mayor
City of Milton

David Belle Isle, Mayor
City of Alpharetta

City Clerk

City Clerk

Seal

Seal

TO: MAYOR AND COUNCIL

FROM: C. SAM THOMAS, P.C.

DATE: APRIL 19, 2017

RE: FULTON COUNTY, GEORGIA VS. CITY OF ALPHARETTA, ET AL.
FULTON COUNTY SUPERIOR COURT
CIVIL ACTION FILE NUMBER 2009CV177235 (REVISED SDSA)

Several years ago the North Fulton County Cities began reviewing the various components for the delivery of services under the Service Delivery Strategy Agreement ("SDSA") then existing between Fulton County and cities within Fulton County. All the cities including those newly created (14 in total at the time) offered several recommendations to Fulton County in an attempt to revise the SDSA. Eventually, Fulton County filed a lawsuit requesting the Court to intervene. The Court referred the matter to mediation. At various times the City of Alpharetta has been represented in negotiations by the City Administrator, City Director of Finance and City Attorney. After many years of mediation and continued negotiations and by way of various IGAs, MOUs and other agreements an SDSA has been prepared. The full document, which consists of over 1,500 pages, is presented to this meeting. The Agreement is being approved by the cities this month and will then be approved by Fulton County. Following that the Agreement will be presented to Georgia Department of Community Affairs.

In summary, the Agreement states the City of Alpharetta shall self-provide the following services either through its general fund, grants, and/or customer contracts:

Arts Programs	Environment Regulations
911 Services	Parks and Recreation
Communications (non 911)	Senior Centers
EMS	Street Construction/Maintenance
GIS Mapping	Building Inspection/Permits
Municipal Court	Code Enforcement
Fire	Storm Water
Police	Recycling Programs/Curbside
Solicitor	Solid Waste
Economic Development	Yard Waste

Fulton County will continue to provide sewer and water system services, and pursuant to IGAs, animal control, jail services and elections.

The City Attorney approves the form and content of the Collective Agreement.

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE
CITY OF ALPHARETTA, GEORGIA AUTHORIZING THE EXECUTION OF A
SERVICE DELIVERY STRATEGY AGREEMENT BY AND AMONG FULTON COUNTY
AND THE CITIES LOCATED WHOLLY OR PARTIALLY WITHIN FULTON COUNTY**

WHEREAS, the parties to the proposed Service Delivery Strategy Agreement (the "SDSA") consist of Fulton County and all qualifying municipalities located wholly or partially within Fulton County, Georgia (the "Parties"); and

WHEREAS, the Parties have negotiated and agreed upon the terms of the SDSA; and

WHEREAS, by this Resolution, the Mayor and Council desire to authorize the Mayor and such other city officials as may be appropriate to execute the SDSA, a copy of which has been spread upon the minutes of this meeting and to facilitate the submission of the SDSA to the Georgia Department of Community Affairs as required by law;

NOW, THEREFORE, IT IS HEREBY

RESOLVED, by the Mayor and Council that the execution and delivery of the SDSA is hereby authorized. The SDSA shall be executed by the Mayor in substantially the form presented to the meeting, subject to such changes, corrections, insertions and omissions as may be approved by the Mayor and City Attorney, and the execution of the SDSA by the Mayor as herein authorized shall be conclusive evidence of such approval.

SO RESOLVED, this _____ day of _____, 2017.

CITY OF ALPHARETTA, GEORGIA

By: _____
David Belle Isle, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRECEDING PAGE OF
RESOLUTION AUTHORIZING EXECUTION OF COLLECTIVE AGREEMENT]

COUNCILMEMBERS

Jason Binder

Jim Gilvin

Mike Kennedy

Dan Merkel

Donald Mitchell

Chris Owens

(SEAL)

Attest:

City Clerk

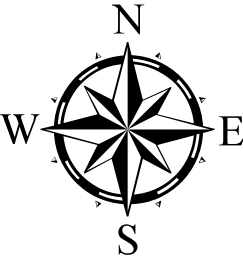
Truck Routes

LEGEND

Truck Route

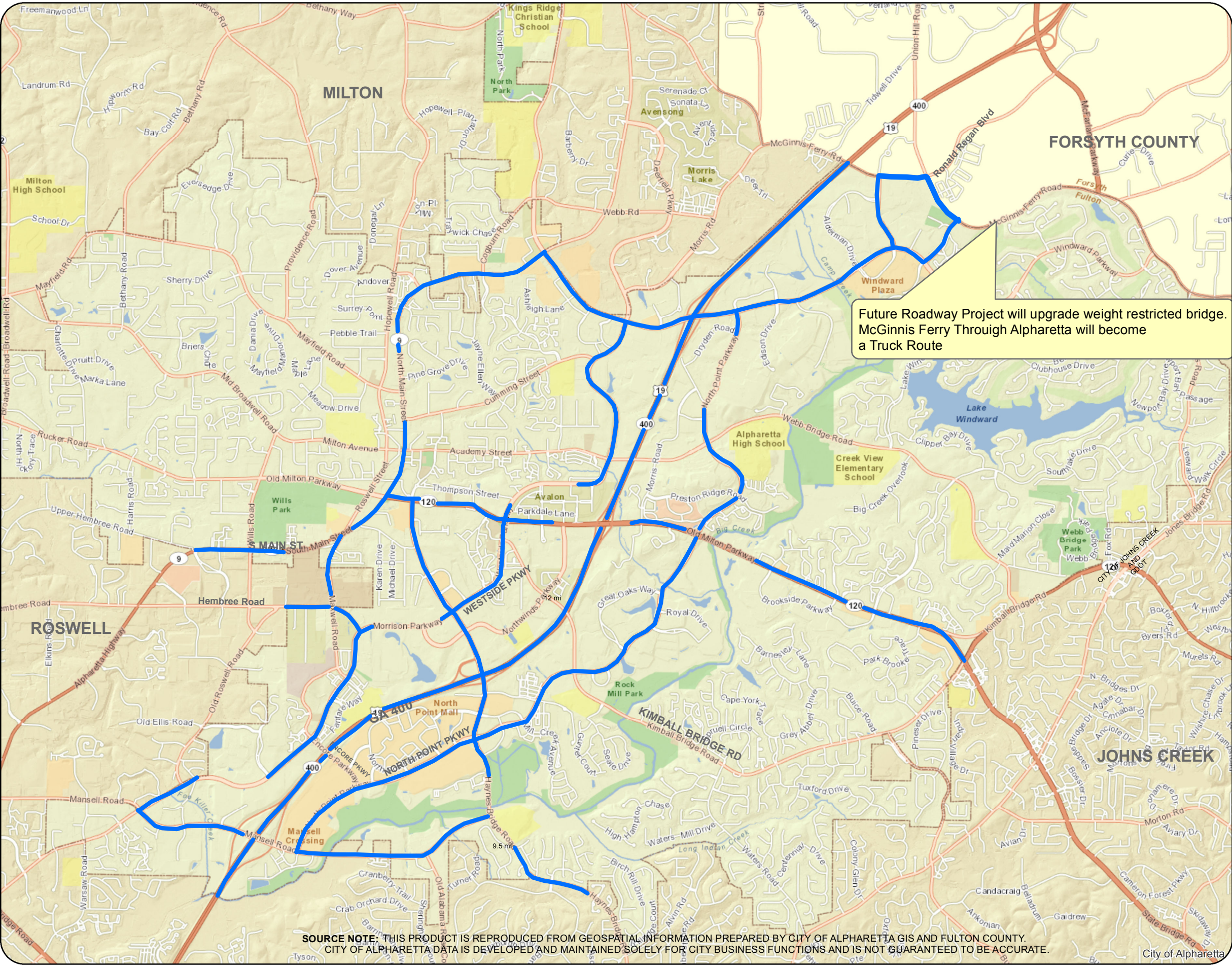
Note:

Restricted vehicles must stay on designated truck routes. UNLESS a destination necessary for business, such as a pickup or delivery point, garage, or terminal is accessible only via a non-designated truck route. Ingress and egress to and from such points shall be made by most direct route available from nearest designated truck routes.

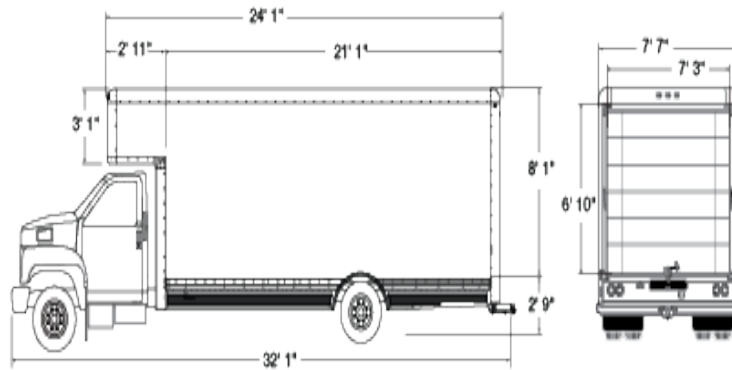


DATE OF LAST MAP REVISION

April 10, 2017



These are typical examples of trucks over the 30-foot length restrictions.



These are typical examples of truck that are over the weight restrictions of 18 tons.



These are typical examples of truck that are under the weight and length restrictions.



