



PLANNING COMMISSION MEETING JANUARY 4, 2024

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **ELECTION OF CHAIR**
4. **ELECTION OF VICE CHAIR**
5. **APPROVAL OF MEETING MINUTES**
 - a. Approve Planning Commission Minutes 11-2-2023
6. **ITEMS FROM BOARD MEMBERS**
7. **ITEMS FROM STAFF**
 - a. Open records presentation by the City Clerk, Lauren Shapiro.
8. **PUBLIC HEARING**
 - a. **CU-24-01 Terra Nova Skin Clinic/5755 North Point Parkway**

Consideration of a conditional use to allow a 'Spa Services' business to operate in a 1,115 square foot suite within an office condominium development. A conditional use is requested to allow 'Spa Services' for Terra Nova Skin Clinic. The property is located at 5755 North Point Parkway, Suite 62 and is legally described as being located in Land Lots 797, 798, 807 & 808, 1st District, 2nd Section, Fulton County, Georgia.
 - b. **PH-24-01 Unified Development Code Text Amendments – Golf Course Tree Removal**

Consideration of text amendments to the Unified Development Code (UDC). Amend Subsection 3.2.3 Exemptions, to exempt golf courses from the tree conservation, landscape, and buffer requirements.
9. **ADJOURNMENT**



PLANNING COMMISSION MEETING

UNOFFICIAL MINUTES

NOVEMBER 2, 2023

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

I. CALL TO ORDER

Vice Chair Zurinkas called the meeting to order at 6:33 p.m.

II. ROLL CALL

A. Commissioners Present

- o Vice Chair Martine Zurinkas
- o Todd Stratton
- o Katie Reeves
- o Valerie Manley
- o Jill Reynolds
- o Karen Richard

B. Commissioners Absent:

- o Francis Kung'u
- o Katie Rocco
- o William Perkins

C. Staff Present:

- o Kathi Cook, Director of Community + Economic Development
- o Michael Woodman, Planning + Development Services Manager
- o Nikisha Mistry, GIS Specialist/Planner
- o Kiersten VanHorn, Assistant City Clerk

III. APPROVAL OF MEETING MINUTES

1. Consideration of the October 5, 2023, Planning Commission meeting minutes.

❖ Commissioner Richard offered a motion to approve meeting minutes from October 5, 2023.

o Commissioner Reynolds seconded the motion.

o The motion was approved (4-0), with Commissioners Manley and Reeves abstaining as they were not present at the October 5, 2023, meeting.

IV. PUBLIC HEARING

1. Z-23-11/Ocee Place/4050 Kimball Bridge Road

Micheal Woodman, Planning & Development Services Manager presented consideration of a rezoning to allow for 2 'For-Sale' single-family detached lots on 2.5 acres. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale', Residential). The property is located at 4050 Kimball Bridge Road and is legally described as being located in Land Lots 79, 80 and 93, 1st District, 1st Section, Fulton County, Georgia.

The submitted request, if approved, will allow for the construction of two (2) 'For-Sale' single-family detached lots on 2.49 acres. The proposed density is 0.80 dwelling units per acre. A rezoning is requested from AG (Agriculture) to R-15 (Dwelling, 'For-Sale' Residential). The subject property is located at 4050 Kimball Bridge Road near the southwest corner of Kimball Bridge Road and Buice Road.

The subject property is wooded and developed with a single-family detached home. Surrounding properties are zoned R-12 (Dwelling, 'For-Sale', Residential) to the north, R-15 (Dwelling, 'For-Sale' Residential) to the west and south and AG and City of Johns Creek to the east. Kimball Oaks subdivision is located to the north, Kimball Bridge Crossing subdivision is located to the west and south, and an unplatted single-family detached lot and Ocee Park are located to the east. The comprehensive land use plan designation of the property is 'Low Density Residential', which allows the proposed zoning district and use.

The submitted site plan depicts two (2) single-family detached lots on 2.49 acres. Lot 1 is 1.03 acres and Lot 2 is 1.46 acres. Lot 2 has the appearance of a flag lot, which is prohibited in the City's Unified Development Code (UDC). However, Lot 2 meets the minimum lot width of 100' as measured at the front minimum setback line. Based on how the lots are being subdivided, the home on Lot 2 will be setback behind the home on Lot 1, which limits the visibility of the home on Lot 2 from Kimball Bridge Road. Access to the property is proposed by way of a new shared driveway off Kimball Bridge Road which straddles the property line between the two (2) lots. A 65' front setback and twenty-foot (20') landscape strip are depicted along Kimball Bridge Road.

The property is wooded and consists of a mix of pines and hardwoods. Tree saves are depicted along the west, south and east property lines. Tree groupings and/or trees of quality should be identified and saved on the property. Stormwater will be addressed on each property individually. Full stormwater requirements will apply if the new or replaced impervious area of each lot is 5,000 square feet or more.

The applicant submitted renderings of the homes depicting brick and stone as the primary exterior material. Garages will not face the street. According to the applicant, the homes will be two (2) stories over basement and between 4,000 to 6,000 square feet. Price points will range between \$1.6 million

to \$2 million.

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

Staff has reviewed the applicant's proposal against the established review criteria for a rezoning. The proposed rezoning is consistent with the future land use designation of the property, as well as the existing use of adjacent and nearby properties. The R-15 district would have the least impact to surrounding properties and would result in lots that are larger than lots in surrounding and nearby subdivisions.

CZIM was held on September 13, 2023. Several people signed in but did not leave comments. According to the applicant, there were three (3) main comments related to landscaping between the driveway and homes to the west, stormwater management, and length of construction. The applicant committed to planting landscaping along the new driveway, complying with the City's stormwater standards, and minimizing the length of construction.

Staff's recommendation was to approve Z-23-11 Ocee Place/4050 Kimball Bridge Road, subject to the following conditions:

1. The site, consisting of approximately 2.49 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by Earth Design Engineering, LLC, dated 10/23/2023, except for modifications required to comply with the conditions below. Homes shall be oriented to Kimball Bridge Road. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Home elevations shall have traditional architectural and exterior materials shall be at least 75% brick and/or stone similar to the submitted elevations, labeled Exhibit A – Home Renderings, with final approval by Staff. Homes shall have 3-sided architecture and materials, and garage doors shall not be visible from Kimball Bridge Road, as approved by Staff.
3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs, and ground cover, as approved by Staff. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
4. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.
5. Developer shall plant trees along each side of the new shared driveway.
6. Developer shall include the driveway portion on each lot in the total impervious area calculation as it relates to stormwater.
7. Developer shall make reasonable efforts to tie directly to an existing offsite pipe including obtaining easements and agreements from the neighboring property. If direct tie-in is unavailable, daylighting the pond outfall pipe shall be done at least 30 feet from the property line.
8. Developer shall remove exotic and invasive trees and shrubs within tree save areas, as approved by Staff.
9. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road or Ocee Park.

10. Trees shall be preserved as depicted on the site plan prepared by Earth Design Engineering, LLC, dated 8/21/2023.
11. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
12. Utility structures, headwalls, etc. shall be finished with decorative stone, where visible from Ocee Park or Kimball Bridge Crossing.

Nick Griffiths, P.E. Earth Design Engineering, LLC, presented for the Applicant:

- Updated Site Plan depicted home footprints on the two (2) lot plan showing that the orientation of the home could be changed without garage doors being visible from Kimball Bridge Road.
- Provided (2) home renderings were provided, with one (1) rendering having options for a right or left side garage. Home rendering footprints are consistent with the footprints depicted on the site plan.
- Applicant mailed public notices to five (5) residents in Kimball Bridge Crossing that signed the Community Zoning Information Meeting (CZIM) sign-in sheet. The applicant did not receive any responses.

There was discussion on the materials used from the driveway to the shared garage.

Public Comment:

In Opposition:

1. John Lavretta 10935 South Kimball Bridge Crossing

Concerns:

1. Stormwater
2. Tree Removal
3. Installation of large, paved area

Staff clarified that Stormwater will be addressed at Land Disturbance Permit.

Staff discussed Tree Save Areas.

Landscape Plan will be reviewed at Land Disturbance Permit.

- ❖ Commissioner Richard offered a motion to approve this item subject to the 12 conditions recommended by Mr. Woodman in our previous hearing.
- o Commissioner Reeves seconded the motion.
- o The motion was approved unanimously (6-0)

1. The site, consisting of approximately 2.49 acres, shall be zoned R-15 and developed substantially similar to site plan prepared by Earth Design Engineering, LLC, dated 10/23/2023, except for modifications required to comply with the conditions below. Homes shall be oriented to Kimball Bridge Road. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Home elevations shall have traditional architecture and exterior materials shall be at least 75% brick and/or stone similar to the submitted elevations, labeled Exhibit A – Home Renderings, with final approval by Staff. Homes shall have 3-sided architecture and materials, and garage doors shall not be visible from Kimball Bridge Road, as approved by Staff.
3. Minimum 20' decorative landscape strip shall be provided along Kimball Bridge Road, consisting of trees, shrubs, and ground cover, as approved by Staff. Existing tree groupings and trees of quality shall be saved in the landscape strip, as approved by Staff.
4. Developer shall improve Kimball Bridge Road frontage with a minimum 6' sidewalk, 6' planter planted with street trees, and decorative pedestrian lighting matching the City's recent improvements, as approved by Staff. Streetscape modifications shall be permitted for the purpose of tree preservation or utility conflicts, with final approval by Staff.
5. Developer shall plant trees along each side of the new shared driveway.
6. Developer shall include the driveway portion on each lot in the total impervious area calculation as it relates to stormwater.
7. Developer shall make reasonable efforts to tie directly to an existing offsite pipe including obtaining easements and agreements from the neighboring property. If direct tie-in is unavailable, daylighting the pond outfall pipe shall be done at least 30 feet from the property line.
8. Developer shall remove exotic and invasive trees and shrubs within tree save areas, as approved by Staff.
9. Unfinished wood fences and decks shall not be visible from Kimball Bridge Road or Ocee Park.
10. Trees shall be preserved as depicted on the site plan prepared by Earth Design Engineering, LLC, dated 8/21/2023.
11. Widths/lengths of fire department access road shall comply with Appendix D – Fire Apparatus Access Roads.
12. Utility structures, headwalls, etc. shall be finished with decorative stone, where visible from Ocee Park or Kimball Bridge Crossing.

2. MP-23-05/ CLUP-23-04/ Z-23-12/ V-23-20 / Brand Properties/3650 Brookside Parkway

This item was deferred by the Applicant to the December 7, 2023, Planning Commission Meeting. It was not considered at this meeting.

Consideration of a master plan amendment, comprehensive land use plan amendment, rezoning, and variances to allow for the redevelopment of a 129,238 square foot office building with 299 'Dwelling, 'For-Rent' units and 1st floor active uses on 8.76 acres. A master plan amendment is requested to the Brookside Master Plan Pod A to add 'Dwelling, 'For-Rent' as a conditional use and to modify development regulations. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'High Density Residential'

and a rezoning is requested from O-I (Office- Institutional) to R-10M (Dwelling, 'For-Rent' or 'For-Sale', Residential). Variances are requested to the definition of neighborhood grocery and to reduce parking. The property is located at 3650 Brookside Parkway and is legally described as being located in Land Lots 43 and 44, 1st District, 1st Section, Fulton County, Georgia.

3. MP-23-04/V-23-24 Pickle and Social

Micheal Woodman, Planning & Development Services Manager, presented consideration of a master plan amendment and variance to allow for the construction of an indoor and outdoor pickle ball facility and 8,100 square foot freestanding restaurant on 6.25 acres in the North Point Overlay. The pickle ball facility includes 7 outdoor courts, 8 indoor courts, 14,000 square foot restaurant with rooftop, and 5,000 square foot of professional office space. A variance is requested to allow parking between the freestanding restaurant and Rock Mill Road. The property is located at 0 North Fulton Expressway and 2025 Rock Mill Road and is legally described as being located in Land Lots 753, 754, 797 and 798, 1st District, 2nd Section, Fulton County, Georgia.

The undeveloped property is zoned O-I (Office-Institutional) and is subject to the Delta Credit Union Master Plan. Surrounding properties are zoned O-I to the east, PSC (Planned Shopping Center) to the south and CUP (Community Unit Plan) to the west. Georgia 400 is located to the north, Fulton County Schools North Maintenance Shop is located to the east, North Point Commons shopping center is located to the south and Atlanta Center for Dental Health is located to the west. The comprehensive land use plan designation of the property is 'Corporate Office', which allows the applicant's proposal.

The Delta Credit Union Master Plan was approved in 2006. The master plan allows 20,480 square feet per acre of office, bank and 25% incidental service retail uses with a maximum building height of ten (10) stories or 150' on the subject property. A master plan amendment, comprehensive land use plan amendment, and rezoning was denied on the subject property in 2022 to allow a townhome development.

The submitted site plan depicts a one (1) story, 8,100 square foot freestanding sit-down restaurant at the corner of Haynes Bridge Road and Rock Mill Road. A pickle ball facility is oriented to Rock Mill Road on the eastern half of the property, which includes seven (7) outdoor pickleball courts along Rock Mill Road and a two (2) story, 22,300 square foot indoor pickleball facility set behind the outdoor courts. The pickle ball building includes eight (8) indoor courts, a 14,000 square foot restaurant with rooftop, and 5,000 square feet of professional office space in the basement level. Access to the property is proposed from a new driveway off Rock Mill Road.

Staff presented Tree Save Area.

A six-foot (6') planter and six-foot (6') sidewalk are depicted along Rock Mill Road and a six-

foot (6') planter and eight-foot (8') sidewalk are depicted along Haynes Bridge Road. Six-foot (6') sidewalks are depicted throughout the development. A ten-foot (10') landscape strip is depicted on Rock Mill Road and a twenty-foot (20') landscape strip is depicted on Haynes Bridge Road. The outdoor courts are setback a minimum ten feet (10') from Rock Mill Road and both buildings are setback approximately 75' from Rock Mill Road and Haynes Bridge Road.

The Unified Development Code (UDC) Parking regulations and North Point Overlay requirements would require 195 parking spaces for the proposed development. Parking in the North Point Overlay includes a required 20% reduction in parking, due to the abundance of parking and having the largest number of bus routes in the City. A total of 202 parking spaces are provided on the site plan.

The North Point Overlay requires a minimum five percent (5%) amenity space and ten percent (10%) civic space, or a total of 0.94 acres of open space for the 6.25-acre site. The site plan depicts 1.22 acres, or 19.6%, of the property as open space. Civic space, consisting of 0.78 acres, is depicted around the pickle ball facility and at the corner of Haynes Bridge Road and Rock Mill Road, which includes a tree save area, walking trail, and gathering area with benches. The outdoor pickle ball courts represent 0.44 acres of amenity space.

The property is wooded, consisting of a mix of hardwoods and pines. A 16,300 square foot tree save area, including several tree saves, and civic space are depicted at the corner of Haynes Bridge Road and Rock Mill Road. The 60' Georgia 400 undisturbed tree buffer is depicted along the north property line adjacent to Georgia 400. A stormwater management facility is depicted in the northeast corner of the property closest to Georgia 400.

Renderings were provided by the applicant depicting the two (2) proposed buildings. The freestanding restaurant is depicted in a contemporary style with exterior materials consisting of architectural block, hard coat stucco and glass curtain wall. The two (2) story pickle ball facility also has a contemporary style with exterior materials consisting of architectural block, hard coat stucco, and natural/manufactured stone. Contemporary, modern, and industrial/mercantile styles are encouraged in the North Point Overlay.

The North Point Overlay requires that EcoDistrict measures be incorporated into all new developments, of which a minimum seven (7) EcoDistrict points are required for the proposed development. According to the applicant's letter of intent, the development proposes seven (7) EcoDistrict points. EcoDistrict points are requested for Enhanced Bicycle Amenities, Alternative Transportation, Additional Landscaped Civic Space. The applicant proposes to provide employee shower facilities, a bicycle repair center, additional bicycle parking, ride sharing spaces at both the restaurant and pickle ball facility, a van pool space, and additional landscaped civic space.

The applicant provided a trip generation report, which shows that the proposed development would generate approximately 121 AM Peak Hour trips and 176 PM Peak Hour trips.

Staff presented Standards for a Master Plan Amendment and Variance Review Criteria.

Staff discussed that this development would add to the recreational opportunities in the City. As well as exceptional features of the property which constitute a hardship.

The Applicant received one verbal comment concerning traffic and resolved it with discussion on the trip generation report.

There were no comments at the CZIM on October 11, 2023.

Staff's recommendation was to Approve MP-23-04/V-23-24 Pickle and Social/Delta Credit Union Master Plan, subject to the following conditions:

1. The 6.2-acre property shall be developed substantially as depicted on the plan prepared by Paradigm, dated 10/4/23, except for modifications required to comply with these conditions.
2. 'Recreation Facility, Indoor and Outdoor', 'Professional Office', and 'Restaurant' with no drive-through shall be permitted uses in the Delta Community Credit Union Master Plan.
3. Architecture shall be developed substantially similar to the submitted renderings, labeled Exhibit A – Renderings, subject to final approval by DRB. Exterior building materials shall comply with the North Point Overlay Building Design regulations, with final approval by DRB.
4. Parking shall be permitted between Rock Mill Road and the freestanding restaurant building as depicted on the site plan prepared by Paradigm, dated 10/4/23. Parking lot shall be screened from Haynes Bridge Road and Rock Mill Road with native and/or drought-tolerant shrubs or grasses, with final approval by DRB.
5. Additional landscaping, consisting of a mix of native and/or drought-tolerant trees, shrubs, and grasses, shall be required around the outdoor courts in an effort to soften the look from the street, with final approval by DRB.
6. Minimum 1.2 acres of open space shall be reserved and improved substantially as depicted on the site plan prepared by Paradigm, dated 10/4/23. Property owner shall be responsible for the maintenance of all open space areas.
7. Minimum 0.37 acres of civic space shall be developed at the corner of Haynes Bridge Road and Rock Mill Road, which shall include decorative hardscape, landscape, and North Point EcoDistrict Monument or District Threshold. A unique EcoDistrict monument shall require approval by the Cultural Arts Commission. Hardscape, landscape, and monument/district threshold shall be maintained by the HOA.
8. EcoDistrict points shall be substantially similar to the description provided in the letter of intent, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
9. Green stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
10. Developer shall improve the Haynes Bridge Road streetscape as follows: minimum 6' planter planted with street trees, 8' concrete sidewalk and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental

grasses, groundcovers and/or shrubs. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.

11. Developer shall improve the Rock Mill Road streetscape as follows: minimum 6' planter planted with street trees, 6' concrete sidewalk and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs. Street trees and landscape strip material shall alternate on both sides of the sidewalk, as approved by Staff.
12. Developer shall provide an enhanced pedestrian crossing across Rock Mill Road at Haynes Bridge Road and at the entrance to the Fulton County Schools maintenance facility, which shall include the North Point EcoDistrict leaf pattern pavement markings. Enhanced crossing shall be eligible for impact fee credits, as approved by Staff.
13. Trees shall be preserved as depicted on the site plan prepared by Paradigm, dated 10/4/23. Tree save areas shall be thinned out, cleaned up and replanted with native and/or drought-tolerant landscaping materials (not additional trees), as approved by Staff.

There was discussion on enhanced pedestrian crossing in Condition #12.

There was discussion on traffic concerns.

Neal Freeman, Applicant, presented the 8,100 square foot freestanding restaurant and outdoor pickle ball facility.

There was discussion of:

- Possible tournaments with regard to overflow parking, remote parking agreements if necessary.
- Freestanding restaurant
- Hours of operation
- Lighting of Courts

There was no Public Comment.

There was discussion on height requirements in North Point Overlay and Master Plan.

After discussion:

- ❖ **Commissioner Reynolds offered a motion to approve this item subject to the 13 conditions.**
- o **Commissioner Stratton seconded the motion.**
- o **The motion was approved unanimously (6-0)**

4. PH-23-06 Celebree School/915 North Point Drive

Kathi Cook, Director of Community + Economic Development, presented consideration of a master plan amendment to allow a former restaurant building to be re-used for a 'Day Care Center'. A master plan amendment is requested to the North Point Commons Master Plan Pod C to change 'Day Care Center' from an accessory use to a permitted use. The property is located at 915 North Point Drive and is legally described as being located in Land Lots 797 & 808, 1st District, 2nd Section, Fulton County, Georgia.

Celebree School is an early childhood education and day care operating since 1994. Celebree has locations in Maryland, Delaware, Virginia, North Carolina, South Carolina, Pennsylvania, and Texas. The proposed location would be the first in Georgia and would serve infants through Pre-K with the possibility of before and after school care. Hours of operation are Monday – Friday 6:30 AM – 6:30 PM. The school is closed on the weekends. The applicant anticipates approximately 22 employees.

Staff presented a new site plan which shows:
additional landscape space that removes some of the pavement.
Safety fence
Bollards between landscaping and the parking spaces.

Celebree proposes an adaptive re-use of the former Golden Corral building, including aesthetic changes to the exterior, addition of a playground area, and interior renovations. The site plan depicts the 12,011 square foot restaurant building to remain and a 7,250 square foot playground being developed in the parking lot on the east side of the building. The existing shared driveways on North Point Parkway and North Point Drive will continue to service the property. There are currently 140 parking spaces on the property, which will be reduced to 104 spaces with the development of the playground area. The UDC requires one (1) parking space/400 square feet, or 31 spaces, for the proposed 'Day Care Center' use. The applicant's site plan exceeds the minimum parking requirement for the proposed use. Due to the young age of the students, the business model for the day care center does not utilize a pick-up and drop-off system.

A six-foot (6') vinyl privacy fence is proposed to screen the playground. Bollards will be installed along the exterior of the fence within landscape planters. If approved, significant landscape screening material will be needed in the planter to screen the privacy fence and playground equipment from the street.

The applicant's proposal does not trigger compliance with North Point open space or EcoDistrict measures. However, the applicant has committed to providing Sustainable Landscaping (1 EcoDistrict point) and Alternative Transportation (1-2 EcoDistrict points).

Applicant submitted renderings.

Elevations have been approved by City Architect.

Staff presented standards for Master Plan Amendments.

Applicant received no comments from the public at CZIM.

Staff discussed review criteria.

Staff's recommendation was to approve MP-23-06 Celebree/North Point Commons Master Plan, subject to the following conditions:

1. 'Day Care Center' shall be listed as a permitted use in the North Point Commons Master Plan Pod C.
2. Site shall be developed substantially similar to the site plan prepared by Colliers, dated 8/21/2023. Site shall be limited to 'Day Care Center' use only.
3. Building exterior shall be substantially similar to the submitted renderings, labeled Exhibit A, with final approval by DRB. There shall be no primary colors used on the exterior of the building, including on awnings or signage. Proposed stone shall be similar to styles/colors shown in the North Point Overlay District Design Guidelines. Natural stained board and batten or variegated shiplap as depicted in the North Point Overlay District Design Guidelines shall be installed within the gable over the front entry.
4. EcoDistrict points shall be substantially similar to the description provided in the staff report, as approved by Staff. Developer shall provide detailed information at LDP and building permit regarding compliance with each requested EcoDistrict measure.
5. Property owner shall assess site landscaping and replace missing, dead or dying landscape material, with final approval by DRB. New landscape material shall be sustainable (native and/or drought-tolerant) landscaping, with final approval by DRB.
6. Playground equipment, vinyl privacy fence, and bollards shall be screened from view along North Point Parkway and North Point Drive, with final approval by DRB.
7. Minimum 10' wide planter shall surround the playground area and shall be planted with native and/or drought-tolerant landscape material to provide an opaque screen, with final approval by DRB.
8. Dumpster shall have painted metal doors that complement the primary building, as approved by DRB.
9. Planter along North Point Drive and North Point Parkway shall be planted with a row of shrubs or grasses that are native and/or drought-tolerant, as approved by DRB.
10. Minimum 0.2188 acres (9,533 SF) of open space shall be reserved and improved substantially as depicted on the site plan prepared by Colliers, labeled Exhibit B. Property owner shall be responsible for maintenance of open space areas.

There was discussion of:

- Possibility of removing additional parking spaces.
- Height of privacy fence.

Julie Sellars presented for the Applicant.

- Childcare Use
- Location
- Background on Celebree Schools
- Master Plan requirements
- Conversion of parking lot area to playground.

There was discussion on

- Roof replacement.
- Possible alternative material to vinyl fence.
- Bollards.
- Additional open. space,

There were no public comments.

- ❖ Commissioner Reynolds offered a motion to approve this item subject to the 9 conditions provided by Staff and the Open Space Condition "Minimum 0.2188 acres (9,533 SF) of open space shall be reserved and improved substantially as depicted on the site plan prepared by Colliers, labeled Exhibit B. Property owner shall be responsible for maintenance of open space areas."
- o Commissioner Reeves seconded the motion.
- o The motion was approved unanimously (6-0)

5. MP-23-07/CU-23-04 Free Chapel Worship Center/3755 Mansell Road

Michael Woodman, Planning & Development Services Manager presented consideration of a master plan amendment and conditional use to allow an existing office building to be used for a 'Church'. A master plan amendment is requested to the Mansell Ridge Master Plan Pod A to add 'Church' as a conditional use and a conditional use to allow a 'Church' for Free Chapel.

Staff presented:

- Street Views
- information about the Mansell Ridge Park Master Plan,
- Free Chapel Worship Center
- Current Zoning
- UDC parking requirements
- Traffic Reports
- Standards for Master Plan Amendments
- Conditional Use Criteria.

There were no public comments at CZIM or from Citizen Participation Report.

Staff's recommendation was to approve MP-23-07/CU-23-04 Free Chapel Worship Center/Mansell Ridge Park Master Plan, subject to 7 conditions with Applicant changes:

1. 'Church, Synagogue' shall be added to the list of conditional uses in Pod A of the Mansell Ridge Park Master Plan.
2. 'Church, Synagogue' shall be an approved use at 3755 Mansell Road and limited to no more than 300 seats in the primary auditorium. The balance of the building shall be limited to professional office use and 'Day Care Center' if a conditional use is approved for that use.
3. Conditional use approval of a 'Church, Synagogue' shall be limited to Free Chapel Worship Center; no additional 'Church, Synagogue' use or subleasing shall be permitted within the approved space.
4. 'Church, Synagogue' shall be limited to worship services, professional offices, church group meetings, and childcare in conjunction with church operations and services. A 'Day Care Center' use that is open to the public shall require approval of a conditional use permit.
5. Sunday worship services shall be limited to 7:00 AM – 2:00 PM.
6. Church/applicant shall hire an off-duty officer to control traffic, if required by the City due to traffic impacts during services.
7. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.

Staff presented Applicant markups. Staff approves of the changes.

There was discussion on whether there would be other events held at the building.

Jenna Lee, presented for the Applicant.

- Site Location
- Zoning Requests
- Site Overview
- Proposed Use
- Site Plan
- Changes to Conditions:
 - Increase seats to 400.
 - Clarification on Church use and sublease space.
 - Revisions to hours.

There was discussion on:

- Potential for weddings, funerals, and revivals.
- Reason for relocation.

- Clarification that other events may be held other than Sunday worship services.

There was no public comment.

❖ Commissioner Richard offered a motion to approve subject to the following conditions.

- o Commissioner Manley seconded the motion.
- o The motion was approved unanimously (6-0)

1. 'Church, Synagogue' shall be added to the list of conditional uses in Pod A of the Mansell Ridge Park Master Plan.
2. 'Church, Synagogue' shall be an approved use at 3755 Mansell Road and the primary auditorium for the 'Church, Synagogue' use shall be limited to no more than 400 fixed seats. The use of the property shall be limited to 'Church, Synagogue', 'Office' and, if a conditional use is approved for 'Day Care Center' use, 'Day Care Center'.
3. Conditional use approval of a 'Church, Synagogue' shall be limited to Free Chapel Worship Center; no additional 'Church, Synagogue' use by a party other than Free Chapel Worship Center shall be permitted within the approved space.
4. 'Church, Synagogue' shall be limited to worship services, professional offices, church group meetings, and childcare in conjunction with church operations and services. A 'Day Care Center' use that is open to the public shall require approval of a conditional use permit.
5. Sunday worship services shall be limited to 7:00 AM – 9:00 PM.
6. Church/applicant shall hire an off-duty officer to control traffic, if required by the City due to traffic impacts during services.
7. There shall be no outside speakers or broadcasts, including music which is audible from outside the building or off the property.

6. PH-23-20 Unified Development Code Text Amendments – Temporary Uses

Kathi Cook, Director of Community + Economic Development, presented consideration of text amendments to the Unified Development Code (UDC). Amend Subsection 2.3.2 Temporary Uses to remove carnival, circus, and fair as temporary uses with updates.

Staff recommends changes to UDC Subsection 2.3.2 Temporary Uses, to remove carnival, circus and fair as temporary uses approved by Staff. A carnival, circus or fair should require City Council approval.

In addition, these temporary uses should address safety, parking, access, noise, and security while limiting impacts to surrounding properties. The City's Public Safety Department has limited resources to support these temporary uses.

There was no public comment.

- ❖ Commissioner Stratton offered a motion to approve.
- o Commissioner Reynolds seconded the motion.
- o The motion was approved unanimously (6-0)

V. ITEMS FROM BOARD MEMBERS

VI. ITEMS FROM STAFF

VII. ADJOURNMENT

- ❖ With there being no further items to consider or discuss, Vice Chair Zurinkas adjourned the meeting at 8:10pm.



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: CU-24-01 TERRA NOVA SKIN CLINIC/5755 NORTH POINT PARKWAY

PLANNING COMMISSION: JANUARY 4, 2024

CITY COUNCIL: JANUARY 29, 2024

II. RECOMMENDATION:

Approve CU-24-01 Terra Nova Skin Clinic/5755 North Point Parkway, subject to the following conditions:

1. 'Spa Services' shall be added as a conditional use at 5755 North Point Parkway, Suite 62 and limited to no more than 1,115 square feet.
2. Conditional use approval shall be limited to Terra Nova Skin Clinic; no additional 'Spa Services' use or subleasing shall be permitted within the approved space.
3. 'Spa Services' shall be limited to skin care services and treatments, including mastectomy reconstruction and 3D tattooing, scar and stretch mark camouflage, and anti-aging skin treatments.
4. Hours of operation shall be Monday – Saturday 10:00 AM – 5:00 PM.
5. Window signage shall be limited to no more than 10% of the window area and window area shall not be covered or blacked out. No lighted window trim.

III. REPORT IN BRIEF:

The applicant, Terra Nova Skin Clinic, is requesting a conditional use to operate a 'Spa Services' business in a 1,115 square foot suite in the North Point Park office park. The business provides skin care services and treatments to clients with a variety of skin care challenges. The subject property is located at 5755 North Point Parkway, Suite 62 near the northwest corner of North Point Parkway and Rock Mill Road.

DISCUSSION

The submitted request, if approved, would allow Terra Nova Skin Clinic to operate a 'Spa Services' business in a 1,115 square foot suite in the North Point Park office park. The business provides skin care services and treatments to clients with a variety of skin care challenges. The subject property is located at 5755 North Point Parkway, Suite 62 near the northwest corner of North Point Parkway and Rock Mill Road.

North Point Park is an office (condominium) park developed with approximately 47, one (1) and two (2) story office buildings. A variety of businesses operate in the office park, including medical and professional offices, medical spas, commercial schools, insurance agencies, law offices, financial services, beauty shops and other personal services. The applicant's business is proposed in a building toward the front of the office park.

The subject property is zoned O-I (Office-Institutional), which allows 'Spa Services' as a conditional use. Suite 62 was previously occupied by Mango Bliss (d/b/a Tropical Bliss Spa & Beauty Bar), which received conditional use approval for 'Spa Services' in 2003. Surrounding properties are zoned O-I, except that a property to the south is zoned CUP (Community Unit Plan) and a property to the east is zoned R-8A/D. Fulton County Schools North Maintenance Shop is located to the north and west, Verizon Wireless Corporate Office is located to the northeast,

Adora Day Care and Pinecone Subdivision are under construction and located to the east; and an office building and Chuck E. Cheese are located to the south.

Unified Development Code (UDC) Section 1.4.2 defines 'Spa Services' as, "A business that provides services, which may include non-medical massage, other personal services such as skin, nail, hair treatments, and hair removal/waxing, and may have the sale of associated retail products. Such business shall be located within a retail center, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business."

Terra Nova Skin Clinic is a new business with a primary focus on skin care services for clients facing health challenges, including skin color remediation from scars and stretch marks and anti-aging skin treatments. The business owner, Esther Real, has approximately ten (10) years of experience as a licensed esthetician providing skin care services for clients at Lifetime Fitness and Mango Bliss Spa in Alpharetta, as well as Sempre Day Spa in Johns Creek. She also opened Terra Nova Wellness Spa in 2015 before closing the business in 2021 due to a cancer diagnosis. Hours of operation for the business will be Monday – Saturday 10:00 AM – 5:00 PM. The applicant anticipates four (4) employees at the proposed location.

TRAFFIC

Staff calculated trips for the proposed use which is estimated to generate one (1) AM Peak Hour trip and two (2) PM Peak Hour trips.

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: North Point Park office park was developed in compliance with the site access standards.

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 subject property is in compliance with regard to refuse areas, loading and service areas, off-street parking, and buffers and screening.

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

Response: The proposed business would be compatible with surrounding businesses, which consist of a mix of medical and professional office uses and personal services businesses.

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;

Response: The proposed business would be compatible with surrounding businesses, which consist of a mix of medical and professional office uses and personal services businesses.

6. Ensuring that the location and character of the conditional use is consistent with a desirable pattern of development for the city, in general; and

Response: The proposed business would be compatible with surrounding businesses, which consist of a mix of medical and professional office uses and personal services businesses.

7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches or schools.

Response: If approved, the applicant's business would replace a 'Spa Services' business that was approved for conditional use in 2003. There are other similar businesses operating in the same office complex; however, those businesses are classified by the City as 'Beauty Shop' or 'Medical Office'. The nearest business approved for 'Spa Services' is iNails Alpharetta Salon and Spa at 7300 North Point Parkway, which is approximately 7,400' to the southwest of the applicant's site. There are no conflicting uses in the immediate vicinity of the applicant's property.

CONCURRENCES

Staff reviewed the applicant's proposal in consideration of the review criteria for a conditional use. The proposed business would be compatible with surrounding businesses, which consist of a mix of medical and professional office uses, as well as personal services businesses. In addition, a conditional use permit was previously approved for 'Spa Services' at the subject property; however, that business is no longer in operation. If approved, conditions should be established that regulate and limit an expansion of services and signage.

CITIZEN PARTICIPATION PLAN

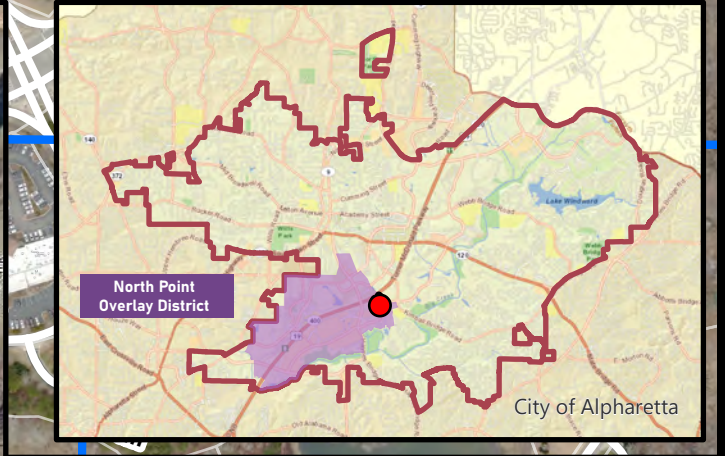
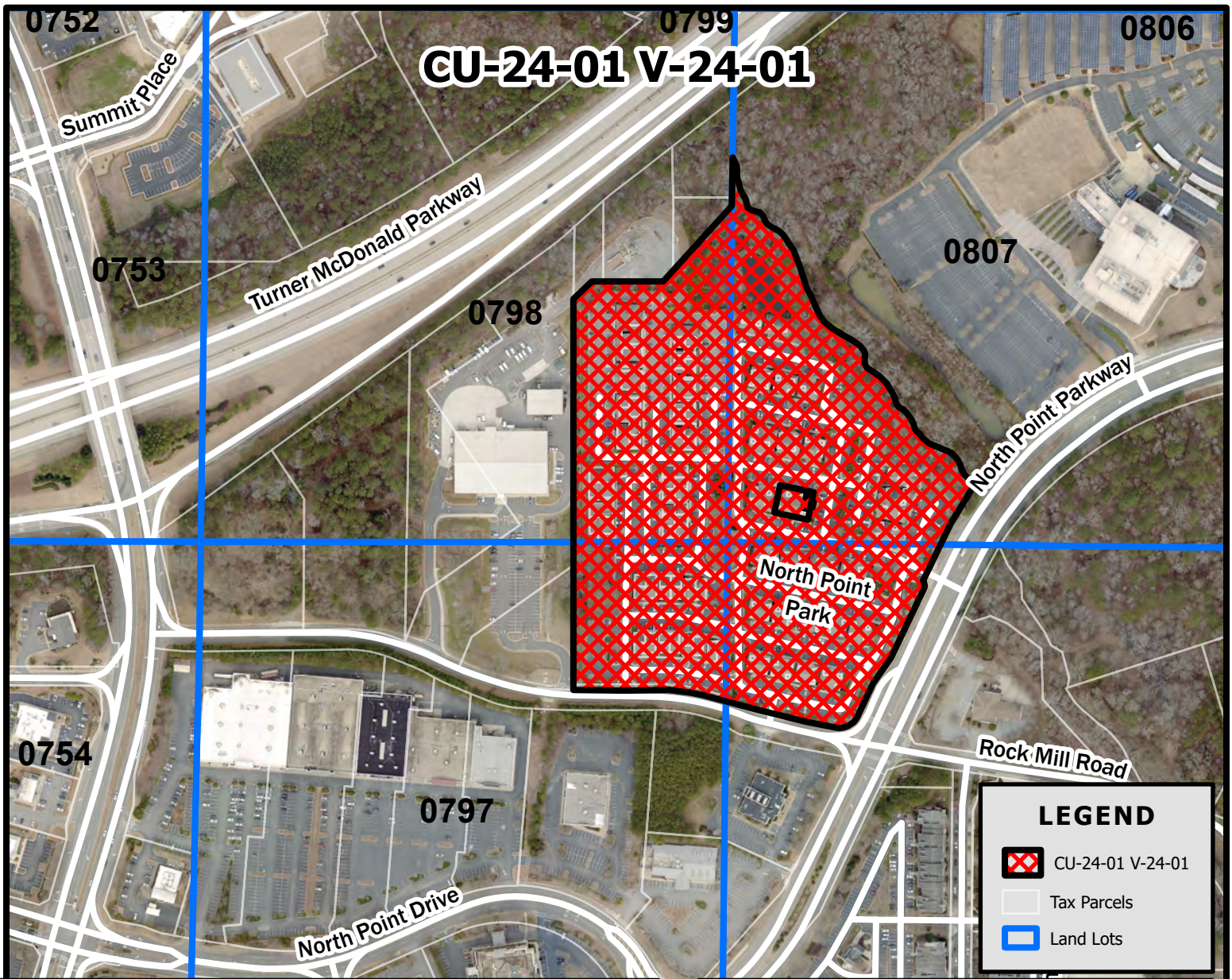
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on December 13, 2023. There were no public comments.

IV. ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- CZIM
- Citizen Part B
- Application

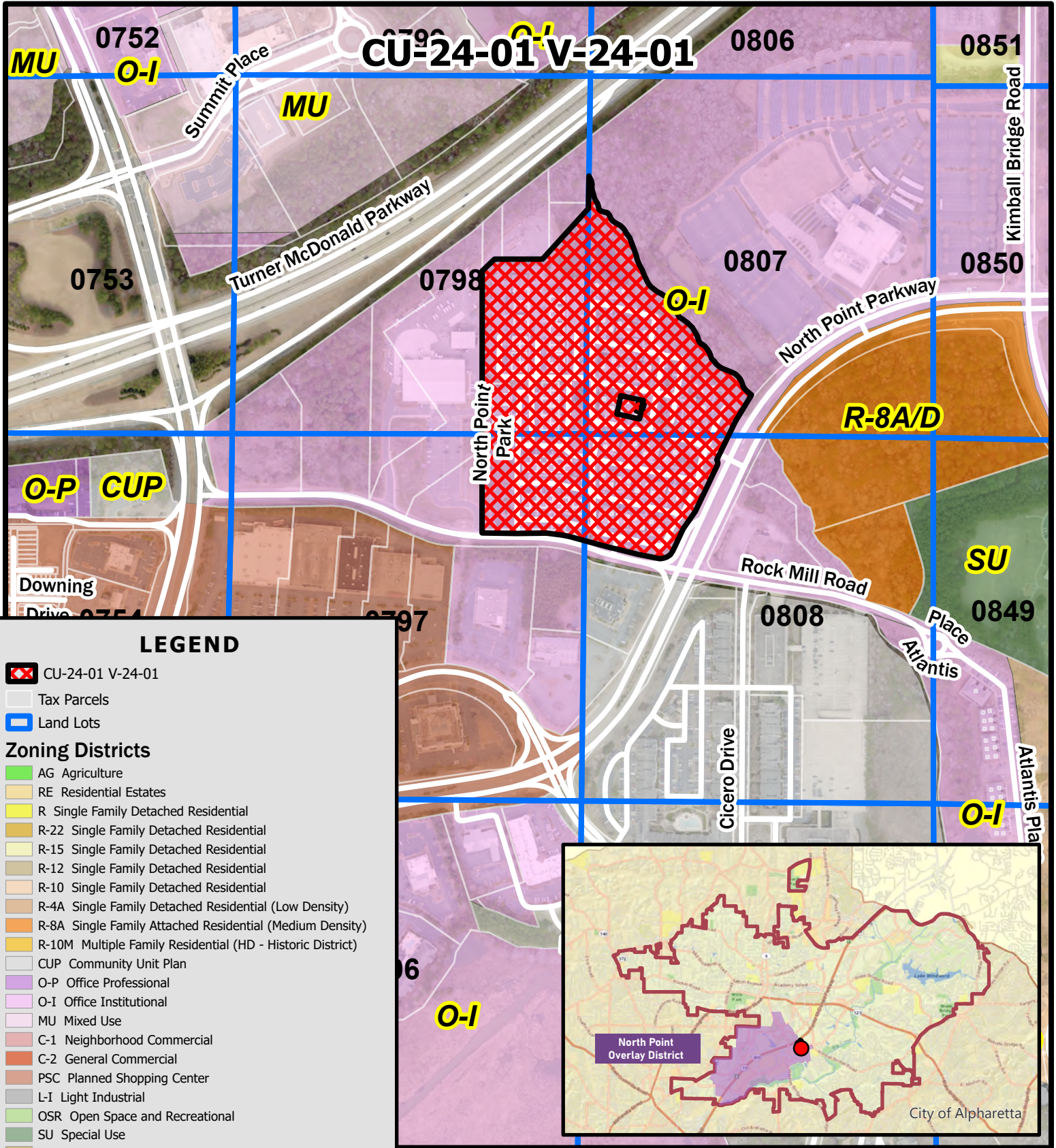


CU-24-01 V-24-01

D/LL: 1/2/807

PC: 1/04/24

CC: 1/22/24



LEGEND

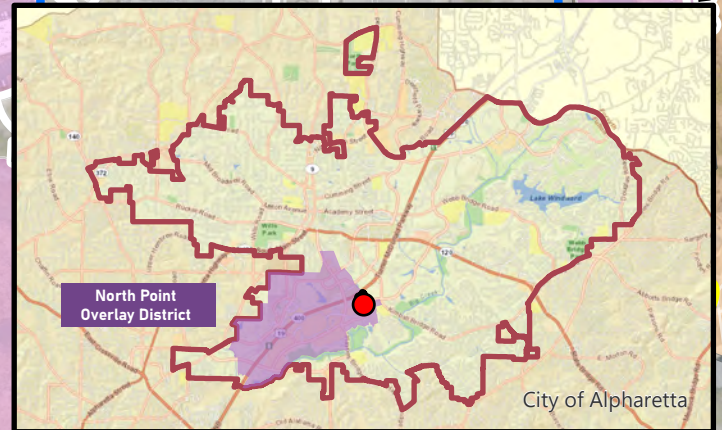
CU-24-01 V-24-01

Tax Parcels

Land Lots

Zoning Districts

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

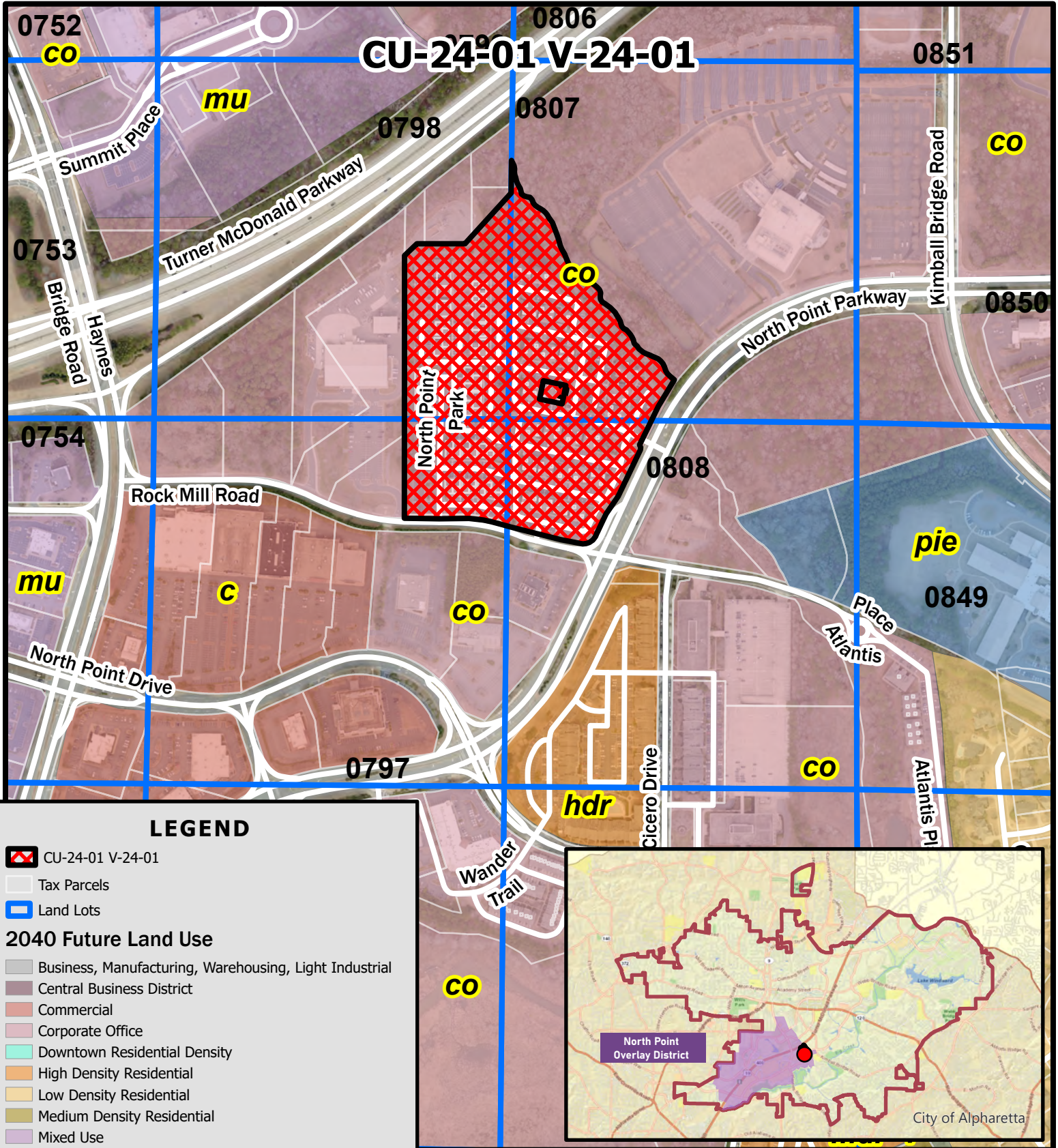


CU-24-01 V-24-01

D/LL: 1/2/807

PC: 1/04/24

CC: 1/22/24



LEGEND

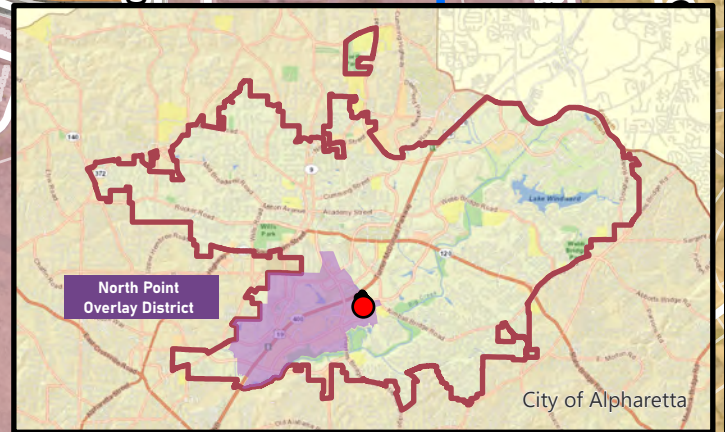
CU-24-01 V-24-01

Tax Parcels

Land Lots

2040 Future Land Use

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

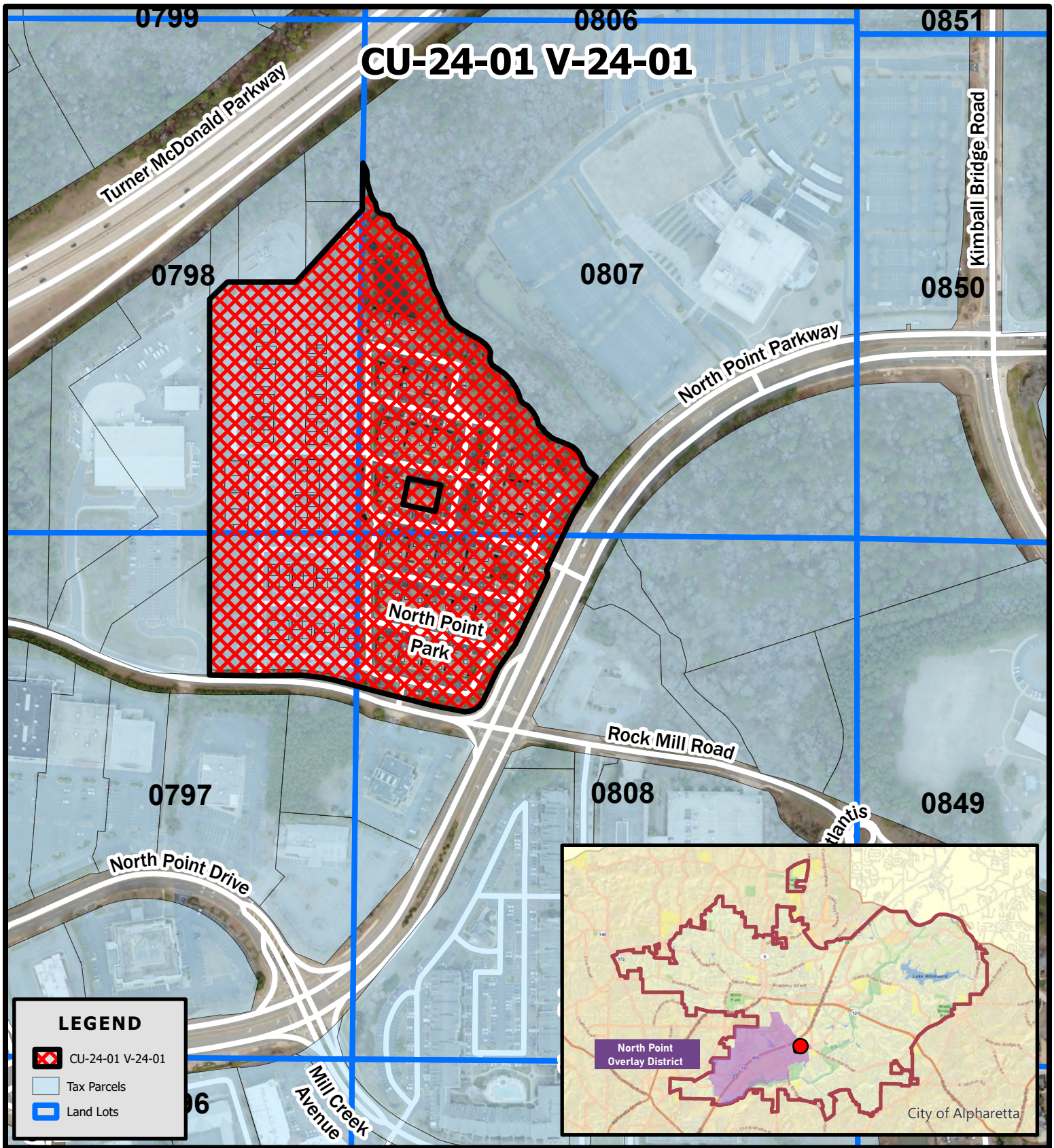


CU-24-01 V-24-01

D/LL: 1/2/807

PC: 1/04/24

CC: 1/22/24



CU-24-01 V-24-01

D/LL: 1/2/807

PC: 1/04/24

CC: 1/22/24



Location Map
Terra Nova Skin Clinic
5755 North Point Parkway

Location Map Provided by:
Community Development - GIS
 Page 23 of 73



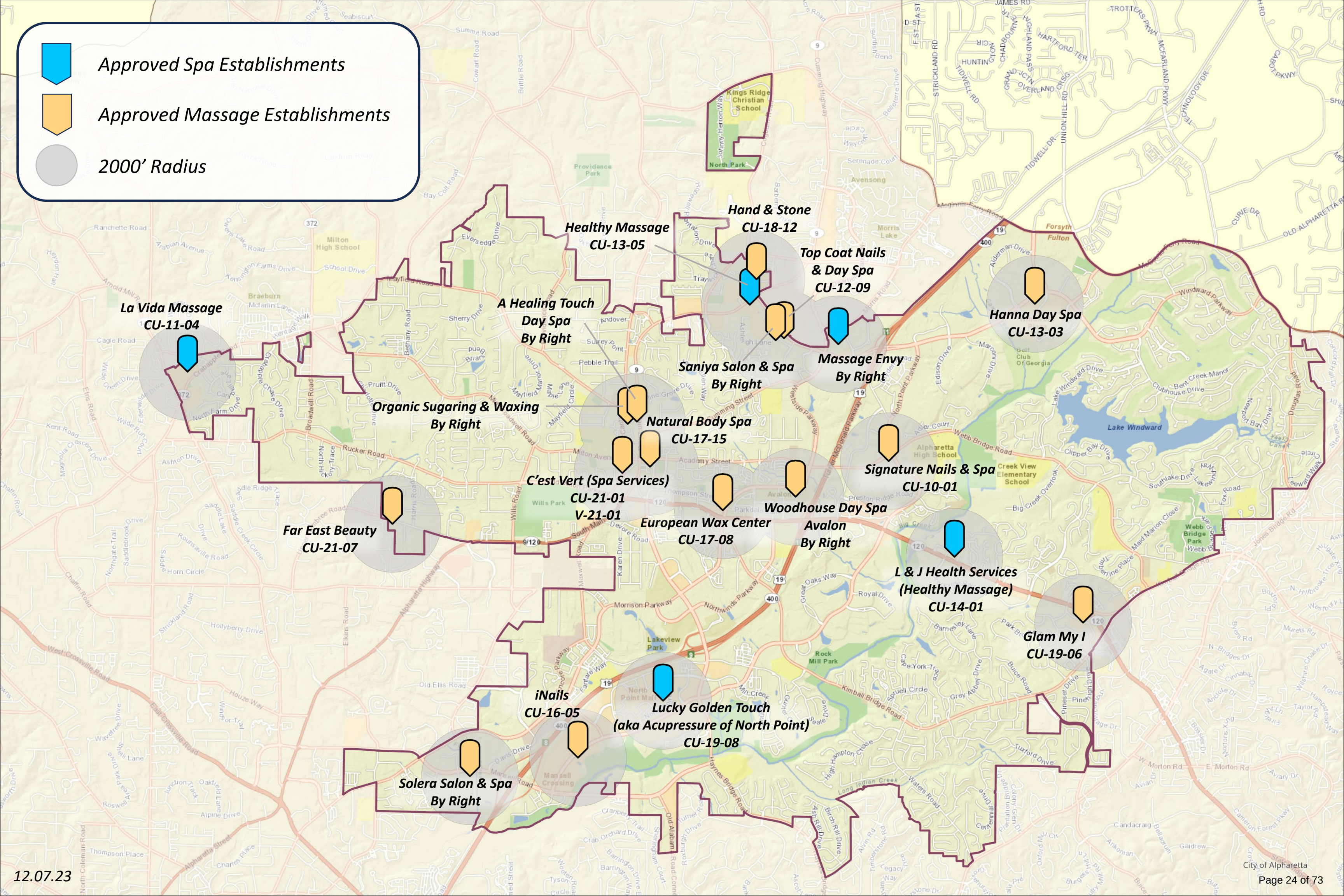
Approved Spa Establishments



Approved Massage Establishments



2000' Radius



La Vida Massage
CU-11-04

Far East Beauty
CU-21-07

Organic Sugaring & Waxing
By Right

A Healing Touch
Day Spa
By Right

Healthy Massage
CU-13-05

C'est Vert (Spa Services)
CU-21-01
V-21-01

European Wax Center
CU-17-08

Lucky Golden Touch
(aka Acupressure of North Point)
CU-19-08

iNails
CU-16-05

Solera Salon & Spa
By Right

Hand & Stone
CU-18-12

Top Coat Nails
& Day Spa
CU-12-09

Saniya Salon & Spa
By Right

Natural Body Spa
CU-17-15

Woodhouse Day Spa
Avalon
By Right

Signature Nails & Spa
CU-10-01

L & J Health Services
(Healthy Massage)
CU-14-01

Glam My I
CU-19-06

Hanna Day Spa
CU-13-03

Community Zoning Information Meeting (CZIM)

December 13, 2023

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

CU-24-01 / Terra Nova Skin Clinic/5755 North Point Parkway

NAME	ADDRESS	COMMENTS
No Comments		

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Emery Shane [REDACTED]
Date: January 2, 2024 at 1:54:32 PM EST
To: "Woodman, Michael" <mwoodman@alpharetta.ga.us>
Cc: Karen Shane [REDACTED]
Subject: CU-24-01 Terra Nova Skin Clinic



Dear Mr. Woodman,

While I am not available to attend in person meeting, I would like my voice to be heard. We are neighbors of the proposed use, and have our offices at 5755 North Point Parkway, Suite 261, Alpharetta, GA 30022.

As stated, my Wife and I, owners in the same project, would like to affirm that we think **they should be granted their conditional use permit**. We believe it would be a great addition to this Office Park.

We have no ties with the tenant, nor have been asked to endorse their use by anyone. We just think it is a good idea.

Highest regards,

Emery Shane

SHANE |

5755 North Point Parkway, Suite 261
Alpharetta, GA 30022
P. 770.634.4500
eshane@shanegroup.net

From: terracore@alapha.com
To: terracore@alapha.com
Subject: Terra Nova Skin Clinic - Conditional use

You're awesome! Thank you, Esther!

From: terracore@alapha.com
Sent: Thursday, December 14, 2023 1:41 PM
To: Woodman, Michael <mwoodman@alapha.com>
Subject: RE: Terra Nova Skin Clinic - Conditional use

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: TERRA NOVA SKIN CLINIC

Contact Name: ESTHER REAL Telephone: 770 490 2774

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

NO COMMENTS RECEIVED

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) _____ |

With a list of people who have been notified of this application and provided information describing the subject proposal. Please note 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 other documents provided in support of this report are true and accurate. I further understand that any false statements provided by any representatives of the applicant as part of this report may result in penalties up to and including denial of the subject application.

Signature of Authorized Agent: _____

Date: 12.14.2023

Print Form

terracore@alapha.com

On Thu, Dec 14, 2023 at 1:20, Woodman, Michael <mwoodman@alapha.com> wrote:

-mwoodman@alpharetta.ga.us> wrote:

Not really. Questions should be about your business and you know that best. I'd be surprised if anyone shows up, since you are the only item being shown tonight.

From: mwoodman@alpharetta.ga.us [mailto:mwoodman@alpharetta.ga.us]
Sent: Wednesday, December 13, 2023 3:24 PM
To: Woodman, Michael [mailto:mwoodman@alpharetta.ga.us]
Subject: RE: Terra Nova Sun Clinic - Conditional Use

Hi Mr Woodman! Any recommendations for today?

[Sent from Yahoo Mail on Android](#)

On Mon, Dec 11, 2023 at 12:47, mwoodman@alpharetta.ga.us

[mailto:mwoodman@alpharetta.ga.us] wrote:

Thank you for introducing me - I will be there.

[Sent from Yahoo Mail on Android](#)

On Mon, Dec 11, 2023 at 9:22, Woodman, Michael

[mailto:mwoodman@alpharetta.ga.us] wrote:

Good morning, Esther.

I kindly reminder that the Community Zoning Information Meeting (CZIM) is this Wednesday, December 13th at 6:00 PM. We expect you to attend the meeting. This is the meeting where you will stand next to a board with information regarding your request and you are expected to answer any questions that you get from the public. In addition, please complete the attached Citizen Participation Form Part B and return to me no later than Thursday, December 14th. Let me know if you have any questions!

Best regards,



From: Woodman, Michael
Sent: Thursday, November 16, 2023 10:38 AM
To: mwoodman@alpharetta.ga.us
Cc: Yehia, Erick [mailto:Erick.Yehia@alpharetta.ga.us]
Subject: Terra Nova Sun Clinic - Conditional Use

Good morning, Esther.

Thank you for submitting your recent Public Hearing Application with the City of Alpharetta's Community Development Department. I have attached a few items for you to review and complete as part of the public hearing process, and most importantly, the attached Applicant Letter will outline upcoming important dates.

The following attachments are included:

1. Applicant Letter
2. Citizen Participation Requirements (according to Alpharetta's Unified Development Code)
3. Citizen Participation Form Part B (included with original Public Hearing Application)
4. Public Notification Letter Example

Please send your public notification letter to me for approval prior to mailing/distributing your letter! You are required to notify properties on the 500' mailing list. Please feel free to reach out should you have any questions.

Best regards,



CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: PHA230034

PH #: _____

☐ Property Taxes & Code Violations Verified

☒ Fee Paid Initial: SC

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Eather Real Telephone: 770-490-2774

Address: 2735 Laurelwood Lane Suite: _____

City Alpharetta State: GA Zip: 30009 Fax: _____

Mobile Tel: 770-490-2774 Email: TNovaspa@yahoo.com

Subject Property Information:

Address: 5755 North Point Pkwy, Suite 62 Current Zoning: O-1

District: 1 Section: 2 Land Lot: 798, 807
797, 808 Parcel ID: _____

Proposed Zoning: _____ Current Use: Office Condos

This Application For (Check All That Apply)

☒ Conditional Use

☐ Rezoning

☒ Variance

☐ Exception

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other (Specify): _____

☐ Comprehensive Plan Amendment

APPLICANT REQUEST AND INTENT

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

My clinic will provide skin care services and treatments to clients with a wide variety of skin care challenges

Applicant's Request (Please itemize the proposal):

I would like a variance to locate my clinic within 2000 ft of existing similar businesses.

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

I would like to open a new business in a newly vacated space that operated as a spa for several years. This would significantly reduce the cost to begin operations.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: BADAN KALIDINDI Telephone: 770-609-9999
Address: 5755 North Point Parkway Suite: 262
City: Alpharetta State: GA Zip: 30022

Authorization:

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

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

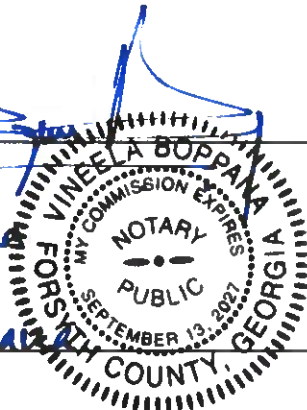
- | | |
|---|---|
| ☐ Annexation | ☐ Special Use |
| ☐ Rezoning | ☒ Conditional Use |
| ☒ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☐ Other |

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Esther Real Telephone: 770-490-2774
Address: 2735 LaurelWood Lane Suite: _____
City: Alpharetta State: GA Zip: 30009

So Sworn and Attested:

Owner Signature: [Signature] Date: 10/30/2023
Notary: Vineela Boppa
Notary Signature: Vineela Boppa Date: 10/30/2023



DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Esther Real

Subject Public Hearing Case: Terra Nova Skin Clinic

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: \$ 0.00

Description of Contribution: N/A Value:

Description of Contribution: N/A Value:

Description of Contribution: N/A Value:

Description of Contribution: N/A Value:

Description of Contribution: N/A Value:

Campaign Contribution Information:

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

Signature: 

Date: 10-30-2023

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

This property is a mature business ondominium development. All surrounding properties are uniform.

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

My clinic will increase the value of surrounding properties due to increased occupancy rates in the development..

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

Unsure.

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

We expect no significant change to population and traffic.

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

We expect no impact to schools and utilities.

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

Since this is an existing structure in a mature development, it already complies with the Alpharetta Comprehensive Plan and Future Land Use Map.

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

None.

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

No.

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

No.

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

This space operated sucessfully as a spa for at least 9 years through 2021.

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.

None.

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

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: Terra Nova Skin Clinic

Contact Name: Esther Real Telephone: 770-490-2774

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.

TO WHOM IT MAY CONCERN
5755 N POINT PKWY STE 62
ALPHARETTA GA 30022

ANDREW & TRACY LLC
1080 PEACHTREE ST NE # 903
ATLANTA GA 30309

ALPHARETTA INVESTMENT PROPERTY LLC
11015 ESTATES CIR
ALPHARETTA GA 30022

BREEN HOLDINGS OF GEORGIA LLC
11720 AMBER PARK DR STE 160
ALPHARETTA GA 30009

TRS WEALTH LLC
14 CARRIAGE WAY
WHITE PLAINS NY 10605

BHARATH SAMBA MURTHY & GEETHA
1410 BITTERCRESS CT
ALPHARETTA GA 30005

ENDOPLACE L L C
1518 BATES CT NE
ATLANTA GA 30318-3508

ENDOPLACE L L C
1518 BATES CT NE #2206
ATLANTA GA 30319-3508

1 ALLIANCE INVESTMENTS LLC
1654 PRINCESS CIR NE
ATLANTA GA 30345

PARKWAY RE LLC
1755 N BROWN RD STE 150
LAWRENCEVILLE GA 30043

312 HOLDINGS LLC
1905 WILLSHIRE GLN
ALPHARETTA GA 30009

CITY OF ALPHARETTA
2 SOUTH MAIN ST
ALPHARETTA GA 30004

AG REALTY LLC
2018 WESTBOURNE WAY
JOHNS CREEK GA 30022-3112

CABOT INVESTMENTS LLC
2462 COLLINS PORT COVE
SUWANEE GA 30024

NORTH POINT II LLC
2561 EDGEWOOD TRC
CLEVELAND OH 44124

MACINTOSH DAVID C & MONICA L TRS OF
THE MACINTOSH REVOC TR
2561 EDGEWOOD TRCE
CLEVELAND OH 44124

BUFORD CARE INC
2721 BUFORD HWY
BUFORD GA 30518

PALMER HOUSE LLC
2911 PIEDMONT RD NE STE B
ATLANTA GA 30305

CASE HOLDING GROUP LLC
315 BOUNDARY PL
ROSWELL GA 30075

NORTH POINT PARK 222 LLC
3155 N POINT PKWY STE E 200
ALPHARETTA GA 30005

SAMANTHA ASSOCIATES LLC
3520 PIEDMONT RD STE 125
ATLANTA GA 30305

ACORN LANDING LLC
389 GRANT PARK PL
ATLANTA GA 30315

ACORN LANDING LLC
389 GRANT PARK PL SE
ATLANTA GA 30315

MC NAULL PROPERTY GROUP LLC
3911 HICKORY WHEEL CIR
CUMMING GA 30040

VK HOLDINGS TRUST THE
4540 WYKESHIRE CT
CUMMING GA 30041

TELLIUM LLC
5350 MCGINNIS FERRY RD
ALPHARETTA GA 30005

TADVAI VINAY K & KATANGURI VIJAYA L
5485 BETHELVIEW RD STE 360 108
CUMMING GA 30040

STEWART MARC C
5575 N POINT PKWY
ALPHARETTA GA 30022

NORTH POINT PARK 5152 LLC
5575 N POINT PKWY STE 262
ALPHARETTA GA 30022

3M ASSOCIATES LLC
5750 NORTH POINT PKWY
ALPHARETTA GA 30022

WALTHER P KEVIN
5755 N POINT PKWY # 202
ALPHARETTA GA 30022

MARTHA & HUTCH LLC
5755 N POINT PKWY # 219
ALPHARETTA GA 30022

PARAGON PROPERTY LLC
5755 N POINT PKWY # 262
ALPHARETTA GA 30022

ELM 3 REAL ESTATE HOLDINGS LLC
5755 N POINT PKWY # 92
ALPHARETTA GA 30022

NORTH POINT PARK OFFICES LLC
5755 N POINT PKWY #262
ALPHARETTA GA 30022

VIRTUE REALTY GROUP LLC
5755 N POINT PKWY #262
ALPHARETTA GA 30022

MC STARS LLC
5755 N POINT PKWY BLDG 29
ALPHARETTA GA 30022

BOBADILLA INVESTMENTS LLC
5755 N POINT PKWY STE 14
ALPHARETTA GA 30022

MC STARS LLC
5755 N POINT PKWY STE 212
ALPHARETTA GA 30022

NORTHPOINT PARK BUILDERS LLC
5755 N POINT PKWY STE 215
ALPHARETTA GA 30022-1171

ELAM MINISTRIES INC
5755 N POINT PKWY STE 217
ALPHARETTA GA 30022-1177

ALPHA OMEGA CO USA INC
5755 N POINT PKWY STE 229
ALPHARETTA GA 30022-1172

ASHWIN PROPERTIES INC
5755 N POINT PKWY STE 234
ALPHARETTA GA 30022-1172

KIRAN 8586 LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

NIDHI NITYA 81 & 82 LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

NORTH POINT PARK 222 LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

NORTH POINT PARK 5152 LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

NORTH POINT PARK OFFICES LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

PARAGON PROPERTY LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

SPARK PROPERTIES LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

SRISAI REALTY LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

SRISAI REALTY LLC
5755 N POINT PKWY STE 262
ALPHARETTA GA 30022

SPARK PROPERTIES LLC
5755 N POINT PKWY STE 268
ALPHARETTA GA 30022

HOUSE WILLIAM A
5755 N POINT PKWY STE 36
ALPHARETTA GA 30022

JAYA PROPERTIES LLC
5755 N POINT PKWY STE 56
ALPHARETTA GA 30022

ANDREW & TRACY LLC
5755 N POINT PKWY STE 75
ALPHARETTA GA 30022

NIDHI NITYA 77 2 80 LLC
5755 N POINT PKWY STE 85
ALPHARETTA GA 30022

NIDHI NITYA 81 & 82 LLC
5755 N POINT PKWY STE 85
ALPHARETTA GA 30022

NORTHPOINT PARK 5152 LLC
5755 N POINT PKWY STE 85
ALPHARETTA GA 30022

87 NORTH POINT PARK LLC
5755 N POINT PKWY STE 88
ALPHARETTA GA 30022

LANDGRAB LLC
5755 N POINT PKWY STE 90
ALPHARETTA GA 30022

5755 NORTH POINT PKWY SUITE 94 LLC
5755 N POINT PKWY STE 94
ALPHARETTA GA 30022

LI YONG & DENG YOUYING
5755 N POINT PKWY STE 95
ALPHARETTA GA 30022

ANTHEM HOLDINGS LLC
5755 N POINT PKWY STE 96
ALPHARETTA GA 30022

CONIC INVESTMENTS LLC
5755 N POINT PKWY UNIT 203
ALPHARETTA GA 30005

FORTHRIGHT WEALTH MANAGEMENT LLC
5755 N POINT PKWY UNIT 47
ALPHARETTA GA 30022

SRISAI REALTY LLC
5755 N POINT PKY STE 262
ALPHARETTA GA 30005

NORTHPOINT PARK BUILDERS LLC
5755 N POINT PKY STE 85
ALPHARETTA GA 30022

NEO REALTY LLC
5755 NORTH POINT PKWY # #17
ALPHARETTA GA 30022-1143

AEG HOLDINGS LLC
5755 NORTH POINT PKWY # #37
ALPHARETTA GA 30022

BRAND ELIZABETH P
5755 NORTH POINT PKWY # 13
ALPHARETTA GA 30022

KENNEMORE WILLIAM L
5755 NORTH POINT PKWY # 20
ALPHARETTA GA 30022

HINTON & HILLMAN INC
5755 NORTH POINT PKWY # 26
ALPHARETTA GA 30022

SABET RAY REZA SABET ZAHRA
5755 NORTH POINT PKWY # 27
ALPHARETTA GA 30022

ML HOLDINGS LLC
5755 NORTH POINT PKWY # 29
ALPHARETTA GA 30022

RADIANT HOLDINGS LLC
5755 NORTH POINT PKWY # 30
ALPHARETTA GA 30022

HOUSE & ASSOC INC
5755 NORTH POINT PKWY # 36
ALPHARETTA GA 30022

BLUE FROG CAPITAL MANAGEMENT LLC
5755 NORTH POINT PKWY # 50
ALPHARETTA GA 30022

POINTS NORTH FAMILY COUNSELING &
PSYCHOLOGY LLC
5755 NORTH POINT PKWY # 65
ALPHARETTA GA 30022

PAT LLC
5755 NORTH POINT PKWY # 93
ALPHARETTA GA 30022

LISA SHIPPEL LAW LLC
5755 NORTH POINT PKWY #213
ALPHARETTA GA 30022

K&R HOLDINGS LLC
5755 NORTH POINT PKWY #57
ALPHARETTA GA 30022

GANGWAL MUKUND D & JAYSHREE M
5755 NORTH POINT PKWY #64
ALPHARETTA GA 30022-1145

DC KRS NORTHPOINT LLC
5755 NORTH POINT PKWY 261
ALPHARETTA GA 30022-1174

ELAM MINISTRIES INC
5755 NORTH POINT PKWY STE 217
ALPHARETTA GA 30022

TRAINING CENTER GROUP LLC THE
5755 NORTH POINT PKWY STE 227
ALPHARETTA GA 30022

SIKAL & HOLDINGS LLC
5755 NORTH POINT PKWY STE 24
ALPHARETTA GA 30022

NORTH POINT PROPERTY INVESTORS LLC
5755 NORTH POINT PKWY STE 253
ALPHARETTA GA 30022

COORDINATING RESEARCH COUNCIL INC
5755 NORTH POINT PKWY STE 265
ALPHARETTA GA 30022

NORTHPOINT PARK 5152 LLC
5755 NORTH POINT PKWY STE 32
ALPHARETTA GA 30022

SANDS REAL ESTATE HOLDINGS LLC
5755 NORTH POINT PKWY STE 6
ALPHARETTA GA 30022-1136

CHOES MIRACLE ACUPUNCTURE & HERB
CENTER INC
5755 NORTH POINT PKWY STE 60
ALPHARETTA GA 30022

DR THUY M LE LLC
5755 NORTH POINT PKWY STE 72
ALPHARETTA GA 30022

NAM TECHNOLOGIES INC
5755 NORTH POINT PKWY STE 83
ALPHARETTA GA 30022

NIDHI NITYA 81 & 82 LLC
5755 NORTH POINT PKWY STE 85
ALPHARETTA GA 30022

NORTHPOINT PARK 5152 LLC
5755 NORTH POINT PKWY STE 85
ALPHARETTA GA 30022

NIDHI NITYA 81 & 82 LLC
5755 NORTH POINT PKWY STE 91
ALPHARETTA GA 30022

WALTHER P KEVIN
5755 NORTH POINT PKWY UNIT 202
ALPHARETTA GA 30022

NORTH POINT PROPERTIES LLC
5755 NORTH POINT PKWY UNIT 284 & 285
ALPHARETTA GA 30022

ALPHARETTA WELLNESS CLINIC LLC
5755 NORTH POINT PKWY UNIT 89
ALPHARETTA GA 30022

ANGELO SAMBUNARIS M D LLC
5755 NORTHPOINT PKWY STE 256
ALPHARETTA GA 30022

VALUE PLUS VENTURES LLC
5755 NORTHPOINT PKWY STE 41
ALPHARETTA GA 30022

WILLIAMS MICHAEL D
5775 NORTH POINT PKWY STE 223 & 224
ALPHARETTA GA 30022

WILLIAMS MICHAEL D
5775 NORTH POINT PKWY STE 223 224
ALPHARETTA GA 30022

WILCO PROPERTY MANAGEMENT LLC
6101 ARBOR CREST CT
ROSWELL GA 30075

WILCO PROPERTY MANAGEMENT LLC
6101 ARBORCREST CT
ROSWELL GA 30075

SL PROPERTY HOLDING LLC
730 CULWORTH MNR
ALPHARETTA GA 30022

BLOOM INVESTMENTS LLC
750 PIMLICON PL
SUWANEE GA 30024

MCI COMMUNICATIONS SERVICES INC
7701 E TELECOM PKWY
TAMPA FL 33637

ANAND PROPERTIES LLC
8340 BETH PAGE DR
DULUTH GA 30097

U S MEDIA GROUP LLC
P O BOX 446
LITHONIA GA 30058

DELK INVESTMENTS LLC
PO BOX 681331
MARIETTA GA 30068

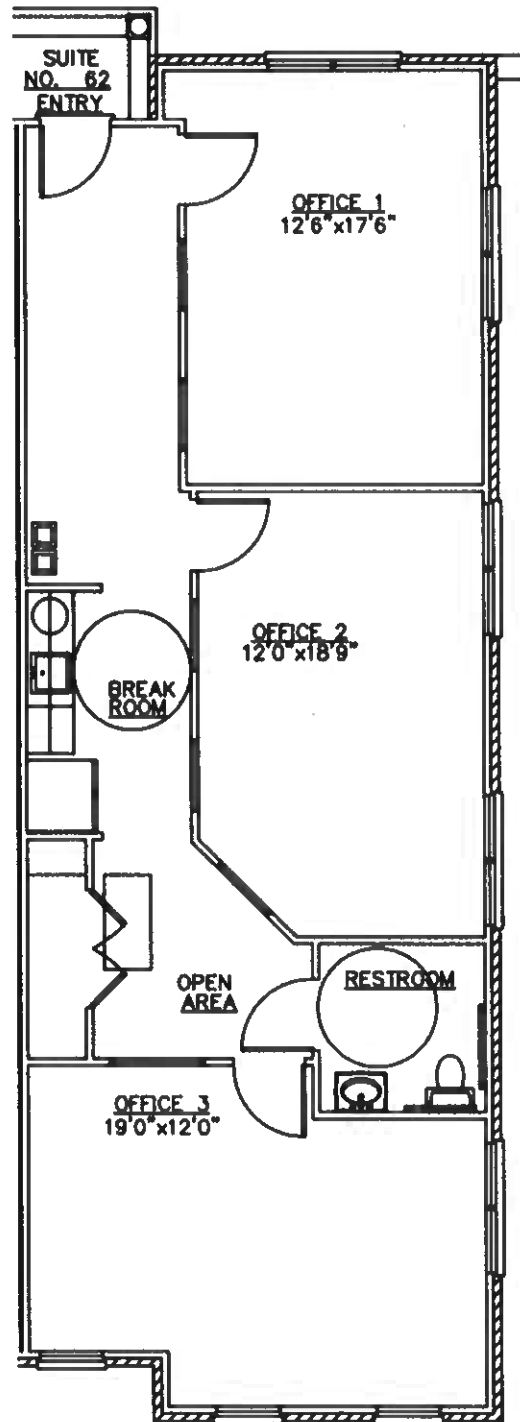
Terra Nova Skin Clinic

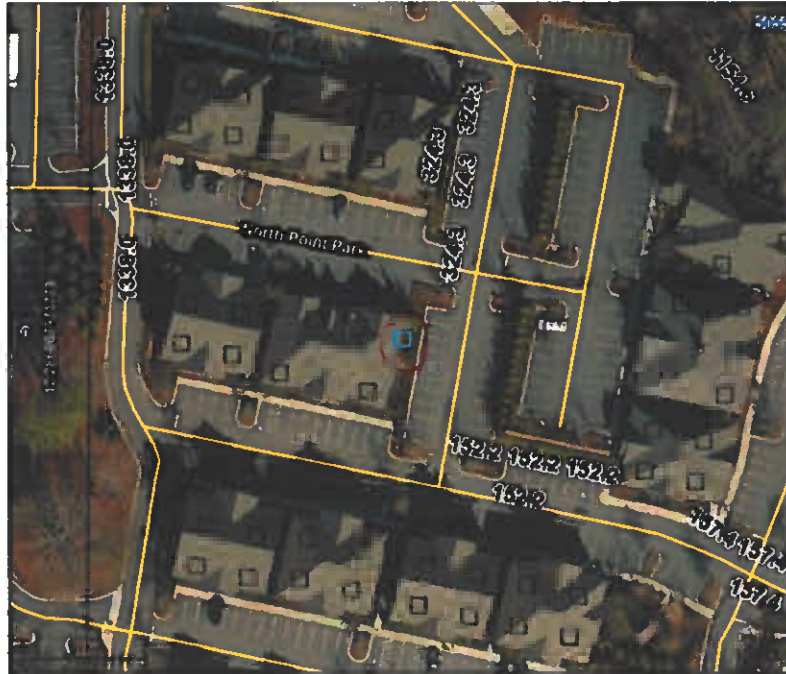
Business Overview

Intended Location: 5755 North Point Parkway, Suite 62 Alpharetta, GA 30022 Square Footage: 1115 sq ft	Hours of Operation: 10:00 AM to 5:00 PM Monday thru Saturday Number of Employees: 2 Fulltime, 2 Part Time
Identity Terra Nova will provide skin care services and treatments to clients with a wide variety of skin care challenges.	Problem Many women with post-surgical scar tissue unevenness, childbirth stretch marks, etc., face self-esteem and/or depression challenges due to mastectomy or other cancer procedures that leave scars and marks on their skin.
Our Solution Provide skin color remediation services to even discoloration from scar tissue. • Areola Reconstruction and 3D Tattoo after Mastectomy • Scar and stretch mark camouflage • Anti-aging skin treatment • Chemical peels • Dermo planning • Microdermabrasion • Facial lymphatic drainage • Slim treatment	Target Market Our anticipated clients will be women who wish to feel better about themselves with improved skin coloration. They are looking to improve their self esteem.
Competition Unaware of any establishments that provide this service near where I wish to establish my clinic.	Revenue Stream Fees for services. By appointments only
Marketing Activities Social Media platforms... Google Ads, Facetime, Local Print Media	

Floor Plan

5755 North Point
Parkway, Suite 62
Alpharetta, GA 30022





Overview



Legend

- Parcels
- Roads

Parcel ID 12 286008071003
Class Code C3
Taxing District 10A
Acres 0.0255

Physical Address 5755 NORTH POINT PKWY 62 14
Owner NIDHI NITYA 81682 LLC
5755 N POINT PKWY STE 85
ALPHARETTA, GA 30022
Assessed Value \$218,300

Last 2 Sales			
Date	Price	Reason	Qual
3/5/2015	\$150000	Valid Sale	Q
10/10/2006	\$210000	Valid Sale	Q

Date created: 10/25/2023
Last Data Uploaded: 10/25/2023 6:05:49 AM

GENERAL NOTES:

1. CITY OF ALPHARETTA PROJECT NUMBER: LDP# D2003-027.
(FULTON COUNTY PROJECT NUMBER LDP# 0302255)
2. FULTON COUNTY TAX PARCEL ID# 12-2860-0807-032-8
3. TOTAL NUMBER OF BUILDINGS: 26
DENSITY: 2.37 BUILDINGS PER ACRE
4. TOTAL ACREAGE: 10.97527 ACRES
5. ZONED: OI CASE #MP-02-04-/V-02-27 KB400 PARTNERS LLP.
6. OWNER/DEVELOPER:
NORTH POINT PARK BUILDERS, LLC
4994 LOWER ROSWELL ROAD, NE ~ STE.9
MARIETTA, GEORGIA 30068
24-HOUR CONTACT: TOMMY SWEET
TEL: (770) 579-8001
7. ENGINEER/SURVEYOR
WATTS & BROWNING ENGINEERS, INC.
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341
(770) 451-7453
ENGINEER/DESIGNER: CHRISTOPHER SAMS, E.I.T
8. CITY OF ALPHARETTA PERSONNEL AND/OR AGENTS SHALL HAVE FREE AND TOTAL ACCESS TO AND ACROSS ALL EASEMENTS.
9. BUILDERS MUST VERIFY LOCATION AND INVERT OF SANITARY SEWER LATERALS PRIOR TO SETTING ANY FINISHED FLOORS TO ENSURE PROPER SERVICE.
10. BUILDER MUST VERIFY FIELD LOCATION OF ALL STORM AND SANITARY SEWER EASEMENTS (PUBLIC AND PRIVATE), FLOODPLAIN LIMITS AND BUFFERS PRIOR TO ANY CONSTRUCTION.
11. STORM DRAINAGE AND SANITARY SEWER EASEMENTS SHOWN HEREON ARE CENTERED ON THE NATURAL DRAINS, STRUCTURES AND PIPES ASSOCIATED WITH THE EASEMENTS. ALL STRUCTURES, LINES OR DRAINS NEAR ANY AREA OF PROPOSED LAND DISTURBANCE OR CONSTRUCTION SHOULD BE FIELD LOCATED PRIOR TO PROCEEDING. NO CONSTRUCTION SHOULD OCCUR WITHIN ANY EASEMENT AREA.
12. EASEMENT LINES ARE BROKEN OR DISCONTINUED IN MANY AREAS. THE OVERALL PATTERN OF EASEMENT LINES CONFIRM THE LOCATION OF SUCH EASEMENTS. WHERE EASEMENT LINES ARE BROKEN IN THIS FASHION, THE EASEMENT IS HEREBY IDENTIFIED TO RUN CONTINUOUSLY THROUGHOUT THE WIDTH OR DEPTH OF THE LOTS OR BLOCKS OF LOTS ON WHICH ANY PORTION OF THE EASEMENT LINE IS INDICATED. IF ANY EASEMENT IS SHOWN ON ONLY ONE PORTION OF A LOT LINE IT IS HEREBY IDENTIFIED TO RUN THE ENTIRE LENGTH OF THE LOT LINE AT THE SAME EASEMENT WIDTH AND PORTION SHOWN. ALL FLOOD ZONE AREAS ARE HEREBY IDENTIFIED AS DRAINAGE EASEMENT AREAS OF VARIABLE WIDTH FOLLOWING THE FLOOD ZONE BOUNDARIES.
13. THE 100 YR. FLOOD ZONE SHOWN HEREON AND THE STREAM BUFFERS SHOWN HEREON ARE APPROXIMATE AND SHOULD NOT BE SCALED. THE BUILDER MUST VERIFY FIELD LOCATION OF SUCH PRIOR TO ANY CONSTRUCTION.
14. THE LOCATION OF THE NATURAL BOUNDARIES IS SUBJECT TO CHANGE DUE TO NATURAL CAUSES AND MAY AFFECT THE LOCATION OF EASEMENTS OR BUFFERS CENTERED UPON OR AROUND SAID NATURAL WATER BOUNDARIES.
15. BEARINGS WERE CALCULATED FROM ANGLES TURNED IN THE FIELD.
16. BOUNDARY DATA: ALTA/ACSM LAND TITLE SURVEY FOR CORNERSTONE ASSOCIATES, DATED 03/07/03. REVISED 06/02/03. BY WATTS AND BROWNING ENGINEERS, INC.

NOTE: ABOVE GROUND UTILITY LOCATIONS WERE OBTAINED FROM FIELD OBSERVATIONS. WATTS & BROWNING ENGINEERS HAS NOT RESEARCHED UNDERGROUND UTILITY LOCATIONS. INFORMATION SHOWN HEREON REGARDING THE EXISTENCE, SIZE, TYPE AND LOCATION OF UNDERGROUND UTILITIES IS BASED ON MARKINGS IN THE FIELD AND INFORMATION FURNISHED TO US BY OTHERS AND WATTS & BROWNING ENGINEERS IS UNABLE TO CERTIFY TO THE ACCURACY OR COMPLETENESS OF THIS INFORMATION. INDICATED LOCATIONS SHOULD BE CONFIRMED IN THE FIELD WITH THE UTILITY COMPANIES PRIOR TO PROCEEDING WITH PLANNING, DESIGN OR CONSTRUCTION.

THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 205.344 FEET AND AN ANGULAR ERROR OF 01" PER ANGLE POINT, AND WAS ADJUSTED USING THE COMPASS RULE.

THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 250,540 FEET.

A LEICA TC-500 TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT.

THE CITY OF ALPHARETTA DOES NOT ENFORCE RESTRICTIVE COVENANTS.

THE CONDOMINIUM DECLARATION FOR NORTH POINT PARK CONDOMINIUM, IS RECORDED IN DEED BOOK 37919, PAGE 291 OF THE SUPERIOR COURT OF FULTON COUNTY, GEORGIA RECORDS, DATED JUNE 28, 2004.

ENGINEERING CERTIFICATE:

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION; THAT ALL MONUMENTS SHOWN THEREON ACTUALLY EXIST OR ARE MARKED AS "FUTURE" AND WILL BE PLACED DURING CONSTRUCTION OF THE IMPROVEMENTS SHOWN ON THE PLAT; AND THEIR LOCATION, SIZE, TYPE, AND MATERIAL ARE CORRECTLY SHOWN, AND THAT ALL ENGINEERING REQUIREMENTS OF THE LAND SUBDIVISION REGULATION OF ALPHARETTA, GEORGIA, HAVE BEEN FULLY COMPLIED WITH.

BY: [Signature] REGISTERED P.E. NO. 19315
BY: [Signature] REGISTERED R.L.S. NO. 2554

SITE ADDRESS: 5755 NORTHPOINT PARKWAY, ALPHARETTA, GEORGIA 30022.

EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
X (UNSHADED)	AREAS DETERMINED TO BE OUTSIDE 500 YEAR FLOODPLAIN
ZONE AE	BASE FLOOD ELEVATIONS DETERMINED
X (SHADED)	AREAS OF 500-YEAR FLOOD; AREAS OF 100-YEAR FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 100-YEAR FLOOD.

WATTS & BROWNING, ENGINEERS, INC HAS EXAMINED THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) AND IT IS OUR OPINION THAT THE REFERENCED PROPERTY IS LOCATED IN ★ ZONE (S) AE, X* SHADED & UNSHADED AS PER: FULTON COUNTY FIRM COMMUNITY PANEL NO.13121C0067E, DATED JUNE 22, 1998.
THE FLOODLINE SHOWN HEREON WAS PLOTTED GRAPHICALLY FROM THE FLOOD MAPS REFERENCED ABOVE AND IS APPROXIMATE.

OWNER'S CERTIFICATE OF DEDICATION AND ACKNOWLEDGMENT

THE OWNER OF RECORD OF THE LAND SHOWN ON THIS PLAT AND WHOSE NAME IS SUBSCRIBED THERETO, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, HEREBY ACKNOWLEDGES THAT THIS FINAL SUBDIVISION PLAT WAS MADE FROM AN ACTUAL SURVEY, DEDICATES TO THE CITY OF ALPHARETTA THE COMPLETE OWNERSHIP, AND USE OF ALL STREETS (0.0795 ACRES), PUBLIC WATER FACILITIES, STORM DRAINS, EASEMENTS (0 ACRES), GREENWAY EASEMENTS (0), AND OTHER PUBLIC FACILITIES AND APPURTENANCES THEREON SHOWN (0 ACRES).

Subdivider: North Point Park Builders, LLC.

DATE: 12-1-04

OWNER: North Point Park Builders, LLC.

DATE: 12-1-04

FINAL PLAT APPROVAL

THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF ALPHARETTA, GEORGIA, CERTIFIES THAT THIS PLAT COMPLIES WITH ALL REQUIREMENTS OF THE CITY OF ALPHARETTA ZONING REQUIREMENTS.

COMMUNITY DEVELOPMENT DEPARTMENT
DATE: 12-2-2004

ENGINEERING/PUBLIC WORKS DEPARTMENT
DATE: 12-2-2004

FINAL PLAT APPROVAL

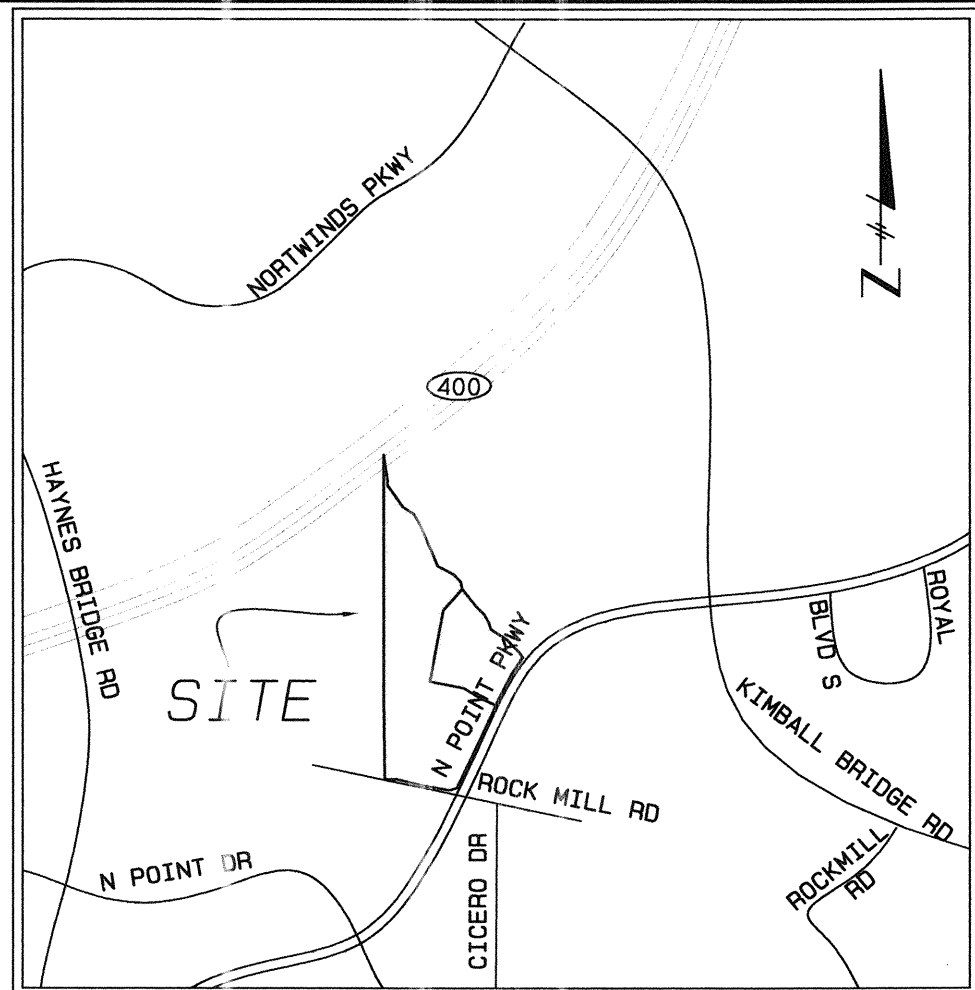
THE COMMUNITY DEVELOPMENT DEPARTMENT OF THE CITY OF ALPHARETTA, GEORGIA, CERTIFIES THAT THIS PLAT COMPLIES WITH ALL REQUIREMENTS OF THE CITY OF ALPHARETTA ZONING REQUIREMENTS.

COMMUNITY DEVELOPMENT DEPARTMENT
DATE: _____ 2006

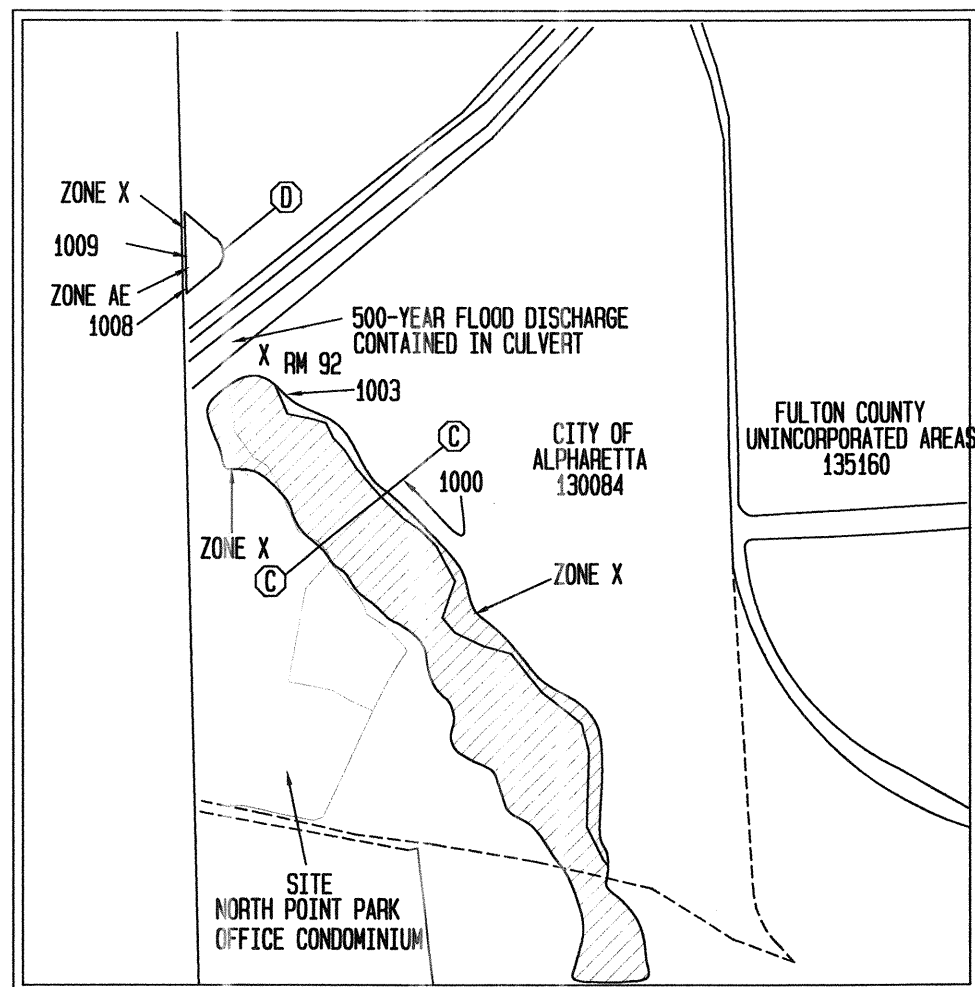
ENGINEERING/PUBLIC WORKS DEPARTMENT
DATE: _____ 2006

DRAINAGE NOTE:

THE OWNER OF RECORD, ON BEHALF OF HIMSELF (ITSELF) AND ALL SUCCESSORS IN INTEREST, SPECIFICALLY RELEASE THE CITY OF ALPHARETTA FROM ANY AND ALL LIABILITY AND RESPONSIBILITY FOR FLOODING OR EROSION FROM STORM DRAINS OR FROM FLOODING FROM HIGH WATER OR NATURAL CREEKS, RIVERS OR DRAINAGE FEATURES. A DRAINAGE EASEMENTS IS HEREBY ESTABLISHED FOR THE SOLE PURPOSE OF PROVIDING FOR THE EMERGENCY PROTECTION OF THE FREE FLOW OF SURFACE WATERS ALONG ALL WATERCOURSES AS ESTABLISHED BY THESE REGULATIONS AND THE DIRECTOR OF PUBLIC WORKS. SAID DIRECTOR MAY CONDUCT EMERGENCY MAINTENANCE OPERATIONS WITHIN THIS EASEMENT WHERE EMERGENCY CONDITIONS EXIST. EMERGENCY MAINTENANCE SHALL BE THE REMOVAL OF TREES AND OTHER DEBRIS, EXCAVATION, FILLING AND THE LIKE NECESSARY TO REMEDY A CONDITION, WHICH IN THE JUDGMENT OF SAID DIRECTOR IS POTENTIALLY INJURIOUS TO LIFE, PROPERTY OR THE PUBLIC ROAD OR UTILITY SYSTEM. SUCH EMERGENCY MAINTENANCE, CONDUCTED FOR THE COMMON GOOD, SHALL NOT CONSTRUED AS CONSTITUTING A CONTINUING MAINTENANCE OBLIGATION ON THE PART OF CITY OF ALPHARETTA NOR AN ABROGATION OF CITY OF ALPHARETTA'S ALPHARETTA'S RIGHT TO SEEK REIMBURSEMENT FOR EXPENSES FROM THE OWNER/S OF THE PROPERTY/IES OF THE LANDS GENERATED THE CONDITIONS.



LOCATION MAP
1" = 2000'



FLOOD MAP
NTS

CONDO PB 17 - 136
08/04/2006

I, VIRGIL T. HAMMOND, A REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT THIS PLAT IS ACCURATE AND COMPLIES WITH THE PROVISIONS OF SECTION 44-3-83 OF THE GEORGIA CONDOMINIUM ACT.

[Signature]
VIRGIL T. HAMMOND, GA RLS #2554

CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



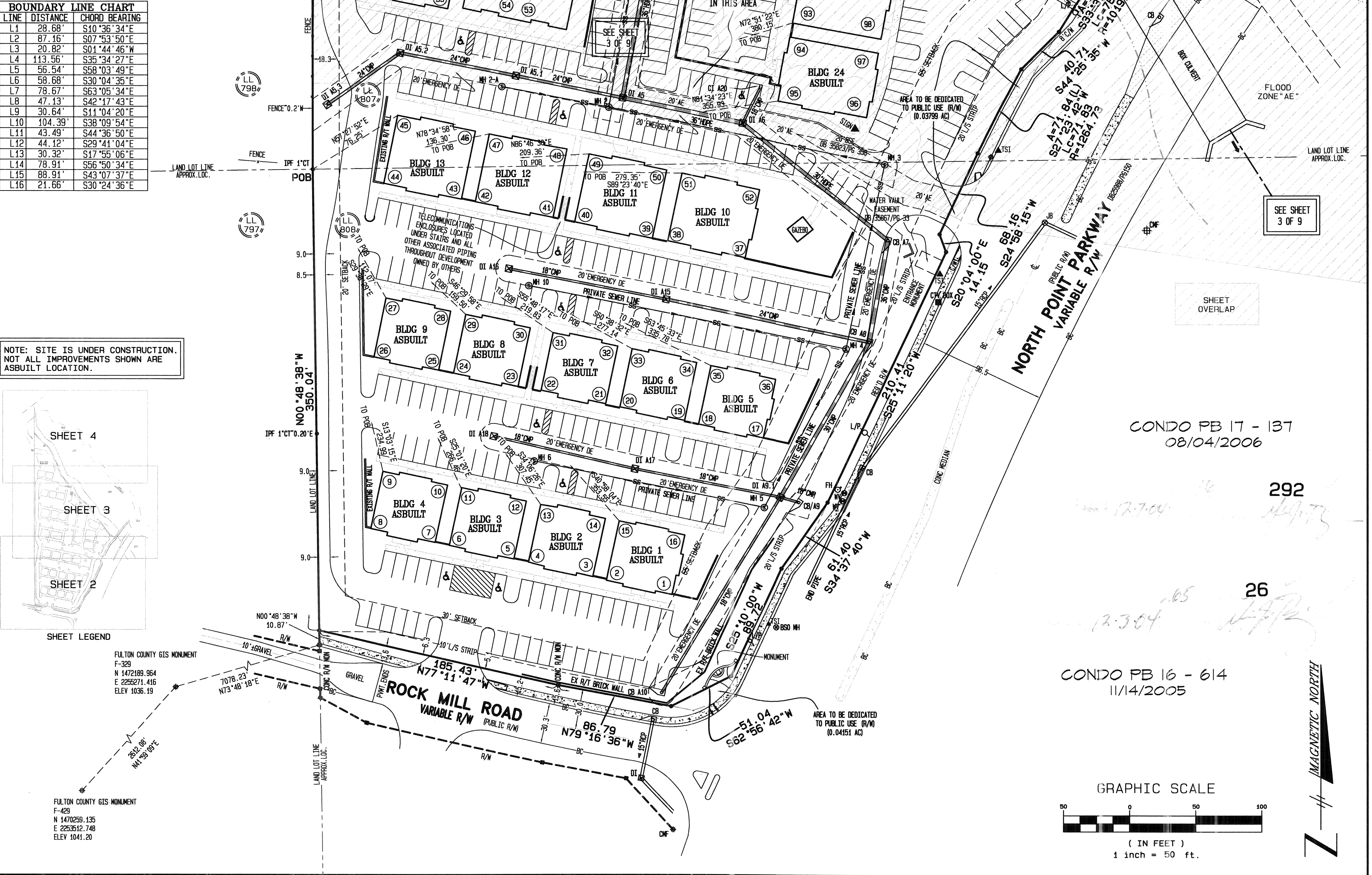
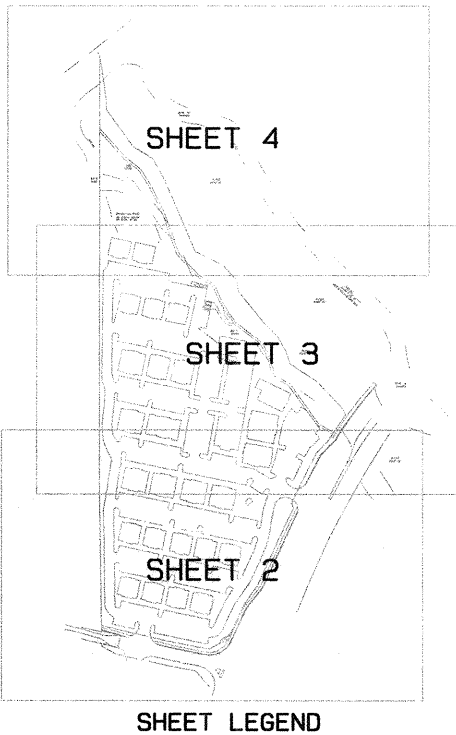
W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
FAX: (770) 455-3955

NO.	DATE	DESCRIPTION
1	07/28/04	SEE REVISION NOTE #1, SHEET 1 OF 9.
2	11/22/04	SEE REVISION NOTE #2, SHEET 1 OF 9.
3	10/28/05	SEE REVISION NOTE #3, SHEET 4 OF 9.
4	06/27/06	SEE REVISION NOTE #4, SHEET 4 OF 9.
5	08/31/06	SEE REVISION NOTE #5, SHEET 4 OF 9.

SCALE:	N/A
DATE SURVEYED:	02/27/03
DATE DRAFTED:	03/29/04
SURVEYED BY:	P. CHANDLER
DRAWN BY:	T. BATTLE/JJT
CHECKED BY:	MH
FIELD BOOK #:	1986
JOB NUMBER:	020415
FOLDER NUMBER:	020415
C060 FILE:	573-NORPOINT
DISC FILE:	G:\FINALS\020415
COUNTY:	FULTON
PLAT FILE:	B
SHEET:	1 OF 9

LINE	DISTANCE	CHORD BEARING
L1	28.68'	S10°36'34"E
L2	87.16'	S07°53'50"E
L3	20.82'	S01°44'46"W
L4	113.56'	S35°34'27"E
L5	56.54'	S58°03'49"E
L6	58.68'	S30°04'35"E
L7	78.67'	S63°05'34"E
L8	47.13'	S42°17'43"E
L9	30.64'	S11°04'20"E
L10	104.39'	S38°09'54"E
L11	43.49'	S44°36'50"E
L12	44.12'	S29°41'04"E
L13	30.32'	S17°55'06"E
L14	78.91'	S56°50'34"E
L15	88.91'	S43°07'37"E
L16	21.66'	S30°24'36"E

NOTE: SITE IS UNDER CONSTRUCTION.
NOT ALL IMPROVEMENTS SHOWN ARE
ASBUILT LOCATION.



CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
FAX: (770) 455-3955

REVISIONS		
NO.	DATE	DESCRIPTION
1	07/28/04	SEE REVISION NOTE #1, SHEET 1 OF 9.
2	11/22/04	SEE REVISION NOTE #2, SHEET 1 OF 9.
3	10/28/05	SEE REVISION NOTE #3, SHEET 4 OF 9.
4	06/27/06	SEE REVISION NOTE #4, SHEET 4 OF 9.
5	08/31/06	SEE REVISION NOTE #5, SHEET 4 OF 9.

SCALE:	1"=50'
DATE SURVEYED:	02/27/03
DATE DRAFTED:	03/29/04
SURVEYED BY:	P. CHANDLER
DRAWN BY:	T. BATTLE/JJT
CHECKED BY:	MH
FIELD BOOK #:	1986
JOB NUMBER:	020415
FOLDER NUMBER:	020415
COGO FILE:	573-NORPOINT
DISC FILE:	G:\FINALS\020415
COUNTY:	FULTON
PLAT FILE:	B
SHEET:	2 OF 9

SHEET
OVERLAP

N/F
WRL ASSOCIATES II, INC
DB23908/P6001

NOTE: SITE IS UNDER CONSTRUCTION.
NOT ALL IMPROVEMENTS SHOWN ARE
ASBUILT LOCATION.

NOTE B: GREENWAY WALK SHOWN IS PROPOSED. ACTUAL
LOCATION TO BE FIELD VERIFIED PER CONSTRUCTION PLANS.

CONDO PB 17 - 138
08/04/2006

SHEET 4

SHEET 3

SHEET 2

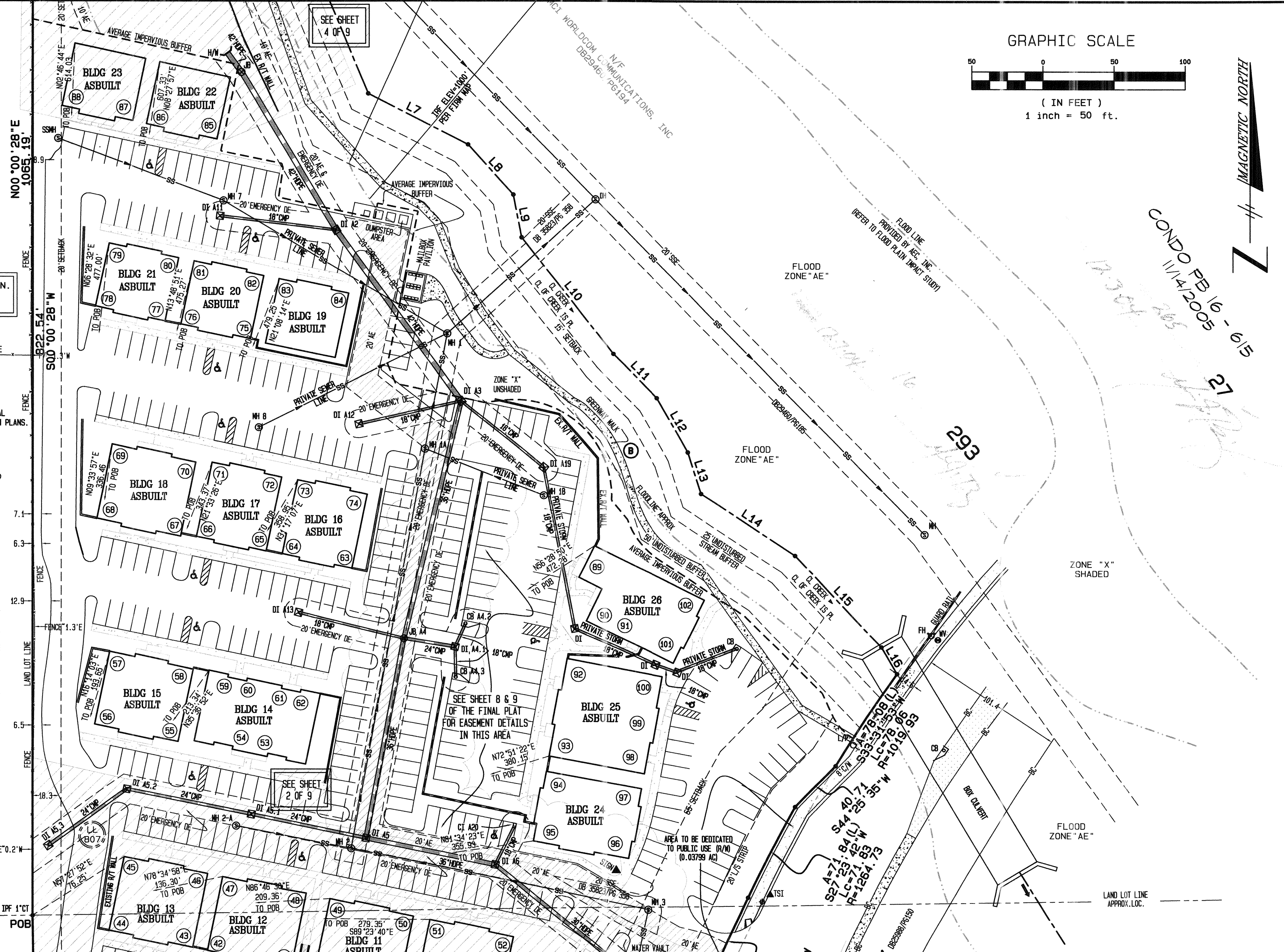
SHEET LEGEND

SHEET
OVERLAP

LAND LOT LINE
APPROX. LOC.

LL
798

FENCE
1" = 1' CT
POB



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.

MAGNETIC NORTH

CONDO PB 16 - 615
11/4/2005

CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
FAX: (770) 455-3955

REVISIONS		
NO.	DATE	DESCRIPTION
1	07/28/04	SEE REVISION NOTE #1, SHEET 1 OF 9.
2	11/22/04	SEE REVISION NOTE #2, SHEET 1 OF 9.
3	10/28/05	SEE REVISION NOTE #3, SHEET 4 OF 9.
4	06/27/06	SEE REVISION NOTE #4, SHEET 4 OF 9.
5	08/31/06	SEE REVISION NOTE #5, SHEET 4 OF 9.

SCALE:	1"=50'
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COUNTY:	FULTON
PLAT FILE:	B
SHEET:	3 OF 9

NOTE: SITE IS UNDER CONSTRUCTION.
NOT ALL IMPROVEMENTS SHOWN ARE
ASBUILT LOCATION.

NOTE B: GREENWAY WALK SHOWN IS PROPOSED. ACTUAL
LOCATION TO BE FIELD VERIFIED PER CONSTRUCTION PLANS.

REVISION: #4 DATE: JUNE 27, 2006.

REVISED JUNE 27, 2006: THIS CONDO PLAT SUPERSEDES
A PORTION OF THE PLAT RECORDED IN CONDO PLAT BOOK 16
PAGES 613 THRU 621. THE PURPOSE OF THIS REVISION
IS TO:

1. SHOW ASBUILT BUILDINGS 22 & 23

APPROVED BY:

FOR THE DIRECTOR AND COMMUNITY DEVELOPMENT

REVISION: #3 DATE: OCTOBER 28, 2005

REVISED OCTOBER 28, 2005: THIS CONDO PLAT SUPERSEDES
A PORTION OF THE PLAT RECORDED IN CONDO PLAT BOOK 16
PAGES 291 THRU 299. THE PURPOSE OF THIS REVISION
IS TO:

1. REVISE P.O.B. FOR BUILDINGS 15, 16, 19 & 24-26.
2. REVISE SUITE NUMBERS FOR BUILDINGS 24-25.
3. CHANGE UNIT 5 TO READ BLDG 5.
4. ADD ASBUILT BUILDINGS 15, 16, 19 & 24-26.
5. REVISE PARKING SPACES.
6. ADD STORM DRAINS AND SEWER MANHOLE.
7. REVISE BUILDING NUMBERS 20 & 21.
8. REMOVE PROPOSED WALL EAST OF BLDG 26.
9. REMOVE NOTE "A".

APPROVED BY:

FOR THE DIRECTOR AND COMMUNITY DEVELOPMENT

REVISION: #5 DATE: AUGUST 31, 2006.

REVISED AUGUST 31, 2006: THIS CONDO PLAT SUPERSEDES
A PORTION OF THE PLAT RECORDED IN CONDO PLAT BOOK 17
PAGES 136-144. THE PURPOSE OF THIS REVISION
IS TO:

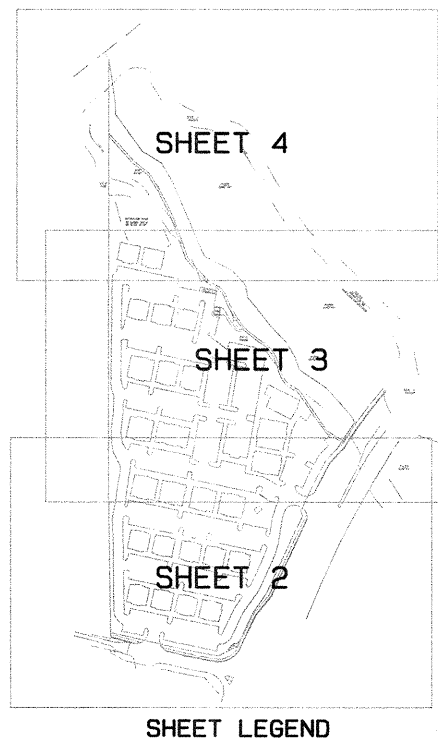
1. ADDRESS CITY COMMENTS.
2. SHOW ASBUILT BUILDINGS 17, 18, 20 & 21.

APPROVED BY:

FOR THE DIRECTOR AND COMMUNITY DEVELOPMENT

LEGEND

A	ARC	L/A	LIMIT OF ACCESS
AC	ACRE (S)	LC	LENGTH OF CHORD
AE	ACCESS EASEMENT	LLL	LAND LOT LINE
AGLC	ATLANTA GAS LIGHT COMPANY	L/P	LAMP POST/LIGHT POLE
ASP	ASPHALT	L/S	LANDSCAPED AREA
BB	BOTTOM OF BANK	MFN	METROMEDIA FIBRE NETWORK
BC	BACK OF CURB	MH	MANHOLE
B/C	BUILDING CORNER	MW	MONITORING WELL
BL	BUILDING SETBACK LINE	N/C	NAIL IN CAP
BM	BENCHMARK	NF	NAIL FOUND
BPM	BLUE PIN FLAG	N/F	NOW OR FORMERLY
BPM	BLUE PAINT MARK	OCS	OUTLET CONTROL STRUCTURE
BS	BOTTOM OF SLOPE	OPF	ORANGE PIN FLAG
BSO	BELLSOUTH TELEPHONE CO.	OPM	ORANGE PAINT MARK
BSOCM	BELLSOUTH CABLE MARKER	OT	OPEN TOP PIPE
BW	BOTTOM OF WALL	P	POWER LINE
B/W	BARBED WIRE	PB	PLAT BOOK
CB	CATCH BASIN	P/B	POWER BOX
CI	CURB INLET	PG	PAGE (S)
CL	CENTERLINE	P/V	POST INDICATOR VALVE
C/L	CHAIN LINK	PL	PROPERTY LINE
CMF	CONCRETE MONUMENT FOUND	PGB	POINT OF BEGINNING
CMP	CORRUGATED METAL PIPE	POC	POINT OF COMMENCING
CO	CLEANOUT	PM	POWER METER
COMM	COMMUNICATION	P/P	POWER POLE
CT	CRIMPED TOP PIPE	PS	PARKING SPACE (S)
CTV	CABLE TELEVISION	PVC	POLYVINYLCHLORIDE PIPE
C/W	CONCRETE WALK	R	RADIUS
DB	DEED BOOK	(R)	CURVE TO THE RIGHT
DE	DRAINAGE EASEMENT	RB	RE-BAR
DI	DROP INLET	RCP	REINFORCED CONCRETE PIPE
DIP	DUCTILE IRON PIPE	RPF	RED PIN FLAG
DNR	DEPT. OF NATURAL RESOURCES	RPM	RED PAINT MARK
DNRMS	DNR MONUMENT SET	RR	RAILROAD
EB	ELECTRIC BOX	R/T	RETAINING
EMC	ELECTRIC MEMBERSHIP CORP.	R/W	RIGHT OF WAY
EP	EDGE OF PAVEMENT	SF	SQUARE FEET
FC	FACE OF CURB	S/P	SERVICE POLE
F/C	FENCE CORNER	SR	SOLID ROD
FDC	FIRE DEPARTMENT CONNECTION	SS	SANITARY SEWER
FFE	FINISHED FLOOR ELEVATION	SSE	SANITARY SEWER EASEMENT
FH	FIRE HYDRANT	S/W	SIDEWALK
F/L	FENCE LINE	T	TELEPHONE LINE
FOCM	FIBRE OPTIC CABLE MARKER	T/B	TELEPHONE BOX
FP	FENCE POST	TBM	TEMPORARY BENCHMARK
F/P	FLAG POLE	T/C	TOP OF CURB
GLMP	GAS LINE MARKER POST	T/P	TELEPHONE POLE
GM	GAS METER	TP	TRAFFIC POLE
GP	GUY POLE	TRANS	TRANSMISSION
GPC	GEORGIA POWER COMPANY	T/S	TRAFFIC SIGNAL
GV	GAS VALVE	TSI	TRAFFIC SIGN
GW	GUY WIRE	TW	TOP OF WALL
H/C	HANDICAP PARKING SPACE	T/W	TEST WELL
HVP/P	HIGH VOLTAGE POWER POLE	U/G	UNDERGROUND
HW	HIGH WATER	VB	VALVE BOX
H/W	HEADWALL	VMP	VALVE MARKER POST
ICV	IRRIGATION CONTROL VALVE	W	WATER LINE
INV	INVERT	WF	WETLAND FLAG
IPF	IRON PIN FOUND	WM	WATER METER
IPP	IRON PIN PLACED	WV	WATER VALVE
IRF	INTERMEDIATE REGIONAL FLOOD	YPF	YELLOW PIN FLAG
JB	JUNCTION BOX	YPM	YELLOW PAINT MARK
(L)	CURVE TO THE LEFT		



CONDO PB 17 - 139
08/04/2006

CONDO PB 16 - 616
11/14/2005

GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



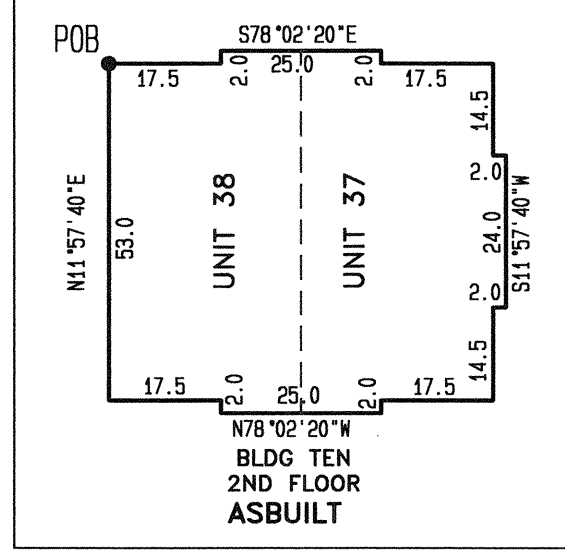
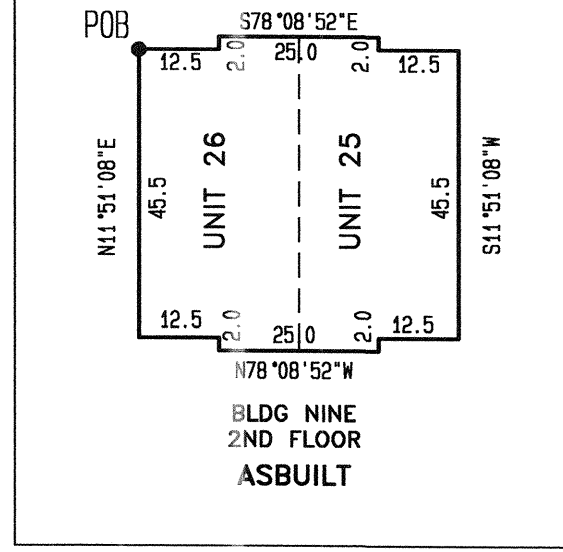
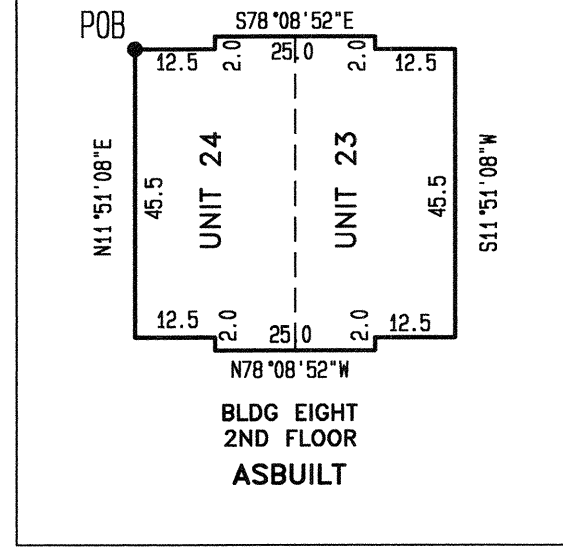
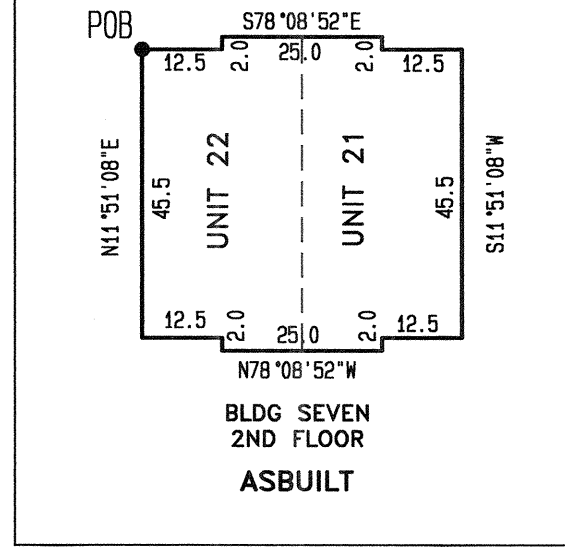
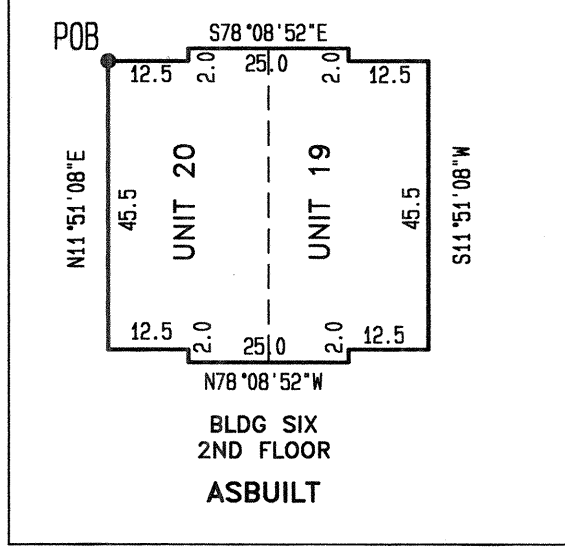
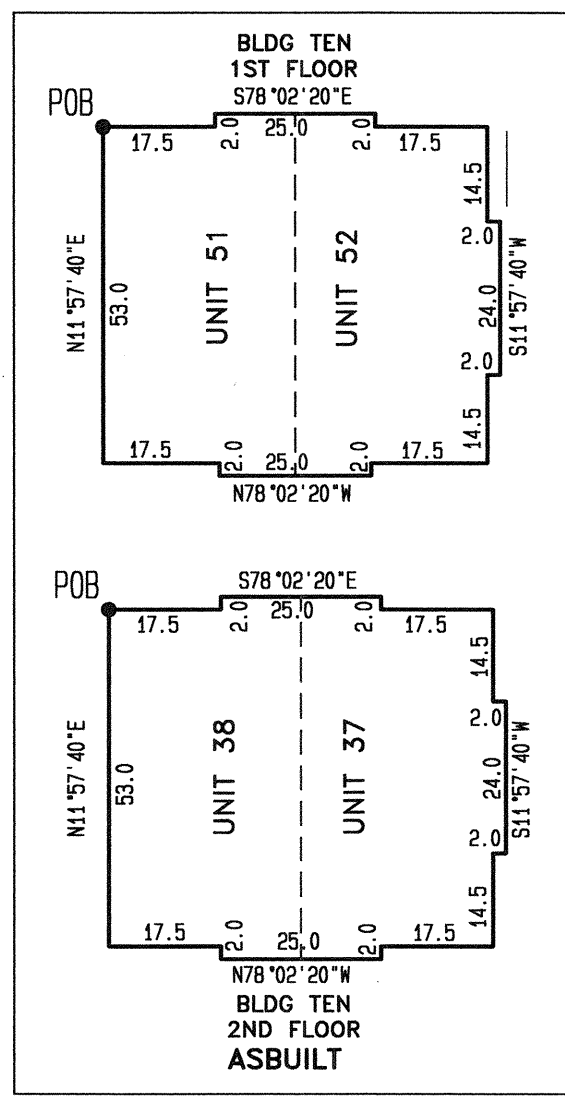
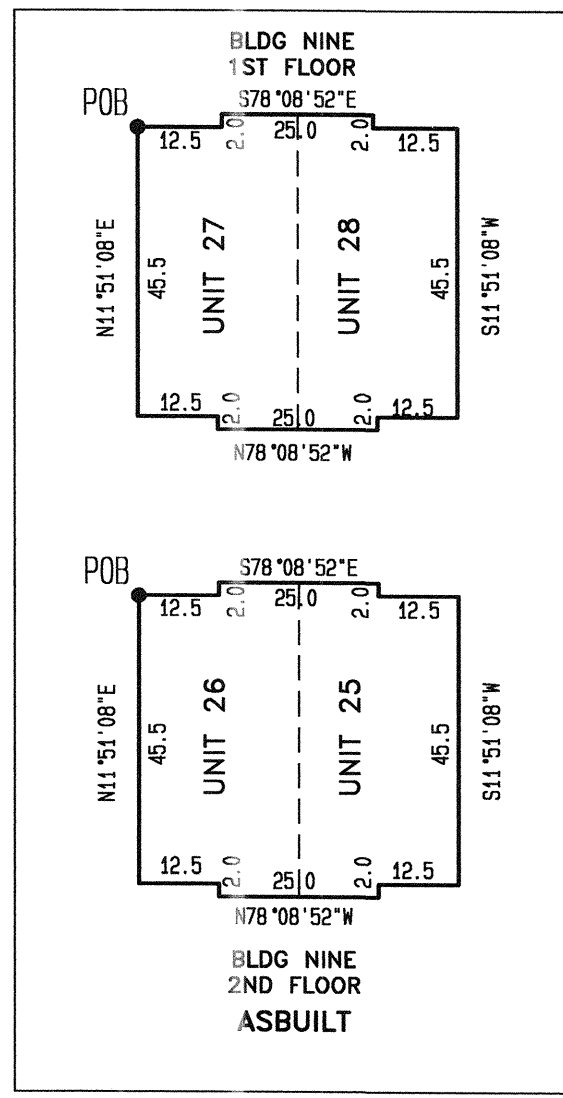
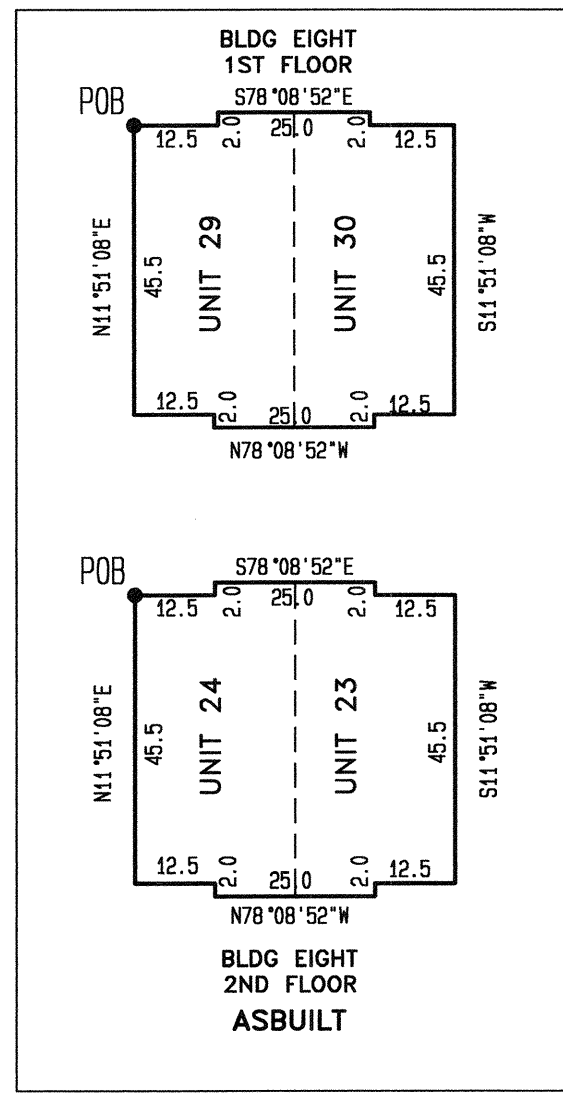
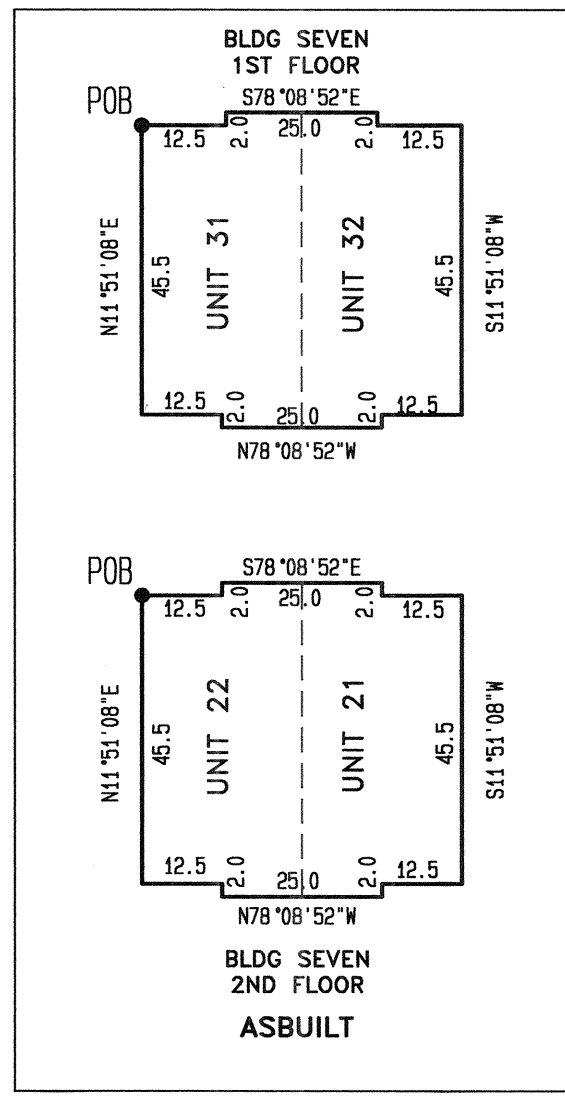
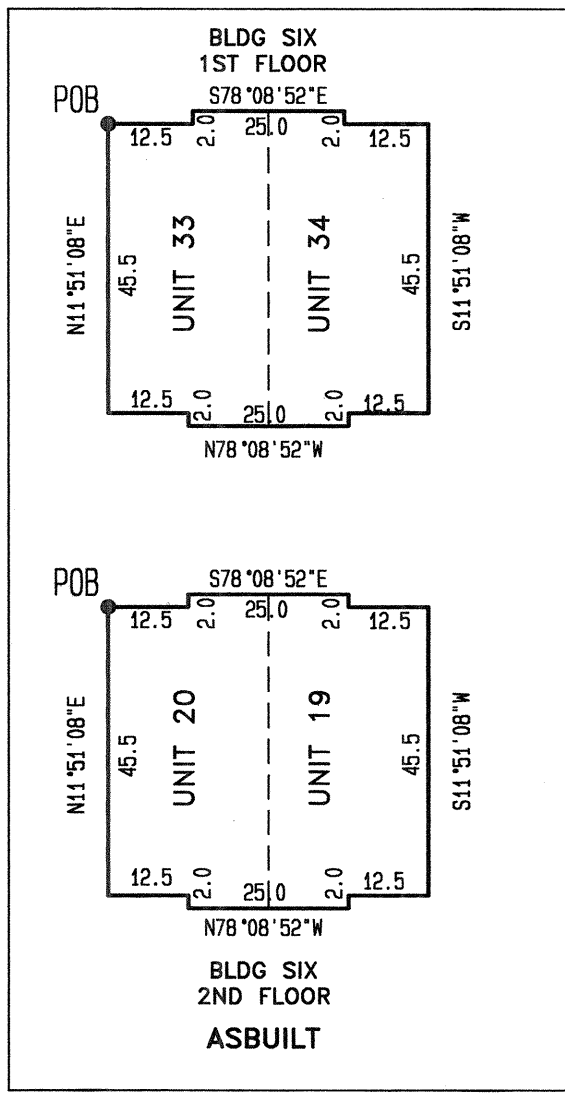
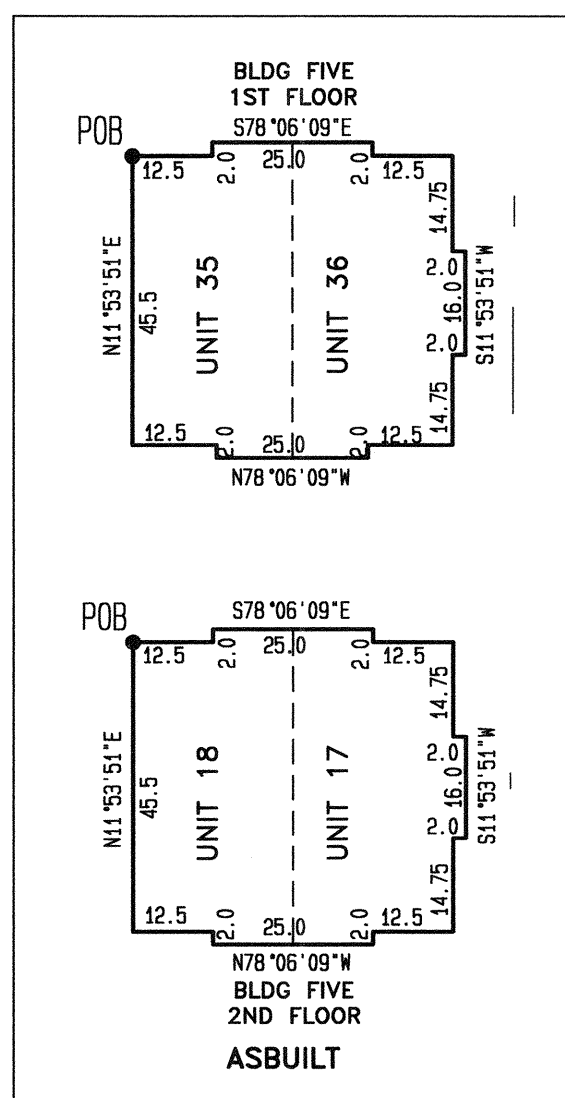
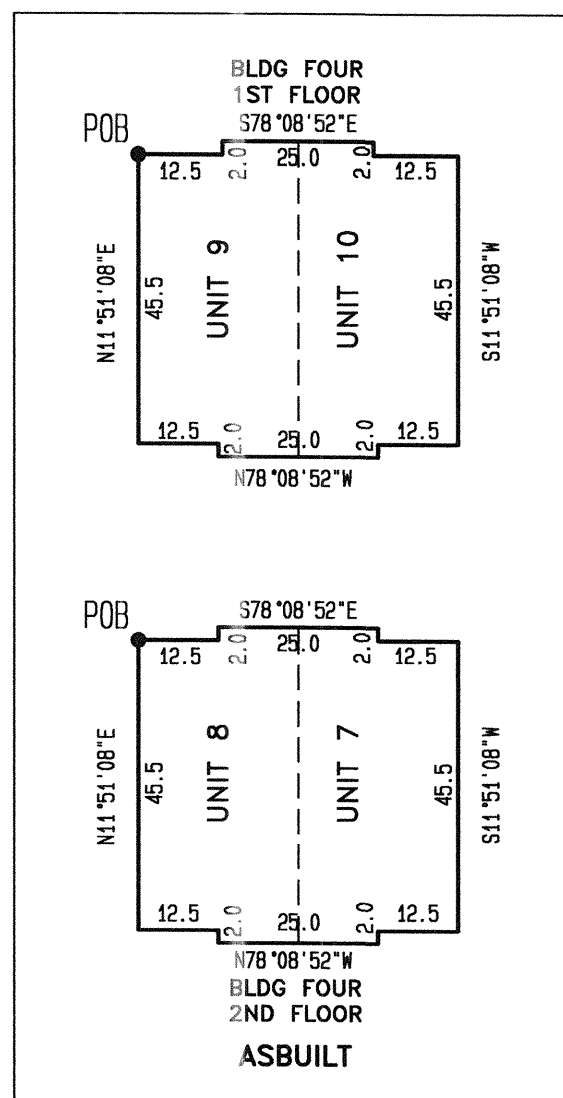
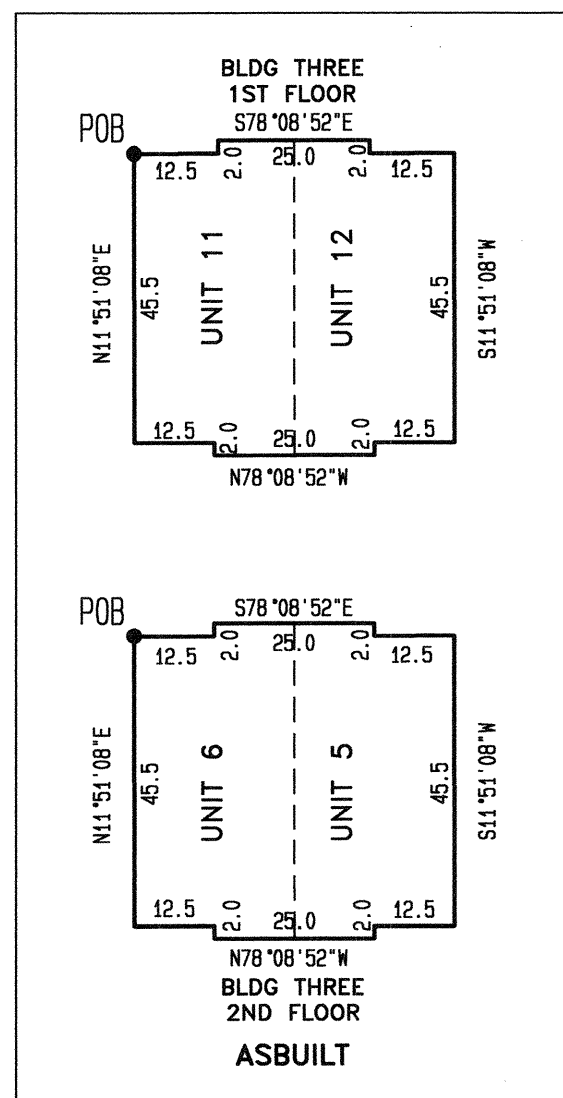
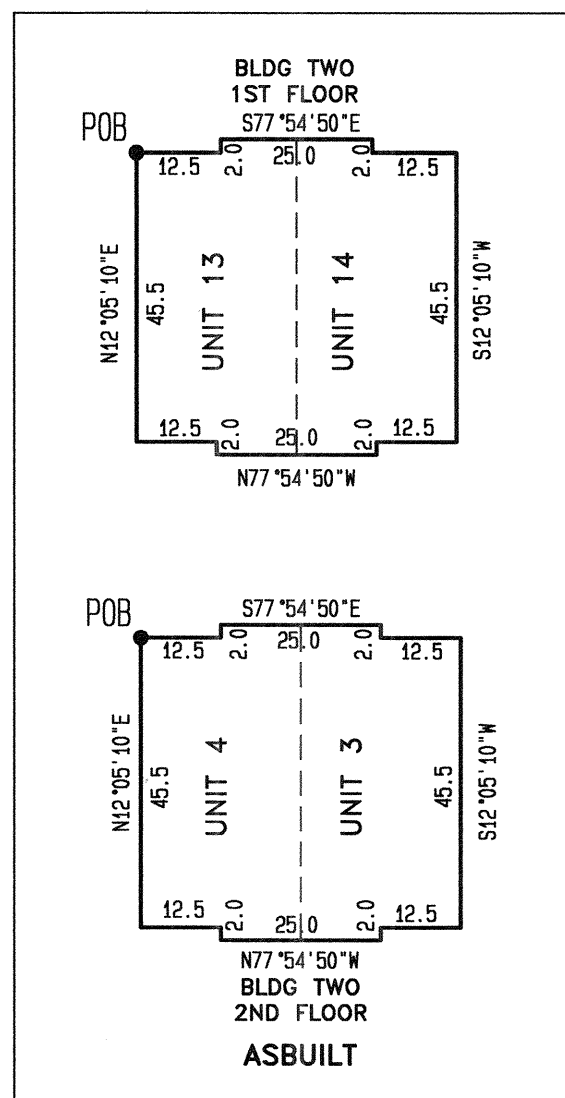
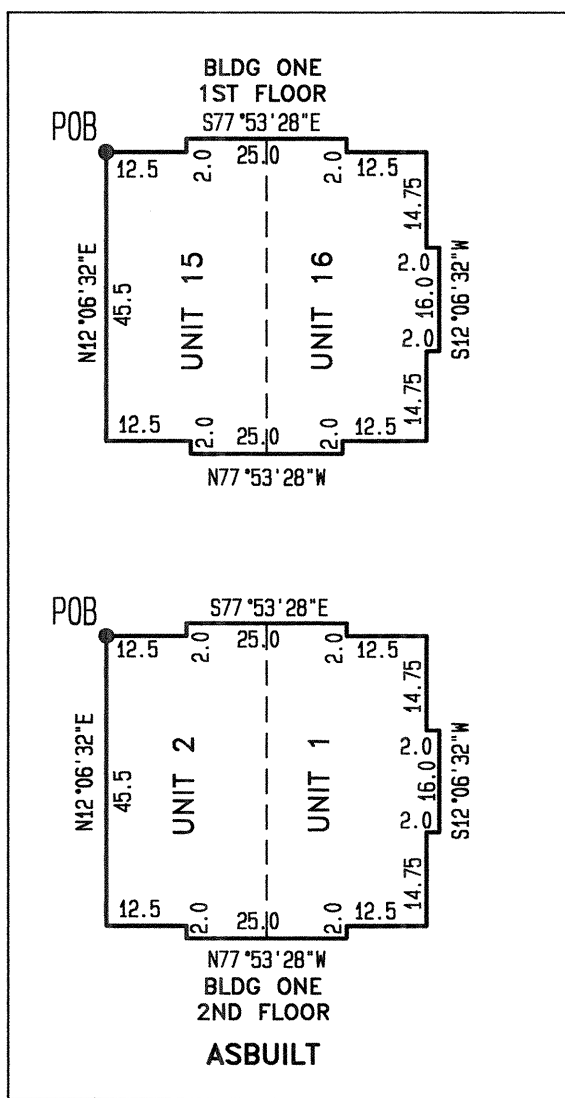
CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
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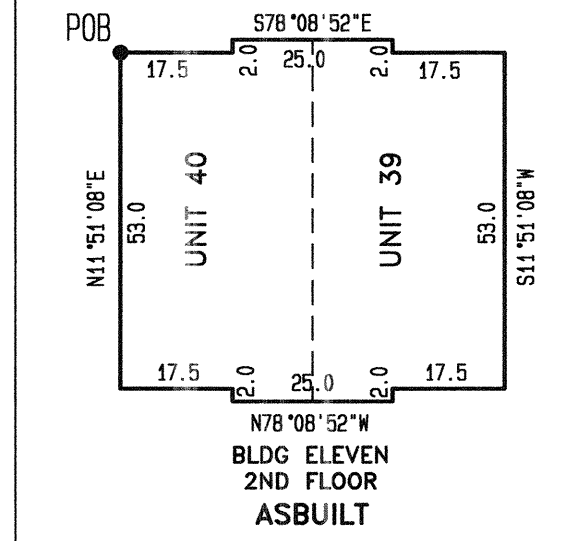
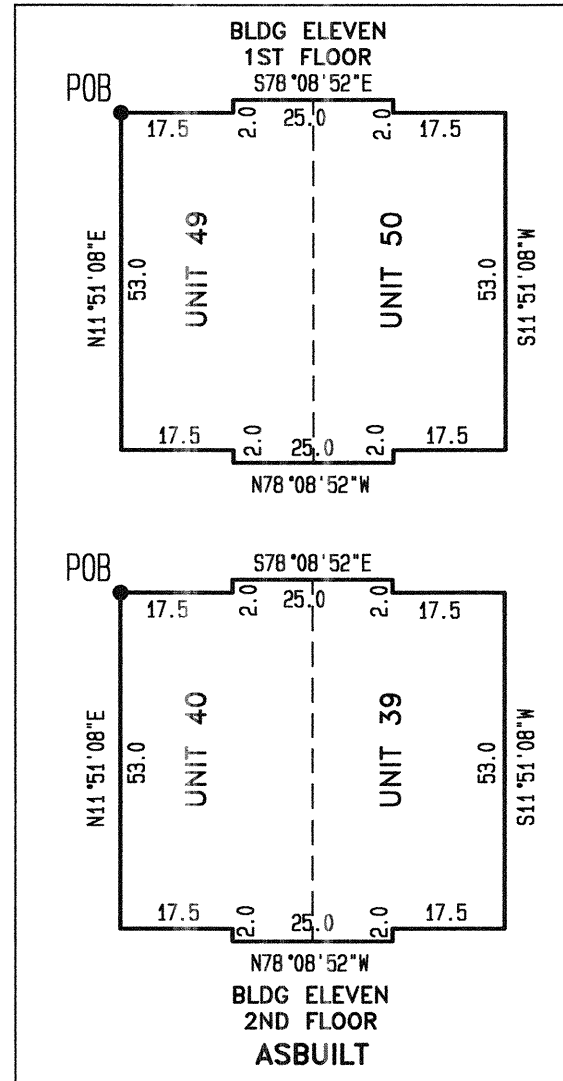
NO.	DATE	DESCRIPTION
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3	10/28/05	SEE REVISION NOTE #3, SHEET 4 OF 9.
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SCALE:	1"=50'
DATE SURVEYED:	02/27/03
DATE DRAFTED:	03/29/04
SURVEYED BY:	P. CHANDLER
DRAWN BY:	T. BATTLE/JJT
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FIELD BOOK #:	1986
JOB NUMBER:	020415
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COGO FILE:	573-NORPOINT
DISC FILE:	G:\FINALS\020415
COUNTY:	FULTON
PLAT FILE:	B
SHEET:	4 OF 9



NORTH POINT PARK CONDOMINIUM	
BUILDING	UNIT
1	15
	16
	1
	2
2	13
	14
	3
	4
3	11
	12
	5
	6
4	9
	10
	7
	8
5	35
	36
	17
	18
6	33
	34
	19
	20
7	31
	32
	21
	22
8	29
	30
	23
	24
9	27
	28
	25
	26
10	51
	52
	37
	38
11	49
	50
	39
	40
12	47
	48
	41
	42
13	45
	46
	43
	44

29
12.304



CONDO PB 16 - 617
11/14/2005
CONDO PB 17 - 140
08/04/2006



CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

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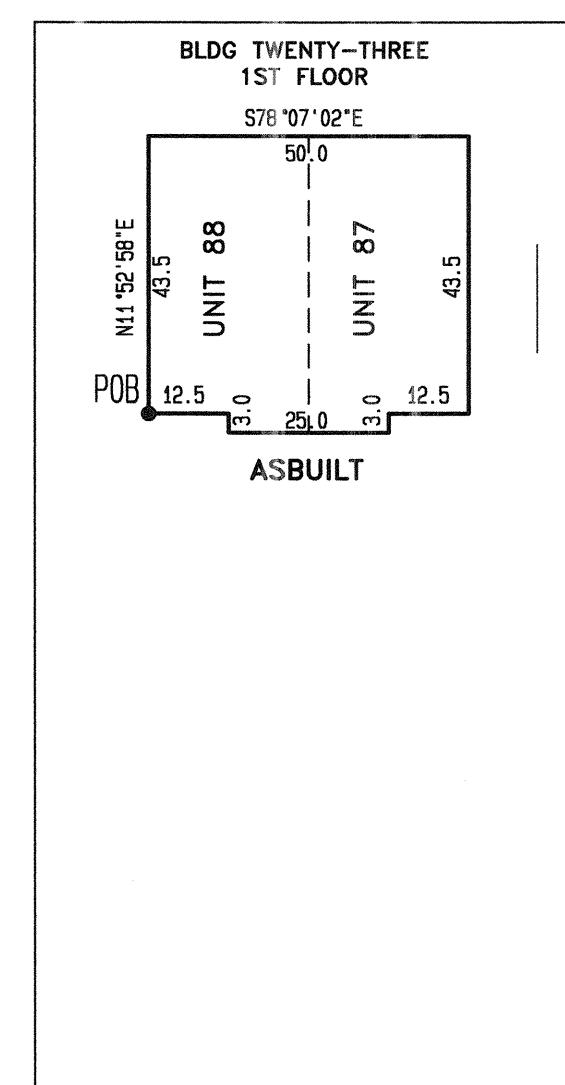
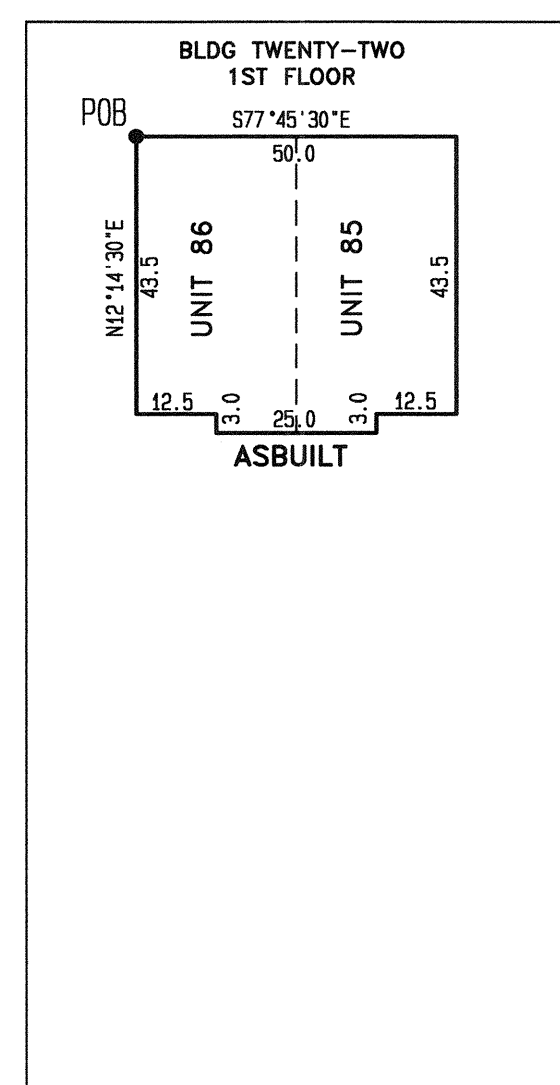
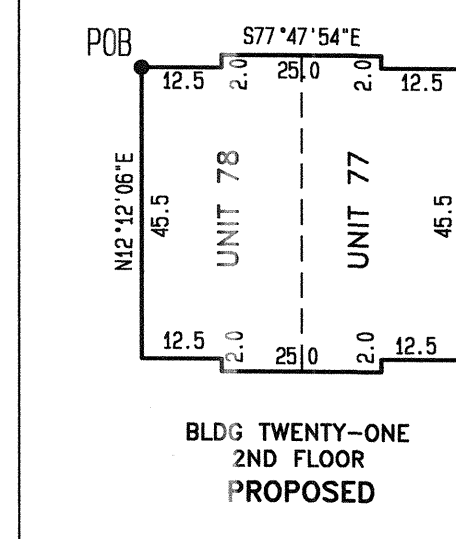
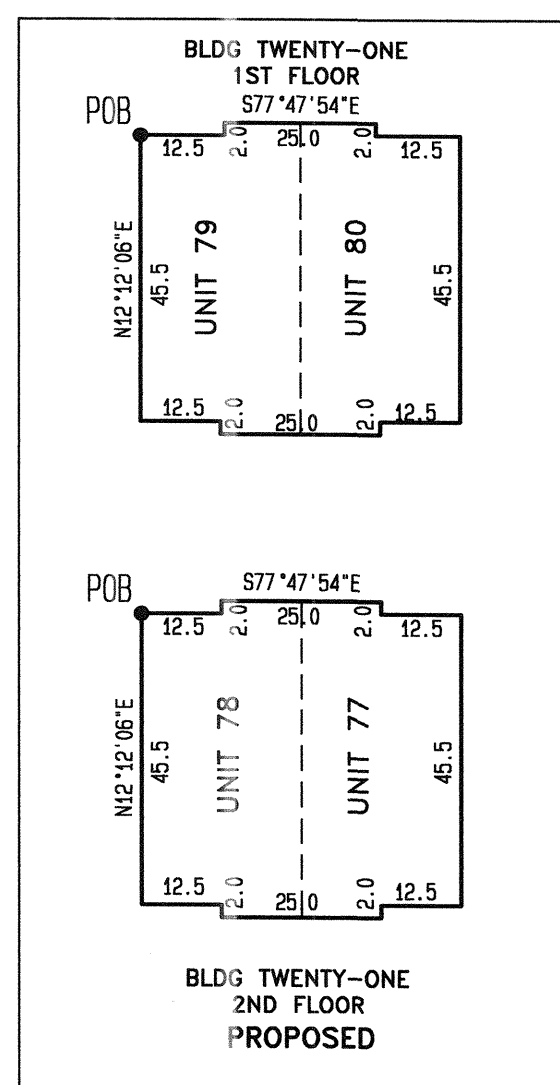
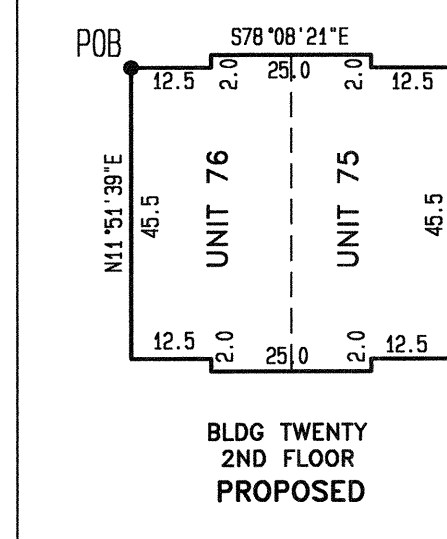
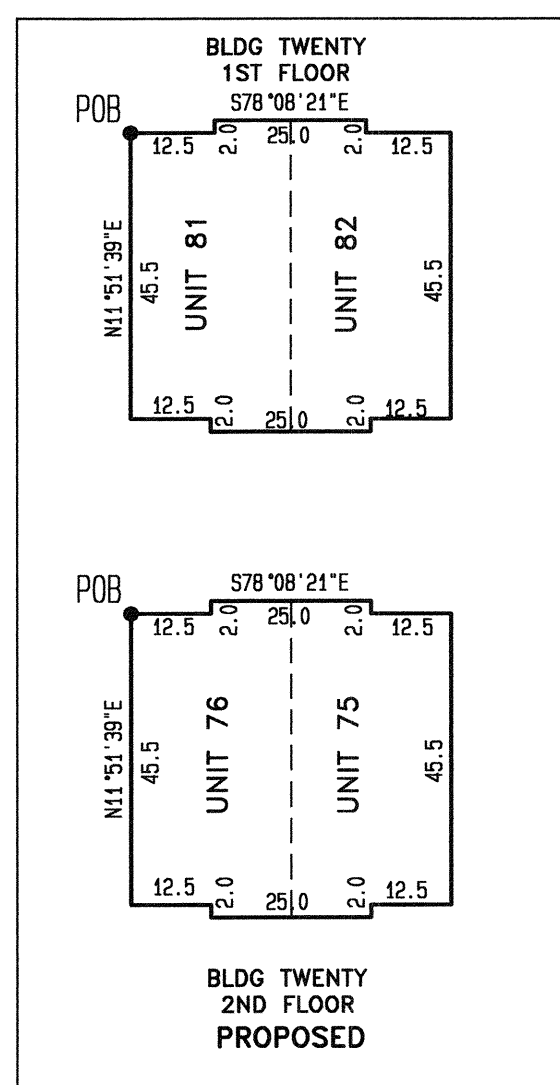
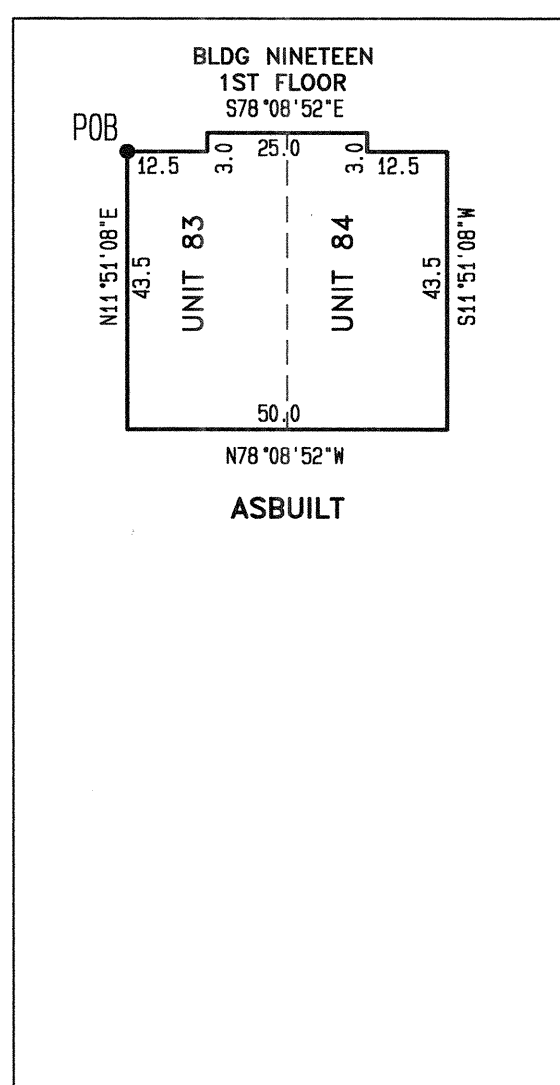
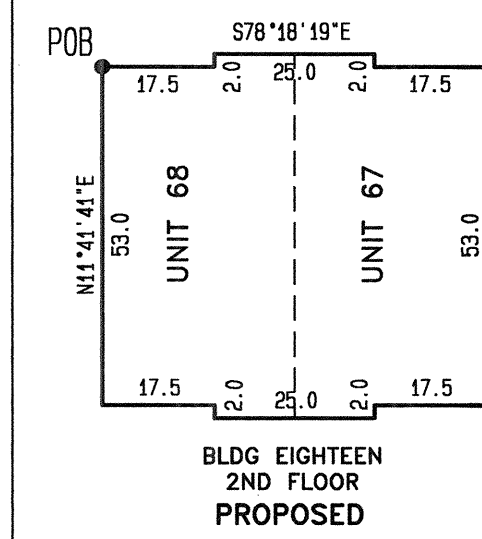
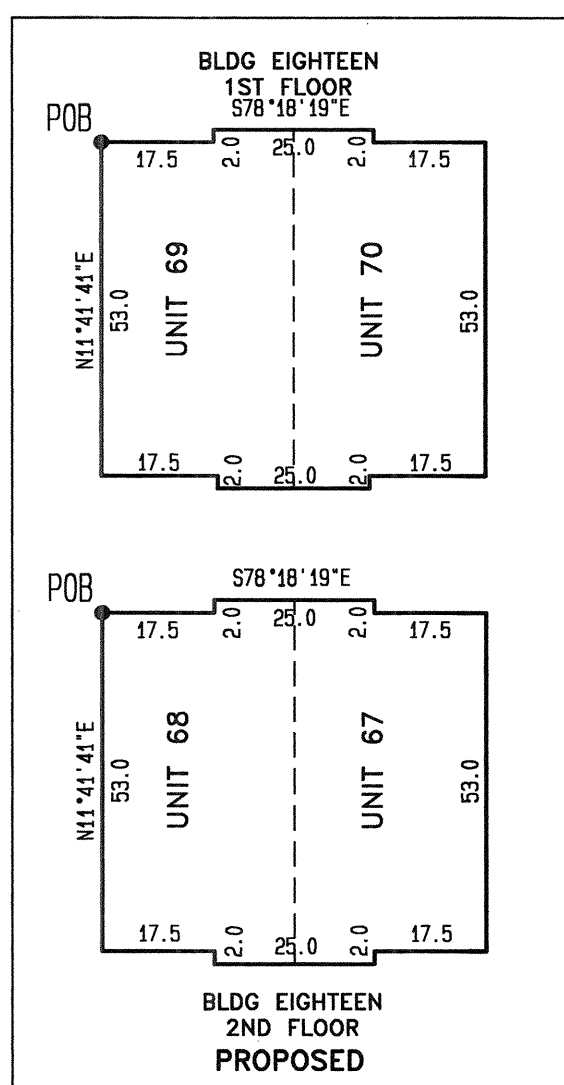
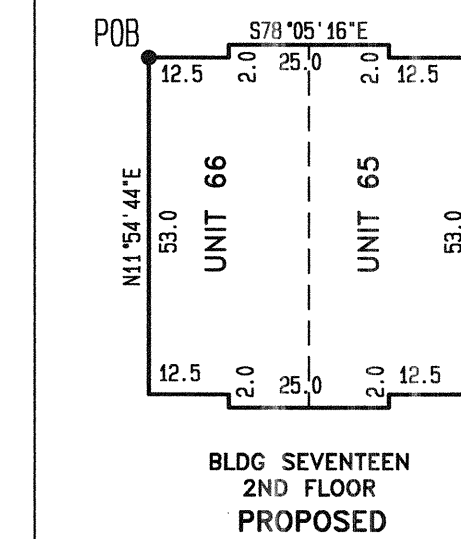
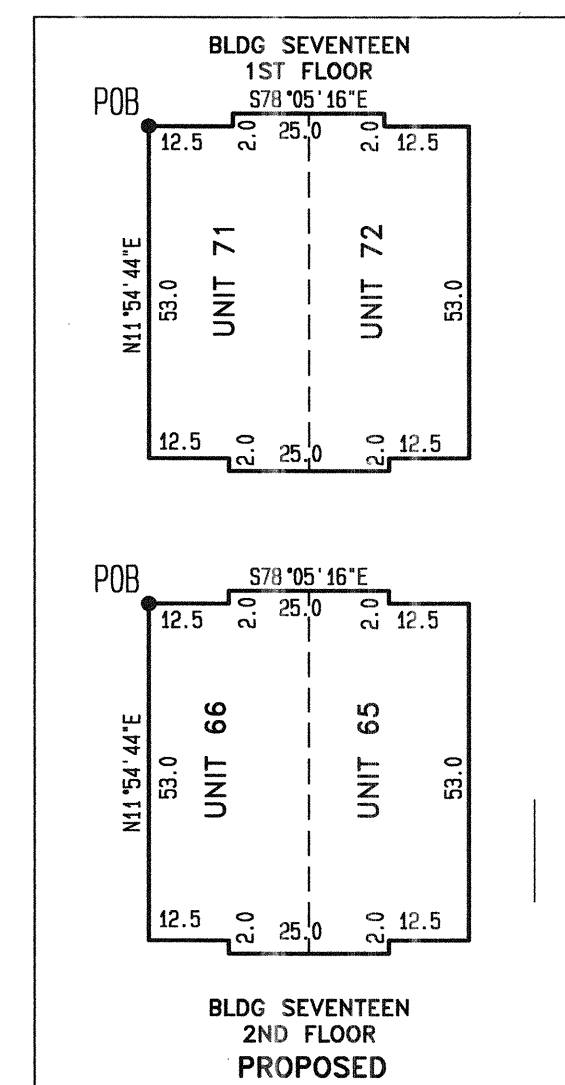
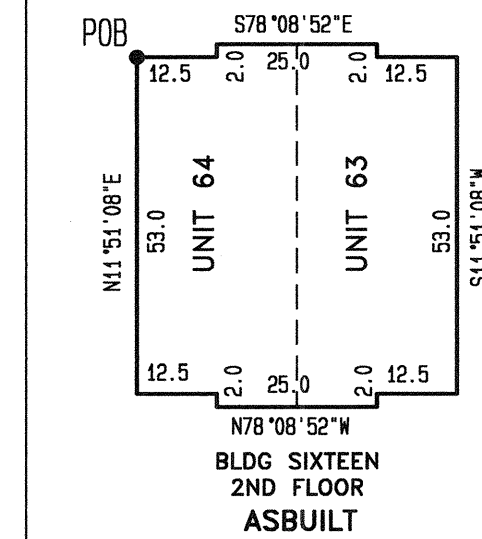
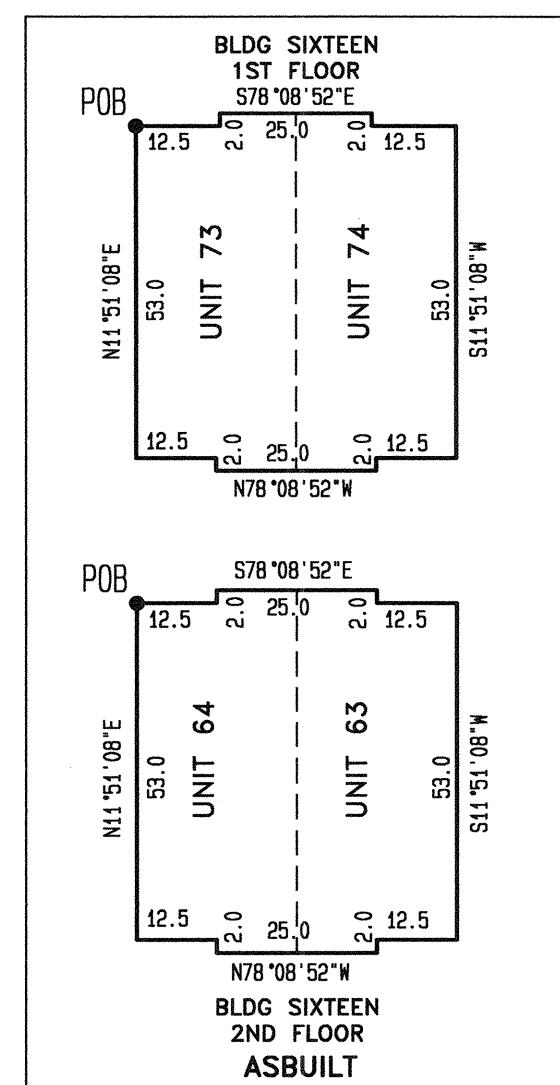
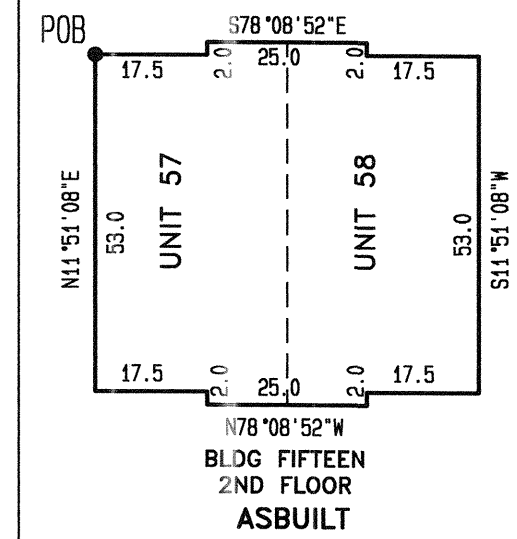
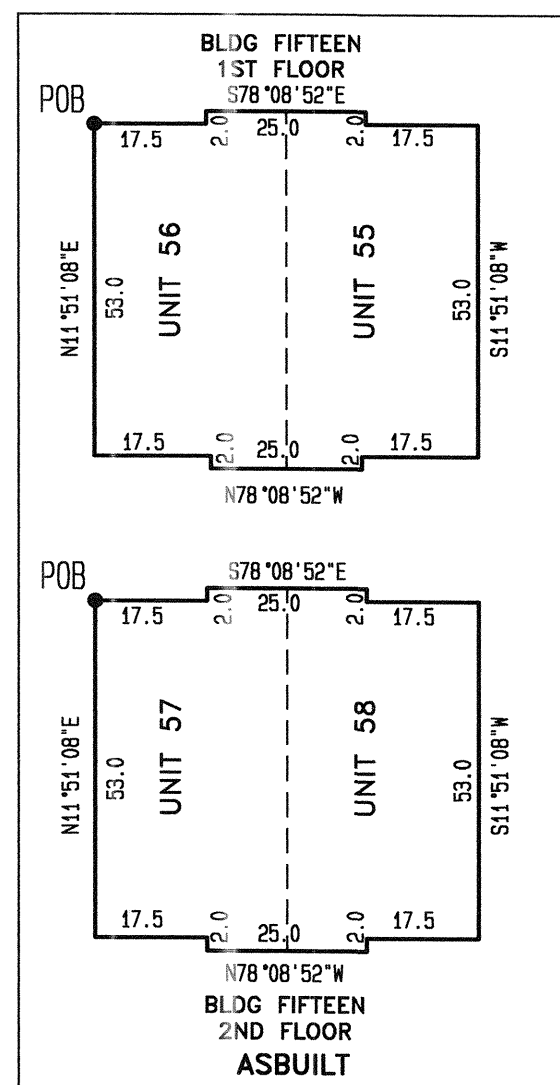
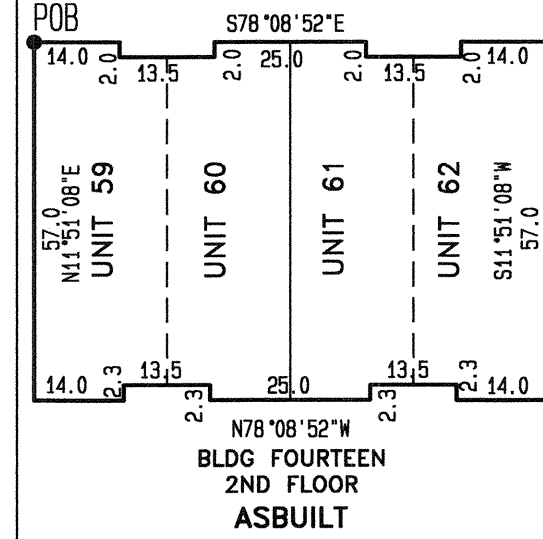
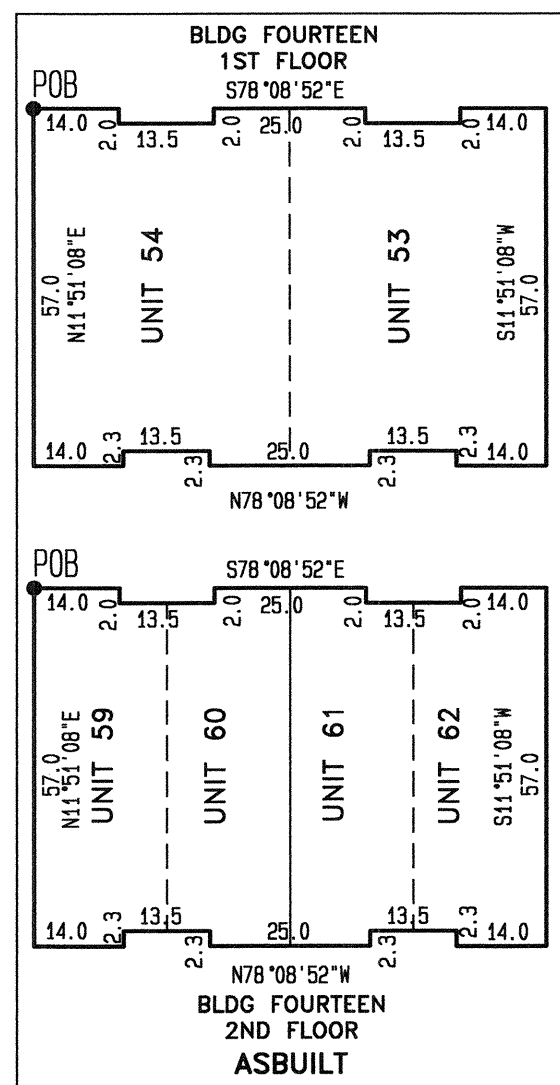
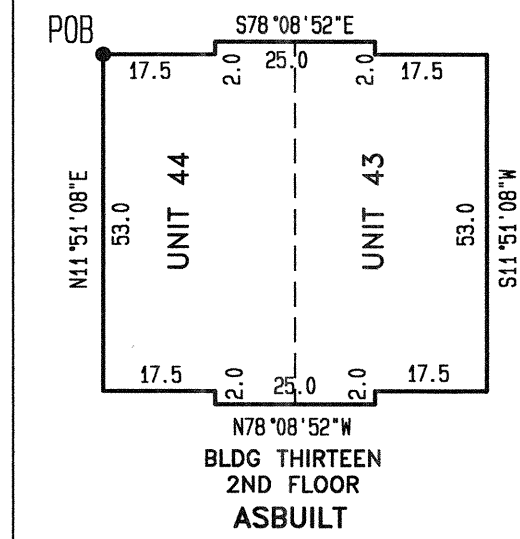
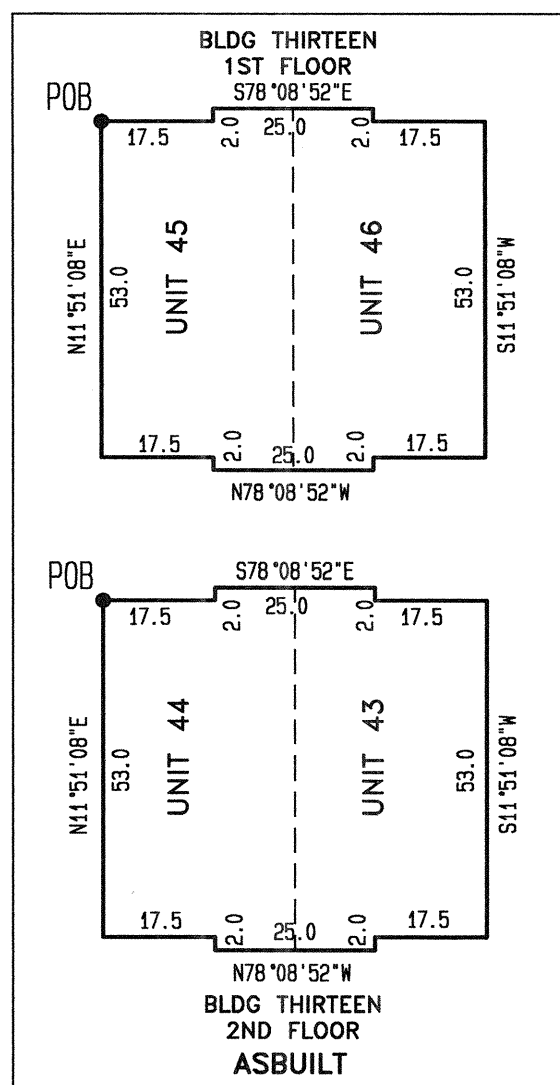
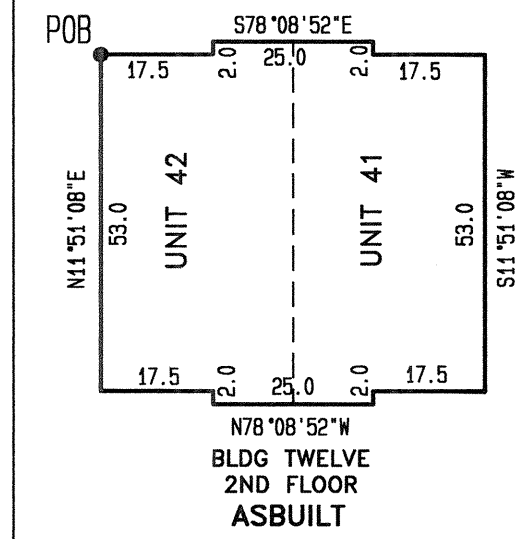
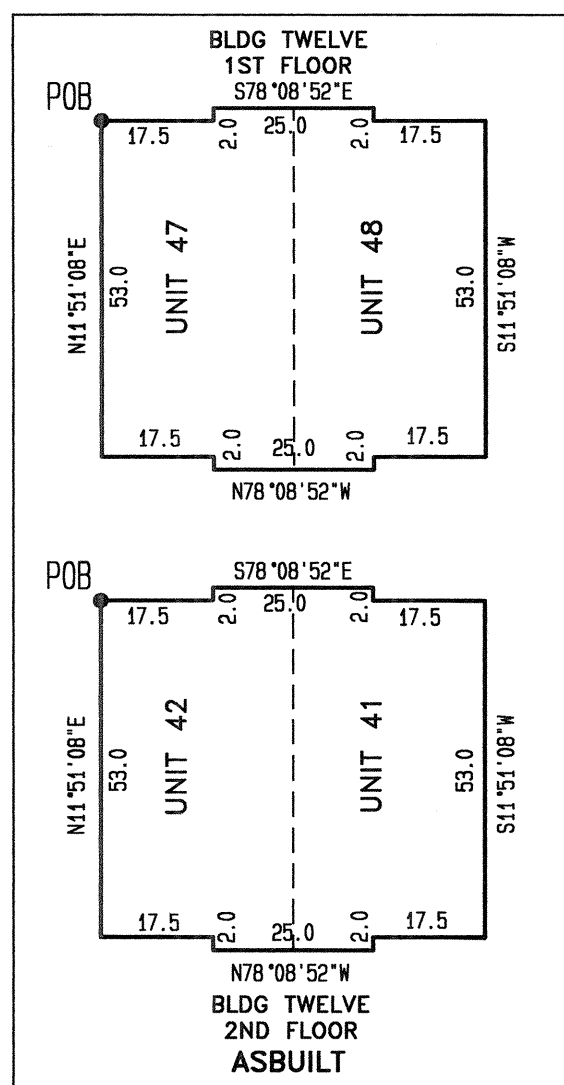
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SHEET:	5 OF 9

CONDO PB 16 - 618
11/14/2005

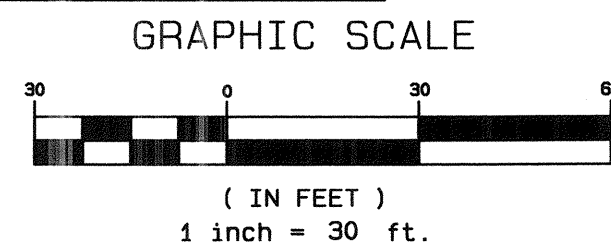
OC

12.304



CONDO PB 17 - 141
08/04/2006

BUILDING DETAILS



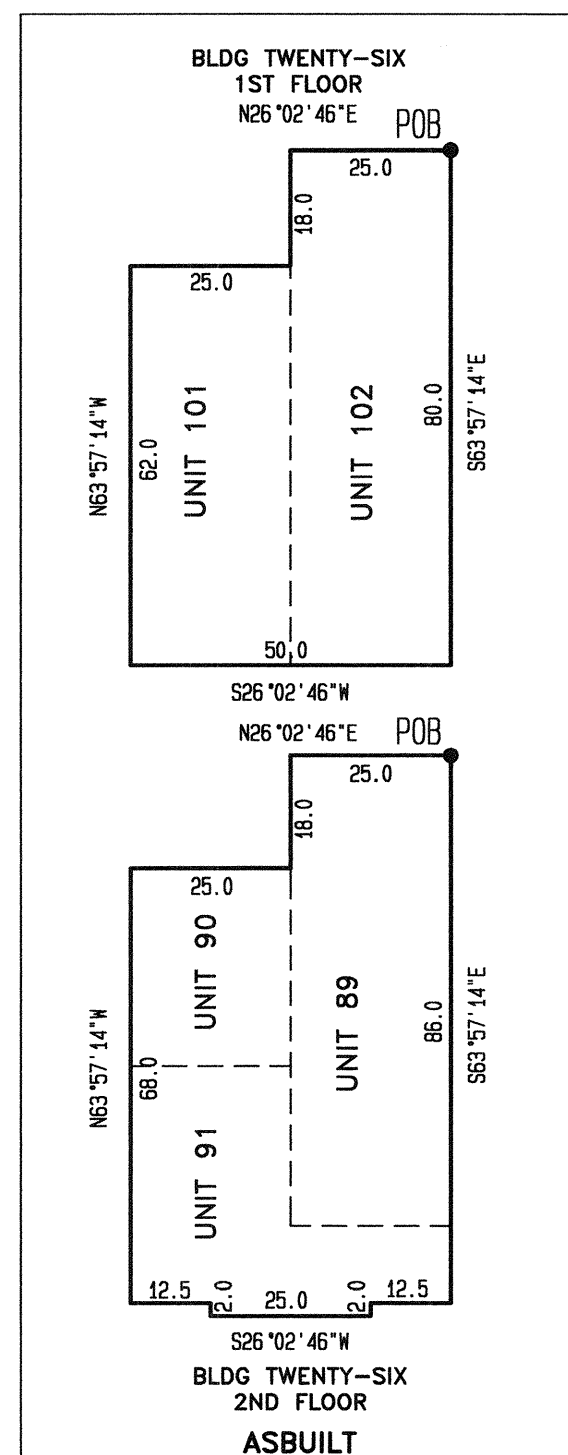
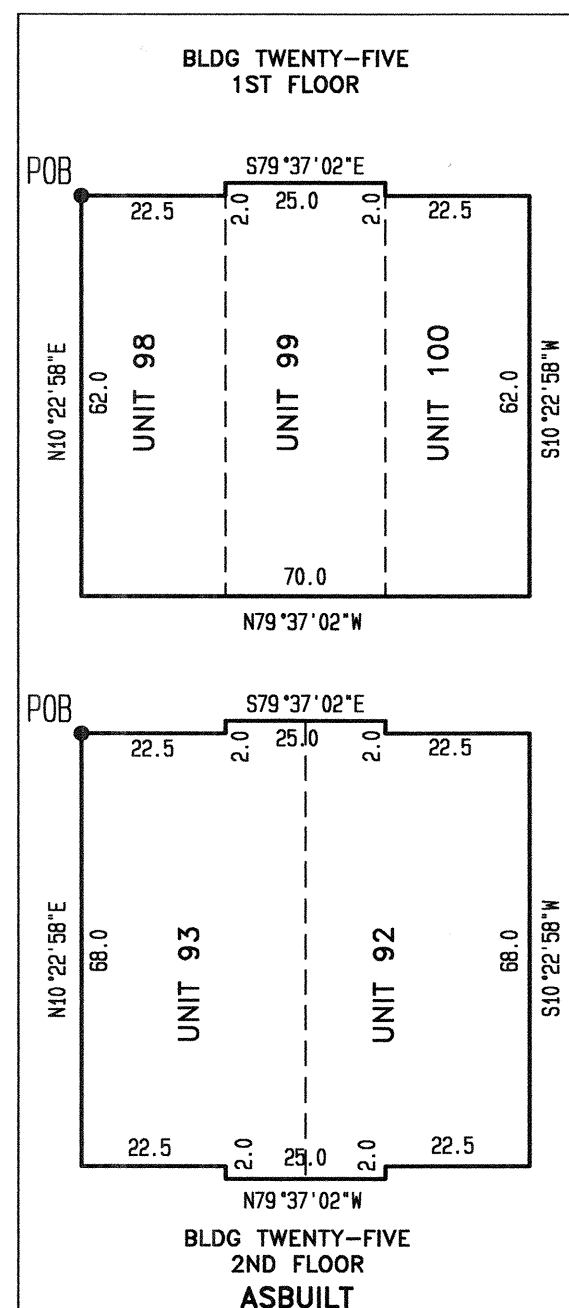
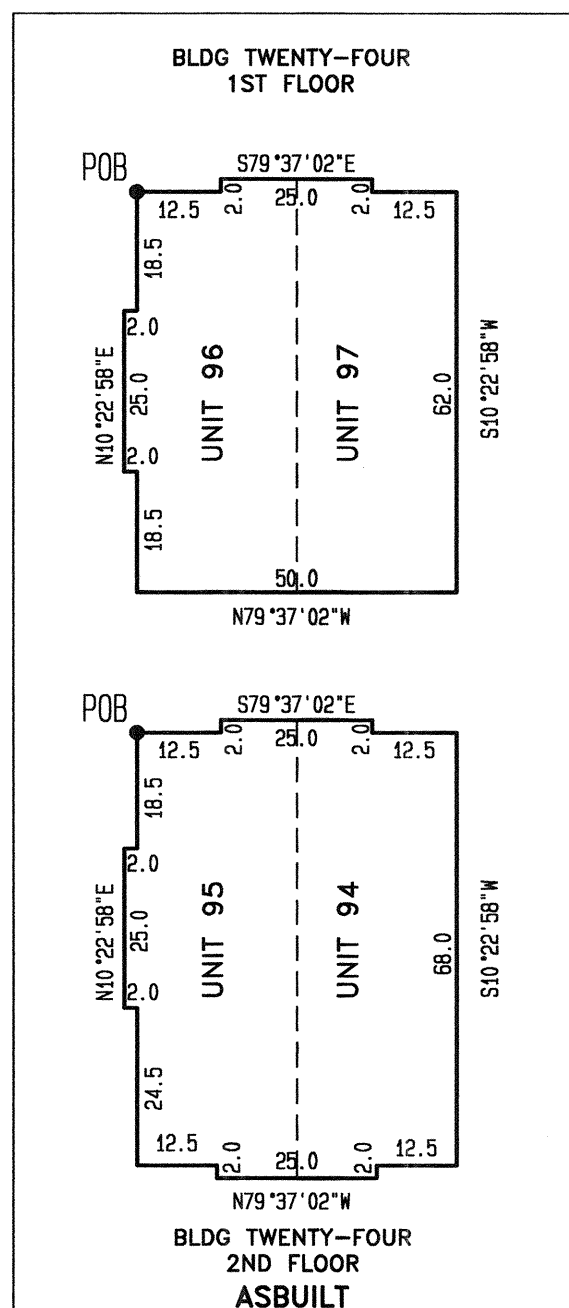
CONDOMINIUM PLAT OF
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COUNTY:	FULTON
PLAT FILE:	B
SHEET:	6 OF 9



CONDO PB 17 - 142
08/04/2006

CONDO PB 16 - 619
11/14/2005

BUILDING DETAILS

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

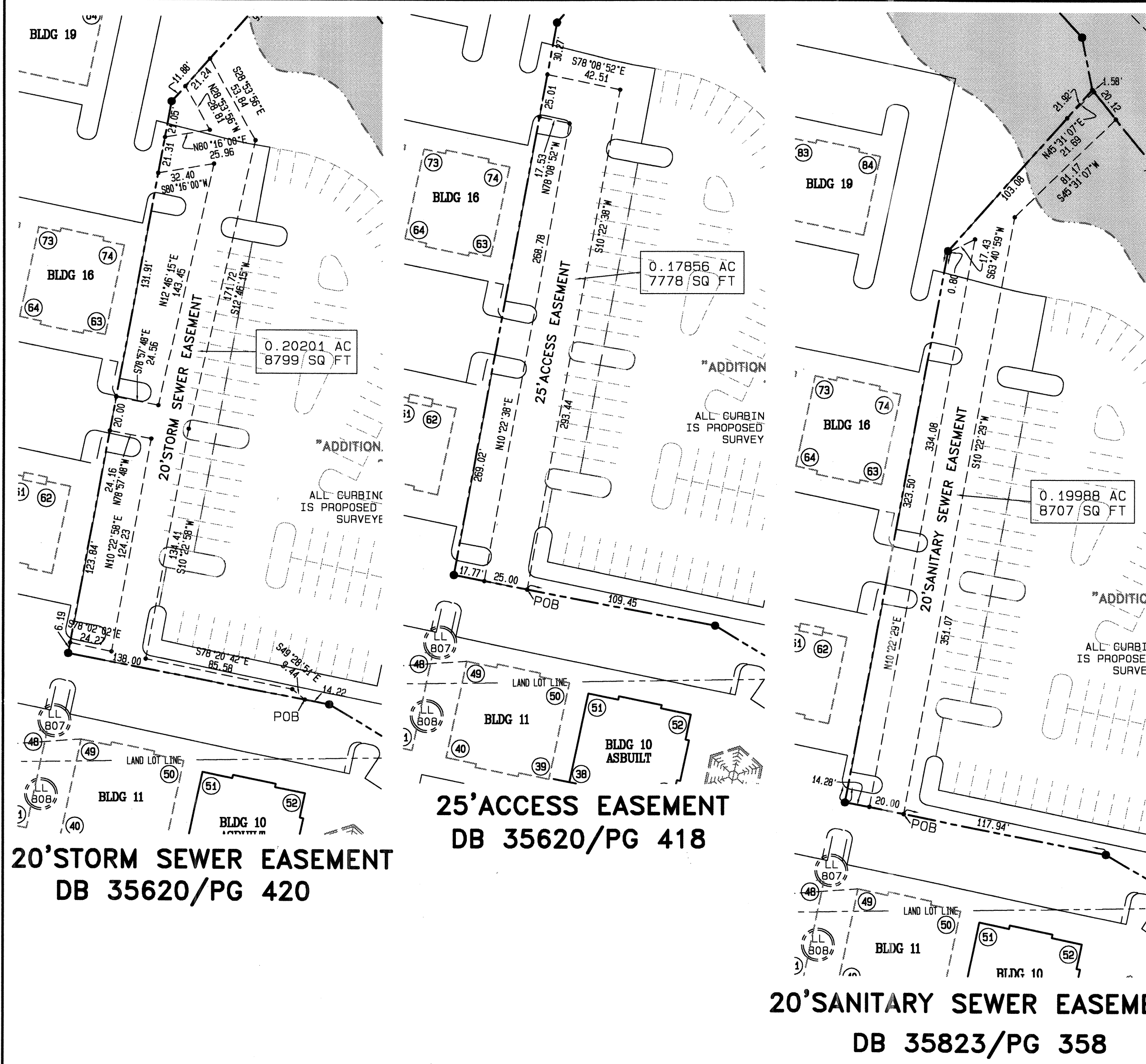
CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA



W&B
WATTS & BROWNING ENGINEERS, INC.
CIVIL ENGINEERS & LAND SURVEYORS
5582 PEACHTREE ROAD
ATLANTA, GEORGIA 30341-4953
PHONE: (770) 451-7453
FAX: (770) 455-3955

REVISIONS		
NO.	DATE	DESCRIPTION
1	07/28/04	SEE REVISION NOTE #1, SHEET 1 OF 9.
2	11/22/04	SEE REVISION NOTE #2, SHEET 1 OF 9.
3	10/28/05	SEE REVISION NOTE #3, SHEET 4 OF 9.
4	06/27/06	SEE REVISION NOTE #4, SHEET 4 OF 9.
5	08/31/06	SEE REVISION NOTE #5, SHEET 4 OF 9.

SCALE: 1"=30'
DATE SURVEYED: 02/27/03
DATE DRAFTED: 03/29/04
SURVEYED BY: P. CHANDLER
DRAWN BY: T. BATTLE/JJT
CHECKED BY: MH
FIELD BOOK #: 1986
JOB NUMBER: 020415
FOLDER NUMBER: 020415
COCO FILE: 573-NORPOINT
DISC FILE: G:\FINALS\020415
COUNTY: FULTON
PLAT FILE: B
SHEET: 7 OF 9



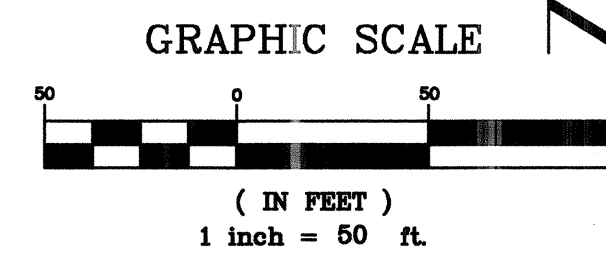
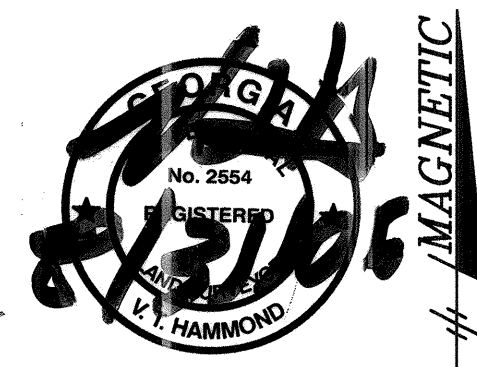
BOOK 265 PAGE 32
12.3.04

CONDO PB 16 - 620
11/14/2005

CONDO PB 17 - 143
08/04/2006

12.7.04

298



CONDOMINIUM PLAT OF
**NORTH POINT PARK
CONDOMINIUM**
LOCATED IN
LAND LOTS 807 & 808
1ST DISTRICT ~ 2ND SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

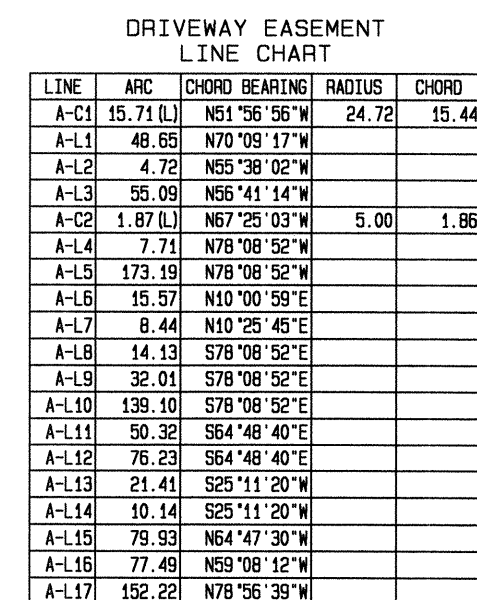
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W&B

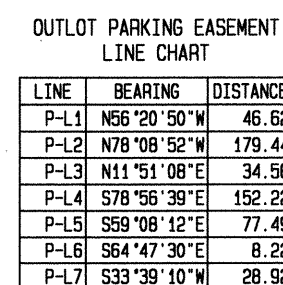
Watts & Browning Engineers, Inc.

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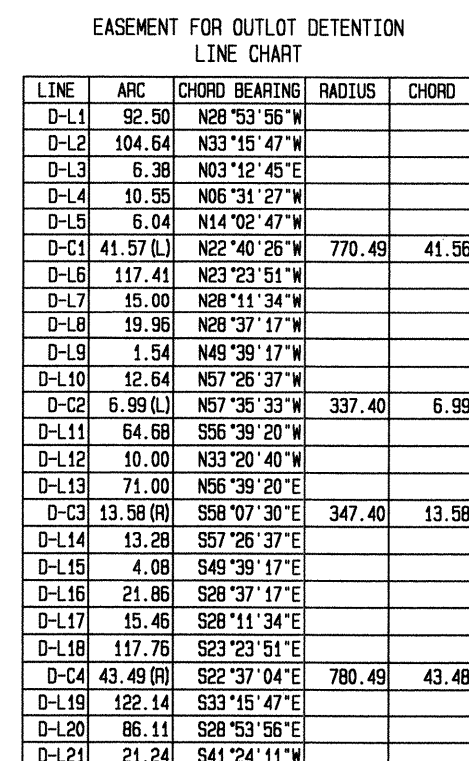
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COUNTY:	FULTON
PLAT FILE:	B
SHEET:	8 OF 9



**DRIVEWAY EASEMENT
DB 35620/PG 419**



**OUTLOT PARKING
EASEMENT
DB 35620/PG 421**



OUTLOT DRAINAGE AND
DETENTION EASEMENT
DB /PG

CONDO PB 17 - 144
08/04/2006

CONDO PB 16 - 621
11/14/2005

REVISIONS		
NO.	DATE	DESCRIPTION
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COUNTY: FULTON
PLAT FILE: B
SHEET: 9 OF 9

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CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

CITY COUNCIL SPONSOR: STAFF INITIATED

I. **AGENDA ITEM TITLE:** PH-24-01 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – GOLF COURSE TREE

REMOVAL/MINIMUM TREE CANOPY REQUIREMENTS

PLANNING COMMISSION: JANUARY 4, 2024

CITY COUNCIL: JANUARY 29, 2024

II. **REPORT IN BRIEF:**

Consideration of text amendments to the Unified Development Code (UDC). Amend UDC Subsection 3.2.3 Tree Conservation, Landscape, and Buffer Requirements – Exemptions, to exempt golf courses from tree removal requirements and require a 60% minimum tree canopy.

DISCUSSION

Staff recommends changes to UDC Subsection 3.2.3 Exemptions, to exempt golf courses from the provisions of Section 3.2 Tree Conservation, Landscape, and Buffer Requirements and require a 60% minimum tree canopy. Specifically, the text amendment would exempt golf courses from the City's tree removal permit requirements, if the golf course maintains a tree canopy coverage of at least 60%. Changes would not apply to areas of the golf course developed with permanent structures, such as parking lots, clubhouse, lodging, guest services, etc. In addition, the change does not apply to trees in stream buffers and new land development.

If approved, golf courses will be required to maintain a tree canopy coverage of at least 60% versus calculating tree inches. 60% tree canopy is double the canopy required in the city for detached single-family residential lots. Staff is recommending the change because golf courses, although close to 100% pervious, can be impacted by moisture and shade with an overabundance of trees. Golf courses require the ability to manage the various shade and moisture tolerances of the different types of turf grasses around the playing surfaces (tee box, fairway, green). Golf courses also must manage the playability of the course. Trees can be natural obstructions on a golf course and their presence can make the course more difficult.

The City Arborist and Golf Course Manager currently maintain a tally of replacement plantings for the removal of specimen trees. This is handled per the code and replacement trees are currently required at three times the inches removed. However, since most of the removals are being accomplished for turf grass management and playability, it is difficult to find new locations for replacement plantings without impacting these two objectives. Typical commercial and/or residential sites are not removing large amounts of trees and incurring extensive replacement plantings. A typical commercial property is only removing trees that need to be removed for safety purposes. Any replacement trees are typically planted back in the same or a similar location to meet the code requirements such as parking lot island trees,

landscape strip trees, or minimum tree density. The Golf Club of Georgia is currently at 62% canopy coverage and a 60% requirement would maintain tree canopy.

III. ATTACHMENTS:

- Subsection 3.2.3 Tree Conservation, Landscape, Buffer Requirements - Exemptions

SECTION 3.2 TREE CONSERVATION, LANDSCAPE, AND BUFFER REQUIREMENTS¹

3.2.1 General.

In order to maintain and promote the public health, safety and welfare, the City has established regulations governing the conservation, planting, and replacement of trees. The importance of trees is recognized for their contribution toward quality of life, visual quality of the city, and improved property values. It is the City's intent to prevent the indiscriminate removal of trees without denying the reasonable use and enjoyment of real property. It is also the intent of these regulations that all applicable sites within the City maintain or obtain minimum tree density, as defined herein. Consistent with the expressed purpose of these regulations, all persons shall make reasonable efforts to protect and retain certain existing, self-supporting trees as defined herein. Each person shall be responsible for the normal care of trees located on its premises.

- A. Willful injury or disfigurement of any tree growing within the City shall be a violation of this Ordinance.
- B. No person shall:
 - 1. Attach any sign, notice or other object to any tree or fasten wires, cables, nails or screws to any tree in a manner that could prove harmful to the tree.
 - 2. Pour any material on any tree or on nearby ground which could be harmful to the tree.
 - 3. Cause or encourage any unnecessary fire or burning near or around any tree.
 - 4. Construct a concrete, asphalt, brick or gravel sidewalk, significantly compact the soil, place fill material, or create other impervious or semi-impervious surfaces around any tree so as to cut off air, light or water from the roots of the tree so as to adversely impact the tree's root system.
 - 5. Pile building material or equipment around any tree so as to cause injury thereto.
 - 6. Deny routine maintenance, watering and reasonable arboricultural care to existing and newly established trees as may be required as a result of activities taking place under this Section.
 - 7. Remove any tree without Permit.
 - 8. Remove or prune a tree on commercial property during non-development activity unless they follow ISA industry standard protocols for pruning or have written approval from the Director.
 - 9. Park any vehicle on the unpaved area underneath existing tree canopies.

(Ord. No. 739 , 5-1-2017)

3.2.2 Definitions.

For the purposes of this Section, unless the context indicates otherwise, the following terms shall have the meaning set forth below:

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

Buffer. An area required to remain undisturbed or replanted where existing vegetation is sparse, as determined by the director.

¹Ord. No. 739 , adopted May 1, 2017, amended Section 3.2 in its entirety to read as herein set out. Former Section 3.2, Subsections 3.2.1—3.2.19, pertained to tree protection, and derived from the original codification.

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

Conifer Tree. Any tree with needle leaves and a woody cone fruit including, but not limited to, pine, juniper and cedar species.

Conserve. Protect from harm or destruction; preserve; save.

Critical Root Zone (CRZ). The minimum area beneath a tree which must be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. The Critical Root Zone will typically be represented by a concentric circle centering on the tree's trunk with a radius equal in feet to one and three-tenths times the number of inches of the trunk diameter. EXAMPLE: The CRZ radius of a twenty (20) inch diameter tree is twenty-six (26) feet.

Dead Tree. Any standing tree which is no longer alive or has the ability to sustain itself through natural processes as determined by a qualified professional.

Development Activity. Any alteration of the natural environment, which requires the approval of a development or site plan and issuance of a Land Disturbance Permit. Development Activity shall also include the "thinning" or removal of trees from land in conjunction with a forest management program, the removal or destruction of trees incidental to the development of land or to the marketing of land for development, the removal or destruction of trees in conjunction with any grading activity, including the removal or filling (stockpiling) of soil, and logging or the removal of trees not in conjunction with an ongoing forest management program. Nothing in this definition shall be deemed to require or authorize the issuance of a permit for any activity described herein.

Diameter Breast-Height (DBH). The standard measure of tree size (for trees existing on a site). The tree trunk is measured at a height of 4½ feet above the ground. If a tree splits into multiple trunks below 4½ feet, the trunk is measured at its most narrow point beneath the split.

Director. The Director of Community Development or designee shall administer and enforce the provisions of this Ordinance; provided, however, that a designee shall have no authority to revoke permits.

Georgia 400 Tree Protection Zone. All property within a horizontal distance of 120 feet of the right-of-way of Georgia 400. At major intersections on Georgia 400 having exit and/or entrance ramps the protection zone shall be reduced to 60 feet. The reduction shall apply for the length of each such ramp. The Georgia 400 Tree Protection Zone is a Buffer.

Grading Activity. Altering ground surfaces to specified elevations, dimensions and/or slopes; this includes stripping, cutting, filling, stockpiling and shaping or any combination thereof and shall include the land in its cut or filled condition.

Guidance Document. A document maintained by the City of Alpharetta Arborist that includes clarifications to requirements with examples and additional technical standards about tree protection, tree planting, species selection, and other information relevant to the protection and replanting of trees in the City of Alpharetta. The document may be revised by the City Arborist as conditions and technical standards evolve.

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

International Society of Arboriculture (ISA). A professional organization that promotes the professional practice of arboriculture, sets standards for obtaining professional credentials for arborist, and establishes best practices for tree care, pruning, and protection.

Land Disturbance Permit. A permit issued by the City that authorizes Development Activity and includes, but is not limited to, Soil Erosion Protection, clearing and grubbing, land disturbance and building construction.

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

Landscape Tree. A tree or trees that were planted or retained on a developed or previously developed site.

Lot Building Area. The area of a lot encompassed by front sides and rear yard setbacks or building line as required by City Ordinance and Subdivision Regulations.

Mass Grading. The grading within existing or across proposed property lines including the removal of trees and disturbance of soils in order to prepare a site for construction where buildings are not approved.

Mulch. An organic material spread around the base of a plant or on a plant bed to enrich and insulate the soil. Types of mulch include Pine Straw, Shredded Hardwood, Wood Chips, and Bark Chips. Mulch should be free of disease and pests. Synthetic or artificial mulches are not acceptable for use in the City of Alpharetta.

Non-Development Activity. Any alteration of the natural environment which does not require development or site plan approval, but which would include the proposed removal or destruction of any tree(s). Any removal of trees that constitutes Development Activity as that term is herein defined shall not constitute non-development activity.

Ornamental Tree. A tree that provides a visual impact in the landscape. The impact may be provided through form, bark, branching structure, leaf color, and/or flower color. Typically a small or medium size tree.

Overstory Tree. Those trees that compose the top layer or canopy of vegetation and will generally reach a mature height greater than 40 feet and typically have a spreading canopy.

Permit (Tree Removal Permit). An official Permit for tree removal issued by the City of Alpharetta.

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

Pine Tree. An evergreen coniferous tree that has clusters of needle-shaped leaves.

Plantable Area. The pervious surface area available for the preservation or planting of trees. Plantable Area shall not include that portion of the lot that is covered by buildings and structures permitted pursuant to the maximum lot coverage standards of this Ordinance.

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

Pruning (Tree Pruning). To cut away dead, overgrown, or undesirable branches or stems. Pruning of trees to be done in compliance with standard arboricultural practices as outlined in ANSI A300 and shall maintain the trees natural form and structure.

Qualified Professional. An International Society of Arboriculture (ISA) Certified Arborist, an American Society of Consulting Arborists (ASCA) Registered Consulting Arborist, or a Registered Forester.

Recompense. Replacement of trees or payment into the City held tree fund for the removal of Specimen Trees.

Replacement Planting. The planting of trees on a site that before development had more trees, and after development shall have less trees per acre.

Responsible Party. Any individual, firm, principal, or other entity who is a signatory to a Tree Removal Permit Application or Land Disturbance Permit for Development Activity or any person or company caught in the act of tree removal without a City-issued permit, or who violates any other provision of this Ordinance.

Shade Tree. Any tree that has a spreading canopy that provides partial to full shade to the ground with a minimum height of 20 feet.

Semi-Pervious. Hardscape, aggregate or porous paver that allows at least fifty percent (50%) of surface water to pass through the manmade material and into the underlying soil.

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

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

Size Criteria:

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

See additional requirements for Specimen Trees in "The Guidance Document."

Street/Streetscape Tree. Any tree located or proposed to be located along a public or private street. The actual location will be determined by the specific zoning district or overlay. In situations where there is limited planting space in the right-of-way and or safety concerns, street trees may be located at the back of the sidewalk or within the landscape strip on private property and the discretion of the Director.

Structural Root Plate. The zone of rapid root taper that provides the tree stability against wind throw. The radius of the structural root plate is equal to 0.5 feet per inch of DBH.

Timber Harvest. Harvesting of timber from sites as a timber management activity as part of a demonstrated ongoing agricultural land use.

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

Tree Care Plan. A plan developed to provide an impacted tree the best possible chance of survival. A tree care plan should be prepared by a qualified professional and conform to the requirements of ANSI A300 and the Guidance Document

Tree Density. A measurement of trees on a property, expressed as inches per acre. For existing trees density is calculated based on DBH. For proposed trees tree density is calculated based on the caliper.

Tree Grouping. A community of trees as determined by the Director to merit special consideration as an ecological feature based upon species composition, form, structure, age, and condition. Specimen trees and trees of quality may be included in tree groupings and every alternative should be evaluated to save these trees. Except as otherwise provided in Section 3.2., Tree Groupings will be treated as specimen trees for preservation credits and every alternative should be evaluated to save these trees.

Tree of Quality. A tree that merits special consideration due to historical significance, ideal shape and structure, or uniqueness of the species as determined by the Director. Except as otherwise provided in Section

3.2., Trees of Quality will be treated as specimen trees for preservation credits and every alternative should be evaluated to save these trees.

Tree Removal or Removal of Trees. Removal of trees through an act of cutting down a tree or any act which causes a tree to die within 2 years after commission of the act or impedes the ability of the tree to sustain itself, including but not limited to damage inflicted upon the root system, trunk, or canopy as a result of:

1. The improper use of machinery on the trees;
2. The storage of materials in or around the trees;
3. Soil compaction;
4. Altering the natural grade to expose the roots or to cover the tree's root system with more than 4 inches of soil;
5. Causing the infection or infestation of the tree by pests, fungus or harmful bacteria;
6. Pruning judged to be excessive by the Director or not in accordance with the standard set forth by the International Society of Arboriculture (ISA);
7. Paving with concrete, asphalt or other impervious surface within such proximity as to be harmful to the tree or its root system; and
8. Application of herbicides or defoliant to any tree without first obtaining a permit.

Tree Planting List. List of preferred tree species for use in the City of Alpharetta. Species not included on this list may be approved at the discretion of the Director. The Tree Planting List is included in the Arborist Guidance Document.

Tree Protection Area. An area encompassing the critical root zone of a tree that shall remain in an a pervious state.

Tree Save Area. An area designated for the purpose of meeting tree density requirements, saving natural trees, and/or preserving natural buffers that shall remain in a pervious state.

Understory Trees. Those trees that grow beneath the overstory, and will generally reach a mature height less than 40 feet. Understory trees may include coniferous trees that meet these same height characteristics.

Zoning Districts. Those areas as defined in the Zoning Ordinance and shown on the Zoning Map.

(Ord. No. 739 , 5-1-2017; Ord. No. 749 , § 4, 9-18-2017; Ord. No. 769 , § 1, 11-12-2018; Ord. No. 850 , § 1(Exh. A), 1-3-2023)

3.2.3 Exemptions.

- A. The following shall be exempt from the provisions of this section:
1. The removal of trees with a Permit.
 2. The removal of trees from horticultural properties such as farms, nurseries or orchards. This exception shall not be interpreted to include timber harvesting incidental to development of the land;
 3. The necessary removal of trees by a utility company within dedicated utility easements;
 4. The removal of trees on public rights-of-way conducted by, on behalf of, or any activity pursuant to work to be dedicated to, a federal, state, county, municipal or other governmental agency in pursuance of its lawful activities or functions in the construction or improvement of public rights-of-way;
 5. The removal of trees from lakes and detention ponds, and drainage easements, unless specifically planted to be part of the stormwater system; or

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6. The removal of any tree which is dead or has become or threatens to become a danger to human life or property;

7. The removal of trees from golf courses that maintain a tree canopy coverage of at least 60%. This exemption shall not apply to development of land, or areas previously improved as clubhouse, lodging, guest services, parking lots, or other similar areas, or removal of trees in stream buffers.

- B. Notwithstanding the foregoing, all reasonable efforts shall be made to save specimen trees and trees of quality, and tree groupings.
- C. Nothing in this section shall be deemed to authorize, directly or indirectly, the removal of a tree from the Georgia 400 Tree Protection Zone or any buffer.

(Ord. No. 739 , 5-1-2017)

3.2.4 Permit required for non-development activity (activity which does not require a building permit, etc.).

- A. Except for routine or seasonal pruning or transplanting of trees, and except as exempted, no person shall engage in any Non-Development Activity as defined without first obtaining a permit. The request for a permit shall be submitted to the Director in the form of a tree removal permit application through the City process and shall include:
 1. The reason for the proposed work
 2. Either a site sketch or photograph of the tree(s) proposed to be removed, identifying such tree(s) by size and species.
 3. Specimen Trees shall only be approved for removal if they are in declining health or as approved by the Director. If a request includes a Specimen Tree, the applicant shall provide a risk assessment or similar report, following currently accepted industry standards and protocols, prepared by a qualified professional outlining the condition of the trees and associated risks.

If the request for a permit is complete, complies with the Ordinance, and requests tree removal for one of the purposes identified in Paragraph B below, the Director shall issue a permit no later than ten (10) working days from receipt and shall inform applicant if replanting will be required. If the request is incomplete or denied, the Director shall notify applicant in writing regarding the specific reason for denial.

- B. The Director shall issue a permit for the following:
 1. The removal of dead, substantially injured, damaged or diseased trees;
 2. The removal of any non-specimen tree, provided the tree is not a required landscape strip tree, buffer tree, or other code required trees and that the applicable minimum tree density requirement is maintained.
 3. The removal of any specimen tree, landscape strip tree, buffer tree or other code required tree with a replanting agreement approved by the director.

(Ord. No. 739 , 5-1-2017)

3.2.5 Land disturbance permit for development activity.

- A. No person shall engage in a Development Activity and no Land Disturbance Permit shall be issued without first obtaining an approved site plan stamped and signed by the Director.
 1. Trees and/or soils shall not be disturbed or removed in order to pad grade or mass-grade a site unless building construction is imminent. In order to be imminent, proposed buildings shall require approval.

-
- B. Except as provided in Section 3.2.4 and Paragraph (c) of this subsection, no tree removal shall be approved for any site not under active development. For the purposes of this Ordinance, a site is not under active development unless there exists an approved development plan delineating the improvements to be constructed on the site consistent with the use for which the site is zoned, and there is a reasonable certainty that construction is imminent.
- C. A Land Disturbance Permit may be issued for Grading Activity on a site not under active development provided that:
1. The sole purpose of the Grading Activity is for the storage, removal or altering of soil for fill balancing on another site under active development;
 2. The site not under active development must be under common ownership or common development control with the site that is under active development;
 3. The site not under active development must be contiguous to, or located within one (1) mile of, the site under active development. For the purposes of this Section, the measurement of distances shall be from property line to property line along the most direct route of travel on a public road;
 4. The proposed Grading Activity shall not result in the damage or removal of more than ten percent (10%) of the total tree density (inches per acre) on the site not under active development;
 5. The proposed Grading Activity shall not decrease the tree density below the minimum inches per acre required for the site. For the purposes of this Section, trees in Buffers that will be required shall be excluded from minimum density calculations;
 6. The area to be disturbed within the site shall be the area that will have the least adverse impact on existing trees, Specimen Trees, Trees of Quality, and Groupings of Trees as determined by the Director. In addition, the area must be visually screened from public or private roads and drives, developed residential and commercial properties, by a one hundred foot (100') buffer or a buffer of sufficient depth to provide reasonable visual screening. In order to provide reasonable visual screening, it may be necessary to locate access roads to the impacted area in a winding manner to prevent a straight line of site to the impacted area; and
 7. The disturbed area within the site shall be replanted with trees to a tree density of 130 inches per acre no later than eighteen (18) months from the issuance of the Land Disturbance Permit authorizing the Grading Activities. A tree replacement plan and a bond shall be submitted and approved by the Director prior to the issuance of the permit authorizing the Grading Activities. The completion bond shall be held until the planting is complete and at that time transfer to an eighteen (18) month maintenance bond to ensure survival of the replacement trees. The applicant shall be responsible for the irrigation (watering) of trees during the period of the bonds. The replanting requirements of this Section shall not apply, and the initial bond shall be released, if, on or before fifteen (15) months from the issuance of the permit authorizing the Grading Activity, the site becomes under active development pursuant to the issuance of a Land Disturbance Permit and the approval of development plans in compliance with the provisions of this Ordinance.
- D. Nothing in this Section shall be deemed to authorize any Grading Activity or similar activity not otherwise in compliance with the Land Subdivision Regulations of the City of Alpharetta, including, the Soil and Sedimentation Control Ordinance. Further, nothing in this Section shall be deemed to eliminate the requirement that all reasonable efforts must be taken to save and not adversely impact the Critical Root Zones of Specimen Trees, trees of quality, and tree groupings and that all applicable sites from the City shall maintain or obtain the minimum tree density required by this Ordinance.

(Ord. No. 739 , 5-1-2017; Ord. No. 769 , § 2, 11-12-2018)

3.2.6 Application requirements.

- A. When a person applies for a Land Disturbance Permit as defined herein, such person shall provide the following information:
1. A complete tree survey and inventory, which shall contain the following information:
 - a. All Specimen Trees, Trees of Quality, Tree Groupings, Landscape Trees, and Boundary Trees on the site and within 30 feet of the limits of disturbance; with an indication whether they are to be retained or removed;
 - b. All trees that are to be counted toward the tree density requirement greater than 2" DBH, including size (Caliper or DBH) and species. Sampling methods may be used to determine tree densities for forested areas (over 5 acres) that are to be preserved. Sampling methods must conform to industry standards and protocols and be no less than a 10% sample;
 - c. Tree Protection Zones and Tree Save Areas must be delineated on the plan;
 - d. All buffers with existing trees to be delineated on plans as Tree Save Areas. Land Disturbance within any Buffer is subject to Director approval;
 - e. The tree survey and inventory shall be a to-scale map or a site plan prepared and sealed by a registered surveyor.
 2. An integrated site plan showing Specimen Trees, Trees of Quality, Tree Groupings, Boundary Trees, the trees to be saved and those to be removed, existing utilities and those to be installed, grading, the approximate location of all structures, driveways and curb cuts and all proposed tree plantings and other landscaping. It is required that all reasonable efforts be made to save Specimen trees, Trees of Quality, Tree Groupings. (Reasonable efforts shall include, but not be limited to, alternate building design, building location, parking area layout, parking area location, stormwater BMP locations and the like).
 - a. If a Specimen Tree, Tree of Quality, or Tree Grouping cannot be saved a hardship justification in the form of a letter shall be submitted to the Director for review and approval and be included within the plan set;
 - b. If a Boundary Tree cannot be saved or results in an encroachment into the Critical Root Zone of greater than 10%, evidence of notification to the owner of the tree will be required to be provided to the Director. This notification shall generally include the current condition of the tree, % encroachment, potential outcomes of the encroachment, and proposed tree care to offset the encroachment. In no way does this authorize any encroachment into the Structural Root Plate of a Boundary Tree.
 3. A detailed plan to protect and preserve landscaping and trees before, during and for a period of two (2) years after construction, which shall contain the following information:
 - a. All items found on the Arborist Checklist located in the Arborist Guidance Document;
 - b. Existing roads, utility lines, drainage and detention facilities, and other pertinent items in the vicinity of the site.
 - c. The locations of existing and proposed structures, paving, driveways, cut and fill areas, detention areas, etc.
 - d. Phase lines or limits of construction;
 - e. A delineation of all protected zones with any required dimensions;

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- f. Calculations showing compliance with the required Tree Density and Recompense per section 3.2.7
 - g. Locations of all existing and proposed utility lines and easements;
 - h. Locations of any boring sites for underground utilities;
 - i. Locations of all Specimen Trees, Trees of Quality, Groupings of Trees, Landscape Trees and Boundary Trees and indications whether they are to be removed or preserved;
 - j. Locations of all tree protection devices, materials to be used in each location and details;
 - k. A delineation of tree save areas in which trees have been inventoried for density calculations;
 - l. If applicable, locations and details of all permanent tree protection measures (tree wells, aeration systems, permeable paving, retaining walls, bollards, etc.); and
 - m. A tree care plan developed by a Qualified Professional designed specifically for each tree to be saved that warrants care due to the changes in site conditions or as approved by the Director. The tree care plan shall be prepaid prior to issuance of the land disturbance permit and a paid invoice provided to the City. In the event of a change in ownership, arrangements must be made to allow access for the tree care to continue throughout the required timeframe.
 - n. A full landscape plan meeting all of the requirements of this Section including tree density, recompense, landscape strip, parking lot tree coverage and screening, groundcover, hardscapes, etc. The landscape plan submitted shall be the one that is expected to be planted. Permit only plans will not be accepted by the Director.
 - o. Additional information as required on a case-by-case basis.

The above items may be integrated into the normal application requirements and submittals.

- B. Minor additions to existing development require only a sketch showing changes to be submitted to the Director for review and approval.

(Ord. No. 739 , 5-1-2017)

3.2.7 Minimum tree density and recompense requirements.

The intent and goal of these regulations is to insure that a minimum density of trees is maintained on all developed sites and that a significant amount of tree canopy coverage and pervious soil area is maintained throughout the City. The density requirement must be met whether or not a property or site had trees prior to development or any tree removal. The density may be achieved by counting existing trees 2" in diameter or greater to be preserved, planting new trees in accordance with the minimum standards of this Section, or some combination of the two. Vegetated runoff reduction measures which include trees also count toward the tree density requirement. Minimum tree density shall be calculated and established pursuant to the formula and analysis set forth in the Guidance Document.

- A. All sites within the City other than 'For-Sale' residential lots shall maintain or achieve a Minimum Tree Density of 130 inches per acre. The owner shall be subject to the minimum tree density requirement set forth in this paragraph, but the owner shall base the density calculations on the net site area excluding the acreage required for Buffers and infrastructure improvements (roads, utility lines, detention ponds, etc.). In no event shall a parking lot be considered an infrastructure improvement.
- B. All 'For-Sale' residential lots in the City shall maintain a minimum tree density of 130 inches per acre or provide a calculation as described in the Guidance Document that shows the lot meets or exceeds a 30% canopy coverage based upon trees growing within the property lines. For new construction or new plantings this calculation may be based upon the mature spread of the newly planted trees at 20 years

after planting. If replacement planting is required on a 'For-Sale' residential lot, it is encouraged to provide at a minimum a two-inch (2") caliper tree or larger in the lawn area in the front yard or landscape strip if space allows.

- C. Owners shall receive a density credit of two (2) times the inches for each Specimen Tree saved by utilizing an alternate design during development. Specimen trees that cannot be saved must be replaced with recompense plantings equal to three (3) times the DBH of the tree(s) removed. Recompense trees shall be a minimum of four-inch (4") caliper at time of planting. Trees of Quality or Tree Groupings shall receive a density credit of one (1) times the inches for each tree saved. Specimen Trees removed without prior approval shall be subject to the recompense replanting requirements as described in section 3.2.10 Tree Damage and subject to the applicable penalties as described in Section 3.2.17.
- D. An owner may request a reduction in recompense plantings, which may be granted at the discretion of the Director. The reduction shall be calculated considering Specimen Trees, Trees of Quality or Tree Groupings and other landscape amenities that are incorporated into the site plan utilizing an approved alternative design.
- E. In the event that Specimen Tree Recompense cannot be achieved through planting on the subject property, two alternative methods of compliance may, at the discretion of the Director, be approved: planting at a location remote from the project site; or, a recompense payment to the City of Alpharetta Tree Replacement Fund. The following standards have been established for administering these alternative recompense methods.
 - 1. The director must review and approve all requests for alternative recompense. In no instance shall 100% of the required recompense be met through these alternative methods. As many trees as can reasonably be expected to survive and thrive must be planted on the subject property. No permit shall be issued until the Director has approved the request and received the necessary documentation and/or funds.
 - 2. If trees are to be planted at another location, the off-site location should be in the same area of the City as the project site and a tree replacement plan meeting all applicable standards must be provided by the owner and reviewed and approved by the City Arborist. If tree planting is proposed on City property all specifications for such planting shall be met as determined by the Director of Public Works or the Director of Recreation and Parks. A completion bond in the amount of 100% of the installation and materials cost shall be provided prior to issuance of any land disturbance permit.
 - 3. If a recompense payment to the City of Alpharetta Tree Replacement Fund is approved, the amount of the donation shall be established by the Director. The amount of the recompense payment shall be 100% of the estimated costs of the average 3 bids from reputable landscape contractors, licensed to do business in the City, for the materials, installation, and care during the trees establishment period (18 months) provided by the owner and reviewed and approved by the City.

(Ord. No. 739 , 5-1-2017)

3.2.8 Tree Replanting, Buffer, and Landscape standards.

- A. Tree Replanting.
 - 1. Unless otherwise approved by the Director, it is recommended that trees selected for replanting be on the Recommended Tree List. Trees selected for planting must be free from injury, pests, disease, nutritional disorders or root defects, and must be of good vigor and form in order to assure a reasonable expectation of survivability. Standards for transplanting shall be in keeping with those

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(Supp. No. 18)

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- established in the International Society of Arboriculture publication Tree and Shrub Transplanting Manual or similar publication. Reference the American Association of Nurserymen publication American Standard for Nursery Stock (ANSI Z60.1-2014) for plant material quality specifications. Reference the Manual of Woody Landscape Plants (Michael Dirr, 2009, Stipes Pub LLC.) or similar publication for information on tree species and site requirements.
2. It is desirable that replanted trees be ecologically compatible with the site and neighboring sites. Accordingly, the replanted trees shall be of the same or similar species as those removed when practical.
- C. All replanted overstory trees shall be at least six (6) feet tall and have a trunk of not less than two (2) caliper inches. All replanted understory trees shall be at least four (4) feet tall or have a trunk not less than one (1) caliper inch. In order to provide sufficient growing area for planted trees, the following minimum criteria must be observed unless otherwise approved by the Director.
- a. No more than 25% of any one genus may be included in any replanting plan.
 - b. A minimum of 40% of the required tree density on a site is recommended to be met through overstory tree planting.
 - c. Greater than 50% of the trees shall be natives.
- B. Buffer Requirements.
1. A lot zoned or used for a rental dwelling, office, institutional, commercial, industrial uses or occupied by a non 'For-Sale' residential use shall provide a fifty foot wide undisturbed buffer along all property lines adjoining property zoned for or used by 'For-Sale' residential purposes. Where commercial or industrial districts or developments abut R-10M zoning districts, the same buffer requirements apply. The buffer shall be in addition to the required building setback line.
 - a. When a new, 'For-Sale' development is proposed adjacent to an existing, non-residential use with no buffer present, the 50' buffer must be provided by the residential development.
 - b. If a 50' buffer has been provided on the property adjacent to a proposed, non-residential development, the buffer requirement may be waived with the approval of the Director.
 2. Except as otherwise provided, herein, buffer strips shall be preserved in their natural undisturbed state, except that sparsely planted buffers shall be enhanced with additional plant material. Enhancement plants must provide an opaque screen within two (2) years of planting and must consist of trees, shrubs, and groundcover plants meeting the following standards:
 - a. Plant selection will consist of eighty (80) percent evergreen species and twenty (20) percent deciduous species;
 - b. Deciduous trees must be a minimum of 2 inch caliper at time of installation;
 - c. Evergreen trees must be a minimum of 9 feet tall at time of installation;
 - d. Shrubs must be a minimum of 3 feet tall at time of installation;
 - e. Plants will be spaced a maximum of eight (8) feet on center or as approved by the Director;
 - f. Plantings shall be designed with plant palette containing a mixture of colors, textures, and heights.
 3. Undisturbed buffers shall not contain any surface parking or storm water, detention facilities, or any structures except that the Director may approve underground facilities within the buffer or the crossing of the buffer for the purpose of extending utilities.
 4. The Director may approve vegetated runoff reduction measures within the buffer. The planting requirements above may be varied to accommodate vegetated runoff reduction measures as part of an

approved stormwater management plan, if properly designed to provide stormwater management and screening functions.

5. Stream buffers must be replanted where disturbed for approved access and utility crossing. Replacement plantings must be native and be arranged to have a natural appearance.
6. All buffer plantings are subject to the approval of the Director.

C. Parking Lot Landscaping.

1. Surface parking lots shall provide a minimum 200 square foot wide landscape island at the end of each parking bay, and a 200 square foot island located each 72 feet of single parking length. Each landscape island shall be planted with one shade tree. Islands shall be excavated to 3 feet deep or to a depth 6 inches greater than the height of the root ball and backfilled with a minimum of 600 cubic feet of friable soil. Islands that are 400 square feet or larger and corner islands shall be planted with a large overstory tree. Parking lot trees must be 2" caliper minimum at time of planting and have a clear trunk to a minimum height of 6 feet. The remainder of a landscape island shall be planted with shrubs, ornamental grasses, and ground covers; and mulch shall be applied. Turf grass will not be accepted. Utilities and lighting shall not be allowed within required parking lot landscape islands.
2. Alternate landscape configurations may be approved if the Director determines that the alternate design exceeds the standards above and/or is part of a smart stormwater design for the site that includes multi-functional, vegetated runoff reduction measures. An alternate configuration could also include a stormwater component or the preservation and enhancement of existing trees which are provided above and beyond other tree preservation requirements; which are deemed of community value by the Director; and shall result in a minimum of 50% parking lot canopy coverage within 15 years.
3. The required tree area shall be protected against compaction and shall provide sufficient area for tree growth. Utilities are not allowed within the minimum area. The trees shall be maintained in accordance with best management practices as defined by the International Society of Arboriculture guidelines, and shall not be removed or pruned without permission from the City Arborists.
4. Shrubs shall be provided to screen paved areas and parking lots from the public right-of-way, private drives and adjacent property year round. Shrubs shall be 2 feet tall at time of planting, 2 rows deep and shall provide a screen within 3 years of planting. Alternate screening methods such as fencing may be approved by the Director.

D. Landscape Strips.

1. The City wants to promote tree lined streets therefore, a minimum of ten (10) feet wide landscape strip shall be provided along all public right-of-ways and private roads. Main streets which are listed below shall have twenty (20) foot landscape strips, except those located within the Downtown Overlay District. which shall have ten (10) feet wide landscape strips or landscaping as approved by the Director.

MAIN STREETS:

Highway 9
Mansell Road
Windward Parkway
Northpoint Parkway
Westside Parkway
Old Milton Parkway

Haynes Bridge Road

Kimball Bridge Road

2. No permanent structures other than signage are permitted within the landscape strip. This includes pavement, retaining walls, drainage structures, detention ponds, flumes, curbing, etc. unless approved by the Director.
 - a. Retaining walls built with decorative masonry and designed as a landscape feature may be located within the landscape strip subject to approval by the Director. All required plantings must be installed so as not to interfere with the structural integrity of the wall.
 3. Actual spacing of street trees is based on the average canopy spread of the species selected as outlined in the Arborist Guidance document. If the spacing of shade trees exceeds 25 feet on center understory trees shall be required to fill in the gaps between each shade tree. Spacing of shade trees shall not exceed 40 feet on center. Shade trees shall be a minimum 4" caliper; ornamental trees shall be a minimum 3" caliper. The use of a combination of shade trees and ornamental trees is recommended.
 4. For commercial development and for master plan subdivisions, a minimum of five (5) foot landscape strip shall be provided along all property lines which do not adjoin a public right-of-way or private road. One (1) shade tree, minimum 4" caliper, shall be provided for every fifty (50) linear feet of landscape strip. For master plan subdivisions, this requirement is only required along the external property line of the overall project.
 5. Shrubs shall be provided in all landscape strips. Shrubs shall be a minimum of 2 feet tall at time of planting. Shrubs located in landscape strips may be used to meet the parking lot screening requirement.
- E. Additional screening shall be provided around all utility areas, detention facilities, dumpster/refuse areas, drive through areas, loading and unloading zones, etc. to screen views from the public right-of-way, private roads, drives, and adjacent properties year round. Screening shall be provided in any combination of the standards below or as approved by the Director.
1. Plant selection will consist of eighty (80) percent evergreen species and twenty (20) percent deciduous species;
 2. Deciduous trees must be a minimum of 2 inch caliper at time of installation;
 3. Evergreen trees must be a minimum of 6 foot tall at time of installation;
 4. Shrubs must be a minimum of 4 foot tall at time of installation;
 5. Screening for detention facilities must incorporate an alternating double row of evergreen shrubs 4 foot tall at time of planting.
 6. A combination of decorative walls, fences, and landscape material may be used with the approval of the Director.
- F. Lighting Fixtures shall be arranged so that the source of any light is screened from residential views and located as to not interfere with the tree canopy at time of planting or in the future.
- G. All required landscape areas shall be provided with a minimum of 1 water spigot or other water source within 150 feet.
- H. A bond shall be required for a minimum of 18 months to ensure the maintenance and irrigation of the landscaping materials.

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- I. All landscape plans and tree planting plans for non "For Sale" residential properties shall be prepared as a to-scale map or a site plan prepared and sealed by a Registered Landscape Architect in the State of Georgia. Tree only plans may be prepared by a Qualified Professional.
 - J. Outdoor Dining Areas. At-grade outdoor dining areas shall include perimeter landscaping and decorative detectable barriers in order to define the area. Detectable barriers shall include decorative planters, low walls or other improvement approved by the Community Development Director. Uncovered outdoor dining areas shall include one (1) shade tree per 750 square feet.
 - K. Tree Conservation. To preserve the character and existing tree canopy within the Downtown Overlay it is desired to maintain good quality trees. Specimen trees and trees of quality within the building setbacks along the roads listed below shall be conserved.

ROADS:

Academy Street
Canton Street
Church Street
Cumming Street
Marietta Street
Mayfield Road
Milton Avenue
Roswell Street

(Ord. No. 739 , 5-1-2017; Ord. No. 850 , § 1(Exh. A), 1-3-2023)

3.2.9 Tree Protection and Conservation Standards.

Prior to commencement of any grading, construction, or tree removal authorized through the issuance of a land disturbance permit and continuing until a final subdivision plat has been recorded or a certificate of occupancy has been issued, the following system shall be used:

- A. A tree protection area shall be required for any tree located within 30 feet of any proposed grading, construction or tree removal; and shall be established by physical barriers and maintained until such work is complete.
- B. Location and Types of Tree Protection Devices.
 - 1. Tree protection devices are to be installed as shown on the plan or otherwise completely surrounding the Critical Root Zone of all trees to be preserved.
 - 2. The plan shall indicate which types of tree protection are to be installed and where they are to be installed. The types identified on the plan shall be consistent with the City's Tree Protection Details, available in the Arborist Guidance Document.
 - 3. The locations of all tree protection devices will be verified by the City prior to the issuance of the construction permit for clearing and/or grading.
 - 4. Once Protected Zones are established and approved, any changes are subject to Development and Inspections Department review.
- C. Tree Protection measures are to be installed as shown on the City's Tree Protection Details, available in the Arborist Guidance Document.

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- D. Sequence of Installation and Removal. All tree protection devices shall be installed prior to any land disturbance permit authorizing tree removal. Community Development Department must inspect the installation of tree protection and erosion and sedimentation control devices prior to the issuance of the land disturbance permit. Tree protection must remain in functioning condition until the certificate of occupancy is issued.
 - E. The cleaning of equipment, storage of materials or dirt, disposal of waste materials such as paint, oil, solvents or other harmful substances, or any other such act which may be harmful to the continued vitality of the tree(s) within the tree protection area, is prohibited.

(Ord. No. 739 , 5-1-2017)

3.2.10 Tree damage.

Any tree designated in the plan to be saved, Including Trees of Quality and Tree Groupings, that is damaged during construction or grading, or as a result of such activities, shall be treated according to accepted International Society of Arboriculture Standards, or replaced with a tree(s) equal to the DBH of the tree removed. However, any Specimen Tree damaged as described above shall be replaced with a tree(s) eight (8) times the DBH of the tree removed with a minimum four-inch (4") tree Caliper. In the event that a damaged specimen tree must be removed, the location occupied by the tree's Critical Root Zone must remain in a pervious state with no structures or buildings placed in this area and violations shall be subject to the applicable penalties as described herein. Any specimen tree damaged on "For-Sale" residential lots as the result of failure to receive tree removal approval for non-construction tree removal or as a result of failure to protect a specimen tree during non-construction tree removal will result in up to three (3) times recompense.

(Ord. No. 739 , 5-1-2017)

3.2.11 Tree survey inspection.

Following the receipt of the completed tree removal application and supporting data, the Director shall schedule and conduct an inspection of the proposed development site. Following inspection, the Director shall advise the applicant of any recommended changes in the applicant's proposed tree removal, protection or replanting plans necessary to make the plans comply with the provisions of this Ordinance.

(Ord. No. 739 , 5-1-2017)

3.2.12 Tree removal applications, approval and expiration.

- A. The Director shall review all applications and supporting data and take one (1) of the following actions: approve, approve with conditions or disapprove. Applications, which meet the requirements of this Ordinance, shall be approved.
- B. Development Activity will not be authorized until such time as appropriate Land Disturbance Permits have been issued and approval granted.
- C. Tree removal and replacement shall begin no later than one hundred eighty (180) days after issuance of the permit and shall be completed no later than two (2) years after the issuance of the permit. Except as provided in these regulations authorizing certain cut and fill activities. The Director may refuse to issue any permit for tree removal until the submission of all development plans and receipt of other evidence satisfactory to the Director that there is a reasonable certainty that the Development is imminent.

(Ord. No. 739 , 5-1-2017)

3.2.13 Tree removal and landscaping compliance inspection.

- A. Following the issuance of a Land Disturbance Permit for the development site, the Director shall from time to time inspect the site for the purpose of certifying compliance with the requirements of the tree removal. In the event of non-compliance, the Director may revoke or modify any City permit pertaining to the Development Activity for which the Land Disturbance Permit has been issued. No certificate of occupancy shall be issued until actual compliance is obtained.
- B. If any required Land Disturbance Permit conditions have not been met within the time specified in the Land Disturbance Permit, and provided the Director has not granted a written extension, the City may use the cash or bond proceeds to insure that these conditions are met. The bond will have an expiration date no longer than one (1) year, and the proceeds will go to the City of Alpharetta Tree Replacement Fund.
- C. After development is complete, the Director shall continue to make random inspections to insure that required trees and landscaping are maintained. Replacement shall be required or bond/letter of credit posted within thirty (30) days of notice by the Director should any of the tree(s) or landscaping die, be removed or be destroyed.
- D. Notwithstanding any other provision of this Ordinance to the contrary, a home builder's responsibility to replace a newly planted tree or trees shall terminate upon the issuance of a certificate of occupancy or at the end of the maintenance bond time frame, whichever is longer, provided that an inspection conducted immediately prior to the issuance of the certificate of occupancy confirms that the replanted tree or trees were planted properly as established in the ISA (International Society of Arboriculture) standards, and are healthy and free of pests and disease. Nothing in this Ordinance shall be deemed to eliminate any other obligation the homebuilder may have pursuant to any private agreement between the homebuilder and homeowner, or any restrictive covenants that are applicable to the property.

(Ord. No. 739 , 5-1-2017)

3.2.14 Permit fee.

The fee for review of a request for permits shall be \$5.00. The fee for review of an application for a Land Disturbance Permit (which only applies to Development Activity and Grading Activity) shall be \$50.00 per acre and a maximum of \$500.00. These fees may be revised from time to time by resolution of the City Council, or delegated to the Director to be administratively established and revised from time to time.

(Ord. No. 739 , 5-1-2017)

3.2.15 Enforcement, appeals and variances.

- A. Enforcement. All requests for permits and all applications for tree removal shall initially be submitted to and reviewed by the City Arborist. The City Arborist shall be responsible for recommending to the Director the approval or denial of applications for Land Disturbance Permits.
- B. Appeals.
 - 1. Requests for appeal of any administrative decision shall first be addressed to the Director.
 - 2. Written requests for appeal of any administrative decision are permitted and must be submitted to the Board of Zoning Appeals within ten (10) days after notice of such decision. Such written appeal shall be made in the form of a letter, which outlines the salient points upon which the appeal is based.
 - 3. The Board of Zoning Appeals shall schedule a hearing as soon as reasonably practicable to consider the appeal, and shall issue a written decision within thirty (30) days of the hearing.

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4. If the appeal concerns an administrative decision regarding Specimen Trees, Trees of Quality, Tree Groupings, or Boundary Trees it shall be the applicant's burden to demonstrate that reasonable alternatives have been considered in order to save said trees (as described herein). Documented evidence shall be filed by the applicant with the written request for appeal and shall include, but not be limited to the following:
 - a. Boundary survey showing topography, easements, creeks and other features of the property.
 - b. Two alternative development plans, which include the Specimen Tree(s), Trees of Quality, Groupings of Trees, or Boundary Trees.
 - c. An itemized estimate of additional costs associated with saving the trees.
- C. Variance.
1. Written requests for a variance are permitted.
 2. The Director shall have the authority to grant variances not to exceed twenty percent (20%) of the minimum or maximum standards of this Ordinance.
 3. Variances that exceed twenty percent (20%) or variances that exceed the allowance of administrative variances shall be heard by the Board of Zoning Appeals.
 4. Variances can be granted only in the case of extreme hardship or unusual circumstance. The factors to be taken into consideration by the Board may include the following, but shall not be solely economic:
 - a. The ease with which the applicant can alter or revise the proposed development or improvement to accommodate existing trees.
 - b. The economic hardship that would be imposed upon the applicant were the variance denied.
 - c. The heightened desirability of preserving tree cover in densely developed or densely populated areas.
 - d. The need for visual screening in transitional zones or relief from glare, blight, commercial or industrial unsightliness or any other visual affront.
 - e. Whether the continued presence of the tree or trees is likely to cause danger to a person or property.
 - f. Whether the topography of the area in which the tree is located is of such a nature to be damaging or injurious to trees.
 - g. Whether the removal of the trees is for the purpose of thinning a heavily wooded area where some trees will remain.
 - h. Whether tree removal would have an adverse impact upon existing biological and ecological systems.
 - i. Whether tree removal would affect noise pollution by increasing source noise levels to such a degree that a public nuisance may be anticipated or a violation of the noise control ordinance will occur.
 - j. Whether the general health and life expectancy of the tree or trees warrant the measures necessary to prolong the life of the trees based upon accepted ISA practices.
- D. Appeal from the Decisions of the Board of Appeals shall be by Writ of Certiorari to the Fulton Superior Court, and must be filed within thirty (30) days of the date of the Board's decision.
- (Ord. No. 739 , 5-1-2017)

3.2.16 Natural Resources Commission.

The Mayor and each City Council member shall appoint one (1) member to a seven (7) member Natural Resources Commission.

- A. The Natural Resources Commission shall give advice to the Council based on an annual re-evaluation of experience under the Ordinance, provide leadership in the development of understanding of the objectives and methods of the tree program, and assist the Director in the development and maintenance of technical specifications and guidelines. In addition, the natural Resources Commission primary objectives shall be:
 - 1. To promote the benefits of maintaining a healthy tree canopy for the City of Alpharetta;
 - 2. To provide educational outreach activities for the purpose of informing the community about resource conservation, protection of the environment, and the maintenance of the city's natural amenities, in particular its trees;
 - 3. To plan and organize Arbor Day and facilitate other events, activities, meetings and projects that support environmental awareness and education;
 - 4. To encourage Alpharetta's citizens to take greater responsibility for improving their community through litter prevention, waste reduction, recycling, tree plantings and other, similar means.
 - 5. To oversee the following:
 - a. Alpharetta's Tree Conservation, Landscape, and Buffer Ordinance.
 - b. Tree City USA designation.
 - c. Keep America Beautiful affiliation.
- B. The Natural Resources Commission shall assist the Arborist in producing and maintaining the Arborist Guidance Document, including the list of proposed changes to the kinds and species of trees described in the Tree Planting List. Any such changes may be adopted and may be changed from time to time.
- C. The Natural Resources Commission shall enlist technical advisors in the fields of land development, landscape architecture and horticulture or related professions.
- D. The Natural Resources Commission shall have the power and authority to maintain the Tree City USA and Keep America Beautiful (KAB) certifications by:
 - 1. Strengthening environmental outreach opportunities associated with the Tree City USA and KAB organizations by promoting community participation and acting as an advocate of tree and environmental conservation efforts;
 - 2. Supporting the City's efforts through public/private partnerships;
 - 3. Making recommendations for the enhancement of public outreach and education programs concerning environmental and tree related issues;
 - 4. Developing and implementing a sustainable program for their environmental accomplishments; and
 - 5. Providing regular updates to City Council regarding Natural Resources Commission activities.

(Ord. No. 739 , 5-1-2017)

3.2.17 Penalties.

Any person, firm, corporation, limited liability company, Responsible Party, or other entity found guilty of violating or knowingly assisting in the commission of a violation of this Section shall be subject to the penalties specified herein. Each day any violation of any provision of this Section shall occur and each day any violation shall continue shall constitute a separate offense of this Section.

- A. A violation of this Section shall constitute a misdemeanor punishable by a fine of up to one thousand dollars per incident. Replacement plantings shall also be required. Penalties and fines, including replacement plantings must be satisfied within the timeline stated on the violation and/or stop work order. Appeals can be filed with the Board of Zoning Appeals.
- B. In the event that a Specimen Tree is damaged or removed in violation of this Section on non "For-Sale" residential property or as part of a construction project, violators shall be subject to replace Specimen Trees with trees having a total density equal to eight (8) times the unit value of the tree removed with a minimum four-inch (4") tree caliper. Furthermore, the location and extent of the tree's Critical Root Zone shall permanently remain in a pervious state with no structures or buildings placed on it. In the event that a Specimen Tree is damaged or removed in violation of this Section on a "For-Sale" residential property not in conjunction with a construction project, violators shall be subject to replace Specimen Trees with trees having a total density up to three (3) times the unit value of the tree removed. The city shall take into consideration the amount of trees that can be reasonably placed on the property in violation. If the DBH of the removed tree cannot be determined the measurement shall be taken at the upper most portion of the remaining stump.
- C. In the event that a non-specimen tree, including Trees of Quality and Tree Groupings, is damaged or removed in violation of this Section, violators shall be subject to replacement plantings equal to one (1) times the DBH of the tree removed with a minimum two inch (2") caliper trees. If the DBH of the removed tree cannot be determined the measurement shall be taken as stated in Section 3.2.17.B.
- D. In addition to A. and B., upon notice from the Director, work on any development that is being done contrary to the provisions of this Section shall immediately cease. The stop-work notice shall be in writing and shall go to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed. When an emergency exists, the Director shall not be required to give written notice prior to stopping the work. Further, in the event that work on any development is being done contrary to the provisions of this Section, the Director may revoke any permit pertaining to the development activity for which the Land Disturbance Permit has been issued and may refuse to issue any further permit until, at the discretion of the Director, the work on the development is brought into compliance with the provisions of this Section.

(Ord. No. 739 , 5-1-2017)