



CITY COUNCIL MEETING & PUBLIC HEARING

APRIL 29, 2024

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **PRESENTATIONS & PROCLAMATIONS**
 - A. **Proclamation: Public Service Recognition Week**
5. **CONSENT AGENDA**
 - A. **City Council Meeting Minutes (Meeting of 4/15/2024)**
Consideration of approval of the City Council meeting minutes from the meeting of April 15, 2024.
 - B. **Ratification of Consent Order and Final Judgment: Parcel 66 of McGinnis Ferry Road Widening Project**
Council ratification of Consent Order and Final Judgment (CAFN: 2022CV364016) in the amount of \$240,000.00 regarding Parcel #66 of the McGinnis Ferry Road Widening Project (PI #0004634)(Owners: Robert A. Hardin, Katrenia C. Hardin, and Windward Community Services Association, Inc.)
 - C. **Financial Management Report (Month Ending February 29, 2024)**
Consideration of approval of the Financial Management Report for the month ending February 29, 2024.
6. **PUBLIC HEARING**
 - A. **PH-24-09 Dr. J.L. Morris House/116 North Main Street – Historic Designation**
Consideration of a request to designate the Dr. J.L. Morris House as historic. The property is located at 116 North Main Street and is legally described as being located in Land Lot 1252, 2nd District, 2nd Section, Fulton County, Georgia.
 - B. **E-24-02 King's Ridge Christian School Tree Recompense Exception**
Consideration of an exception to waive tree recompense in conjunction with the construction of a baseball field. The property is located at 0, 13600, 13630, 13650, and 13660 Cogburn Road and is legally described as being located in Land Lots 896 & 905, 2nd District, 2nd Section, Fulton County, Georgia.
 - C. **CLUP-24-01 / Z-24-04 / V-24-04 Upper Hembree Tract / Empire Communities**
Consideration of a comprehensive land use plan amendment, rezoning and variances to allow for the redevelopment of the former's Harry's Market with a 149-lot single-family detached subdivision on 19.32 acres. A comprehensive land use plan amendment is requested from 'Commercial' to 'High Density Residential' and a rezoning is requested from PSC (Planned Shopping Center) to R-8D (Dwelling, 'For-Sale', Detached Residential – High Density). Variances are requested to Unified Development Code (UDC) Subsection 2.2.9(D) to increase building coverage by principal buildings from 40% to 65%, and reduce minimum lot width from 50' to 31' and to UDC Subsection 3.2.8(B)(1)(a) to reduce the 50' undisturbed buffer. The property is located at 1180 Upper Hembree Road and is legally described as being located in Land Lots 550 & 553, 1st District, 2nd Section, Fulton County, Georgia.
 - D. **Z-24-06/PH-24-06/V-24-06 55 Canton**
DEFERRED: This item has been deferred by the Applicant to the June 3, 2024 City Council Meeting and Public Hearing. This item will not be discussed, heard, or considered by the City

Council during tonight's meeting.

Consideration of a rezoning, parking in-lieu fees, and variances to allow for the construction of a mixed-use building with 36 'For-Sale' condominium units and 7,303 square feet of restaurant space on 1.02 acres in the Downtown Overlay. A rezoning is requested from C-2 (General Commercial) to DT-C (Downtown Core) and parking in-lieu fees are requested for approximately four (4) parking spaces. Variances are requested to Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code Subsection 3.5.5 to increase the maximum building footprint and to UDC Subsection 2.5.5(J) to allow tandem parking spaces to count toward minimum parking requirements. The property is located at 32, 38 & 44 Old Canton Street and is legally described as being located in Land Lot 1269, 2nd District, 2nd Section, Fulton County, Georgia.

E. CLUP-24-02/Z-24-07/CU-24-04/V-24-07 Park Walke II

Consideration of a comprehensive land use plan amendment, rezoning, conditional use and variances to allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown. A comprehensive land use plan amendment is requested from 'Commercial' to 'Mixed Use Live-Work' and a rezoning is requested from C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density above 8 dwelling units per acre and variances are requested to Unified Development Code (UDC) Appendix A Subsection 2.2.3 to eliminate interconnected streets, block requirements, stub-out streets and allow dead end streets, to UDC Appendix A Subsections 2.4.6 and 2.7.2 to allow parking between the building and the street, and to Appendix A Subsection 3.7.3 to increase maximum lot coverage from 70% to 80%. The property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway and is legally described as being located in Land Lots 748, 1st District, 2nd Section, Fulton County, Georgia.

F. PH-24-07 Unified Development Code Text Amendment - Hotels

FIRST READING

Consideration of text amendments to Articles I and II of the Unified Development Code (UDC) to amend the definition and miscellaneous regulations pertaining to 'Extended Stay Hotel', add a definition for 'Hotel, Hybrid', add 'Hotel, Hybrid' use in certain zoning districts, and add 'Hotel, Hybrid' miscellaneous regulations.

7. NEW BUSINESS

A. Resolution: Update and Approval of a Policy for Engineering/Design Services for Federal Aid Highway Program Funded Projects

Consideration of adoption of a resolution to update and adopt a policy regarding engineering and design services selection process for Federal Aid Highway Program (FAHP) funded projects and with authorization for the Mayor to execute the Georgia Department of Transportation Confirmation of Understanding, as part of the City's Local Administered Project (LAP) Re-certification Application.

B. Contract Approval: Lighting of Webb Bridge Road Corridor

Consideration of approval of a contract to Georgia Power to install lighting along the Webb Bridge Road Corridor from east of North Point Parkway to east of the new Roundabout at Webb Bridge Road/Webb Bridge Way Intersection in an amount not to exceed \$1,280,000.00; approve a yearly expense of \$59,786.40 for the maintenance and usage fee associated with 301 streetlights, and to authorize the Mayor to execute all necessary documents.

C. Premises Usage Agreement: Alpharetta Town Commons and the City of Alpharetta

Consideration of approval of the Premises Usage Agreement between the City of Alpharetta and Alpharetta Town Commons, LLC, located at 10 Roswell Street, permitting the use of parking lot for Taste of Alpharetta 2024.

D. Resolution: Authorizing the Use of Eminent Domain for Parcel 18 of the Webb Bridge Road Improvements Project

Consideration of adoption of a resolution of the Mayor and Council of the City of Alpharetta, Georgia to authorize the use of eminent domain to acquire certain property located at Webb Bridge Road, Alpharetta, GA 30005 (Tax Parcel 21 -5590-1239-056-4) for right of way for proposed Webb Bridge Road Bike & Pedestrian Improvements from Big Creek Greenway to Webb Bridge Way and with authorization for the Mayor to execute all necessary documents.

E. Resolution: Atlanta Regional Commission Transportation Improvement Program Grant

Consideration of adoption of a resolution by the Mayor and Council of the City of Alpharetta, Georgia supporting an application and funding match for the Atlanta Regional Commission Transportation Improvement Program Grant.

F. Cultural Arts Commission Appointment Removal

- 8. PUBLIC COMMENT**
- 9. REPORTS**
- 10. EXECUTIVE SESSION (IF NECESSARY)**
- 11. ADJOURNMENT**



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

“Public Service Recognition Week: May 5-11, 2024”

- WHEREAS:** Each day, residents in communities all across America, and especially Alpharetta residents, benefit from the efforts of public employees at the local, state, and federal level; and
- WHEREAS:** These public employees do not simply accept jobs. They take oaths and dedicate themselves to provide the diverse services demanded by citizens, efficiently and with integrity, and often placing the needs of others above their own; and
- WHEREAS:** Public servants include military personnel, police officers, firefighters, teachers, public works crews, engineers, planners, accountants, administrative professionals, and dedicated personnel in countless other occupations; and
- WHEREAS:** Without these committed public servants, continuity of government and delivery of crucial services would not be possible, especially in a democracy that often experiences change in its leaders and elected officials.
- NOW THEREFORE:** We, the Mayor and City Council of the City of Alpharetta, do hereby proclaim May 5 through 11, 2024 to be “Public Service Recognition Week” in the City of Alpharetta and urge all citizens of the City of Alpharetta to recognize the accomplishments and contributions of government employees, especially those of our City, and acknowledge the impact they make on the quality of life for our citizens and the success of our community.
- SO PROCLAIMED:** This 29th day of April 2024, by the Mayor and City Council of the City of Alpharetta, Georgia.

Jim Gilvin
Mayor of the City of Alpharetta

Lauren Shapiro
City Clerk for the City of Alpharetta



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: April 29, 2024

AGENDA ITEM:

City Council Meeting Minutes (Meeting of 4/15/2024)

Consideration of approval of the City Council meeting minutes from the meeting of April 15, 2024.

STAFF RECOMMENDATION:

Approve, as part of the consent agenda, the minutes from the April 15, 2024 City Council Meeting.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

City Clerk, Lauren Shapiro, prepared a synopsis of the pertinent information that occurred during the City Council Meeting on April 15, 2024.

ALTERNATIVES:

Do not approve the City Council meeting minutes as part of the Consent Agenda.

ATTACHMENTS:

1. CC Minutes 4.15.2024



City Council Meeting & Public Hearing

APRIL 15, 2024

UNOFFICIAL MINUTES

Office of the City Clerk

ALPHARETTA CITY HALL

COUNCIL CHAMBERS | 2 PARK PLAZA | 6:30 PM

This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. This is not an official record of the Alpharetta City Council Meeting proceedings. Meetings are recorded and available for review at <https://www.youtube.com/user/alpharettagov>.

1. CALL TO ORDER

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

2. ROLL CALL

• Council Members

- Mayor Jim Gilvin
- Mayor Pro Tem Dan Merkel
- Brian Will
- Fergal M. Brady
- Donald F. Mitchell
- Douglas J. DeRito
- John Hipes

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- Lauren Shapiro, City Clerk
- James Drinkard, Assistant City Administrator
- Adam Montgomery, Director of Information Technology
- Brooke Lappin, Director of Courts
- Cris Randall, Director of Human Resources
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community & Economic Development
- Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
- Pete Sewczwicz, Director of Public Works

- Tom Harris, Director of Finance

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: Innovation Academy Fencing Team

- Mayor Gilvin presented Coach Bill Donges and the Innovation Academy Fencing Team with a proclamation to acknowledge their successful fencing season.

5. WORK SESSION ITEMS

A. Union Hill Park Design and Parking Proposal

Review of the existing design for Union Hill Park and consideration of a new design to allow for the potential of more parking at Union Hill Park

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Swings, a slide, and a play area would be removed to create an additional parking for the Union Hill Park Event Venue and for the Greenway trailhead access.
- Adding additional parking is estimated for this project to be under budget.

CITY COUNCIL DISCUSSION

- Council Member Hipes shared that by creating additional parking, that would help increase attendance at Alpharetta Music Events or other uses under the covered space.
- Council Member DeRito asked if this change would change the parks bond.
- Council Member Brady shared that he would like to see if we could add some sort of outdoor experience there, and not have just a flat parking area.
- Council Member Mitchell asked about landscaping.

6. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 3/25/2024)

Consideration of approval of the City Council meeting minutes from the meeting of March 25, 2024.

B. Alcoholic Beverage License Application

Consideration of approval of the following alcoholic beverage license application:

1. PH-24-AB-05 RHE 01, LLC d/b/a The Metropolitan Club

5895 Windward Parkway, Suite 100, Alpharetta, GA 30005

Change in Ownership

Eating Establishment

Consumption on Premises

Distilled Spirits, Beer, Wine & Sunday Sales

Owner: RHE 01, LLC

Registered Agent: Sunil Reddy

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Consent Agenda.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

7. NEW BUSINESS

A. Invitation to Bid 24-018: Contract Award for Windward Parkway Drainage Improvements

Consideration of approval of a contract award of ITB 24-018 to Backbone Infrastructure, LLC for the construction of drainage improvements along Windward Parkway for an amount not to exceed \$383,506.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- The Windward Parkway Drainage Improvement Project is part of an overall project to increase pedestrian access to the Greenway. This project includes the replacement of storm structures and redirection of storm runoff to alleviate erosion issues downstream of the bridge across Big Creek. The overall project includes construction of a sidewalk from the Greenway tunnel to Big Creek, pedestrian bridges at Big Creek and the unnamed tributary of Big Creek to the east, and drainage improvements along Windward Parkway frontages of 1000, 1005, 2015 and 2025 Compass Pointe Drive.
- The item under consideration is the award of a contract for complete construction of the Windward Parkway Drainage Improvements project. The project scope includes, but is not limited to, furnishing of all materials, labor, and equipment, to perform demolition and reconstruction of existing sidewalk, installation of storm sewer system materials (including but not limited to structures, pipe, and bedding), installation of curb and gutter, tree removal, grading, utility re-location, erosion control, traffic control, and stabilization of disturbed soils.
- Procurement for this project was initiated through Invitation to Bid (ITB 24-018), that was issued on February 1, 2024, with a response deadline of February 29, 2024. A total of six proposals were received. After evaluation and verifying the submitted bids, staff from the Public Works Department met with representatives of Backbone Infrastructure LLC (Backbone), as the low bidder, on Wednesday, March 20, 2024.

PUBLIC COMMENTS:

- There were no public comments.

- ❖ Council Member DeRito offered a motion to approve a contract award of ITB 24-018 to Backbone Infrastructure, LLC for the construction of drainage improvements along Windward Parkway for an amount not to exceed \$383,506.00 and with authorization of Mayor to execute all necessary documents.

- Mayor Pro Tem Merkel seconded the motion.
- The motion was approved unanimously (7-0).

B. Invitation to Bid 24-013: Webb Bridge Park Sanitary Sewer Connection

Consideration of approval of a contract award for ITB 24-013 to Sol Construction, LLC for the construction of Webb Bridge Park Sewer Connection in an amount not to exceed \$423,732.00 and with authorization for the Mayor to execute all necessary documents.

- Director of Public Works, Pete Sewczwicz, came forward to present this item.
- As conceptual design work for the conversion of the upper soccer fields to a synthetic surface progressed, it was determined that the existing septic system servicing the soccer field restroom building has failed. Existing soil conditions combined with the desired synthetic turf field footprint are not conducive to installing a new septic system.
- On June 19, 2023, the City awarded a contract to Prime Engineering for the design and permitting of the sewer connection. The plans were approved by Fulton County on December 12, 2023.
- The award of ITB #24-013 is for the construction of a sanitary sewer connection from the Webb Bridge Park soccer field restroom building to Fulton County's sanitary sewer system. The sewer connection will be achieved through the installation of a low-pressure force main system. The scope of work includes the installation of a pump station adjacent to the restroom building and approximately 1600 linear feet of HDPE force main.
- On January 4, 2024, ITB 24-013 for the construction of the Webb Bridge Park Sewer Connection was issued. On February 22, 2024, a total of two bids were received in response to this invitation to bid.
- The apparent low bidder, Sol Construction LLC, is an experienced contractor that has successfully completed projects of similar scopes and currently holds a contract with Fulton County to provide on-call wastewater system construction.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member DeRito offered a motion to approve a contract award for ITB 24-013 to Sol Construction, LLC for the construction of Webb Bridge Park Sewer

Connection in an amount not to exceed \$423,732.00 and with authorization for the Mayor to execute all necessary documents.

- Council Member Brady seconded the motion.
- The motion was approved unanimously (7-0).

C. Purchase Approval: Public Safety Vehicles

Consideration of approval of the purchase of fifteen (15) 2024 Chevrolet Tahoes in the amount of \$821,490.40 and the upfitting of these vehicles from Dana Safety Supply Inc. in the amount of \$364,570.81 (utilizing the City's competitively procured On-Call Public Safety Vehicle Upfitting contract), and with authorization for the Mayor to execute all necessary documents.

- Director of Public Safety, John Robison, came forward to present this item.
- The Department of Public Safety seeks approval to purchase fifteen (15) 2024 Chevrolet Tahoes, as Police Pursuit Vehicles (PPV) from Hendrick Chevrolet. Additionally, approval is sought for the upfitting of the fifteen (15) vehicles to be completed by Dana Safety Supply Inc. through the City's On-Call Public Safety Vehicle Upfitting contract.
- The fifteen vehicles includes: eleven (11) patrol vehicles, two (2) K9 vehicles, and two (2) administration vehicles.
- In February 2023, patrol Ford Explorers were ordered but were delayed in production and carried over to 2024 models, and previous attempts to order through Hardy Chevrolet were unsuccessful due to insufficient allotment. Rick Hendrick Chevrolet in Buford, Georgia, has confirmed the availability of Tahoe Police Pursuit Vehicles (PPV).
- Wade Ford provided pricing for the 2025 Ford Explorer Police Interceptor at \$48,311. The state contract pricing for a patrol-optioned 2024 Chevrolet Tahoe PPV is \$54,690, with the Hendrick Chevrolet invoice at \$54,761.90, a difference of \$70.91.

PUBLIC COMMENTS:

- There were no public comments.
 - Council Member Will offered a motion to approve the purchase of fifteen (15) 2024 Chevrolet Tahoes in the amount of \$821,490.40 and the upfitting of these vehicles from Dana Safety Supply Inc. in the amount of \$364,570.81 (utilizing the City's competitively procured On-Call Public Safety Upfitting contract), and with authorization for the Mayor to execute all necessary documents.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

D. Purchase Approval: Replacement of Uninterrupted Power Supply (UPS)

Consideration of approval of the purchase of an Uninterrupted Power Supply replacement from Southern Computer Warehouse under the State of Georgia technology contract (#99999-SPD0000172-14) in the amount of \$64,827.17 and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.
- An Uninterrupted Power Supply, or UPS, is part of the power system for the City's data center. The UPS system is designed to provide power for critical loads, which include IT equipment and other essential infrastructure. The UPS system serves as a bridge between the utility power and the backup generator, which provides long-term power backup. The UPS system is responsible for providing uninterrupted power to the critical loads until the backup generator comes online to support the critical load.
- The current UPS was installed in 2011 and has served the City well, but it has reached the end of its lifecycle. The manufacturer no longer supports the unit, and Schneider will no longer warranty or service it after August 2024. This request will replace that unit with a new UPS that will be more efficient and provide better battery performance.
- The Uninterrupted Power Supply will be procured through Southern Computer Warehouse (SCW) using State of Georgia technology contract 99999-SPD0000172-014. SCW and Schneider have been managing and servicing the current UPS, and we would like to keep this relationship.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the purchase of an Uninterrupted Power Supply replacement from Southern computer Warehouse under the State of Georgia technology contract (#99999-SPD0000172-14) in the amount of \$64,827.17 and with authorization for the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion passed unanimously (7-0).

E. 2024-2025 Citywide Group Medical, Dental, Vision, Disability, and Life Insurance Coverages

Consideration of approval of the award for Plan Year, 2024-2025 the City's group Medical and Dental coverage to Cigna; Vision coverage to Eye Med, and Life and Disability coverage to New York Life and with authorization for the Mayor to execute all necessary documents.

- Director of Finance, Tom Harris, came forward to present this item.
- The City's Broker of record, Alliant Insurance Services (8th largest global brokerage firm), solicited proposals from the market (Anthem, UHC, Aetna) for our medical and other related coverage. After months of negotiations, our current carrier, Cigna, is the recommended provider for both Medical (4.9% in rates) and Dental (0%) for plan year 2023/2024. After credits of \$200k that Cigna will apply directly against claims next year, the effective increase in premiums will be approximately 2.4%.
- Eye-Med is the recommended carrier for vision care. They proposed a 0% increase.
- NY Life proposed a 0% increase in their Basic Life /AD&D; Short Term Disability; and Long Term Disability coverages.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Brady offered a motion to approve the award for Plan Year, 2024-2025 the City's group Medical and Dental coverage to Cigna; Vision coverage to Eye Med, and Life and Disability coverage to New York Life and with authorization for the Mayor to execute all necessary documents.
 - Council Member Mitchell seconded the motion.
 - The motion passed unanimously (7-0).

F. Memorandum of Understanding: Lionheart WORKS and Crabapple Government Center Facility Usage

Consideration of approval of the Memorandum of Understanding between Lionheart LifeCenter and the City of Alpharetta for Lionheart WORKS to continue to rent space within the Crabapple Government Center and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- Lionheart WORKS is an Alpharetta-based non-profit human service organization founded in 2000, and is a vocational training program that provides special needs individuals 18 years and older with real work experiences while teaching basic employment skills.
- Since 2000, the program has grown quickly. In 2020, the City of Alpharetta was able to rent space for the Lionheart WORKS program to operate out of the Crabapple Center. With this expansion, Lionheart WORKS has been able to greatly increase the number of participants and the number of work sites. There have been not issues related to Lionheart WORKS utilizing the space at the Crabapple Government Center.

- Lionheart WORKS pays \$100 per month to the City of Alpharetta for their utilization.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Memorandum of Understanding between Lionheart LifeCenter and the City of Alpharetta for Lionheart WORKS to continue to rent space within the Crabapple Government Center and with authorization for the Mayor to execute all necessary documents.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion passed unanimously (7-0).

G. Premises Usage Agreement: Alpharetta First Methodist Church for 2024 Taste of Alpharetta Parking

Consideration of approval of a Premises Usage Agreement between the City of Alpharetta and Alpharetta First Methodist Church, Inc. permitting the use of the Cumming Street Parking Lot for the 2024 Taste of Alpharetta and with authorization for the Mayor to execute all necessary documents.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- As in years past, the City of Alpharetta is requesting a usage agreement for the Alpharetta First Methodist Church parking lot for the annual Taste of Alpharetta event on May 9th, 2024, from 8:00am-11:59pm. Due to the attendance of this event, additional parking, beyond existing public parking, is required to accommodate the attendees of the event.
- There is no charge for the City to utilize this parking lot, unless additional clean-up of the property is required, which will be billed at \$30.00 per hour.
- Council Member Hipes disclosed that he is a Board Member at the Alpharetta First Methodist Church.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve a Premises Usage Agreement between the City of Alpharetta and Alpharetta Methodist Church, Inc. permitting the use of the Cumming Street Parking Lot for the 2024 Taste of Alpharetta and with authorization for the Mayor to execute all necessary documents.
 - Council Member Brady seconded the motion.
 - The motion passed unanimously (7-0).

H. Memorandum of Understanding: City of Alpharetta and North Point Mall – The Spotlight Community Stage

Consideration of approval of the Memorandum of Understanding between REEP-RTL-NPM GA LLC (d/b/a North Point Mall) and the City of Alpharetta for use of a vacant space within North Point Mall for the purpose of an indoor community stage and to authorize the Mayor to execute all necessary documentation.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- The City of Alpharetta has a need for a performance space that can seat up to 150 attendees. The Recreation, Parks & Cultural Services Department has been preparing and looking for an indoor location to set up a flexible performance space for cultural events. Alpharetta does not currently have a similar indoor space for cultural events.
- The City approached North Point Mall about the possibility of utilizing existing, empty retail space. The leadership of the Mall was excited about the possibility. They felt that it would be an ideal usage of the space for a Community Theater with a seating capacity of up to 150 attendees.
- Usage of the stage would include but not be limited to City Programs (i.e.- Improv Classes or Movie Star Camp), Art Leader Groups (i.e.- ACT 1 Theater Performances or Alpharetta Symphony Orchestra- Quartet) and Third-Party Applications (Cultural Events – Diwali).
- While North Point Mall will not charge for rental of the space, the City would be financially responsible for the cost of utilities and trash service. The equipment, lighting, and staging equipment purchased by the City for the proposed performance space is entirely modular to allow the items to be relocated to another location or repurposed if North Point Mall or the City of Alpharetta should decide the partnership is no longer beneficial.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Hipes offered a motion to approve the Memorandum of Understanding between REEP-RTL-NPM GA LLC (d/b/a North Point Mall) and the City of Alpharetta for use of a vacant space within North Point Mall for the purpose of an indoor community stage and to authorize the Mayor to execute all necessary documentation.
 - Council Member Mitchell seconded the motion.
 - The motion was unanimously approved (7-0).

I. Grant Agreement: Arts Alpharetta and Bi-Yearly Outdoor Sculpture Exhibit / Art On-Loan Project

Consideration and approval of the FY2024-2025 bi-yearly agreement between the City of Alpharetta and Arts Alpharetta, Inc., for the curation and installation of a public outdoor art sculpture exhibit and to authorize the Mayor to execute all necessary documentation.

- Director of Recreation, Parks, and Cultural Services, Morgan Rodgers, came forward to present this item.
- The Department of Recreation, Parks, and Cultural Services partners with Arts Alpharetta, Inc. to curate outdoor and indoor exhibits throughout the City of Alpharetta. The Outdoor On-Loan Sculpture Exhibit changes names and themes every two years. The first exhibit, installed 2018 was titled Miscellany, the second exhibit was Omnium Gatherum, and the third, which is currently on display, is Medley.
- Due to the challenges presented from the COVID pandemic, the outdoor on-loan exhibit was scaled back to include only (5) sculptures stationed in Brooke Street Park, Goswick Park, and Wills Park. To date, the exhibit's remaining 2-5 sculptures in sections of Downtown Alpharetta and along the Alpha Loop (at Thompson Street) have designated locations but remain unfunded.
- In 2018, the first agreement with Arts Alpharetta, Inc. was approved for \$85,000 to install all sculptures for the exhibit and was intended to be an annual agreement. The recurrence of a yearly project proved too frequent and not sustainable for Arts Alpharetta, Inc. and in 2020, the agreement was revised to a bi-yearly agreement, resulting in a division of the expense across two fiscal years. By 2021, the initiative was scaled back on account of available funding and has yet to receive the funding needed to bring the exhibit back to its original footprint.
- The new FY2024-2025 Bi-Yearly Outdoor On-Loan Agreement outlines a total expense of \$90,000 for the newest exhibit in the hopes of finally installing all of the sculptures planned for the initiative. \$69,500 in available funding currently exists in the Department's capital funds allocated for the initiative.
- The Department is currently requesting \$45,000 in Fiscal Year 2025 capital funding to fully realize the outdoor on-loan program under the new agreement. Payments would be made in (3) installations as per the agreement and in alignment with fiscal year appropriations.
- Riff would be the theme for the fourth exhibit. In conjunction with Alpharetta's "Alpharetta Music City" initiative, Riff represents a repeated phrase in music, free-styling, and an individual artistic expression often described as freelance. RIFF can also be an acronym for Representing Inspiration in Free Form, with a tone of independence within the theme.

- The agreement would be valid for a period of (2) years, with the exhibit on display for calendar years 2024-2025,, after which the City and Arts Alpharetta, Inc. may discuss a fifth outdoor on-loan exhibit for Fiscal Years 2026-2027, calendar years 2026-2028.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Council Member Mitchell offered a motion to approve the FY2024-2025 bi-yearly agreement between the City of Alpharetta and Arts Alpharetta, Inc., for the curation and installation of a public outdoor art sculpture exhibit and to authorize the Mayor to execute all necessary documentation.
 - Council Member Hipes seconded the motion.
 - The motion passed unanimously (7-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- Director Rodgers came forward to share images of the Community Theater logo and floor plans for the theater at North Point Mall.
- Council Member Hipes reported that the opening day of the Farmer's Market was well attended, we had a return of a sculpture, "The Visitor" to Brooke Street Park, and he announced that City Attorney, Molly Esswein, became a partner at the law firm of Jarrard & Davis.

10. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member DeRito offered a motion to adjourn to Executive Session for the purposes of litigation.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).
 - Mayor Gilvin recessed the meeting at 7:34 p.m.
- ❖ Council Member Will offered a motion to reconvene the meeting.
 - Mayor Pro Tem Merkel seconded the motion.
 - The motion was approved unanimously (7-0).
 - Mayor Gilvin reconvened the meeting at 7:55 p.m.

11. ADJOURNMENT

- ❖ Council Member Mitchell offered a motion to adjourn the meeting.
 - Council Member Will seconded the motion.

- The motion was approved unanimously (7-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:56 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Department: Legal
Submitted By: Molly Esswein
Meeting Date: April 29, 2024

AGENDA ITEM:

Ratification of Consent Order and Final Judgment: Parcel 66 of McGinnis Ferry Road Widening Project
Council ratification of Consent Order and Final Judgment (CAFN: 2022CV364016) in the amount of \$240,000.00 regarding Parcel #66 of the McGinnis Ferry Road Widening Project (PI #0004634)(Owners: Robert A. Hardin, Katrenia C. Hardin, and Windward Community Services Association, Inc.)

STAFF RECOMMENDATION:

Approve, as part of the Consent Agenda, Council ratification of Consent Order and Final Judgment (CAFN: 2022CV364016) in the amount of \$240,000.00 regarding Parcel #66 of the McGinnis Ferry Road Widening Project (PI #0004634)(Owners: Robert A. Hardin, Katrenia C. Hardin, and Windward Community Services Association, Inc.).

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

Consent Order and Final Judgment was entered on April 29, 2024. Pursuant to the Consent Order and Final Judgment, an additional \$108,900.00 has been requested from the City and will be deposited into the Fulton County Court Registry for further processing.

ALTERNATIVES:

There are no alternatives if Council desires to move forward with obtaining right of way for this parcel.

ATTACHMENTS:

1. Consent Order and Final Judgment - MFW - Parcel 66

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

CITY OF ALPHARETTA, GEORGIA,

Condemnor,

v.

ROBERT A. HARDIN; KATRENIA C. HARDIN;
PENTAGON FEDERAL C.U.; NAVY FEDERAL
CREDIT UNION; WINDWARD COMMUNITY
SERVICES ASSOCIATION, INC.; HON.
ARTHUR E. FERDINAND, Tax Commissioner of
Fulton County, Georgia; HON. KENYA
JOHNSON, Probate Court Judge, Fulton County,
Georgia; CITY OF ALPHARETTA, GEORGIA;
and any and all others claiming any interest or right
in the hereinafter described real property interests
and rights,

Condemnees.

CIVIL ACTION FILE NO.:
2022CV364016

IN REM

JUDGE RACHELLE CARNESALE

CONSENT ORDER AND FINAL JUDGMENT

The above-styled case is before the Court pursuant to the consent of Condemnees Robert A. Hardin, Katrenia C. Hardin, and Windward Community Services Association, Inc. (collectively referred to as “Condemnees”) and Condemnor City of Alpharetta, Georgia (“Condemnor”).

WHEREAS, pursuant to O.C.G.A. § 32-3-1 et seq., Condemnor acquired certain property and property rights as are more particularly described in the Petition and Declaration of Taking, filed with the Clerk of Fulton County Superior Court on April 29, 2022; and,

WHEREAS, Condemnor previously deposited the sum of One Hundred Thirty-One Thousand One Hundred and 00/100 Dollars (\$131,100.00) into the Registry of the Clerk of Superior Court of Fulton County as the Condemnor’s estimate of just and adequate compensation for the property rights acquired on the date of filing; and,

WHEREAS, all parties having an interest in the property condemned have been served according to law; and,

WHEREAS, Condemnees Robert A. Hardin and Katrenia C. Hardin timely filed a Notice of Appeal contesting the amount of just and adequate compensation or a claim for any interest in the condemnation proceedings; and,

WHEREAS, Condemnee Windward Community Services Association, Inc. timely filed a Notice of Appeal contesting the amount of just and adequate compensation or a claim for any interest in the condemnation proceedings; and,

WHEREAS, Condemnees Honorable Arthur E. Ferdinand, Tax Commissioner of Fulton County, Georgia and Honorable Kenya M. Johnson, Probate Court Judge, Fulton County, Georgia timely filed an Answer; however, they subsequently filed a Consent Order for Dismissal and were subsequently dismissed thereafter; and,

WHEREAS, no other party has made a claim for or appealed the estimate of just and adequate compensation or has otherwise challenged Condemnor's right to acquire the property rights acquired in the instant action; and,

WHEREAS, the undersigned parties desire to reach a full and final settlement of the instant action, including a final determination of all issues raised or which could have been raised in the case; and,

WHEREAS, Condemnor and Condemnees have stipulated and agreed that the sum of Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00) (hereinafter "Total Just and Adequate Compensation") constitutes just and adequate compensation for all of the property, rights, and interests acquired or damaged by the acquisition of the property set forth in the Declaration of Taking; and,

WHEREAS, of the Total Just and Adequate Compensation, Condemnees Robert A. Hardin and Katrenia C. Hardin claim entitlement to the sum of One Hundred Thirty-Five Thousand and 00/100 Dollars (\$135,000.00) as just and adequate compensation for their property rights, and interests acquired from or damaged by the acquisition of the property from them; and,

WHEREAS, of the Total Just and Adequate Compensation, Condemnee Windward Community Services Association, Inc. claims entitlement to the sum of One Hundred Five Thousand and 00/100 Dollars (\$105,000.00) as just and adequate compensation for their property rights, and interests acquired from or damaged by the acquisition of the property from them; and,

WHEREAS, Condemnor asserts no interest in determination as to which party is entitled to any portion of the award of total just and adequate compensation established hereby (see, O.C.G.A. § 22-2-139).

WHEREAS, Condemnees wish to accept the total amount of Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00) in full settlement of the property rights condemned in this matter and forever waive any and all further compensation, claims, and damages that may have been brought by Condemnees in this proceeding; and,

NOW, THEREFORE, it is hereby Ordered and Adjudged as follows:

1.

That just and adequate compensation due to Condemnees, for the acquisition of the property rights including the land acquired by virtue of this action, is Two Hundred Forty Thousand and 00/100 Dollars (\$240,000.00) and Judgment is hereby entered on that amount.

2.

That Condemnor shall pay into the registry of the Court, and the **Clerk of the Superior Court shall accept** from Condemnor and deposit into the registry of the Court, the sum of One Hundred Eight Thousand Nine Hundred and 00/100 Dollars (\$108,900.00).

3.

Upon the submittal of a Rule 23 Certificate to the Court by Condemnees and the Condemnor's payment of additional funds into the Court's Registry, the sum of **\$135,000.00** shall be paid and disbursed to Condemnees Robert A. Hardin and Katrenia C. Hardin and the Clerk is ordered to disburse instant a check for Robert A Hardin and Katrenia Hardin by making said check payable to **Bill W. Crecelius, Jr. Escrow Account** and mailing to Bill W. Crecelius Jr., 6455 E Johns Crossing, Suite 400, Johns Creek GA 30097.

4.

Upon the submittal of a Rule 23 Certificate to the Court by Condemnees and the Condemnor's payment of additional funds into the Court's Registry, the sum of **\$105,000.00** shall be paid and disbursed to Condemnee Windward Community Services Association, Inc. and the Clerk is ordered to disburse instant a check in the amount of \$105,000.00 made payable to Parker Poe Adams & Bernstein, LLP Trust Account and to be delivered via FedEx Overnight Delivery to Parker Poe Adams & Bernstein LLP, c/o Elizabeth R. Story, 1075 Peachtree Street NE, Suite 1500, Atlanta, Georgia, 30309, counsel for Windward Community Services Association, Inc. The undersigned counsel for the party will provide the Clerk with a pre-paid FedEx label and envelope for delivery of the check.

5.

Upon payment and distribution of the funds as prescribed by this order, the matter shall be concluded, and the file shall be closed.

SO ORDERED, this 12 day of April, 2024.



THE HONORABLE RACHELLE CARNESALE
SUPERIOR COURT OF FULTON COUNTY
ATLANTA JUDICIAL CIRCUIT

Prepared, consented to, and submitted by:

Consented to by:

JARRARD & DAVIS, LLP

**PARKER POE ADAMS & BERNSTEIN
LLP**

/s/ Priya M. Patel

Patrick D. Jaugstetter
Georgia Bar No. 389680
Priya M. Patel
Georgia Bar No. 869743

222 Webb Street
Cumming, Georgia 30040
(678) 455-7150 – telephone
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patrickj@jarrard-davis.com
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*Attorneys for Condemnor
The City of Alpharetta, Georgia*

/s/ Elizabeth R. Story

Elizabeth R. Story
Georgia Bar No. 275637
Ashlynn E. Hutton
Georgia Bar No. 202527
(by Priya M. Patel with express permission)

1075 Peachtree Street NE, Suite 1500
Atlanta, Georgia 30309
(678) 690-5750 – telephone
(404) 869-6972 – facsimile
elizabethstory@parkerpoe.com
ashlynnhutton@parkerpoe.com

*Attorneys for Condemnee Windward
Community Services Association, Inc.*

Consented to by:

BILL CRECELIUS JR. P.C.

/s/ Bill W. Crecelius, Jr.

Bill W. Crecelius, Jr.

Georgia Bar No. 195050

6455 E Johns Crossing

Suite 400

Johns Creek, GA 30097

(404) 759-3752 – telephone

crecelius1@comcast.net

*Attorney for Condemnees Robert A. Hardin
and Katrenia C. Hardin*

Filed and served via eFileGA



STAFF REPORT

Department: Finance
Submitted By: Shawn Mitchell
Meeting Date: April 29, 2024

AGENDA ITEM:

Financial Management Report (Month Ending February 29, 2024)

Consideration of approval of the Financial Management Report for the month ending February 29, 2024.

STAFF RECOMMENDATION:

Approve the Financial Management Report for the month ending February 29, 2024 (period 8 of Fiscal Year 2024).

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

On a monthly basis, the Finance Department prepares detailed revenue and expenditure statements for all city operating funds (including prior-year comparisons for the General Fund). In addition, this report includes:

1. Detailed capital project report including life-to-date activity;
2. Payments \$5,000 and greater; and
3. Purchase orders with an estimated cost between \$5,000 and \$50,000.

ALTERNATIVES:

ATTACHMENTS:

1. FY 2024 Financial Management Report (8-February)

Financial Management Reports



**for the month ending
February 29, 2024
(period 8 of 12 – unaudited)**

Please visit the Financial Transparency Portal for additional information including audited financial statements, adopted budgets, and automated tools aimed at simplifying access to the City's financial data.

<https://www.alpharetta.ga.us/government/departments/finance/transparency-portal>

Financial Management Reports

Fiscal Year 2024

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Accountability and Performance Dashboards (available online – link below):

<https://www.alpharetta.ga.us/government/departments/finance/services/trash-and-recycling>



CITY OF ALPHARETTA

Financial Management Reports

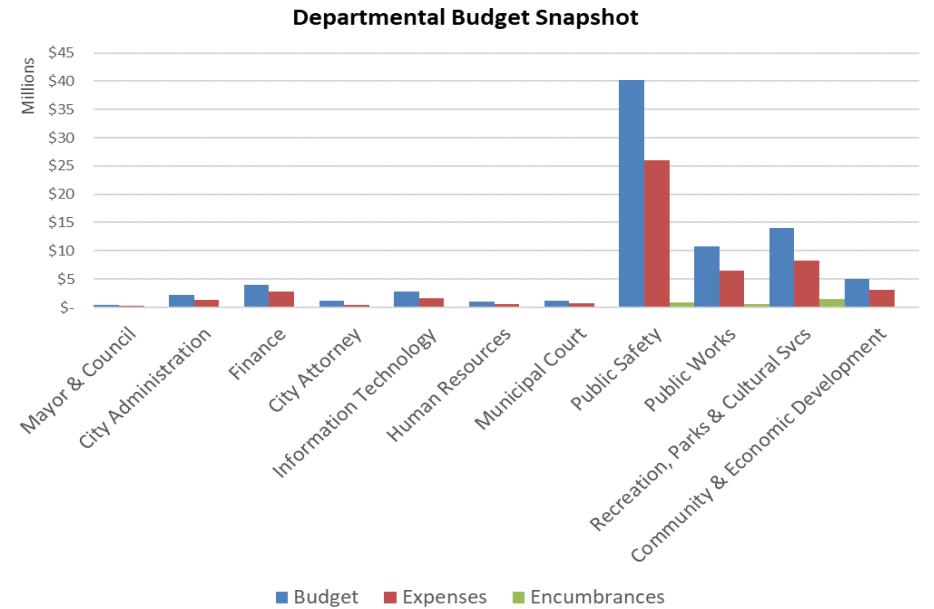
Performance Dashboard

For the month ended February 29, 2024

LEGEND	
↑	Positive
↔	Neutral
↓	Negative

GENERAL FUND DETAIL

Revenues	Performance Status	Forecasted Gain/Loss
Top-10		
Property/Motor Vehicle Taxes (current year)	↔	\$832,000
Local Option Sales Tax	↔	(\$200,000)
Franchise Tax	↔	(\$204,710)
Insurance Premium Tax	↔	\$0
Alcohol Beverage Excise Tax	↓	(\$300,000)
Building Permit Fees	↔	\$0
Business and Occupational Tax	↔	\$0
Court/Traffic Fines	↓	(\$340,000)
Recreation/Special Event Fees	↔	\$61,403
Hotel/Motel Tax (City portion)	↔	(\$93,750)
Other Revenues	↑	\$338,413
Minimum Surplus Goal Needed to Fund Capital: (\$15M Annual Capital Need less \$5.8M allocated in the budget)		\$9.2M
Less: Forecasted Revenue Gain		(\$93K)*
Less: Forecasted Expenditure Savings		(\$3.3M)*
Favorable (Unfavorable) Net Surplus vs \$15M Capital Need:		(\$5.8M)*



* Forecasted gains/savings will be updated once more trend data becomes available.

FUND SYNOPSIS

	Revenue	Expenses	Non-Allocated
General Fund (1)	↔	↔	\$940,464
Special Revenue Funds			
Confiscated Assets Fund (DEA)	↔	↔	\$201,456
Confiscated Assets Fund (State)	↔	↔	\$0
Emergency 911 Fund (1)	↔	↔	\$829,140
Impact Fee Fund	↔	↔	\$573,696
Hotel/Motel Fund (1)	↔	↔	\$1,339,388
Debt Service Fund	↔	↔	\$1,324,991
Proprietary Funds			
Solid Waste Fund (2)	↔	↔	\$4,534
Risk Management Fund	↔	↔	\$1,759,417
Medical Insurance Fund	↔	↔	\$75,608

	Non-Allocated
Grant Funds	
Operating Grant Fund (3)	\$55,326
Capital Grant Fund (3)	\$80,811
Capital Project Funds	
Capital Project Fund (3)	\$3,681,350
Stormwater Capital Fund	\$285,404
Series 2022 Bond Fund (Parks)	\$2,545,124
TSPLOST I Capital Fund	\$3,522,721
TSPLOST II Capital Fund	\$571,095
American Rescue Plan Act Capital Fund	\$39
Blended Component Unit	
Development Authority Fund	\$166,060

BOND RATING

AAA

strongest rating available

EMERGENCY RESERVE

General Fund

\$22.6M (25%)

Emergency 911 Fund

\$1.3M (25%)

Sanitation Fund

\$11K (<1%)

Please Note: Current year revenue in excess of budgeted amounts may be available to augment Non-Allocated balances upon City Council approval (e.g. Impact Fees and Confiscated Asset collections).

(1) General Fund value represents Contingency balance. Hotel/Motel Fund value represents Debt Service Reserve (target is \$1.5 million). Other Funds represents amounts in excess of the 25% fund balance target.

(2) Solid Waste Fund operational trends require further review and may necessitate an adjustment in rates or reallocation of expenses to other operating Funds of the City (i.e. General Fund).

(3) Does not include amounts, if any, currently set aside for matches on active grant applications. Funding to cover the Capital Grant Fund deficit will be requested as part of the mid-year budget process.



2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: THOMAS G. HARRIS, FINANCE DIRECTOR *TH*

DATE: APRIL 29, 2024

RE: FINANCIAL MANAGEMENT REPORTS AS OF FEBRUARY 29, 2024

The documents contained herein represent the financial management reports for the City of Alpharetta ("city") as of the period ending February 29, 2024.

General Fund

Revenue: The following section pertains to information detailed in the attached Revenue Summary and Collection Comparison report. FY 2024 revenues are budgeted at \$91 million (net of Carryforward Fund Balance totaling \$11 million)¹. As of February 29, 2024, actual revenue collections total 77% or \$70 million. Trends (property digest valuations and collection trends) indicate a minor gain over budget and will be updated in future quarters as more trend data becomes available. The material detail is as follows:

• <u>Property Taxes (incl. Motor Vehicles):</u>	<u>\$ 832,000</u>
• <u>LOST:</u>	<u>(200,000)</u>
• <u>Franchise Tax:</u>	<u>(204,710)</u>
• <u>Alcohol Beverage Excise Tax:</u>	<u>(300,000)</u>
• <u>Court/Traffic Fines:</u>	<u>(340,000)</u>
• <u>Hotel Taxes:</u>	<u>(93,750)</u>
• <u>Other:</u>	<u>399,815</u>
Estimated Gain:	\$ 93,355

The October 1st billing for General Fund property taxes totals roughly \$31.4 million. Property taxes for public utilities will be billed in Spring 2024 and is estimated at an additional \$445,000. Historically, the City collects between 98% and 99% of billed property taxes within the fiscal year. The current budget for property taxes, including the \$1.8 million in additional property tax revenue that was part of a budget amendment approved in August, totals \$30.6 million and represents 96% of the initial billing. Collections total 99% as of February 29, 2024. Collection estimates for FY 2024 are currently \$31.2 million (gain of \$505,000 over budget).

MAYOR
JIM GILVIN

MAYOR PRO TEM
DAN MERKEL

COUNCIL MEMBERS
FERGAL M. BRADY
DOUGLAS J. DERITO
JOHN HIPES
DONALD F. MITCHELL
BRIAN WILL

CITY
ADMINISTRATOR
CHRIS LAGERBLOOM

¹ The Mid-Year Budget Ordinance adoption will be reflected in the Monthly Financial Management Reports for January 2024.

Motor Vehicle Title Fee collections is trending 11% higher than FY 2023 (\$3.5 million). Collection estimates for FY 2024 total \$3.8 million (\$275,000 greater than budget).

Local Option Sales Tax collections is trending 2% higher (on average) than FY 2023 (\$21.5 million) and has been relatively subdued since February 2023. For comparison purposes, recent year-over-year growth rates totaled 6%, 21%, 5% respectively for fiscal years 2021-2023. That said, on a monthly basis, LOST collections have experienced much year-over-year volatility with November 2023 collections growing 7% over November 2022 only for December 2023 collections to contract -4% over December 2022 collections. Collection estimates for FY 2024 total \$21.9 million (-\$200,000 less than budget) and will be updated as additional collection trend data becomes available.

Franchise Tax collections is trending -1% lower than FY 2023 (\$6.8 million). Collection estimates for FY 2024 total \$6.6 million (-\$204,710 less than budget). The primary driver for the decline is electricity franchise tax collections which were forecast for modest growth based on approved rate increases but came in less than the prior-year (GA Power 2024 remittance of \$4.4 million vs 2023 remittance of \$4.5 million) or flat (Sawnee 2024 remittance of \$641,526 vs 2023 remittance of \$638,649). As detailed in prior monthly reports, the telephone franchise tax collections are forecasted for further reductions due to BellSouth audit adjustments (-\$60,000 decline over budget leading to a revised estimate of \$240,000). Gas franchise tax collections are forecasted for reductions based on collection activity (-\$8,900 decline over budget leading to a revised estimate of \$616,100). These reductions are somewhat mitigated by forecasted growth in cable franchise tax collections (\$25,000 growth over budget leading to a revised estimate of \$675,000).

Alcohol Beverage Excise Tax collections is trending -1% lower than FY 2023 (\$2.9 million) and has been on a downward trend since February 2023. For comparison purposes, recent year-over-year growth rates totaled 6%, 18%, 6% respectively for fiscal years 2021-2023. Collection estimates for FY 2024 total \$2.9 million (-\$300,000 less than budget) and will be updated as additional collection trend data becomes available.

Collections for Municipal Court Fines is trending -36% lower than FY 2023. Current estimates for FY 2024 total \$1.7 million which is -\$340,000 less than budget. This revenue estimate may be adjusted lower in future months depending upon the resulting collection trends.

Hotel/Motel tax collections is discussed within the Special Revenue Funds section of this letter.

Expenditures: The following section pertains to information detailed in the attached Expenditure Summary by Department (expenditure rollup by department) and Expenditure Summary by Category (expenditure rollup by account) reports. As of February 29, 2024, city departments (not including General Government²) have encumbered and expensed 66%, or \$55 million, of their FY 2024 budget appropriations. Early forecasts indicate a surplus of \$3.3 million compared to budget and is primarily composed of savings at the personnel services category (e.g., approximately 32 vacancies within General Fund departments as of March 2024).

Contingency: The General Fund contingency balance totals \$940,464.

² General Government is utilized to account for non-operating transactions such as transfers-out to other city funds, contingency, etc.

Other Funds

The following section references information included within the attached Performance Dashboard, Grant and Capital Funds Detail Reports, GAAP Financial Statements, etc.

Operating Grant Fund (Fund 220): Unspent/unencumbered project appropriations total \$119,231. Remaining appropriations are set aside for a non-allocated reserve (\$55,326).

Capital Grants Fund (Fund 340): Unspent/unencumbered project appropriations total \$528,850. Remaining appropriations are set aside for a non-allocated reserve (\$80,811).

General Capital Project Fund (Fund 301): Unspent/unencumbered project appropriations total \$8.2 million. Remaining appropriations are set aside for a non-allocated reserve (\$3.4 million for general non-allocated and \$276,000 constituting matching funds for grant applications).

Stormwater Capital Fund (Fund 302): Unspent/unencumbered project appropriations total \$4.5 million. Remaining appropriations are set aside for a non-allocated reserve (\$285,404).

American Rescue Act Capital Fund (Fund 303): Unspent/unencumbered project appropriations total \$212,461. Remaining appropriations are set aside for a non-allocated reserve (\$39).

Series 2022 Parks Bond Fund (Fund 318): Unspent/unencumbered project appropriations total \$24 million. Remaining appropriations are set aside for a non-allocated reserve (\$2.5 million).

TSPLOST 1 Capital Project Fund (Fund 335): This fund accounts for collections under the Transportation Special Local Option Sales Tax (TSPLOST) that went into effect on April 1, 2017, and expired on March 31, 2022. Unspent/unencumbered project appropriations total \$11.5 million. Remaining appropriations are set aside for a non-allocated reserve (\$3.5 million).

TSPLOST 2 Capital Project Fund (Fund 336): This fund accounts for collections under the Transportation Special Local Option Sales Tax (TSPLOST) that went into effect on April 1, 2022. Appropriated funding totals \$52 million and represents Tier-1 project funding.

Tier-1 projects are funded at 85% of forecasted revenue collections over the life of the 5-year tax. For comparison purposes, TSPLOST 1 collections have trended at over 90% of forecasted revenue collections. Life-to-date collections for TSPLOST 2 have trended at 120% of the original forecasted revenue estimates which indicates a strong likelihood of funding Tier-2/3 projects in addition to Tier-1.

Unspent/unencumbered project appropriations total \$28.1 million. Remaining appropriations are set aside for a non-allocated reserve (\$571,095).

Hotel/Motel Fund: FY 2024 revenues are budgeted at \$9.6 million (net of carryforward fund balance totaling \$962,046) with budgeted disbursements as follows: Alpharetta Convention & Visitor's Bureau (43.75% or \$4.2 million); Facilities (18.75% and a portion of the carryforward fund balance detailed above; \$1.4 million for debt service on the Series 2016 Convention Center Bonds; \$15,070 for eligible initiatives such as Wills Park Master Plan Improvements; with residual funding for bond/debt service reserve); and the city (37.5% or \$3.6 million).

Specifically, Debt Service Reserve funding (Convention Center Bonds) from the Facilities portion of the tax totals \$1.3 million. This reserve figure dipped below the \$1.5 million target level in 2019 due to the impact of the COVID-19 pandemic on the hospitality industry and is being replenished as revenues within the Fund continue strengthening.

Hotel tax collections is trending -2% lower than FY 2023. Current estimates for FY 2024 total \$9.3 million which is -\$250,000 less than budget. Alpharetta's portion of that revenue estimate reduction totals -\$93,750 for the General Fund and -\$46,875 for the Facilities portion. The estimate for FY 2024 will be revisited as additional collection data becomes available.

Other Items

Council Member Stipend Activity Listing: The FY 2024 budget includes appropriations of \$9,200 for the Mayor and \$8,000 for each City Council Post and the available balances as of February 29, 2023 are as follows:

	Budget	Expenditures	Available Balance
Mayor: Jim Gilvin	\$ 9,200	\$ 4,718	\$ 4,482
Post #1: Donald Mitchell	\$ 8,000	\$ 117	\$ 7,883
Post #2: Brian Will	\$ 8,000	\$ 0	\$ 8,000
Post #3: Doug DeRito	\$ 8,000	\$ 1,072	\$ 6,928
Post #4: John Hipes	\$ 8,000	\$ 478	\$ 7,522
Post #5*: Fergal Brady	\$ 6,899	\$ 1,213	\$ 5,686
Post #6: Dan Merkel	\$ 8,000	\$ 1,576	\$ 6,424

**Post #5: City Council member Fergal Brady began serving on January 1, 2024. City Council member Jason Binder served through December 31, 2023, and utilized \$1,101 of the Post #5 stipend leaving a balance of \$6,899 for the remainder of FY 2024.*

Development Authority³ (Component Reporting Unit)

As of February 29, 2024, the Development Authority has \$166,060 in available resources to support its main functions of promoting the public good and general welfare, trade, commerce, industry, general tax base and the employment opportunities available in the city.

³ The Development Authority is a public corporation created and existing under the Constitution and laws of the State of Georgia and is governed by seven directors duly appointed by the Alpharetta City Council.



GENERAL FUND

Revenue Report



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (Unaudited)
Revenue Summary and Collection Comparison
 As of February 29, 2024

	Current Fiscal Year					Prior Fiscal Year		
	2024 Budget	2024 YTD	% Collected	2024 Estimated	Variance	2023 Actual	2023 YTD	% Collected
Top 10 Revenues:								
Property Taxes								
Current Year	\$ 30,645,000	\$ 30,356,316	99.1%	\$ 31,150,000	\$ 505,000	\$ 27,550,384	\$ 26,732,446	97.0%
Delinquent	197,000	202,269	102.7%	249,000	52,000	723,017	451,308	62.4%
Motor Vehicle Tax	60,000	31,123	51.9%	60,000	-	76,680	47,009	61.3%
Motor Vehicle Title Fee	3,500,000	1,861,765	53.2%	3,775,000	275,000	3,464,923	1,968,278	56.8%
Local Option Sales Tax	22,100,000	13,082,142	59.2%	21,900,000	(200,000)	21,516,647	12,781,665	59.4%
Franchise Tax	6,825,000	5,899,742	86.4%	6,620,290	(204,710)	6,843,642	5,973,722	87.3%
Insurance Premium Tax	5,837,570	5,837,570	100.0%	5,837,570	0	5,418,627	5,418,627	100.0%
Alcohol Beverage Excise Tax	3,150,000	1,704,944	54.1%	2,850,000	(300,000)	2,922,779	1,716,697	58.7%
Building Permit Fees	2,000,000	1,232,279	61.6%	2,000,000	-	2,335,606	1,556,820	66.7%
Business and Occupational Tax	1,150,000	899,005	78.2%	1,150,000	-	1,153,003	870,558	75.5%
Court/Traffic Fines	3,140,250	1,341,895	42.7%	2,800,250	(340,000)	3,287,775	2,315,578	70.4%
Recreation/Special Event Fees	3,401,137	1,538,825	45.2%	3,462,540	61,403	2,805,000	1,418,466	50.6%
Hotel/Motel Tax (City portion)	3,581,250	1,724,475	48.2%	3,487,500	(93,750)	3,480,902	1,745,304	50.1%
subtotal	\$ 85,587,207	\$ 65,712,350	76.8%	\$ 85,342,150	\$ (245,057)	\$ 81,578,985	\$ 62,996,478	77.2%
Other Revenues	5,268,605	3,799,041	72.1%	5,607,018	338,413	6,045,863	3,583,099	59.3%
Total Revenues	\$ 90,855,812	\$ 69,511,390	76.5%	\$ 90,949,167	\$ 93,355	\$ 87,624,848	\$ 66,579,577	76.0%
Carryforward Fund Balance	10,547,818							



GENERAL FUND

Expenditure Reports



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (unaudited)
Expenditure Summary by Department
 As of February 29, 2024

Expenditures by Department:

	Current Fiscal Year						Prior Fiscal Year		
	2024 Budget	2024 Encumbrances	2024 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.	2023 Exp. (Total)	2023 Exp. (YTD)	% Exp.
Mayor & Council	\$ 399,354	\$ 2,298	\$ 226,728	\$ 170,328	57.3%	56.8%	\$ 325,804	\$ 218,790	67.2%
City Administration	2,179,423	76,094	1,359,544	743,785	65.9%	62.4%	1,431,114	968,488	67.7%
Finance	3,998,838	22,006	2,769,849	1,206,983	69.8%	69.3%	3,644,561	2,650,815	72.7%
City Attorney	1,200,000	11,050	380,037	808,913	32.6%	31.7%	789,935	510,860	64.7%
Information Technology	2,792,116	19,802	1,584,545	1,187,769	57.5%	56.8%	2,078,939	1,429,119	68.7%
Human Resources	971,316	12,047	612,494	346,775	64.3%	63.1%	765,239	510,817	66.8%
Municipal Court	1,222,688	16,564	766,966	439,159	64.1%	62.7%	1,114,535	747,174	67.0%
Public Safety	40,195,439	834,541	26,026,853	13,334,045	66.8%	64.8%	35,338,050	23,620,873	66.8%
Public Works	10,804,932	616,366	6,515,799	3,672,767	66.0%	60.3%	9,455,806	6,025,628	63.7%
Recreation, Parks & Cultural Svcs	14,014,857	1,498,106	8,282,771	4,233,980	69.8%	59.1%	11,925,670	7,335,790	61.5%
Community & Economic Development	5,010,278	39,703	3,099,393	1,871,183	62.7%	61.9%	4,305,559	2,920,706	67.8%
subtotal	\$ 82,789,241	\$ 3,148,577	\$ 51,624,979	\$ 28,015,685	66.2%	62.4%	\$ 71,175,213	\$ 46,939,060	65.9%
General Government:									
Insurance Premiums (Risk)	\$ 928,885	\$ -	\$ 619,257	\$ 309,628	66.7%	66.7%	\$ 823,300	\$ 548,867	66.7%
Gwinnett Tech Bond P&I	287,490	-	38,745	248,745	13.5%	13.5%	288,640	41,820	14.5%
Transfer(s) to other Funds	16,448,488	-	11,493,545	4,954,943	69.9%	69.9%	15,639,800	10,426,533	66.7%
Contingency	949,526	-	9,062	940,464	1.0%	1.0%	19,916	11,508	57.8%
subtotal	\$ 18,614,389	\$ -	\$ 12,160,609	\$ 6,453,780	65.3%	65.3%	\$ 16,771,656	\$ 11,028,728	65.8%
Total Expenditures	\$ 101,403,630	\$ 3,148,577	\$ 63,785,588	\$ 34,469,465	66.0%	62.9%	\$ 87,946,869	\$ 57,967,788	65.9%



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (unaudited)
Expenditure Summary by Category
 As of February 29, 2024

Current Fiscal Year								Prior Fiscal Year		
	2024 Budget	2024 Encumbrances	2024 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.		2023 Exp. (Total)	2023 Exp. (YTD)	% Exp.
Expenditures by Category:										
Salaries & Benefits:										
(1) Regular Salaries	\$ 36,050,817	\$ -	\$ 21,715,310	\$ 14,335,507	60.2%	60.2%		\$ 31,693,013	\$ 20,169,919	63.6%
Overtime	2,656,657	-	2,283,926	372,731	86.0%	86.0%		3,026,757	1,901,078	62.8%
Group Insurance	9,940,392	-	5,719,756	4,220,636	57.5%	57.5%		8,408,412	5,721,351	68.0%
FICA and Social Security	2,960,360	-	1,745,343	1,215,017	59.0%	59.0%		2,542,057	1,606,667	63.2%
Defined Benefit Pension	3,187,015	-	3,187,015	-	100.0%	100.0%		2,869,712	2,869,712	100.0%
401(A) Retirement/Match	3,531,072	-	2,224,366	1,306,706	63.0%	63.0%		2,844,106	1,799,045	63.3%
(2) Other	1,809,061	-	1,471,079	337,982	81.3%	81.3%		1,552,936	1,247,180	80.3%
subtotal	\$ 60,135,374	\$ -	\$ 38,346,795	\$ 21,788,579	63.8%	63.8%		\$ 52,936,993	\$ 35,314,951	66.7%
Maintenance & Operations:										
Professional Services	\$ 3,863,039	\$ 977,842	\$ 1,856,407	\$ 1,028,790	73.4%	48.1%		\$ 2,793,189	\$ 1,802,252	64.5%
Legal Services	1,200,000	11,050	380,037	808,913	32.6%	31.7%		789,935	510,860	64.7%
Vehicle Fuel/Maintenance	1,216,422	6,509	955,098	254,815	79.1%	78.5%		1,342,211	790,669	58.9%
Maintenance Contracts	3,486,041	1,187,150	1,946,734	352,157	89.9%	55.8%		3,497,210	2,194,902	62.8%
IT Professional Services	3,710,133	585,930	2,450,079	674,124	81.8%	66.0%		2,272,146	1,749,723	77.0%
General Supplies	1,197,537	79,556	667,085	450,896	62.3%	55.7%		982,100	608,343	61.9%
Utilities	3,026,225	-	1,920,914	1,105,311	63.5%	63.5%		2,844,084	1,687,130	59.3%
Insurance Premiums (Risk)	928,885	-	619,257	309,628	66.7%	66.7%		823,300	548,867	66.7%
Other	3,741,939	278,448	2,201,162	1,262,329	66.3%	58.8%		3,037,380	1,766,926	58.2%
subtotal	\$ 22,370,221	\$ 3,126,486	\$ 12,996,773	\$ 6,246,963	72.1%	58.1%		\$ 18,381,556	\$ 11,659,671	63.4%
Capital/Leases/Other:										
Fire Vehicle/Equip. Leases	\$ 779,067	\$ -	\$ 629,987	\$ 149,080	80.9%	80.9%		\$ 659,852	\$ 510,780	77.4%
City Hall HVAC	131,007	2,651	128,355	0	100.0%	98.0%		-	-	-
Equipment/Capital	294,957	19,440	142,325	133,192	54.8%	48.3%		6,188	2,525	40.8%
Other	7,500	-	-	7,500	0.0%	0.0%		13,924	-	0.0%
subtotal	\$ 1,212,531	\$ 22,091	\$ 900,668	\$ 289,772	76.1%	74.3%		\$ 679,964	\$ 513,305	75.5%
General Government:										
Gwinnett Tech Bond P&I	\$ 287,490	\$ -	\$ 38,745	\$ 248,745	13.5%	13.5%		\$ 288,640	\$ 41,820	14.5%
Transfer(s) to other Funds	16,448,488	-	11,493,545	4,954,943	69.9%	69.9%		15,639,800	10,426,533	66.7%
Contingency	949,526	-	9,062	940,464	1.0%	1.0%		19,916	11,508	57.8%
subtotal	\$ 17,685,504	\$ -	\$ 11,541,352	\$ 6,144,152	65.3%	65.3%		\$ 15,948,356	\$ 10,479,861	65.7%
Total Expenditures	\$ 101,403,630	\$ 3,148,577	\$ 63,785,588	\$ 34,469,465	66.0%	62.9%		\$ 87,946,869	\$ 57,967,788	65.9%

Notes:

- (1) Includes the following components: regular salaries, holiday leave, temporary and seasonal salaries, and separation payout.
- (2) Includes the following components: workers compensation, educational programs, automobile allowance, tuition reimbursement, and employee service awards.

04/17/2024



GRANT AND CAPITAL FUNDS

Revenue & Expenditure Reports



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds

Operating Grant Fund Detail (Fund 220; life-to-date for active projects)
As of February 29, 2024

		Project Snapshot: FY2013 - FY2023		FY 2024					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenues									
City Administration									
22013230-371000	C2100 MURAL ART PROJECT	15,915	15,915	\$ -	\$ -	\$ -	\$ -		\$ -
	subtotal			\$ -	\$ -	\$ -	\$ -		\$ -
Public Safety									
22031150-331110	C2115 2021 BULLETPROOF VEST (DOJ)	11,624	2,943	\$ -	\$ 8,681	\$ 8,681	\$ 8,680		\$ 1
22031150-331110	C2243 2022 BULLETPROOF VEST (DOJ)	27,408	-	-	27,408	27,408	5,960		21,448
22031150-371000	C2310 ALPHA BUS. ASSOC. K-9	17,000	17,000	-	-	-	-		-
22031150-331110	C2311 2022 JUSTICE ASSISTANCE GRANT	10,135	-	-	10,135	10,135	-		10,135
22031150-331110	C2317 2023 BULLETPROFF VEST (DOJ)	17,000	-	-	17,000	17,000	-		17,000
	subtotal			\$ -	\$ 63,224	\$ 63,224	\$ 14,640		\$ 48,584
Recreation, Parks & Cultural Services									
22061150-347509	C2039 WIRE & WOOD (ACVB SPONSOR)	256,000	152,000	\$ -	\$ 104,000	\$ 104,000	\$ 104,000		\$ -
22061150-371000	C2212 PARKING PERMIT - FILM	4,000	4,000	-	-	-	-		-
22061150-336001	C2234 ARTS CENTER (CERAMICS)	4,676	3,062	-	1,614	1,614	1,614		-
22061150-347509	C2239 NORTH PARK SOFTBALL TOURNEY	10,092	2,397	-	7,695	7,695	7,695		-
22061150-336000	C2247 2022 CAMP HAPPY HEARTS	5,000	5,000	-	-	-	-		-
22061150-336000	C2306 FULTON COUNTY ARTS & CULTURE	15,000	15,000	-	-	-	-		-
22061150-347509	C2308 MUSIC MATCH SPONSORSHIPS	2,070	-	-	2,070	2,070	2,070		-
22061150-371000	C2308 MUSIC MATCH APPLICATIONS	3,486	2,987	-	499	499	637		(138)
22061150-336000	C2418 2023 CAMP HAPPY HEARTS	6,000	-	-	6,000	6,000	6,000		-
	subtotal			\$ -	\$ 121,878	\$ 121,878	\$ 122,016		\$ (138)
General Government									
22090200-361000	INTEREST EARNINGS			\$ -	\$ -	\$ -	2,219		\$ (2,219)
22090200-362000	REALIZED GAIN/LOSS			-	-	-	(379)		379
22090200-363000	UNREALIZED GAIN/LOSS			-	-	-	1,340		(1,340)
22090200-395000	CARRYFORWARD FUND BALANCE			-	93,136	93,136	-		93,136
	subtotal			\$ -	\$ 93,136	\$ 93,136	\$ 3,179		\$ 89,957
	Total			\$ -	\$ 278,238	\$ 278,238	\$ 139,836		\$ 138,402



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds

Operating Grant Fund Detail (Fund 220; life-to-date for active projects)
As of February 29, 2024

		Project Snapshot: FY2013 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Expenditures									
City Administration									
22013230-521200	C2100 MURAL ART PROJECT	17,215	2,800	\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415
subtotal				\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415
Public Safety									
22031150-542100	C2115 2021 BULLETPROOF VEST (DOJ)	23,247	23,247	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
22031150-542100	C2243 2022 BULLETPROOF VEST (DOJ)	49,432	5,447	-	43,985	43,985	4,624	-	39,361
22031150-521200	C2310 ALPHA BUS. ASSOC K-9	17,000	708	-	16,292	16,292	9,852	-	6,440
223031150-531600	C2311 2022 JUSTICE ASSISTANCE GRANT	10,136	6,830	-	3,306	3,306	-	-	3,306
22031150-542100	C2317 2023 BULLETPROOF VEST (DOJ)	17,000	-	-	17,000	17,000	-	-	17,000
subtotal				\$ -	\$ 80,583	\$ 80,583	\$ 14,476	\$ -	\$ 66,107
Recreation, Parks & Cultural Services									
22061159-521200	C2039 WIRE & WOOD (ACVB SPONSOR)	204,000	100,000	\$ -	\$ 104,000	\$ 104,000	\$ 81,454	\$ 500	\$ 22,046
22061150-531100	C2101 SPECIAL NEEDS EXPO / EVENT	1,018	-	-	1,018	1,018	-	-	1,018
22061150-531100	C2102 FULTON GOLDEN GAMES	3,630	-	-	3,630	3,630	-	-	3,630
22061150-531100	C2212 PARKING PERMIT - FILM	4,000	3,750	-	250	250	-	-	250
22061150-531100	C2234 ARTS CENTER (CERAMICS)	4,679	2,770	-	1,909	1,909	254	-	1,655
22061150-531100	C2237 PARTNERED EVENTS	5,000	4,305	-	695	695	-	-	695
22061150-523300	C2239 NORTH PARK SOFTBALL TOURNEY	10,092	7,595	-	2,497	2,497	2,498	-	(1)
22061150-531100	C2247 2022 CAMP HAPPY HEARTS	5,000	4,226	-	774	774	-	-	774
22061150-521200	C2306 FULTON COUNTY ARTS & CULTURE	15,000	10,500	-	4,500	4,500	4,500	-	-
22061150-521200	C2308 MUSIC MATCH APPLICATIONS	5,556	2,915	-	2,641	2,641	-	-	2,641
22061150-531100	C2418 2023 CAMP HAPPY HEARTS	6,000	-	-	6,000	6,000	-	-	6,000
subtotal				\$ -	\$ 127,914	\$ 127,914	\$ 88,705	\$ 500	\$ 38,709
Non-Allocated									
22090200-579000	CONTINGENCY			\$ -	\$ 55,326	\$ 55,326	\$ -	\$ -	\$ 55,326
subtotal				\$ -	\$ 55,326	\$ 55,326	\$ -	\$ -	\$ 55,326
Total				\$ -	\$ 278,238	\$ 278,238	\$ 103,181	\$ 500	\$ 174,557



CITY OF ALPHARETTA

Financial Management Reports

Grant Funds

Capital Grant Fund Detail (Fund 340; life-to-date for active projects)

As of February 29, 2024

			Project Snapshot: FY2013 - FY2023		FY 2024					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenue										
Public Safety										
34034450-331150	C2244	2020 HOMELAND SECURITY GRANT	45,900	44,100	\$ -	\$ 1,800	\$ 1,800	\$ -		\$ 1,800
34031150-331150	C2246	2021 HOMELAND SECURITY GRANT	22,500	-	-	22,500	22,500	22,259		241
subtotal					\$ -	\$ 24,300	\$ 24,300	\$ 22,259		\$ 2,041
Public Works										
34041100-334310	C1219	MILLING AND RESURFACING (LMIG)	6,555,581	5,879,264	\$ -	\$ 676,317	\$ 676,317	\$ 676,317		\$ 0
34041100-331150	C2242	NORTHPOINT ALPHALINK (ARC/LCI)	1,000,001	6,097	-	993,904	993,904	224,583		769,321
34041100-331350	C2249	WILLS PARK BUFFER - EPD GRANT	200,001	191,698	-	8,303	8,303	-		8,303
34041100-331350	C2305	ALPHALOOP (LANDWATER)	500,000	-	-	500,000	500,000	-		500,000
subtotal					\$ -	\$ 2,178,524	\$ 2,178,524	\$ 900,900		\$ 1,277,624
Recreation, Parks & Cultural Services										
34061150-371000	C2248	CITY AGRICULTURE PLAN (FOOD WELL)	75,000	75,000	\$ -	\$ -	\$ -			\$ -
subtotal					\$ -	\$ -	\$ -			\$ -
Community & Economic Development										
34074150-331350	C2107	NORTH POINT PKWY IMP	1,667,001	1,123,758	\$ -	\$ 543,243	\$ 543,243	\$ 390,997		\$ 152,246
subtotal					\$ -	\$ 543,243	\$ 543,243	\$ 390,997		\$ 152,246
General Government										
34090200-361000		INTEREST EARNINGS			\$ -	\$ -	\$ -	\$ 2,272		\$ (2,272)
34090200-362000		REALIZED GAIN/LOSS			-	-	-	(1,868)		1,868
34090200-363000		UNREALIZED GAIN/LOSS			-	-	-	5,450		(5,450)
34090200-395000		CARRYFORWARD FUND BALANCE			-	(222,348)	(222,348)			(222,348)
subtotal					\$ -	\$ (222,348)	\$ (222,348)	\$ 5,853		\$ (228,201)
Total					\$ -	\$ 2,523,719	\$ 2,523,719	\$ 1,320,009		\$ 1,203,710



CITY OF ALPHARETTA

Financial Management Reports

Grant Funds

Capital Grant Fund Detail (Fund 340; life-to-date for active projects)

As of February 29, 2024

		Project Snapshot: FY2013 - FY2023		FY 2024					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Expenditures									
Public Safety									
34031150-542100	C2244 HOMELAND SECURITY GRANT	45,900	44,100	\$ -	\$ 1,800	\$ 1,800	\$ -	\$ -	\$ 1,800
34031150-542100	C2246 HOMELAND SECURITY GRANT	22,500	22,259	-	241	241	-	-	241
	subtotal			\$ -	\$ 2,041	\$ 2,041	\$ -	\$ -	\$ 2,041
Public Works									
34041100-541410	C1219 MILLING AND RESURFACING (LMIG)	6,555,582	5,879,265	\$ -	\$ 676,317	\$ 676,317	\$ 457,667	\$ 218,650	\$ 0
34041100-521200	C2242 NORTHPOINT ALPHALINK (ARC/LCI)	1,000,000	114,826	-	885,174	885,174	191,735	144,264	549,175
34041100-541430	C2249 WILLS PARK BUFFER - EPD GRANT	200,000	136,238	-	63,762	63,762	39,253	16,206	8,302
34041100-541420	C2305 ALPHALOOP (LANDWATER)	500,000	-	-	500,000	500,000	500,000	-	-
	subtotal			\$ -	\$ 2,125,253	\$ 2,125,253	\$ 1,188,655	\$ 379,120	\$ 557,478
Recreation, Parks & Cultural Services									
34061150-541500	C2248 CITY AGRICULTURE PLAN (FOOD WELL)	75,000	-	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
	subtotal			\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
Community & Economic Development									
34074150-541410	C2107 NORTH POINT PKWY IMP	1,978,081	1,737,467	\$ -	\$ 240,614	\$ 240,614	\$ 201,713	\$ 144,570	\$ (105,669)
	subtotal			\$ -	\$ 240,614	\$ 240,614	\$ 201,713	\$ 144,570	\$ (105,669)
Non-Allocated									
34090200-579000	CONTINGENCY			\$ -	\$ 80,811	\$ 80,811	\$ -	\$ -	\$ 80,811
	subtotal			\$ -	\$ 80,811	\$ 80,811	\$ -	\$ -	\$ 80,811
	Total			\$ -	\$ 2,523,719	\$ 2,523,719	\$ 1,390,368	\$ 523,690	\$ 609,661



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
 As of February 29, 2024

Account #Project		Project Snapshot: FY2013 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
30131150-337051	C2421 CAD/RECORDS MGMT (MILTON)	241,538	-	\$	-	\$ 241,538	\$ 241,538	\$ -	\$ 241,538
30141100-336000	C1410 RUCKER RD WATERLINE	1,562,603.88	1,459,844.88		-	102,759	102,759	102,757	2
30141100-336000	C1702 KIMBALL BR RD IMPROVEMENTS	6,146,784.00	5,544,518.00		-	602,266	602,266	602,265	1
30141100-336000	C2104 WBR PH 4 (NPP-GREENWAY)	333,925	-		-	333,925	333,925	-	333,925
30141100-371000	C2113 ENCORE GREENWAY GATEWAY	430,000	-		-	430,000	430,000	-	430,000
30141100-336000	C2238 DAVIS DR. WATER (COUNTY)	364,489	298,753		-	65,736	65,736	-	65,736
30141100-336000	C2400 CEMETERY RETAINING WALL	2,500	-		-	2,500	2,500	2,500	-
30161150-371000	C1929 COMM AG PROGRAM	88,233	81,348		-	6,885	6,885	7,547	(662)
30161150-371000	C2010 MEMORIAL-PARK ENHANCEMENTS	43,300	38,700		-	4,600	4,600	5,200	(600)
30161150-371000	C2309 WACKY WORLD 2.0 (DONATIONS)	56,678	7,628		-	49,050	49,050	79,326	(30,276)
30161150-371000	C2413 WBP DUGOUT EXPANSION	18,925	-		-	18,925	18,925	18,925	-
30161150-371000	C2415 PUBLIC ART FUND (CITY LOC)	15,000	-		-	15,000	15,000	15,000	-
30161150-371000	C2419 WEBB BRIDGE PARK DOG PARK	50,000	-		-	50,000	50,000	50,000	-
30161150-337052	C2426 MAYFIELD PARK - MILTON IGA	65,000	-		-	65,000	65,000	-	65,000
30174150-337000	C0910 TREE REPLACEMENT FUND	164,320	-		-	164,320	164,320	362,250	(197,930)
30113230-336000	C0924 ECONOMIC DEVELOPMENT PLAN	37,500	-		-	37,500	37,500	37,500	-
30174150-336000	C1538 ARTS CENTER FEASIBILITY STUDY	17,500	-		-	17,500	17,500	17,500	-
	subtotal			\$	-	\$ 2,207,504	\$ 2,207,504	\$ 1,300,771	\$ 906,734
Non-Departmental									
30190200-395000	CARRYFORWARD FUND BALANCE			\$	1,500,000	\$ 9,713,644	\$ 11,213,644	\$ -	\$ 11,213,644
30190200-391100	TRANSFER-IN FROM THE GENERAL FUND				10,597,818	1,795,000	12,392,818	8,860,212	3,532,606
30190200-362000	REALIZED GAIN/LOSS				-	-	-	(44,776)	44,776
30190200-363000	UNREALIZED GAIN/LOSS				-	-	-	159,294	(159,294)
30190200-361000	INTEREST EARNINGS				150,000	275,000	425,000	269,031	155,969
	subtotal			\$	12,247,818	\$ 11,783,644	\$ 24,031,462	\$ 9,243,761	\$ 14,787,701
	Total			\$	12,247,818	\$ 13,991,148	\$ 26,238,966	\$ 10,544,532	\$ 15,694,434



CITY OF ALPHARETTA
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 Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
 As of February 29, 2024

					Project Snapshot: FY2013 - FY2023		FY 2024					
					Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project											
Expenditures												
Administration												
30113230-542400	C1404	WEBSITE UPGRADE		145,000	3,560	\$ -	\$ 141,440	\$ 141,440	\$ 1,350	\$ -	\$ 140,090	



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Account #Project				Project Snapshot: FY2013 - FY2023		FY 2024					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Public Safety											
30131150-542200	C1202	FLEET REPLACEMENT		9,890,846	6,202,954	\$ 1,875,000	\$ 1,812,892	\$ 3,687,892	\$ 730,093	\$ 1,689,110	\$ 1,268,689
30131150-541300	C1229	PS ROOF REPAIR		1,197,112	1,172,875	-	24,237	24,237		-	24,237
30131150-542100	C1401	PS EQUIPMENT REPLACEMENT		1,513,925	1,376,082	-	137,843	137,843	85,185	17,838	34,820
30131150-541300	C1706	RAPSTC IMPROVEMENTS		492,531	198,250	-	294,281	294,281		-	294,281
30131150-542400	C2052	SECURITY SYSTEM REFRESH		400,060	307,799	-	92,261	92,261	70,521	15,578	6,162
30131150-542100	C2055	LICENSE PLATE READER PROGRAM		20,000	9,196	-	10,804	10,804	-	-	10,804
30131150-542100	C2207	LUCAS DEVICES		176,000	169,942	-	6,058	6,058	-	-	6,058
30131150-542100	C2235	CRABAPPLE TRAINING FACILITY		43,871	38,391	-	5,480	5,480	-	-	5,480
30131150-542400	C2301	CAD/RECORDS MANAGEMENT SOFTWARE		2,250,001	374,223	-	1,875,778	1,875,778	520,514	1,335,263	20,001
30131150-542100	C2302	ALL TERRAIN VEHICLES		10,772	10,772	-	-	-		-	-
30131150-542100	C2303	2023 OP INITIATIVES EQUIPMENT		449,501	17,168	-	432,333	432,333	57,971	370,320	4,042
30131150-541300	C2314	FIRE STATION FACILITIES ASSESSMENT		300,000	-	225,000	75,000	300,000	74,475	24,375	201,150
30131150-542400	C2406	REAL TIME CRIME CENTER		128,900	-	128,900	-	128,900	8,776	-	120,124
30131150-542200	C2407	ASST FIRE MARSHAL EQUIPMENT		66,000	-	66,000	-	66,000	5,396	56,371	4,233
30131150-542400	C2421	CAD/RECORDS MGMT (MILTON)		241,538	-	-	241,538	241,538	-	241,537	1
		subtotal				\$ 2,294,900	\$ 5,008,505	\$ 7,303,405	\$ 1,552,931	\$ 3,750,391	\$ 2,000,083
Public Works											
30141100-541200	C0910	TREE REPLACEMENT FUND		\$ 1,812,471	\$ 1,488,131	\$ -	\$ 324,340	\$ 324,340	\$ 4,750	\$ 53,325	\$ 266,265
30141100-541200	C1008	CEMETERY AUTHORITY- MAINTENANCE		493,726	227,923	-	265,803	265,803	10,946	21,213	233,644
30141100-541410	C1207	BRIDGE MAINTENANCE		865,212	406,488	200,000	258,724	458,724	1,350	441,402	15,972
30141100-541410	C1215	STRIPING & SIGNAGE		2,264,665	2,013,199	250,000	1,466	251,466	64,879	61,376	125,211
30141100-541410	C1217	TRAFFIC CALMING & INTERSECTION IMP		553,585	513,116	-	40,469	40,469	40,469	-	0
30141100-541410	C1218	TRAFFIC SIGNAL SYSTEM MAINTENANCE		904,267	804,267	100,000	-	100,000	34,783	12,532	52,685
30141100-541410	C1219	MILLING AND RESURFACING		27,137,647	24,017,647	3,120,000	-	3,120,000	184,527	2,757,486	177,987
30141100-541410	C1220	TRAFFIC CONTROL EQUIPMENT		1,087,079	980,278	100,000	6,801	106,801	52,911	52,095	1,794
30141100-541410	C1221	DESIGN SERVICES		1,018,300	894,867	75,000	48,433	123,433	26,343	25,285	71,805
30141100-542200	C1223	FLEET REPLACEMENT		1,672,223	1,334,068	190,000	148,155	338,155	5,224	314,188	18,743
30141100-541300	C1229	FACILITY ROOF REPAIR/REPLACE		325,000	-	325,000	-	325,000	765	322,316	1,919



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Account #	Project	Project Snapshot: FY2013 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30141100-541200	C1302 TREE PLANTING & LANDSCAPING IMP	1,374,771	1,072,093	152,000	150,678	302,678	60,741	20,980	220,957
30141100-542100	C1802 PW EQUIPMENT REPLACEMENT	217,374	203,793	-	13,581	13,581	-	-	13,581
30141100-541410	C1901 TRAFFIC RESPONSIVE SYSTEM MAINT	550,001	429,468	100,000	20,533	120,533	23,528	18,248	78,758
30141100-541300	C1902 FIRE STATION RENOVATIONS	435,003	419,519	-	15,484	15,484	3,300	-	12,184
30141100-541300	C1904 PW HQ RENOVATIONS	178,038	157,586	-	20,452	20,452	15,309	-	5,143
30141100-541300	C1906 CITY HALL RENOVATIONS	25,000	-	25,000	-	25,000	25,000	-	-
30141100-541300	C2003 HVAC REPLACEMENTS	391,730	291,730	100,000	-	100,000	61,854	-	38,146
30141100-541300	C2004 GENERATOR REPLACEMENTS	295,027	295,027	-	-	-	-	-	-
30141100-542400	C2026 TCC HARDWARE/SOFTWARE	170,002	98,846	-	71,156	71,156	7,285	-	63,871
30141100-541410	C2048 STREETLIGHT MAINTENANCE	349,079	203,862	80,000	65,217	145,217	19,028	47,288	78,900
30141100-541500	C2050 REC FACILITY MAINTENANCE	155,000	128,146	-	26,854	26,854	7,792	-	19,062
30141100-541300	C2053 PARKING GARAGE MAINTENANCE	181,308	58,383	25,000	97,925	122,925	95,845	15,490	11,590
30141100-541410	C2104 WEBB BR ROAD PH4 (NPP- GREENWAY)	333,925	-	-	333,925	333,925	-	333,925	-
30141100-541410	C2113 ENCORE GREENWAY GATEWAY	430,001	306,250	-	123,751	123,751	115,216	8,534	1
30141100-544200	C2200 CITY TRASH RECEPTACLE SERVICE	100,002	84,042	-	15,960	15,960	-	-	15,960
30141100-541410	C2238 DAVIS DR WATER (COUNTY)	364,489	298,753	-	65,736	65,736	-	65,736	1
30141100-521200	C2242 NORTHPOINT ALPHALINK (ARC/LCI)	365,000	37,016	-	327,984	327,984	12,806	67,036	248,142
30141100-541420	C2305 ALPHALOOP (OMP - NORTHWINDS)	188,272	30,686	-	157,586	157,586	(10)	-	157,596
30141100-541410	C2315 LOCAL ROADS SAFETY ACTION PLAN	199,778	140,710	-	59,068	59,068	59,068	-	0
30141100-541200	C2400 CEMETERY RETAINING WALL	18,500	-	16,000	2,500	18,500	16,071	-	2,429
30141100-544200	C2408 WEBB BRIDGE PARK SEWER	437,500	180	437,500	(180)	437,320	52,714	14,531	370,075
30141100-541200	C2409 SR9 LANDSCAPING	350,000	-	350,000	-	350,000	-	-	350,000
30141100-542100	C2410 WINTER WEATHER EQUIPMENT	65,000	-	65,000	-	65,000	-	-	65,000
30141100-541410	C2425 WATERS RD BRIDGE (GDOT)	100,000	-	-	100,000	100,000	-	-	100,000
	subtotal			\$ 5,710,500	\$ 2,762,401	\$ 8,472,901	\$ 1,002,494	\$ 4,652,986	\$ 2,817,421



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Account #Project		Project Snapshot: FY2013 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Recreation, Parks & Cultural Services									
30161150-541500	C0922 SYNTHETIC TURF REPLACEMENT	1,505,429	1,005,429	\$ 500,000	\$ -	\$ 500,000	\$ 767	\$ 483,800	\$ 15,434
30161150-541200	C1210 TREE REMOVAL			200,000	58,667	258,667	157,386	31,899	69,382
30161150-541500	C1221 DESIGN SERVICES	214,224	209,396	-	4,828	4,828	-	3,585	1,243
30161150-541300	C1229 FACILITY ROOF REPAIR	680,411	485,411	195,000	-	195,000	46,725	142,759	5,516
30161150-542200	C1232 FLEET	434,010	202,662	-	231,348	231,348	231,347	-	1
30161150-542100	C1402 RP EQUIPMENT REPLACEMENT	968,787	758,226	153,000	57,561	210,561	38,689	38,689	133,184
30161150-541500	C1424 WILL PARK POOL EXPANSION	59,000	55,700	-	3,300	3,300		3,300	-
30113230-544200	C1527 VETERANS MEMORIAL	105,667	75,806	-	29,861	29,861	-	-	29,861
30161150-541500	C1614 THE STORIES PROJECT	85,000	31,065	-	53,935	53,935	23,500	23,500	6,935
30161150-541510	C1636 GREENWAY REPAIR AND MAINTENANCE	839,751	394,219	260,100	185,432	445,532	10,520	6,116	428,896
30161150-541500	C1804 PARK REPAIRS/IMPROVEMENTS	846,212	731,552	90,000	24,660	114,660	7,422	25,994	81,244
30161150-541500	C1806 PARKS PLAYGROUND EQUIPMENT	688,640	288,640	250,000	150,000	400,000	-	400,000	-
30161150-544100	C1807 PUBLIC ARTS PROGRAM	286,000	202,550	55,000	28,450	83,450	6,975	6,975	69,500
30161150-541500	C1911 EQUESTRIAN CENTER (FOUNDATION)	245,453	245,453	-	-	-		-	-
30161150-521200	C1926 NORTHSIDE MOU (PARKS)	11,400	4,625	-	6,775	6,775	6,775	-	-
30161150-541500	C1926 NORTHSIDE MOU (PARKS)	149,903	118,365	-	31,538	31,538	19,147	-	12,391
30161150-541500	C1929 COMMUNITY AGRICULTURE PROGRAM	88,237	40,530	-	47,707	47,707	29,560	-	18,147
30161150-541500	C2010 PARK ENHANCEMENTS	630,779	615,658	-	15,121	15,121	15,150	-	(29)
30161150-541500	C2030 TOWN GREEN IMPROVEMENTS	250,000	29,500	-	220,500	220,500	202,742	-	17,758
30161150-541500	C2051 FOUNTAIN MAINTENANCE	86,306	36,306	50,000	-	50,000	24,500	9,900	15,600
30161150-541500	C2202 ATHLETIC COURTS RESURFACING	198,433	68,368	100,000	30,065	130,065	80,102	-	49,963
30161150-541500	C2217 MID-BROADWELL PARK	52,081	-	-	52,081	52,081	-	52,081	-
30161150-541500	C2248 CITY AGRICULTURE PLAN (FOOD WELL)	75,000	-	-	75,000	75,000	-	-	75,000
30161150-541500	C2304 PARK WOOD POLE REPLACEMENT	200,000	-	-	200,000	200,000	30,483	54,633	114,884
30161150-541500	C2309 WACKY WORLD 2.0 (DONATIONS)	56,678	-	-	56,678	56,678	2,355	-	54,323
30161150-541500	C2411 PARK TRAIL MAINTENANCE	200,000	-	200,000	-	200,000	-	-	200,000



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Account #	Project	Project Snapshot: FY2013 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30161150-541500	C2412 CULTURAL ARTS MASTER PLAN	30,000	-	30,000	-	30,000	-	-	30,000
30161150-541500	C2413 WBP DUGOUT EXPANSION	30,425	-	11,500	18,925	30,425	30,425	-	-
30161150-544100	C2415 PUBLIC ART FUND (CITY LOCATIONS)	15,000	-	-	15,000	15,000	-	-	15,000
30161150-541500	C2419 WEBB BRIDGE PARK DOG PARK	50,000	-	-	50,000	50,000	3,985	42,576	3,439
30161150-541500	C2426 MAYFIELD PARK - MILTON IGA	130,000	-	-	130,000	130,000	-	-	130,000
	subtotal			\$ 2,094,600	\$ 1,777,432	\$ 3,872,032	\$ 968,554	\$ 1,325,806	\$ 1,577,672
Community Development									
30174150-544100	C0019 DOWNTOWN PARKING FUND	576,749	297,748	\$ -	\$ 279,001	\$ 279,001	\$ 18,000	\$ -	\$ 261,001
30174150-544100	C0924 ECONOMIC DEVELOPMENT PLAN	107,640	92,500	-	15,140	15,140	15,140	-	-
30174150-544200	C1300 CITY ECON DEVELOPMENT TOOLKIT	245,760	202,010	-	43,750	43,750	-	-	43,750
30174150-542200	C1433 FLEET REPLACEMENT	99,932	59,932	40,000	-	40,000	30,102	-	9,899
30174150-544100	C1538 ARTS CENTER FEASIBILITY STUDY	35,000	-		35,000	35,000	30,000	5,000	-
30174150-541410	C1603 DESIGN SERVICES	587,204	473,611	61,200	52,393	113,593	7,812	22,250	83,531
30174150-542400	COMMUNITY DEVELOPMENT EQUIPMENT	21,000	7,993	-	13,007	13,007	1,633	-	11,374
30174150-521200	C2307 WINDWARD-HWY9 MASTER PLAN MOU	60,000	700	-	59,300	59,300	-	-	59,300
30174150-521200	C2401 NORTH POINT FRAMEWORK PLAN	200,000	-	200,000	-	200,000	-	-	200,000
30174150-523400	C2402 GARDEN DISTRICT SIGNAGE	12,700	-	12,700	-	12,700	-	-	12,700
30174150-544100	C2403 SOUTH MAIN DISTRICT	50,000	-	50,000	-	50,000	-	50,000	-
30174150-544100	C2404 BROOKSIDE PARK GATEWAY	75,000	-	75,000	-	75,000	-	-	75,000
30174150-542200	C2405 LAND DEV INSPECTOR EQUIPMENT	45,000	-	45,000	-	45,000	29,906	-	15,094
30174150-541410	C2414 BROOKSIDE PARKWAY LAND DIET	40,000	-	40,000	-	40,000	-	-	40,000
	subtotal			\$ 523,900	\$ 497,591	\$ 1,021,491	\$ 132,593	\$ 77,250	\$ 811,648
Non-Departmental									
30190200-579000	NON-ALLOCATED			\$ 1,183,918	\$ 2,221,432	\$ 3,405,350	\$ -	\$ -	\$ 3,405,350
30190200-579011	MATCH (GRANTS UNDER REVIEW)			-	276,000	276,000	-	-	276,000
	subtotal			\$ 1,183,918	\$ 2,497,432	\$ 3,681,350	\$ -	\$ -	\$ 3,681,350
	Total			\$ 12,247,818	\$ 13,991,148	\$ 26,238,966	\$ 4,402,967	\$ 9,950,442	11,885,556



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Stormwater Capital Fund Detail (Fund 302; life-to-date for all projects)
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		Project Snapshot: FY2017 - FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Revenue									
Non-Departmental									
30290200-361000	INTEREST EARNINGS			\$ 50,000	\$ 120,000	\$ 170,000	\$ 102,724		\$ 67,276
30290200-362000	REALIZED GAIN/LOSS INV			-	-	-	(16,825)		16,825
30290200-363000	UNREALIZED GAIN/LOSS INV			-	-	-	58,766		(58,766)
30290200-391100	TRANSFER IN/GENERAL FUND MATCH			3,950,000	-	3,950,000	2,633,333		1,316,667
30290200-395000	CARRYFORWARD FUND BALANCE			-	4,737,937	4,737,937	-		4,737,937
	subtotal			\$ 4,000,000	\$ 4,857,937	\$ 8,857,937	\$ 2,777,998		\$ 6,079,939
	Total			\$ 4,000,000	\$ 4,857,937	\$ 8,857,937	\$ 2,777,998		\$ 6,079,939
Expenditures									
Public Works									
30241100-541430 C1216	SW DRAINAGE MAINTENANCE	1,006,403	788,796	\$ -	\$ 217,607	\$ 217,607	\$ 174,270	\$ 24,246	\$ 19,092
30241100-541430 C1308	SW PIPE & STRUCTURE R&M	15,009,102	7,349,440	4,000,000	3,659,662	7,659,662	1,206,753	2,685,205	3,767,704
30241100-541430 C1503	STORMWATER STUDIES	500,001	343,780	-	156,221	156,221	-	-	156,221
30241100-541430 C1604	STORMWATER INSPECTIONS	664,055	542,365	-	121,690	121,690	-	-	121,690
30241100-541430 C2208	MEADOW BROOK HILLS DRAINAGE	253,233	252,993	-	240	240	240	-	-
30241100-541430 C2423	DOUGLAS ROAD DRAINAGE	417,113	-	-	417,113	417,113	11,700	-	405,413
	subtotal			\$ 4,000,000	\$ 4,572,533	\$ 8,572,533	\$ 1,392,963	\$ 2,709,450	\$ 4,470,120
Non-Departmental									
30290200-579000	NON-ALLOCATED			\$ -	\$ 285,404	\$ 285,404	\$ -	\$ -	\$ 285,404
	subtotal			-	\$ 285,404	\$ 285,404	\$ -	\$ -	\$ 285,404
	Total			\$ 4,000,000	\$ 4,857,937	\$ 8,857,937	\$ 1,392,963	\$ 2,709,450	\$ 4,755,524



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American Rescue Act Fund Detail (Fund 303; life-to-date for all projects)
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		Project Snapshot: FY2017 - FY2023		FY 2024					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
General Government									
30390200-331350	FEDERAL GRANT	-	3,905,852	\$ -	\$ 2,738,659	\$ 2,738,659	\$ 2,104,415		\$ 634,244
	Total			\$ -	\$ 2,738,659	\$ 2,738,659	\$ 2,104,415		\$ 634,244
Expenditures									
Public Works									
30341100-541410 C1219	MILLING & RESURFACING	1,175,959	1,175,959	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
30341100-541430 C1308	PIPE/STORM STRUCTURE REPL.	2,144,510	1,811,716	-	332,794	332,794	199,757	-	133,037
30341100-541420 C1801	SIDEWALK MAINTENANCE/REPAIR	1,324,001	655,690	-	668,311	668,311	570,976	17,952	79,383
	subtotal			\$ -	\$ 1,001,105	\$ 1,001,105	\$ 770,733	\$ 17,952	\$ 212,420
Recreation, Parks & Cultural Services									
30361150-541500 C1636	GREENWAY REPAIR/MAINTENANCE	87,519	76,019	\$ -	\$ 11,500	\$ 11,500	\$ 6,500	\$ 5,000	\$ -
30361150-541500 C2316	GREENWAY BOARDWALK REPL.	1,912,483	186,468	-	1,726,015	1,726,015	1,327,182	398,831	2
	subtotal			\$ -	\$ 1,737,515	\$ 1,737,515	\$ 1,333,682	\$ 403,831	\$ 2
Non-Departmental									
30390200-579000	NON-ALLOCATED			\$ -	\$ 39	\$ 39	\$ -	\$ -	\$ 39
	subtotal			\$ -	\$ 39	\$ 39	\$ -	\$ -	\$ 39
	Total			\$ -	\$ 2,738,659	\$ 2,738,659	\$ 2,104,415	\$ 421,783	\$ 212,461



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
2022 Parks Bond Fund Detail (Fund 318; life-to-date for all projects)
 As of February 29, 2024

				Project Snapshot: FY2017 - FY2023		FY 2024					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project										
Revenue											
Non-Departmental											
31890200-361000	INTEREST EARNINGS					\$ -	\$ 1,400,000	\$ 1,400,000	\$ 1,026,227		\$ 373,773
31890200-395000	CARRYFORWARD FUND BALANCE					-	28,451,393	28,451,393	-		28,451,393
	subtotal					\$ -	\$ 29,851,393	\$ 29,851,393	\$ 1,026,227		\$ 28,825,166
	Total					\$ -	\$ 29,851,393	\$ 29,851,393	\$ 1,026,227		\$ 28,825,166
Expenditures											
31841100-541420	C1712	ALPHALOOP		7,542,698	42,698	\$ -	\$ 7,500,000	\$ 7,500,000	\$ -	\$ -	\$ 7,500,000
31861150-541500	C0922	SYNTHETIC TURF		1,405,386	448,084	-	957,302	957,302	4,899	763	951,640
31861150-541500	C1911	EQUESTRIAN CENTER (CITY)		5,386,980	792,366	-	4,594,614	4,594,614	78,257	980,737	3,535,621
31861150-541500	C2011	WILLS PARK MASTER PLAN IMP		6,062,644	778,257	-	5,284,387	5,284,387	97,561	310,174	4,876,652
31861150-541500	C2216	UNION HILL PARK		3,303,690	444,966	-	2,858,724	2,858,724	133,841	157,288	2,567,595
31861150-541500	C2217	MID-BROADWELL PARK		836,296	389,984	-	446,312	446,312	318,747	140,640	(13,075)
31861150-541500	C2218	OLD RUCKER PARK		3,030,570	366,865	-	2,663,705	2,663,705	56,831	17,269	2,589,605
31861150-541500	C2219	FARMHOUSE PARK		2,224,706	255,276	-	1,969,430	1,969,430	-	-	1,969,430
31861150-541500	C2220	WATERS ROAD PARK		1,256,501	224,706	-	1,031,795	1,031,795	662,490	362,024	7,280
31861150-541500	C2245	WILLS PARK MAINTENANCE FACILITY		328,634	328,634	-	-	-	-	-	-
31890200-579000	PARKS RESERVE			2,913,673	368,549	-	2,545,124	2,545,124	-	-	2,545,124
31890200-584000	DEBT ISSUANCE COSTS			368,549	368,549	-	-	-	-	-	-
	Total					\$ -	\$ 29,851,393	\$ 29,851,393	\$ 1,352,626	\$ 1,968,895	\$ 26,529,872



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
TSPLOST I Fund Detail (Fund 335; life-to-date for all projects)
 As of February 29, 2024

Account #		Project		Project Snapshot: FY2017-FY2023		FY 2024							
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget		
Revenue													
Non-Departmental													
33590200-395000		CARRYFORWARD FUND BALANCE				\$	-	\$ 35,292,260	\$ 35,292,260		\$ 35,292,260		
33541100-361000		INTEREST EARNINGS					-	1,650,000	1,650,000	1,268,869	381,131		
		Total				\$	-	\$ 36,942,260	\$ 36,942,260	\$ 1,268,869	\$ 35,673,391		
Expenditures													
33541100-541410		C1219 MILLING AND RESURFACING				\$	-	\$	-	\$	-	\$	-
33541100-541410		C1631 MCGINNIS RD IGA (FORSYTH)					-	4,262,845	4,262,845	346,471	-	3,916,374	
33541100-541410		C1713 KIMBALL BR RD OP IMP.					-	236,280	236,280	92,026	148,097	(3,843)	
33541100-541410		C1717 OLD MILTON PKWY CAPACITY IMP.					-	3,080,859	3,080,859	199,053	902,022	1,979,784	
33541100-541410		C1800 HAYNES BRIDGE RD IMP					-	-	-	-	-	-	
33541100-541410		C1933 WEBB BRIDGE RD (DESIGN-PROJ. MGMT., ETC.)					-	-	-	-	-	-	
33541100-541410		C1934 WINDWARD PKWY EAST IMPROVEMENTS					-	-	-	-	-	-	
33541100-541410		C2054 GA 400 BRIDGES (WEBB; KIMBALL)					-	2,765,715	2,765,715	-	2,765,714	1	
33541100-541410		C2104 WEBB BR RD PHASE 4 (NPP TO GREENWAY)					-	36	36	-	-	36	
33541100-541410		C2113 ENCORE GREENWAY GATEWAY					-	2,339,700	2,339,700	7,227	43,000	2,289,473	
33541100-541410		C2211 WEBB BRIDGE RD PHASE 1 (WESTWIND TO GREENWAY)					-	-	-	-	-	-	
33541100-541410		C2229 WEBB BRIDGE RD PHASE 2 (ROUNDAABOUT-PARK)					-	4,755,670	4,755,670	783,038	2,336,339	1,636,293	
33541100-541410		C2232 WEBB BRIDGE RD PHASE 3 (GREENWAY-ROUNDAABOUT)					-	15,978,434	15,978,434	467,161	13,791,194	1,720,080	
33541100-541420		C2305 ALPHALOOP (OMP-NORTHWINDS)					-	-	-	-	-	-	
33590200-579000		CONTINGENCY					-	3,522,721	3,522,721	-	-	3,522,721	
		Total					\$	-	\$ 36,942,260	\$ 36,942,260	\$ 1,894,976	\$ 19,986,365	\$ 15,060,919



CITY OF ALPHARETTA
 Financial Management Reports
 Capital Project Funds
TSPLOST II Fund Detail (Fund 336; life-to-date for all projects)
 As of February 29, 2024

Account #Project		Project Snapshot: FY2017-FY2023		FY 2024					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
Non-Departmental									
33690200-313400	TSPLOST II			\$ -	\$ 33,793,672	\$ 33,793,672	\$ 8,807,358		\$ 24,986,314
33641100-361000	INTEREST EARNINGS			-	690,000	690,000	521,311		168,689
33690200-395000	CARRYFORWARD FUND BALANCE			-	13,545,437	13,545,437	-		13,545,437
Total				\$ -	\$ 48,029,109	\$ 48,029,109	\$ 9,328,669		\$ 38,700,440
Expenditures									
33641100-541410	C1713 KIMBALL BR RD GAP	500,000	-	\$ -	\$ 500,000	\$ 500,000	\$ -	\$ -	\$ 500,000
33641100-541410	C2040 TRADEWINDS PARKWAY	6,500,000	10,715	-	6,489,285	6,489,285	422,100	-	6,067,185
33641100-541410	C2104 WEBB BRIDGE ROAD (NPP- GREENWAY)	13,000,001	2,065,944	-	10,934,057	10,934,057	2,421,905	5,414,843	3,097,309
33641100-541410	C2107 NORTH POINT PARKWAY IMP	10,000,000	28,393	-	9,971,607	9,971,607	41,332	668,574	9,261,701
33641100-541410	C2221 CROSSWALK (ALPHARETTA ELEM)	107,670	107,670	-	-	-	-	-	-
33641100-541410	C2222 CROSSWALK (MANNING OAKS ELEM)	74,263	18,537	-	55,726	55,726	-	-	55,726
33641100-541410	C2223 CROSSING (92 MILTON GARAGE)	212,301	208,128	-	4,173	4,173	-	-	4,173
33641100-541410	C2224 RAISED INTSECTION (MARIETTA ST)	350,001	16,925	-	333,076	333,076	23,191	118,484	191,401
33641100-541410	C2225 CROSSINGS (CITY CTR/CHURCHES)	750,001	23,434	-	726,567	726,567	13,602	81,664	631,301
33641100-541410	C2226 PEDESTRIAN BRIDGES (WW PKWY)	4,000,001	394,995	-	3,605,006	3,605,006	135,063	136,132	3,333,812
33641100-541410	C2227 CROSSWALK (COGBURN PARK)	129,616	129,616	-	-	-	-	-	-
33641100-541410	C2228 CROSWALK (CHARLOTTE DR)	146,000	146,000	-	-	-	-	-	-
33641100-541410	C2230 CUMMING ST CORRIDOR	4,757,526	6	-	4,757,520	4,757,520	-	-	4,757,520
33641100-541420	C2305 ALPHALOOP (OMP - NORTHWINDS)	12,000,001	1,919,004	-	10,080,997	10,080,997	5,138,995	4,701,646	240,355
33690200-579000	CONTINGENCY	571,095	-	-	571,095	571,095	-	-	571,095
Total				\$ -	\$ 48,029,109	\$ 48,029,109	\$ 8,196,188	\$ 11,121,343	\$ 28,711,578



CITY OF ALPHARETTA
 Financial Management Reports
 Special Revenue Funds
Impact Fee Fund (Fund 270; life-to-date for active projects)
 As of February 29, 2024

		Project Snapshot: FY2013 - FY2023		FY 2024					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
27074110-341321	IMPACT FEES STREETS & HIGHWAYS			\$ -	\$ 151,000	\$ 151,000	\$ 175,794		\$ (24,794)
27074110-341323	IMPACT FEES RECREATION & PARKS			-	280,057	280,057	329,151		(49,094)
27074110-341324	IMPACT FEES PUBLIC SAFETY			-	16,000	16,000	17,934		(1,934)
27074110-362000	REALIZED GAIN/LOSS			-	-	-	(12,737)		12,737
27074110-363000	UNREALIZED GAIN/LOSS			-	-	-	44,103		(44,103)
27074110-395000	CARRYFORWARD FUND BALANCE			-	3,712,044	3,712,044	-		3,712,044
27074110-361000	INTEREST EARNINGS			-	-	-	78,158		(78,158)
	Total			\$ -	\$ 4,159,101	\$ 4,159,101	\$ 632,402		\$ 3,526,699
Expenditures									
Public Safety									
27031150-544200	C2206 RAPID RESCUE TRUCK	124,600	124,100	\$ -	\$ 500	\$ 500	\$ -	\$ -	\$ 500
	subtotal			\$ -	\$ 500	\$ 500	\$ -	\$ -	\$ 500
Public Works									
27041100-541410	C1410 RUCKER RD CORRIDOR	1,002,553	991,047	\$ -	\$ 11,506	11,506	\$ -	\$ 11,506	\$ 0
27041100-541410	C2107 NORTH POINT PARKWAY IMPROVEMENTS	1,250,000	-	-	1,250,000	1,250,000	-	-	1,250,000
27041100-541420	C2305 ALPHALOOP (OMP - NORTHWINDS)	1,540,000	1,533,350	-	6,650	6,650	-	6,650	-
	subtotal			\$ -	\$ 1,268,156	\$ 1,268,156	\$ -	\$ 18,156	\$ 1,250,000
Recreation, Parks & Cultural Services									
27061150-541500	C2011 WILLS PARK MASTER PLAN	328,634	21,930	\$ -	\$ 306,704	\$ 306,704	\$ -	\$ -	\$ 306,704
27061150-541410	C2113 ENCORE GREENWAY GATEWAY	2,000,000	27,480	-	1,972,520	1,972,520	-	-	1,972,520
	subtotal			\$ -	\$ 2,279,224	\$ 2,279,224	\$ -	\$ -	\$ 2,279,224
Non-Departmental									
27074110-521200	PROFESSIONAL SERVICES			\$ -	\$ 37,525	\$ 37,525	\$ -	\$ 37,525	\$ -
27074110-579001	NON-ALLOCATED STREETS & HIGHWAYS			-	178,367	178,367	-	-	178,367
27074110-579002	NON-ALLOCATED PARKS			-	231,000	231,000	-	-	231,000
27074110-579003	NON-ALLOCATED PUBLIC SAFETY			-	164,329	164,329	-	-	164,329
	subtotal			\$ -	\$ 611,221	\$ 611,221	\$ -	\$ 37,525	\$ 573,696
	Total			\$ -	\$ 4,159,101	\$ 4,159,101	\$ -	\$ 55,681	\$ 4,103,420



CITY OF ALPHARETTA
 Financial Management Reports
 Special Revenue Funds
Hotel/Motel Fund (Fund 275; life-to-date for active projects)
 As of February 29, 2024

Account #Project		Project Snapshot: FY2013 - FY2023		FY 2024					Available Budget
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	
Revenue									
27590150-314100	HOTEL/MOTEL TAXES			\$ 9,550,000	\$ -	\$ 9,550,000	\$ 5,224,607		\$ 4,325,393
27590150-319201	PEALTY/INT HOTEL/MOTEL TAX			-	-	-	175		(175)
27590150-362000	REALIZED GAIN/LOSS			-	-	-	(4,278)		4,278
27590150-363000	UNREALIZED GAIN/LOSS			-	-	-	14,522		(14,522)
27590150-361000	INTEREST EARNINGS			-	-	-	25,832		(25,832)
	subtotal			\$ 9,550,000	\$ -	\$ 9,550,000	\$ 5,260,859		\$ 4,289,141
Non-Departmental									
27590150-395000	CARRYFORWARD FUND BALANCE			\$ -	\$ 962,046	\$ 962,046	\$ -		\$ 962,046
	subtotal			\$ -	\$ 962,046	\$ 962,046	\$ -		\$ 962,046
	Total			\$ 9,550,000	\$ 962,046	\$ 10,512,046	\$ 5,260,859		\$ 5,251,187
Expenditures									
Alpharetta Convention & Visitors Bureau									
27590150-572002	ALPHA CONV & VISITORS BUREAU DISTRIBUTION	34,900,129	30,722,004	\$ 4,178,125	\$ -	\$ 4,178,125	\$ 2,011,887	\$ -	\$ 2,166,238
	subtotal			\$ 4,178,125	\$ -	\$ 4,178,125	\$ 2,011,887	\$ -	\$ 2,166,238
City of Alpharetta									
27590150-611100	CITY OF ALPHARETTA DISTRIBUTION	30,313,108	26,731,858	3,581,250	-	3,581,250	1,724,475	-	1,856,775
	subtotal			\$ 3,581,250	\$ -	\$ 3,581,250	\$ 1,724,475	\$ -	\$ 1,856,775
Tourism Product Development									
27590150-521200	PROFESSIONAL SERVICES	41,570	36,070	\$ 5,500	\$ -	\$ 5,500	\$ -	\$ -	\$ 5,500
27590150-579006	DEBT SERVICE RESERVE	28,071,246	26,731,858	392,412	946,976	1,339,388	-	-	1,339,388
27590450-541500 C2011	WILLS PARK MASTER PLAN	751,892	736,822	-	15,070	15,070	-	-	15,070
27590151-581100 D1600	PRINCIPAL (2016 CONF CTR BOND)	8,238,654	7,528,654	710,000	-	710,000	-	-	710,000
27590151-582100 D1600	INTEREST PAYMENT (2016 CONF CTR BOND)	6,026,367	5,343,654	682,713	-	682,713	341,356	-	341,357
	subtotal			\$ 1,790,625	\$ 962,046	\$ 2,752,671	\$ 341,356	\$ -	\$ 2,411,315
	Total			\$ 9,550,000	\$ 962,046	\$ 10,512,046	\$ 4,077,718	\$ -	\$ 6,434,328



OTHER REPORTS



CITY OF ALPHARETTA
Financial Management Reports
Listing of Payments \$5,000 and greater
for the month ended February 29, 2024

Vendor	Description	Department	\$ Amount
A. B. GYMNASTICS LLC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 5,844.94
A. B. GYMNASTICS LLC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 5,934.94
AFLAC	VOLUNTARY SUPPLEMENTAL INSURANCE	General Government	\$ 11,515.95
ALFREDO GONZALEZ-GON	COURT BONDS	General Government	\$ 5,500.00
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Various Departments	\$ 437,175.32
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Finance	\$ 9,427.58
AMERICAN FACILITY	JANITORIAL/CUSTODIAL SERVICES	Various Departments	\$ 33,732.12
AMERICAN FACILITY	JANITORIAL/CUSTODIAL SERVICES	Various Departments	\$ 9,435.00
ANDREWS TECHNOLOGY	TIME AND ATTENDANCE DATA COLLECTION SYSTEMS	Finance	\$ 28,150.00
AQUA-NOMICS EXTERIOR	BUILDING CLEANING, EXTERIOR	Public Works	\$ 8,395.00
AQUA-NOMICS EXTERIOR	BUILDING CLEANING, EXTERIOR	Public Works	\$ 15,090.00
ARTS ALPHARETTA	ARTS SERVICES (CULTURAL, DESIGN, VISUAL, ETC.)	Rec., Parks & Cultural Services	\$ 6,975.00
AT&T/BELLSOUTH @ 85	TELEPHONE SERVICES, LONG DISTANCE AND LOCAL (E-911)	Public Safety	\$ 10,105.21
AT&T/BELLSOUTH @ 85	TELEPHONE SERVICES, LONG DISTANCE AND LOCAL (E-911)	Public Safety	\$ 10,105.21
ATKINS NORTH AMERICA	CONSTRUCTION MGMT SVCS: ALPHALOOP (OMP-NORTHWINDS)	Public Works	\$ 27,080.59
BARGE DESIGN SOLUTIONS	DESIGNING SERVICES: VARIOUS PROJECTS	Rec., Parks & Cultural Services	\$ 163,142.79
BENNETT FIRE PRODUCT	GLOBE BUNKER GEAR WHEELER	Public Safety	\$ 13,832.70
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 10,957.29
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 11,021.92
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 8,372.09
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 5,505.54
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 11,351.06
CITY OF MILTON	LEASE-COURTROOM IGA-FEBRUARY 2024	Municipal Court	\$ 6,775.00
CITY OF MILTON	LEASE COURTROOM IGA	Municipal Court	\$ 6,775.00
CRABAPPLE TURF	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Services	\$ 10,128.27
CRABAPPLE TURF	TREE AND SHRUB REMOVAL SERVICES	Rec., Parks & Cultural Services	\$ 11,923.95
CRABAPPLE TURF	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 19,696.09
CUMBERLAND LANDSCAPE	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 5,660.17



CITY OF ALPHARETTA
Financial Management Reports
Listing of Payments \$5,000 and greater
for the month ended February 29, 2024

Vendor	Description	Department	\$ Amount
DATA MEDIA ASSOCIATE	PRINTING AND BINDING	Finance	\$ 6,102.76
DELL MARKETING LP	MICROCOMPUTERS, DESKTOP OR TOWER BASED	Various Departments	\$ 86,525.34
DEXTR A. MARTIN	WEBB BRIDGE RD-PARCEL 28	Public Works	\$ 212,000.00
DIX.HITE + PARTNERS	DESIGNING SERVICES: UNION HILL PARK	Rec., Parks & Cultural Services	\$ 11,670.00
DIX.HITE + PARTNERS	DESIGNING SERVICES: UNION HILL PARK	Rec., Parks & Cultural Services	\$ 9,447.50
ED'S PUBLIC SAFETY	GUNS, PISTOLS, RIFLES, AND SHOTGUNS (INCL. ACCESSORIES)	Public Safety	\$ 19,768.80
ESIS INC	CLAIMS (WORKERS COMP)	Risk Management	\$ 15,936.28
ESRI	TRAINING, COMPUTER BASED (SOFTWARE SUPPORTED)	Information Technology	\$ 25,620.00
EXCELLERE CONSTRUCTION	CONSTRUCTION, HIKE AND BIKE TRAIL: GREENWAY BOARDWALK	Rec., Parks & Cultural Services	\$ 258,338.49
FULTON COUNTY BOARD OF COMM.	2024 LVAP	Public Safety	\$ 6,062.57
FULTON COUNTY BOARD OF COMM.	MUNICIPAL COURT FINES	Public Safety	\$ 6,033.44
FULTON COUNTY BOARD OF EDUCATION	DECEMBER 2023 FUEL BILL	General Government	\$ 35,987.32
FULTON COUNTY BOARD OF EDUCATION	JANUARY 2024 FUEL BILL	General Government	\$ 43,163.86
FULTON COUNTY SUPERIOR COURT	KANTH-DOUGLAS RD DRAINAGE CONDEMNATION	Public Works	\$ 7,900.00
FULTON COUNTY-DEPT OF FINANCE	WATER AND SEWER UTILITIES	Various Departments	\$ 15,080.61
GA EXTERIOR LLC	SW DRAINAGE MAINTENANCE	Public Works	\$ 49,685.00
GALLS INC	EMPLOYEE UNIFORMS	Public Safety	\$ 15,334.10
GEORGIA GREEN	GROUNDS MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 15,065.83
GEORGIA POWER CO	ELECTRICITY UTILITIES	Various Departments	\$ 193,485.03
GEORGIA SUPERIOR COURT	MUNICIPAL COURT FINES	Public Safety	\$ 55,004.98
GESSNER	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 5,429.16
GOVINVEST INC.	HUMAN RESOURCES SOFTWARE	Human Resources	\$ 42,000.00
GREENTREE BEDDING	BAGS, BEDDING	Rec., Parks & Cultural Services	\$ 5,770.80
INLINER SOLUTIONS	PIPE AND PIPE FITTINGS MAINTENANCE AND REPAIR	Public Works	\$ 191,517.91
INTEGRATED CONSTRUCTION	CONSTRUCTION, HIKE/BIKE TRAIL: ALPHALOOP (OMP-NORTHWINDS)	Public Works	\$ 2,163,800.82
JARRARD & DAVIS	LEGAL SERVICES	Legal Services	\$ 63,596.97
JOSH PRESSURE WASH	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 5,000.00
JOURNAL TECHNOLOGIES	DATABASE SOFTWARE	Municipal Court	\$ 6,400.00



CITY OF ALPHARETTA
Financial Management Reports
Listing of Payments \$5,000 and greater
for the month ended February 29, 2024

Vendor	Description	Department	\$ Amount
KIMBROUGH INDUSTRIAL	HEATING, VENTILATING AND AIR CONDITIONING (HVAC)	Public Works	\$ 13,301.13
KRANTHI KIRAN DHAMUL	WEBB BRIDGE RD-PARCEL 25	Public Works	\$ 6,156.00
LD GYMNASTICS INC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 30,139.70
MAULDIN & JENKINS	ACCOUNTING/AUDITING/BUDGET CONSULTING	Finance	\$ 16,100.00
MEER ELECTRIC	ELECTRICAL	Various Departments	\$ 18,928.88
MEER ELECTRIC	WIRING AND OTHER ELECTRICAL MAINTENANCE AND REPAIR	Various Departments	\$ 11,915.95
MOFFATT & NICHOL	DESIGNING SERVICES: VARIOUS PROJECTS	Public Works	\$ 9,914.25
NUGEN LED SOLUTIONS	LIGHTING FIXTURES, OUTDOOR: FLOODLIGHTS, SPOTLIGHT	Rec., Parks & Cultural Services	\$ 23,520.00
PEACE OFFICERS ANNUITY BENEFIT FUND	MUNICIPAL COURT FINES	Public Safety	\$ 12,320.75
PEACE OFFICERS ANNUITY BENEFIT FUND	MUNICIPAL COURT FINES	Public Safety	\$ 12,488.03
PEACH STATE TRUCK	TRUCKS (INCLUDING, DIESEL, GASOLINE, ELECTRIC, HYBRID)	Rec., Parks & Cultural Services	\$ 133,612.44
PREMIER EVENTS LLC	EVENT PLANNING SERVICES	Rec., Parks & Cultural Services	\$ 17,500.00
PRIME CONTRACTORS	DESIGN BUILD SERVICES: WATERS ROAD PARK	Rec., Parks & Cultural Services	\$ 57,944.96
QIU JIN	WEBB BRIDGE RD-PARCEL 21	Public Works	\$ 26,100.00
RAVISHANKER PRATHIPA	WEBB BRIDGE RD-PARCEL 23	Public Works	\$ 6,000.00
RCS PRODUCTIONS	MUSICAL PRODUCTION SERVICES	Rec., Parks & Cultural Services	\$ 6,875.00
RUSSELL LANDSCAPE	LANDSCAPING (WP BUFFER - EPA GRANT)	Public Works	\$ 5,607.59
RUSSELL LANDSCAPE	GROUNDS MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 57,343.66
S.D. WALKER NURSERY	TREES, ORNAMENTAL AND SHADE	Rec., Parks & Cultural Services	\$ 5,250.00
SAVATREE LLC	TREE TRIMMING AND PRUNING SERVICES	Rec., Parks & Cultural Services	\$ 14,070.00
SAVATREE LLC	TREE AND SHRUB REMOVAL SERVICES	Rec., Parks & Cultural Services	\$ 5,115.00
SAVATREE LLC	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 6,820.00
SAWNEE ELECTRIC MEMBERSHIP	ELECTRICITY UTILITIES	Various Departments	\$ 35,204.58
SHI INTERNATIONAL CO	MICROSOFT AZURE CLOUD SERVICES	Various Departments	\$ 22,998.54
SLAM MECHANICAL LLC	PLUMBING MAINTENANCE AND REPAIR	Rec., Parks & Cultural Services	\$ 6,750.00
STRYKER SALES LLC	CARDIOVASCULAR INSTRUMENTATION: DEFIBRILLATORS	Public Safety	\$ 16,889.09
SUPERHERO FIRE PROTECTION	ALARM EQUIPMENT MAINTENANCE/REPAIR (FIRE, ETC.)	Public Works	\$ 6,600.00
SUSTAINABLE WATER	SW PIPE & STRUCTURE R&M	Public Works	\$ 27,329.00



CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended February 29, 2024

Vendor	Description	Department	\$ Amount
SUSTAINABLE WATER	SW PIPE & STRUCTURE R&M	Public Works	\$ 8,611.00
TECH ALPHARETTA	ATC OPERATIONAL FUNDS	Development Authority	\$ 7,916.67
TELEMESSAGE	SOFTWARE MAINTENANCE/SUPPORT	City Clerk	\$ 44,767.50
TEN 8 FIRE & SAFETY	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 6,246.83
THE DUMPSTER CO	CLEANING OF AMUSEMENT AREAS, EXPOSITION CENTERS	Rec., Parks & Cultural Services	\$ 13,639.07
THE DUMPSTER CO	CLEANING OF AMUSEMENT AREAS, EXPOSITION CENTERS	Rec., Parks & Cultural Services	\$ 8,859.26
THE F. A. BARTLETT T	TREE AND SHRUB REMOVAL SERVICES	Public Works	\$ 9,620.20
TIDWELL TRAFFIC SOLUTIONS	PAVEMENT MARKING SERVICES	Public Works	\$ 10,914.65
TOKIO MARINE HCC	DEDUCTIBLE	Risk Management	\$ 25,000.00
TRI SCAPES INC	RETAINAGE PAYABLE	General Government	\$ 17,962.65
TRI SCAPES INC	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 43,489.67
Trilith Guesthouse	REMAINING PAYMENT FOR COUNCIL RETREAT AT TRILITH	City Administration	\$ 9,341.13
TRUIST BANK	PCARD LIABILITY	General Government	\$ 191,563.82
VERIZON WIRELESS SER	TELEPHONE SERVICES, CELLULAR	Various Departments	\$ 16,495.70
WILDCAT STRIPING	STRIPING & SIGNAGE	Public Works	\$ 7,838.00
YELLOBEE STUDIO	GRAPHIC DESIGN SERVICES FOR PRINTING	Rec., Parks & Cultural Services	\$ 8,450.00



CITY OF ALPHARETTA
 Financial Management Reports
Listing of PO's between \$5,000.01 and \$50,000.00
 for the month ended February 29, 2024

Purchase Order #	Vendor	Department	Purchase Order Amt.	Description
24000576	SLAM MECHANICAL LLC	REC., PARKS & CULTURAL SVCS	\$ 6,750.00	EMERGENCY PLUMBING REPAIR AT WILLS PARK
24000577	ALCALDE & FAY LTD	ADMINISTRATION	\$ 30,000.00	LOBBYING SERVICES
24000584	WEST CHATHAM WARNING DEVICES INC	PUBLIC SAFETY	\$ 12,662.50	(5) STALKER LIDAR XLR LASERS FOR PATROL
24000594	TEN 8 FIRE & SAFETY EQUIPMENT OF GEORGIA	PUBLIC SAFETY	\$ 5,141.65	VEHICLE REPAIR AND MAINTENANCE TO FD7355
24000598	DC POOL SERVICE LLC.	REC., PARKS & CULTURAL SVCS	\$ 9,900.00	MADDOX PARK WATER FEATURE FOUNTAIN PUMP REPLACEMENT
24000599	HIGHWAY MARKINGS LLC	PUBLIC WORKS	\$ 48,175.00	PAVEMENT MARKINGS ON MANSELL RD/WESTSIDE CORRIDOR
24000600	TERRAMARK LAND SURVEYING INC	PUBLIC WORKS	\$ 13,875.00	MID BROADWELL RD SURVEYING SERVICES
24000601	CSTE INC	PUBLIC WORKS	\$ 16,307.80	REPLACEMENT OF 341 LF OF CURB AND GUTTER
24000607	GOVINVEST INC.	HUMAN RESOURCES	\$ 42,000.00	LIVE COMPENSATION SOFTWARE MODULE
24000610	MEER ELECTRICAL CONTRACTORS INC	REC., PARKS & CULTURAL SVCS	\$ 16,907.73	INSTALLATION OF NEW ELECTRICAL FEED TO GREEN HOUSE
24000618	ANDREWS TECHNOLOGY HMS, INC.	FINANCE	\$ 28,150.00	UKG WEB-BASED TIME AND ATTENDANCE SYSTEM
24000619	BARBIZON CHARLOTTE INC	REC., PARKS & CULTURAL SVCS	\$ 9,923.49	THEATRICAL LIGHTING FOR NORTH POINT MALL THEATER
24000623	LEADSONLINE LLC	PUBLIC SAFETY	\$ 12,230.00	LEADSONLINE INVESTIGATION SYSTEM SOFTWARE RENEWAL
24000628	JONES CONTRACTING GROUP, LLC	REC., PARKS & CULTURAL SVCS	\$ 5,648.00	PROVIDE AND INSTALL (2) POSTS FOR THE WB PARK DOG PARK
24000632	SAVATREE LLC	REC., PARKS & CULTURAL SVCS	\$ 18,600.00	TREE REMOVAL SERVICES ON GREENWAY
24000634	CARL BLACK BUICK GMC LLC	PUBLIC SAFETY	\$ 11,351.06	VEHICLE REPAIR AND MAINTENANCE TO PD5779
24000636	ENVIRONMENTAL SYSTEMS RESEARCH INST	INFORMATION TECHNOLOGY	\$ 25,620.00	ARCMAP TO ARCGIS PRO MIGRATION TRAINING
24000637	360 NETWORK SOLUTIONS, LLC	PUBLIC WORKS	\$ 10,747.92	(4) AXIS HDTV CCTV CAMERA TO MONITOR TRAFFIC MOVEMENTS
24000643	FIVE OAKS FENCE COMPANY INC	REC., PARKS & CULTURAL SVCS	\$ 32,578.00	PROVIDE AND INSTALL FENCING/GATES AT WB PARK DOG PARK

City of Alpharetta
Balance Sheet
Governmental Funds
February 29, 2024

	Major Governmental Funds							Non-Major	Total
	General	Capital	Capital	2016	2022	T-SPLOST	T-SPLOST II	Governmental	Governmental
	Fund	Project Fund	Grant Fund	Bond Fund	Bond Fund	Capital Fund	Capital Fund	Funds	Funds
ASSETS									
Cash / Cash Equivalents / Investments	\$ 49,675,953	\$ 17,126,176	\$ 48,764	\$ -	\$ 28,331,647	\$ 35,005,274	\$ 15,195,897	\$ 21,066,389	\$ 166,450,099
Receivables (net of allowance for uncollectibles)									
Taxes Receivable									
Property Taxes	1,035,616	-	-	-	-	-	-	-	1,035,616
Other Taxes	357,757	-	-	-	-	-	-	-	357,757
Interest	-	-	-	-	-	-	-	122	122
Accounts	-	-	-	-	-	-	-	185,784	185,784
Due from Other Funds	236,732	-	-	-	-	-	-	6,830	243,562
Intergovernmental Receivable	18,667	82,500	50,185	-	-	-	2,733	-	154,084
Cash - Restricted	138,976	269,439	-	-	-	-	-	-	408,415
Total Assets	51,463,699	17,478,115	98,948	-	28,331,647	35,005,274	15,198,630	21,259,124	168,835,438
LIABILITIES AND FUND BALANCES									
Liabilities									
Current									
Accounts Payable	720,420	16,494	1,217	-	163,143	214,700	3,600	41,967	1,161,541
Retainage Payable	-	23,691	47,883	-	43,510	124,421	514,378	167,828	921,713
Intergovernmental Payable	-	-	-	-	-	-	-	-	-
Claims Payable	-	-	-	-	-	-	-	-	-
Payroll Payable	109,017	-	-	-	-	-	-	-	109,017
Due to Other Funds	-	-	186,699	-	-	-	-	6,660	193,359
Deferred Revenue	1,434,323	82,500	50,185	-	-	-	2,733	192,736	1,762,476
Unearned Revenue	909,005	-	130,460	-	-	-	-	639,024	1,678,488
Non-Current									
Unclaimed Property	105,106	-	-	-	-	-	-	-	105,106
Claims Payable	-	-	-	-	-	-	-	-	-
Total Liabilities	3,277,871	122,686	416,444	-	206,653	339,121	520,711	1,048,214	5,931,700
Fund Balances:									
Restricted for:									
Capital Projects	-	3,723,638	(921,997)	-	23,610,975	24,928,668	2,985,481	6,421,405	60,748,170
Law Enforcement	-	-	-	-	-	-	-	133,153	133,153
Emergency Telephone Activities	-	-	-	-	-	-	-	(414,259)	(414,259)
Grant Projects	-	-	-	-	-	-	-	-	-
Debt Service	-	-	-	-	-	-	-	4,814,475	4,814,475
Promotion of Tourism	-	-	-	-	-	-	-	805,799	805,799
Assigned for:									
Grant Projects	-	-	-	-	-	-	-	73,966	73,966
Capital Projects	-	-	-	-	-	-	-	-	-
Emergency Reserve	22,570,000	-	-	-	-	-	-	-	22,570,000
2025 Fiscal Year Capital	9,447,780	-	-	-	-	-	-	-	9,447,780
Encumbrances	3,148,577	9,950,442	523,690	-	1,968,895	6,214,764	11,121,343	3,766,970	36,694,681
Remaining 2024 Net Spend	9,626,115	-	-	-	-	-	-	-	9,626,115
Projected Net Surplus/2026 Capital	3,393,356	-	-	-	-	-	-	-	3,393,356
Unallocated	-	3,681,350	80,811	-	2,545,124	3,522,721	571,095	4,609,401	15,010,502
Total Fund Balances	48,185,828	17,355,430	(317,496)	-	28,124,994	34,666,153	14,677,919	20,210,910	162,903,739
Total Liabilities and Fund Balances	\$ 51,463,699	\$ 17,478,115	\$ 98,948	\$ -	\$ 28,331,647	\$ 35,005,274	\$ 15,198,630	\$ 21,259,124	\$ 168,835,438

City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Period Ended February 29, 2024

	Major Governmental Funds							Non-Major	Total
	General Fund	Capital Project Fund	Capital Grant Fund	S2016 Const Bond Fund	S2022 Const Bond Fund	T-SPLOST Capital Fund	T-SPLOST II Capital Fund	Governmental Funds	Governmental Funds
REVENUES									
Taxes:									
Property Tax	\$ 32,633,926	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 6,188,880	\$ 38,822,805
Local Option Sales Tax	13,082,142	-	-	-	-	-	-	-	13,082,142
Transportation SPLOST	-	-	-	-	-	-	8,807,358	-	8,807,358
Other Taxes	14,725,361	-	-	-	-	-	-	5,224,782	19,950,143
Licenses and permits	2,362,847	-	-	-	-	-	-	-	2,362,847
Intergovernmental	91,906	1,122,272	1,314,156	-	-	-	-	2,228,168	4,756,502
Charges for services	2,442,641	-	-	-	-	-	-	2,302,128	4,744,769
Impact Fees	-	-	-	-	-	-	-	522,879	522,879
Fines/Forfeitures	1,343,467	-	-	-	-	-	-	-	1,343,467
Investment earnings (Loss)	959,362	383,549	5,853	10	1,026,227	1,268,869	521,311	405,998	4,571,179
Contributions and Donations	83,846	178,497	-	-	-	-	-	2,251	264,595
Misc Revenue	39,778	-	-	-	-	-	-	-	39,778
Other	-	-	-	-	-	-	-	2,872	2,872
Total revenues	67,765,275	1,684,319	1,320,010	10	1,026,227	1,268,869	9,328,669	16,877,958	99,271,337
EXPENDITURES									
Current:									
Unallocated	-	-	-	-	-	-	-	-	-
General government	8,328,482	746,396	-	-	-	-	-	2,023,662	11,098,540
Public safety	26,026,853	1,552,931	-	-	-	-	-	3,785,164	31,364,947
Public works	6,515,799	1,002,494	1,149,402	10	-	1,894,976	8,196,188	2,163,696	20,922,565
Economic and community development	3,099,393	132,593	135,296	-	-	-	-	-	3,367,282
Alpharetta Business Community	-	-	-	-	-	-	-	-	-
Culture and recreation	8,282,771	968,554	-	-	1,352,626	-	-	1,422,387	12,026,339
Contingency	-	-	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-	-	-
Debt service:									
Principal	-	-	-	-	-	-	-	301,226	301,226
Interest	38,745	-	-	-	-	-	-	1,993,114	2,031,859
Other Costs	-	-	-	-	-	-	-	-	-
Bond issuance costs	-	-	-	-	-	-	-	-	-
Capital outlay	-	-	-	-	-	-	-	-	-
Total expenditures	52,292,042	4,402,968	1,284,698	10	1,352,626	1,894,976	8,196,188	11,689,249	81,112,757
Excess (deficiency) of revenues over (under) expenditures	15,473,233	(2,718,648)	35,311	-	(326,399)	(626,107)	1,132,481	5,188,710	18,158,580
OTHER FINANCING SOURCES (USES)									
Transfers in	1,724,475	8,860,212	-	-	-	-	-	2,633,333	13,218,020
Transfers out	(11,599,215)	-	-	-	-	-	-	(1,724,475)	(13,323,690)
Loan Proceeds	-	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-	-
Sale of capital assets	21,319	-	-	-	-	-	-	-	21,319
Sale of non-capital assets	412	-	-	-	-	-	-	-	412
Land Sale	-	-	-	-	-	-	-	-	-
Insurance Proceeds	-	-	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-	-
Total other financing sources and (uses)	(9,853,010)	8,860,212	-	-	-	-	-	908,859	(83,939)
Net change in fund balances	5,620,223	6,141,564	35,311	-	(326,399)	(626,107)	1,132,481	6,097,568	18,074,641
Fund balances - beginning	42,565,605	11,213,866	(352,807)	-	28,451,393	35,292,260	13,545,437	14,113,342	144,829,098
Fund balances - ending	\$ 48,185,828	\$ 17,355,430	\$ (317,496)	-	\$ 28,124,994	\$ 34,666,153	\$ 14,677,919	\$ 20,210,910	\$ 162,903,739

City of Alpharetta
Combining Balance Sheet
Non-Major Governmental Funds
February 29, 2024

	Special Revenue									Total Non-major
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911	American Rescue ACT	Debt Service Fund	Stormwater Capital Fund	Governmental Funds
ASSETS										
Cash / Cash Equivalents / Investments	\$ 2,145,187	\$ 4,420,497	\$ 303,774	\$ 30,836	\$ 129,792	\$ 1,016,828	\$ 718,220	\$ 6,144,245	\$ 6,157,009	\$ 21,066,389
Taxes Receivable	-	-	-	-	-	-	-	-	-	-
Pre-Paid Expenditures	-	-	-	-	-	-	-	-	-	-
Accounts Receivable	122	-	-	-	-	-	-	-	-	122
Property Taxes	-	-	-	-	-	-	-	185,784	-	185,784
Intergovernmental Receivable	-	-	-	-	6,830	-	-	-	-	6,830
Due From Other Funds	-	-	-	-	-	-	-	-	-	-
Restricted	-	-	-	-	-	-	-	-	-	-
Total Assets	2,145,309	4,420,497	303,774	30,836	136,622	1,016,828	718,220	6,330,029	6,157,009	21,259,124
LIABILITIES										
Accounts Payable	-	-	-	-	-	15,732	1,774	-	24,461	41,967
Retainage Payable	-	76,050	-	-	-	-	82,202	-	9,576	167,828
Intergovernmental Payable	-	-	-	-	-	-	-	-	-	-
Arbitrage Payable	-	-	-	-	-	-	-	-	-	-
Compensated Absences	-	-	-	-	-	-	-	-	-	-
Payroll Liabilities	-	-	-	-	-	6,660	-	-	-	6,660
Due to Other Fund	-	-	-	-	-	-	-	-	-	-
Deferred Revenue	122	-	-	-	6,830	-	-	185,784	-	192,736
Unearned Revenue	-	-	-	-	-	-	634,244	4,780	-	639,024
Total Liabilities	122	76,050	-	-	6,830	22,391	718,220	190,564	34,037	1,048,214
FUND BALANCES										
Restricted:										
Capital Projects	-	3,715,070	-	-	-	-	(421,783)	-	3,128,118	6,421,405
Law Enforcement	-	-	102,318	30,836	-	-	-	-	-	133,153
Promotion of Tourism	805,799	-	-	-	-	-	-	-	-	805,799
Emergency Telephone Activities	-	-	-	-	-	(414,259)	-	-	-	(414,259)
Debt Service	-	-	-	-	-	-	-	4,814,475	-	4,814,475
Assigned for: Grant Projects	-	-	-	-	-	-	-	-	-	-
Grant Projects	-	-	-	-	73,966	-	-	-	-	73,966
Encumbrances	-	55,681	-	-	500	579,556	421,783	-	2,709,450	3,766,970
Unallocated	1,339,388	573,696	201,456	-	55,326	829,140	-	1,324,991	285,404	4,609,401
Total Fund Balances	2,145,187	4,344,447	303,774	30,836	129,792	994,437	-	6,139,466	6,122,972	20,210,910
Total Liabilities and Fund Balances	\$ 2,145,309	\$ 4,420,497	\$ 303,774	\$ 30,836	\$ 136,622	\$ 1,016,828	\$ 718,220	\$ 6,330,029	\$ 6,157,009	\$ 21,259,124

City of Alpharetta
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Non-major Governmental Funds
For the Period Ended February 29, 2024

	Special Revenue									Total Non-major
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911 Fund	American Rescue Act	Debt Service Fund	Stormwater Service Fund	Governmental Funds
REVENUES:										
Hotel Motel Tax	\$ 5,224,782	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	\$ 5,224,782
Property tax	-	-	-	-	-	-	-	6,188,880	-	6,188,880
Charges for Service	-	-	-	-	113,765	2,188,363	-	-	-	2,302,128
Impact Fees	-	522,879	-	-	-	-	-	-	-	522,879
Forfeiture Income	-	-	-	-	-	-	-	-	-	-
Intergovernmental	-	-	103,113	-	20,640	-	2,104,415	-	-	2,228,168
Contributions & Donations	-	-	-	-	2,251	-	-	-	-	2,251
Investment Earnings (Loss)	36,077	109,523	-	-	3,179	29,386	-	83,168	144,665	405,998
Other	-	-	2,872	-	-	-	-	-	-	2,872
Total revenues	5,260,859	632,402	105,985	-	139,836	2,217,749	2,104,415	6,272,048	144,665	16,877,958
EXPENDITURES:										
Tourism	2,011,887	-	-	-	-	-	-	-	-	2,011,887
Community Development	-	-	-	-	-	-	-	-	-	-
Culture/Recreation	-	-	-	-	88,705	-	1,333,682	-	-	1,422,387
Public Safety	-	-	80,734	4,325	14,476	3,685,628	-	-	-	3,785,164
Public Works	-	-	-	-	-	-	770,733	-	1,392,963	2,163,696
General Government	-	-	-	-	-	-	-	11,775	-	11,775
Debt Service:	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	301,226	-	-	-	301,226
Interest	341,356	-	-	-	-	1,557	-	1,650,201	-	1,993,114
Bond Issuance Costs	-	-	-	-	-	-	-	-	-	-
Total expenditures	2,353,243	-	80,734	4,325	103,181	3,988,411	2,104,415	1,661,976	1,392,963	11,689,249
Excess (deficiency) of revenues over expenditures	2,907,615	632,402	25,250	(4,325)	36,655	(1,770,662)	(0)	4,610,072	(1,248,298)	5,188,710
OTHER FINANCING SOURCES (USES):										
Transfers in / out:										
General fund	(1,724,475)	-	-	-	-	-	-	-	2,633,333	908,859
Budgeted Fund Balance:	-	-	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-	-	-
Total other financing sources	(1,724,475)	-	-	-	-	-	-	-	2,633,333	908,859
Net change in fund balances	1,183,141	632,402	25,250	(4,325)	36,655	(1,770,662)	(0)	4,610,072	1,385,035	6,097,568
Fund balances - beginning	962,046	3,712,045	278,523	35,160	93,137	2,765,099	-	1,529,394	4,737,937	14,113,342
Fund balances - ending	\$ 2,145,187	\$ 4,344,447	\$ 303,774	\$ 30,836	\$ 129,792	\$ 994,437	\$ (0)	\$ 6,139,466	\$ 6,122,972	\$ 20,210,910

City of Alpharetta
Enterprise Fund -Solid Waste
Statement of Net Position
February 29, 2024

	<u>Solid Waste</u>
ASSETS	
Current Assets:	
Cash and Cash Equivalents & Investments	\$ 1,052,443
Inventories, at cost	-
Accounts Receivables (net of allowance for uncollectibles)	1,181,624
Prepaid Insurance Expenses	-
Total Current Assets	<u>2,234,067</u>
Noncurrent Assets:	
Restricted Cash, Cash Equivalents, and Investments	-
Total Restricted Assets	<u>-</u>
Other	-
Capital Assets	
Buildings and System	-
Machinery and Equipment	-
Less Accumulated Depreciation	-
Total Capital Assets (net of accumulated depreciation)	<u>-</u>
Total Noncurrent Assets	<u>-</u>
Total Assets	<u>2,234,067</u>
LIABILITIES	
Current Liabilities:	
Accounts Payable	880
Accounts Payable/ Customer Credit Balances	-
Accounts Payable/ Customer Pre-Paid Service	-
Payroll Liabilities	-
Accrued Salaries	-
Accrued Interest Payable	-
Compensated Absences Payable	-
Notes Payable - Revenue Bonds	-
Due to Other Funds	-
Total Current Liabilities	<u>880</u>
Current Liabilities Payable from Restricted Assets:	
Revenue Bonds Payable	-
Total Current Liabilities Payable from Restricted Assets	<u>-</u>
Noncurrent Liabilities:	
Customer Deposits	-
Compensated Absences less Current Portion	-
Revenue Bonds Payable	-
Total Noncurrent Liabilities	<u>-</u>
Total Liabilities	<u>880</u>
NET ASSETS	
Invested in Capital Assets, net of related debt	-
Reserved for Debt Service	-
Reserved for Encumbrances	-
Unreserved	2,233,187
Total Net Assets	<u>2,233,187</u>
Total Liabilities & Net Assets	<u>\$ 2,234,067</u>

City of Alpharetta
Enterprise Fund - Solid Waste
Statement of Revenues, Expenses, and Changes in Net Position
For the Period Ended February 29, 2024

Operating revenues:	
Charges for sales and services:	
Refuse Collection charges	\$ 5,343,903
Misc Revenue	-
Total operating revenues	<u>5,343,903</u>
Operating expenses:	
Administration	5,474,794
Non-departmental	-
Total operating expenses	<u>5,474,794</u>
Operating Gain (loss)	(130,891)
Non-operating revenues (expenses):	
Investment earnings (Loss)	<u>28,374</u>
Total non-operating revenue (expenses)	<u>28,374</u>
Income (loss) before transfers	(102,517)
Transfers In	-
Transfers Out	<u>-</u>
Change In Net Assets	(102,517)
Total net assets-beginning	<u>10,940</u>
Total net assets-ending (net of encumbrances)	<u>(91,577)</u>
Adjustments to GAAP basis:	
Encumbrances	2,324,764
Misc adj-Encumbrances Resv/Prior Year	
Total net assets-ending	<u>\$ 2,233,187</u>

DEVELOPMENT AUTHORITY



Revenue & Expenditure Report GAAP Financial Statements



ALPHARETTA DEVELOPMENT AUTHORITY

Financial Management Report - As of February 29, 2024 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Revenues					
99575100-361000	Investment Earnings	\$ -	\$ 46		\$ (46)
99575100-371000-C1532	ATC Operational Funding (COA)	95,000	95,000		-
(2) 99575100-381000-C1535	Innovation Center Operations (ATC)	23,700	11,724		11,976
	subtotal	\$ 118,700	\$ 106,770		\$ 11,930
(1) 99575100-395000	Carryforward Fund Balance	\$ 356,962	\$ -		\$ 356,962
	subtotal	\$ 356,962	\$ -		\$ 356,962
	Total	\$ 475,662	\$ 106,770		\$ 368,892
Expenditures					
99575100-571000-C1403	Local Job Creation Grant Program	\$ 32,500	\$ -	\$ -	\$ 32,500
99575100-544100-C1532	ATC Operational Funds	95,000	71,250	23,750	-
99575100-544100-C1601	High Impact Permitting Grant Program (IGA with COA)	20,948	-	-	20,948
99575100-544100-C0924	Economic Development Strategic Plan (split with COA)	37,500	37,500	-	-
99575100-544100-C2313	Atl. Urban Land Institute (technical assistance panel)	10,000	-	10,000	-
99575100-544100-C2210	Downtown Economic Development Initiative	40,000	30,000	-	10,000
99575100-544100-C2422	Connect Forward Grant Program	50,000	-	-	50,000
	subtotal	\$ 285,948	\$ 138,750	\$ 33,750	\$ 113,448
(2) 99575100-523860-C1535	Innovation Center Operations (Maintenance Contracts)	\$ 12,000	\$ 6,592	\$ 3,000	\$ 2,408
(2) 99575100-531200-C1535	Innovation Center Operations (Miscellaneous Utilities)	1,100	597	-	503
(2) 99575100-531210-C1535	Innovation Center Operations (Water/Sewer)	1,200	177	-	1,023
(2) 99575100-531220-C1535	Innovation Center Operations (Natural Gas)	5,000	3,003	-	1,997
(2) 99575100-531230-C1535	Innovation Center Operations (Electricity)	4,400	2,792	-	1,608
	subtotal	\$ 23,700	\$ 13,161	\$ 3,000	\$ 7,539
99575100-579000	Reserve	\$ 166,014	\$ -	\$ -	\$ 166,014
	Total	\$ 475,662	\$ 151,911	\$ 36,750	\$ 287,001

- (1) Carryforward Fund Balance represents cash available at the end of the prior fiscal year that is programmed into the current fiscal year budget. As this account represents cash already received, there will not be actual collections.
- (2) Innovation Center utilities are being funded by the Alpharetta Technology commission (ATC) on a reimbursement basis. As such, revenues and/or expenses will outpace budget at month end due to the billing/reimbursement delay.



ALPHARETTA DEVELOPMENT AUTHORITY
Financial Management Report - As of February 29, 2024 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Fund Balance Reconciliation					
Fund Balance (beginning of Fiscal Year)			\$ 356,962		
Revenues collected to date			106,770		
Expenditures incurred to date			(151,911)		
Fund Balance (current)			\$ 311,821		
Forecasted revenue collections (Innovation Ctr maintenance reimbursement)			1,437		
Fund Balance*			\$ 313,258		
Fund Balance Allocation (forecasted):					
Non-Spendable (unspent/remaining project allocations)			\$ 147,198		
Spendable (available for investment by the Board)			166,060		
			\$ 313,258		

City of Alpharetta
Balance Sheet
COMPONENT UNIT-DEVELOPMENT AUTHORITY
February 29, 2024

ASSETS

Current Assets:

Cash and Cash Equivalents	\$ 312,304
Investments	-
Receivables	-
Restricted Cash for Bond Issuance Costs	-

Total Assets 312,304

LIABILITIES

Current Liabilities:

Accounts Payable	483
Deferred Revenue	-
Due to Other Funds	-
Total Current Liabilities	<u>483</u>

Current Liabilities Payable from Restricted Assets:

	-
Total Current Liabilities Payable from Restricted Assets	<u>-</u>

Noncurrent Liabilities:

	-
Total Noncurrent Liabilities	<u>-</u>
Total Liabilities	<u>483</u>

Fund Balance

Restricted	147,198
Unallocated	164,623
Total Fund Balance	<u>311,821</u>

Total Liabilities & Fund Balance \$ 312,304

City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balance
COMPONENT UNIT-DEVELOPMENT AUTHORITY
For the Period Ended February 29, 2024

	<u>Actual Amounts</u>
Revenues	
Rent/Royalties	\$ 11,724
State Grant	-
Fees	-
Contributions & Donations	95,000
Miscellaneous Income-Interest	46
Miscellaneous Revenue	<u>-</u>
Total Revenues	<u>106,770</u>
Expenditures	
Economic Development	162,500
Maintenance Contracts	9,592
Donation to private source	10,000
Utilities - Miscellaneous	6,568
Debt Service:	
Principal	-
Interest	<u>-</u>
Total Expenditures	<u>188,661</u>
Excess (deficiency) of revenues over (under) expenditures	(81,891)
Other Financing Sources (Uses)	
Sale of capital assets	<u>-</u>
Net Change in Fund Balances	(81,891)
Fund Balance, Beginning of Year	<u>356,962</u>
Encumbrances	36,750
Fund Balance, End of Year	<u>311,821</u>





CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: April 29, 2024

AGENDA ITEM: PH-24-09 DR. J.L. MORRIS HOUSE/116 NORTH MAIN STREET - HISTORIC DESIGNATION

The applicant, Brent Beecham, requests consideration of a public hearing in order to designate a structure as historic. Conditions of zoning require that the Dr. J.L. Morris House (A.K.A. Violin Shop) be saved, restored, and designated as historic under the City's Historic Preservation Incentive Ordinance. The subject property is located at 116 North Main Street on the west side of North Main Street at the intersection with Cumming Street.

This item was considered at the April 11, 2024 Historic Preservation Commission meeting. There were no public comments. After discussion, Historic Preservation Commission recommended approval. Vote 5-0

STAFF RECOMMENDATION:

Approve PH-24-09 Dr. J.L. Morris House/116 North Main Street – Historic Designation.

ITEM DESCRIPTION:

The submitted request, if approved, would move the property from the Contributing Historic Buildings Inventory to the Designated Historic Buildings Inventory as outlined in the Historic Preservation Incentive Ordinance. The property was approved for rezoning and variance on May 23, 2022, to allow two (2), three (3) story mixed-use buildings with 32,000 square feet of office, 4,000 square feet of retail, 8,000 square feet of restaurant and four (4) 'For-Sale' condominium units with structured parking. The proposed development included saving and restoring the Dr. J.L. Morris House (A.K.A. The Violin Shop) for use as a restaurant or office. The subject property is located at 116 North Main Street on the west side of North Main Street at the Cumming Street intersection.

The Dr. J.L. Morris House was constructed in 1935 and is 89 years old. The structure is approximately 3,117 square feet and was constructed in the English Vernacular Revival style. According to *Alpharetta, Milton County – the Early Years*, Dr. J.L. Morris became one of Alpharetta's first family doctors despite his formal schooling ending after 5th grade. After developing a strong interest in reading, J.L. Morris decided to pursue a career as a doctor at the age of 34. After practicing medicine in Buena Vista, Georgia for seventeen (17) years, Dr. Morris came to Alpharetta in 1929 and opened his first office at what is now 116 North Main Street. Dr. Morris's daughter, Jessie Morris Roberts followed in his footsteps and the two of them provided medical service for Alpharetta for over 94 years.

CRITERIA FOR DESIGNATION OF A HISTORIC PROPERTY

In order to be designated a historic property, the property must be an individual building, structure or parcel of land that meets the following criteria:

- a. Is of historic, cultural, aesthetic or architectural significance to the City, the region, the State, or the nation; or

Response: According to Alpharetta, Milton County – the Early Years, Dr. J.L. Morris became one of Alpharetta's first family doctors. He came to Alpharetta in 1929 and opened his first office at what is now 116 North Main Street. Jessie Morris Roberts, Dr. Morris's daughter, followed in his footsteps and the two of them

provided medical service for Alpharetta for over 94 years.

b. Possesses historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and

Response: The Alpharetta & Old Milton County Historical Society recognized the significance of the Dr. J.L. Morris House by recommending the structures inclusion on the City's Historic Resources Inventory – Contributing Historic Buildings.

c. Is deemed worthy of preservation (and the benefits available due to such status) by reason of value to the City, the region, the State, or the nation for one or more of the following reasons:

- i. It is an outstanding example of a building representative of its era and over 75 years old;
- ii. It is one of the few remaining examples of a past architectural style or type and over 75 years old; or
- iii. It is a place associated with an event or person(s) of historic or cultural significance to the City, the region, the State, or the nation and over 75 years old.

Response: The Dr. J.L. Morris House was constructed in 1935 and is approximately 89 years old. The architectural style is English Vernacular Revival.

CONCURRENCES

Staff has reviewed the applicant's proposal against the established review criteria for a historic designation. The proposal meets the criteria for historic designation.

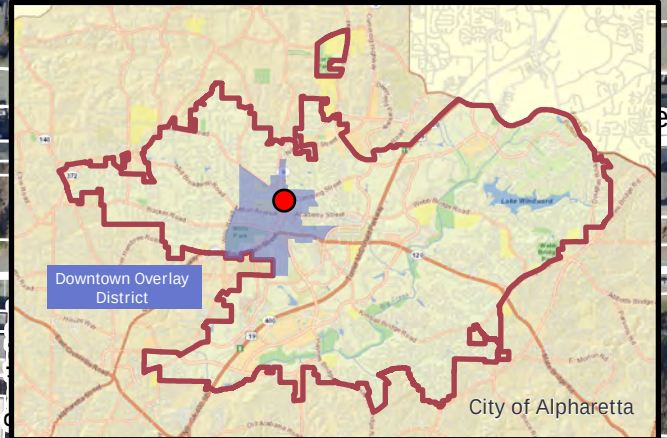
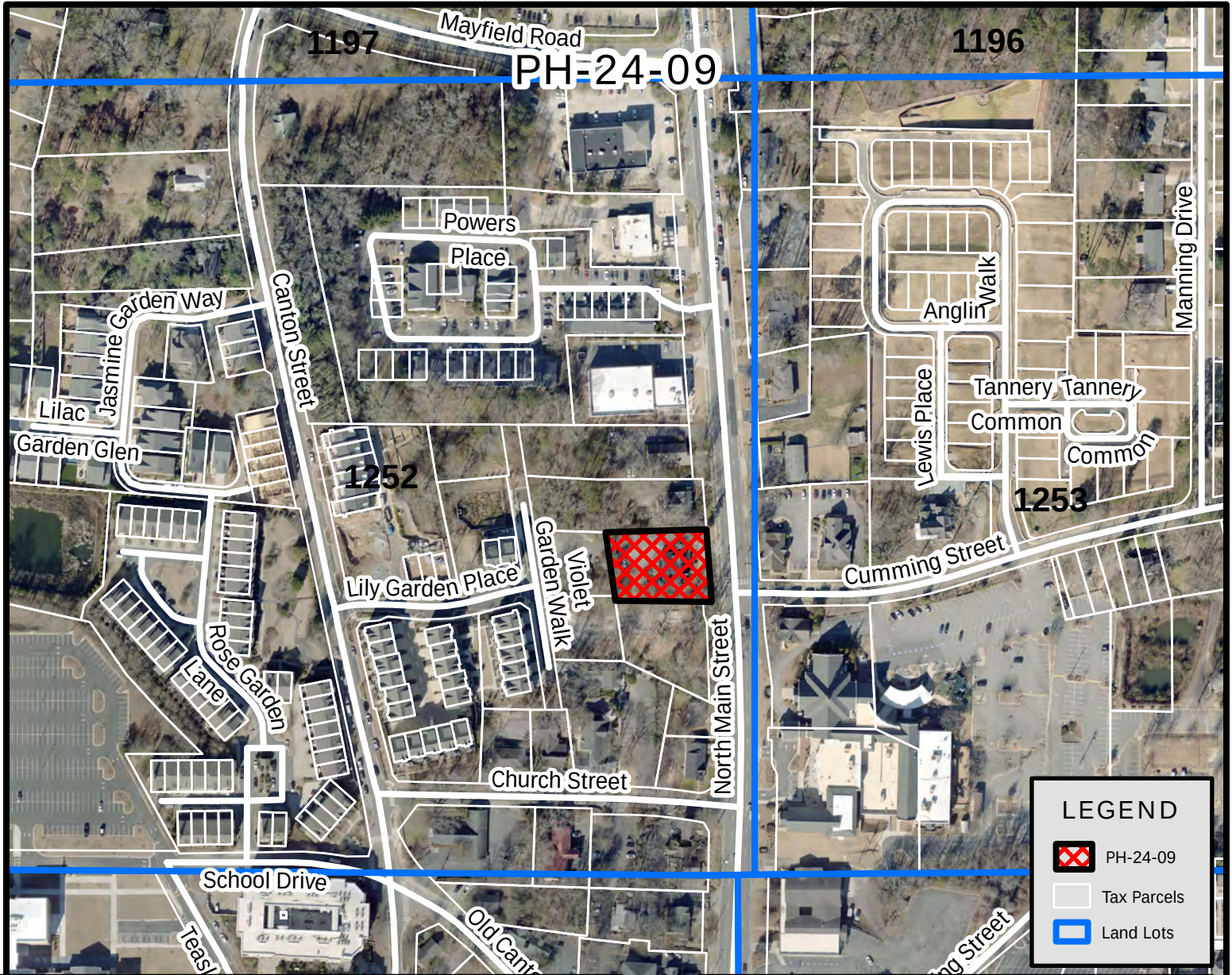
CITIZEN PARTICIPATION PLAN

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.

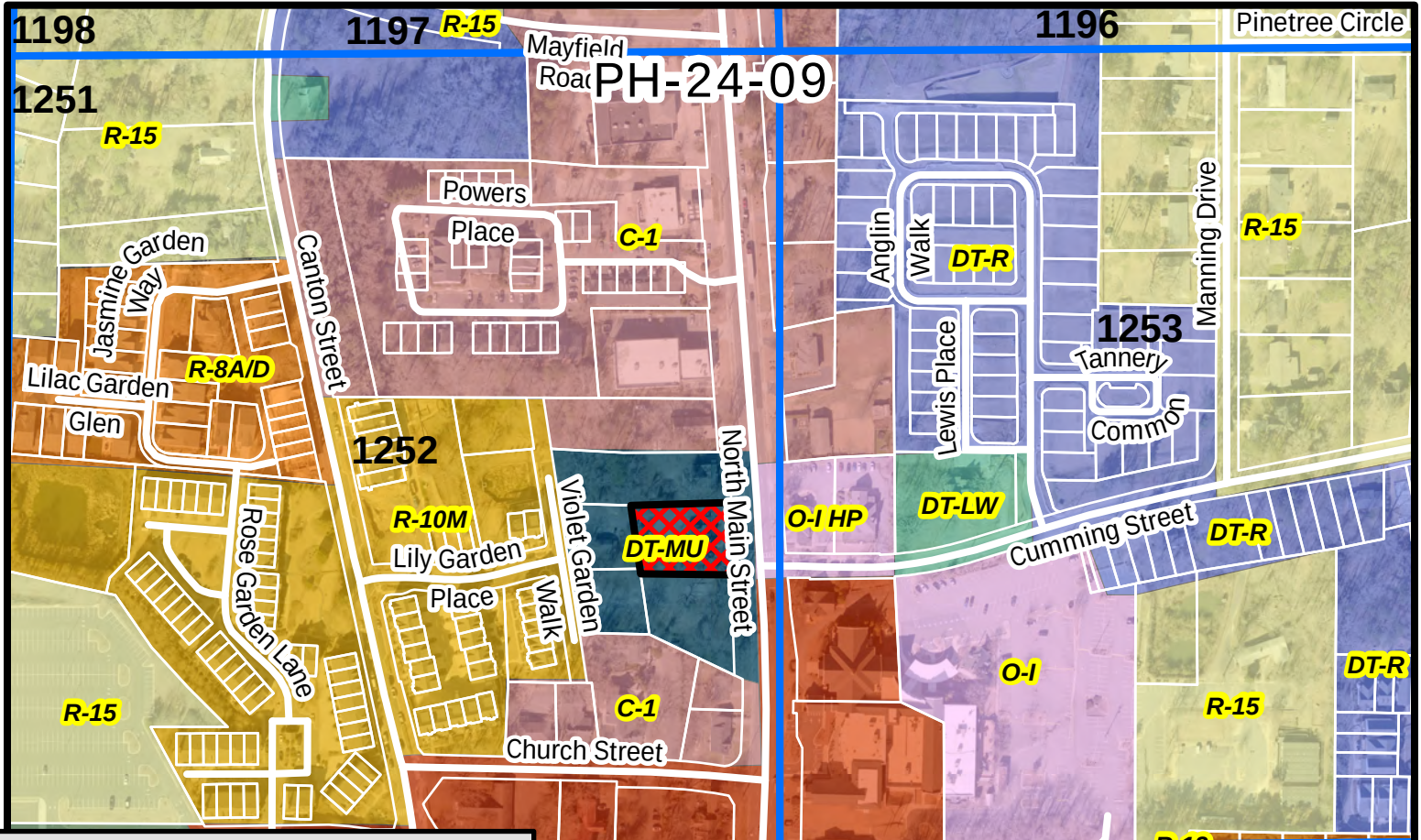
COMMUNITY ZONING INFORMATION MEETING

CZIM was held on March 13, 2024. There were no public comments.

ATTACHMENTS:
• Aerial Map • Zoning Map • Future Land Use Map • Location Map • Dr. J.L. Morris Historical Excerpts • Ordinance • CZIM • Citizen Part B • Application



PH-24-09
 D/LL: 2/2/1252
 HPC: 4/11/24
 CC: 4/29/24



LEGEND

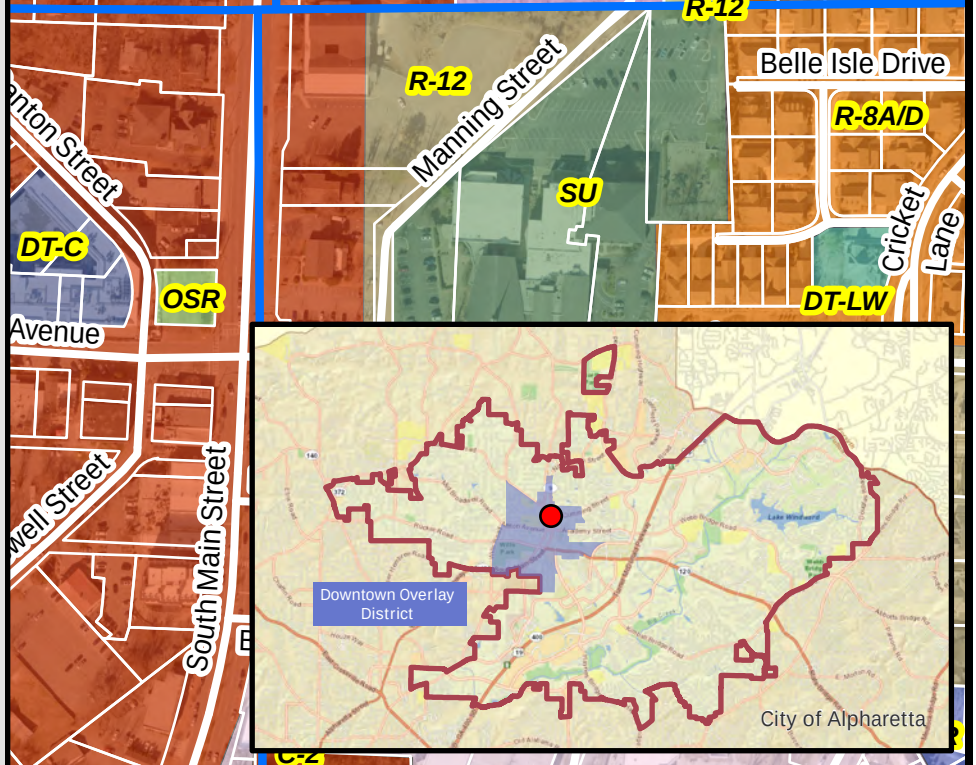
PH-24-09

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



PH-24-09

D/LL: 2/2/1252

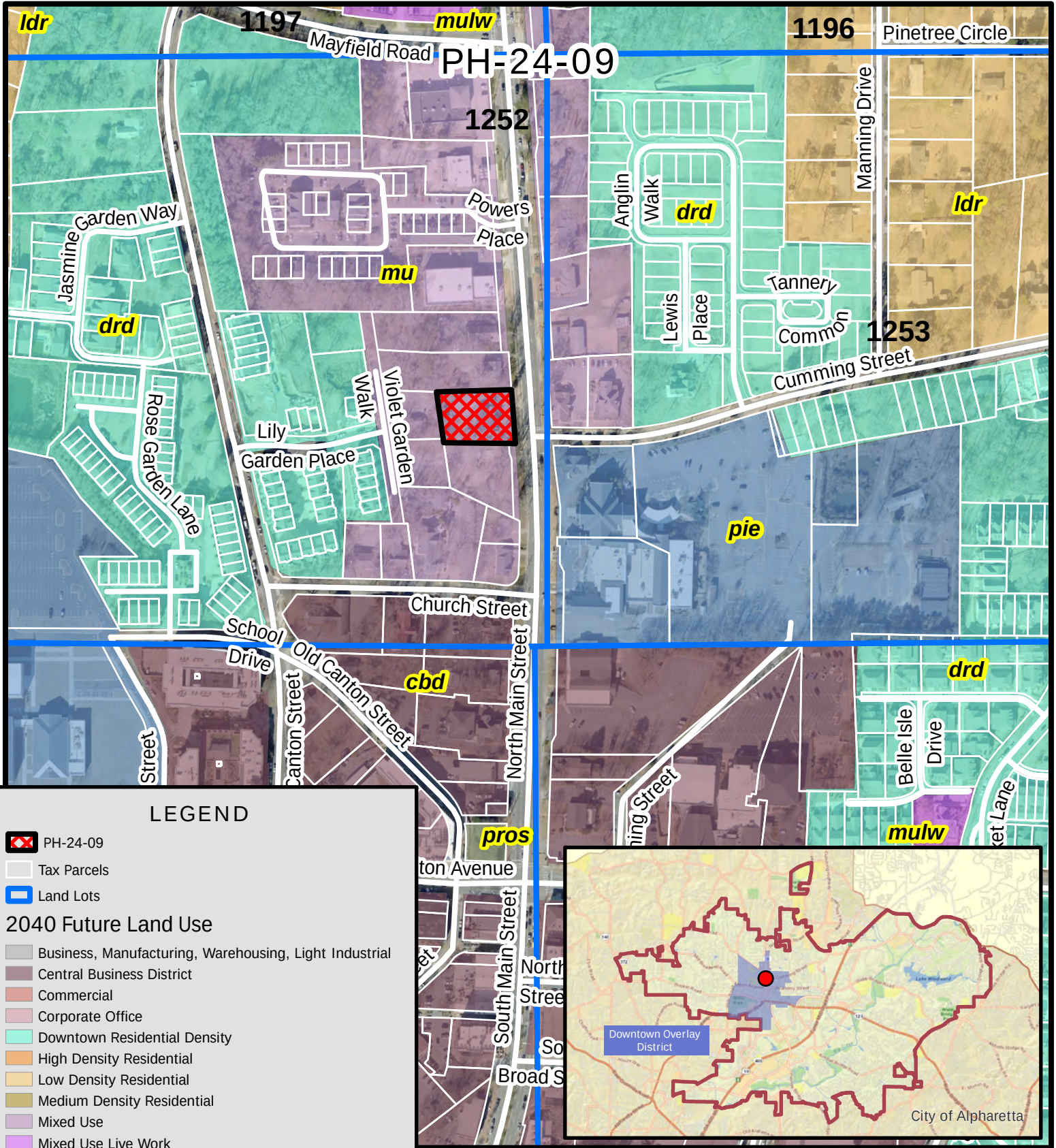
HPC: 4/11/24

CC: 4/29/24



Zoning Map
Historic Designation
116 North Main Street

Location Map Provided by:
Community Development - GIS
Page 77 of 729



LEGEND

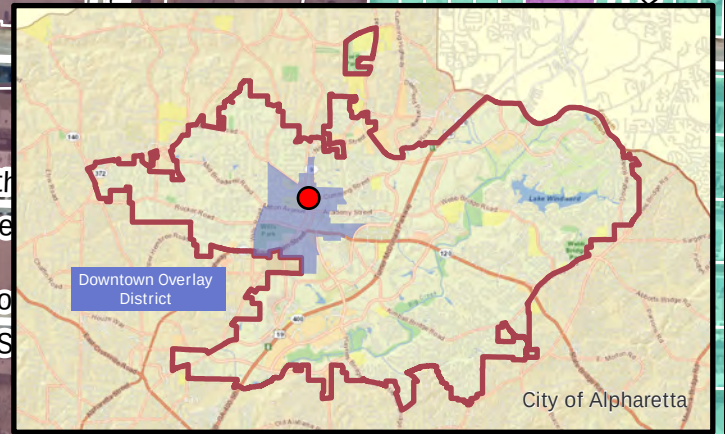
PH-24-09

Tax Parcels

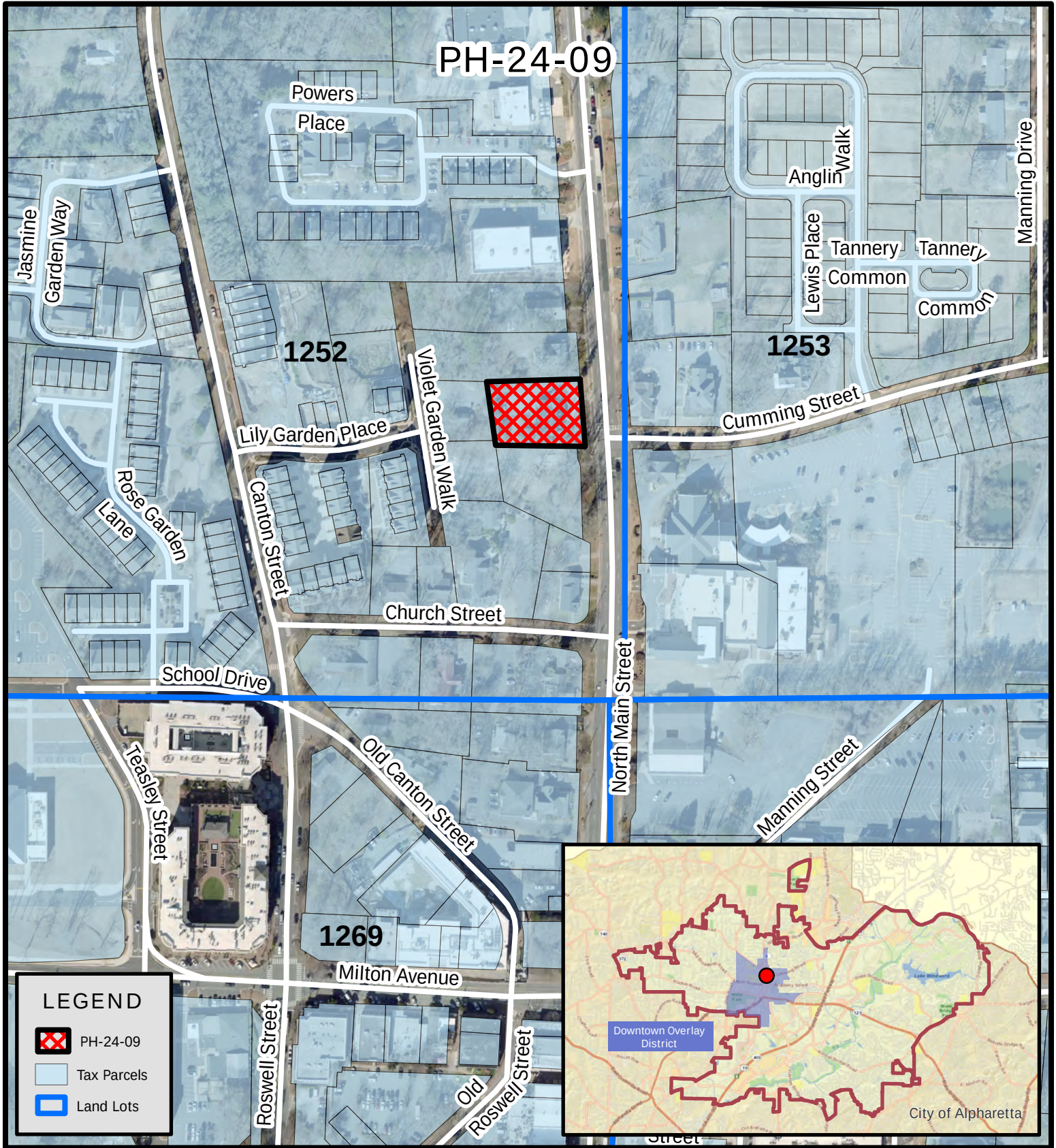
Land Lots

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



PH-24-09
D/LL: 2/2/1252
HPC: 4/11/24
CC: 4/29/24



PH-24-09
 D/LL: 2/2/1252
 HPC: 4/11/24
 CC: 4/29/24



Dr. J. D. McCollum, who was born in 1861 and died in 1916, was a well-known Alpharetta medical doctor. He was also clerk of the Alpharetta First Baptist Church from 1908 to 1916. (Courtesy Clayton Hawkins)

In 1860, four doctors lived within the Alpharetta city limits: Oliver P. Skelton, J. C. Street, Robert Knox, and A. Gregory. Skelton must have been a busy man as he served as Alpharetta's first postmaster and later on as Milton County ordinary for two terms. By 1870, Doctors Knox and Street had moved on, but Dr. James M. Howell was here from 1870 until his death in 1894. Dr. Thomas Chandler was also here in the 1890s.

The early 1900s brought about significant turnover among Alpharetta physicians. Dr. Skelton died in 1892, and Dr. Chandler was no longer here. Fortunately, five other doctors arrived to help meet the city's medical needs. Dr. John D. McCollum was here by the early 1900s, Dr. Cicero Cincinnatus Maddox moved to Alpharetta before 1910, and Dr. W. D. Martin completed his study at the Atlanta College of Physicians and Surgeons by 1904 and opened his practice the same year. "Dr. Martin offered his professional services at the rate of \$1.25 for day time calls, \$1.50 for night time calls and \$5.00 for uncomplicated delivery of babies" (*Revue* Jan 1985). Dr. W. H. Rusk moved to Alpharetta, and Dr. John Carl Gilstrap opened a practice at his home on Marietta Street.

However, the security of having five good doctors was short-lived. Dr. McCollum died in 1916, Dr. Maddox died in 1920, Dr. Rusk died in 1921, Dr. Gilstrap died in 1924, and Dr. Martin died in 1925.

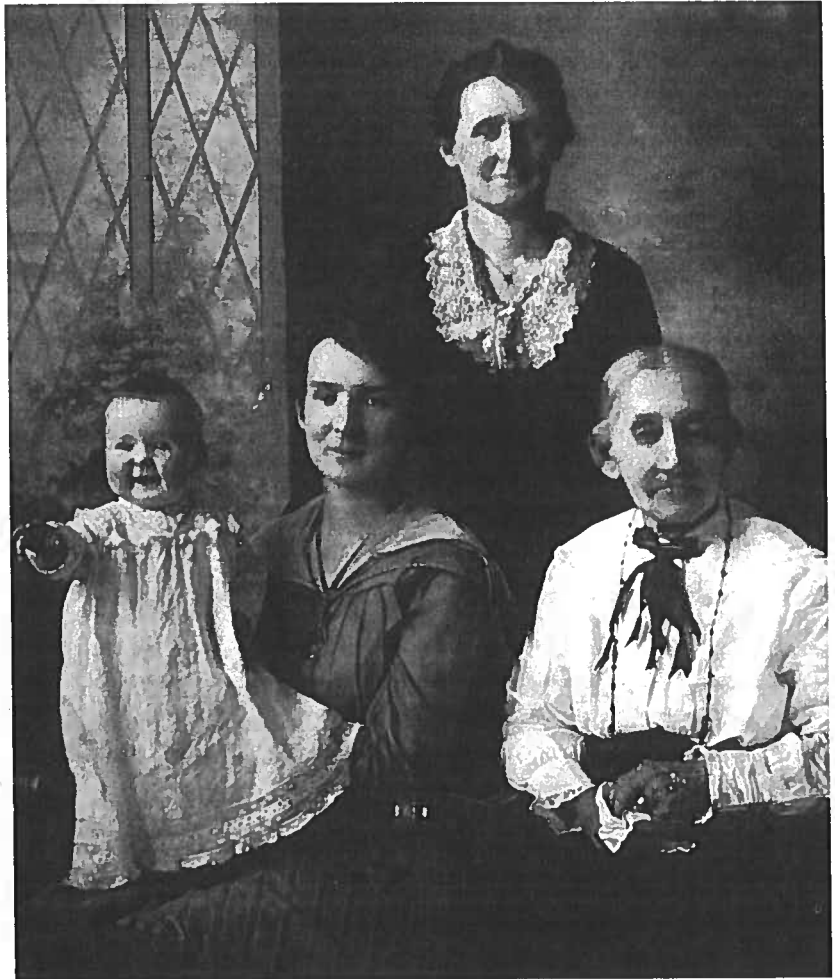
But two more fine doctors, both with interesting backgrounds, moved to Alpharetta in the 1920s. Walter William Phillips was a sawmiller in the Hopewell community until he decided to go to medical school while in his late twenties. After leaving school, he practiced medicine in the Birmingham community for fifteen years. In 1925, he moved to Alpharetta and, for a short time, lived at the Dodd Hotel. After completing a new home on Canton Street, he moved his office there. Eventually, he built a gray brick home on Roswell Street and added a small medical office behind the house. The

home still stands and is used for commercial purposes. Dr. Phillips was known for administering doses of a potent red medicine. Children worked hard to stifle coughs while in his presence, hoping to avoid a dose of this powerful liquid. While serving the community, this highly respected physician delivered approximately three thousand babies (*Herald* 24 Oct 1963). Dr. Phillips died at age eighty in 1963.

J. L. Morris had been a tenant farmer in north Milton County, near the Arnold Mill community. His formal schooling ended after fifth grade, but as a young man, he developed a strong interest in reading. A book wagon, an early mobile library, came to his community frequently. Morris began reading two to three books each week. He decided he wanted to become a doctor and entered medical school at age thirty-four. Residents of Milton greatly benefited from his decision. He came here in 1929, after practicing medicine in Buena Vista, Georgia, for seventeen years (Spence 1 Aug 1986, *Revue*). Dr. Morris's first office was in his home on what



Dr. Walter William Phillips was an Alpharetta-area physician for nearly forty years. He delivered approximately three thousand babies. (Courtesy Dimp Bagley Phillips)



Four generations are shown here. From left to right are Anne Maddox Ebright, Blanche Rucker Maddox, Florence Teasley Rucker, and Laura Hagood Teasley. (Courtesy Carla Ebright)



Dr. J. L. Morris is shown in his medical office. Note the telephone in the lower left corner. Dr. Morris dispensed medication from large amber bottles in his Academy Street office. (Courtesy Roberts family)

Top, left: Juliet Tucker was the daughter of Frank Tucker and Mary Estes Tucker. She grew up at the family home on Providence Road. She married James DeVore on January 1, 1937. They became parents of Donald and Sue DeVore. (Courtesy Sue DeVore Rainwater)



During World War II, Dr. Jessie Morris Roberts set up her medical practice with her father, Dr. J. L. Morris. She and her father provided medical service for Alpharetta for a combined total of ninety-four years. (Courtesy Roberts family)

would become North Main Street. Later, he moved his office to the Webb/Brady Building, and he eventually bought the Colonel Brooke home on Academy Street, where he practiced medicine until retirement. Bill Rogers, a longtime resident who knew the doctor well, and was familiar with his quick wit, described an incident involving one of his patients. The patient said, "Doc, I think I have lice." Dr. Morris responded, "What have you been doing—sleeping with hogs?"

Dr. Morris's daughter, Jessie, followed in her father's footsteps. After finishing

medical school, she joined her father's practice at the Brooke House, where she was known simply as Dr. Jessie. Years later, the Colonel Brooke home was razed, and Dr. Jessie built a new office close by. She was a petite woman but remembered for her injections to the rear end that were just as painful as those delivered by a two-hundred-pound man. Dr. Jessie was direct and immensely likeable. A patient, Dot Greene, said of her, "You felt better just walking in the door. She had such a beautiful smile. And she made you feel like the most important person in the world" (*Revue and News* 21 Mar 1997). Dr. Jessie died in 1996 at the age of seventy-four.

Another physician never had an office here, yet he had a great impact on the community. Dr. John R. Walker, a highly regarded and charismatic physician, grew up in the family home on Roswell Street. His father, Colonel Golson B. Walker, was an Alpharetta mayor and a popular attorney in the community. Dr. Walker opened a medical office on West Peachtree Street in Atlanta, but many of his patients were from Alpharetta and Roswell. They did not mind the twenty- to thirty-mile drive to have Dr. Walker treat their medical ills. He came to Alpharetta one day each week to make house calls and check on his five-hundred-acre cattle farm on Summit Road. Dr. Walker is also remembered for his strong and successful stand against the placement of a second regional airport in the Alpharetta area in 1970.

Whenever he performed surgery on children and was about to administer anesthesia, Dr. Walker would calm his young patients by saying, "I want you to smell this Mickey Mouse perfume."

Another valuable health care option was available to Alpharettans for more than seventy years. "The Fulton County Health Center is located on Academy Street. The Health Center provides free X-rays, medical aid and information to county residents. The health center began service in Alpharetta in 1936 with an office in the old courthouse and moved to its present location in 1949" (Brochure 1967).

Residents with toothaches were not ignored. The *Alpharetta Free Press* of March 6, 1925, reported, "Dr. Oscar L. Barnwell will be in town during court week, March 2-7 to do dental work in the hotel." In the 1930s, two dentists had offices here: Dr. Linton Fuller saw patients in his upstairs office in the Webb/Brady Building, and Dr. Holdendorff treated tooth ailments in his office over the drug store on South Main Street.



An Alpharetta native, Dr. John R. Walker was a well-known Atlanta physician. He was also a successful cattle farmer, first raising white-faced Herefords and later Black Angus cattle for breeding stock. He is photographed at his Summit View Farms, which covered five hundred acres on and around Brittle and Summit roads. (Courtesy Virginia Walker Nickerson)

ORDINANCE NUMBER:



AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND SECTION 2.9 HISTORIC PRESERVATION INCENTIVE ZONING OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD 116 NORTH MAIN STREET (DR. J.L. MORRIS HOUSE) TO APPENDIX B – HISTORIC RESOURCES INVENTORY DESIGNATED HISTORIC BUILDINGS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, on or about May 21, 2001, the City of Alpharetta (the “City”) adopted a comprehensive zoning ordinance known and cited as the Unified Development Code of the City of Alpharetta, Georgia, which has subsequently been amended from time to time (the “Unified Development Code”); and

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta; and

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs; and

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta; and

WHEREAS, the City Council desires to amend Article II of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta;

NOW THEREFORE, the Mayor and City Council of the City of Alpharetta hereby ordains, as follows:

- **Section 1:** Section 2.9 Historic Preservation Incentive Zoning Appendix B – Historic Resources Inventory – Designated Historic Buildings of the Unified Development Code is hereby amended by revising same as set forth in Exhibit “A” attached hereto as is fully set forth herein.
- **Section 2:** If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the

City Council that this Ordinance would have been adopted in its current form without the invalid or unconstitutional provision contained therein.

- **Section 3:** This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of January ____.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Jason Binder

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

[INSERT ATTORNEY], City Attorney

EXHIBIT “A”

APPENDIX B - HISTORIC RESOURCES INVENTORY—DESIGNATED HISTORIC BUILDINGS

Address	Description	Property Owner
10 Cumming St.	R.D. Manning House	Properties of Duffy, LLC.
40 Cumming St.	Lewis Manning House	Taylor Morrison of Georgia, LLC.
1080 Rucker Rd.	Troy Rucker House	Millie R. Hogan
333 Milton Ave.	Farmhouse Cottage	Blaise Miller, One Ninety-Three Residential Group, LLC.
0 Morris Road	Farmhouse Settlement	City of Alpharetta
531 South Main Street	Earl Wood House	Morley Holdings Coffee Plantation LLC
133 Cumming Street	Gardner House	Toriano Young & Associates, Inc.
116 North Main Street	Dr. J.L. Morris House	116 North Main LLC

Community Zoning Information Meeting (CZIM)

March 13, 2024

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

PH-24-06 / Dr. J.L. Morris/116 North Main Street Historic Designation

NAME	ADDRESS	COMMENTS
Lars Holmquist	319 Concord St Alpharetta, GA 30209	Very much like that this building will have an historic designation. The proposed changes seem reasonable to accommodate the new function space while maintaining the look of the existing structure.
Nick & Diane James Grecco	310 Banbury Xing Alpharetta, GA 30009	Love the historic designation for the violin house (& proposed restaurant). BUILDING PLANS look reasonable.
Richard DeLuca	400 Banbury Xing Alpharetta, GA 30009	Tastefully done. Thanks for saving the house!!

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: 116 North Main

Contact Name: Brent Beecham

Telephone: 7708627895

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.

Everyone seemed pleased we would be preserving another nice period home in the city. They were supportive of reuse as a restaurant.

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

☒

Letter

☐

Personal Visits

☐

Telephone

☒

Group Meeting

☐

Email

☐

Other (Please Specify) _____

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

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

Signature of Authorized Agent: _____



Date: 3/18/2023

Print Form



MARKET DISTRICT

3/4/2024

Brent Beecham
116 North Main St
Alpharetta, GA 30009

RE: PH-24-09 Dr. Morris House/ 116 North Main Street Historic Designation

Dear Property Owner:

Please allow this letter to serve as public notice for Consideration of a request to designate the Dr. Morris House as historic. The property is located at 116 North Main Street and is legally described as being located in Land Lot 1252, 2nd District, 2nd Section, Fulton County, Georgia.

The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, March 13, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by **the Historic Preservation Commission on Thursday, April 11, 2024, at 3:00 PM, and City Council on Monday, April 29, 2024, at 6:30 PM.** The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at brent@md-atl.com or 770-862-7895

Sincerely,

Brent Beecham

CURRENT OCCUPANT
116 N MAIN ST
ALPHARETTA GA 30009

GEISEL PAMELA A
1000 POWERS PL
ALPHARETTA GA 30004

WEST MAIN I LLC
1001 CAMBRIDGE SQ SUITE A
ALPHARETTA GA 30009

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1030 POWERS PL
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1110 POWERS PL
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1120 POWERS PL
ALPHARETTA GA 30009-8359

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D AURIA DIANE
115 LILY GARDEN PL
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CANTON GA 30114

COLLINS MARINE GROUP LLC
725 COOPER SANDY CV
MILTON GA 30004

F9 PROPERTIES LLC
844 ALTON RD # 3
MIAMI FL 33139

VASSAR TYLER M & KATHLEEN T VASSAR
1999 LIVING TRUST THE
89 CANTON ST
ALPHARETTA GA 30009-3632

SIMS BRIAN P & LINDSAY
91 CANTON ST
ALPHARETTA GA 30009

CANTON STREET FD DEVELOPMENT
PARTNERS LLC
91 W WIEUCA RD BLDG/STE A 2000
ATLANTA GA 30342

BECHER MICHELLE
93 CANTON ST
ALPHARETTA GA 30009

ASHER RABUN LEIGH & RABUN LEE W III
95 CANTON ST
ALPHARETTA GA 30009

BECKER TIMOTHY A & KELLY L
97 CANTON ST # 2
ALPHARETTA GA 30009

PHILLIPS RICHARD MARK & NATALIE
99 CANTON ST
ALPHARETTA GA 30009

Community Zoning Information Meeting (CZIM)

March 13, 2024

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

PH-24-06 / Dr. J.L. Morris/116 North Main Street Historic Designation

NAME	ADDRESS	COMMENTS
Lars Holmquist	319 Concord St Alpharetta, GA 30009	Very much like that this building will have an historic designation. The proposed changes seem reasonable to accommodate the new function space while maintaining the look of the existing structure.
Nick & Diane James Grecco	310 Banbury Xing Alpharetta, GA 30009	Love the historic designation for the violin house (& proposed restaurant). BUILDING PLANS look reasonable.
Richard DeLuca	400 Banbury Xing Alpharetta, GA 30009	Tastefully done. Thanks for saving the house!!

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY	
Case #:	<u>PH240006</u>
PH #:	<u>PH-24-09</u>
☐ Property Taxes & Code Violations Verified	
☒ Fee Paid	Initial: <u>sc</u>

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: Brent Beecham Telephone: 7708627895

Address: 4575 Webb Bridge Rd Suite: #5400

City Alpharetta State: GA Zip: 30005 Fax: _____

Mobile Tel: 7708627895 Email: brent@md-atl.com

Subject Property Information:

Address: 116 N Main St. Current Zoning: DTC

District: _____ Section: _____ Land Lot: _____ Parcel ID: _____

Proposed Zoning: _____ Current Use: Office/Restaurant

This Application For (Check All That Apply):

- | | | |
|--|---|---|
| ☐ Conditional Use | ☐ Master Plan Amendment | ☐ Comprehensive Plan Amendment |
| ☐ Rezoning | ☐ Master Plan Review | |
| ☐ Variance | ☐ Public Hearing | |
| ☐ Exception | ☒ Other <u>(Specify):</u> | |

Application for Historic Designation

Letter of Intent 116 North Main Street Historic Designation

Per the approved zoning conditions for 116 North Main Street, we intend to restore the property and designate it as Historic under the City's Historic Preservation Incentive Ordinance. Restoration will be completed by the 1st TCO/CO, subject to a Certificate of Appropriateness from the Historic Preservation Commission.

The purpose of this application is to designate the existing building on the property, known as the Dr. Morris House under the City's Historic Preservation Incentive Ordinance.

Once the designation is approved by City Council, we will then apply for a Certificate of Appropriateness to the Historic Preservation Commission.

Once the Certificate of Appropriateness is issued, we will become compliant with the approved zoning conditions for Z-22-202/V-22-08 116 & 126 North Main St.

The intended purpose, per the zoning conditions, includes restaurant as an approved new use for the building that is currently used as a violin repair shop. We have contracted a full service restaurant to occupy the renovated space. The permit we will ultimately request is for an empty shell with new mechanical, electrical, plumbing and sprinkler systems installed. In addition, we are adding space in the rear of the building to accommodate a kitchen that the current structure cannot house. The new tenant will apply for its own building permit to finish the interior and kitchen spaces.

Site improvements and relationship to the adjacent new structures are being permitted separately per 126 North Main Street LDP #D230009 under a separate cover.

APPLICANT REQUEST AND INTENT

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

Restaurant per our zoning conditions.

Applicant's Request (Please itemize the proposal):

Modify the existing structure to extend the rear of the building and expand the basement level of the structure.

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

Modifications are intended to make the structure suitable for a full service restaurant per our zoning conditions for use of the building.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: 116 North Main LLC (Brent Beecham)

Telephone: 7708627895

Address: 4575 Webb Bridge Rd

Suite: #5400

City Alpharetta

State: GA

Zip: 30005

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: D Tracy Ward, Architect

Telephone: 4044058662

Address: 5155 Doubletree Dr

Suite: _____

City Cumming

State: GA

Zip: 30040

So Sworn and Attested:

Owner Signature: _____

Date: 2/26/24

Notary: _____

Notary Signature: _____

Date: 2/26/24

VICTORIA K DUBOSE
NOTARY PUBLIC
Fulton County
State of Georgia
My Comm. Expires Mar. 5, 2027

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: **Brent Beecham**

Subject Public Hearing Case: **116 N Main St. Application for Historic Designation**

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: 

Date: **2/26/24**

DESIGNATION OF A HISTORIC PROPERTY (Wills Overlook - Earl Wood house)

- a. Is the property of historic, cultural, aesthetic or architectural significance to the City, the region, the State, or the nation; or**

The property is of historic and architectural significance to the City.

- b. Does the property possess historic integrity (in terms of its location, design, setting, materials, workmanship, feeling, and association) for all periods related to the significance of the property; and**

The property possesses historic integrity due to its location at the Southern entrance to the City of Alpharetta and its design which is reminiscent of the early 1900 era.

- c. Is the property deemed worthy of preservation (and the benefits available due to such status) following reasons:**

- The property is an outstanding example of a building representative of its era and over 75 years old, and
- The property is one of the few remaining examples of a past architectural style or type and over 75 years old.

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: **116 North Main St.**

Contact Name: **Brent Beecham**

Telephone: **7708627895**

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.

Holmes Hawkins

100 North Main St Alpharetta LLC

Larry Bracken

Douglass Rowles

Brian Richey

Paul Northsworthy

Robert O'Donnell

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.

Sent email with explanation of our project and offered meeting or phone call as necessary should they desire further information.

CURRENT OCCUPANT
116 N MAIN ST
ALPHARETTA GA 30009

GEISEL PAMELA A
1000 POWERS PL
ALPHARETTA GA 30004

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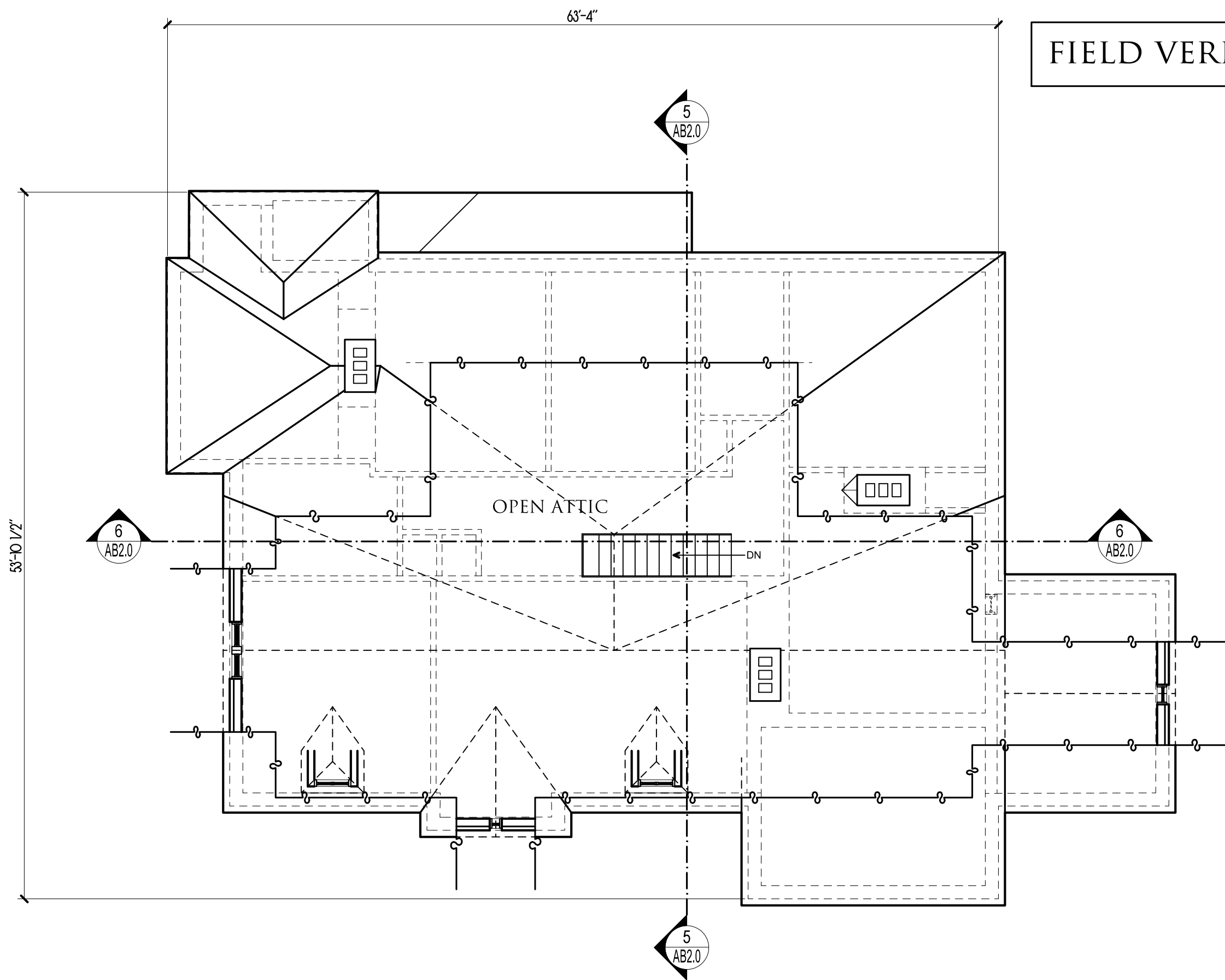
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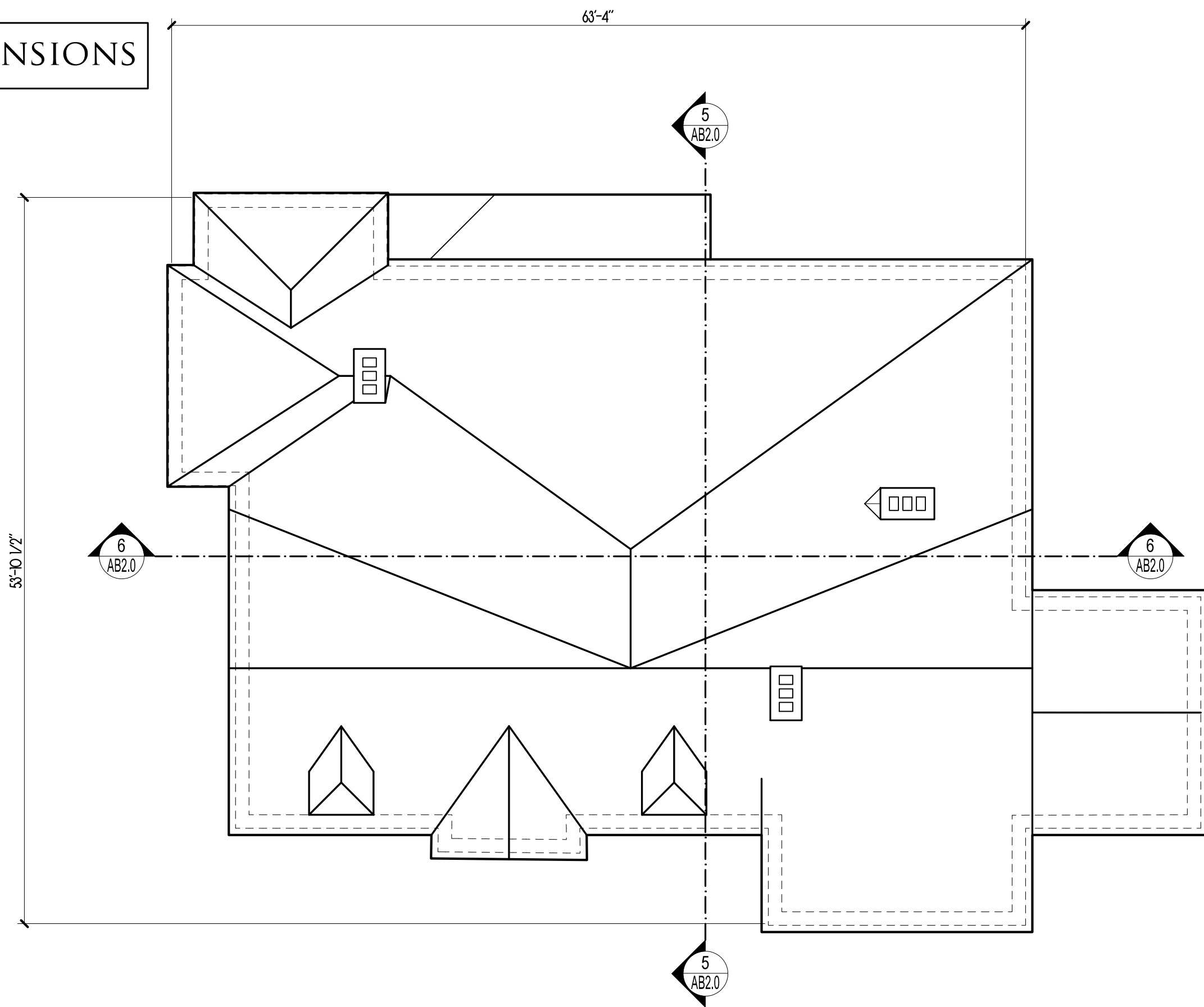
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99 CANTON ST
ALPHARETTA GA 30009



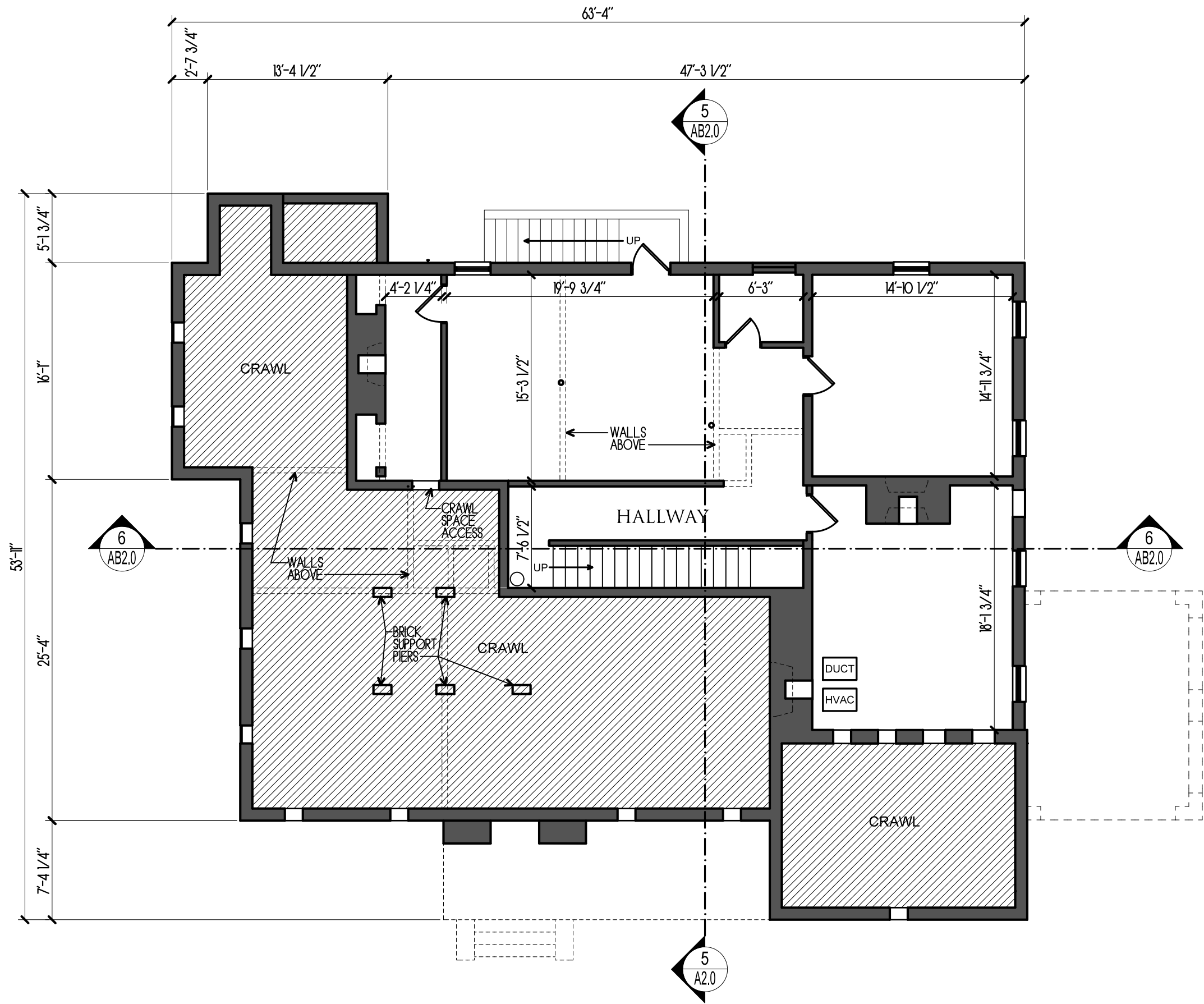
REVISED
4:37 am, Mar 10, 2023



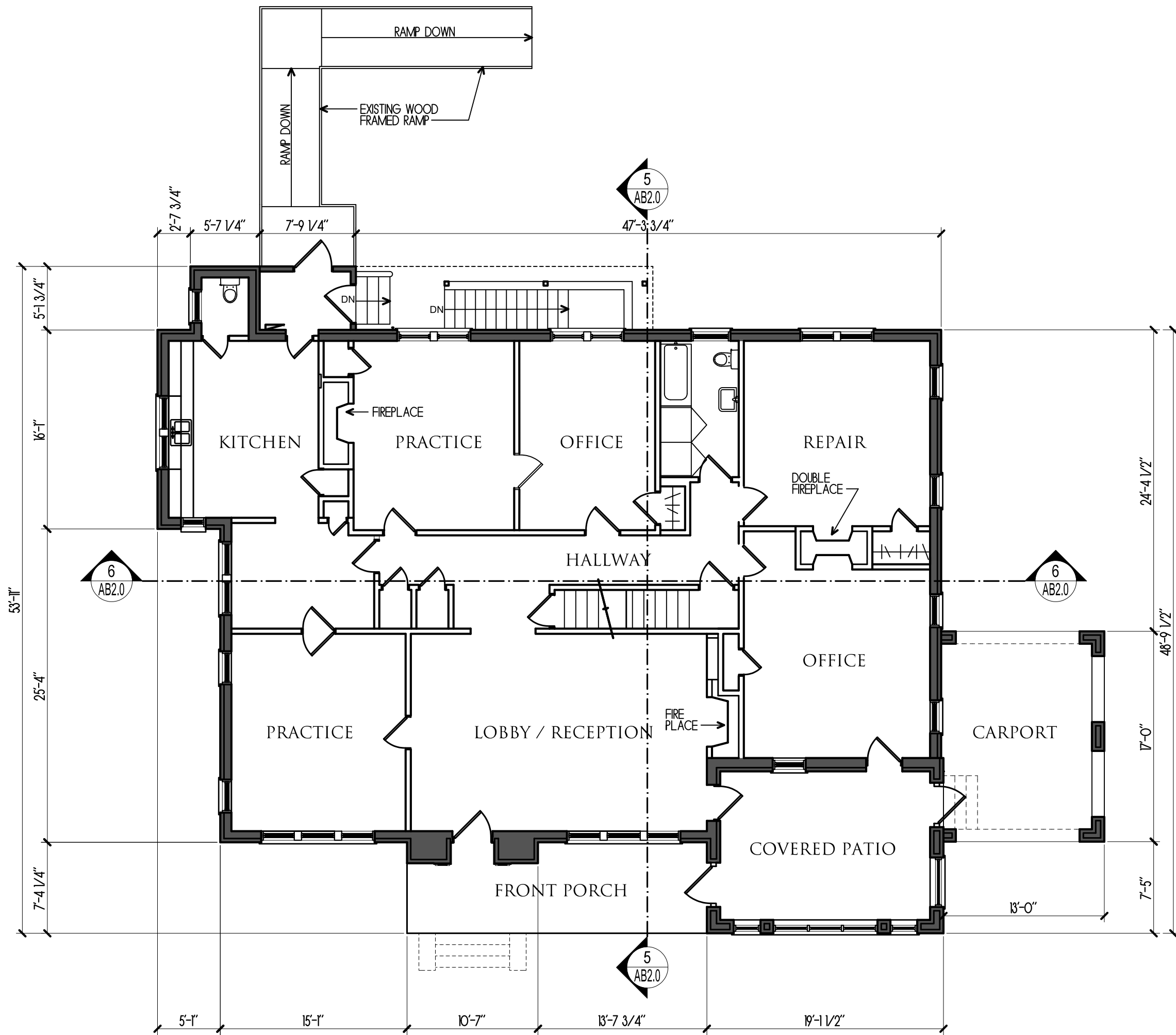
3 ATTIC PLAN
1/8" = 1'-0"



4 ROOF PLAN
1/8" = 1'-0"



0 BASEMENT LEVEL FLOOR PLAN
1/8" = 1'-0"

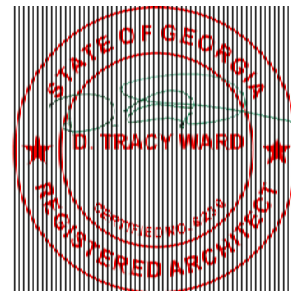


1 MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"

FIELD VERIFY ALL DIMENSIONS

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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ARCHITECT
D. TRACY WARD
EST. 1993

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Architects & Planners

Design Professional D. Tracy Ward, GA #8230

Issue Date 02/29/2024

Date	Description
03/15/2023	Owner Review Progress
03/31/2023	Pricing
12/20/2023	Design Review/Pricing
01/15/2024	Preliminary Review
02/29/2024	Shell Demo/Reno/Addition

Project Name 116 North Main Street

Project Number 19030

Drawn by JB/DTW

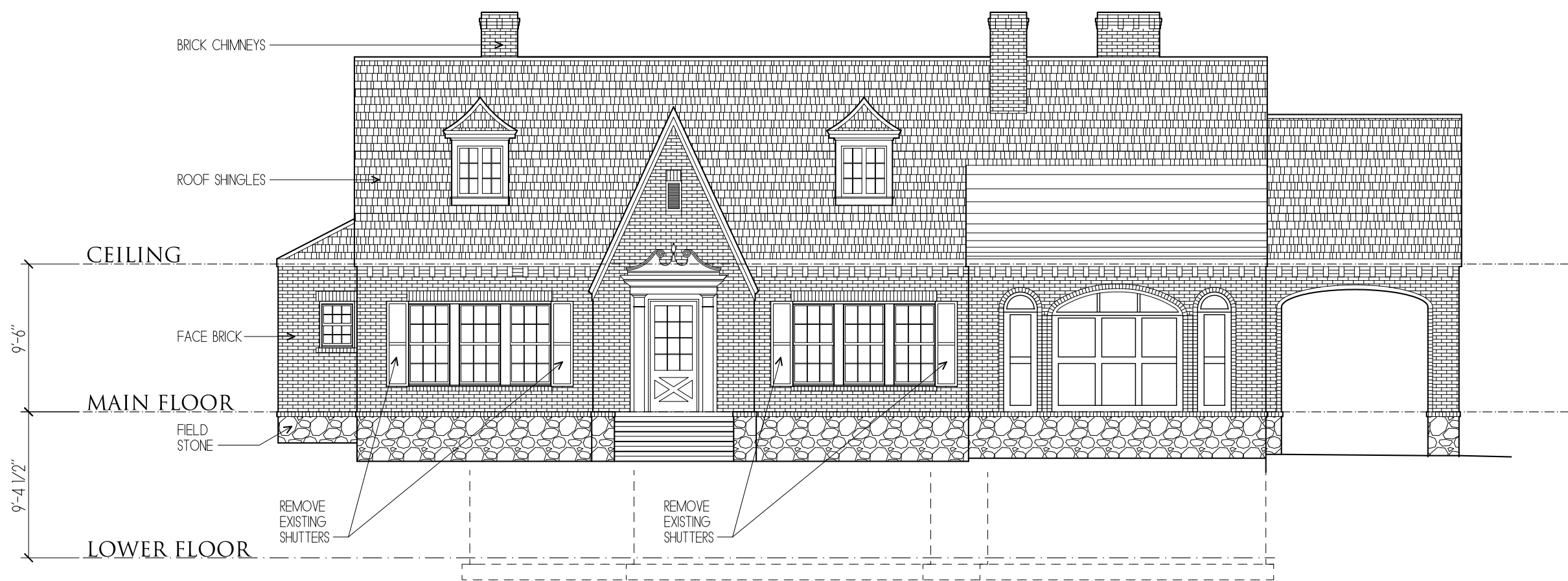
Designed by DTW

Checked by DTW

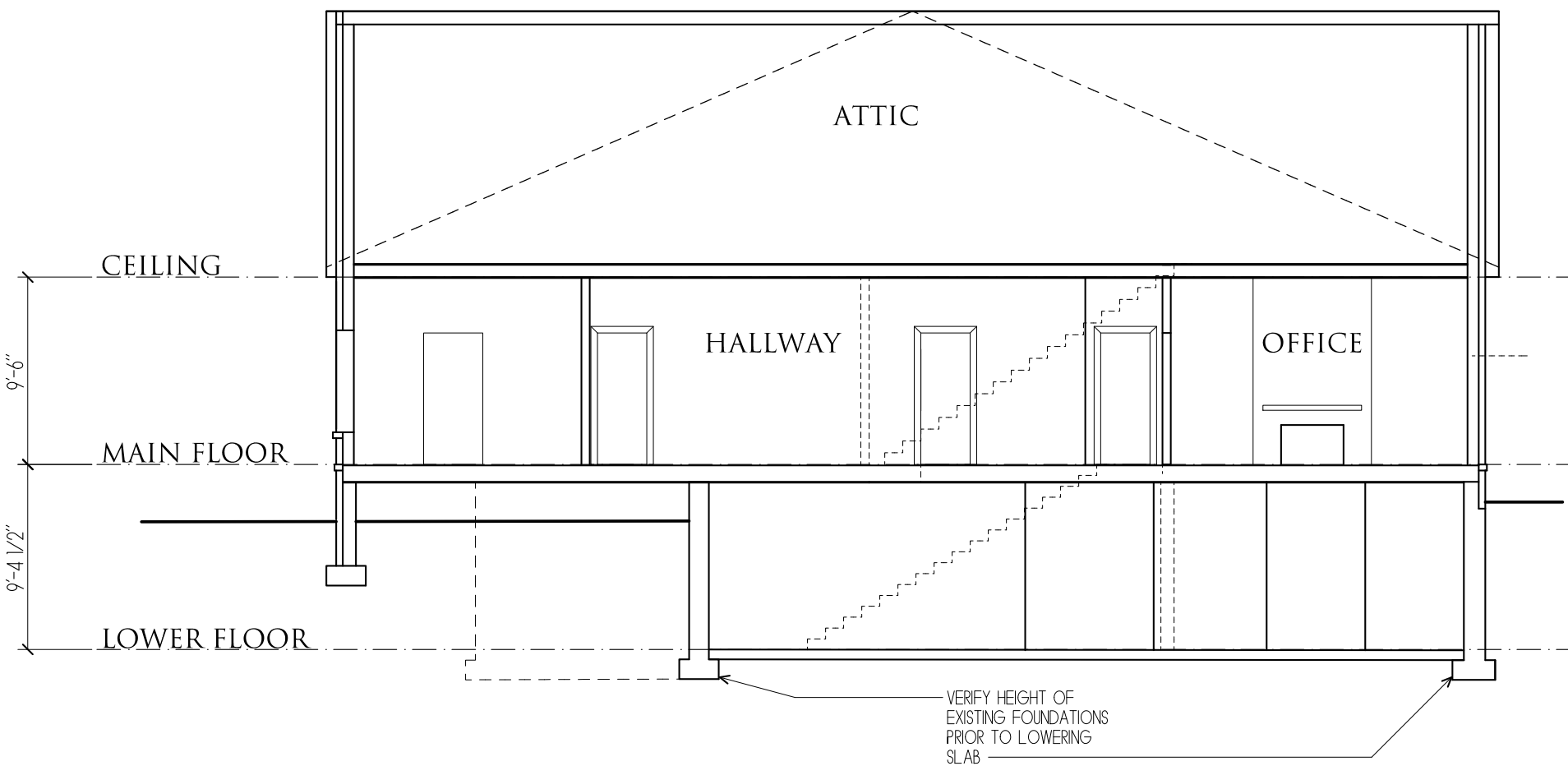
Description As Built
Floor Plans

Sheet Number AB1.0

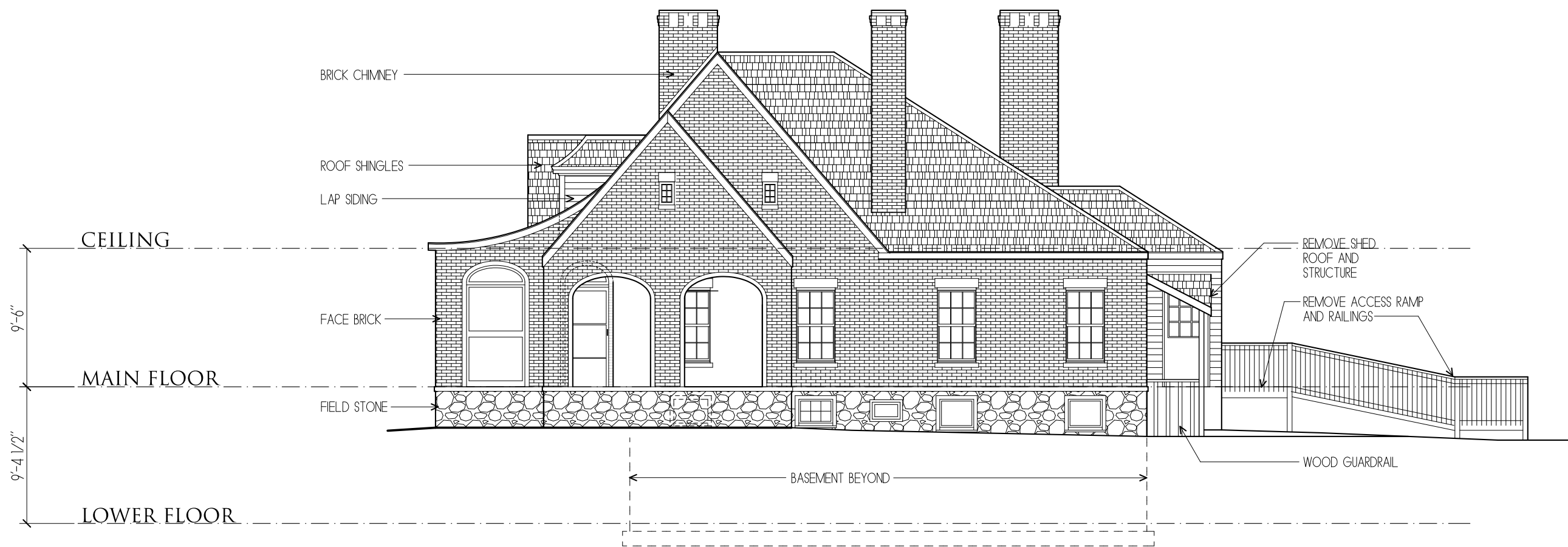
FIELD VERIFY ALL DIMENSIONS



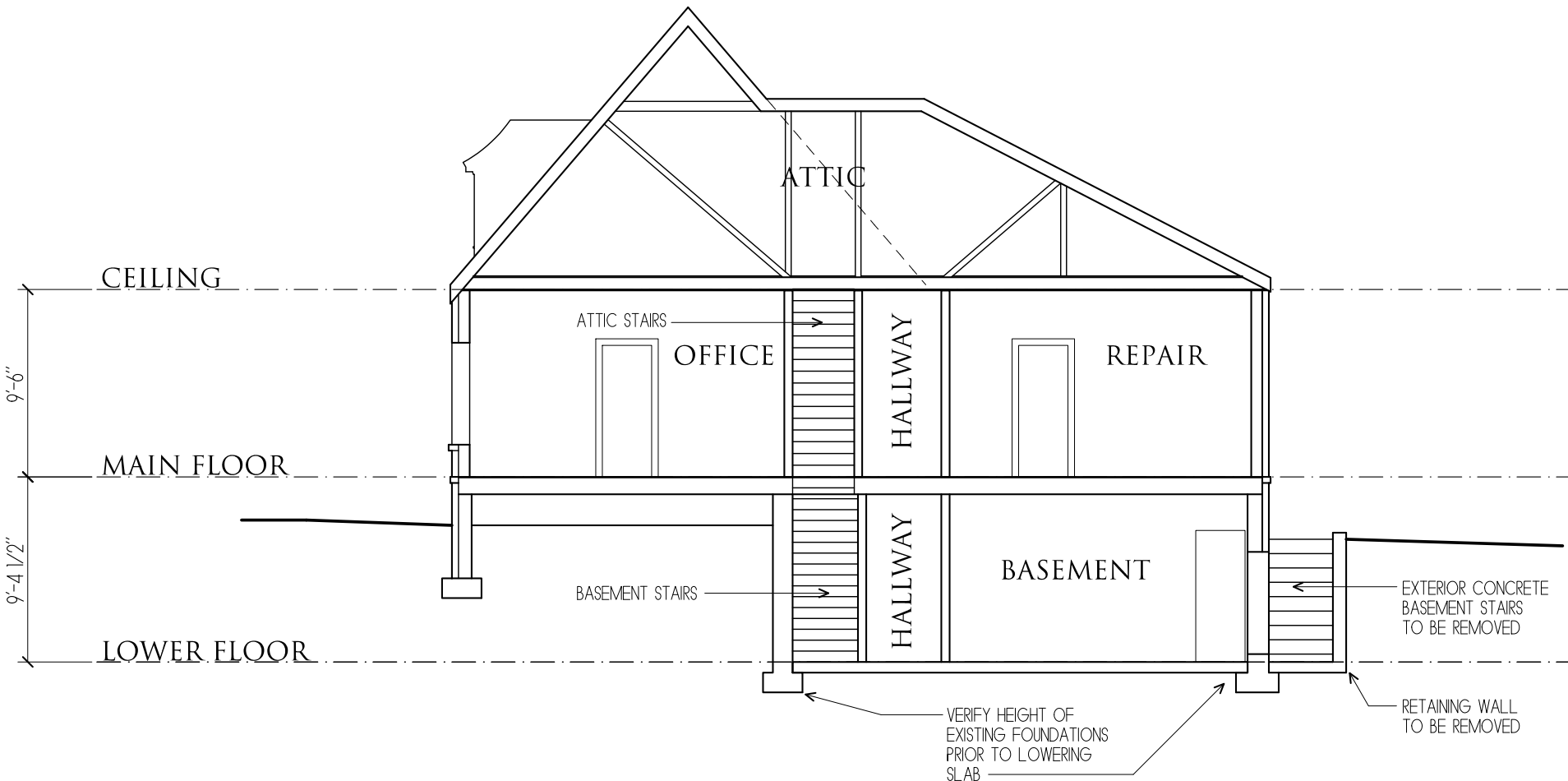
1 EAST ELEVATION
1/8" = 1'-0"



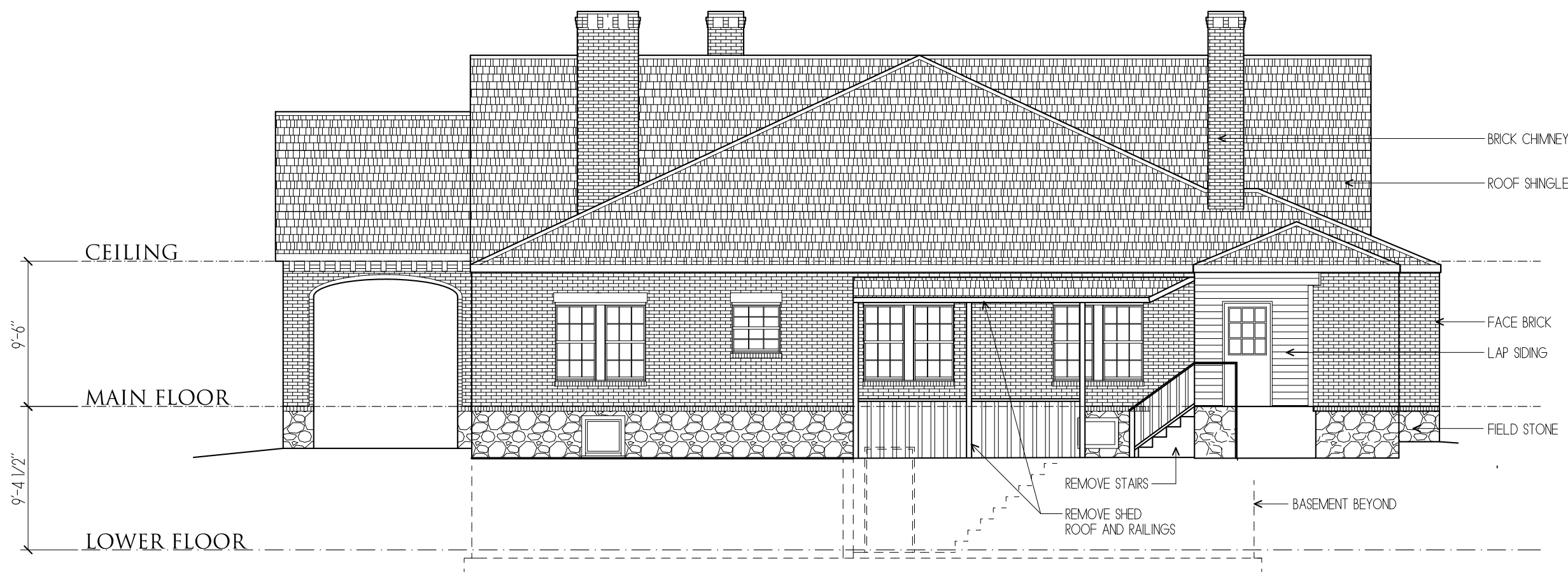
6 LONGITUDINAL SECTION
1/8" = 1'-0"



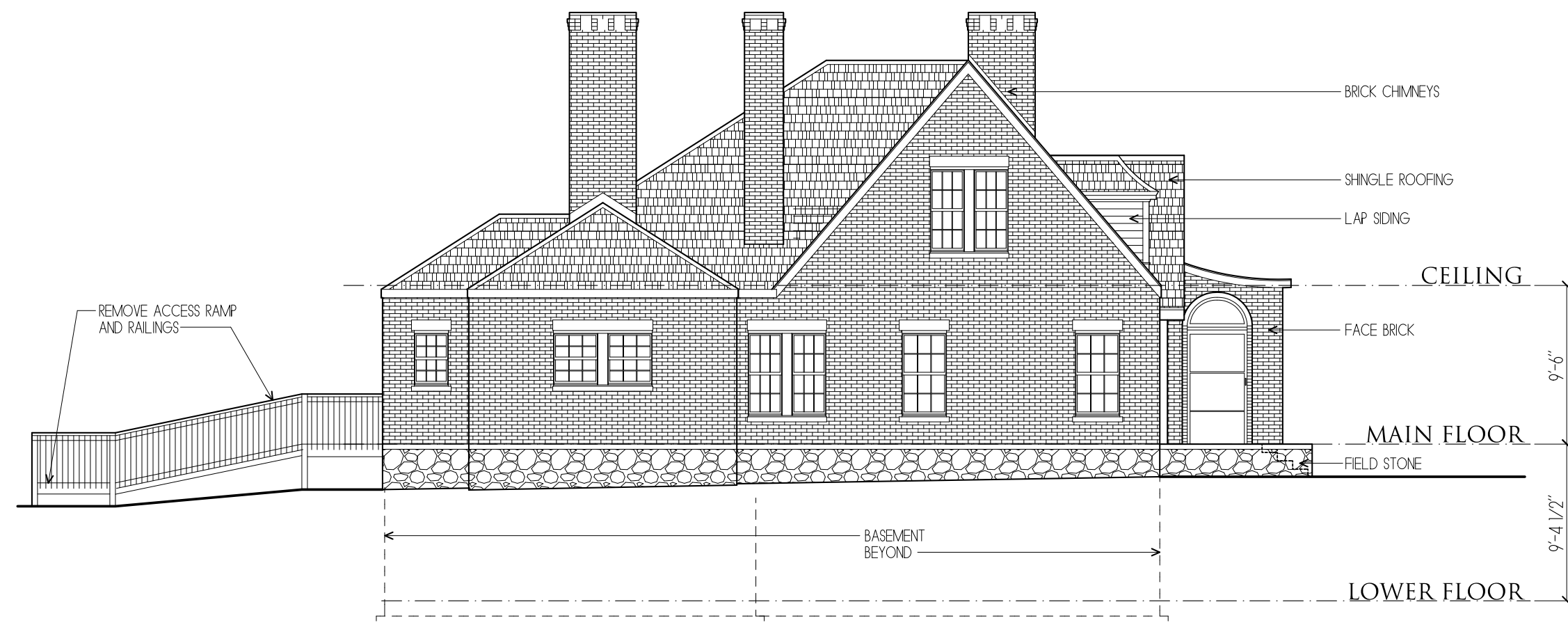
2 NORTH ELEVATION
1/8" = 1'-0"



5 CROSS SECTION
1/8" = 1'-0"



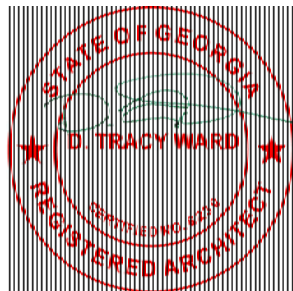
3 WEST ELEVATION
1/8" = 1'-0"



4 SOUTH ELEVATION
1/8" = 1'-0"

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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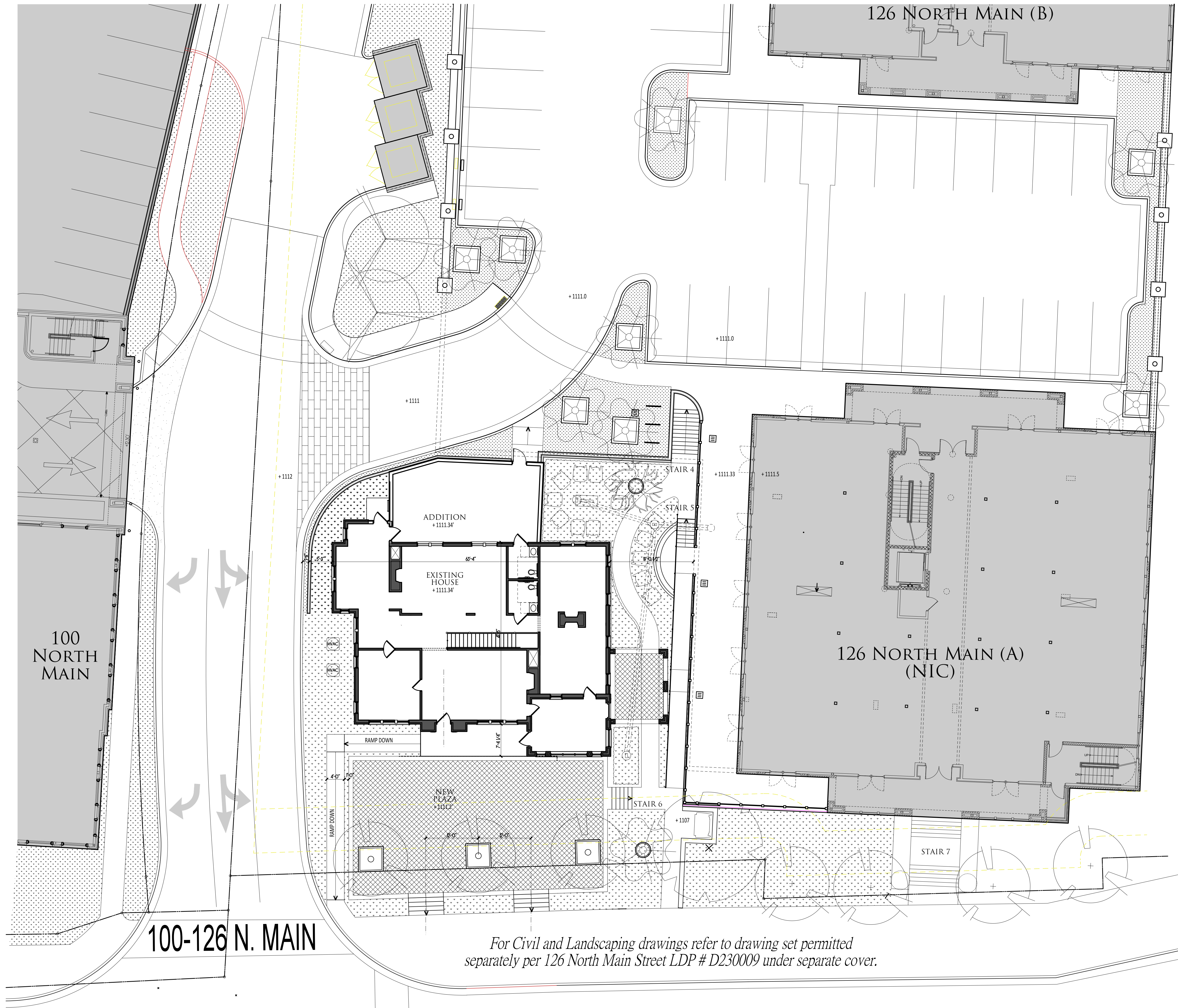
Drawn by JB/DTW

Designed by DTW

Checked by DTW

As Built Elevations &
Sections

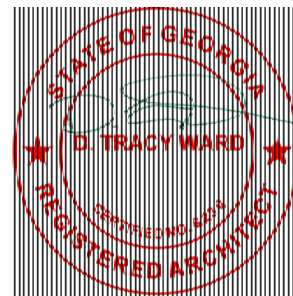
Sheet Number AB2.0



For Civil and Landscaping drawings refer to drawing set permitted separately per 126 North Main Street LDP # D230009 under separate cover.

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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Drawn by JB/DTW

Designed by DTW

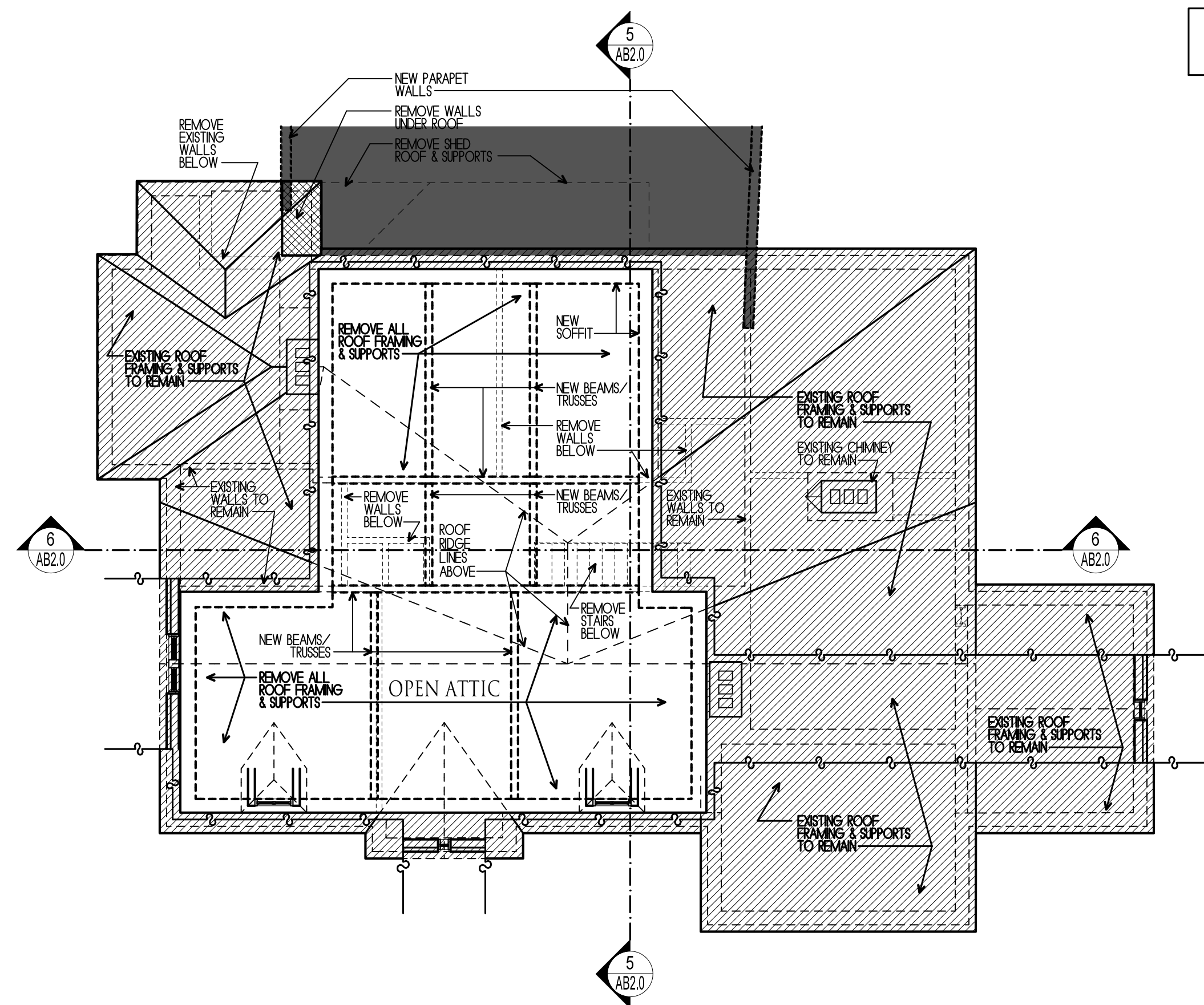
Checked by DTW

Architectural
Site Plan

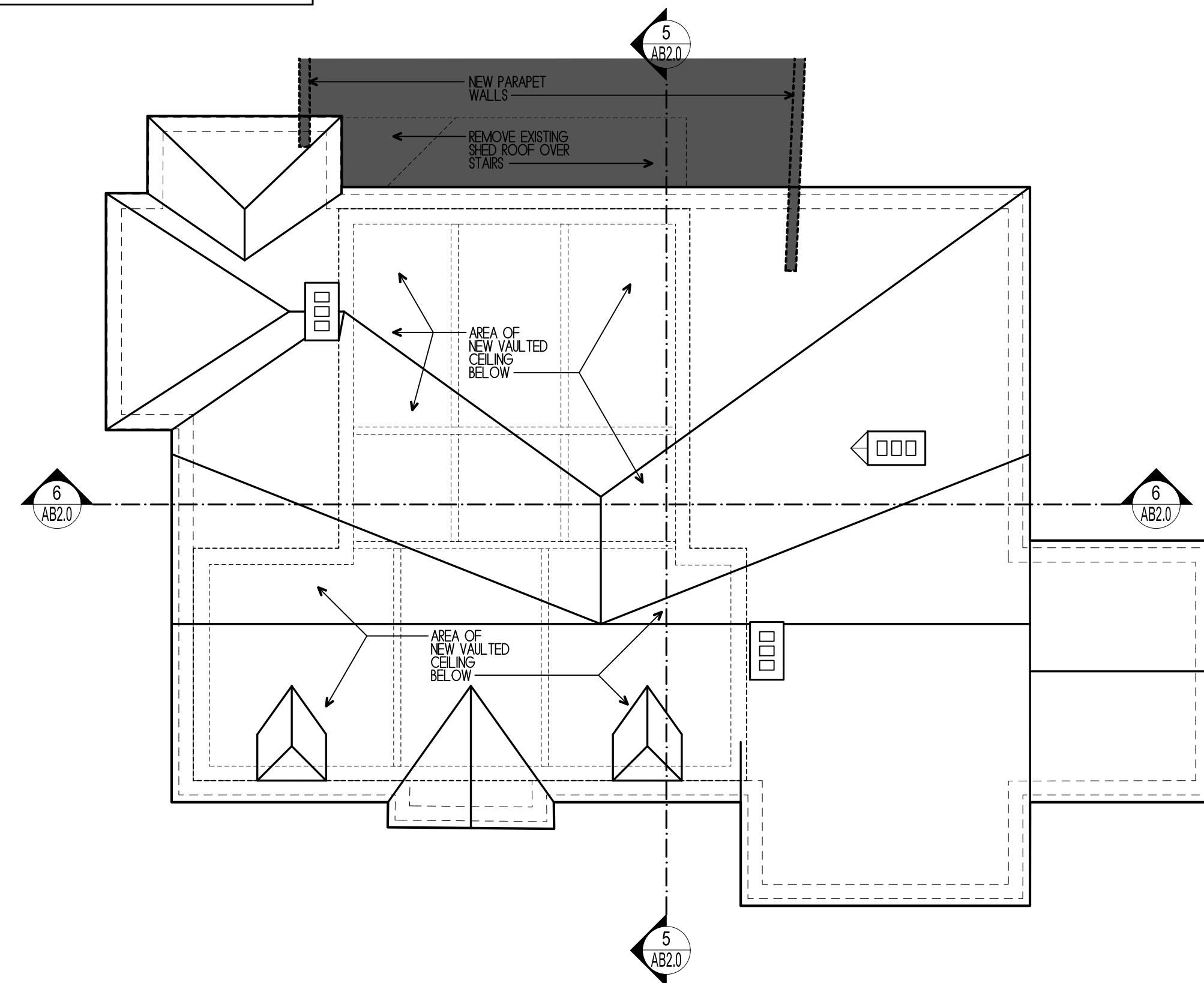
Description

Sheet Number AS1.0

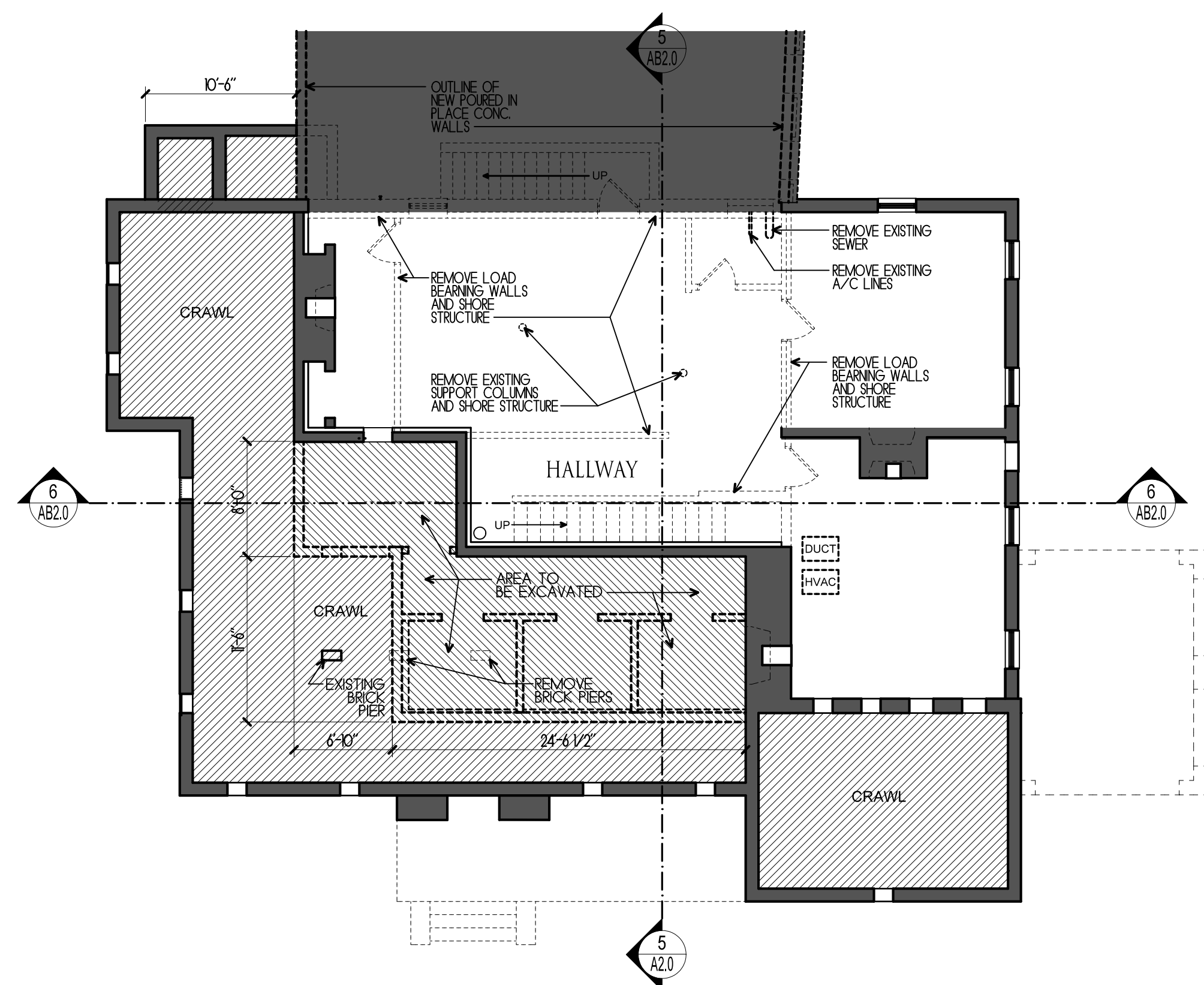
FIELD VERIFY ALL DIMENSIONS



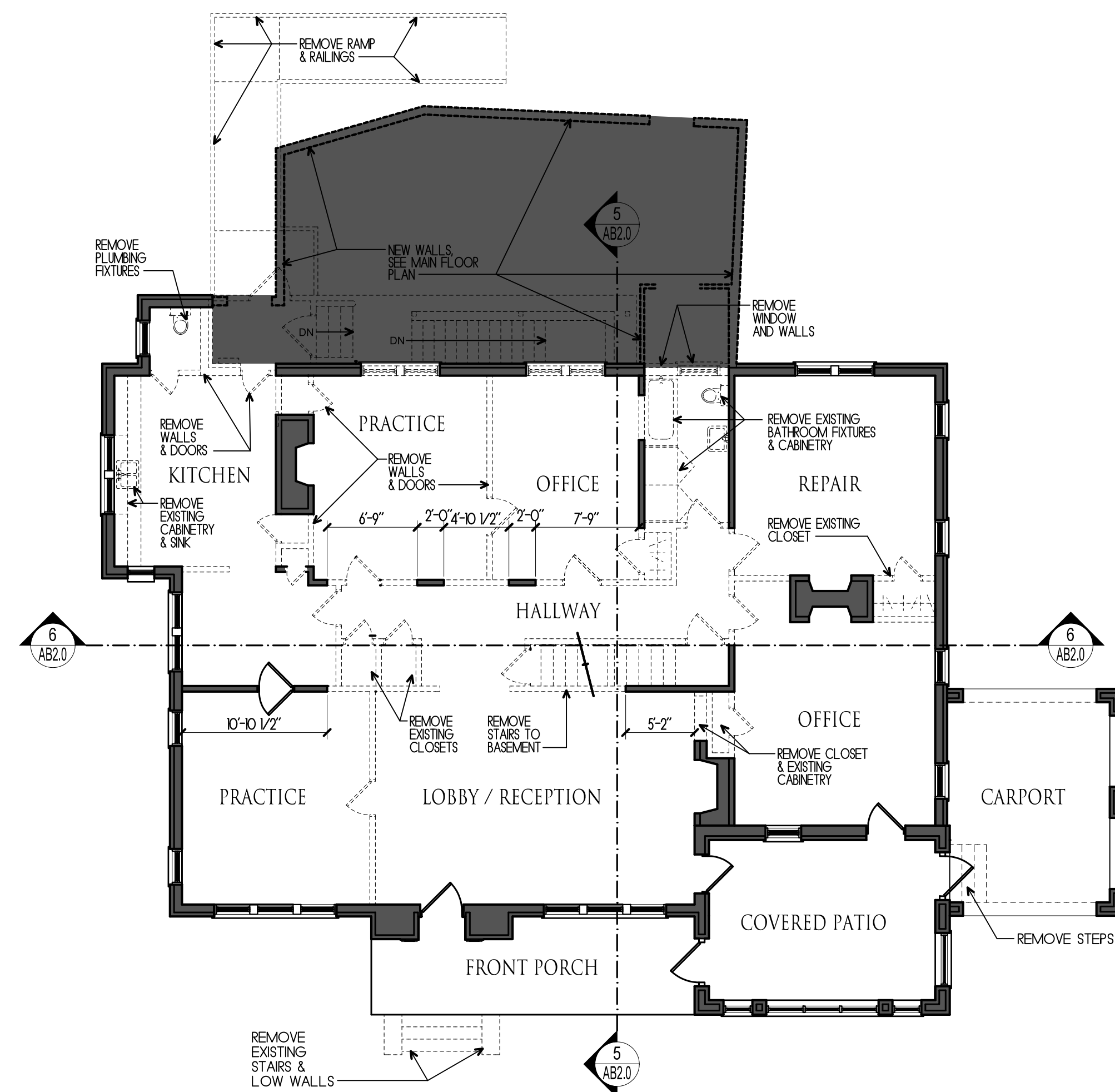
3 ATTIC PLAN
1/8" = 1'-0"



4 ROOF PLAN
1/8" = 1'-0"



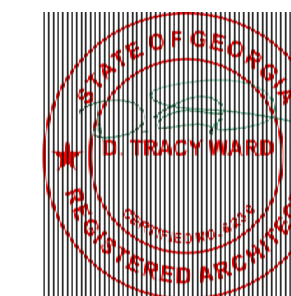
0 BASEMENT LEVEL FLOOR PLAN
1/8" = 1'-0"



① MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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Design Professional D. Tracy Ward, GA #8230

Issue Date	02/29/2024
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Date	Description
03/15/2023	Owner Review Progress
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Project Name	116 North Main Street
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Project Number	19030
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Drawn by IB/DTW

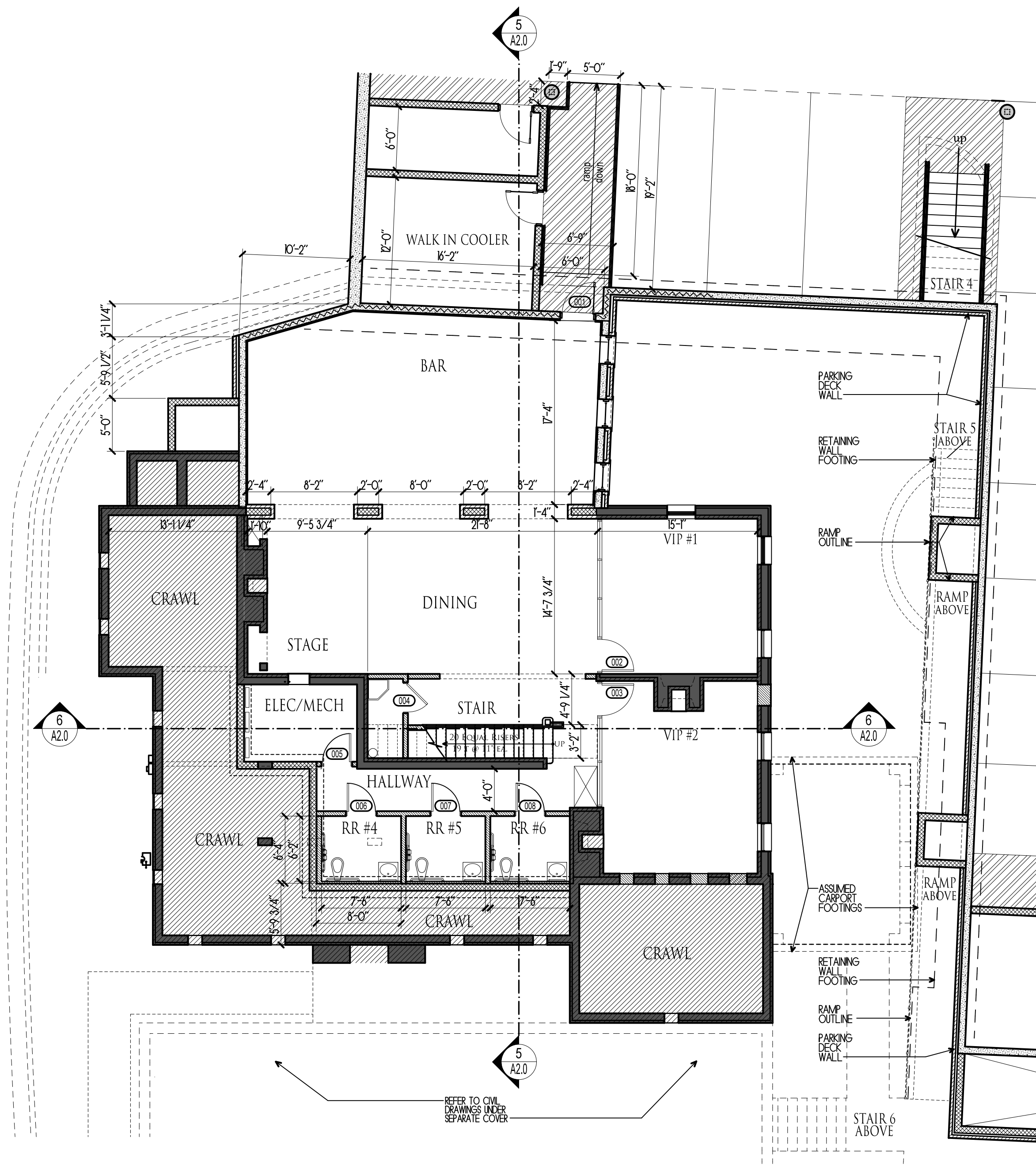
Designed by DTW

Checked by	DTW
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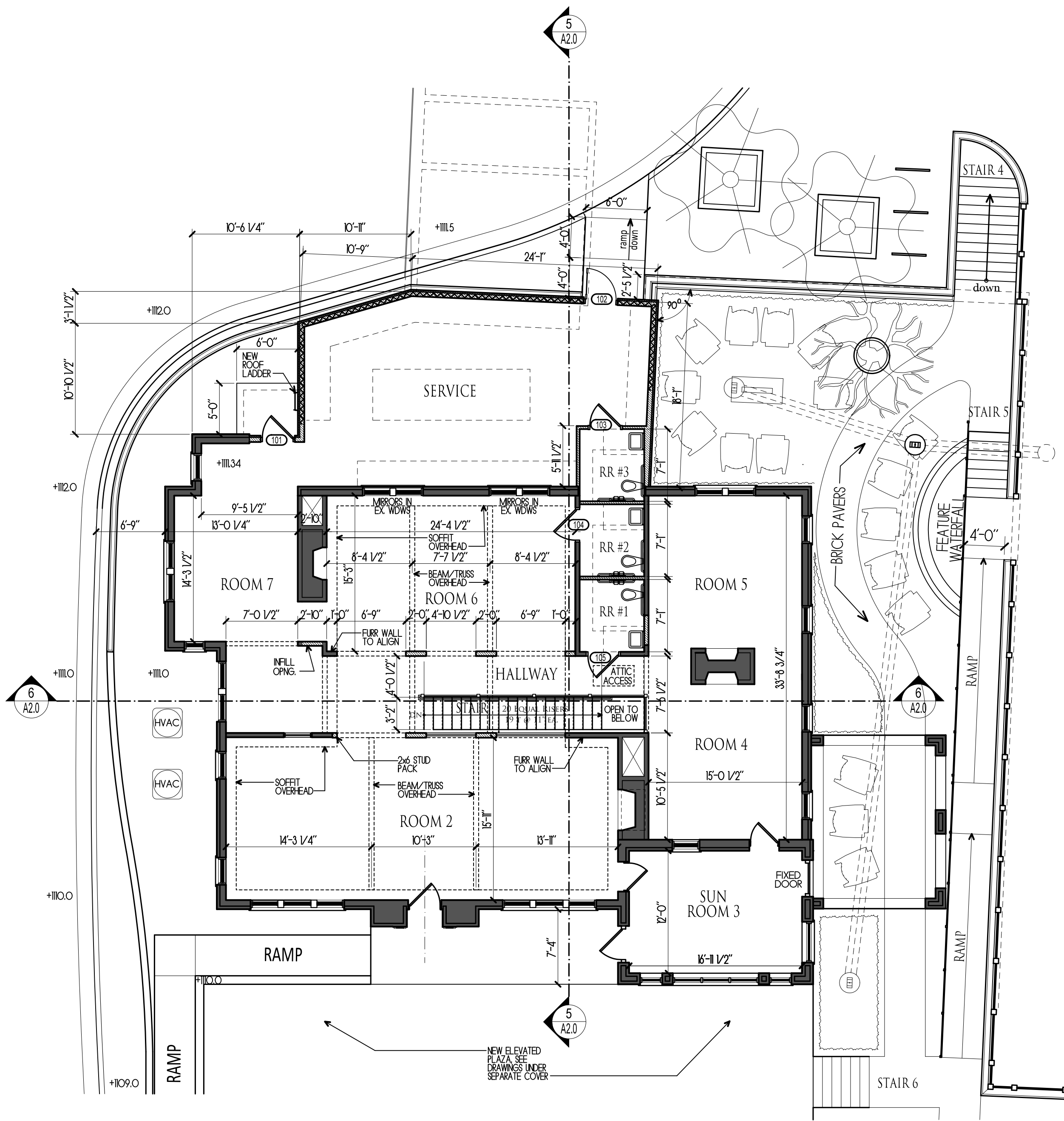
Description	Demolition Floor Plans

Sheet Number **A1.0**

FIELD VERIFY ALL DIMENSIONS



0 BASEMENT LEVEL FLOOR PLAN
1/8" = 1'-0"

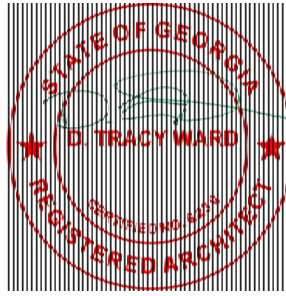


1 MAIN LEVEL FLOOR PLAN
1/8" = 1'-0"

WALL LEGEND	
SYMBOL	RATED WALLS AS SHOWN
	2-HOUR WALL - UL 1419 6" MTL. STUDS - SEE AO.3
	CMU WALL - SEE SHEET AO.3
	CMU WALL - SEE SHEET AO.3
	2-HOUR CONC. WALL - SEE SHEET AO.3
SEE RATINGS LEGEND SHEET AO.2	

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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Project Number 19030

Drawn by JB/DTW

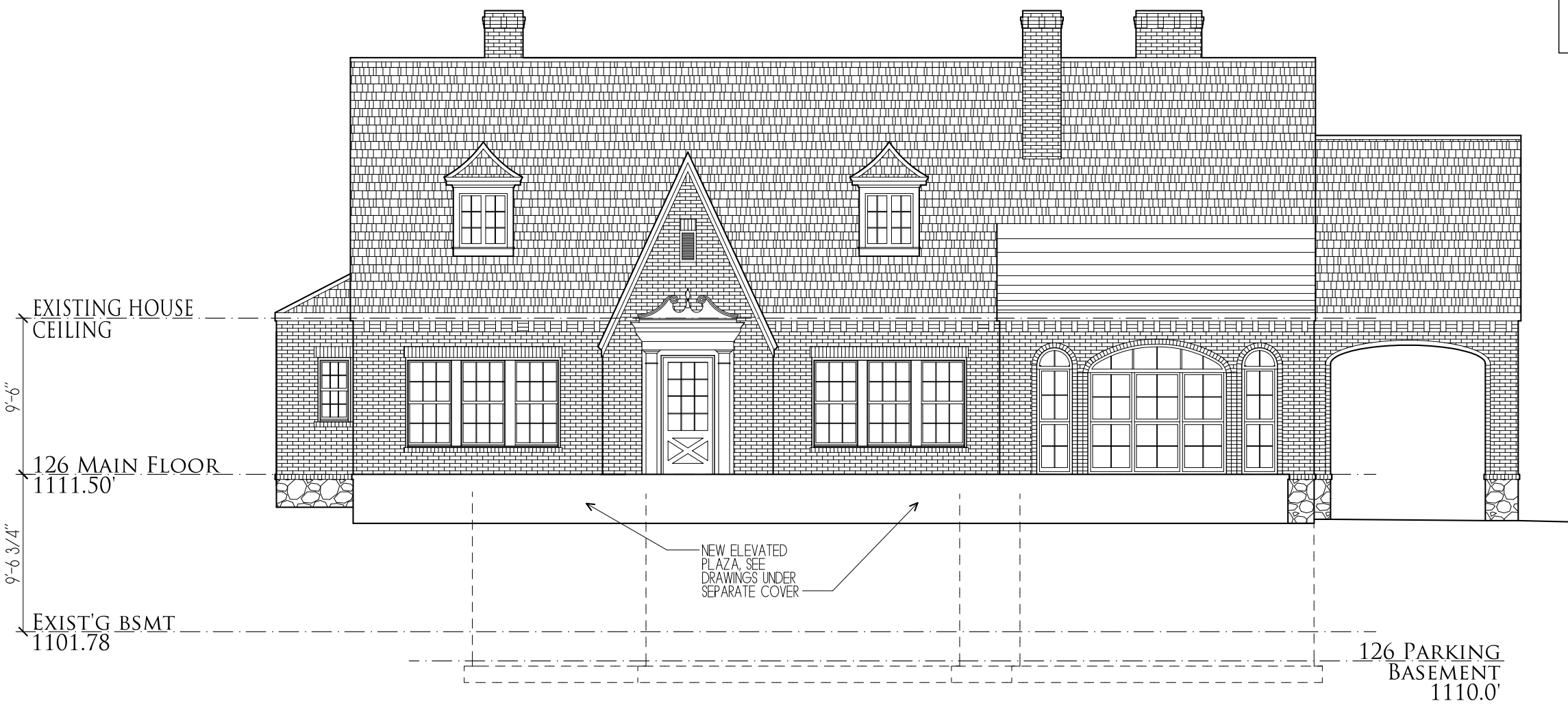
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Checked by DTW

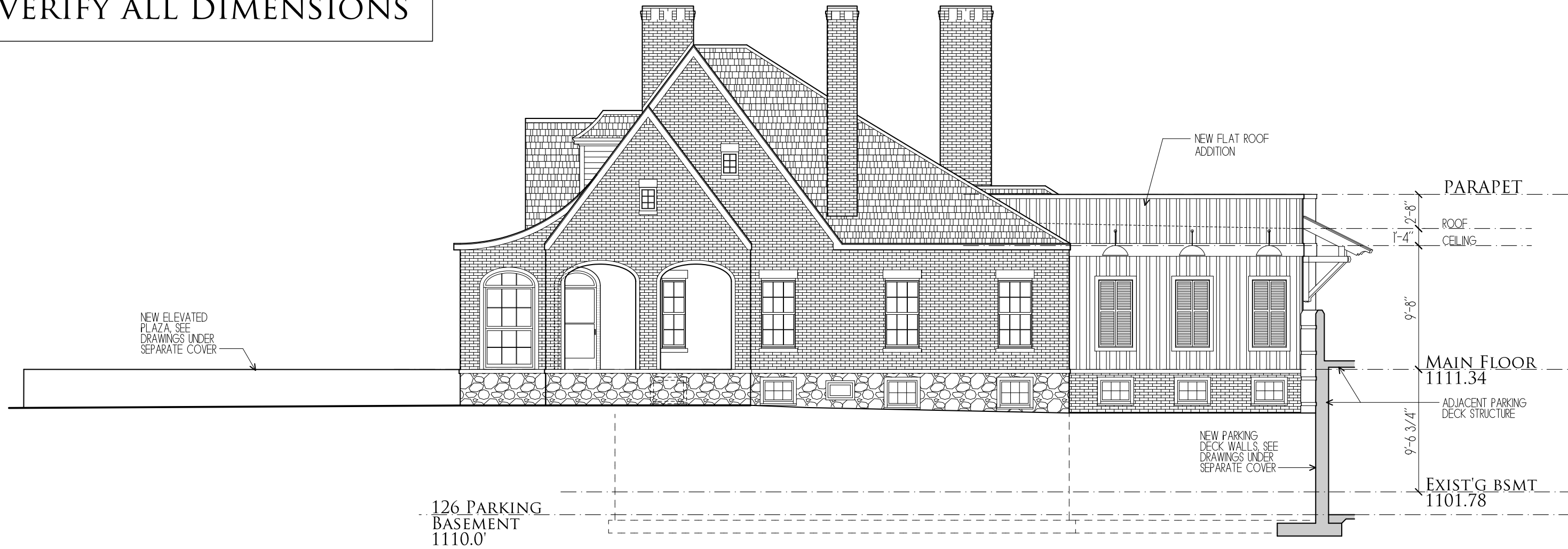
Description New Floor Plans

Sheet Number A1.1

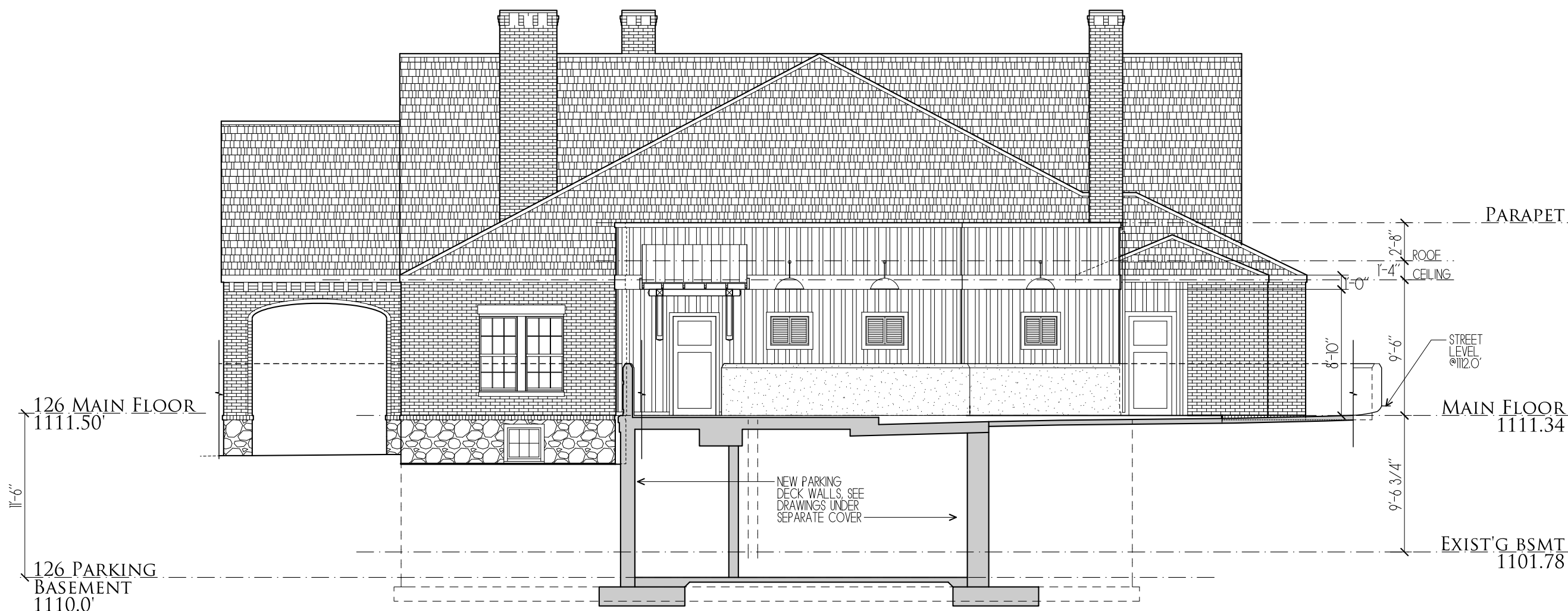
FIELD VERIFY ALL DIMENSIONS



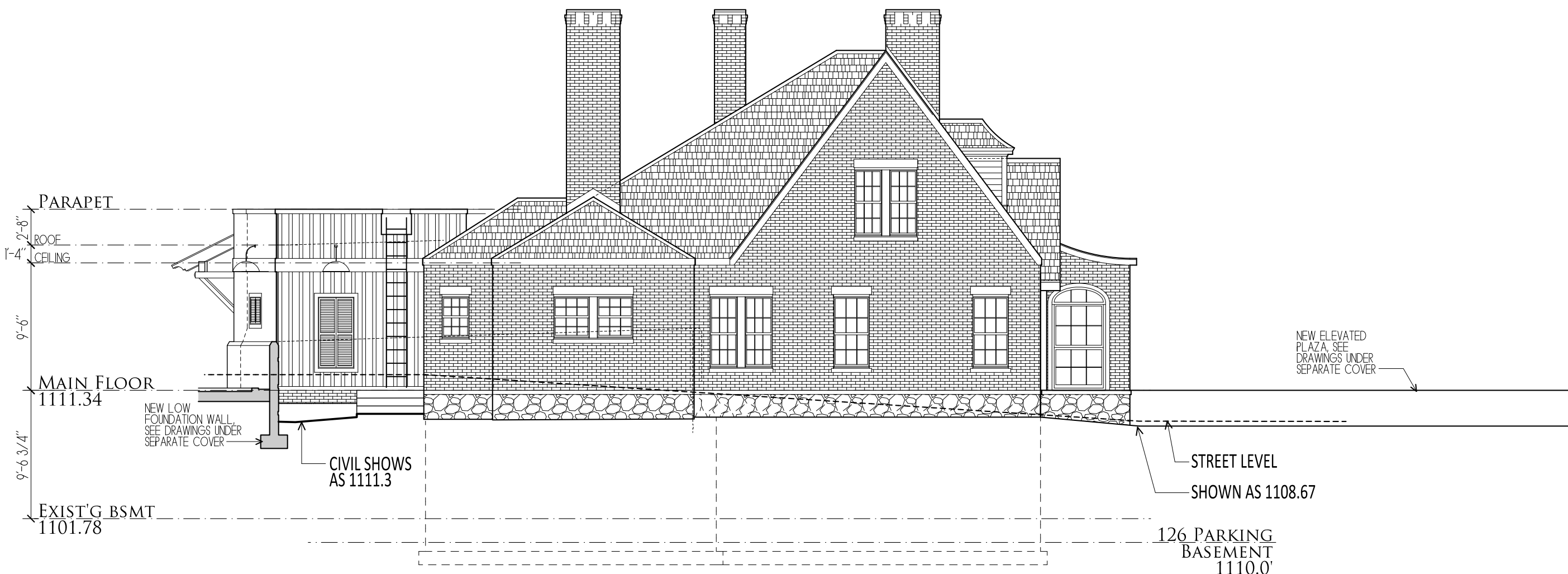
1 EAST ELEVATION
1/8" = 1'-0"



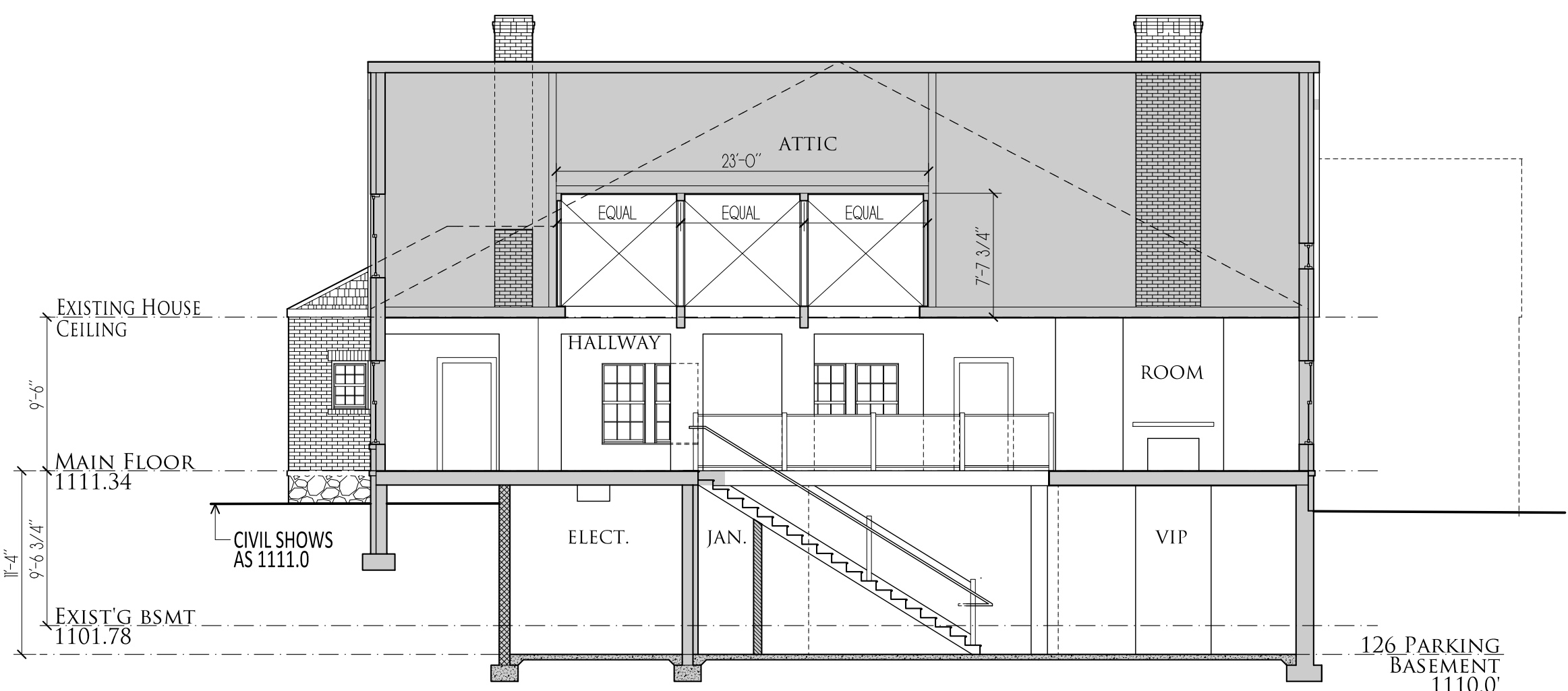
2 NORTH ELEVATION
1/8" = 1'-0"



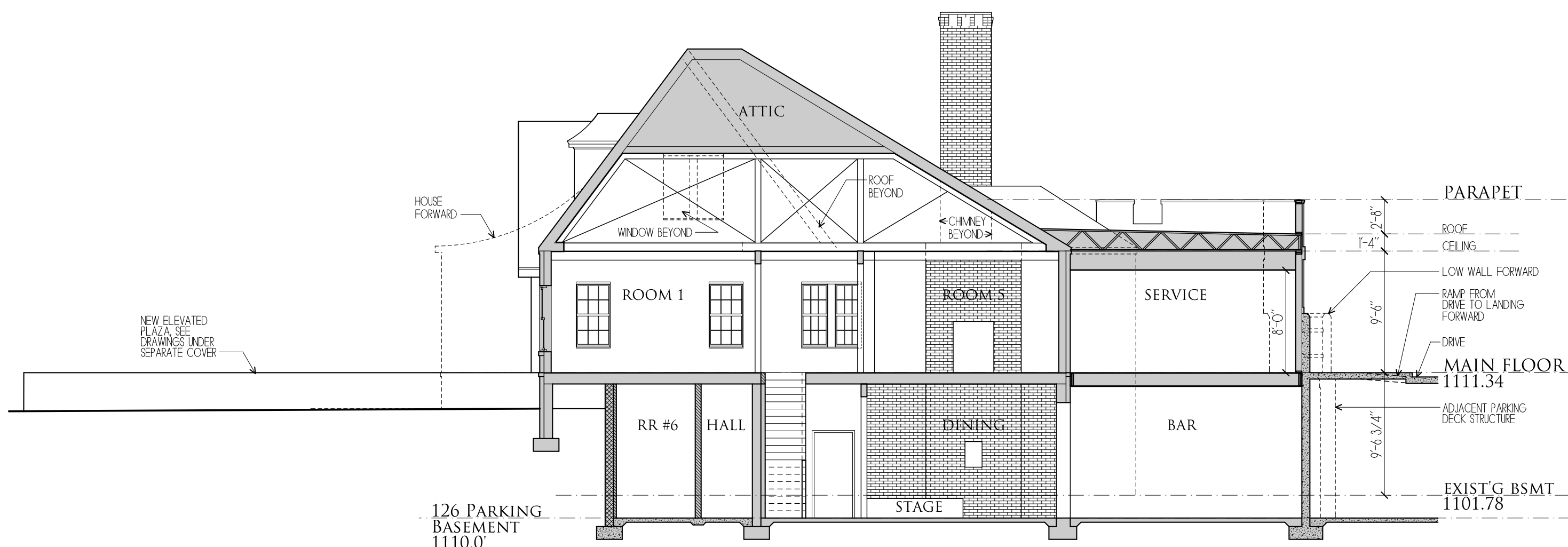
3 WEST ELEVATION
1/8" = 1'-0"



4 SOUTH ELEVATION
1/8" = 1'-0"



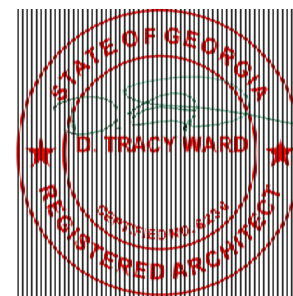
5 LONGITUDINAL SECTION
1/8" = 1'-0"



6 CROSS SECTION
1/8" = 1'-0"

House Repurpose & Renovation

116 North Main Street
Alpharetta, GA



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Project Name 116 North Main Street

Project Number 19030

Drawn by JB/DTW

Designed by DTW

Checked by DTW

New Elevations & Sections

Sheet Number

A2.0

THIS BLOCK RESERVED FOR THE CLERK
OF THE SUPERIOR COURT

~SURVEY NOTES~

FIELD MEASUREMENTS WERE TAKEN
WITH A LEICA MS1 ROBOTIC
INSTRUMENT.

FIELD DATA FOUND TO HAVE A
CLOSURE PRECISION OF 1 FOOT IN
39,915 FEET, AND AN ANGULAR
ERROR OF 10 SECOND PER ANGLE.

FIELD DATA ADJUSTED USING THE
LEAST SQUARES METHOD.

THIS PLAT HAS BEEN CALCULATED
FOR CLOSURE AND FOUND TO
HAVE A PRECISION OF 1 FOOT IN
129,496 FEET.

THIS PLAT DOES NOT CONSTITUTE
AND SHALL NOT BE CONSTRUED
AS A TITLE SEARCH OR REPORT,
AND THUS MAY BE SUBJECT TO
ANY EASEMENTS, RIGHT OF WAY
OR RESTRICTIONS ONE MAY FIND.

THIS PLAT WAS PREPARED FOR
THE EXCLUSIVE USE OF THE
PERSON, PERSONS OR ENTITY
NAMED ON THIS PLAT.

THIS DOES NOT EXTEND TO ANY
UNNAMED THIRD PARTY WITHOUT AN
EXPRESSED RESTATEMENT BY THE
SURVEYOR.

TYPE OF SURVEY: RETRACEMENT

SOURCE OF TITLE DESCRIPTION
FOR PROPERTY SHOWN HEREON:
DB 50753, PG 662; DB 60706,
PG 129; DB 60706, PG 126

PROPERTY OWNERS AS OF SURVEY
DATE: JAMES M. ROBERTS, ET AL
ROY C. ROBERTS

PARCEL NUMBER: 2248221250773,
2248221250781 &
2248221250575

~ZONING INFORMATION~

COUNTY: FULTON/CITY OF ALPHARETTA
ZONE: C-1
SETBACK REQUIREMENTS:
FRONT: 50' (FROM R/W OF
LOCAL STREET) OR 65' (FROM R/W
OF OTHER STREET)
REAR: 15'
SIDE: 15'

FLOOD NOTE:
BASED ON AN INTERPRETATION OF FLOOD INSURANCE RATE MAP NO.
13121C0058F, EFFECTIVE DATE 9/18/2013, THIS SITE IS NOT
LOCATED WITHIN THE 100-YEAR FLOOD PRONE AREA. IF THE
ACCURATE LOCATION AND/OR ELEVATION OF THE FLOOD HAZARD IS
REQUIRED A DETAILED STUDY MAY BE NECESSARY.

Course	Bearing	Distance
L1	S 03°55'10" E	14.95'
L2	N 86°04'51" E	7.00'
L3	S 04°01'46" E	122.01'
L4	N 08°28'21" W	119.97'
L5	S 43°17'41" E	25.37'

N/F ROBERTS
DB 58016, pg 243
DB 26067, pg 296
PARCEL 22 48221250765

0.64 ACRE

126 MAIN STREET
PARCEL 22 48221250773

0.35 ACRE

PARCEL 22 48221250781

0.44 ACRE

116 MAIN STREET
PARCEL 22 48221250575

TOTAL AREA
1.43 ACRES

NORTH MAIN STREET
(A.K.A. - GEORGIA STATE ROUTE No. 9)
VARIABLE R/W AS PER DB 60706, pg 129 & DB 60752, pg 218

IPF 1" CTP
(7.12" IN R/W
AT 1" OTP)

IPF 1/2" RB
(23.46" IN R/W)

CUMMING STREET

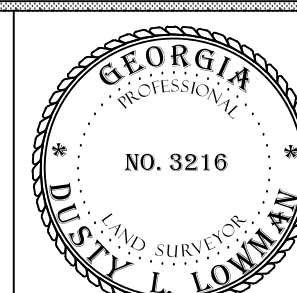
N/F 100 N MAIN ST
ALPHARETTA, LLC
DB 59654, pg 283
DB 60752, pg 218
PARCEL 22 48221250575

N/F 100 N MAIN ST
ALPHARETTA, LLC
DB 59654, pg 283
DB 60752, pg 218
PARCEL 22 48221250781

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND
SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY
APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS
SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS
PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT
THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET
FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

DUSTY L. LOWMAN PLS# 3216

~SURVEYOR CERTIFICATION~



SURVEY FOR:

FOLIA GROUP
LAND LOT 1252
2nd DISTRICT, 1st SECTION
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

REVISIONS BY: -
REVISION DATE: -
DRAWN BY: DS
PLAT DATE: 12/13/2021
FIELD CREW: AM
FIELD DATE: 12/8/2021

SHEET NO.

1 OF 1

PROJECT NO.

21-513

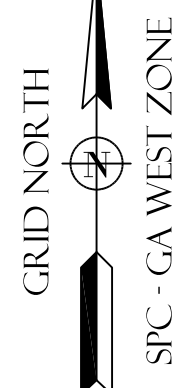
GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

~LEGEND~

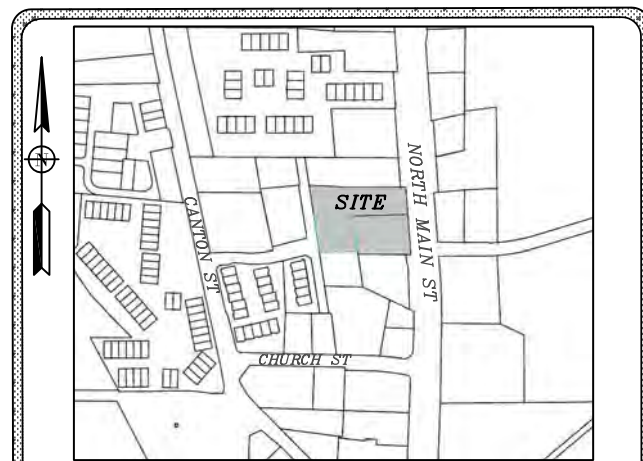
- | | |
|--------------------------------|---|
| ○ CALCULATED POSITION | RB REBAR |
| ● IRON PIN FOUND/SET (IPF/IPS) | SR SOLID ROD |
| ☒ MONUMENT | OCS OUTLET CONTROL STRUCTURE |
| C/L CENTERLINE | CPP CORRUGATED PLASTIC PIPE |
| CTP CRIMPED TOP PIPE | DI GRATE INLET |
| DB DEED BOOK | DI DROP INLET |
| N/F NOW OR FORMERLY | ○ SANITARY SEWER |
| OTP OPEN TOP PIPE | ○ MANHOLE (SSMH) |
| PB PLAT BOOK | ⊗ LIGHTPOLE |
| PG PAGE | ⊗ CLEANOUT |
| P/L PROPERTY LINE | (ALL IPS ARE 1/2" RB "CAPPED" UNLESS OTHERWISE LABELED) |
| ☒ TELEPHONE PED. (T.P.) | — ADJOINER |
| ☒ FIRE HYDRANT (FH) | — LAND LOT LINE (L.L.L.) |
| ○ WATER METER (WM) | — RIGHT OF WAY (R/W) |
| ○ WATER VALVE (WV) | — FENCE |
| ☐ POWER BOX (PBX) | — OVERHEAD POWER |
| ○ POWER POLE (PP) | |



18" RCP AS PER
PB 431, pg 85

VIOLET GARDEN WALK
(F.K.A. - CHRISTINE DRIVE)
30' R/W AS SHOWN ON PB 431, pg 85

LILY GARDEN PLACE



~LOCATION MAP~
(NOT TO SCALE)

116 North Main Street
(only)
Legal Description

All that tract or parcel of land lying and being in Land Lot 1252, 2nd District, 2nd Section, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point on the West side of N. Main Street, also known as State Highway #9, Three Hundred and Seventeen (317) feet North from the intersection of the North side of Church Street with the West side of N. Main Street, prior to widening to the Point of Beginning: thence departing the Right of Way of Highway 9 North 88 degrees 55 minutes 33 seconds West a distance of 158.69' to a point; thence North 5 degrees 54 minutes 21 seconds West a distance of 120.38' to a point; thence South 89 degrees 38 minutes 39 seconds East a distance of 162.48' to a point;

thence South 4 degrees 1 minute 46 seconds East a distance of 122.01' to a point, said point being the Point of Beginning.

Said tract contains 0.44 acres (19,166 square feet) more or less.



CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: April 29, 2024

AGENDA ITEM: E-24-02 KING'S RIDGE CHRISTIAN SCHOOL TREE RECOMPENSE EXCEPTION

The applicant, King's Ridge Christian School, is requesting an exception to eliminate tree recompense associated with the construction of a baseball field on 19.46 acres. King's Ridge Christian School is expanding its athletic programs and facilities, and the required tree recompense limits the school's ability to build the baseball field. The subject property is located at 0, 13600, 13630, 13650, and 13660 Cogburn Road, on the west side of Cogburn Road and south of Bethany Bend.

STAFF RECOMMENDATION:

Approve E-24-02 King's Ridge Christian School Tree Recompense Exception, subject to the following conditions:

1. The site, consisting of approximately 19.46 acres, shall be developed substantially similar to site plan prepared by Brewer Engineering, revised 3/1/24, except for modifications required to comply with the conditions below and subject to meeting all City code requirements and conditions of zoning.
2. Tree removal and replacement shall be limited to the tree plans labeled Sheet T.1 and T.2 prepared by TJ Schell, LLC. Tree recompense shall be waived for the removal of 2,187".
3. Existing gravel parking lot and drive aisle shall be upgraded with a geogrid system and parking spaces delineated.
4. Stormwater facilities shall not be visible from Cogburn Road, unless constructed as a decorative amenity. Any visible stormwater structures shall be faced with decorative brick or stone.

ITEM DESCRIPTION:

The submitted request, if approved, would eliminate tree recompense related to tree removal for the purpose of constructing a high school baseball field. King's Ridge Christian School is expanding its athletic programs and facilities, and the required tree recompense limits the school's ability to build the baseball field. The subject property is located at 0, 13600, 13630, 13650, and 13660 Cogburn Road, on the west side of Cogburn Road and south of Bethany Bend.

The 19.46-acre property is zoned SU (Special Use) and is developed with three (3) former single-family homes and a softball field. A rezoning and variance were approved on the property in 2013 to allow an encroachment into the 100' stream buffer for the construction of a baseball field. Conditions of zoning required an exchange for additional stream buffer on the western side of the stream. Surrounding properties are zoned SU to the north and west and City of Milton is located to the east and south. King's Ridge Christian School campus is located to the north and west, single-family detached homes are located to the east, and St. Aidan's Episcopal Church is located to the south.

An exception is requested to eliminate the required tree recompense for the removal of 29 specimen trees. The applicant's reasoning for the exception is that the overall campus exceeds the City's minimum density requirements, and they would like to avoid planting trees that could be impacted by future expansion of the school. The applicant submitted a campus master plan

depicting the School's future development plans. Hardships related to the topography, steep slopes, and stream buffers located to the west are listed by the applicant and limit the ability to reposition the baseball field to reduce impacts on the existing tree canopy.

Unified Development Code (UDC) Subsection 3.2.7(C) states that, "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." The tree recompense calculation provided below indicates that 2,367" would be required as replacement for the removal of 29 specimen trees. The applicant's tree plan depicts tree replacement with 45 trees, which reduces the overall tree recompense to 2,187" or 547 trees. According to the applicant, the site layout has been redesigned several times to limit impacts to trees.

Tree Removal of 29 specimen trees = $789" \times 3 = 2,367"$ of recompense, or 592 – 4" caliper trees
Proposed Tree Replacement = $(45 \text{ trees} \times 4") = 180"$ recompense trees
Total Tree Recompense = 2,187" of recompense, or 547 – 4" caliper trees

Over the years, the applicant has maintained a campus tree density plan. The submitted plan shows that the King's Ridge Christian School campus requires 11,917.1" of trees to meet the City's minimum tree density requirement of 130" per acre for the 91.67-acre property (one (1) acre reduction for detention pond). Accounting for the proposed removal of 29 specimen trees for the baseball field, the campus has 15,883.2" of trees. Therefore, the King's Ridge campus exceeds the City's minimum tree density by 3,966.1".

SITE PLAN

The submitted site plan depicts the baseball field to be located just north of the existing softball field. An existing linear gravel parking lot and drive aisle is depicted along Cogburn Road and includes 45 spaces. The gravel parking area will be upgraded with a geogrid system and parking spaces delineated. A detention pond is depicted on the north side of the baseball field and a non-perennial stream and stream buffers are present just west of the proposed baseball field.

The City of Milton has a greenway path project along the properties' frontage on Cogburn Road. That project is separate from the baseball field project and has no impact on the applicant's request for tree recompense exception.

EXCEPTION REVIEW CRITERIA

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

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

Response: There are exceptional conditions on the property due to its topography. The site is constrained by stream buffers to the west and Cogburn Road to the east and the footprint of the baseball field cannot be adjusted. Site layout is limited given the specific space requirements for the baseball field, the property being part of a larger campus master plan, as well as the presence of stream buffers. The applicant maintains a tree density plan for the King's

Ridge Christian School campus, which shows that the property exceeds the City's minimum tree density requirement (130" per acre) by 3,966.1", or 173.3" per acre.

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

Response: The application of the City's Tree Preservation Ordinance would require tree replacement with 2,367", or 592 - 4" caliper trees. The applicant maintains a tree density plan for the King's Ridge Christian School campus, which shows that the property exceeds the City's minimum tree density requirement (130" per acre) by 3,966.1", or 173.3" per acre.

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

Response: Site layout is limited given the specific space requirements for a baseball field, the property being part of a larger campus master plan, as well as the presence of stream buffers.

4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance.

Response: Relief from the tree preservation ordinance would not cause a substantial detriment to the public good. The applicant maintains a tree density plan for the King's Ridge Christian School campus, which shows that the property exceeds the City's minimum tree density requirement (130" per acre) by 3,966.1", or 173.3" per acre. A total of 45 trees are proposed to be planted around the baseball field and parking lot.

CONCURRENCES

Staff has reviewed the applicant's proposal against the review criteria for an exception. There are exceptional conditions on the property due to its topography, as well as constraints related to stream buffers to the west and Cogburn Road to the east. In addition, the footprint of the baseball field cannot be adjusted. The applicant provided a campus tree density plan which shows that the property exceeds the City's minimum tree density requirement. A similar variance to waive tree recompense was approved in 2018 related to the construction of the King's Ridge high school soccer field. If approved, the existing gravel parking lot should be upgraded with a geogrid system and parking spaces delineated.

CITIZEN PARTICIPATION PLAN

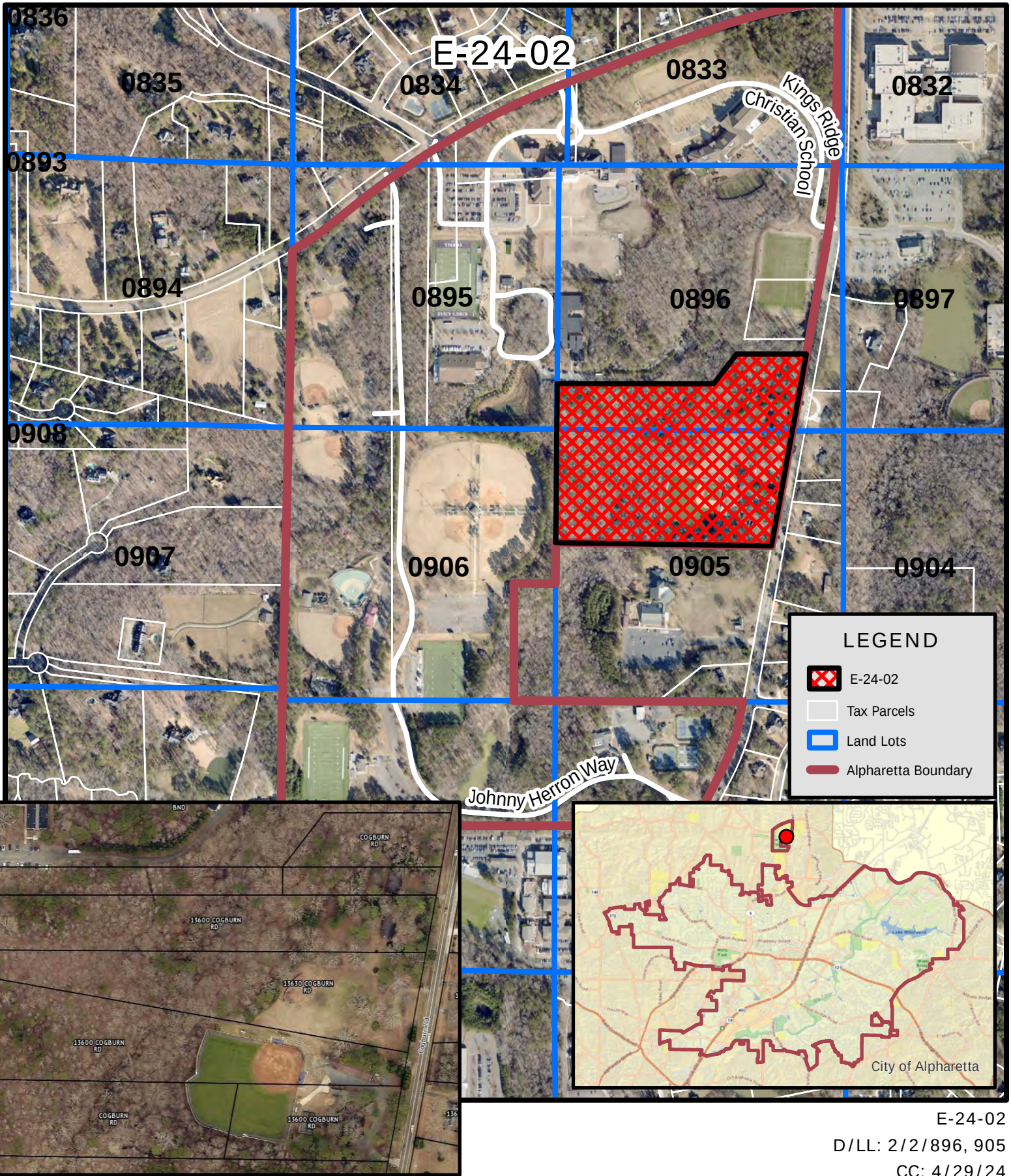
The report submitted by the applicant states that property owners were contacted regarding the applicant's intent. According to the report, no comments were received.

COMMUNITY ZONING INFORMATION MEETING

CZIM was held on April 11, 2024. There were no public comments.

ATTACHMENTS:

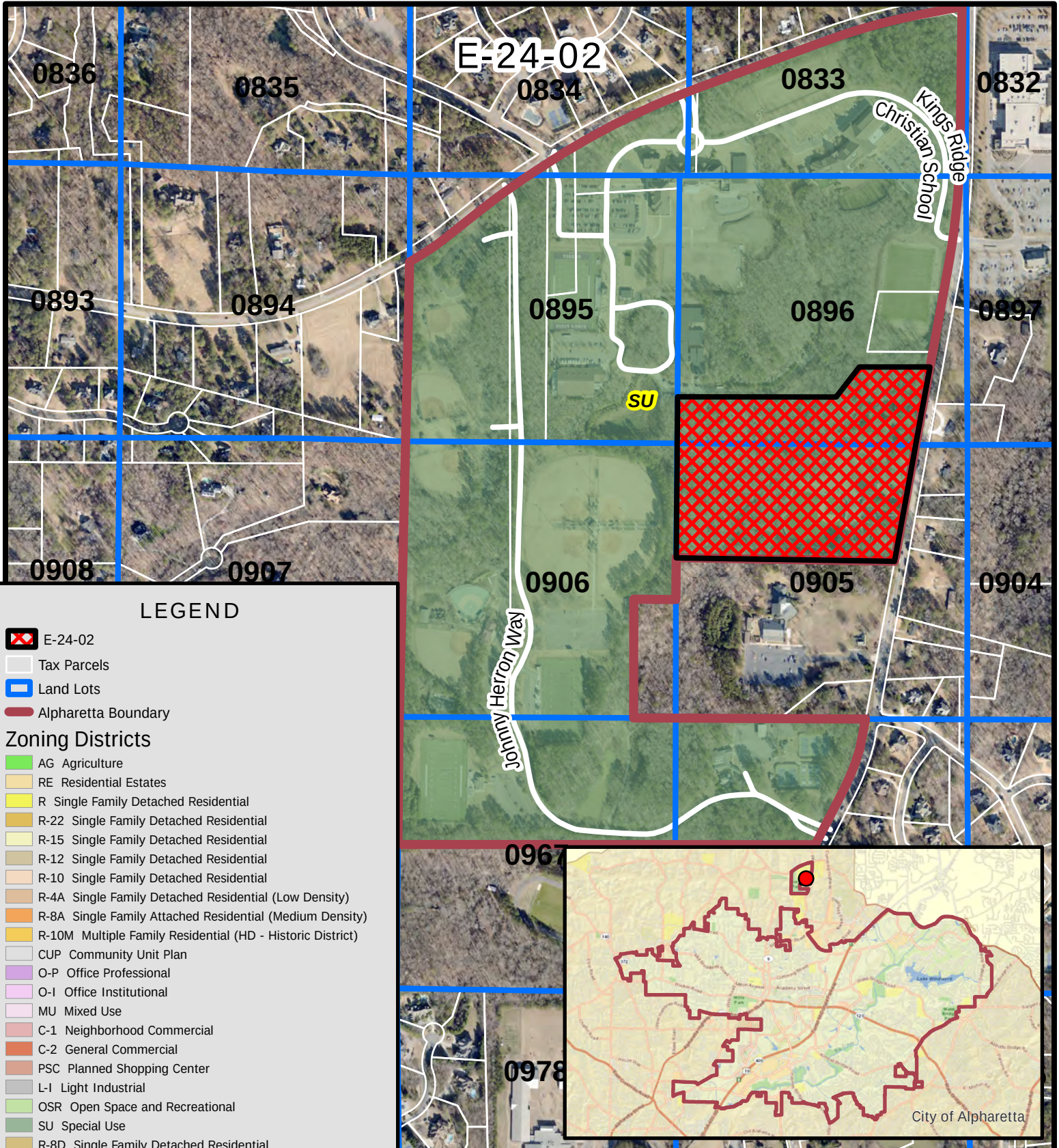
- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- Latest Site Plan
- Campus Master Plan
- CZIM
- Citizen Part B
- Application



Aerial Map

Tree Recompense Exception
Kings Ridge Christian School
0 Cogburn Road





LEGEND

- E-24-02
- Tax Parcels
- Land Lots
- Alpharetta Boundary

Zoning Districts

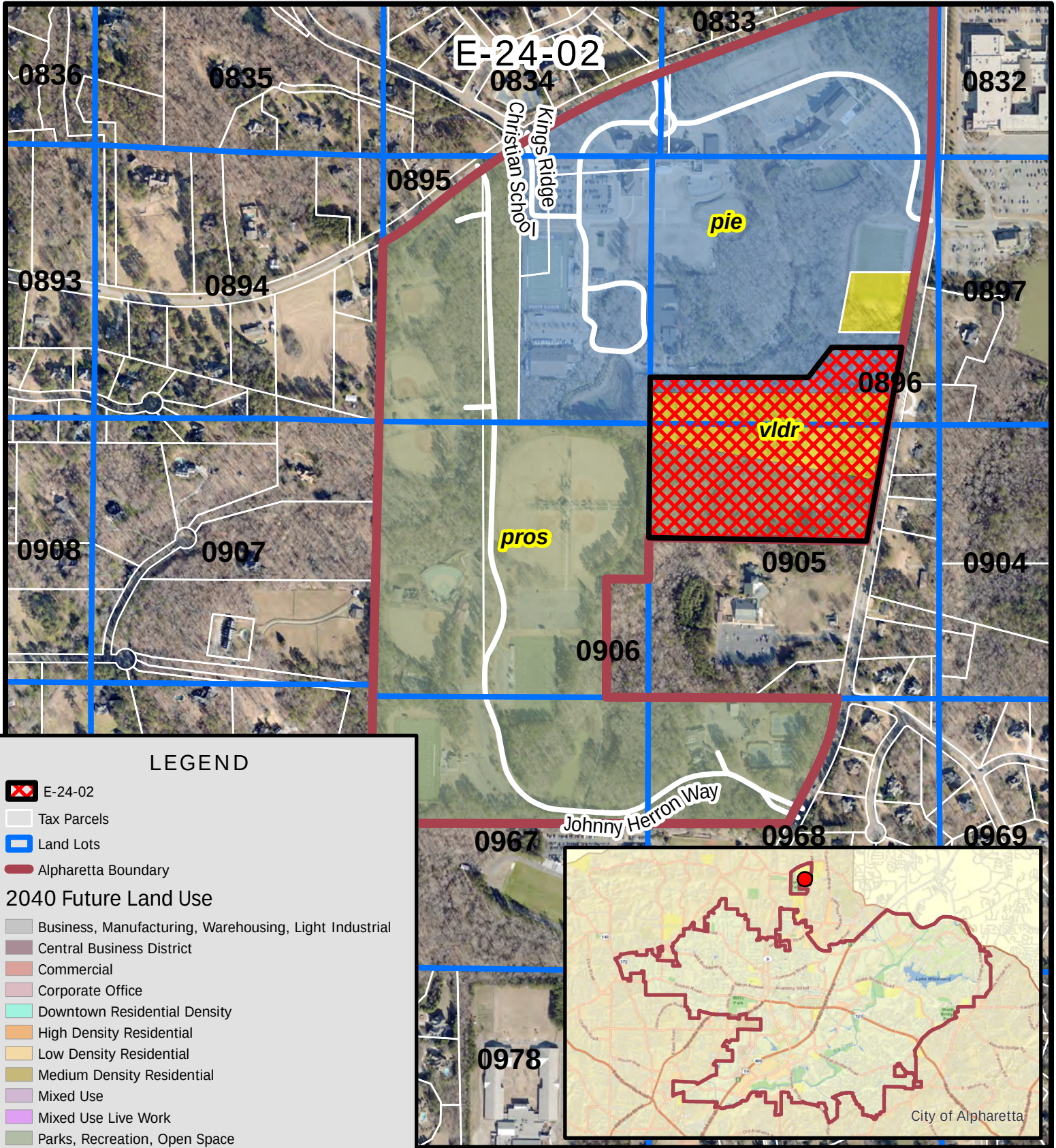
- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-22 Single Family Detached Residential
- R-15 Single Family Detached Residential
- R-12 Single Family Detached Residential
- R-10 Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)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

Zoning Map

Tree Recompense Exception
Kings Ridge Christian School
0 Cogburn Road

E-24-02
D/LL: 2/2/896, 905
CC: 4/29/24

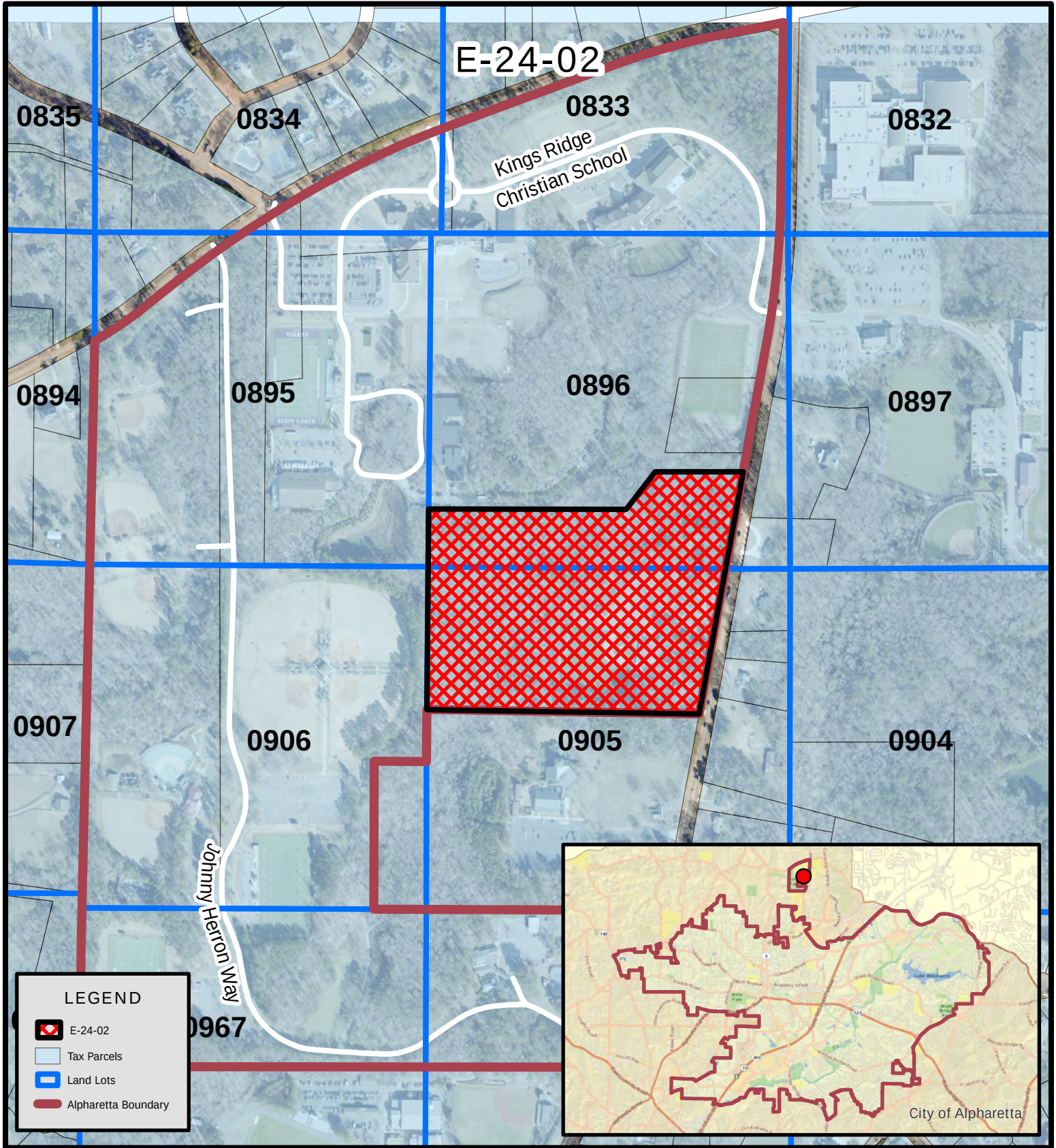




Future Land Use Map
 Tree Recompense Exception
 Kings Ridge Christian School
 0 Cogburn Road

E-24-02
 D/LL: 2/2/896, 905
 CC: 4/29/24

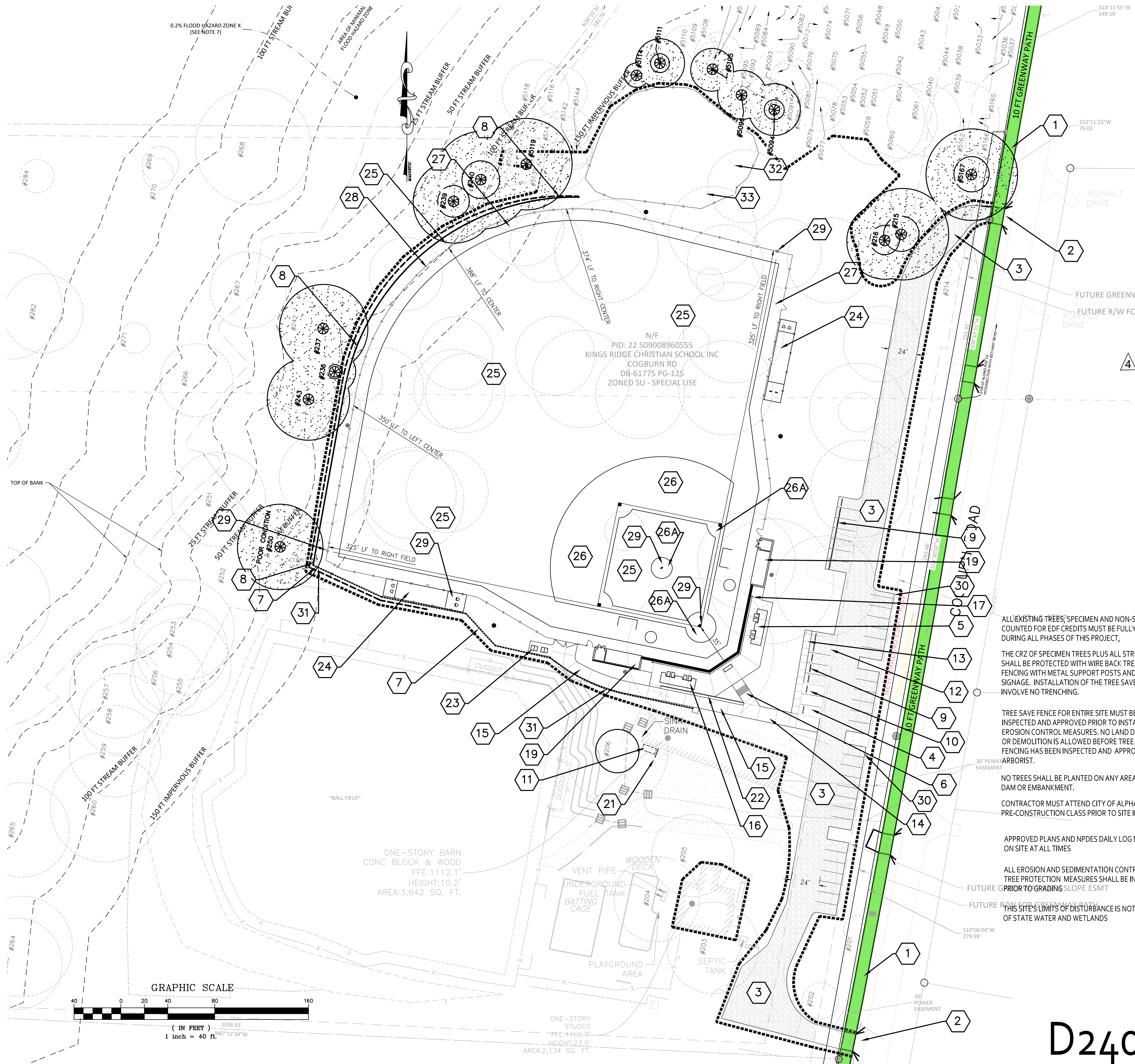




E-24-02
D/LL: 2/2/896, 905
CC: 4/29/24

Location Map
Tree Recompense Exception
Kings Ridge Christian School
0 Cogburn Road

Location Map Provided by:
Community Development - GIS
Page 120 of 729



SITE CONSTRUCTION SCOPE			
SITE CONSTRUCTION			
SYM	ITEM	DESCRIPTION	DETAIL REFERENCE
1	10 FT PEDESTRIAN PATH BY MILTON	CITY OF MILTON GREENWAY PATH PROJECT - BY OTHERS. PLAN SHOWS PROPOSED PATH & ENTRANCES	--
2	EX. DRIVE IMPROVEMENT	CITY OF MILTON GREENWAY PATH PROJECT SHOWING PROPOSED EX. DRIVE IMPROVEMENTS	--
3	GRAVEL DRIVE & PARKING TO UTILIZE PRE-MANUFACTURED GRID (TRUEGRID 1.8" OR EQUAL)	GRAVEL DRIVE AND PARKING TO UTILIZE PRE-MANUFACTURED GRID (TRUEGRID 1.8" OR EQUAL)	C-8.3
4	HC CONC. PARKING	HANDICAP PARKING SPACES TO BE CONCRETE	1/C-8.2
5	SEATING AREA	SEATING AREA LAYOUT AND DETAILS PER CGLS ARCHITECTURAL PLANS	AS-1.01 & AS-1.22
6	CONC. STAIRS	10 FT WIDE CONCRETE WALK AND STAIRS. USE STAIR DETAIL ON CGLS PLANS AS-1.22	D3 & D6 ON AS-1.22
7	M.S.E.W.	MECHANICALLY STABILIZED EARTHEN WALL WITH SEGMENTED BLOCKS. DESIGN BUILD & PERMIT BY GENERAL CONTRACTOR.	6/C-8.2
8	WIRE BASKET WALL	DESIGN BUILD & PERMIT WIRE BASKET WALL BY GENERAL CONTRACTOR	C-8.4
9	WHEELSTOP	CONCRETE WHEEL STOPS AT GRAVEL PARKING SPACES ALONG SLOPE	2/C-8.2
10	HC PARKING & SIGNAGE	ADA COMPLIANT PARKING WITH SYMBOLS, STRIPING & SIGNAGE WITH POSTS.	3/C-8.2
11	PORTABLE RESTROOMS	NOT IN CONTRACT - TO BE PROVIDED BY OWNER.	4/C-8.2
12	PARKING STALL	PARKING SPACES MIN. 9 FT BY 19 FT	--
13	CONC. SIDEWALK	6 FT WIDE CONCRETE SIDEWALK ALONG PARKING STALLS	5/C-8.2
14	CONC. SIDEWALK	12 FT WIDE CONCRETE SIDEWALK SLOPE MAY NOT EXCEED 5% IN RUN OR 2% CROSS SLOPE	5/C-8.2
15	CONC. SIDEWALK	8 FT WIDE CONCRETE SIDEWALK SLOPE MAY NOT EXCEED 5% IN RUN OR 2% CROSS SLOPE	5/C-8.2
16	BLEACHERS	BLEACHER PLAN AND DETAILS SEE CGLS PLANS ON AS-1.22	D1 & F1 ON AS-1.22
17	BACKSTOP GUARDRAIL	BACKSTOP GUARDRAIL	A3 ON AS-1.22
18	BACKSTOP FENCING	BACKSTOP DETAIL AND NETTING	A7 ON AS-1.22
19	DUGOUTS	BACKSTOP DETAIL AND NETTING	AS-1.21
20	BASEBALL FIELD LAYOUT	BASEBALL FIELD LAYOUT AND DETAILS PER CGLS ARCHITECT PLANS	AS-1.10 & AS-1.11
21	PORTABLE RESTROOM SCREEN	PORTABLE RESTROOM PVC SCREEN	AS-1.01
22	LOW CONC. CURB WALL	LOW CONCRETE WALL	6 & 7 ON C-8.6
23	EXISTING FIELD ADA VIEWING AREA	CONCRETE PAD FOR ADA COMPLIANT VIEWING AREA FOR EXISTING FIELD	AS-1.01
24	BULLPEN AREA		AS-1.11
25	SPORTS FIELD MIX & SOD	PROVIDE MINIMUM OF 6 INCHES OF ROZZONE SAND OVER THE ENTIRE PREPARED SUBGRADE AREA BELOW ALL AREAS OF BASEBALL FIELD DESIGNATED TO BE SODDED. ALL BASEBALL FIELD SOD TO BE 11FWAY 419 BERMUDA GRASS	B2 AS-1.11 C-8.6
26	STANDARD INFILTRATION MIX	BASEBALL INFILTRATION MIX - 80% SAND BY WEIGHT. 50% OF THE SAND SHALL BE COMPOSED OF MEDIUM TO VERY COARSE PARTICLES (0.25mm TO 2.0 mm). SUB-ANGULAR TO SUB-ROUNDED PARTICLE SHAPE. 20% SILT AND CLAY BY WEIGHT	B2 AS-1.11
26A	IMPROVED INFILTRATION MIX	TO BE PLACED ON LASER GRADED COMPACTED SUBGRADE. GC TO PROVIDE SAMPLES OF ALL MIXES FOR APPROVAL PRIOR TO INSTALLATION. IMPROVED FIELD MIX SHALL BE SUNSET RED MOUND AND BATTER'S BOX MIX - ROCK AND EARTH TECHNOLOGIES, INC. (404) 735-5881 (OR APPROVED EQUAL)	B2 AS-1.11
27	WARNING TRACK MIX	BASE LAYER - BLENDED AND SCREED MIXTURE OF APPROXIMATELY 60% GRAVEL, DUST AND 40% CLAY/SILT. TOP LAYER - COMPACTED 2 INCH THICK LAYER OF 3 / 16 INCH AGGREGATE GRAVEL, DUST OR ROCK AND EARTH TECHNOLOGIES SLAGE SCAPE WARNING TRACK MIX.	B2 AS-1.11
28	FIELD FENCING	BLACK VINYL FENCING - VARYING HEIGHTS DUE TO LOCATIONS. SEE AS-1.11	AS-1.11
29	FIELD ITEMS	FIELD ITEMS: FOUL POLE, PITCHER'S MOUND, CATCHERS BOX, FIELD LAYOUT, ETC.	AS-1.11
30	HEADER CURB	4" RAISED HEADER CURB AT EDGE OF GRAVEL PARKING SPACES CITY STD 905	STD. 905 ON C-8.4
31	WALL GUARDRAIL ON MESH WALL	42" GALV. PAINTED STEEL W/ PICKETS WALL GUARDRAIL - MOUNTED ON TOP OF WALL - SEE CGLS DETAIL A3 ON AS-1.22 FOR INSTALLATION DETAIL	6/C-8.2 & A3/AS-1.22
32	POND FENCING	BLACK VINYL FENCING - VARYING HEIGHTS DUE TO LOCATIONS. SEE AS-1.11	7 / C-8.2
33	POND GATE	12 FT WIDE BLACK VINYL LOCKABLE GATE	SIM. 7/C-8.2

ALL EXISTING TREES' SPECIMEN AND NON-SPECIMEN, COUNTED FOR EDF CREDITS MUST BE FULLY PRESERVED DURING ALL PHASES OF THIS PROJECT.

THE CRZ OF SPECIMEN TREES PLUS ALL STREAM BUFFERS SHALL BE PROTECTED WITH WIRE BACK TREE SAVE FENCING WITH METAL SUPPORT POSTS AND TREE SAVE SIGNAGE. INSTALLATION OF THE TREE SAVE FENCE WILL INVOLVE NO TRENCHING.

TREE SAVE FENCE FOR ENTIRE SITE MUST BE INSTALLED, INSPECTED AND APPROVED PRIOR TO INSTALLATION OF EROSION CONTROL MEASURES. NO LAND DISTURBANCE OR DEMOLITION IS ALLOWED BEFORE TREE SAVE FENCING HAS BEEN INSPECTED AND APPROVED BY ARBORIST.

NO TREES SHALL BE PLANTED ON ANY AREA OF AN EARTHEN DAM OR EMBANKMENT.

CONTRACTOR MUST ATTEND CITY OF ALPHARETTA PRE-CONSTRUCTION CLASS PRIOR TO SITE INITIATION.

APPROVED PLANS AND NPDES DAILY LOG MUST BE ON SITE AT ALL TIMES

ALL EROSION AND SEDIMENTATION CONTROLS, AND TREE PROTECTION MEASURES SHALL BE INSTALLED PRIOR TO GRADING SLOPE ESMT

THIS SITE'S LIMITS OF DISTURBANCE IS NOT WITHIN 200' OF STATE WATER AND WETLANDS

THE BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN BASED ON SURVEY PERFORMED BY: ----
FOR: KING'S RIDGE CHRISTIAN SCHOOL.

THE SOURCE OF TOPOGRAPHIC ELEVATION BENCHMARK INFORMATION FOR SITE: FULTON CO. GPS MONUMENT #9876 ELEVATION = 1149.05
N03°10'07"W 1307.62 TO MONUMENT #9877 - (DATUM NAVD88)

NO WELLS OR SEPTIC SYSTEMS ARE PROPOSED.
EXIST SEPTIC SYSTEMS ON THIS SITE WILL REMAIN. EXISTING WELLS WILL BE CAPPED

Utility List

TELEPHONE: BELLSOUTH 888-333-6651
POWER: GA POWER 770-740-7636
NATURAL GAS: ATLANTA GAS LIGHT 877-427-4321
WATER & SEWER: FULTON COUNTY 404-652-4000

Landscape Notes:

- THE CITY ARBORIST MUST INSPECT THE SITE BEFORE INSTALLATION OF EROSION CONTROL MEASURES. LAND DISTURBANCE WITHOUT A SITE INSPECTION AND APPROVAL BY THE CITY ARBORIST WILL RESULT IN A "STOP WORK ORDER" AND FINES.
 - IF TREE SURVEY TRACINGS ARE FOUND ON-SITE, A STOP WORK ORDER WILL BE ISSUED UNTIL REVISED PLANS ARE APPROVED AND PROCESSED BASED ON ACCURATE INFORMATION.
 - THE CITY ARBORIST MUST INSPECT AND APPROVE THE SITE BEFORE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
 - TREES AGREED UPON TO BE SAVED ARE THE RESPONSIBILITY OF THE OWNER.
 - A 4" LAYER OF MULCH WILL BE REQUIRED FOR THE CRZ OF SPECIMEN TREES. MULCH MUST BE APPLIED PRIOR TO START OF CONSTRUCTION. MULCH SHALL NOT BE PLACED DIRECTLY AGAINST TREE TRUNKS.
 - A MINIMUM 2" LAYER OF MULCH WILL BE REQUIRED FOR ALL EXISTING, NON SPECIMEN, LANDSCAPE TREES, INCLUDING STREET TREES AND PARKING LOT TREES. MULCH MUST BE APPLIED PRIOR TO START OF CONSTRUCTION. MULCH SHALL NOT BE PLACED DIRECTLY AGAINST TREE TRUNKS.
 - NO TRENCHING ALLOWED IN TREE SAVE AREAS INCLUDING IRRIGATION.
- NO TREES SHALL BE PLANTED ON ANY AREA OF AN EARTHEN DAM OR EMBANKMENT.

This drawing, as an instrument of service, is and shall remain the property of the Engineer and shall not be reproduced, published or used in any way without the permission of the Engineer.

REVISIONS

NO.	DATE	DESCRIPTION
1	3-01-24	ADDENDUM #4

Owner / Developer
King's Ridge Christian School
2765 Bethany Bend
Alpharetta, GA 30004
770-754-5738

King's Ridge Christian School HS Baseball Field Addition
Coburn Road
2nd Dist. 2nd Section
Alpharetta, GA
LL 896, 905
2nd Dist. 2nd Section

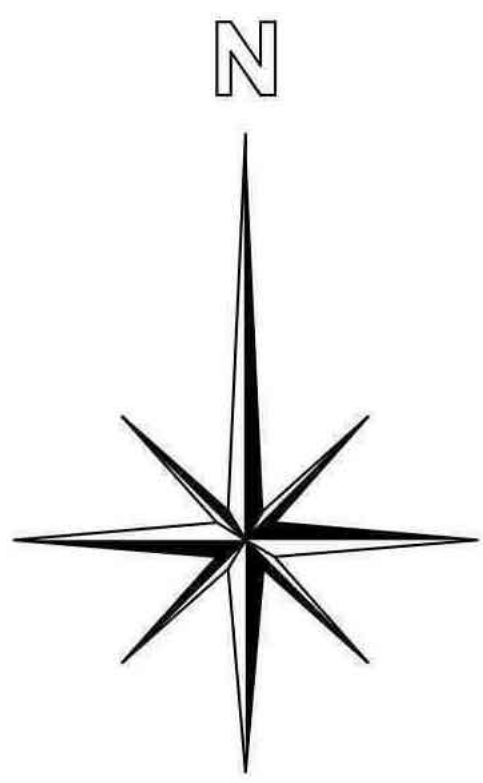
PROJECT NO.
22022

DATE
02-05-2024

SHEET TITLE:
SITE PLAN

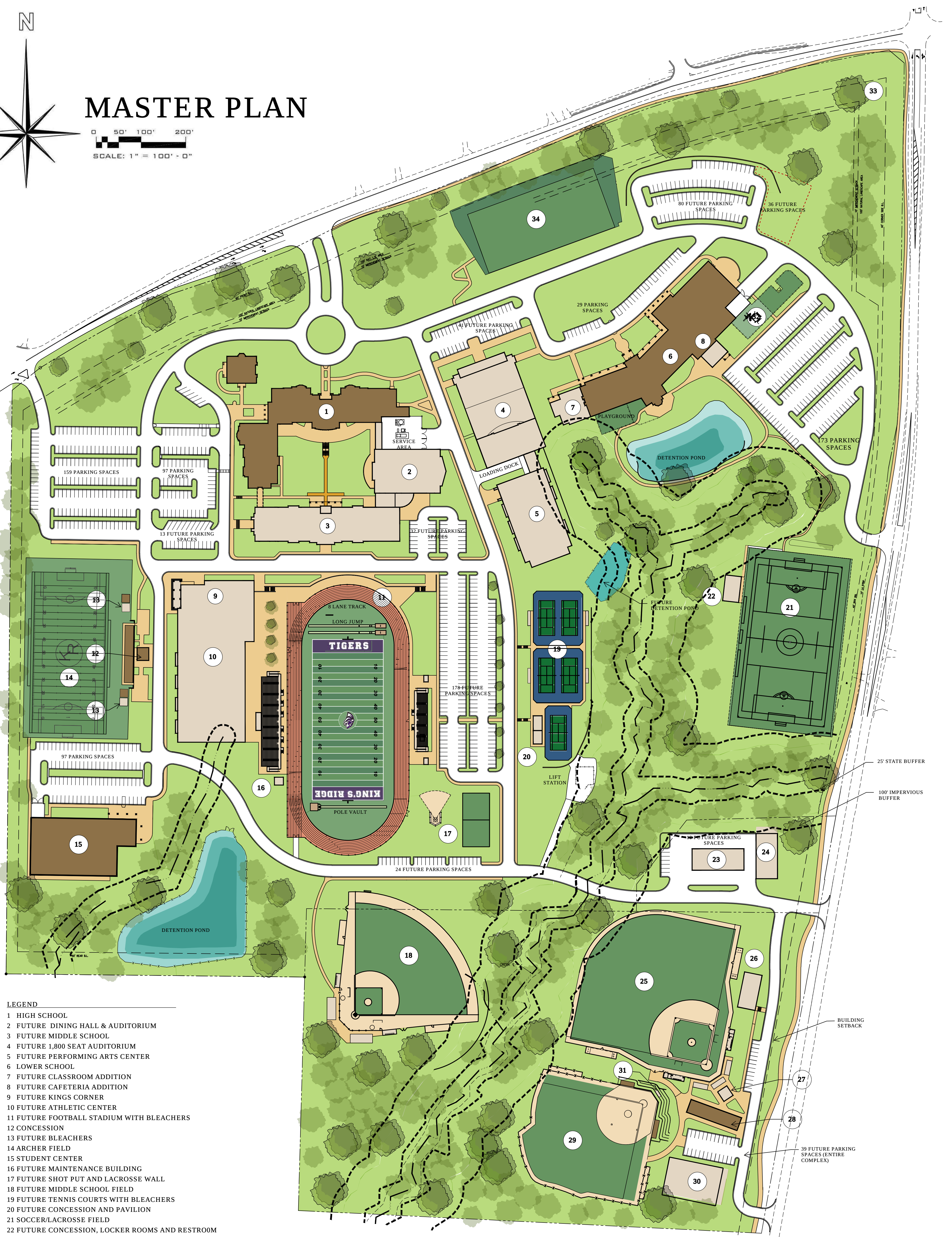
SHEET NO.
C-3.0

D24009



MASTER PLAN

0 50' 100' 200'
SCALE: 1" = 100' - 0"



LEGEND

- 1 HIGH SCHOOL
- 2 FUTURE DINING HALL & AUDITORIUM
- 3 FUTURE MIDDLE SCHOOL
- 4 FUTURE 1,800 SEAT AUDITORIUM
- 5 FUTURE PERFORMING ARTS CENTER
- 6 LOWER SCHOOL
- 7 FUTURE CLASSROOM ADDITION
- 8 FUTURE CAFETERIA ADDITION
- 9 FUTURE KINGS CORNER
- 10 FUTURE ATHLETIC CENTER
- 11 FUTURE FOOTBALL STADIUM WITH BLEACHERS
- 12 CONCESSION
- 13 FUTURE BLEACHERS
- 14 ARCHER FIELD
- 15 STUDENT CENTER
- 16 FUTURE MAINTENANCE BUILDING
- 17 FUTURE SHOT PUT AND LACROSSE WALL
- 18 FUTURE MIDDLE SCHOOL FIELD
- 19 FUTURE TENNIS COURTS WITH BLEACHERS
- 20 FUTURE CONCESSION AND PAVILION
- 21 SOCCER/LACROSSE FIELD
- 22 FUTURE CONCESSION, LOCKER ROOMS AND RESTROOM
- 23 FUTURE BUS AND VAN SHED
- 24 FUTURE MAINTENANCE BUILDING
- 25 FUTURE BASEBALL FIELD WITH BLEACHERS
- 26 FUTURE RESTROOMS AND BATTING/PITCHING LANES
- 27 FUTURE CONCESSION
- 28 FUTURE STORAGE SHED
- 29 SOFTBALL FIELD
- 30 FUTURE ATHLETIC BUILDING
- 31 FUTURE SCORER PLATFORM
- 32 FUTURE PLAYGROUND EXPANSION
- 33 FUTURE CAMPUS SIGNAGE LOCATION
- 34 LOWER SCHOOL PLAY FIELD

PARKING COUNT:

555 CURRENT SPACES
368 FUTURE SURFACE SPACES MAIN CAMPUS
923 TOTAL SPACES

ADDITIONAL CAMPUS PARKING COUNT:

10 FUTURE MAINTENANCE SPACES
39 FUTURE ROADRUNNER FIELD SPACES
49 TOTAL SPACES

TOTAL PARKING CURRENT AND FUTURE:
972 SPACES

5.10.2023



King's Ridge Christian School

2765 Bethany Bend Road, Alpharetta, Georgia

CGLS
ARCHITECTS

Community Zoning Information Meeting (CZIM)

April 10, 2024

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

E-24-02 / King’s Ridge Christian School Tree Recompense Exception

NAME	ADDRESS	COMMENTS
	No Comment	

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: King's Ridge Christian School Baseball Field

Contact Name: John Ellis, CGLS Architects Telephone: 404 643 7516

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 were received for this project.

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

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

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

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

Signature of Authorized Agent: John Ellis

Digitally signed by John Ellis
DN: C=US, E=john@cgl architects.com, O=CGLS
Architects, CN=John Ellis
Date: 2024.04.11 08:37:14-04'00'

Date: 4/11/2024

Print Form

CURRENT OCCUPANT
0 COGBURN RD
ALPHARETTA GA 30004

SAINT AIDENS CH OF ALPHARETTA INC
13560 COGBURN RD
ALPHARETTA GA 30004-2506

CHEN XIANO
13570 COGBURN RD
ALPHARETTA GA 30004

HUNT MIRIAM C
13580 COGBURN RD
ALPHARETTA GA 30004

LOUDERMILK G S
13595 COGBURN RD
ALPHARETTA GA 30004-3654

CHANDLER JULIA & CHANDLER SHAWN
13601 COGBURN RD
ALPHARETTA GA 30004

REECE HAZEL B
13635 COGBURN RD
ALPHARETTA GA 30004

KINGS RIDGE CHRISTIAN SCHOOL INC
13650 COGBURN RD
ALPHARETTA GA 30004

REDONDO WILFREDO FERNANDEZ
& FERNANDEZ ALLESSANDRA F
13675 COGBURN RD
ALPHARETTA GA 30004

DAU PROPERTIES LLC
180 WIND FLOWER CT
ALPHARETTA GA 30005

STONECREEK CHURCH INC
221 ROSWELL ST # 150
ALPHARETTA GA 30004

KINGS RIDGE CHRISTIAN SCHOOL INC
2765 BETHANY BEND
ALPHARETTA GA 30004

KINGS RIDGE CHRISTIAN SCHOOL INC
2765 BETHANY RD
ALPHARETTA GA 30004

CITY OF ALPHARETTA
2 PARK PLAZA
ALPHARETTA GA 30009

FULTON COUNTY BOARD OF EDUCATION
786 CLEVELAND AVE SW
ATLANTA GA 30315

March 11, 2024

City of Alpharetta
2 Park Plaza
Alpharetta, Georgia 30009

**RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009**

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of an exception to waive tree recompense in conjunction with the construction of a baseball field. The property is located at 0, 13600, 13630, 13650, and 13660 Cogburn Road and is legally described as being located in Land Lots 896 & 905, 2nd District, 2nd Section, Fulton County, Georgia.

The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, April 10, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by **2024, and City Council on Monday, April 29, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at john@cglisarchitects.com or 404-643-7516.

Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Julia & Shawn Chandler
13601 Cogburn Road
Alpharetta, Georgia 30004

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of an exception to waive tree recompense in conjunction with the construction of a baseball field. The property is located at 0, 13600, 13630, 13650, and 13660 Cogburn Road and is legally described as being located in Land Lots 896 & 905, 2nd District, 2nd Section, Fulton County, Georgia.

The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, April 10, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by **2024, and City Council on Monday, April 29, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at john@cglisarchitects.com or 404-643-7516.

Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Dau Properties LLC
180 Wind Flower Court
Alpharetta, Georgia 30005

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Redondo Wilfredo Fernandez
& Fernandez Alessandra F.
13675 Cogburn Road
Alpharetta, Georgia 30004

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Fulton County Board of Education
786 Cleveland Avenue SW
Atlanta, Georgia 30315

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Miriam C.Hunt
13580 Cogburn Road
Alpharetta, Georgia 30004

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Loudermilk, G.S.
13595 Cogburn Road
Alpharetta, Georgia 30004-3654

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Hazel B. Reece
13635 Cogburn Road
Alpharetta, Georgia 30004

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Saint Aidens Church
13560 Cogburn Road
Alpharetta, Georgia 30004-2506

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

March 11, 2024

Stonecreek Church Inc
221 Roswell Street # 150
Alpharetta, Georgia 30004

RE: E-24-02 Kings Ridge Christian School Tree Recompense Exception
CGLS project No.: 23009

Dear Property Owner:

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John Ellis
Project Manager, CGLS Architects

March 11, 2024

Chen Xiano
13570 Cogburn Road
Alpharetta, Georgia 30004

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CGLS project No.: 23009**

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Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



John Ellis
Project Manager, CGLS Architects

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: E-24-02

PH #: PHA240008

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: John Ellis, CGLS Architects

Telephone: 404-643-7516

Address: 2300 Lake Park Drive

Suite: 165

City: Smyrna

State: GA

Zip: 30080

Fax: N/A

Mobile Tel: 404-643-7516

Email: john@cgl architects.com

Subject Property Information:

Address: 2765 Bethany Bend (school address)

Current Zoning: SU

District: 2nd

Section: 2nd

Land Lot: 833,834,895,896

Parcel ID: 22 509008960555

Proposed Zoning: N/A

Current Use: The current gravel parking is used for the adjacent ball field.

This Application For (Check All That Apply):

☐ Conditional Use

☐ Master Plan Amendment

☐ Comprehensive Plan Amendment

☐ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☐ Exception

☒ Other (Specify):

Variance for tree recompense.

APPLICANT REQUEST AND INTENT

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

The property will be used by King's Ridge Christian School for an expansion of their athletic program. A baseball field will be constructed next to the existing, adjacent ball field.

Applicant's Request (Please itemize the proposal):

Kings Ridge Christian School requests the tree recompense be waived in its entirety. The school has demonstrated the overall campus meets the density requirement. The nature of the project limits the school's ability to modify the footprint to reduce its impact on the existing trees. The topography, steep slopes and stream buffers to the west, limit the ability to reposition the field to reduce impacts on the existing trees. Close proximity to the existing field is required for operational and safety concerns.

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

Working with their architect and engineers, King's Ridge Christian school has developed various schemes as early as 2013 for a baseball field at the site. The school recently completed a capital campaign that included a limited amount of money for the baseball field. Eliminating the recompense requirement would allow the school to construct the field, meeting a long term goal of expanding their athletic facilities. This will allow the school to better serve the community by retaining existing students and attracting new students to the school.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Ed Spurka

Telephone: 770-754-5738x147

Address: 2765 Bethany Bend

Suite: _____

City: Alpharetta

State: GA

Zip: 30004

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

Variance for tree recompense

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: John Ellis, CGLS Architects

Telephone: 404-643-7516

Address: _____

Suite: _____

City: Smyrna

State: GA

Zip: 30080

So Sworn and Attested:

Owner Signature: _____

Edward J. Spurka

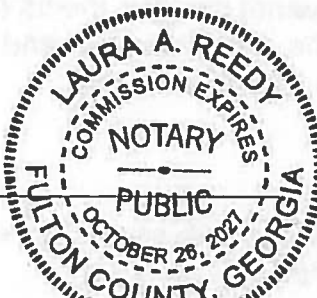
Date: _____

2/15/2024

Notary: _____

Notary Signature: _____

Laura A. Reedy



Date: _____

2/15/2024

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: John Ellis for King's Ridge Christian School

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

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

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

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

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

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

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

Campaign Contribution Information:

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

Signature: _____



Date: _____

2/16/24

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.

Site development is constrained by stream buffers to the west and Cogburn Road to the east. Additionally, the site is steeply sloped on the west side.

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

Yes, the recompense requirement creates an unnecessary hardship. Site constraints limit the ability to modify the design to save more trees. Unlike a building, the footprint of a baseball field can't be adjusted; a second story cannot be added to reduce the footprint. The current plans adds 45 trees for 180 recompense inches. With limited land available for new trees and limited funding for the project, the recompense jeopardizes the school's ability to build the field and meet current and future needs.

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

The site layout options are limited by the required size and orientation of the baseball field. Stream buffers between the proposed baseball field site and the main campus hinder an alternative layout.

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.

Eliminating the recompense fee would not cause substantial harm to the public good or impair the purpose of the code. The overall campus meets the code required density requirement. Forty-five trees will be added to the site. The character and quality of development on the campus meets or exceeds that of the surrounding community.

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: King's Ridge Christian School Baseball Field

Contact Name: John Ellis, CGLS Architects Telephone: 404-643-7516

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.

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

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

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

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: King's Ridge Christian School Baseball Field

Contact Name: John Ellis, CGLS Architects Telephone: 404-643-7516

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.

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

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

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

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

Signature of Authorized Agent: _____ Date: _____

February 19, 2024

Mr. Michael Woodman
City of Alpharetta Community Development
Planning and Development Services Manager
Community Development Department
2 Park Plaza
Alpharetta, GA 30009

Re: King's Ridge Christian School – Baseball Field – Tree Recompense Variance Request – Letter of Intent
CGLS Project No. 23009

Dear Mr. Woodman,

King's Ridge Christian School intends to construct a new high school baseball field on its campus. The property is zoned SU (Special Use). The new field will be constructed adjacent to an existing softball field. The project includes a natural turf field and associated site improvements. Factoring in 180" of trees to be planted, the arborist has calculated 609 inches of recompense are required. The recompense requirement is a hardship to the school, and the school requests the recompense be waived in its entirety.

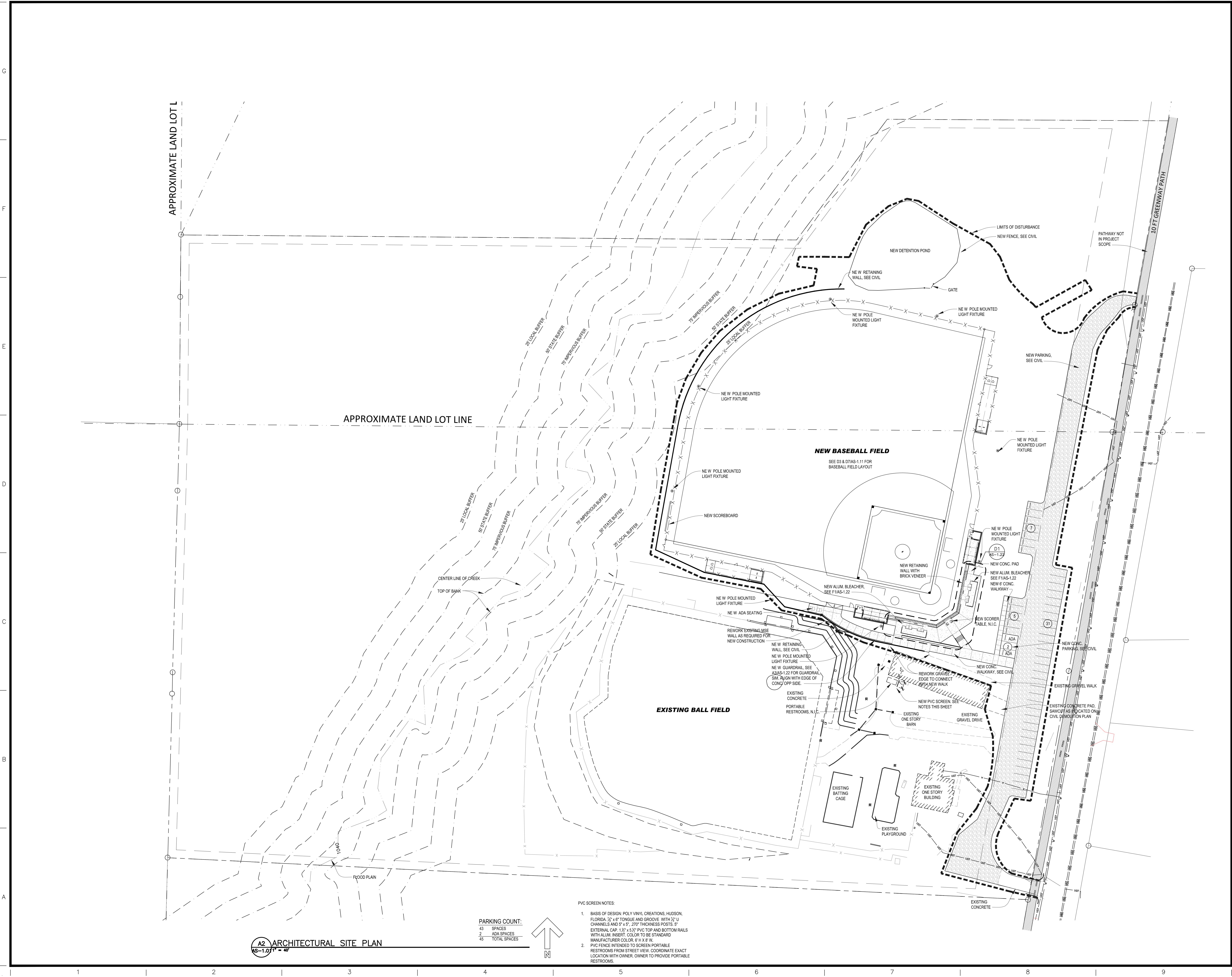
The site and nature of the project limit the school's ability to modify the site plan to reduce the impact on existing trees. A steep slope and stream buffers to the west make it difficult to shift the baseball field to accommodate the existing trees. Unlike a building, the footprint of the baseball cannot be modified to offset the impact on the site trees. Due to safety and operational considerations, the new field needs to be near the existing field. The campus, which meets the minimum tree density requirement, has heavily wooded areas that reduce the opportunity to plant new trees to offset the existing trees being removed. Additionally, the school has limited resources from a capital campaign to construct the new field.

Thank you for considering our request.

Sincerely,
CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC.



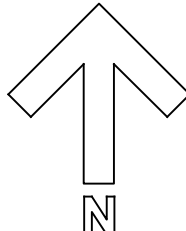
John Ellis
Project Manager, CGLS Architects



A2 ARCHITECTURAL SITE PLAN
AS-1.01 1" = 40'

PARKING COUNT:

43	SPACES
2	ADA SPACES
45	TOTAL SPACES



- PVC SCREEN NOTES:
1. BASIS OF DESIGN: POLY VINYL CREATIONS, HUDSON, FLORIDA 1/2" x 6" TONGUE AND GROOVE WITH 1/2" U CHANNELS AND 5" x 5", 270" THICKNESS POSTS, 5" EXTERNAL CAP, 1/2" x 5/8" PVC TOP AND BOTTOM RAILS WITH ALUM. INSERT COLOR TO BE STANDARD MANUFACTURER COLOR, 6" H x 8" W.
 2. PVC FENCE INTENDED TO SCREEN PORTABLE RESTROOMS FROM STREET VIEW. COORDINATE EXACT LOCATION WITH OWNER. OWNER TO PROVIDE PORTABLE RESTROOMS.

Architecture
Interior Design

CGLS
ARCHITECTS

CHAPMAN GRIFFIN LANIER SUSSENBACH
ARCHITECTS, INC.
© 2024

THIS DRAWING, THE DIMENSIONS OF WHICH ARE 30" X 42", IS THE PROPERTY OF CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS, INC. AND MAY NOT BE USED OR REPRODUCED WITHOUT THEIR WRITTEN PERMISSION.

RELEASED
FOR CONSTRUCTION

CONSULTANT

SEAL

STATE OF GEORGIA
REBECCA J. SUSSENBACH
REGISTERED ARCHITECT
EXPIRATION DATE 12/31/2025

DATE	NO.	DESCRIPTION
2/5/2024		PERMIT AND PRICING SET

CHAPMAN GRIFFIN LANIER SUSSENBACH ARCHITECTS

KING'S RIDGE CHRISTIAN SCHOOL
BASEBALL FIELD

2765 BETHANY BEND
ALPHARETTA, GEORGIA 30004

SHEET TITLE

ARCHITECTURAL
SITE PLAN

PROJECT NO. 23009

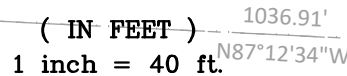
DATE Project Issue Date

DRAWN BY: -
CHECKED BY: -

SHEET NO.

AS-1.01

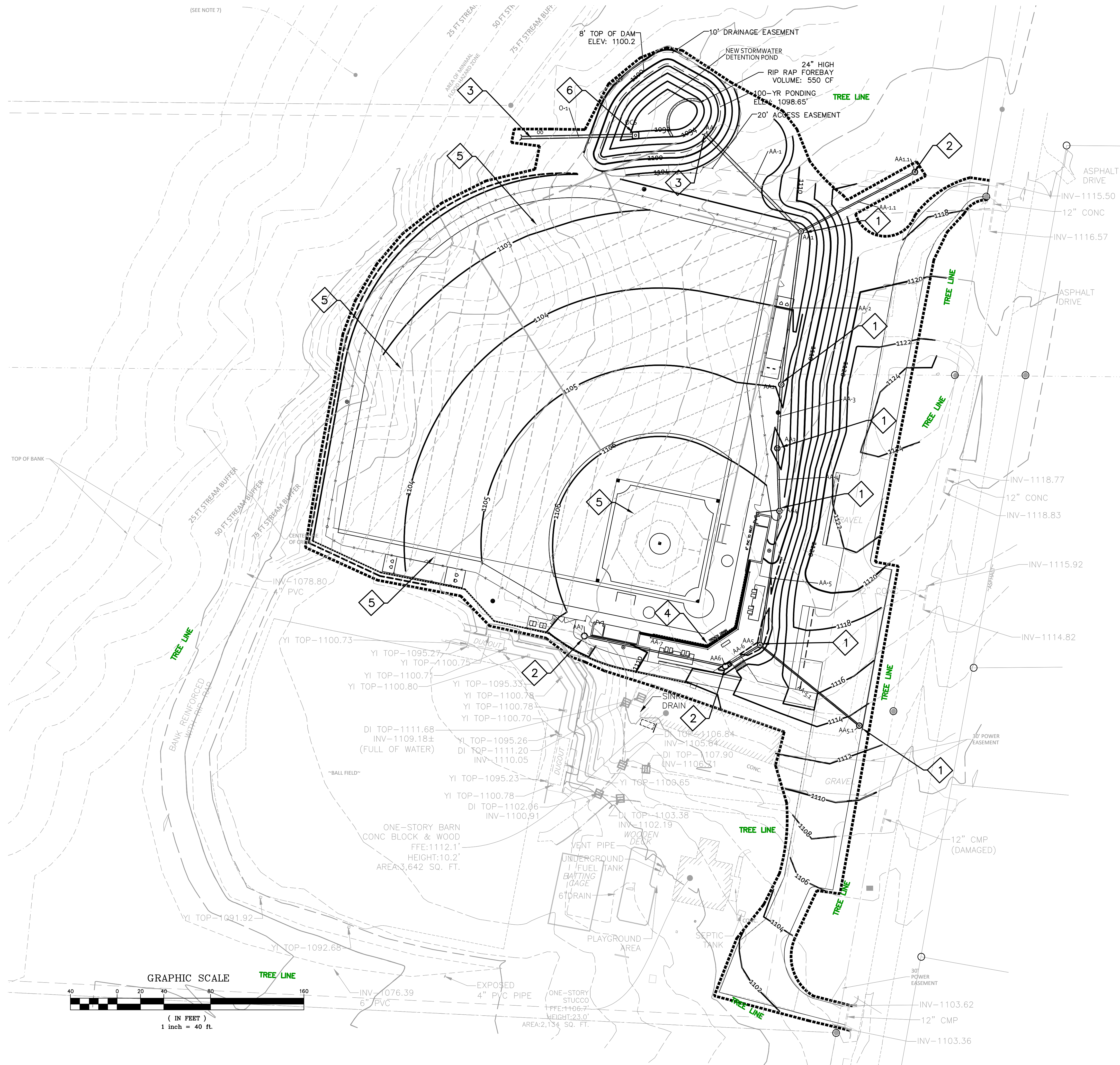
2300 Lake Park Drive SE • Suite 1165 • Smyrna, Georgia 30080 • Phone: 404.733.5493



1. THE CITY ARBORIST MUST INSPECT THE SITE BEFORE INSTALLATION OF EROSION CONTROL MEASURES, LAND DISTURBANCE WITHOUT A SITE INSPECTION AND APPROVAL BY THE CITY ARBORIST WILL RESULT IN A STOP WORK ORDER AND FINES.
2. IF TREE SURVEY INACCURACIES ARE FOUND ON-SITE, A STOP WORK ORDER WILL BE ISSUED UNTIL REVISED PLANS ARE APPROVED AND PROCESSED BASED ON ACCURATE INFORMATION.
3. THE CITY ARBORIST MUST INSPECT AND APPROVE THE SITE BEFORE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
4. TREES AGREED UPON TO BE SAVED ARE THE RESPONSIBILITY OF THE OWNER.
5. A 4" LAYER OF MULCH SHALL BE REQUIRED FOR THE CITY OF ARIZONA. MULCH SHALL BE APPLIED PRIOR TO START OF CONSTRUCTION. MULCH SHALL NOT BE PLACED DIRECTLY AGAINST TREE TRUNKS.
6. A MINIMUM 2" LAYER OF MULCH WILL BE REQUIRED FOR ALL EXISTING, NON SPECIEM, LANDSCAPE TREES, INCLUDING STREET TREES AND PARKING LOT TREES. MULCH SHALL BE APPLIED PRIOR TO START OF CONSTRUCTION. MULCH SHALL NOT BE PLACED DIRECTLY AGAINST TREE TRUNKS.
7. NO TREENCHING ALLOWED IN TREE SAVE AREAS-EXCLUDING IRRIGATION.

NO TREES SHALL BE PLANTED ON ANY AREA OF AN EARTHEN DAM OR EMBANKMENT.

SHEET NO.,
C-3.0



DRAINAGE CONSTRUCTION SCOPE			
GRADING & DRAINAGE CONSTRUCTION			
SYM	ITEM	DESCRIPTION	DETAIL REFERENCE
1	DROP INLET	DROP INLET CITY OF ALPHARETTA STD. 211	C-8.5
2	NYLOPLAST INLET	NYLOPLAST INLET OR EQUIVALENT	1 & 2 C-8.6
3	HEADWALL	CITY OF ALPHARETTA HEADWALL STD 232	C-8.5
4	TRENCH DRAIN	125 LF OF TRENCH DRAIN, WITH ASSOCIATED ASSEMBLY ITEMS AND DRAIN LINES TO INLET	3/ C-8.6
5	UNDERDRAIN SYSTEM	PERFORATED PVC 20 FT ON CENTER MIN. 0.5% SLOPE TO DRAIN	4 & 5 ON C-8.6
6	OUTLET CONTROL STRUCTURE		C-8.3
7			
8			
9			

ALL TREES MUST BE PLANTED AT LEAST 5 FEET AFROM ANY UTILITY LINE.

ALL EXISTING TREES, SPECIMEN AND NON-SPECIMEN,
COUNTED FOR EDF CREDITS MUST BE FULLY PRESERVED
DURING ALL PHASES OF THIS PROJECT,

THE CRZ OF SPECIMEN TREES PLUS ALL STREAM BUFFERS SHALL BE PROTECTED WITH WIRE BACK TREE SAVE FENCING WITH METAL SUPPORT POSTS AND TREE SAVE SIGNAGE. INSTALLATION OF THE TREE SAVE FENCE WILL INVOLVE NO TRENCHING.

TREE SAVE FENCE FOR ENTIRE SITE MUST BE INSTALLED, INSPECTED AND APPROVED PRIOR TO INSTALLATION OF EROSION CONTROL MEASURES. NO LAND DISTURBANCE OR DEMOLITION IS ALLOWED BEFORE TREE SAVE FENCING HAS BEEN INSPECTED AND APPROVED BY ARBORIST.

NO TREES SHALL BE PLANTED ON ANY AREA OF AN EARTHEN DAM OR EMBANKMENT.

CONTRACTOR MUST ATTEND CITY OF ALPHARETTA
PRE-CONSTRUCTION CLASS PRIOR TO SITE INITIATION.

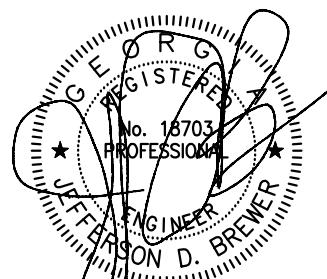
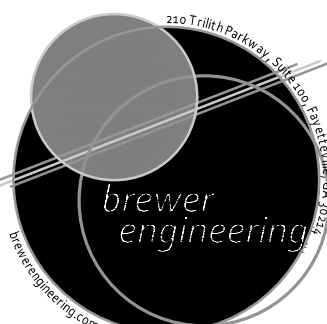
APPROVED PLANS AND NPDES DAILY LOG MUST BE
ON SITE AT ALL TIMES

ALL EROSION AND SEDIMENTATION CONTROLS, AND
TREE PROTECTION MEASURES SHALL BE INSTALLED
PRIOR TO GRADING

THIS SITE'S LIMITS OF DISTURBANCE IS WITHIN 200' OF
STATE WATER AND WETLANDS

SYMBOL		DESCRIPTION
		BENCHMARK WITH TOPOGRAPHIC DATUM
+	1100.00	FINISHED SPOT ELEVATION
A-1		STRUCTURE IDENTIFICATION NUMBER
A-2		LINE IDENTIFICATION NUMBER
		FINISHED CONTOUR ELEVATION
		EXISTING CONTOUR ELEVATION
		SURFACE DRAINAGE DIRECTION
ASP		ALUMINIZED STEEL CORRUGATED PIPE TYPE 2
BCMP		ASPHALT COATED METAL PIPE
BC		FACE OF CURB
FC		BOTTOM OF WALL AT FINISH GRADE
CB		CATCH BASIN
CI		CURB INLET
CR		CROWN
IMP		DUCTILE IRON PIPE
DI		DROP INLET
DDWB		DOUBLE WING CATCH BASIN
EP		EDGE OF PAVEMENT
FC		FACE OF CURB
FD		FOUNDATION DRAIN
FF		FINISHED FLOOR
FG		FINISHED GRADE ELEVATION
FL		FLOW LINE OF CURB OR DITCH
INV		INVERT
HDPE		HIGH DENSITY POLYETHYLENE PIPE
HP		HIGH POINT
HW		HEADWALL
JB		JUNCTION BOX
LP		LOW POINT OR LIGHT POLE
MH		MANHOLE
OCS		OUTLET CONTROL STRUCTURE
PVC		POLYVINYL CHLORIDE PIPE
RC		REINFORCED CONCRETE PIPE
RD		ROOF DRAIN
SSMH		SANITARY SEWER MANHOLE
SWCB		SINGLE WING CATCH BASIN
TC		TOP OF CURB
TD		TOP OF TRENCH DRAIN GRATE
TF		TOP OF FOOTING
TV		TOP OF WALL
WV		WATER VALVE

This drawing, as an instrument of service, is and shall remain the property of the Engineer and shall not be reproduced, published or used in any way without the permission of the Engineer.



REVISIONS

[illegible]

Owner / Developer
King's Ridge
Christian School
2765 Bethany Bend
Alpharetta, GA 30004
770-754-5738

**g's Ridge Christian School
Baseball Field Addition**
Cogburn Road
LL 896, 905 2nd Dist. 2nd Section
Alpharetta, GA

PROJECT NO.
22022

DATE: 02-05-2024

SHEET TITLE:
GRADING
PLAN

SHEET NO.

C-4.0

ARBORIST DATA - SPECIMEN REPORT - ONE BARK - CONSULTING ARBORIST

Identifier	TreesAndPlants:Name	dah_size	Condition_merger	Status
201	Dogwood, flowering	9	Fair health: Dead top, several live branches. Structure is Single.	Not Specimen
202	Cherry, Yoshino	12/10/9	Fair health: Early defoliation, typical of this time of year. Several small signs of damage. Structure is Single.	Specimen Saved - Credit
203	Oak, water	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
204	Oak, water	28	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
205	Oak, water	27	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
206	Oak, cherrybark	37	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Prescription
207	Oak, cherrybark	48	Fair health: Multiple large dead branches scattered throughout canopy, not problematic. Small signs of damage. Structure is Single.	Specimen Recompense
208	Oak, post	32	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
209	Oak, red	41	Declining health: Late season canopy dieback, several of trunk > 25% dieback. Structure is Single.	Not Specimen
210	Oak, post	33	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
211	Oak, Southern red	32	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
212	Oak, Southern red	34	Fair health: No significant problems identified. Structure is Multiple.	Not Specimen
213	Oak, water	25	Fair health: Broken, hanging limbs from storm damage, not yet problematic. Tree still leans to the right. Structure is Single.	Specimen Recompense
214	Dogwood, flowering	9	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
215	Pine, loblolly	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Prescription
216	Maple, red	25	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Prescription
217	Maple, red	28	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
218	Magnolia, southern	23	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Recompense
219	Oak, post	25	Fair health: No significant problems identified. Structure is Single. Small defect in root crown (approx 2').	Specimen Recompense
220	Dogwood, flowering	9	Declining health: Dead top of canopy. Structure is Single.	Not Specimen
221	Oak, scarlet	29	Fair health: No significant problems identified. Several signs of recent Oak leaf miner damage, not yet problematic. Tree still leans to the right. Structure is Single. No significant problems identified.	Specimen Recompense
222	Tulip tree	34	Fair health: No significant problems identified. Structure is Single.	Specimen Recompense
223	Dogwood, flowering	10	Fair health: Some dead branches, typical for a dogwood of this age. Structure is Single. No significant problems identified.	Specimen Recompense
224	Pine, loblolly	33	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
225	Oak, post	31	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
226	Oak, post	29	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
227	Oak, Southern red	32	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
228	Oak, white	26	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
229	Oak, Southern red	24	Fair health: No significant problems identified. Structure is Asymmetric. Moderate lean to east. May be dependent on tree #230.	Specimen Recompense
230	Oak, Southern red	22	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified. (Note: #230)	Not Specimen
231	Oak, white	24	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified. (Note: #231)	Specimen Recompense
232	Oak, white	26	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified. (Note: #232)	Specimen Recompense
233	Oak, white	26	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
234	Oak, white	27	Fair health: No significant problems identified. Structure is Asymmetric. Light lean to south, approximately 1°.	Specimen Recompense
235	Sourwood	12	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Recompense
236	Sourwood	12	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Prescription
237	Hickory, pignut	29	Good health: No significant problems identified. But in lower trunk, structure is Single. No significant problems identified.	Specimen Prescription
238	Oak, white	24	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
239	Oak, white	27	Good health: No significant problems identified. But in lower trunk, structure is Single. No significant problems identified.	Specimen Prescription
240	Oak, white	32	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Prescription
241	Oak, post	27	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Recompense
242	Sourwood	10	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Not Specimen Don't know what to do

243	Oak, Southern red	27	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Prescription
244	Hickory, pignut	24	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
245	Oak, scarlet	30	Fair health: Early decay between stems, no significant problems identified.	Not Specimen
246	Oak, scarlet	33	Fair health: Early decay between stems, no significant problems identified.	Not Specimen
247	Oak, post	27	Fair health: Leaf density is below average. Structure is Single. No significant problems identified.	Specimen Recompense
248	Pecan	13	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Tree of Quality
249	Oak, white	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Recompense
250	Oak, Southern red	28	Fair health: Dead top of canopy, several signs of damage. Structure is Multiple. No significant problems identified.	Not Specimen
251	Beech, American	31	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
252	Oak, No red	28	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
253	Tulip tree	33	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
254	Oak, white	30	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
255	Sweetgum	32	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
256	Oak, Southern red	24	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
257	Oak, No red	31	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
258	Oak, No red	27	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
259	Oak, white	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
260	Tulip tree	36	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
261	Tulip tree	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
262	Tulip tree	31	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
263	Tulip tree	30	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
264	Tulip tree	33	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
265	Tulip tree	31	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
266	Oak, white	24	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
267	Oak, white	25	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
268	Oak, white	38	Fair health: No significant problems identified. Leaf density is below average. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
269	Sourwood	12	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
270	Sourwood	10	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
271	Sourwood	10	Fair health: No significant problems identified. Small trunk defect identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
272	Oak, No red	36	Fair health: No significant problems identified. But in lower trunk, structure is Single. No significant problems identified.	Not Specimen
273	Sourwood	14	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
274	Dogwood, flowering	12	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
275	Tulip tree	37	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
276	Sourwood	12	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
277	Sourwood	13	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
278	Sourwood	13	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
279	Sourwood	12	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
280	Dogwood, flowering	10	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
281	Hickory, pignut	26	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
282	Oak, Southern red	26	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
283	Tulip tree	35	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
284	Sourwood	11	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
285	Sourwood	10	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit

286	Sourwood	10	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
287	Sourwood	12	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
288	Oak, Southern red	24	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
289	Sourwood	13	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
290	Sourwood	10	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
291	Oak, white	31	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
292	Oak, white	40	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
293	Tulip tree	34	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
294	Sourwood	13	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
295	Sourwood	10	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
296	Sourwood	11	Fair health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
297	Sourwood	12	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
298	Sourwood	14	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
299	Sourwood	16	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
300	Sourwood	11	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
301	Sourwood	11	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
302	Sourwood	10	Good health: No significant problems identified. Structure is Asymmetric. No significant problems identified.	Specimen Saved - Credit
303	Oak, white	29	Fair health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
304	Oak, white	42	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
305	Sourwood	10	Good health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
306	Sourwood	13	Good health: No significant problems identified. Structure is Single. No significant problems identified.	Specimen Saved - Credit
307	Sourwood	11	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
308	Sourwood	10	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
309	Sourwood	11	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
310	Sourwood	11	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
311	Sourwood	11	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen
312	Sourwood	11	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Specimen Saved - Credit
313	Sourwood	10	Fair health: No significant problems identified. Structure is Multiple. No significant problems identified.	Not Specimen

TREE SCHEDULE		
201 8' DOGWOOD	271 10' SOURWOOD	509 16' OAK
202 12' 10' 9' CHERRY	272 36' OAK	510 8' OAK
203 30' OAK	273 14' SOURWOOD	511 16' OAK
204 28' OAK	274 12' DOGWOOD	512 16' OAK
205 27' OAK	275 17' TULIP TREE	513 16' OAK
206 37' OAK	276 17' SOURWOOD	514 16' OAK
207 48' OAK	277 13' SOURWOOD	515 16' OAK
208 32' OAK	278 13' SOURWOOD	516 16' OAK
209 41' OAK	279 13' SOURWOOD	517 16' OAK
210 35' OAK	280 10' DOGWOOD	518 16' OAK
211 32' OAK	281 30' HICKORY	519 16' OAK
212 34' OAK	282 16' OAK	520 16' OAK
213 25' OAK	283 15' TULIP TREE	521 16' OAK
214 30' PINE	284 13' SOURWOOD	522 16' OAK
215 30' MAPLE	285 10' SOURWOOD	523 16' OAK
216 30' MAPLE	286 10' SOURWOOD	524 16' OAK
217 30' MAPLE	287 10' SOURWOOD	525 16' OAK
218 28' MAGNOLIA	288 10' SOURWOOD	526 16' OAK
219 25' OAK	289 10' SOURWOOD	527 16' OAK
220 40' DOGWOOD	290 10' SOURWOOD	528 16' OAK
221 29' OAK	291 10' SOURWOOD	529 16' OAK
222 34' TULIP TREE	292 10' SOURWOOD	530 16' OAK
223 10' DOGWOOD	293 10' SOURWOOD	531 16' OAK
224 30' PINE	294 10' SOURWOOD	532 16' OAK
225 31' OAK	295 10' SOURWOOD	533 16' OAK
226 30' OAK	296 10' SOURWOOD	534 16' OAK
227 32' OAK	297 10' SOURWOOD	535 16' OAK
228 26' OAK	298 10' SOURWOOD	536 16' OAK
229 26' OAK	299 10' SOURWOOD	537 16' OAK
230 22' OAK	300 10' SOURWOOD	538 16' OAK
231 36' OAK	301 10' SOURWOOD	539 16' OAK
232 30' OAK	302 10' SOURWOOD	540 16' OAK
233 26' OAK	303 10' SOURWOOD	541 16' OAK
234 27' OAK	304 10' SOURWOOD	542 16' OAK
235 12' SOURWOOD	305 10' SOURWOOD	543 16' OAK
236 12' SOURWOOD	306 10' SOURWOOD	544 16' OAK
237 30' HICKORY	307 10' SOURWOOD	545 16' OAK
238 24' OAK	308 10' SOURWOOD	546 16' OAK
239 27' OAK	309 10' SOURWOOD	547 16' OAK
240 31' OAK	310 10' SOURWOOD	548 16' OAK
241 27' OAK	311 10' SOURWOOD	549 16' OAK
242 10' SOURWOOD	312 10' SOURWOOD	550 16' OAK
243 27' OAK	313 10' SOURWOOD	551 16' OAK
244 36' HICKORY	314 10' SOURWOOD	552 16' OAK
245 30' OAK	315 10' SOURWOOD	553 16' OAK
246 35' OAK	316 10' SOURWOOD	554 16' OAK
247 27' OAK	317 10' SOURWOOD	555 16' OAK
248 12' PECAN	318 10' SOURWOOD	556 16' OAK
249 30' OAK	319 10' SOURWOOD	557 16' OAK
250 29' OAK	320 10' SOURWOOD	558 16' OAK
251 30' OAK	321 10' SOURWOOD	559 16' OAK
252 26' OAK	322 10' SOURWOOD	560 16' OAK
253 30' TULIP TREE	323 10' SOURWOOD	561 16' OAK
254 30' OAK	324 10' SOURWOOD	562 16' OAK
255 32' SWEETGUM	325 10' SOURWOOD	563 16' OAK
256 26' OAK	326 10' SOURWOOD	564 16' OAK
257 31' OAK	327 10' SOURWOOD	565 16' OAK
258 27' OAK	328 10' SOURWOOD	566 16' OAK
259 30' OAK	329 10' SOURWOOD	567 16' OAK
260 30' TULIP TREE	330 10' SOURWOOD	568 16' OAK
261 30' TULIP TREE	331 10' SOURWOOD	569 16' OAK
262 30' TULIP TREE	332 10' SOURWOOD	570 10' SOURWOOD
263 30' TULIP TREE	333 10' SOURWOOD	571 10' SOURWOOD
264 30' TULIP TREE	334 10' SOURWOOD	572 10' SOURWOOD
265 30' TULIP TREE	335 10' SOURWOOD	573 10' SOURWOOD
266 24' OAK	336 10' SOURWOOD	574 10' SOURWOOD
267 25' OAK	337 10' SOURWOOD	575 10' SOURWOOD
268 30' OAK	338 10' SOURWOOD	576 10' SOURWOOD
269 12' SOURWOOD	339 10' SOURWOOD	577 10' SOURWOOD
270 10' SOURWOOD	340 10' SOURWOOD	578 10' SOURWOOD



Tree Study Report

13600 Coghurn Road, Alpharetta GA 30004

Date of inspection: 9/1/2021

Inspector: Jesse Miller
654-6521-1702
Email: jesse@onebark.com

Project Manager: Elizabeth Kim
Email: elizabeth@onebark.com

17000/02/03/20

This inspection was made to verify trees that meet the minimum tree criteria for Specimen trees. This inspection uses Level 1 and Level 2 assessment standards. Level 1 standards can be applied at the customer's request. All tree data were measured as DBH (Diameter at Breast Height, 4.5 feet above soil level).

METHODOLOGY

The project site was inspected to identify trees that meet the minimum tree criteria for Specimen trees. This inspection uses Level 1 and Level 2 assessment standards. Level 1 standards can be applied at the customer's request. All tree data were measured as DBH (Diameter at Breast Height, 4.5 feet above soil level).

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The project site was inspected to identify trees that meet the minimum tree criteria for Specimen trees. This inspection uses Level 1 and Level 2 assessment standards. Level 1 standards can be applied at the customer's request. All tree data were measured as DBH (Diameter at Breast Height, 4.5 feet above soil level).

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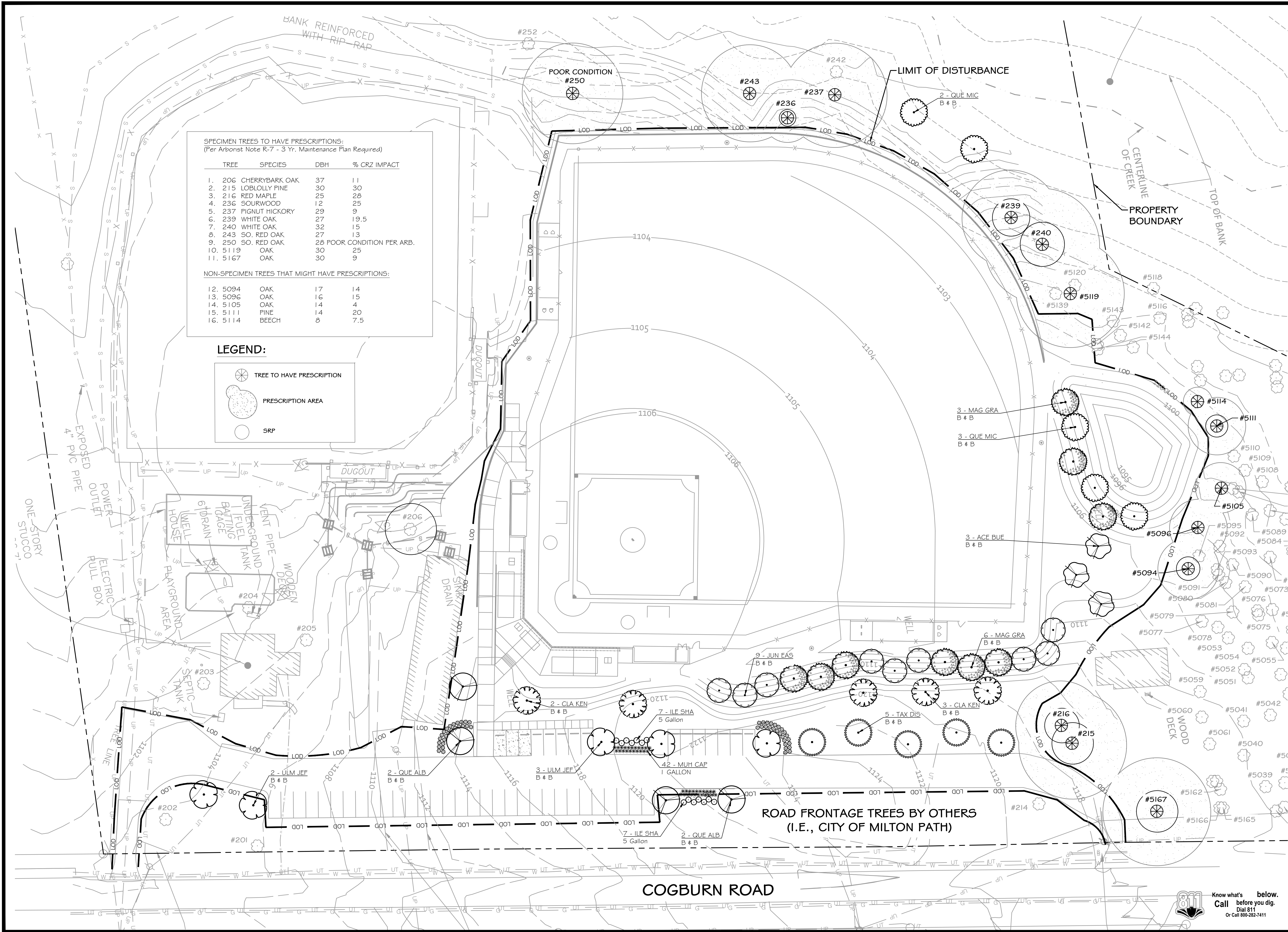
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PROJECT:

**KINGS RIDGE
CHRISTIAN SCHOOL
BASEBALL FIELD**

LOCATION:

**COGBURN ROAD
LL 896, 905, DISTRICT 2
ALPHARETTA, GA**

OWNER/DEVELOPER:

**KINGS RIDGE
CHRISTIAN
SCHOOL**

CONSULTANT:


TJ SCHELL, LLC
Landscape Architect • Consulting Arborist
770.361.2319
teresa@tjschell.com
2985 Gordy Pkwy., Ste. 422, Marietta, GA 30066



SCALE 1" = 30'

30' 0' 30'

REVISIONS	DATE

DRAWN BY:

JURISDICTION:

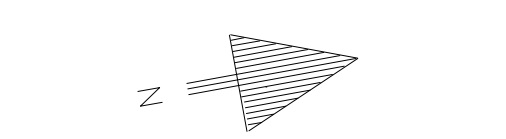
DATE:

SHEET TITLE:

TREE PLAN

SHEET NUMBER:

T.2



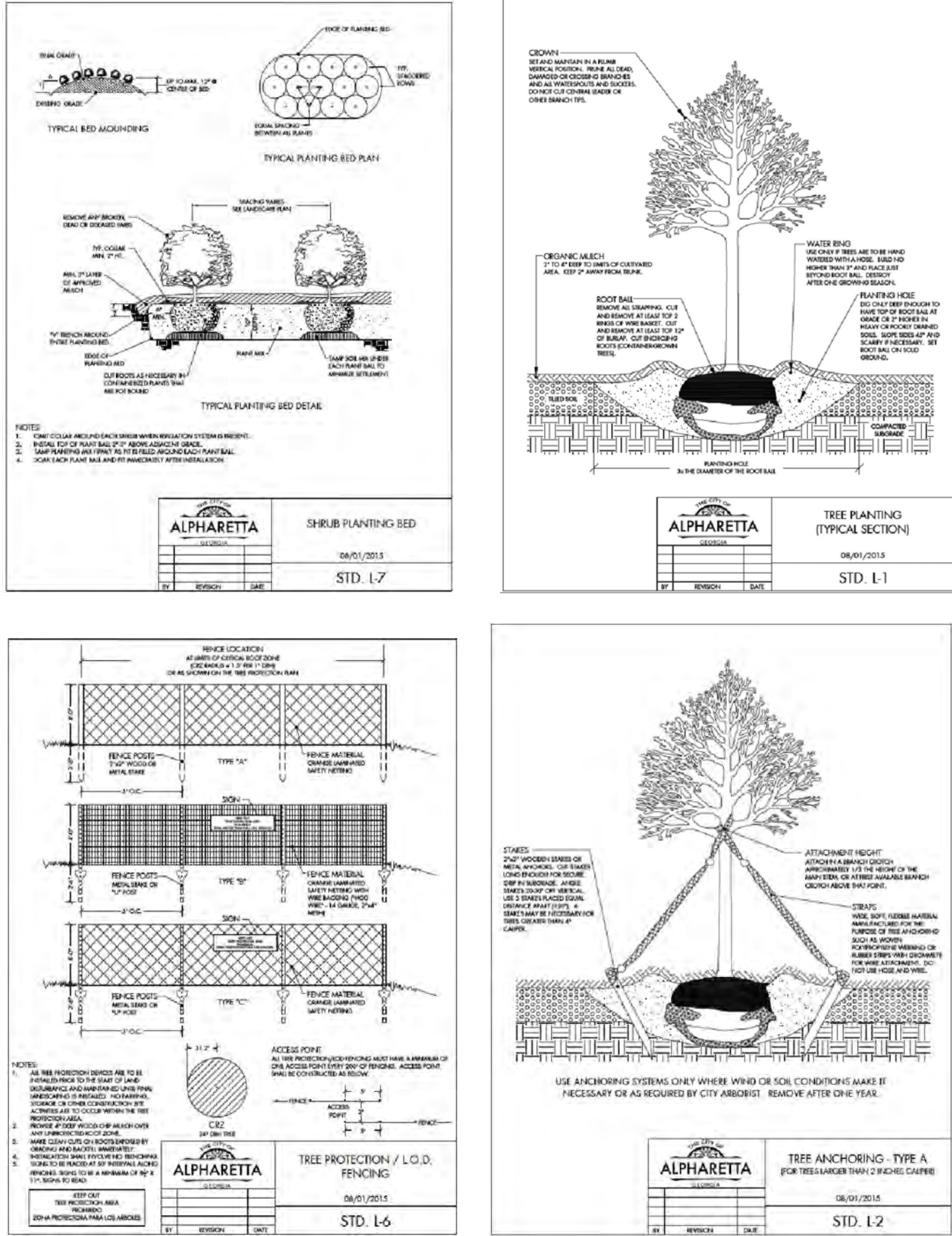
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PLANT SCHEDULE

SYMBOL	CODE	BOTANICAL / COMMON NAME	CONT	CAL	SIZE	QTY	TOTAL INCHES	RECOMPENSE INCHES	GENUS %	% OVERSTORY	% NATIVE
TREES											
	ACE BUE	Acer buergerianum / Trident Maple Single Straight Leader, Good Form, Healthy	B & B	4"cal.	10-12' Ht.	3	0	12	7		
	CLA KEN	Cladrastis kentukea / American Yellowwood Single Straight Leader, Good Form, Healthy	B & B	4"cal.	10-12' Ht.	5	0	20	11		*
	JUN EAS	Juniperus virginiana / Eastern Redcedar Full to Ground, Good Form, Healthy	B & B	SEE HT.	13-14' HT.	9	0	36	20		*
	MAG GRA	Magnolia grandiflora / Southern Magnolia Full to Ground, Good Form, Healthy	B & B	SEE HT.	13-14' HT.	9	0	36	20	*	*
	QUE ALB	Quercus alba / White Oak Single Straight Leader, Good Form, Healthy	B & B	4"cal.	10-12' Ht.	4	0	16	9	*	*
	QUE MIC	Quercus michauxii / Swamp Chestnut Oak Single Straight Leader, Good Form, Healthy	B & B	4"cal.	12-14' Ht.	5	0	20	11	*	*
	TAX DIS	Taxodium distichum / Bald Cypress Single Straight Leader, Good Form, Healthy	B & B	4"cal.	10-12' Ht.	5	0	20	11	*	*
	ULM JEF	Ulmus americana 'Jefferson' / Jefferson American Elm Single Straight Leader, Good Form, Healthy	B & B	4"cal.	10-12' Ht.	5	0	20	11	*	*
						45 TREES	0	180 INCHES	100	62	93
SHRUBS											
	ILE SHA	Ilex glabra 'Shamrock' / Shamrock Inkberry Full in Pot, Good Form, Healthy	5 Gallon		48" o.c.	14					
	MUH CAP	Muhlenbergia capillaris / Pink Muhly Grass Full in Pot, Healthy	1 GALLON		36" o.c.	42					
	PAN SHE	Panicum virgatum 'Shenandoah' / Shenandoah Switch Grass Full in Pot, Healthy	1 GALLON		36" o.c.	50					



OVERALL AREA SHOWING SURVEYED TREES FOR THIS SUBMITTAL: 1" = 100'



SITE DENSITY FACTOR (SDF) REQUIREMENT:

TOTAL ACREAGE = 92.67 ACRES

92.67 x 1.30 INCHES
= 12,047.1 INCHES REQUIRED

EDF = EXISTING 2018 DENSITY PLAN SHT. T.5
= 14,201.2 INCHES
+ CURRENT ACREAGE SAVED TREES
= 1,682 INCHES (DOES NOT INCLUDE INCREASE FOR SPECIMEN TREES SAVED)
14,201.2 + 1,682 = 15,883.2 INCHES EDF

RDF = ALL TREE TO BE TOWARD RECOMPENSE THEREFORE: INCHES PER ACRE MET

789 INCHES RECOMPENSE REQUIRED
180 INCHES PROVIDED / PLANTED

789 - 180 = 609 INCHES RECOMPENSE

King's Ridge Christian School plans to submit a request for a variance per section 3.2.15.C.3 of the development code for the City of Alpharetta.

- Site considerations limit our ability to adjust the design to accommodate existing trees. The topography, which includes a stream buffer to the west, makes it difficult to minimize or reduce site disturbance by shifting the field's location. The nature of the project, a sport's field, limits the ability to reduce the footprint. Additionally, adjacency to the existing baseball field is highly desirable from a functional/operational standpoint.
- The school has worked with architects and engineers as early as 2013 to develop a baseball field for the campus. A capital campaign with money dedicated to the construction of the baseball field was recently completed, and the school is limited in resources for the project.

ALL TREES MUST BE PLANTED OUTSIDE OF ANY UTILITY EASEMENTS, UNLESS APPROVED BY THE CITY ARBORIST OR UTILITY PROVIDER. Make sure this note is bold and in a prominent place near utilities. This pertains to ALL utilities (water, sewer, gas, fiber optic, electric, etc.).

The City Arborist must inspect the site before installation of erosion control measures. Load disturbance without a site inspection and approval by the City Arborist will result in a "Stop Work Order" and fines. If tree survey inaccuracies are found on-site, a stop work order will be issued until revised plans are approved and processed based on accurate information. Design Landscape Architect or Project Arborist will inspect, verify, and approve the landscape has been planted per the approved plans and city standards prior to contacting the City Arborist for a CO inspection. Trees signed upon to be saved are the responsibility of the owner. A 4" layer of mulch is required for the CRZ of Specimen Trees, Trees of Quality, and Tree Groupings. Mulch must be applied prior to start of construction and shall not touch the trunk of the tree(s). A minimum 2" layer of mulch is required for all existing, non-specimen, landscape trees, including street and parking lot trees. Mulch must be applied prior to start of construction and shall not touch the trunk of the tree(s). All mulch must be organic mulch consisting of wood chips, shredded bark, pine needles, or similar. Synthetic mulch or rocks are not approved for use in the City of Alpharetta. All newly planted trees shall have visible root flares at finished grade. No circling roots shall be allowed on planted trees. The upper two (2) rings of the main trunk, all burlap, and wrapping MUST be cut and removed prior to backfill. Plant sizes (caliper and height) MUST match the sizes shown on the plans. Plants that do not meet these minimums will not be accepted. E.g. 3 inch caliper trees must be 3 inches or larger. Plant height measurement is taken at the top of the main body of the plant and not at the tip of the topmost growth.

All newly planted trees shall be equivalent in quality to a Florida #1 grade or better. All trees of lower quality shall be rejected by the City Arborist. Watering bags or a drip irrigation system MUST be provided for all trees immediately after planting and remain through establishment. When watering bags are used manufacturers recommendations MUST be followed for proper sizing and watering schedules. Bags will be ~~the responsibility of the owner and during the minimum of 18 months after installation.~~ NO TRENCING ALLOWED IN TREE SAVE AREAS- INCLUDING IRRIGATION. Tree pit drainage testing is required when trees are planted in parking lot islands, sidewalks, tree pits, roadway medians, or similar locations. Please refer to City Details regarding planting pit or landscape island construction. Fill each pit with water. If percolation is less than 100% within a 12 hour period, use an auger to drill a 10" inch hole to a depth of four feet below the bottom of the pit. Fill hole with drainage gravel and cover with a soil separator. Retest pit. If drainage is still unsatisfactory, City Arborist and Project Arborist must be notified in writing of the location with poor drainage to provide a solution before planting. Testing results must be provided to the City Arborist. All buffers shall be planted where space and code required screening shall be installed in order to create a year round opaque screen within 2 years of construction or as directed by the City of Alpharetta. During construction or at the time of CO the City may require additional plantings to meet these requirements above what is shown on the approved landscape plan. All tree anchoring devices shall be removed from tree after one complete growing season or one year after planting, whichever is greater. Property owner shall be responsible for the care and maintenance of the trees and landscaping that occur their property within the ROW. Landscape contractors are required to attend the City of Alpharetta Pre-Construction class prior to beginning work on any project. Please call (678)977-6570 for information and to reserve a spot. NO TREES SHALL BE PLANTED ON ANY AREA OF AN EARTHEN DAM OR EMBANKMENT. Make sure this note is bold and located in a prominent place near the dam.

PROJECT:

KINGS RIDGE
CHRISTIAN SCHOOL
BASEBALL FIELD

LOCATION:

COGBURN ROAD
LL 896, 905, DISTRICT 2
ALPHARETTA, GA

OWNER/DEVELOPER:

KINGS RIDGE
CHRISTIAN
SCHOOL

CONSULTANT:



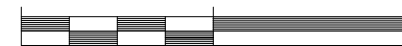
TJ SCHELL, LLC

Landscape Architect • Consulting Arborist

770.361.2319
teresa@tjschell.com

2985 Gordy Pkwy., Ste. 422, Marietta, GA 30066

SEAL:



REVISIONS DATE

DRAWN BY:

JURISDICTION:

DATE:

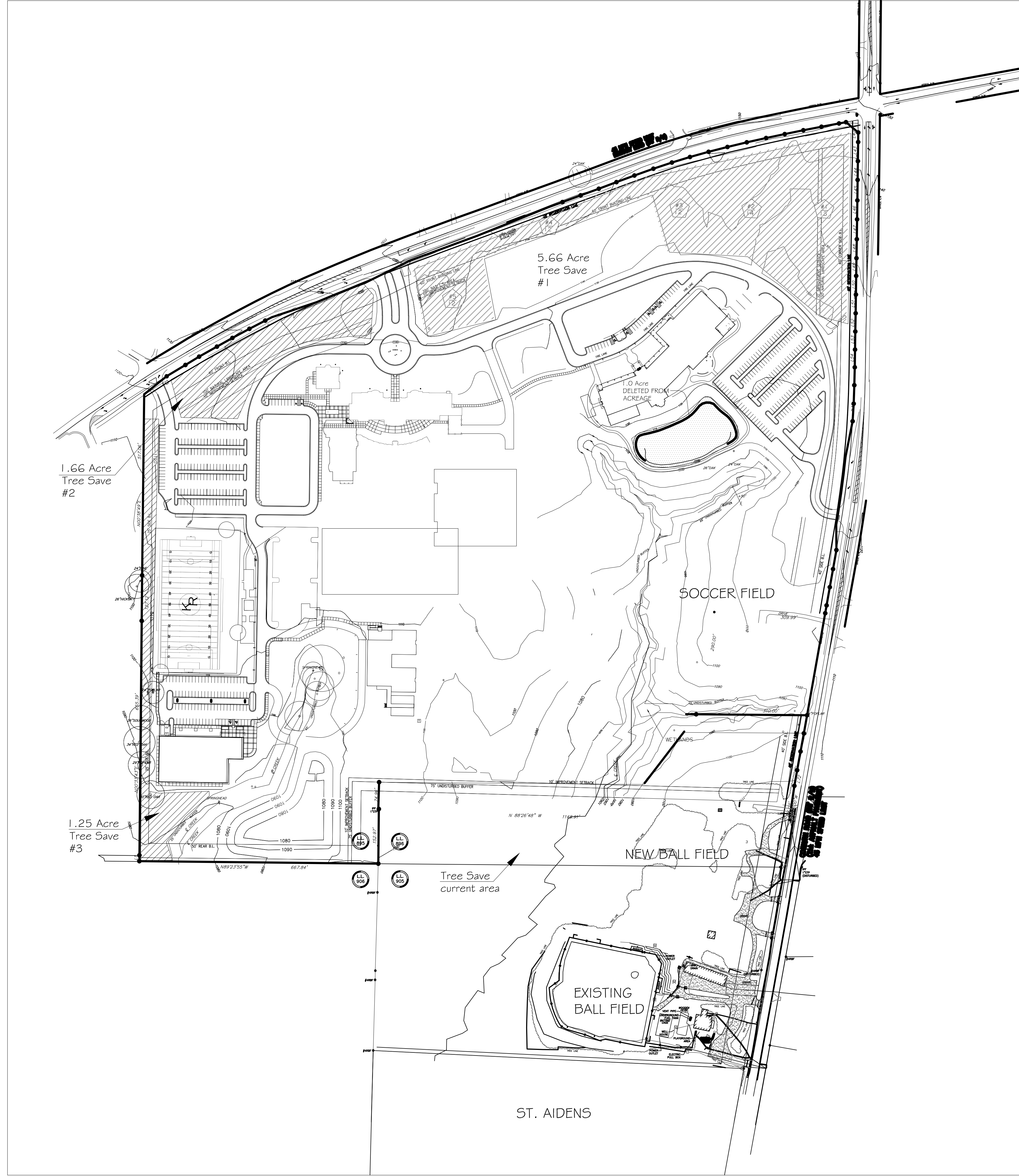
SHEET TITLE:

PLANT SCHEDULE,
NOTES, & DETAILS

SHEET NUMBER: T.3



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The total acreage for site density purposes is 92.67 (Minus 1 acre for the pond).

91.67 x 130 inches = 11,917.1 Inches required

EDF (2018 Master Density plan - This Sheet)
= 14,201.2 Inches

EDF for current tree save on additional property = 1,682 Inches

Current EDF for entire 91.67 Acres
= 14,201.2 + 1,682
= 15,883.2 Inches

Therefore Density exceeded by 3,966.1 Inches.

TREE SAVE AREA #1

POINT-SAMPLE INVENTORY
(Using 10 pt. prism method)

POINT NO.	POINT VALUE
1	13
2	14
3	14
4	12
5	12
5	11
	76

Avg. of sample points
= 76 trees /6 points
= 12.6

12.6 trees x BAF of 10
(Wensel et al. 1980)

Tree Save Area #1
= 5.5 Ac
5.5 Ac x 12.6 x 144 (sq. inches)
= 5.5 x 1,814sq. inches
= 9,979.2 Inches

TREE SAVE AREA #2

TREE SAVE AREA #2 TREE INVENTORY
(1.66 Acre)
Size Unit
(Cal.) Value # Spec. T. Inches

4"	.1	1	Poplar	4
5"	.1	3	Pine	15
5"	.1	14	Poplar	70
5"	.1	3	Oak	15
6"	.2	1	Pine	6
6"	.2	10	Poplar	60
6"	.2	8	Oak	48
7"	.2	5	Poplar	35
7"	.2	3	Oak	21
8"	.4	8	Poplar	64
8"	.4	6	Oak	48
8"	.4	2	Cherry	16
9"	.4	11	Pine	99
9"	.4	6	Poplar	54
9"	.4	5	Oak	45
10"	.6	9	Pine	90
10"	.6	2	Poplar	20
11"	.6	10	Pine	110
12"	.8	16	Pine	192
12"	.8	1	Sw. Gum	12
13"	.8	2	Pine	26
14"	1.2	10	Pine	140
15"	1.2	5	Pine	75
16"	1.8	6	Pine	96
18"	1.8	9	Pine	162
19"	1.8	2	Pine	38
20"	2.6	4	Pine	60
21"	2.6	1	Pine	21
22"	2.8	4	Pine	88
23"	2.8	1	Pine	23
24"	3.4	1	Pine	24
24"	3.4	1	Oak	24
26"	3.8	1	Pine	26
28"	4.0	1	Oak	28
34"	5.0	1	Oak	34
				1,889

TREE SAVE AREA #3

TREE SAVE AREA #3 TREE INVENTORY
(1.25 Acre)
Size Unit
(Cal.) Value # Spec. T. Inches

4"	.1	1	Poplar	4
4"	.1	7	Oak	28
5"	.1	12	Poplar	60
5"	.1	5	Maple	25
5"	.1	6	Sourwood	30
5"	.1	1	Sw. Gum	5
5"	.1	3	Beech	15
6"	.2	2	Pine	12
6"	.2	3	Poplar	18
6"	.2	24	Oak	144
6"	.2	2	Sw. Gum	12
7"	.2	7	Poplar	49
7"	.2	12	Oak	84
7"	.2	3	Sw. Gum	21
8"	.4	8	Poplar	64
8"	.4	14	Oak	112
8"	.4	2	Sw. Gum	16
9"	.4	4	Pine	36
9"	.4	17	Poplar	153
9"	.4	5	Sw. Gum	45
9"	.4	1	Maple	9
9"	.4	1	Cedar	9
9"	.4	14	Oak	126
10"	.6	2	Pine	20
10"	.6	15	Oak	150
10"	.6	1	Beech	10
10"	.6	2	Poplar	20
11"	.6	4	Oak	44
11"	.6	2	Sw. Gum	22
12"	.8	2	Pine	24
12"	.8	13	Oak	156
12"	.8	1	Sw. Gum	12
12"	.8	8	Poplar	96
13"	.8	5	Oak	65
13"	.8	1	Pine	13
13"	.8	1	Poplar	13
14"	1.2	2	Pine	28
14"	1.2	11	Oak	154
14"	1.2	1	Maple	14
15"	1.2	2	Oak	30
15"	1.2	1	Poplar	15
16"	1.8	2	Poplar	32
17"	1.8	2	Pine	34
18"	1.8	2	Poplar	36
19"	1.8	1	Oak	19
21"	2.6	1	Pine	21
26"	3.8	1	Sourwood	26
29"	4.0	1	Poplar	29
30"	4.4	1	Oak	30
				2,295



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PROJECT:

KINGS RIDGE
CHRISTIAN SCHOOL
VARIANCE

LOCATION:

COGBURN ROAD
LL 896, 905, DISTRICT 2
ALPHARETTA, GA

OWNER/DEVELOPER:

KINGS RIDGE
CHRISTIAN
SCHOOL

CONSULTANT:



TJ SCHELL, LLC

Landscape Architect • Consulting Arborist

770.361.2319
teresa@tjschell.com

2985 Gordy Pkwy., Ste. 422, Marietta, GA 30066

SEAL:



REVISIONS	DATE
PLAN REVISIONS	2.27.24

DRAWN BY:

JURISDICTION:

DATE:

SHEET TITLE:

CAMPUS TREE DENSITY
PLAN

SHEET NUMBER: T.5

APPENDIX A

Tree Study Report



Onebark LLC
88 N. Avondale Road, #450
Avondale Estates GA 30002
p: 678-344-6948 www.onebark.com

Tree Study Report

13600 Cogburn Road, Alpharetta GA 30004

Date of Inspection 9/1/2021

Inspector

Jesse Milton
ISA #SO-1170B
Email: jesse@onebark.com

Project Manager

Elizabeth Kim
elizabeth@parklandco.com

INTRODUCTION

This inspection was made to verify trees that meet Specimen Tree criteria and/or meet the criteria for an Arborist Report as outlined in the <Unrelated Table> municipal code.

METHODOLOGY

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request. All tree sizes were measure as DBH (Diameter at Breast Height, 4.5 feet above soil level).

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees, including boundary trees within 30 feet outside of the parcel limits and potential 'Trees of Character.' Boundary trees can only be inspected from the subject parcel, unless written permission is given by the neighboring parcel owner. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

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:

30-inch DBH or larger for trees in the Pinus genus
30-inch diameter or larger for trees in the Sweetgum or Tulip poplar genus
20-inch DBH or larger for trees in the Cedrus, Thuja, or other ecologically similar trees
20-inch diameter or larger for trees in the Beech, Nyssa, Persimmon, Sassafras, or other ecologically similar trees
20-inch diameter or larger for Magnolia grandiflora and those cultivars that generally reach a mature height over 40'
24-inch DBH or larger for trees in all other genera
10-inch DBH or larger for Sourwood
Understory Trees: 8-inch DBH diameter or largert

DEFINITIONS OF TREE HEALTH

GOOD - Few if any pathological problems exist; canopy is full, leaf density is above average, and live crown ratio is generally 50% or greater

FAIR - vigor is reasonable but a minor pathological problem may exist; leaf density is average; live crown ratio may be less than 50%. Most urban trees fall in this category.

POOR - vigor is waning, some dieback may be present, leaf density is below average; a significant pathological problem may be present; decay may exist within vital structures.

DECLINING - vigor is terminal, dieback is developing or is inevitable; tree has a limited life expectancy of less than 5 years.

Tree 201

Status: **Not Specimen**

Species 9" Dogwood, flowering, *Cornus florida*

Health/Vigor: Fair, Dead top, limited life expectancy

Structure: Single,

Other notes: Does not meet condition criteria



Tree 202

Status: **Specimen**

Species 12/10/9" Cherry, Yoshino, *Prunus × yedoensis*

Health/Vigor: Fair, Early defoliation; typical shot hole disease in leaves; overall vigor is average

Structure: Single,

Other notes:



Tree 203

Status: **Specimen**

Species 30" Oak, water, *Quercus nigra*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 204

Status: **Specimen**

Species 28" Oak, water, *Quercus nigra*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 205

Status: **Specimen**

Species 27" Oak, water, *Quercus nigra*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 206

Status: **Specimen**

Species 37" Oak, cherrybark, *Quercus pagoda*

Health/Vigor: Good, No significant problems identified; Compacted soil

Structure: Single, No significant problems identified

Other notes:



Tree 207

Status: **Specimen**

Species 48" Oak, cherrybark, *Quercus pagoda*

Health/Vigor: Fair, Multiple large dead branches scattered throughout canopy; not problematic; small regions of bacterial infection at base

Structure: Asymmetric,



Tree 208

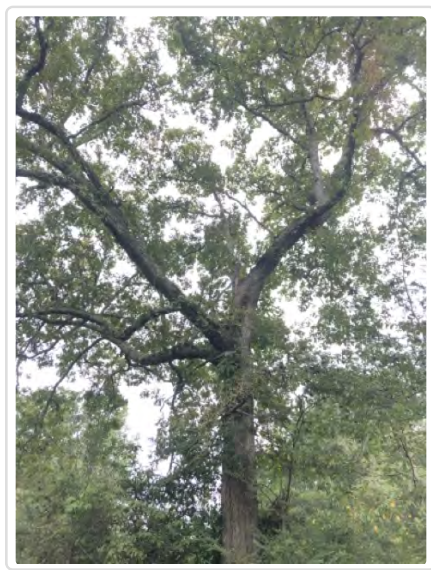
Status: **Specimen**

Species 32" Oak, post, *Quercus stellata*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 209

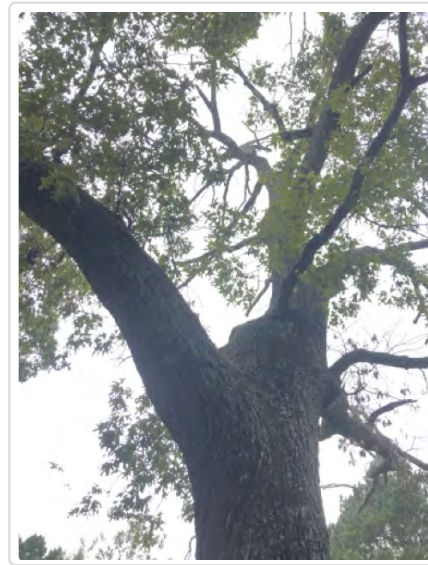
Status: **Not Specimen**

Species 41" Oak, red, *Quercus* spp.

Health/Vigor: Declining, catastrophic canopy decline; saprot of trunk >50%

Structure: Single,

Other notes: Does not meet condition criteria



Tree 210

Status: **Specimen**

Species 33" Oak, post, *Quercus stellata*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 211

Status: **Specimen**

Species 32" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 212

Status: **Not Specimen**

Species 34" Oak, Southern red, *Quercus falcata*

Health/Vigor: Poor,

Structure: Multiple trunks,

Other notes:



Tree 213

Status: **Specimen**

Species 25" Oak, water, *Quercus nigra*

Health/Vigor: Fair, Broken, hanging limb from storm damage; no other significant problems; compacted gravel soil

Structure: Single,



Tree 214

Status: **Specimen**

Species 9" Dogwood, flowering, *Cornus florida*

Health/Vigor: Good, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 215

Status: **Specimen**

Species 30" Pine, loblolly, *Pinus taeda*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 216

Status: **Specimen**

Species 25" Maple, red, *Acer rubrum*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 217

Status: **Specimen**

Species 28" Maple, red, *Acer rubrum*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 218

Status: **Specimen**

Species 23" Magnolia, southern, *Magnolia grandiflora*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 219

Status: **Specimen**

Species 25" Oak, post, *Quercus stellata*

Health/Vigor: Fair, No significant problems identified

Structure: Single, Small defect in root crown (photo 2)

Other notes:



Tree 220

Status: **Not Specimen**

Species 9" Dogwood, flowering, *Cornus florida*

Health/Vigor: Declining, dieback of canopy

Structure: Single,

Other notes: Does not meet condition criteria



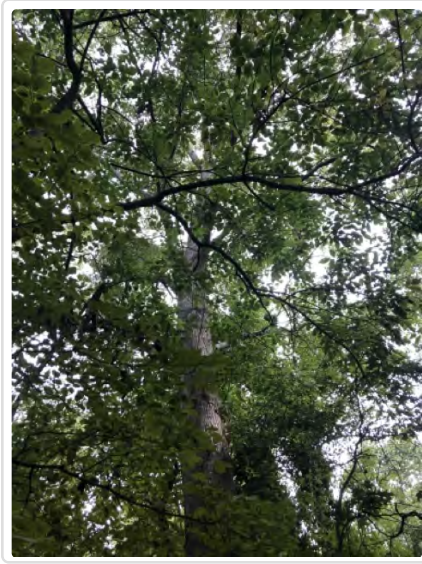
Tree 221

Status: **Specimen**

Species 29" Oak, scarlet, *Quercus coccinea*

Health/Vigor: Fair, No significant problems identified; Initial stages of Scarlet Oak saprot complex, not yet problematic, tree still meets life expectancy

Structure: Single, No significant problems identified



Tree 222

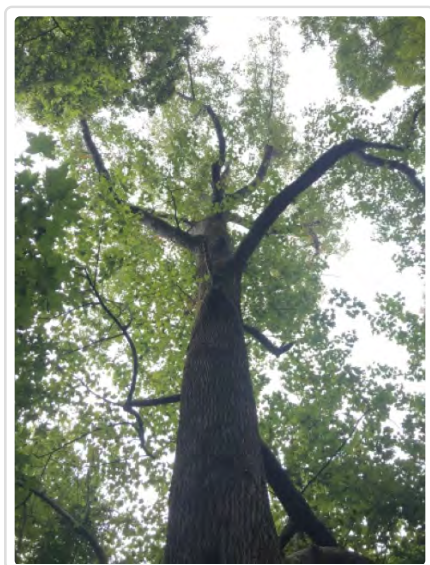
Status: **Specimen**

Species 34" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Fair, No significant problems identified

Structure: Single,

Other notes:



Tree 223

Status: **Specimen**

Species 10" Dogwood, flowering, *Cornus florida*

Health/Vigor: Fair, Some dead branches, typical for a dogwood of this age

Structure: Single, No significant problems identified

Other notes:



Tree 224

Status: **Specimen**

Species 33" Pine, loblolly, *Pinus taeda*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 225

Status: **Specimen**

Species 31" Oak, post, *Quercus stellata*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 226

Status: **Specimen**

Species 29" Oak, post, *Quercus stellata*

Health/Vigor: Good, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 227

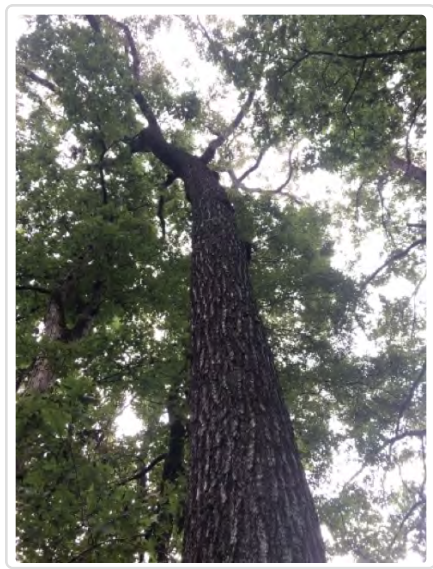
Status: **Specimen**

Species 32" Oak, Southern red, *Quercus falcata*

Health/Vigor: Good, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 228

Status: **Specimen**

Species 26" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified;

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 229

Status: **Specimen**

Species 24" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, Moderate lean to east; likely dependent on tree #230

Other notes:



Tree 230

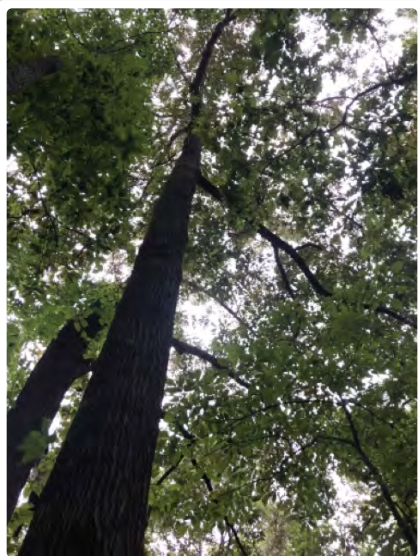
Status: **Not Specimen**

Species 22" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified; Likely dependent on tree #229

Other notes: Does not meet size criteria (listed due to possible dependency)



Tree 231

Status: **Specimen**

Species 24" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified; arched trunk

Other notes:



Tree 232

Status: **Specimen**

Species 26" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 233

Status: **Specimen**

Species 26" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 234

Status: **Specimen**

Species 27" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, Slight lean to South, approximately 5°

Other notes:



Tree 235

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 236

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 237

Status: **Specimen**

Species 29" Hickory, pignut, *Carya glabra*

Health/Vigor: Good, No significant problems identified; Burl on lower trunk,

Structure: Single, No significant problems identified

Other notes:



Tree 238

Status: **Specimen**

Species 24" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 239

Status: **Specimen**

Species 27" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified; Barbed wire in bedded in trunk, some decay of buttress system on north side of of trunk

Structure: Single, No significant problems identified



Tree 240

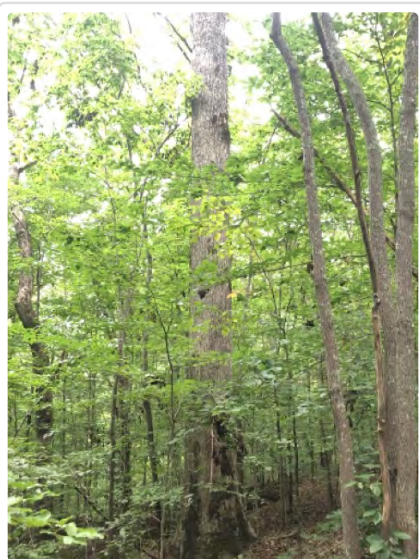
Status: **Specimen**

Species 32" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 241

Status: **Specimen**

Species 27" Oak, post, *Quercus stellata*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:

Tree 242

Status: **Not Specimen**

Species 15" Sourwood, *Oxydendron arborea*

Health/Vigor: Poor, Large, decaying burl on trunk, bacterial wetwood symptoms; route on tension side of lean is completely decayed and lifting from soil

Structure: Asymmetric,



Tree 243

Status: **Specimen**

Species 27" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 244

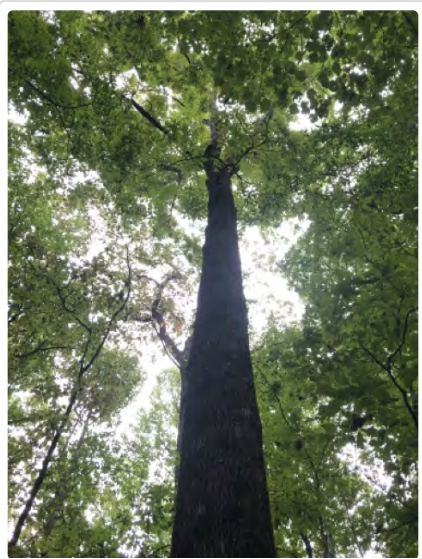
Status: **Specimen**

Species 24" Hickory, pignut, *Carya glabra*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 245

Status: **Not Specimen**

Species 30" Oak, scarlet, *Quercus coccinea*

Health/Vigor: Poor, Likely decay between stems, included bark

Structure: Dependent co-Unit,

Other notes: Does not meet condition criteria



Tree 246

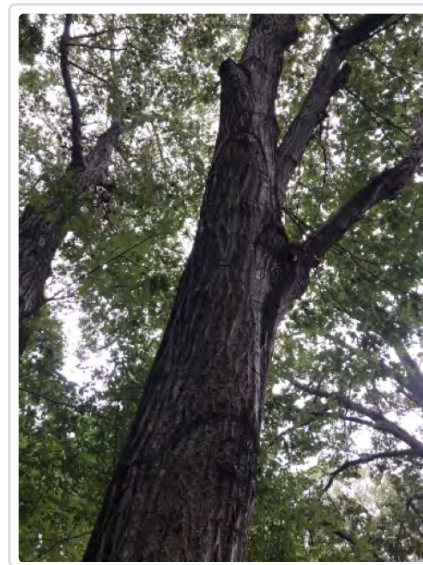
Status: **Not Specimen**

Species 33" Oak, scarlet, *Quercus coccinea*

Health/Vigor: Poor, Likely decay between stems, included bark

Structure: Dependent co-Unit,

Other notes: Does not meet condition criteria



Tree 247

Status: **Specimen**

Species 27" Oak, post, *Quercus stellata*

Health/Vigor: Fair, Leaf density is below average

Structure: Single, No significant problems identified

Other notes:



Tree 248

Status: **Tree of Quality**

Species 13" Pecan, *Carya illinoensis*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 249

Status: **Specimen**

Species 30" Oak, white, *Quercus alba*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 250

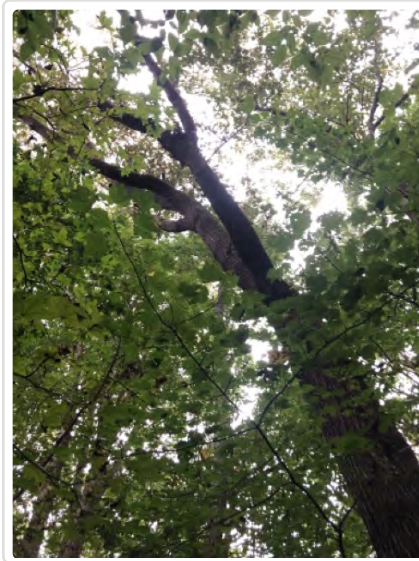
Status: **Not Specimen**

Species 28" Oak, Southern red, *Quercus falcata*

Health/Vigor: Poor, Dieback in lower canopy; chronic orange striped oak worm infestation in late Summer

Structure: Asymmetric, 28° lean across arc of trunk

Other notes: Does not meet condition criteria based on life expectancy 10 years or less



Tree 251

Status: **Specimen**

Species 31" Beech, American, *Fagus grandifolia*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 252

Status: **Specimen**

Species 28" Oak, No red, *Quercus rubra*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 253

Status: **Specimen**

Species 33" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 254

Status: **Not Specimen**

Species 30" Oak, white, *Quercus alba*

Health/Vigor: Poor, Significant bark inclusion, decay between stems is likely

Structure: Multiple trunks,

Other notes: Does not meet condition criteria



Tree 255

Status: **Specimen**

Species 32" Sweetgum, *Liquidambar styraciflua*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 256

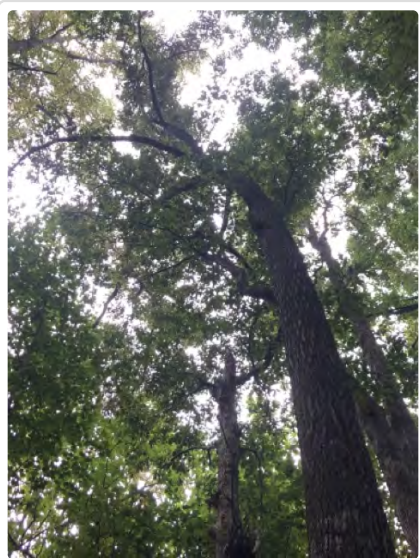
Status: **Specimen**

Species 24" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 257

Status: **Specimen**

Species 31" Oak, No red, *Quercus rubra*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 258

Status: **Specimen**

Species 27" Oak, No red, *Quercus rubra*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 259

Status: **Specimen**

Species 30" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Single, History of root crown disturbance

Other notes:



Tree 260

Status: **Specimen**

Species 36" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified; Pasture fence wrapped around portion of lower trunk

Structure: Single, No significant problems identified

Other notes:



Tree 261

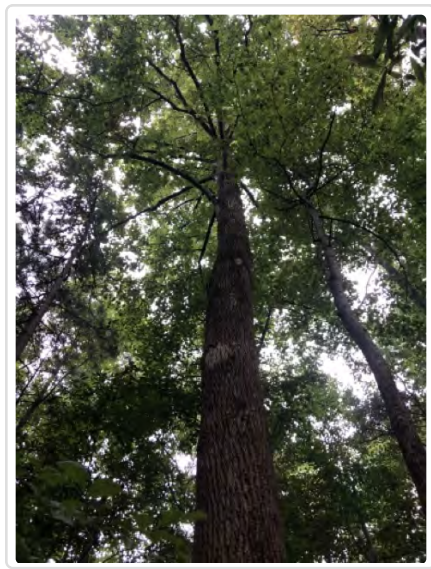
Status: **Specimen**

Species 30" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 262

Status: **Not Specimen**

Species 31" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Poor,

Structure: Bifurcated, Acute stem angle; bark inclusion and associated decay is likely

Other notes: Does not meet condition criteria



Tree 263

Status: **Specimen**

Species 30" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 264

Status: **Specimen**

Species 33" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 265

Status: **Specimen**

Species 31" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 266

Status: **Specimen**

Species 24" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 267

Status: **Specimen**

Species 25" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 268

Status: **Specimen**

Species 38" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified; Leaf density is below average

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 269

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 270

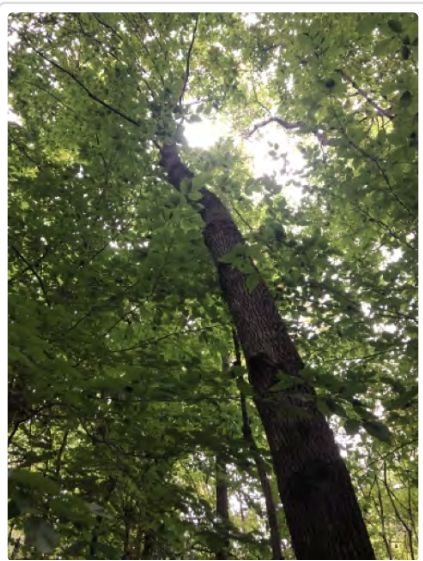
Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 271

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified; Small trunk defect identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 272

Status: **Not Specimen**

Species 36" Oak, No red, *Quercus rubra*

Health/Vigor: Poor, decay appears to be developing on tension side of lean of buttress (photo 2 & 3)

Structure: Asymmetric, 12° lean to the South

Other notes: Does not meet condition criteria



Tree 273

Status: **Specimen**

Species 14" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 274

Status: **Not Specimen**

Species 12" Dogwood, flowering, *Cornus florida*

Health/Vigor: Poor, Dieback of canopy, one stem is dead

Structure: Multiple trunks,

Other notes: Does not meet condition criteria



Tree 275

Status: **Specimen**

Species 37" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 276

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 277

Status: **Specimen**

Species 13" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 278

Status: **Specimen**

Species 13" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 279

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 280

Status: **Specimen**

Species 10" Dogwood, flowering, *Cornus florida*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 281

Status: **Not Specimen**

Species 26" Hickory, pignut, *Carya glabra*

Health/Vigor: Poor, Two major radial fractures forming perpendicular to tension side of lean (photos 2 & 3)

Structure: Active failure,

Other notes: Does not meet condition criteria



Tree 282

Status: **Specimen**

Species 26" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 283

Status: **Not Specimen**

Species 35" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, Secondary stem appears to be a lignotuberous shoot; main trunk is 25" DBH

Other notes:



Tree 284

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 285

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 286

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 287

Status: **Not Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Poor,

Structure: Asymmetric, Root crown is exposed from previous failure

Other notes: Does not meet condition criteria



Tree 288

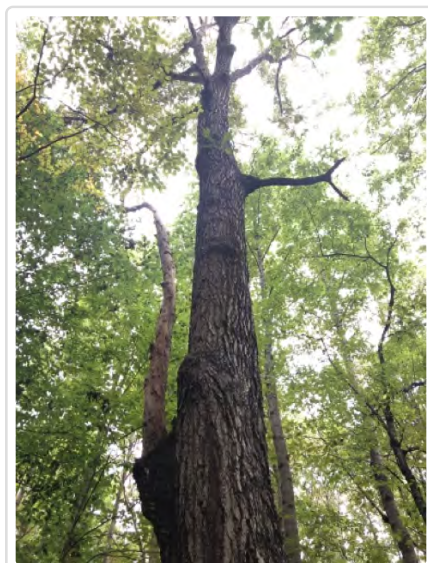
Status: **Specimen**

Species 24" Oak, Southern red, *Quercus falcata*

Health/Vigor: Fair, No significant problems identified; large dead limb in lower canopy

Structure: Single, No significant problems identified

Other notes:



Tree 289

Status: **Specimen**

Species 13" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 290

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 291

Status: **Specimen**

Species 31" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 292

Status: **Not Specimen**

Species 40" Oak, white, *Quercus alba*

Health/Vigor: Poor, Hollow trunk; open cavity in region of trunk splits

Structure: Trifurcated ,

Other notes: Does not meet condition criteria



Tree 293

Status: **Specimen**

Species 34" Tuliptree, *Liriodendron tulipifera*

Health/Vigor: Good, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 294

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 295

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 296

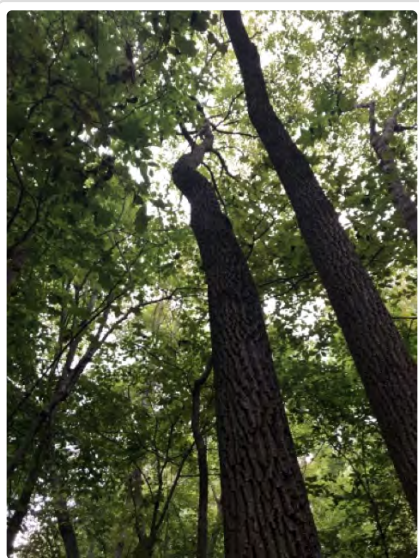
Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 297

Status: **Specimen**

Species 12" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 298

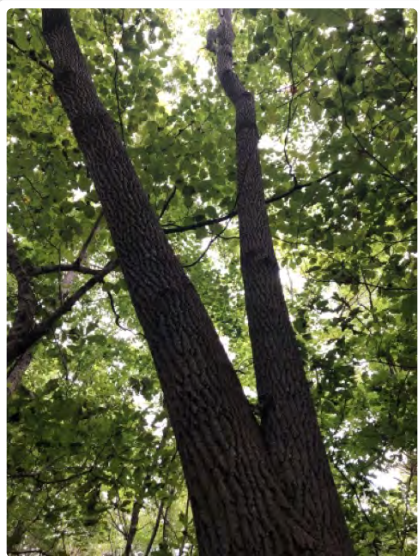
Status: **Specimen**

Species 14" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 299

Status: **Specimen**

Species 16" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 300

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 301

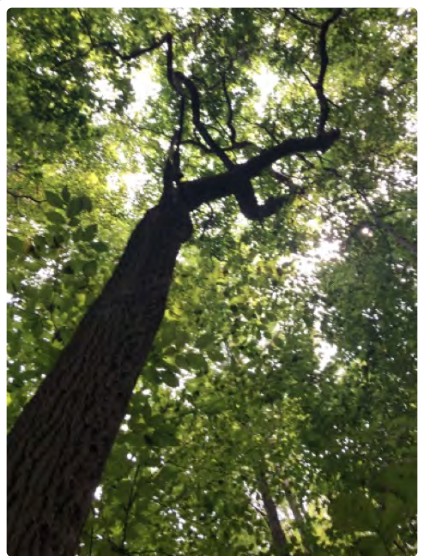
Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 302

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:

Tree 303

Status: **Specimen**

Species 29" Oak, white, *Quercus alba*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 304

Status: **Not Specimen**

Species 42" Oak, white, *Quercus alba*

Health/Vigor: Poor,

Structure: Asymmetric,

Other notes: Does not meet condition criteria



Tree 305

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 306

Status: **Specimen**

Species 13" Sourwood, *Oxydendron arborea*

Health/Vigor: Good, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 307

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Multiple trunks, No significant problems identified

Other notes:



Tree 308

Status: **Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Asymmetric, No significant problems identified

Other notes:



Tree 309

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Single, No significant problems identified

Other notes:



Tree 310

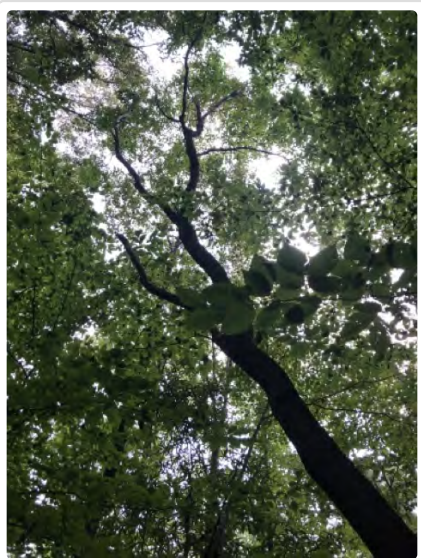
Status: **Not Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Poor, Column of decay suspected in trunk, low foliage density

Structure: Asymmetric, No significant problems identified

Other notes: Does not meet condition criteria



Tree 311

Status: **Not Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Poor, saprot of trunk; bark delamination

Structure: Asymmetric,

Other notes: Does not meet condition criteria



Tree 312A

Status: **Specimen**

Species 11" Sourwood, *Oxydendron arborea*

Health/Vigor: Fair, No significant problems identified

Structure: Bifurcated, No significant problems identified

Other notes:



Tree 313

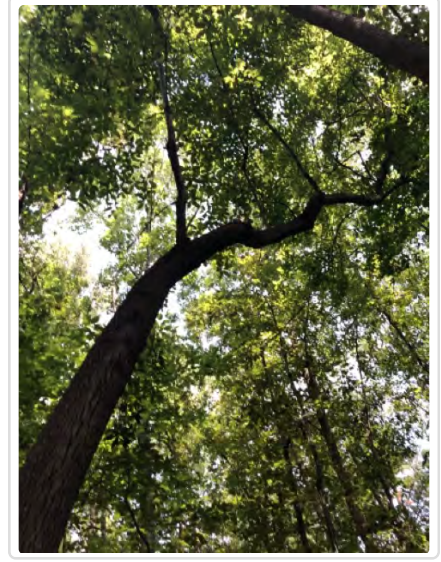
Status: **Not Specimen**

Species 10" Sourwood, *Oxydendron arborea*

Health/Vigor: Poor, Decay of trunk; delaminated bark

Structure: Asymmetric,

Other notes: Does not meet condition criteria



Summary

Total Specimen trees identified: 91

Additional Recommendations

LIMITATIONS

This report is not meant to override any determination by Alpharetta regarding the status of Specimen trees. Additional tree information may be required by the City once the Specimen Tree Report is submitted to Alpharetta, including but not limited to: Trees of Character, Level III assessments, site meetings with the Municipal arborist, and any Tree Maintenance Plan preparation.

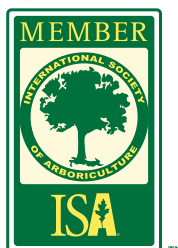
Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed. Clients may choose to accept or disregard the recommendations of the arborists, or to seek additional advice. This inspection was made without the expectation of a particular result.

Certification

Date Certified: 9/15.21

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

Jesse Milton
ISA #SO-1170B



END OF SECTION



CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: April 29, 2024

AGENDA ITEM: CLUP-24-01/Z-24-04/V-24-04 UPPER HEMBREE TRACT/EMPIRE COMMUNITIES

The applicant, Empire Communities, is requesting a comprehensive land use plan amendment, rezoning and variance to allow for the construction of 149 'For-Sale' single-family detached homes on 19.32 acres. The applicant requests a comprehensive land use plan amendment from 'Commercial' to 'High Density Residential' and a rezoning from PSC (Planned Shopping Center) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential). Variances are requested to reduce undisturbed buffers, lot width, and building/lot coverage. The subject property is located at 1180 Upper Hembree Road south of the intersection at Upper Hembree Road and Harris Road.

This item was considered at the March 7, 2024 Planning Commission meeting. There were three (3) public comments in support including the following comments: safety during demolition, dog park should be fenced, on-street parking, need more housing, property should be developed as mixed-use, identify tree saves, and can existing intersection handle traffic. After discussion, Planning Commission recommended approval subject to staff's recommended conditions. Vote 6-0

UPDATE: This item was deferred at the March 25th City Council meeting. Council concerns included guest parking, density, playground for children, and changing the future land use designation of the property. In response, the applicant revised the site plan resulting in the following changes: increase the number of guest parking spaces from 36 to 66, decrease the number of dwelling units from 149 to 147, addition of a playground area, removal of the one-way street paralleling Upper Hembree Road, and change the secondary access from a gated fire/emergency access only to a right-in and right-out.

STAFF RECOMMENDATION:

Approve CLUP-24-01/Z-24-04/V-24-04 Upper Hembree Tract/Empire Communities, subject to the following conditions:

1. The 19.32-acre property shall be zoned 'R-8A/D' and shall be developed substantially as depicted on the site plan prepared by PEC, revised 3/26/24, except for modifications required to comply with these conditions. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the property shall be 'High Density Residential'.
3. Maximum density shall not exceed 7.61 dwelling units per acre.
4. Minimum lot width shall be 31'.
5. Maximum building coverage shall not exceed 48% and impervious coverage shall not exceed 65%.
6. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A - Renderings, subject to final approval by Staff.
7. To screen rooftops, a landscape buffer shall be provided along Upper Hembree Road as depicted in the site plan prepared by PEC, revised 3/26/24, with final approval by Staff. Developer shall work with City Staff and Georgia Power to identify appropriate landscape screening material where the buffer area overlaps utility easements. Existing trees shall be preserved, where possible, and the remaining area planted to City buffer standards, with final approval by Staff.
8. Minimum 15' planted buffer shall be provided along the west property line and along the south property line adjacent to Hembree Forest. Minimum 20' planted buffer shall be provided along the east property line and along the south property line adjacent to non-residential use. Existing

trees shall be preserved, where possible, and the remaining area planted to City buffer standards, with final approval by Staff.

9. Developer shall enhance project entrance with a decorative planted median, decorative landscaping beds on each side of the entrance, and a unique monument or sculpture representative of the proposed community, as approved by Staff. Monument or sculpture shall be approved by the Cultural Arts Commission. Existing monument sign in the entrance median shall be removed.
10. Minimum 1.47 acres of open space shall be improved substantially as depicted on the plan prepared by PEC, revised 3/26/24. HOA shall be responsible for maintenance of all open space.
11. Privacy fences and unfinished wood decks shall not be visible from the public right-of-way.
12. Configuration of the secondary curb cut shall be determined at land disturbance permit, with final approval by Staff.
13. Internal streets shall have a 4' planter and 5' sidewalk on one side of the street (not including alleys), as approved by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets shall be private and maintained by the HOA.
14. Developer shall improve Upper Hembree Road streetscape with a min. 2' planter planted with a row of shrubs, 6' sidewalk, and street trees planted in the landscape area behind the sidewalk, as approved by Staff. Developer shall remove existing acceleration lane east of the existing entrance and incorporate the area into the Upper Hembree Road streetscape. HOA shall be responsible for the maintenance of the landscape material in the planter. Streetscape shall include decorative pedestrian lighting. Offsite improvements shall be eligible for impact fee credits.
15. Minimum 10' landscape strip shall be required along new internal streets as measured behind the sidewalk, except at side yard conditions on corner lots. The minimum 10' landscape strip shall not apply to alleys. Landscape strips and buffers shall be exclusive of utilities and easements except where necessary for utilities to cross landscape strips and buffers, with final approval by Staff. If Fulton County requires an unencumbered water line easement, shrubs shall replace trees on one side of the street.
16. Pedestrian amenities including sidewalks, lighting, and benches shall be included throughout the development and in amenity areas.
17. Developer shall save trees in the tree save area depicted on the site plan prepared by PEC, revised 3/26/24. In addition, developer shall save trees in the triangular area at the existing entrance to the property, except where the egress lane is being re-configured.
18. Developer shall implement the recommendations of the submitted traffic impact study, with final approval by Staff. Developer shall be responsible for any necessary intersection or signal improvements at Upper Hembree Road and Harris Road. Any such offsite improvements not triggered by the development shall be eligible for impact fee credits.
19. Stormwater management facility shall be screened as depicted on the site plan prepared by Kimley Horn, dated 3/1/24, with final approval by Staff. Smart stormwater design techniques shall be employed to address run-off reduction, as approved by Staff.
20. Per mutual agreement, developer shall provide a privacy fence and evergreen trees along the south property line adjacent to Hembree Forest while protecting trees in the tree save area.
21. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.

ITEM DESCRIPTION:

The submitted request, if approved, would allow for the development of 149 'For-Sale' single-family detached homes on 19.32 acres. The proposed density is 7.72 dwelling units per acre. The applicant requests a comprehensive land use plan amendment from 'Commercial' to 'High Density Residential' and a rezoning from PSC (Planned Shopping Center) to R-8A/D (Dwelling, 'For-Sale', Attached/Detached Residential). Variances are requested to reduce undisturbed buffers, lot width, and increase building/lot coverage. The subject property is located at 1180 Upper Hembree Road south of the intersection at Upper Hembree Road and Harris Road.

The property served as Harry's Farmers Market until 2014 before becoming the corporate offices and distribution center for Whole Foods. The existing building is approximately 145,000 square feet and the surface parking lot includes approximately 588 parking spaces. Surrounding properties are zoned O-I (Office-Institutional) to the west, C-1 (Neighborhood Commercial), R-15 (Dwelling, 'For-Sale', Residential), O-I, and O-P (Office-Professional) to the north, and City of Roswell to the south and east. Medical and professional offices are located to the west, single-family detached home, Spirit of God Church, and professional offices are located to the north, flex office/warehouse are located to the east and south, and Hembree Forest subdivision is located to the south. The comprehensive land use plan designation of the property is 'Commercial'. The applicant proposes to change the future land use designation to 'High Density Residential'.

The applicant's requested variances are outlined in the table below. Geography and layout are listed by the applicant as the challenges justifying the requested variances. In addition, the applicant states that the lot width reduction is needed in order to develop a detached product on the property.

Applicant's Requested Variances

UDC Section	Applicant's Request	Staff Comments
Subsection 2.2.9(D) R-8A/D District Regulations	Reduce minimum lot width from 50' to 31' and increase maximum building/lot coverage from 40% to 65%.	An alternative layout was provided depicting 150 townhome units in compliance with the min. lot width requirement. The impervious coverage of the property today is approximately 80%. The applicant proposes a maximum building coverage of 48% and maximum lot coverage of 65%.
Subsection 3.2.8(B) Buffer Requirements	Reduce 50' undisturbed buffer to a 15' planted buffer.	Non-residential uses abut the property to the east, south and west. Approx. 30' tree buffer provided on the property to the west and approx. 50' tree buffer provided on the property to the south. Buffer reductions have been supported at other 'For-Sale' subdivisions.

SITE PLAN

The submitted site plan depicts a 149-lot single-family detached subdivision with access from an existing signalized intersection at Upper Hembree Road and Harris Road. A 2nd curb cut is depicted at the northeast corner of the property but will be limited to fire and emergency access only and gated. Homes are proposed to be front- and rear-loaded, with 99 rear-loaded homes having a minimum lot size of 2,000 square feet and minimum lot width of 31' and 50 front-loaded homes having a minimum lot size of 4,500 square feet and minimum lot width of 38'. Homes around the perimeter of the property are proposed to be two (2) stories and the remaining homes will be three (3) stories. New internal streets and alleys will be private. Minimum building setbacks are provided below.

- Upper Hembree Road – 65'
- Side – 5'
- Rear – 20'
- Typical Lot Setbacks:
 - Front – 10'
 - Side – 0' (10' b/w homes)
 - Rear – 20' (no alley), 0' (alley)

Five-foot (5') sidewalks are depicted throughout the development, including a connection to the sidewalk along Upper Hembree Road. The sidewalk along Upper Hembree Road should be expanded to a minimum six feet (6'). A landscape buffer is depicted along Upper Hembree Road and fifteen-foot (15') replanted buffers are depicted along the east, west and south property lines.

Unified Development Code (UDC) Parking regulations require two (2) parking spaces for each single-family detached home, as well as a minimum ten-foot (10') by eighteen-foot (18') driveway for a total of 447 parking spaces. Each home has two (2) side-by-side parking spaces in a garage, as well as two (2) spaces in the code-compliant driveway, for a total of 596 parking spaces. An additional 36 guest parking spaces are provided throughout the development.

The site plan depicts approximately 4.9 acres of community space, including 1.47-acres of improved amenity space. Proposed community amenities include a pickleball court, dog park, pedestrian improvements, clubhouse and pool, community green, as well as several linear greenspaces fronted with homes.

Because the property is developed, there are not many opportunities to save trees. However, there are trees at the entrance to the property, as well as around the perimeter that could be saved. An existing stormwater pond on the south end of the property is proposed to be enlarged and heavily screened on all sides. The design of the existing stormwater pond does not allow the pond to be designed as an amenity for the proposed subdivision.

According to the applicant, homes will range in size from 1,600 to 2,600 square feet with prices starting in the \$600,000's. Renderings were provided by the applicant depicting two (2) and three (3) story homes with a Craftsman influence. Homes are depicted with a brick or stone 1st floor and siding, board and batten and/or shakes on the 2nd and 3rd floors. Homes are proposed to have a recessed or covered front entry and most homes have a recessed or covered porch on the 2nd floor.

TRAFFIC

The applicant provided a traffic impact study, including a trip generation report which estimates that the 149 single-family detached homes would generate 119 AM Peak Hour trips and 149 PM Peak Hour trips. According to the applicant, a grocery store would generate approximately 237 AM Peak Hour trips and 600 PM Peak Hour trips. Therefore, the proposal to allow a residential development would represent a significant reduction in vehicular trips on streets in the area.

			A.M. Peak (7 am to 9 am)			P.M. Peak (4 pm to 6 pm)		
Land Use (ITE Code)	Proposed Intensity	Daily Total	In	Out	Total	In	Out	Total
Single-Family Detached Housing (210)	149 Units	1,148	30	89	119	94	55	149

The traffic impact study analyzed the intersections at Pointe Place (unsignalized), Harris Road/Site Driveway, and Alpharetta Highway along Upper Hembree Road. The study concluded that the signalized intersections will operate at an overall level of service "C" or

better in both the AM and PM peak hours with the applicant's proposed development. The unsignalized intersection at Pointe Place will operate at a level-of-service "B" or better. The study recommends the following improvements at the site driveway:

- Full-access driveway should have one (1) entering and two (2) exiting lanes.
- Existing westbound left turn phase will not be warranted based on site traffic. It is recommended that westbound left movement be permissive only with flashing yellow arrow.
- Existing driveway configuration, which is not standard, is proposed to be used in the future. It is recommended that a redesign of the driveway be considered to provide a standard configuration with adequate throat depth.

SCHOOLS

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

FULTON COUNTY SCHOOLS – 149 Single-Family Detached Units

School	Single Family Average #
Hembree Springs Elementary School	16 to 69 students
Elkins Pointe Middle School	2 to 27 students
Milton High School	10 to 55 students
TOTAL	28 to 151 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 28 – 151 school age children. Numbers provided by Fulton County Schools show that Milton High School is currently over capacity.

COMPREHENSIVE LAND USE PLAN AMENDMENT REVIEW CRITERIA

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

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

Response: Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses.

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

Response: The applicant's proposal is supported by the following policies in the 2040 Comprehensive Plan:

- *Housing Policy 1: Promote and encourage residential densities and designs that ensure varied living areas and housing types.*
- *Housing Policy 2: Maintain a balance between 'owner-occupied' and 'renter-occupied' in Alpharetta such that at least 68% of the housing stock is 'owner-occupied'.*

- *Housing Policy 4: Design quality and long-term value into residential development to maintain appearance and property values.*
- *Housing Policy 5: Provide opportunities for people who work in Alpharetta to live in Alpharetta by monitoring the housing-to-jobs balance and promoting a variety of housing options, including housing types, design, and price-points.*
- *LU Policy 3: Guide development to areas where infrastructure is available concurrent with development.*
- *LU Policy 5: Require subdivision design that fosters a sense of community and promotes pedestrian mobility, community recreation and an abundance of public open space.*
- *LU Policy 7: Ensure context-sensitive infill and redevelopment.*

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

Response: The proposed change would not result in a significant demand on public facilities and services. Residential development on the property would generate fewer vehicular trips than a commercial use.

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

Response: The proposed change to the future land use designation would not negatively impact public health, safety and welfare of the residents in the area. Commercial development on the property would generate significantly more vehicular trips than the proposed residential use.

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

Response: Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses.

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

Response: Not applicable.

STANDARDS FOR ZONING CHANGES

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

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

Response: The property is currently approved for a grocery store, corporate office and accessory light industrial uses (storage and distribution), which is inconsistent with the character along Upper Hembree Road which transitions from medical offices to residential use. The R-8A/D zoning district has been approved at nearby subdivisions, including Bellsmith Regency on Upper Hembree Road and Harris Walk at the corner of Harris Road and Rucker Road.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties. Surrounding properties are developed with a mix of residential and commercial uses.

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

Response: The proposed development would not adversely impact the natural environment. The property is developed with a nearly 80% impervious coverage and there are not many opportunities to save trees. However, the applicant proposes to save trees at the entrance to the property, as well as along the perimeter of the property.

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

Response: The property is currently zoned PSC and allows a grocery store, corporate office, and accessory light industrial uses (storage and distribution) which is inconsistent with the transitional character of the area.

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

Response: The proposal would not cause an excessive burden on public facilities and services. The requested rezoning to allow a residential subdivision would increase demand on schools and parks but reduce impacts on streets and transportation facilities.

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

Response: Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses.

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

Response: The request should not negatively impact public health, safety or welfare. A residential subdivision on the subject property would generate significantly fewer vehicular trips than a commercial use.

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

Response: The property is currently zoned PSC and allows a grocery store, corporate office and accessory light industrial uses (storage and distribution) which is inconsistent with the transitional character of the area.

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

Response: The comprehensive land use plan designation of the property is 'Commercial', which requires an amendment to allow the proposed zoning and residential use.

VARIANCE REVIEW CRITERIA

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

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

Response: The property does not have exceptional conditions due to its size, shape or topography. However, the applicant provided a site plan demonstrating that at least 150 townhome units could be developed on the property. Therefore, the requested lot width reduction does not gain density and would allow for a detached product. The building/lot coverage variance would allow for the cottage-home aesthetic (detached homes on small lots) that the applicant desires for this community. The property, as it exists today, has an impervious coverage of approximately 80%. Also, the property is situated between non-residential and residential properties, which contributes to the variance request to reduce undisturbed buffers.

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

Response: Application of the ordinance would create an unnecessary hardship by forcing a townhome plan for the subject property.

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

Response: The property's geography, being located on a corridor that transitions from medical office to residential use, represents a peculiar condition adversely affecting its reasonable use as currently zoned. The applicant provided a site plan demonstrating that at least 150 townhome units could be developed on the property. Therefore, the requested lot width reduction does not gain density and would allow for a detached product. The building/lot coverage variance would allow for the cottage-home aesthetic (detached homes on small lots) that the applicant desires for this community. The property, as it exists today, has an impervious coverage of approximately 80%. Also, the property is situated between non-residential and residential properties, which contributes to the variance request to reduce undisturbed buffers.

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

Response: Relief, if granted, would not cause a substantial detriment to the public good. The property has peculiar conditions that support the requested variances.

CONCURRENCES

Staff has reviewed the applicant's proposal against the review criteria for a comprehensive land use plan amendment, rezoning and variance. The proposal to allow residential use is consistent with the character of the area which transitions from medical offices to residential uses. The requested R-8A/D zoning district has been approved at nearby subdivisions, including at Bellsmith Regency on Upper Hembree Road and Harris Walk at the corner of Harris Road and Rucker Road. Additionally, redevelopment of the property with a single-family detached subdivision would generate fewer vehicular trips on the surrounding roadway network.

The variance requests can be supported, given the geography of the property which transitions from medical office to residential use. The applicant demonstrated that a similar number of townhome units could be developed on the property. Therefore, the requested lot width reduction does not gain density and would allow for a detached product. The proposed building/lot coverage to allow the cottage-home aesthetic that the developer desires will result in a reduction in impervious area on the site. If approved, conditions are recommended requiring a landscape buffer along Upper Hembree Road and aesthetic improvements at the project entrance.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no public comments were received as a result of the public notice mailing. However, the applicant noted that questions were raised by the public at the CZIM regarding traffic and impacts to surrounding properties. The applicant committed to meeting with an adjacent residential neighbor, inspecting an existing fence along the south property line, and review stormwater outlets from the existing detention pond.

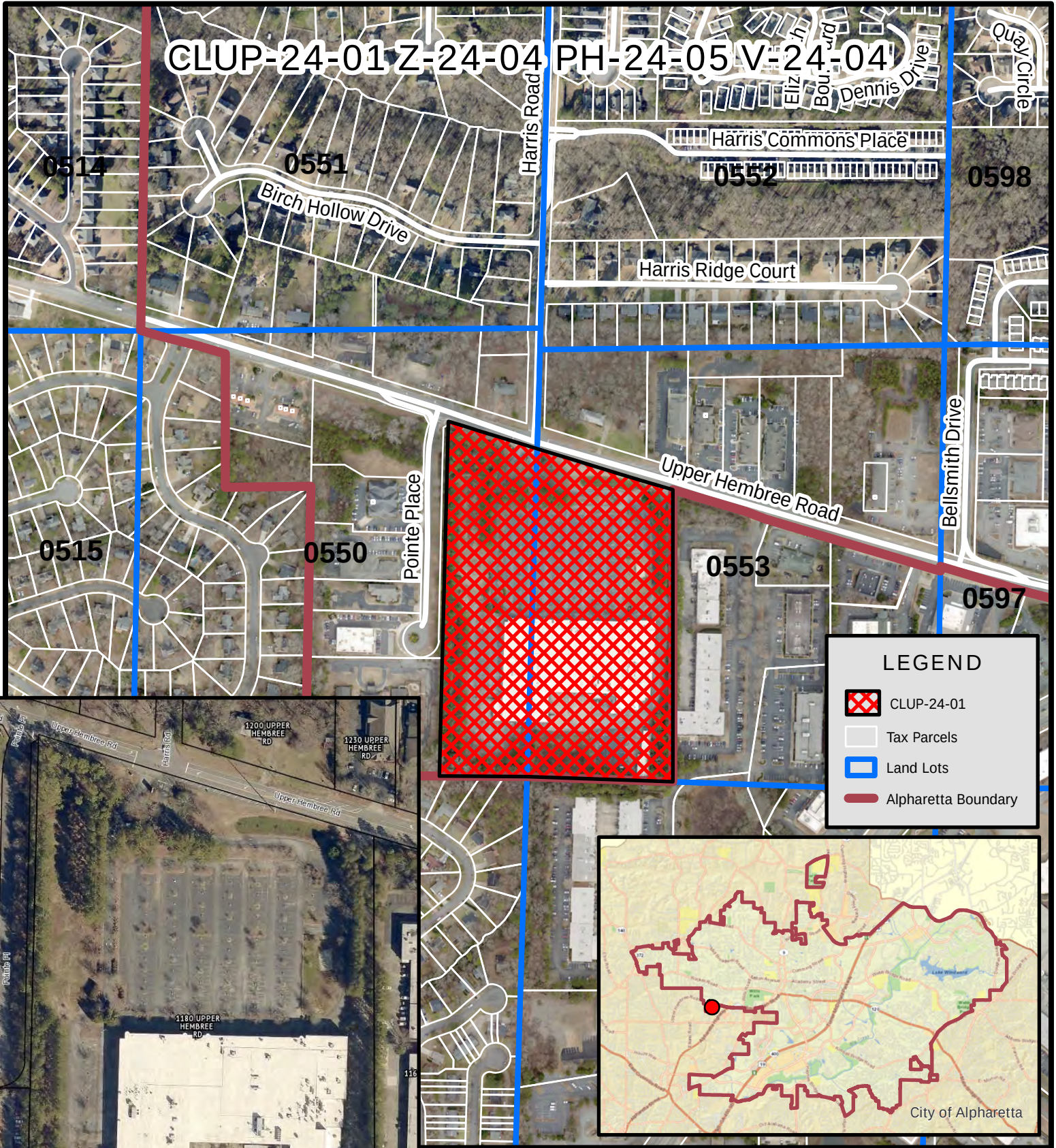
City Staff was contacted by a homeowner in Bellsmith Regency with concerns over traffic and density. The homeowner was placed in contact with the applicant.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on February 14, 2024. There were no public comments on the sign-in sheet.

ATTACHMENTS:
• Aerial Map • Zoning Map • Future Land Use Map • Location Map • Latest Site Plan • Exhibit A - Renderings • Concept Tree Plan • Buffer Exhibit • CZIM • Citizen Part B • Public Comment • Application

CLUP-24-01 Z-24-04 PH-24-05 V-24-04



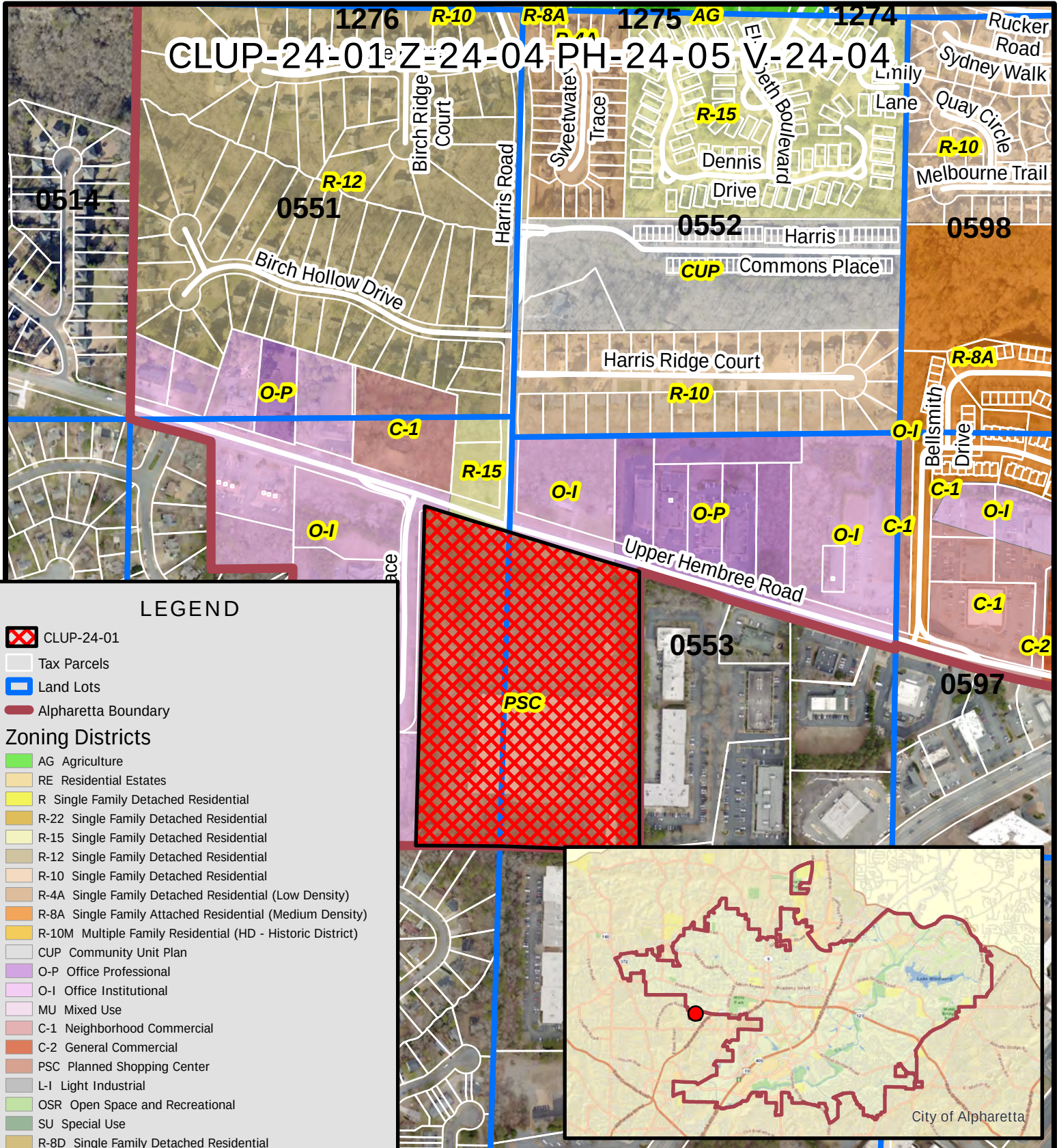
CLUP-24-01 Z-24-04
 PH-24-05 V-24-04
 D/LL: 1/2/550, 553
 PC: 3/07/24
 CC: 3/25/24

Aerial Map

Upper Hembree Road Tract
 1180 Upper Hembree Road

Location Map Provided by:
 Community Development - GIS
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CLUP-24-01 Z-24-04 PH-24-05 V-24-04



LEGEND

CLUP-24-01

Tax Parcels

Land Lots

Alpharetta Boundary

Zoning Districts

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

CLUP-24-01 Z-24-04

PH-24-05 V-24-04

D/LL: 1/2/550, 553

PC: 3/07/24

CC: 3/25/24

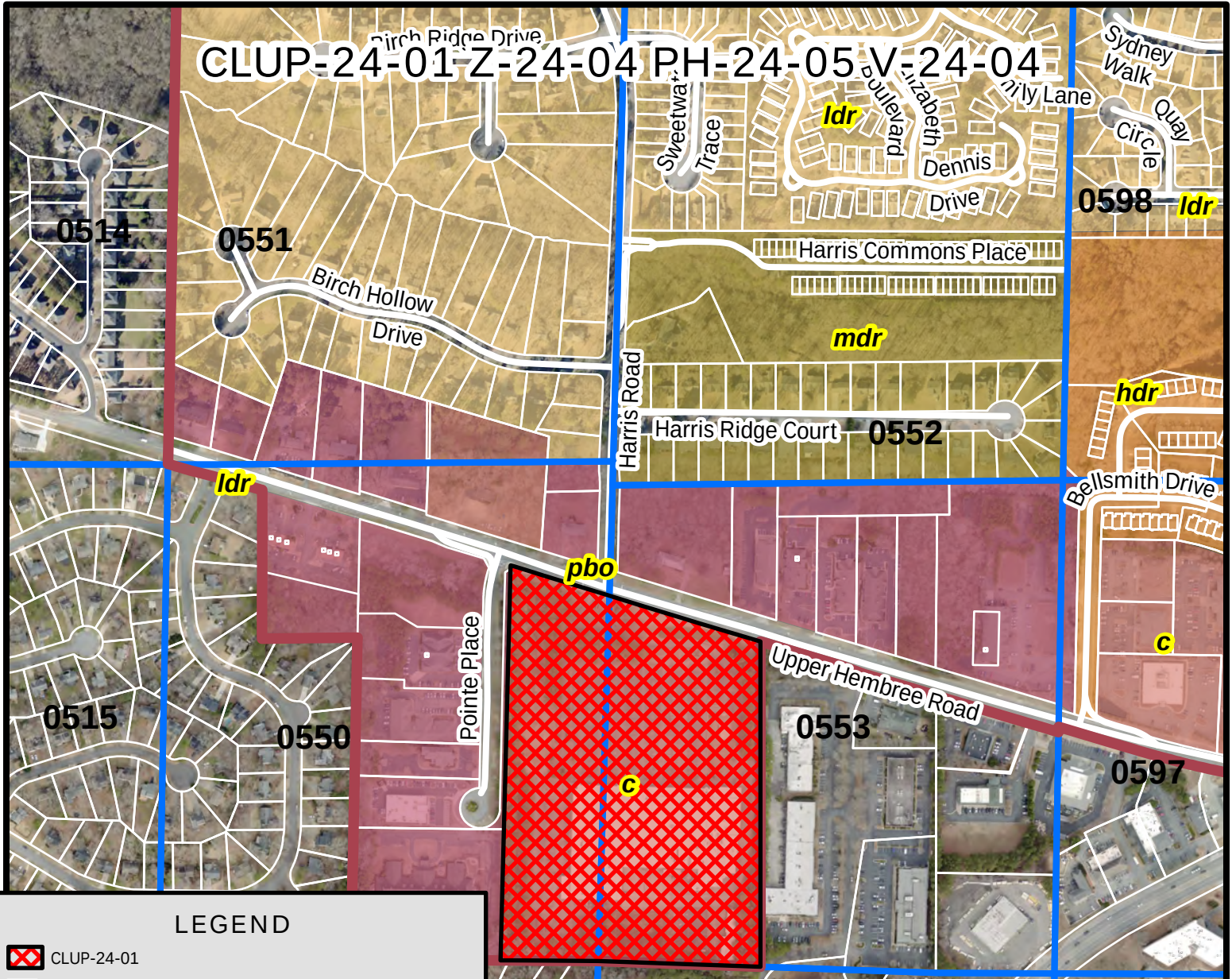
Zoning Map

Upper Hembree Road Tract

1180 Upper Hembree Road

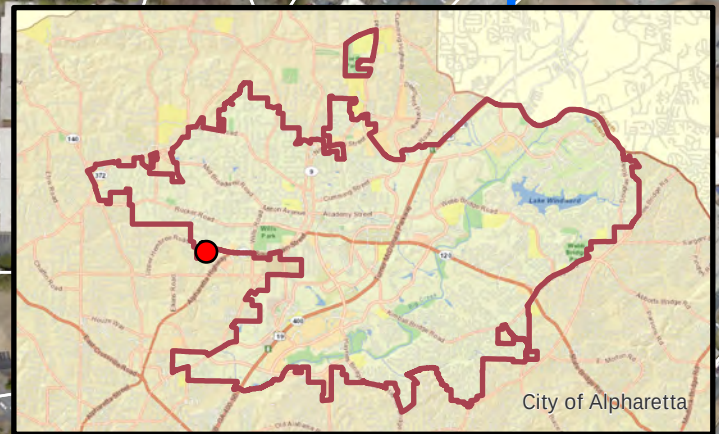


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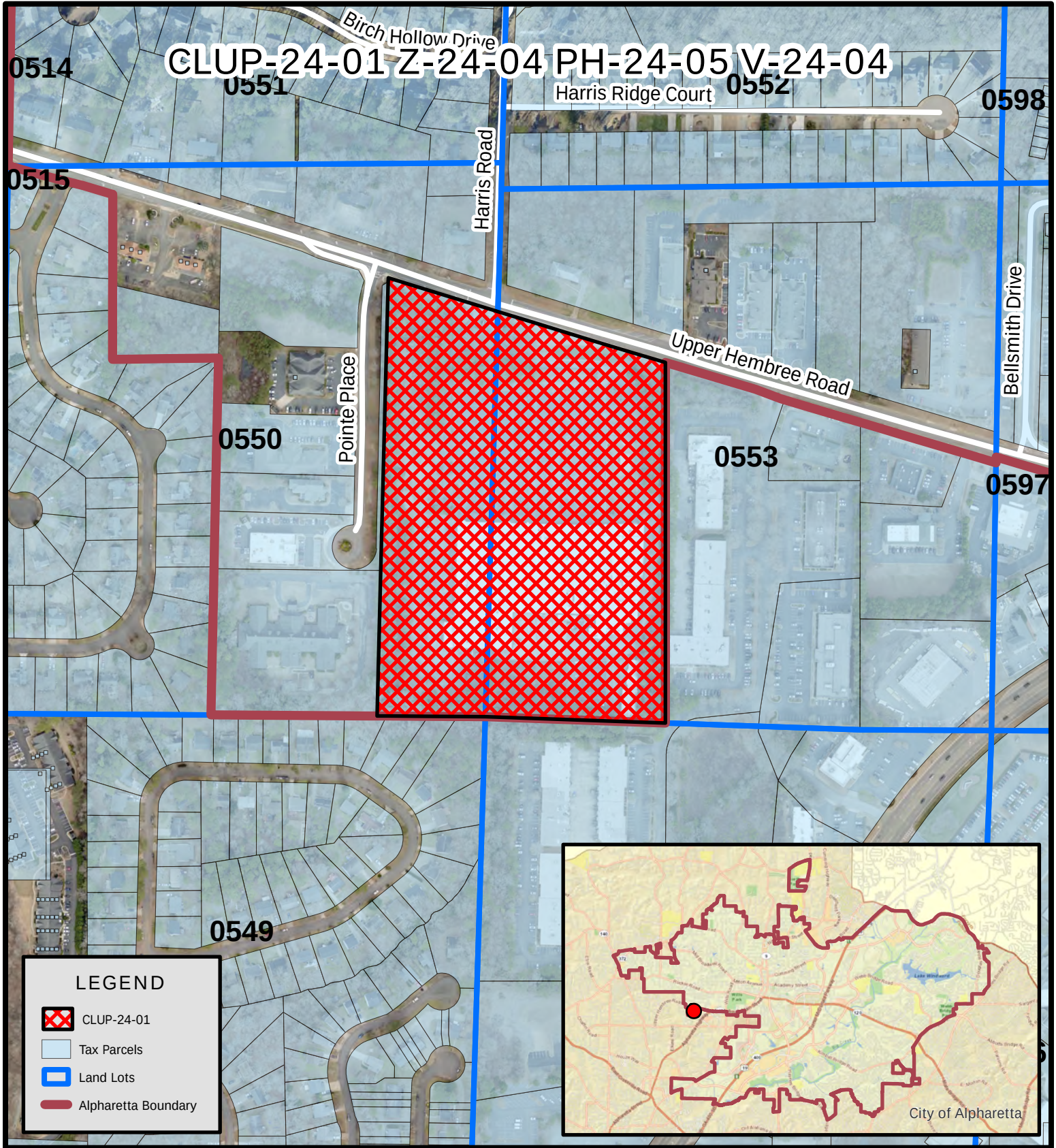


LEGEND

- CLUP-24-01
- Tax Parcels
- Land Lots
- Alpharetta Boundary
- 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



CLUP-24-01 Z-24-04
 PH-24-05 V-24-04
 D/LL: 1/2/550, 553
 PC: 3/07/24
 CC: 3/25/24



CLUP-24-01 Z-24-04 PH-24-05 V-24-04

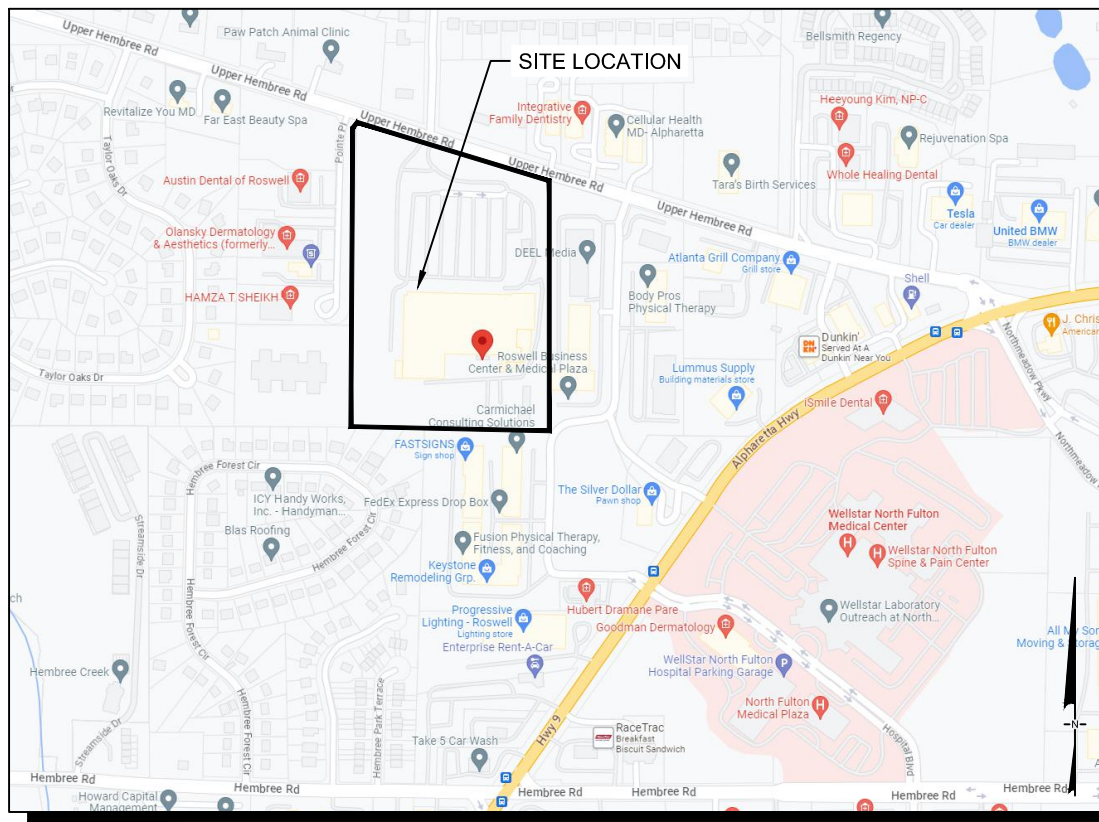
CLUP-24-01 Z-24-04
 PH-24-05 V-24-04
 D/LL: 1/2/550, 553
 PC: 3/07/24
 CC: 3/25/24

Location Map
 Upper Hembree Road Tract
 1180 Upper Hembree Road

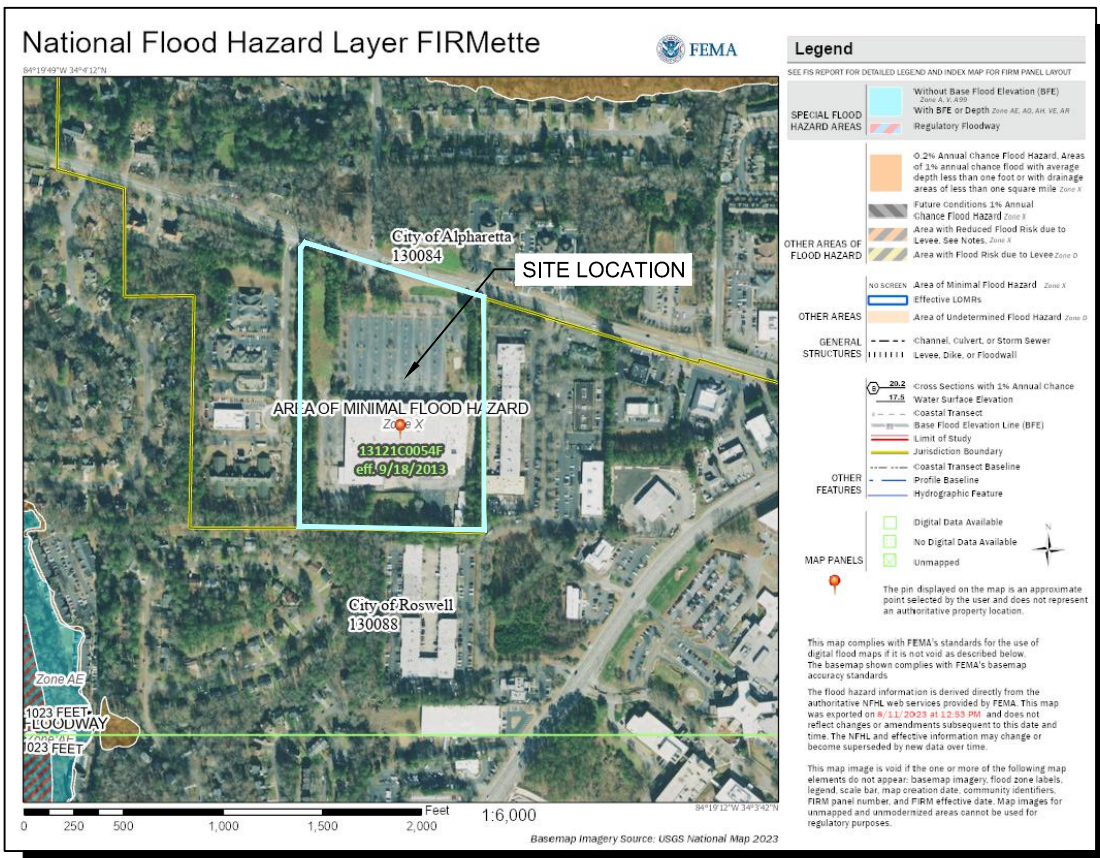
Location Map Provided by:
 Community Development - GIS
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SITE LOCATION MAP
NOT TO SCALE



FEMA FIRM MAP

VARIANCE REQUEST:

- SINGLE FAMILY DETACHED VARIANCES
 - INCREASE THE LOT COVERAGE FROM 40% TO 65% FOR IMPERVIOUS COVERAGE.
 - REDUCE THE MIN. LOT WIDTH FROM 50 FEET TO 31 FEET

ZONING NOTES:

- ALL SIDEWALKS SHOWN ARE FOR ILLUSTRATIVE PURPOSES. SIDEWALKS WILL BE DESIGNED AT LATER DATE TO HAVE DIFFERENT TYPES OF MATERIALS IN GREEN SPACE AREAS AND BE UNIQUE. (NOT ALL CONCRETE.)
- SECOND ENTRANCE IS TO BE FIRE ACCESS ONLY AND 20 FEET IN WIDTH.

SITE DATA:

SITE AREA	19.32 ACRES
ZONING	PSC
EXISTING ZONING	R-8/D
PROPOSED ZONING	CITY OF ALPHARETTA, GEORGIA
PROPERTY SETBACK/BUFFER REQUIREMENTS	
FRONT SETBACK	65 FEET
SIDE SETBACK FROM ADJACENT PROPERTY	5 FEET
REAR SETBACK	NOT SPECIFIED - 0 FEET

SINGLE FAMILY DETACHED LOT SETBACKS

FRONT YARD SETBACK	NOT SPECIFIED 0 FEET
SIDE YARD SETBACK	0 FEET
MAJOR SIDE YARD SETBACK	0 FEET
REAR YARD SETBACK	0 FEET W/ ALLEY/ 0 FEET WITHOUT ALLEY

DEVELOPMENT STANDARDS

MAX. HEIGHT OF BUILDINGS	35 FEET
MAX. PRINCIPAL BUILDING COVERAGE	65% IMPERVIOUS COVERAGE
MIN. FLOOR AREA PER DWELLING UNIT	1,200 SF

REAR LOADED CRITERIA	
REAR LOADED HOMES PROVIDED	98 UNITS
REAR LOADED HOME LOT SIZE MIN.	2,000 SF
REAR LOADED HOME LOT WIDTH MIN.	31 FEET
FRONT LOADED CRITERIA	
FRONT LOADED HOMES PROVIDED	49 UNITS
FRONT LOADED HOME LOT SIZE MIN.	2,500 SF
FRONT LOADED HOME LOT WIDTH MIN.	38 FEET

TOTAL RESIDENTIAL HOMES PROVIDED	147 UNITS
SITE DENSITY PROVIDED	7.60 DUA (147 UNITS/ 19.32 ACRES)
MAX DENSITY ALLOWED IN DISTRICT	8 UNITS PER ACRE

PARKING REQUIREMENTS

MIN. PARKING REQUIRED	294 SPACES (2 SP/ DWELLING UNIT)
GUEST PARKING REQUIRED	15SP/20 UNITS / 145 UNITS = 8 SPACES
GUEST PARKING PROVIDED	66 SPACES (0.45 sp/Unit)
HOME PARKING PROVIDED	588 SPACES (2 GARAGE + 2 DRIVEWAY SP.)
TOTAL PARKING PROVIDED	654 SPACES (4.45 SP/UNIT)

PARKING REQUIREMENTS

AMENITY SPACE PROVIDED	1.47 Ac. 7.8% (Includes Dog Park, Amenity, Courts)
GREEN SPACE TOTAL	3.43 Ac. 17.75% (Includes Pond)

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

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Planners & Engineers Collaborative+

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

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

UPPER HEMBREE RD.

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT

1180 UPPER HEMBREE ROAD
ALPHARETTA, GEORGIA 30076

CITY ALPHARETTA JURISDICTION

FOR

EMPIRE COMMUNITIES

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
-1	01/11/2024	kw	Plan Revision to Sidewalk
-2	02/29/2024	MLK	Plan Revision to Labels
-3	03/03/2024	MLK	Alley Updates
-4	03/22/2024	DH	Add Tree Save
-5	03/26/2024	DH	Revise Site/Add Pkg/Reduce Density

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

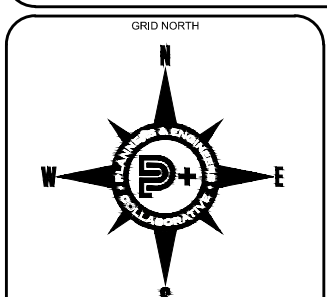


GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000058389 EXP. 10/28/2024

REZONING MASTER PLAN

0 25 50 100 150

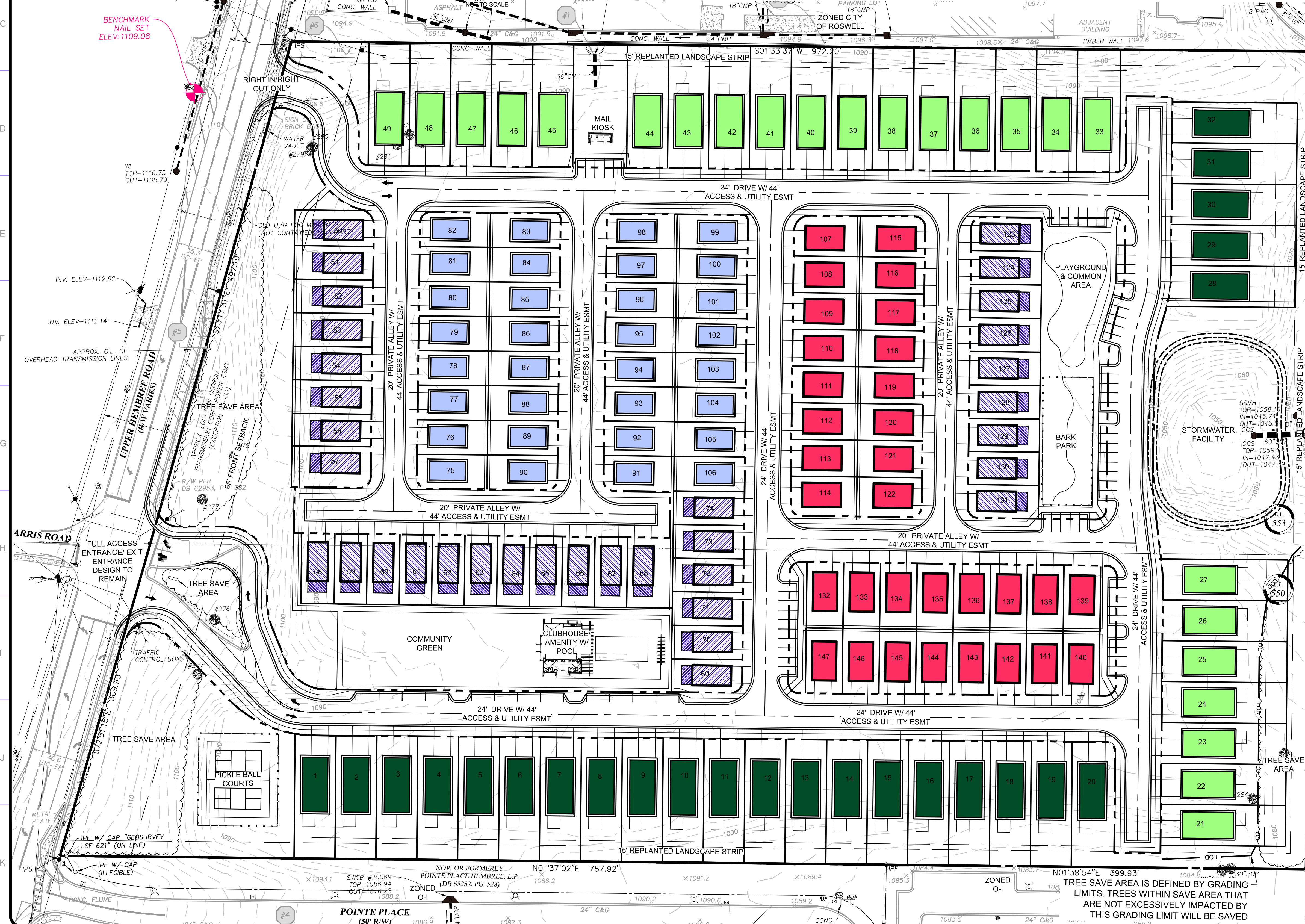
SCALE: 1" = 50'
DATE: 12/6/2023
PROJECT: 20167.00C



Z1
SHEET



24 HOUR CONTACT:
KELLEY RHINO



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FERNLEAF
Park





FERNLEAF
Park





FERNLEAF
Park



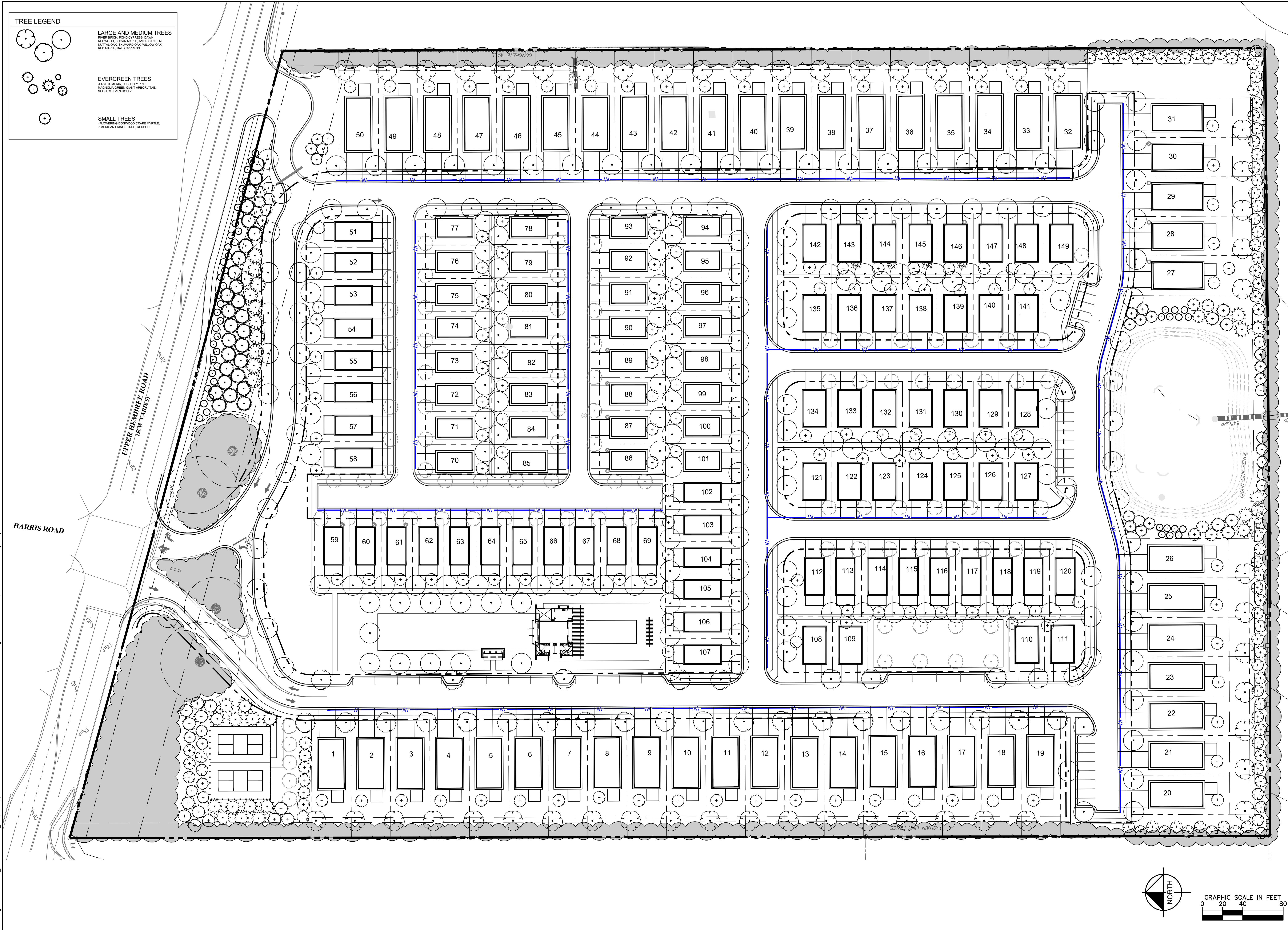
Exhibit A - Renderings



FERNLEAF
Park



Drawing name: K:\A.P. LAPI018754039_Empire Upper Hembree\CAD\PlanSheets\5-01 LANDSCAPE PLAN.dwg TP1.01 Mar 01, 2024 11:47am by: stephen.salvatierra



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EMPIRE COMMUNITIES

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ATLANTA, GA 30328
PHONE: 770.541.5250
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PROJECT

UPPER HEMBREE ROAD

1180 UPPER HEMBREE ROAD, ALPHARETTA, GA 30076

GSWCC NO.
(LEVEL II)

0000008170

DRAWN BY

SHS

DESIGNED BY

EHS/SHS

REVIEWED BY

EHS

DATE

03/01/2024

PROJECT NO.

018754039

TITLE

CONCEPT TREE PLAN

SHEET NUMBER

TP1.01

PREPARED BY

Kimley»Horn

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PHONE: 770.619-9280
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PRELIMINARY: NOT FOR CONSTRUCTION

Drawing name: K:\ALP_LAP\018754039_Empire Upper Hembree\CAD\PlanSheets\5-01 LANDSCAPE PLAN.dwg EXHIBIT 1 HOUSES Mar 01, 2024 11:47am by: stephen.salvatierra

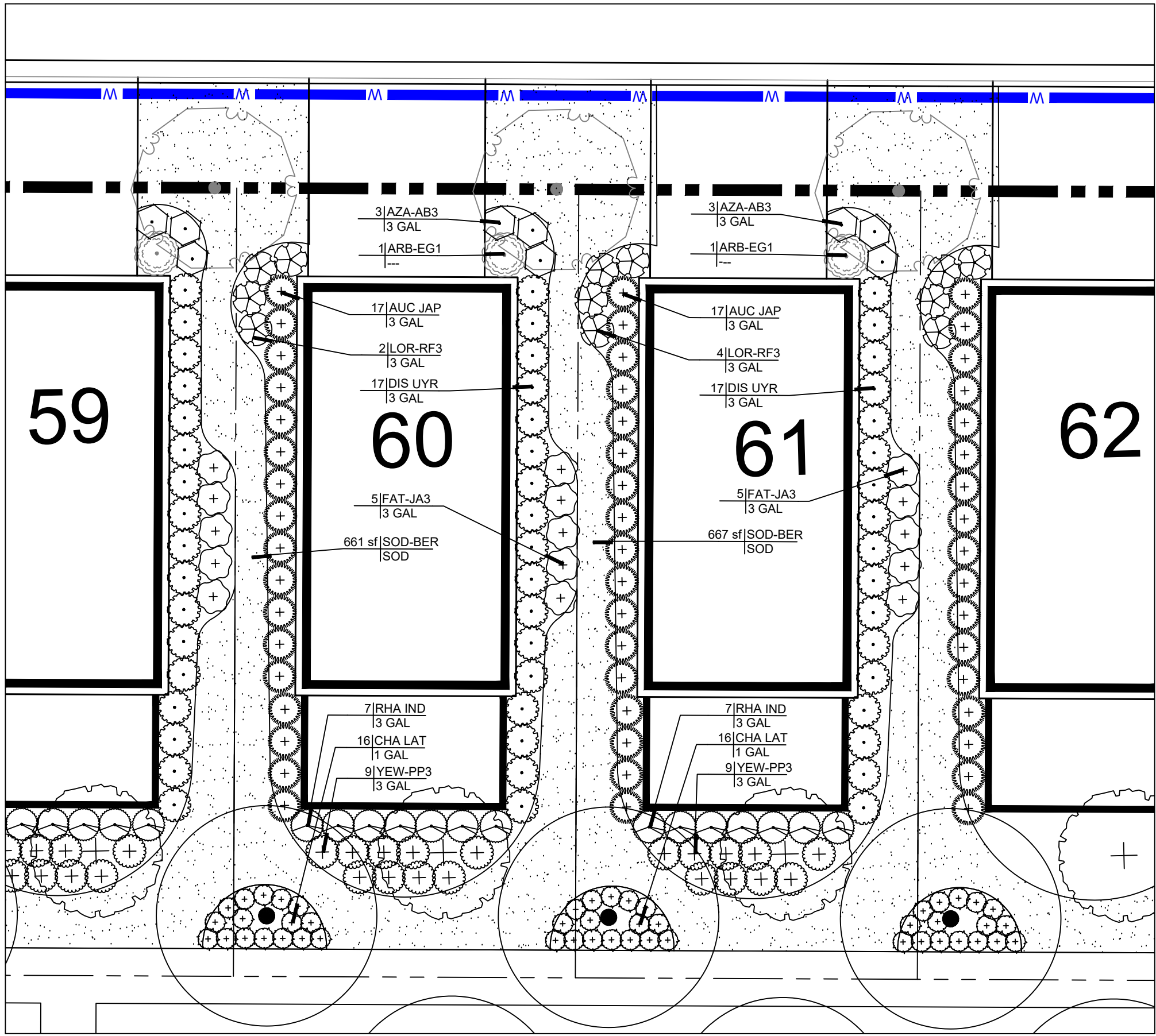


EXHIBIT B: COTTAGE HOME LANDSCAPE
SCALE: 1" = 10'

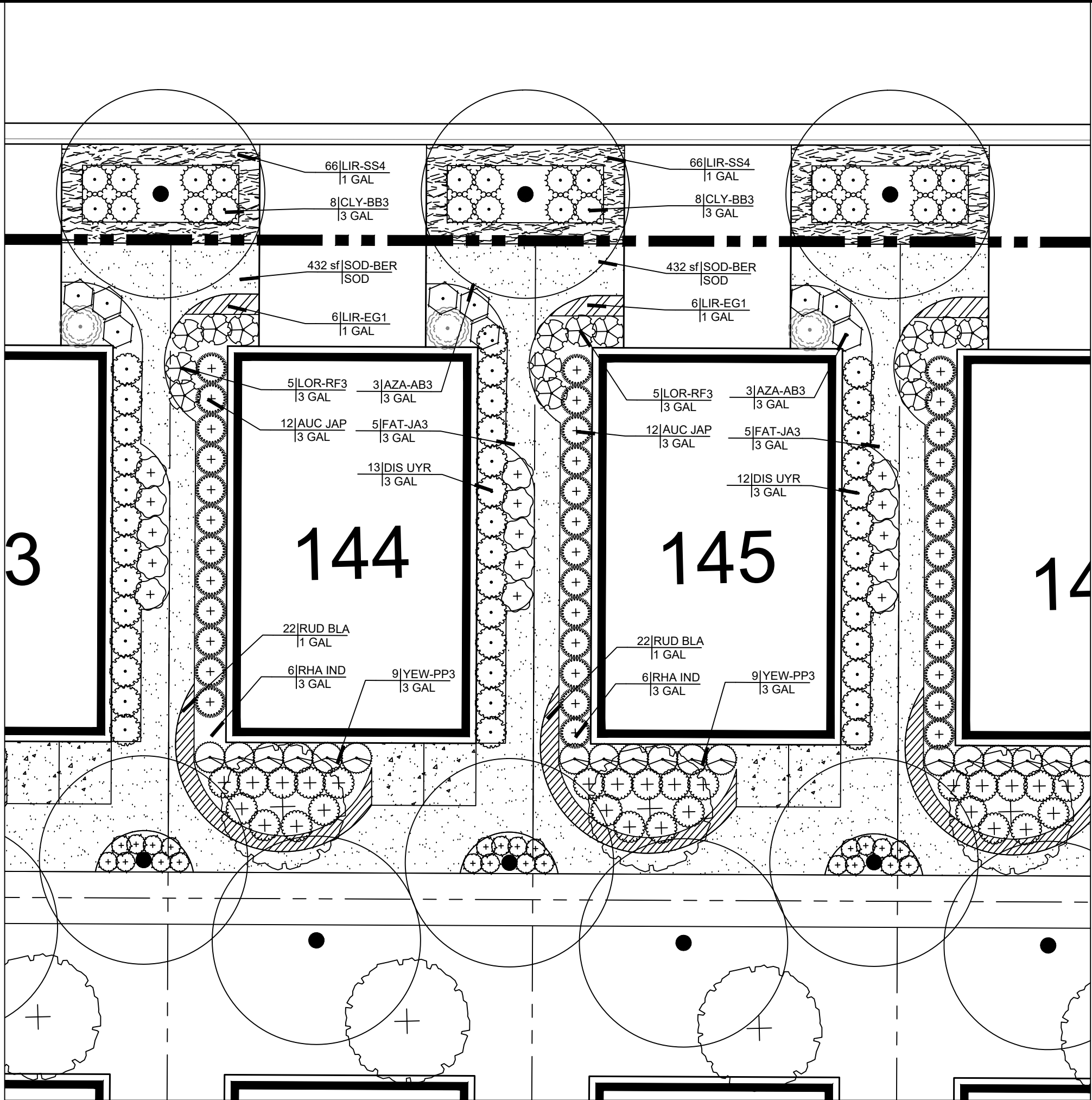
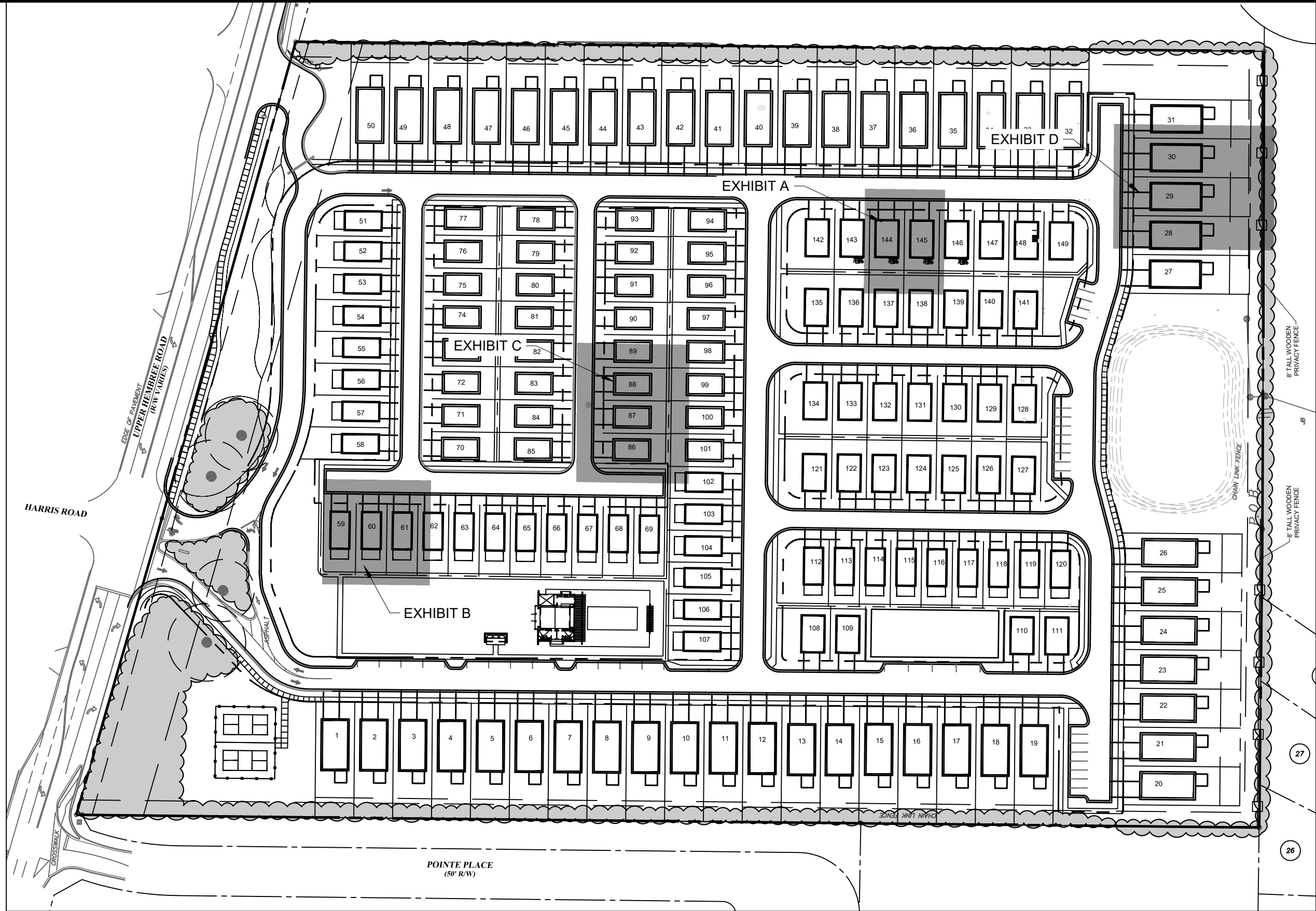


EXHIBIT A: COTTAGE HOME LANDSCAPE
SCALE: 1" = 10'



CONCEPT TREE PLAN
SCALE: 1" = 100'

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME
SHRUBS		
	AUCUBA JAPONICA 'GREEN LEAF'	GREEN LEAF AUCUBA
	AZALEA ENCORE 'AUTUMN BELLE' TM	ENCORE AZALEA
	CEPHALOTAXUS HARRINGTONIA PROSTRATA	PROSTRATE PLUM YEW
	CHASMANTHIUM LATIFOLIUM	NORTHERN SEA OATS
	CLEYERA JAPONICA 'BRONZE BEAUTY'	JAPANESE CLEYERA
	DISTYLIUM 'PIIDIST-IV'	LINEBACKER™ DISTYLIUM
	DISTYLIUM X 'PIIDIST-I'	EMERALD HEIGHTS® DISTYLIUM
	FATSIA JAPONICA	JAPANESE FATSIA
	LOROPETALUM CHINENSE 'SNOW MUFFIN'	SNOW MUFFIN LOROPETALUM
	RHAPHIOLEPIS INDICA	INDIAN HAWTHORN
GROUND COVERS		
	LIRIOPE MUSCARI 'EMERALD GODDESS'	EMERALD GODDESS LILYTURF
	RUDBECKIA FULGIDA	CONEFLOWER
SOD/SEED		
	CYNODON DACTYLON '419 HYBRID'	BERMUDA GRASS

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COMMUNITIES
5775 GLENRIDGE DRIVE, BUILDING D, SUITE 950
ATLANTA, GA 30328
PHONE: 770.541.5250

PREPARED FOR
**UPPER HEMBREE
ROAD**
1180 UPPER HEMBREE ROAD, ALPHARETTA, GA 30076

PROJECT
PRELIMINARY: NOT FOR CONSTRUCTION

GSWCC NO.
(LEVEL II)
DRAWN BY
DESIGNED BY
REVIEWED BY
DATE
PROJECT NO.
TITLE
SHEET NUMBER

0000008170
SHS
EHS/SHS
EHS
03/01/2024
018754039
**COTTAGE
LANDSCAPE
EXHIBITS**
TP1.02

Drawing name: K:\ALP_LAP\1018754039_Empire Upper Hembree\CAD\PlanSheets\5-01 LANDSCAPE PLAN.dwg EXHIBIT 2 HOUSES Mar 01, 2024 11:47am by: stephen.salvatierra

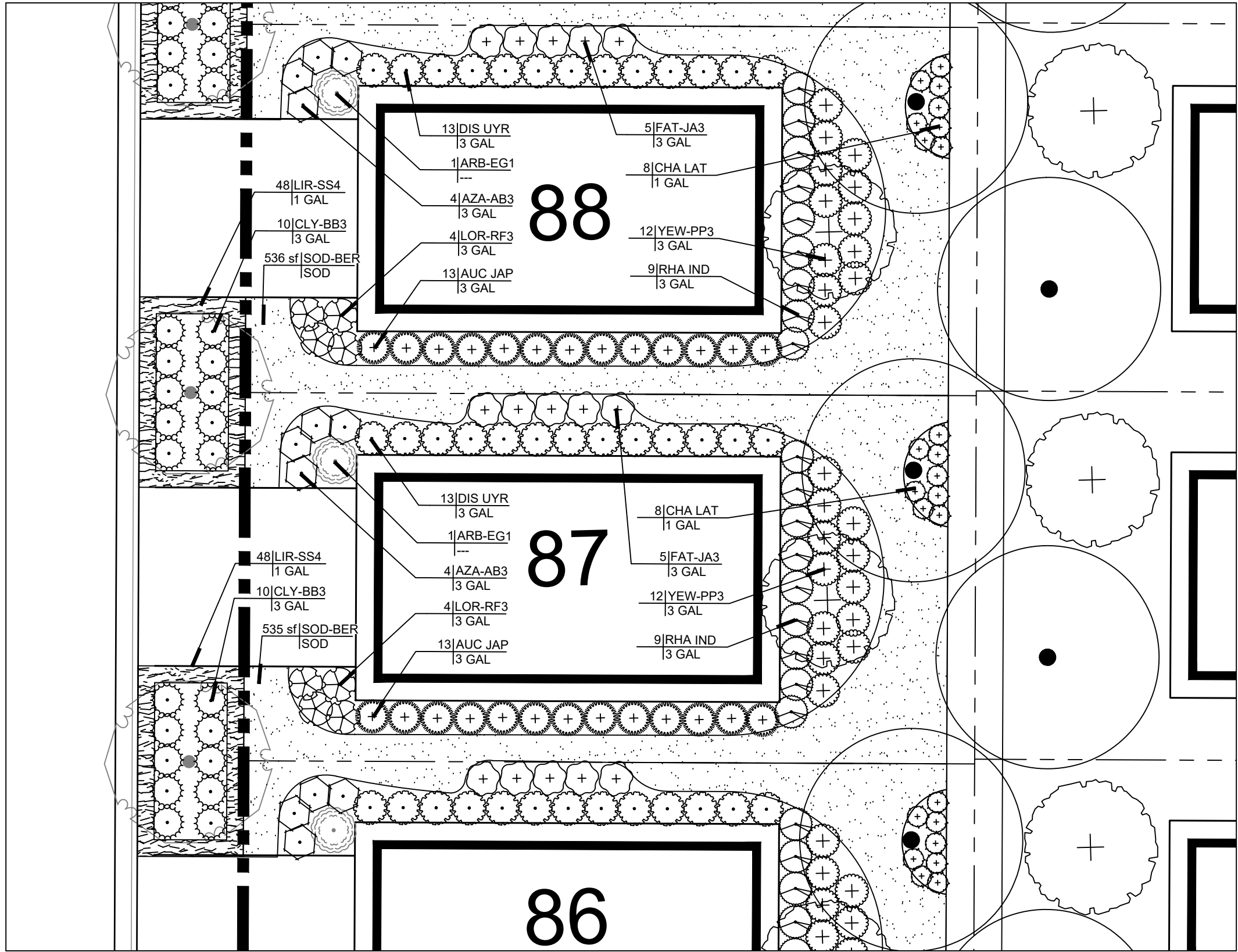


EXHIBIT C: COTTAGE HOME LANDSCAPE
SCALE: 1" = 10'

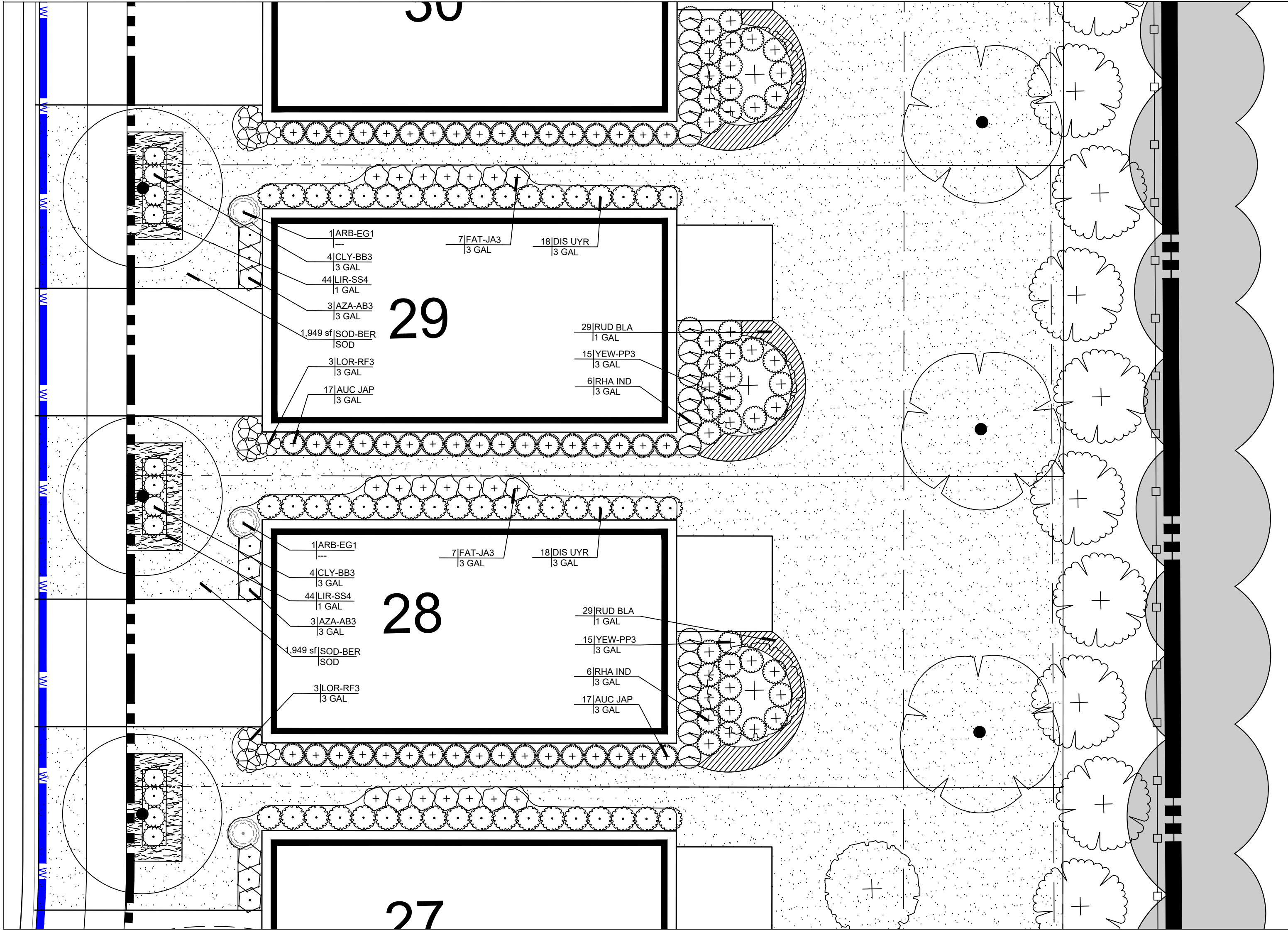
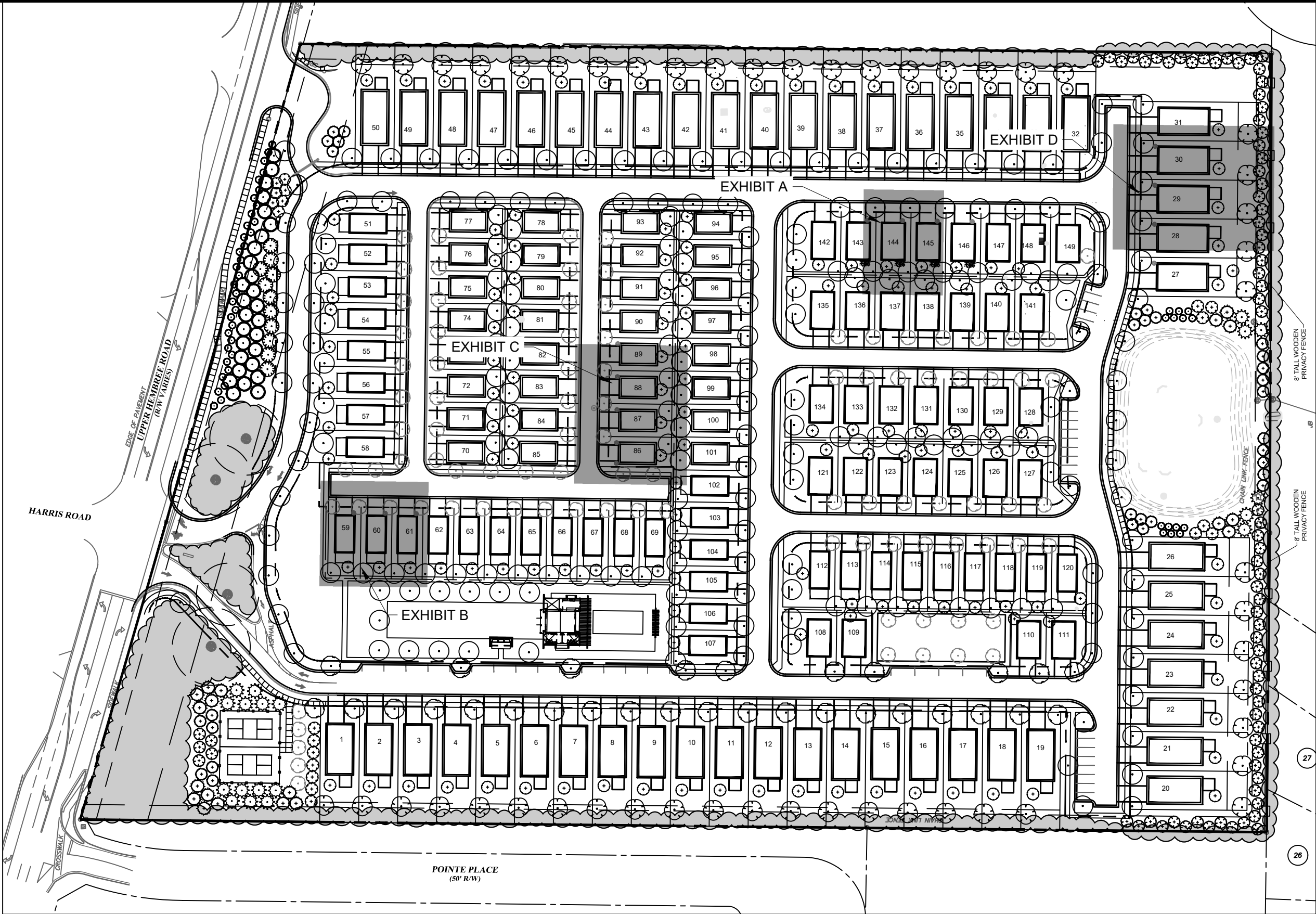


EXHIBIT D: COTTAGE HOME LANDSCAPE
SCALE: 1" = 10'



CONCEPT TREE PLAN
SCALE: 1" = 100'

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME	COMMON NAME
SHRUBS		
	AUCUBA JAPONICA 'GREEN LEAF'	GREEN LEAF AUCUBA
	AZALEA ENCORE 'AUTUMN BELLE' TM	ENCORE AZALEA
	CEPHALOTAXUS HARRINGTONIA PROSTRATA	PROSTRATE PLUM YEW
	CHASMANTHIUM LATIFOLIUM	NORTHERN SEA OATS
	CLEYPORA JAPONICA 'BRONZE BEAUTY'	JAPANESE CLEYPORA
	DISTYLIUM 'PIDIST-IV'	LINEBACKER™ DISTYLIUM
	DISTYLIUM X 'PIDIST-I'	EMERALD HEIGHTS® DISTYLIUM
	FATSIA JAPONICA	JAPANESE FATSIA
	LOROPETALUM CHINENSE 'SNOW MUFFIN'	SNOW MUFFIN LOROPETALUM
	RHAPHIOLEPIS INDICA	INDIAN HAWTHORN
GROUND COVERS		
	LIRIOPE MUSCARI 'EMERALD GODDESS'	EMERALD GODDESS LILYTURF
	RUDBECKIA FULGIDA	CONEFLOWER
SOD/SEED		
	CYNODON DACTYLON '419 HYBRID'	BERMUDA GRASS

PREPARED BY

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PHONE: 770.541.5250

PROJECT

UPPER HEMBREE ROAD

1180 UPPER HEMBREE ROAD, ALPHARETTA, GA 30076

GSWCC NO. (LEVEL II)

0000008170

DRAWN BY

SHS

DESIGNED BY

EHS/SHS

REVIEWED BY

EHS

DATE

03/01/2024

PROJECT NO.

018754039

TITLE

COTTAGE LANDSCAPE EXHIBITS

SHEET NUMBER

TP1.03

ISSUANCE AND REVISION DESCRIPTIONS

DATE

BY

PRELIMINARY: NOT FOR CONSTRUCTION

Drawing name: K:\ALP_LAP\018754039_Empire Upper Hembree\CAD\PlanSheet\5-01 LANDSCAPE PLAN.dwg EXHIBIT - SITE Mar 01, 2024 11:48am by: stephen.salvatierra

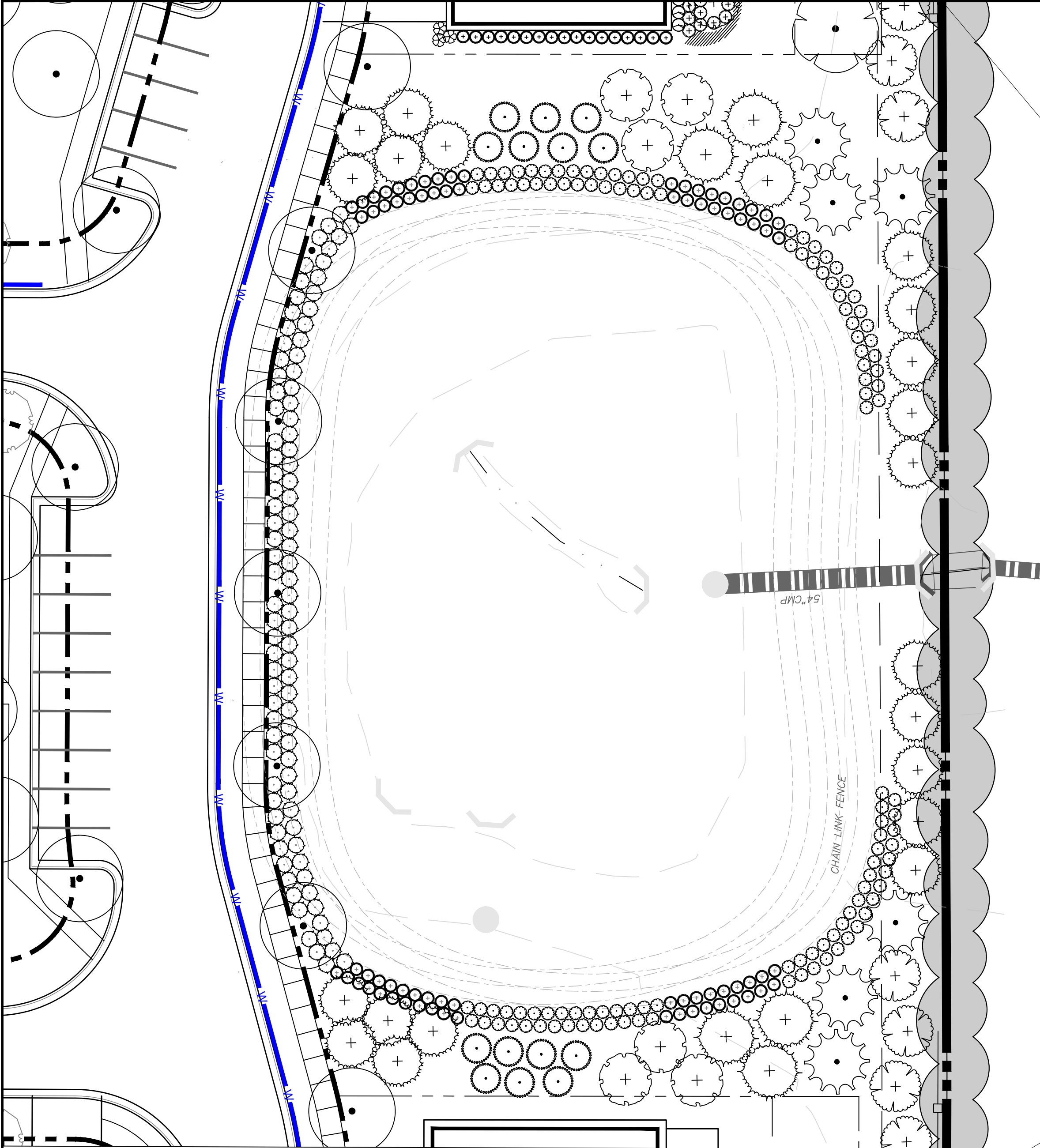


EXHIBIT E: STORM DETENTION POND
SCALE: 1" = 20'

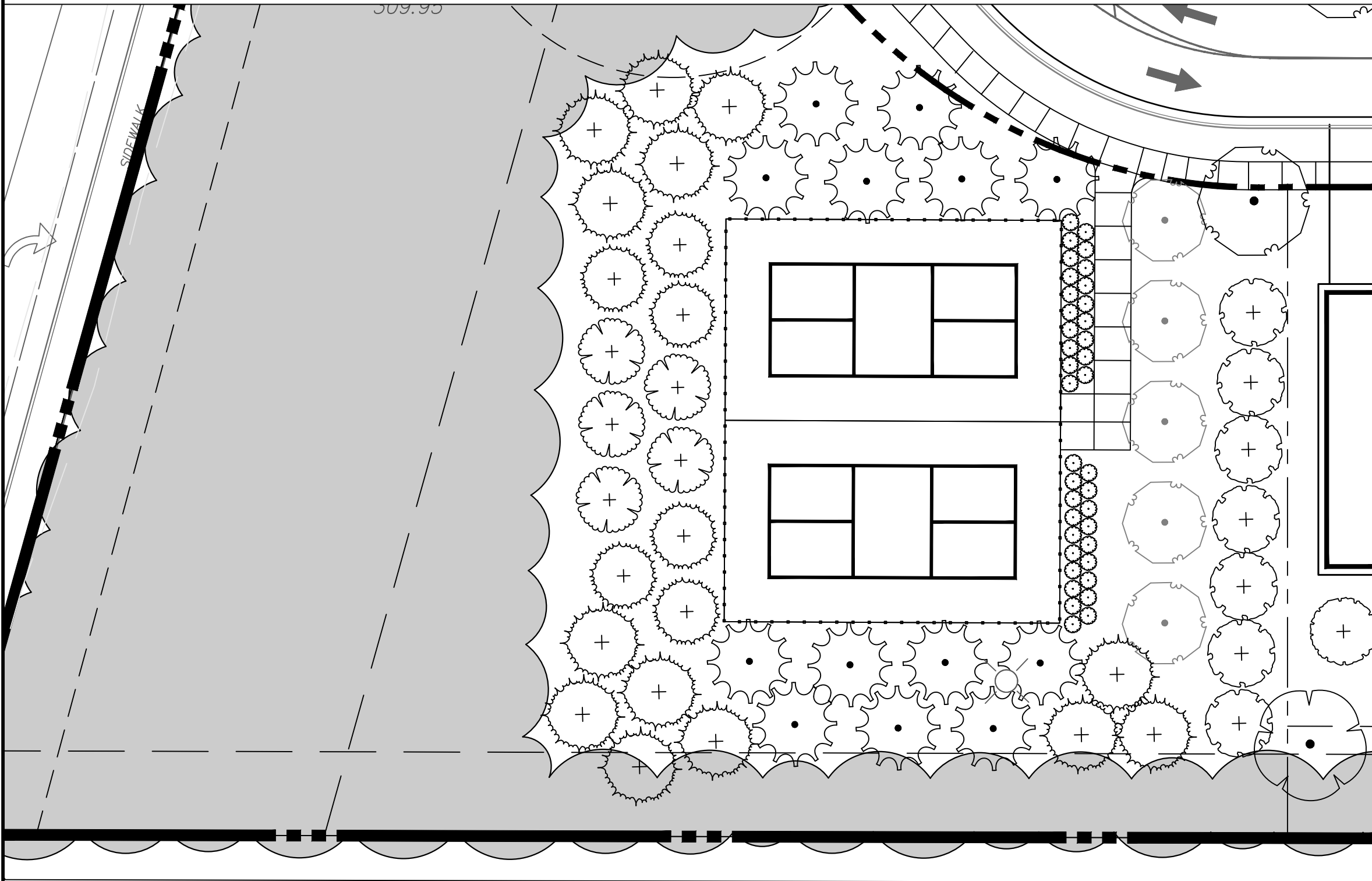
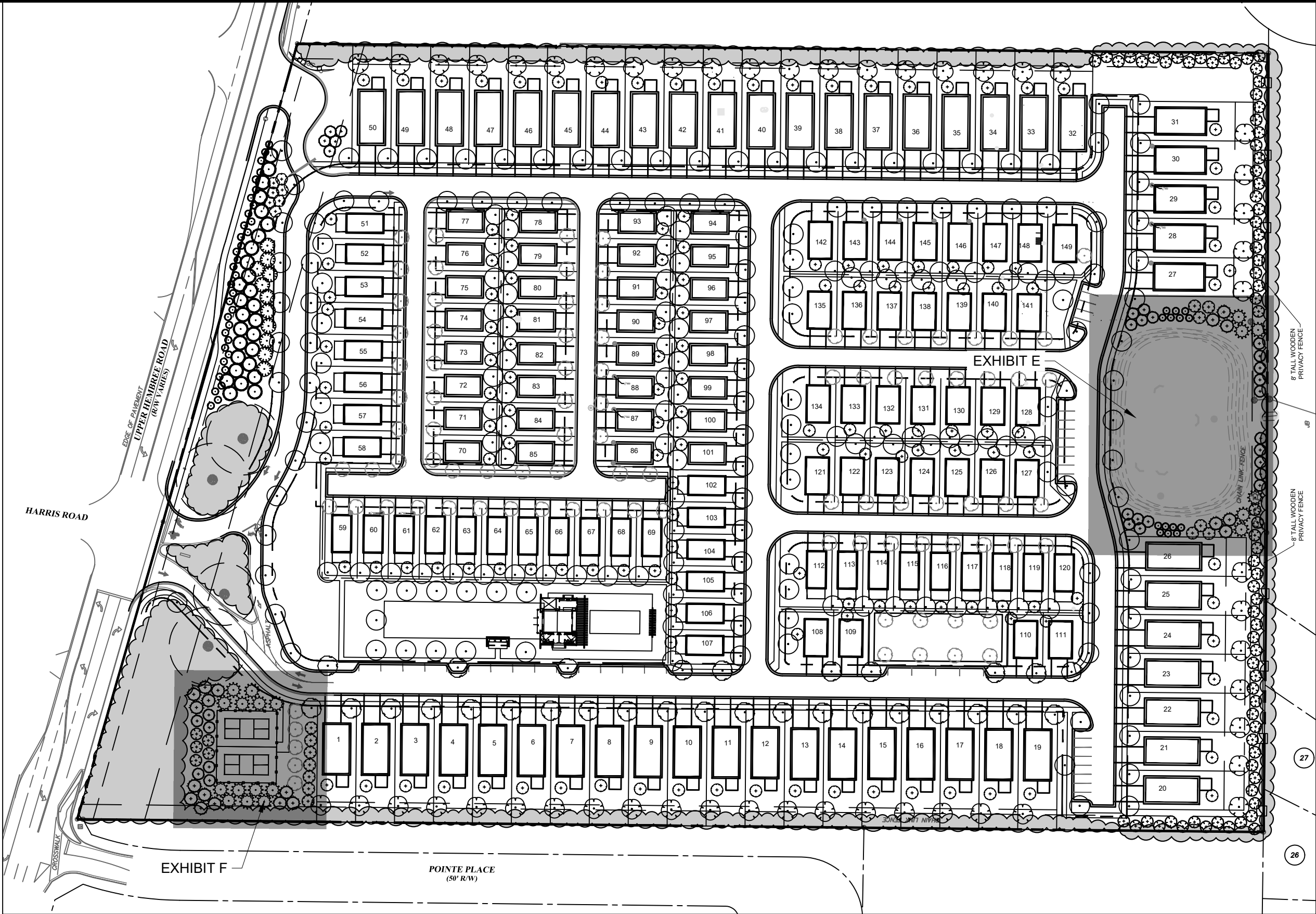


EXHIBIT F: PICKLE BALL COURTS
SCALE: 1" = 20'

PLANT SCHEDULE DETENTION POND

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME
CANOPY TREES			
	ELM-PR3	ULMUS AMERICANA 'PRINCETON'	PRINCETON ELM
EVERGREEN TREES			
	CRY-JC3	CRYPTOMERIA JAPONICA	JAPANESE CEDAR
	HOL-NS3	ILEX X 'NELLIE R. STEVENS' NELLIE STEVENS	NELLIE STEVENS HOLLY - FULL TO GROUND
	JUN-ER3	JUNIPERUS VIRGINIANA 'BRODIE'	BRODIE JUNIPER
	MAG-LG3	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA - FULL TO GROUND
	PIN TAE	PINUS TAEDA	LOBLOLLY PINE
	ARB-GG3	THUJA OCCIDENTALIS 'GREEN GIANT'	GREEN GIANT ARBORVITAE
SHRUBS			
	DIS-JB3	DISTYLUM 'PIDIST-IV'	LINEBACKER™ DISTYLUM
	DIS UYR	DISTYLUM X 'PIDIST-I'	EMERALD HEIGHTS® DISTYLUM
GRASSES			
	MUH-PK3	MUHLENBERGIA CAPILLARIS	PINK MUHLY



CONCEPT TREE PLAN
SCALE: 1" = 100'

PLANT SCHEDULE PICKLE BALL

SYMBOL	CODE	BOTANICAL NAME	COMMON NAME
CANOPY TREES			
	OAK-WI3	QUERCUS PHELLOS	WILLOW OAK
	ELM-PR3	ULMUS AMERICANA 'PRINCETON'	PRINCETON ELM
EVERGREEN TREES			
	CRY-JC3	CRYPTOMERIA JAPONICA	JAPANESE CEDAR
	JUN-ER3	JUNIPERUS VIRGINIANA 'BRODIE'	BRODIE JUNIPER
	MAG-LG3	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	DWARF SOUTHERN MAGNOLIA - FULL TO GROUND
	PIN TAE	PINUS TAEDA	LOBLOLLY PINE
	ARB-GG3	THUJA OCCIDENTALIS 'GREEN GIANT'	GREEN GIANT ARBORVITAE
FLOWERING TREES			
	OST-IT3	OSTRYA VIRGINIANA	IRONWOOD TREE
SHRUBS			
	DIS UYR	DISTYLUM X 'PIDIST-I'	EMERALD HEIGHTS® DISTYLUM

PREPARED BY

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PREPARED FOR

EMPIRE COMMUNITIES

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ATLANTA, GA 30328
PHONE: 770.541.5250

PROJECT

UPPER HEMBREE ROAD

1180 UPPER HEMBREE ROAD, ALPHARETTA, GA 30076

GSWCC NO. (LEVEL II)

0000008170

DRAWN BY

SHS

DESIGNED BY

EHS/SHS

REVIEWED BY

EHS

DATE

03/01/2024

PROJECT NO.

018754039

TITLE

SITE EXHIBITS

SHEET NUMBER

TP1.04

PRELIMINARY: NOT FOR CONSTRUCTION

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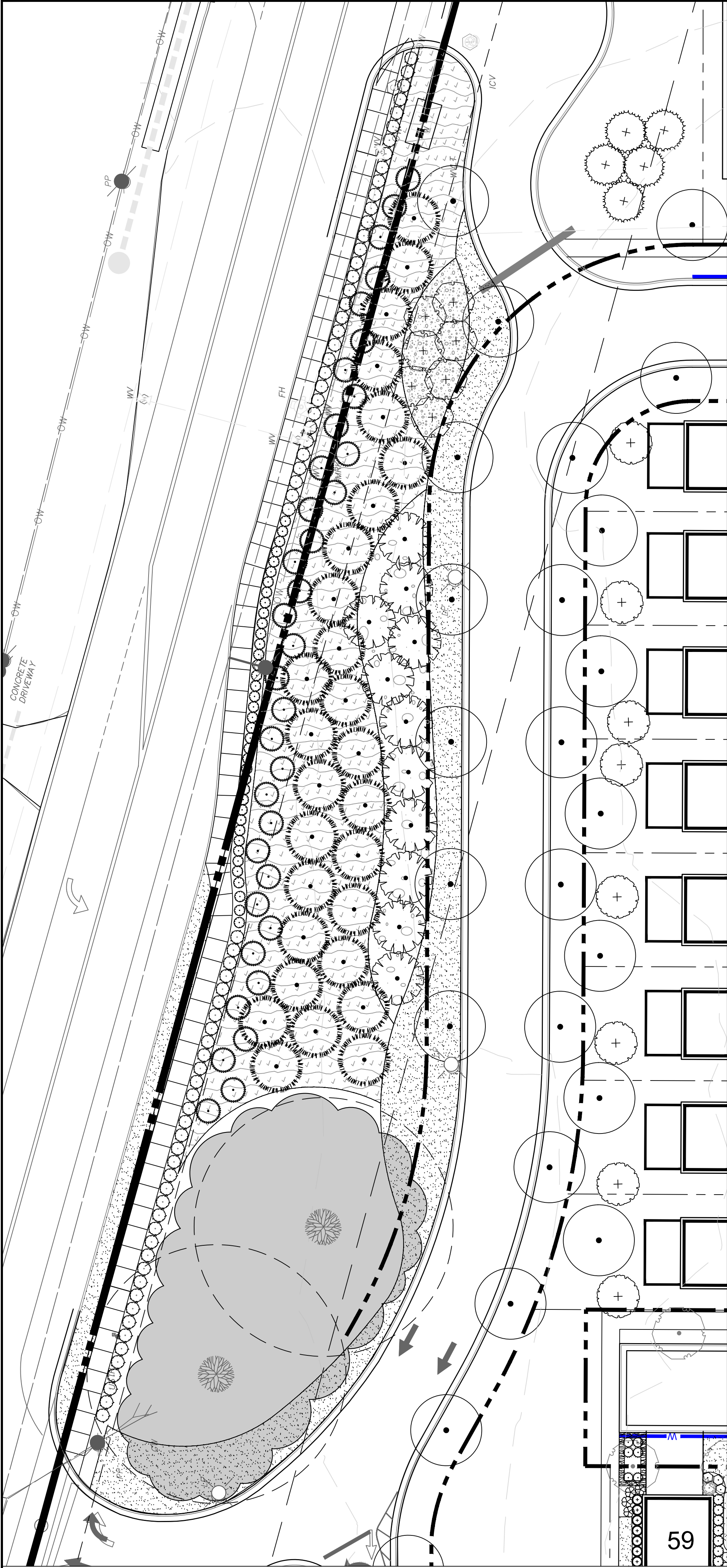
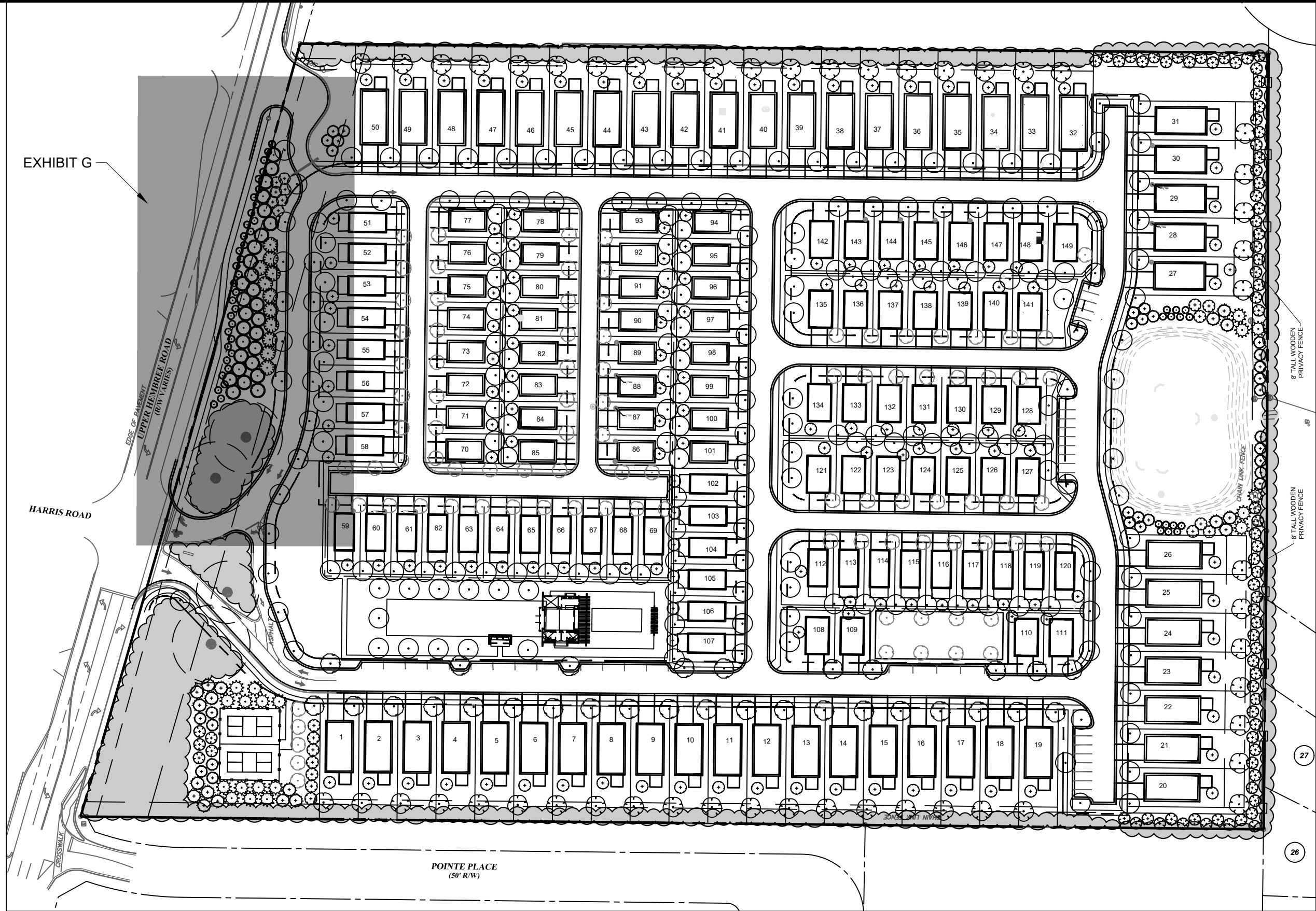
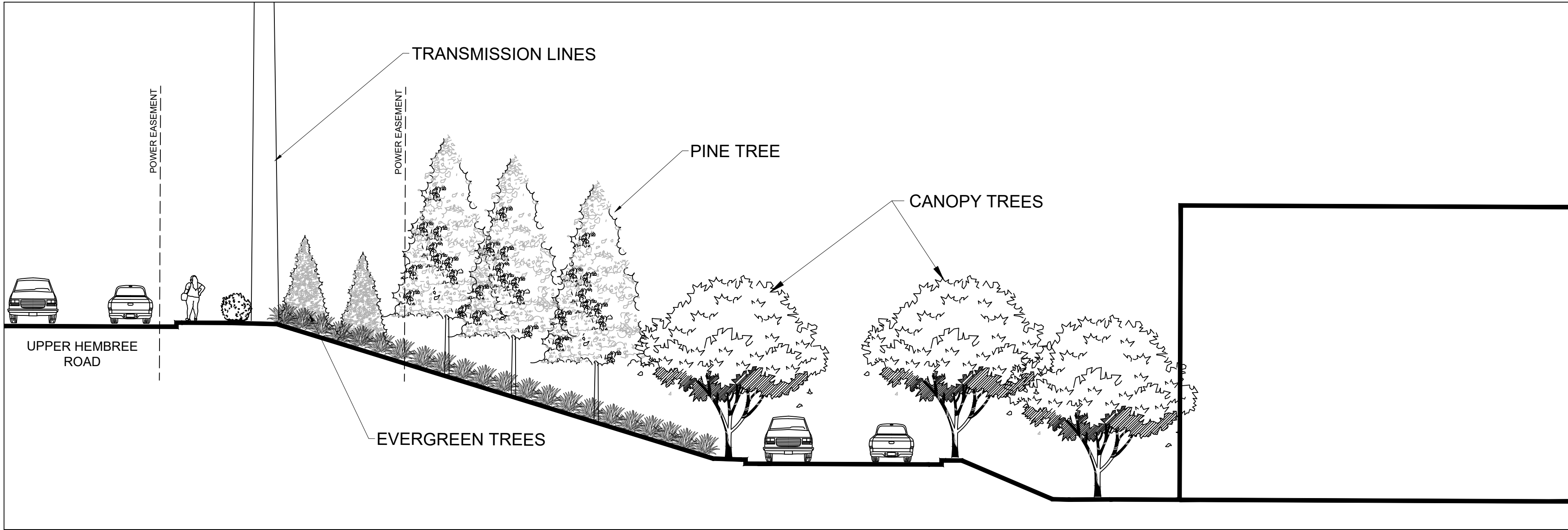


EXHIBIT G: ROAD FRONTAGE
SCALE: 1" = 20'

PLANT SCHEDULE SITE FRONTGE			
SYMBOL	CODE	BOTANICAL NAME	COMMON NAME
TREES			
	TD	TAXODIUM DISTICHUM	BALD CYPRESS
CANOPY TREES			
	ELM-PR3	ULMUS AMERICANA 'PRINCETON'	PRINCETON ELM
EVERGREEN TREES			
	HOL-NS3	ILEX X 'NELLIE R. STEVENS' NELLIE STEVENS	NELLIE STEVENS HOLLY - FULL TO
	PIN-TA3	PINUS TAEDA	LOBLOLLY PINE
FLOWERING TREES			
	CHI-FT3	CHIONANTHUS VIRGINICUS	FRINGE TREE
SHRUBS			
	DIS-JB3	DISTYLUM 'PIDIST-IV'	LINEBACKER™ DISTYLUM
	DIS UYR	DISTYLUM X 'PIDIST-I'	EMERALD HEIGHTS® DISTYLUM
SHRUB AREAS			
	MIS-LK1	MISCANTHUS SINENSIS 'LITTLE KITTEN'	LITTLE KITTEN EULALIA GRASS
	RA	RHUS AROMATICA	FRAGRANT SUMAC
SOD/SEED			
	SOD-BER	CYNODON DACTYLON '419 HYBRID'	BERMUDA GRASS



CONCEPT TREE PLAN
SCALE: 1" = 100'



SECTION: ROAD FRONTAGE
SCALE: NTS

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EMPIRE
COMMUNITIES
5775 GLENRIDGE DRIVE BUILDING D, SUITE 950
ATLANTA, GA 30328
PHONE: 770.541.5250

PROJECT
**UPPER HEMBREE
ROAD**
1180 UPPER HEMBREE ROAD, ALPHARETTA, GA 30076

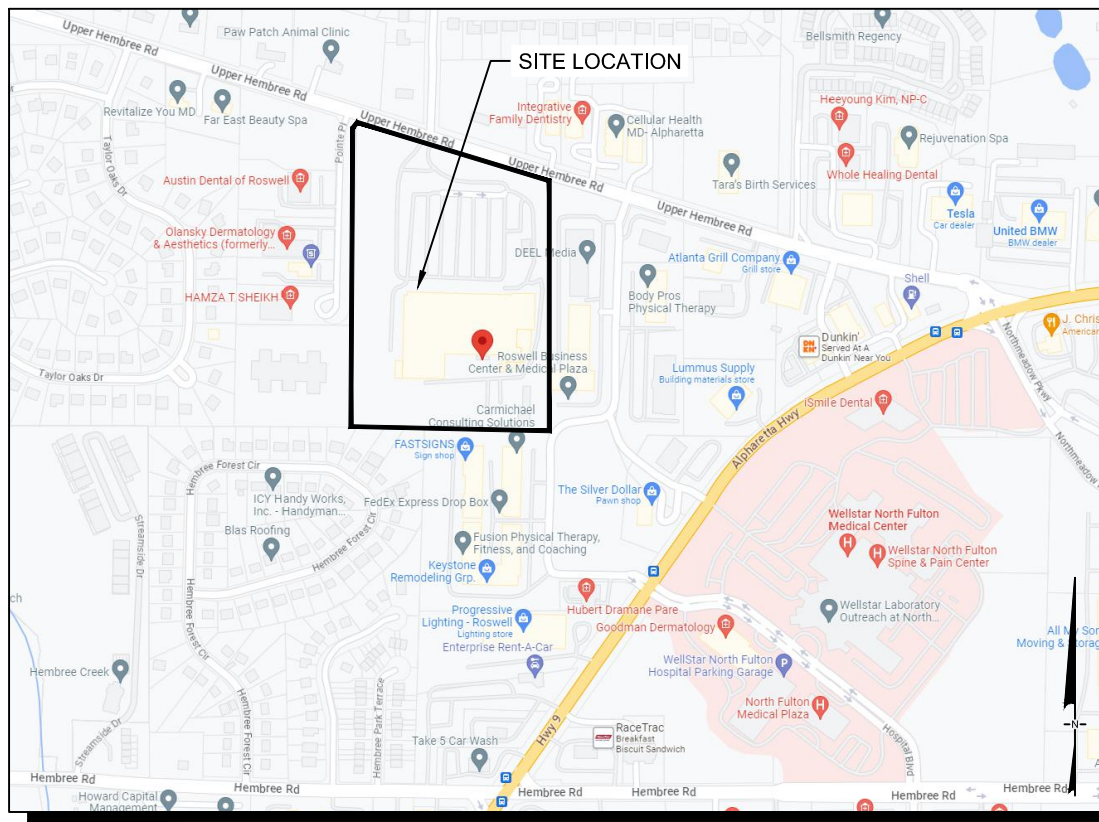
GSWCC NO. 0000008170
DRAWN BY SHS
DESIGNED BY EHS/SHS
REVIEWED BY EHS
DATE 03/01/2024
PROJECT NO. 018754039

TITLE
**SITE
EXHIBITS**

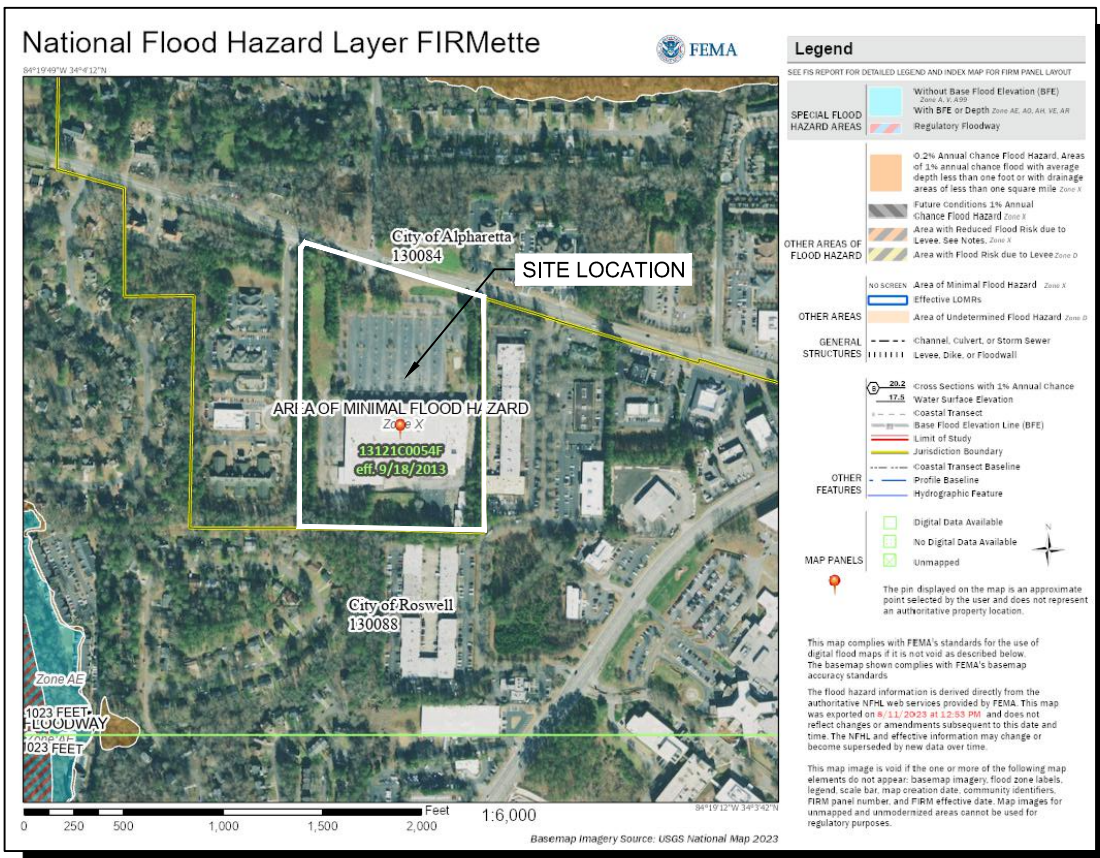
SHEET NUMBER
TP1.05

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SITE LOCATION MAP
NOT TO SCALE



FEMA FIRM MAP
NOT TO SCALE



24 HOUR CONTACT:
KELLEY RHINO



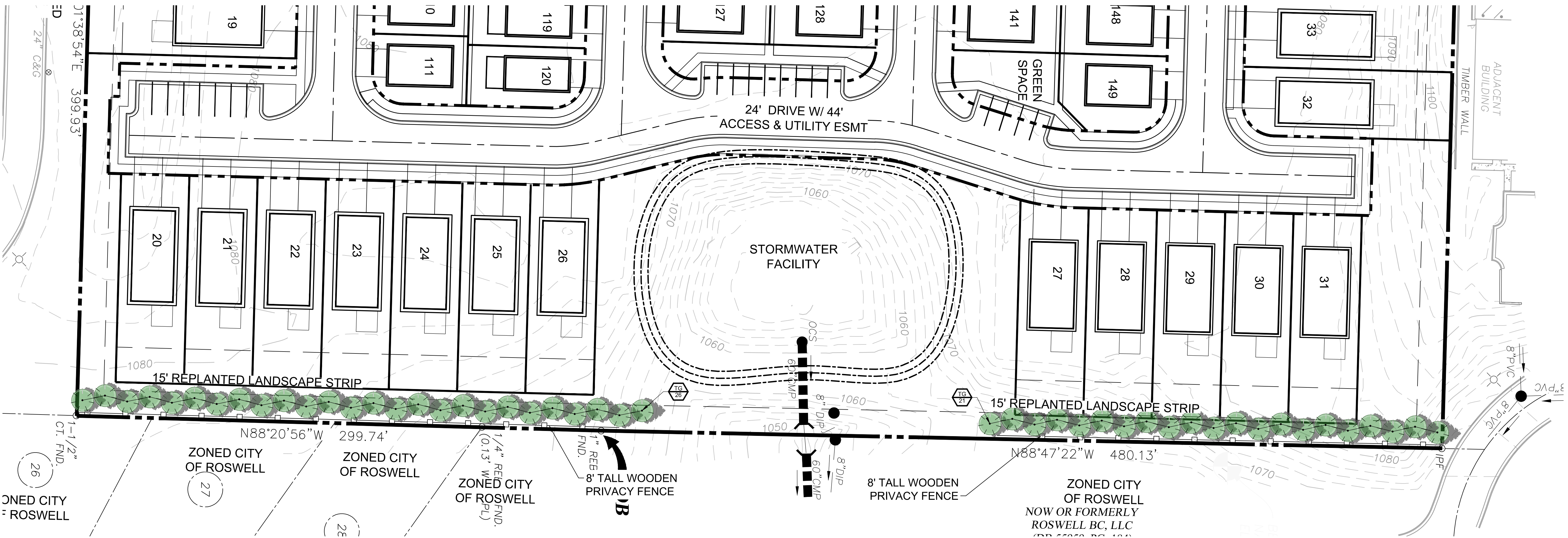
Thuja occidentalis 'Green Giant'
Green Giant Arborvitae



8' GOOD NEIGHBOR FENCE

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT.	MIN. HT.	REMARKS
TG	47		THUJA STANDISHII X PLICATA 'GREEN GIANT' / GREEN GIANT ARBORVITAE	B & B	6' MIN.	FULL TO GROUND



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

WWW.PEC.PLUS



Planners & Engineers Collaborative+

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

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

UPPER HEMBREE
RD.

A MASTER PLANNED RESIDENTIAL
DEVELOPMENT

AT

1180 UPPER HEMBREE ROAD
ALPHARETTA, GEORGIA 30076

CITY ALPHARETTA JURISDICTION

FOR

EMPIRE COMMUNITIES

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
-1	01/11/2024	kw	Plan Revision to Sidewalk

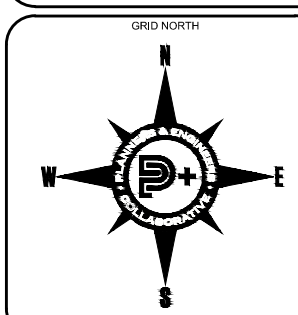
THIS SEAL IS ONLY VALID IF COUNTER SIGNED
AND DATED WITH AN ORIGINAL SIGNATURE.



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000058389 EXP. 10/28/2024

BUFFER EXHIBIT

SCALE: 1" = 50'
DATE: 02/23/2024
PROJECT: 20167.00C



E3
SHEET

Community Zoning Information Meeting (CZIM)
Please sign-in and leave your comments and/or concerns.

February 14, 2024

CLUP-24-01/Z-24-04/V-24-04 / Upper Hembree Tract Empire Communities

NAME	ADDRESS	COMMENTS
Phyllis Jean Goodrich Jeanie	370 Hembree Forest Cr Roswell, GA 30076	

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: EAH Acquisitions, LP--1180 Upper Hembree Road--CLUP024-01/C-24-04/V-24-04

Contact Name: Kathryn Zickert Telephone: 404 815-3704

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.

Applicant sent public notices as provided in Citizen Participation Form - Form A to the landowners in a 500 foot radius of the project. Applicant has not received any direct written communications from the public concerning the project.

Applicant held the CZIM on February 14, 2024. Approximately a dozen community members attended the meeting. A few of the members raised questions concerning the flow of traffic on Upper Hembree, particularly how the project would change existing traffic infrastructure. Neighbors were shown that the plans did not envision any material change to the primary entrance that currently exists from Upper Hembree.

Applicant was also asked about impacts to surrounding properties, both commercial and residential properties. Applicant explained the envisioned replanted buffer and detailed that the replanted buffer would include evergreen plantings to reduce direct sightlines . Applicant's staff and professionals have committed to meeting with at least one residential neighbor with an adjoining property to walk the property line, inspect an existing fence, and to review stormwater outlets from the existing detention pond. Communications with that neighbor are attached.

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

☒ Letter ☒ Personal Visits (Planned)

☐ Telephone ☐ Group Meeting

☒ Email ☒ Other *(Please Specify)* CZIM

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

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

Signature of Authorized Agent: Kathryn M Zickert

Date: 2.15.2024

Print Form

1105 W. Peachtree St. NE, Suite 1000
Atlanta, Georgia 30309-3608
Tel: 404 815-3500
www.sgrlaw.com



William J. Diehl
Direct Tel: 404-815-3627
Direct Fax: 404-685-6927
wdiehl@sgrlaw.com

January 30, 2024

Re: 1180 Upper Hembree Road (Parcel ID 12 223005500825) Application # CLUP024-01 / C-24-04 / V-24-04

Dear Neighbor:

Please allow this letter to serve as public notice for EAH Acquisitions, LLC's Comprehensive Plan Amendment, Rezoning, and Variance requests involving the property at 1180 Upper Hembree Road, Alpharetta, Georgia (Parcel ID 12 223005500825). Their Application to the City of Alpharetta requests the following:

1. An amendment to the Future Land Use Map from Commercial to High Density Residential.
2. A rezoning from Planned Shopping Center (PSC) to Dwelling, 'For Sale', Attached/Detached Residential – Medium Density (R8-A/D).
3. Concurrent variances from:
 - a. Alpharetta UDC § 2.2.9.D – To increase lot coverage from 40% to 65% of lot coverage by principal buildings.
 - b. Alpharetta UDC § 2.2.9.D – Reduction of minimum lot width from 50 feet to 31 feet.
 - c. Alpharetta UDC § 3.2.8.B.1.a: Removal of the required undisturbed buffer.

The Community Zoning Information Meeting (CZIM) for these requests will be held on Wednesday, February 14, 2024 at 6:00 PM in the Multipurpose Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the Planning Commission on Thursday, March 7, 2024 at 6:30 PM and City Council on Monday, March 25, 2024 at 6:30 PM. The meeting(s) will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Diehl'.

William J. Diehl

From: [Kevin Norton](#)
To: jwildcats@aol.com
Cc: [Kelley Rhino](#); [Kenneth Wood](#); [Diehl, William](#)
Subject: 1180 Upper Hembree Road (former Harry's Farmers Market) Redevelopment
Date: Thursday, February 15, 2024 9:39:00 AM

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

Jeanie – Good morning! We appreciate you attending our Citizen Zoning Information Meeting (CZIM) last evening. As we had discussed last evening, we would like to find a date & time over the next week to meet with you at the rear of your property where your property abuts the former Harry's Farmers Market property. Ideally prefer that we meet on a day between 2/19 – 2/23 if that works for you.

Thank you,

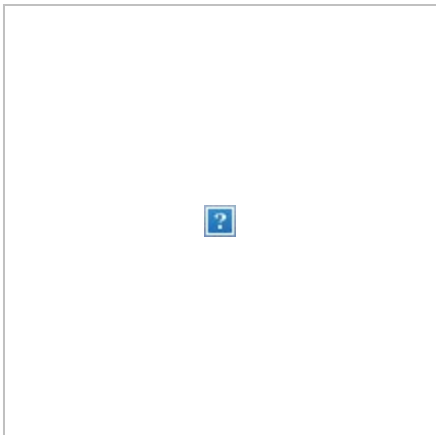
KEVIN NORTON P.E.

VICE PRESIDENT, LAND ACQUISITIONS & DEVELOPMENT

T: 1-770-541-5250 M: 1-404-951-6546

D: 1-770-541-6910 F: 1-770-541-5251

KNORTON@EMPIRECOMMUNITIES.COM



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From: [Woodman, Michael](#)
To: [Kevin Norton](#)
Cc: [Zickert, Kathryn](#); [Diehl, William](#); [Kelley Rhino](#); [Taylor, Elicia](#)
Subject: Re: 1180 Upper Hembree Road - Meeting Summary with Bellsmith Regency
Date: Thursday, February 29, 2024 9:59:22 PM

Thanks for the update, Kevin. Good to hear that the development was well-received. We will add this information to your citizen participation report. Have a good night.

Sent from my iPhone

On Feb 29, 2024, at 9:49 PM, Kevin Norton <knorton@empirecommunities.com> wrote:

Michael – Good evening! We had a good meeting with Bellsmith Regency this evening as we met with 5 of their Board Members. The meeting went well and below is a brief summary:

1. Empire presented our team and discussed history of the site.
2. Gave Board Members a brief history of Empire/Edward Andrews Homes projects in Alpharetta and Roswell (Harlow).
3. Provided reasoning behind why we are proposing residential use on this site with detached homes.
4. We discussed the importance of green space and units fronting on green space.
5. Discussed our price points and square footage. Also explained that we are two stories on perimeter and 3 stories interior.
6. Discussed traffic improvements and limiting access to only the traffic signalized intersection.
7. Explained timeline of zoning, LDP, closing and then development of site through vertical construction, which is expected to take 4.5 years.
8. Explained that site would be developed in one phase and that the site would not be gated.

Overall, Bellsmith Regency was supportive of our proposed development and offered to support us as we move forward through Planning Commission and City Council.

Thank you,

KEVIN NORTON P.E.
VICE PRESIDENT, LAND ACQUISITIONS & DEVELOPMENT

T: 1-770-541-5250 M: 1-404-951-6546
D: 1-770-541-6910 F: 1-770-541-5251
KNORTON@EMPIRECOMMUNITIES.COM

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: FERNLEAF Park
Date: Friday, March 1, 2024 8:42:39 AM

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

From: Bob Vonderhorst [REDACTED]
Sent: Friday, March 1, 2024 8:26 AM
To: Kevin Norton <knorton@empirecommunities.com>; Kelley Rhino <krhino@empirecommunities.com>
Cc: Woodman, Michael <mwoodman@alpharetta.ga.us>; [REDACTED]
[REDACTED]

Subject: FERNLEAF Park

Good morning,

Many thanks for attending our board meeting last night and explaining your plans for the development of the Harry's Mkt tract. It has been lying vacant for years and has become a true eyesore. We've all known that eventually it would become something else, and it was that 'something else' that caused much consternation.

Your plans for FERNLEAF Park certainly eases those fears, and gives us a positive image of what to expect. Your professional presentation and patient response to our questions certainly made us comfortable with your designs and vision for the future of the property.

One more question: Are you sure that you can't use dynamite to demolish that huge building? That would be so cool!

Thanks again,

Bob Vonderhorst
Bellsmith Regency
Sent from my iPad

From: [Woodman, Michael](#)
To: [Kevin Norton](#)
Cc: [Zickert, Kathryn](#); [Diehl, William](#); [Kenneth Wood](#); [Kelley Rhino](#); [Taylor, Elicia](#)
Subject: RE: 1180 Upper Hembree Road - Adjacent Residential Owner Condition
Date: Friday, March 1, 2024 1:49:50 PM

Thank you, Kevin.

I will include these conditions in the report.

From: Kevin Norton <knorton@empirecommunities.com>
Sent: Friday, March 1, 2024 1:25 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: Zickert, Kathryn <KZICKERT@sgrlaw.com>; Diehl, William <wdiehl@sgrlaw.com>; Kenneth Wood <Kwood@pec.plus>; Kelley Rhino <krhino@empirecommunities.com>
Subject: 1180 Upper Hembree Road - Adjacent Residential Owner Condition

Michael – We wanted to take a first stab at drafting the zoning conditions to include following our meeting with Jeanie Goodrich, the resident homeowner of 370 Hembree Forest Circle, Roswell, GA 30076. We met with Ms. Goodrich at her property on Feb. 21, 2024 following her request when she first spoke with us at the Feb. 14th CZIM hearing. Below are our suggested conditions:

1. Applicant will retain existing 12 foot tall privacy fence abutting Hembree Forest subdivision during demolition of the existing building on the subject site.
2. Applicant will install an 8 foot tall wooden privacy fence on applicant's property where adjoining the southern property line as shown on the attached "Buffer Exhibit". Applicant will install a staggered double row of evergreen trees on applicant's property adjoining the privacy fence.

Thank you,

KEVIN NORTON P.E.

VICE PRESIDENT, LAND ACQUISITIONS & DEVELOPMENT

T: 1-770-541-5250 M: 1-404-951-6546

D: 1-770-541-6910 F: 1-770-541-5251

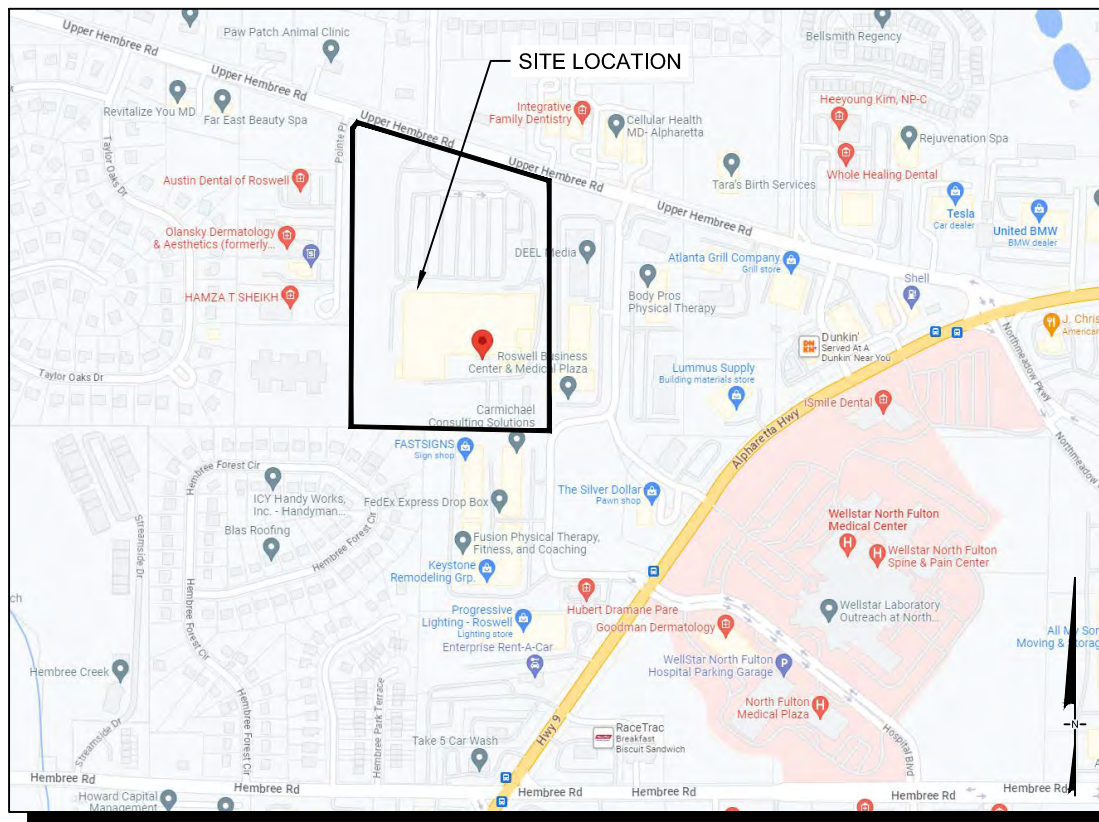
KNORTON@EMPIRECOMMUNITIES.COM



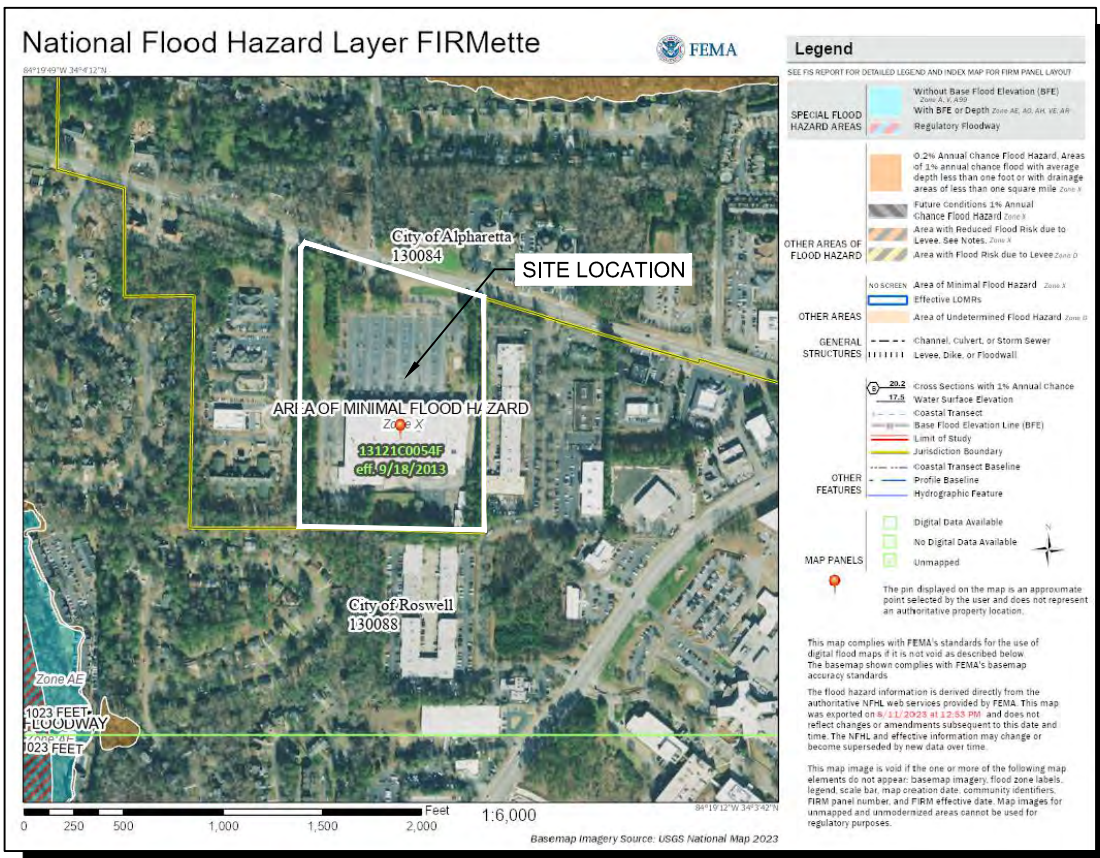
EMPIRE COMMUNITIES™
5775 GLENRIDGE DRIVE BUILDING D, SUITE 350
ATLANTA, GEORGIA 30328

[FACEBOOK](#) | [INSTAGRAM](#) | [LINKEDIN](#)

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SITE LOCATION MAP
NOT TO SCALE



FEMA FIRM MAP
NOT TO SCALE



24 HOUR CONTACT:
KELLEY RHINO



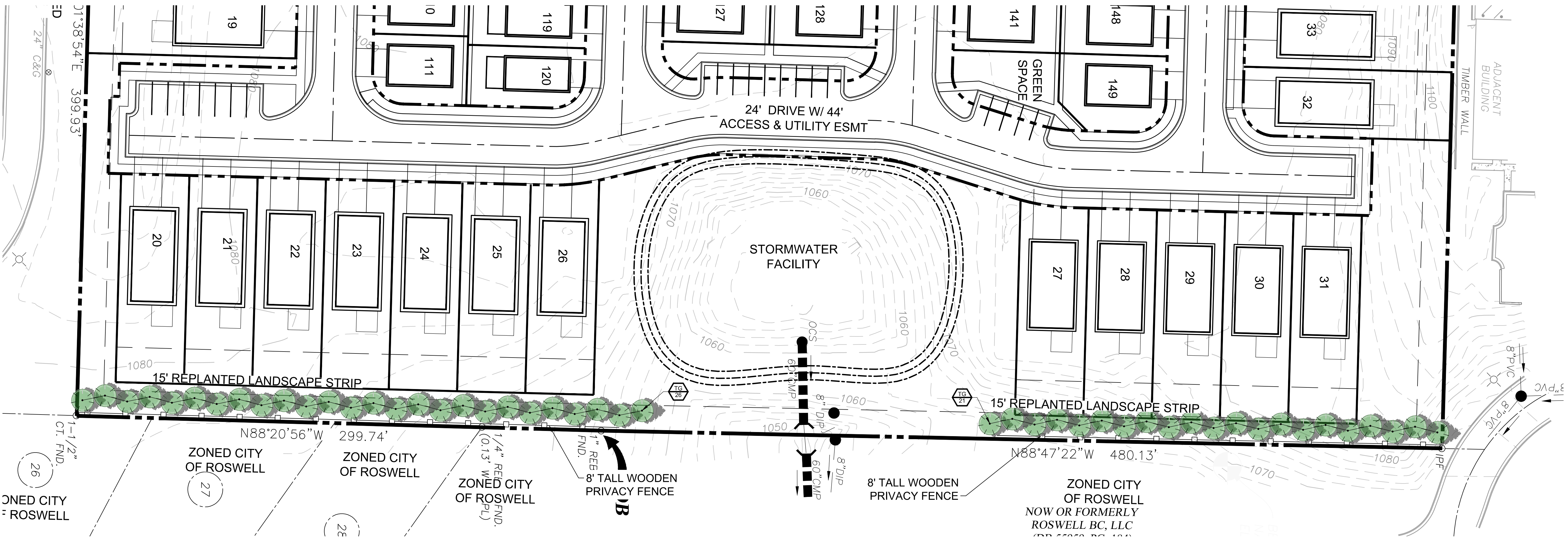
Thuja occidentalis 'Green Giant'
Green Giant Arborvitae



8' GOOD NEIGHBOR FENCE

PLANT SCHEDULE

SYMBOL	CODE	QTY	BOTANICAL / COMMON NAME	CONT.	MIN. HT.	REMARKS
TG	47		THUJA STANDISHII X PLICATA 'GREEN GIANT' / GREEN GIANT ARBORVITAE	B & B	6' MIN.	FULL TO GROUND



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

WWW.PEC.PLUS



Planners & Engineers Collaborative+

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

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

UPPER HEMBREE
RD.

A MASTER PLANNED RESIDENTIAL
DEVELOPMENT

AT

1180 UPPER HEMBREE ROAD
ALPHARETTA, GEORGIA 30076

CITY ALPHARETTA JURISDICTION

FOR

EMPIRE COMMUNITIES

MUNICIPALITY PROJECT #

REVISIONS

NO.	DATE	BY	DESCRIPTION
-1	01/11/2024	kw	Plan Revision to Sidewalk

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



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000058389 EXP. 10/28/2024

BUFFER EXHIBIT

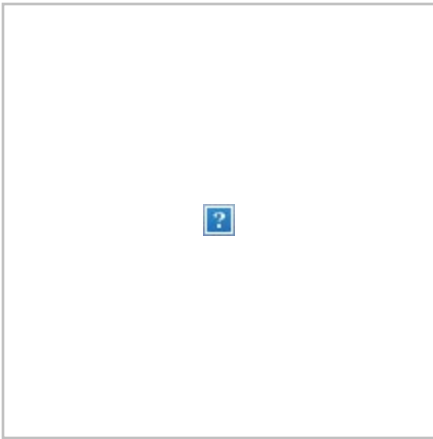
0 25 50 100 150

SCALE: 1" = 50'
DATE: 02/23/2024
PROJECT: 20167.00C



E3

SHEET

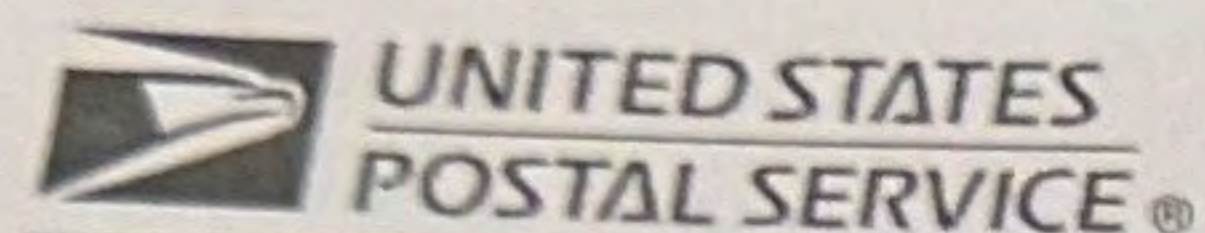


EMPIRE COMMUNITIES™
5775 GLENRIDGE DRIVE BUILDING D, SUITE 350
ATLANTA, GEORGIA 30328

[FACEBOOK](#) | [INSTAGRAM](#) | [LINKEDIN](#)

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Name and Address of Sender
Kylie Thomas
Smith, Gambrell & Russell, LLP
1105 West Peachtree Street, NE
Suite 1000
Atlanta, GA 30309

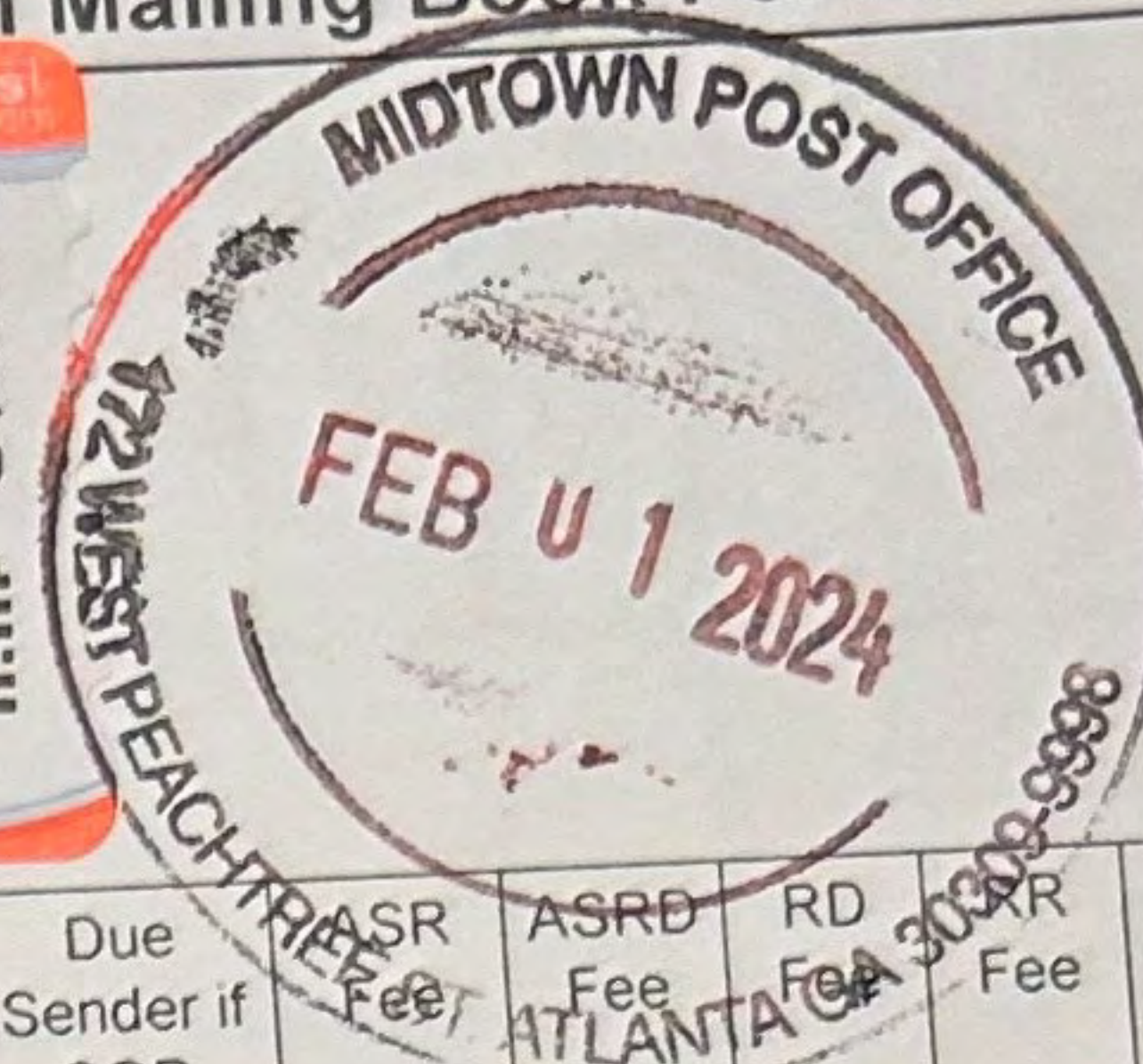
- Check type of mail or service
- | | |
|--|---|
| ☐ Adult Signature Required | ☐ Priority Mail Express |
| ☐ Adult Signature Restricted Delivery | ☐ Registered Mail |
| ☐ Certified Mail | ☐ Return Receipt for Merchandise |
| ☐ Certified Mail Restricted Delivery | ☐ Signature Confirmation |
| ☐ Collect on Delivery (COD) | ☐ Signature Confirmation Restricted Delivery |
| ☐ Insured Mail | |
| ☐ Priority Mail | |

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USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	SR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1.	NEKTALOV RAFAEL & NEKTALOV BORIS 5749 SINGLETON RD NORCROSS, GA 30093	.64	.57											
2.	S2 PARTNERS LLC 5755 NORTH POINT PKWY STE 210 ALPHARETTA, GA 30022	.64	.57											
3.	JC VENTURES GROUP LLC 8905 HUNTCLIFF LAKE CT SANDY SPRINGS, GA 30350	.64	.57											
4.	UPPER HEMNBREE MEDICAL PLAZA ROSWELL LLC & YASH PR 235 MORTON MANNER CT ALPHARETTA, GA 30022	.64	.57											
5.	MARTIN JAMES F 1004 RIVERBEND CLUB DR ATLANTA, GA 30339	.64	.57											
6.	HEMBREE CC LLC 200 GLENRIDGE POINT PKWY ATLANTA GA 30342	.64	.57											
7.	1250 UPPER HEMBREE LLC 8111 VALLI FARM RD FOUNTAIN, CO 80817	.64	.57											
8.	MATIKEEVA KINNEY SAIRAGUL & KINNEY ANTHONY ROBERT 11910 HARRIS RD ROSWELL, GA 30076	.64	.57											

9.	BARNETT MARK D 11920 HARRIS RD ROSWELL, GA 30076	.64	.57																
10.	GARNETT LYNDEE L 8510 BIRCH HOLLOW DR ROSWELL, GA 30076	.64	.57																
11.	JACOBSON WILLIAM D & KATHLEEN M 8520 BIRCH HOLLOW DR ROSWELL, GA 30076	.64	.57																
12.	CHERYL L GORMAN REVOCABLE TRUST THE 8530 BIRCH HOLLOW DR ROSWELL, GA 30076	.64	.57																
13.	ARREH ABDORACHID C & BARKAD KADIDJ A 1110 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																
14.	FIX DAWN & KRISTOFER D 1120 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																
15.	SCHWARZELL ANDREW G & WENTZEL KATHLENE 1130 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																
16.	BINA PAYVAND & POOSTI MARYAM 1140 TAYLOR OAKS ROSWELL, GA 30076	.64	.57																
17.	MARTIN MARTINA PATRICE 1150 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																
18.	MIODUSER SUSAN A & HUNTER JEFFREY E 1080 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																
19.	ARGO E DONALD & BRITT A 1090 TAYLOR OAKS DR ROSWELL, GA 30076	.64	.57																

20.	DUFFY JAIME & DUFFY GRANT 4200 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
21.	ELAINE RUSSELL LIVING TRUST THE 4202 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
22.	GUY-RICE BONNA K RICE DENNIS 4204 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
23.	ALBERT ALEXANDER & ALBERT ARIEL 4206 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
24.	TOMIOKA HIROSHI 5050 QUORUM DR SUITE 225 DALLAS, TX 75254	.64	.57																
25.	COLLEEN PATRICIA PEREZ REVOCABLE L IVING TRUST THE 4210 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
26.	COOPER NOCHOLAS & HUFF KAITLYN ELIZABETH 4212 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
27.	KONTUL JANICE M 4214 HARRIS RIDGE CT ROSWELL, GA 30076	.64	.57																
28.	LUCKY CORP 1055 BAY POINTE XING ALPHARETTA, GA 30005	.64	.57																
29.	MMAC PIX ATLANTA GA SPE LLC 3807 CLEGHORN AVE SUITE 903 NASHVILLE, TN 37215	.64	.57																
30.	HORIZON CLINICAL LLC 1170 PEACHTREE ST STE 2400 ATLANTA, GA 30309	.64	.57																

31.	JENNIFER JEAN MARTIN LIVING TRUST THE 1605 BRANCH VALLEY DR ROSWELL, GA 30076	.64	.57																
32.	WRIGHT LISA L 430 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
33.	BOLDEN LES 420 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
34.	JIMENEZ LUIS 410 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
35.	BOURALEH WAISS G & WAIS AMINA L 400 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
36.	SWAY 2014 1 BORROWER LLC 8665 E HARTFORD DR STE 200 SCOTTSDALE, AZ 85255	.64	.57																
37.	BONNETTE RICHARD KELLY 380 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
38.	GOODRICH PHYLLIS JEAN 370 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
39.	HICKS NATALIE B 360 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
40.	GOMEZ ALEXEI MENDIETA & GARCIA MIR LA PEREZ 350 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
41.	PANCICH GUILLERMO ISRAEL RAMOS & M ARTINEZ NORMA AN 340 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																

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42.	FKH SFR C2 LP 1850 PARKWAY PL SUITE 900 MARIETTA, GA 30067	.64	.57																
43.	MORALES SILVA JUAN A & ESOBEDO SE RENO MARIA 320 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
44.	WANG BINHONG 2732 COLLINS COVE AVE LAWRENCEVILLE, GA 30043	.64	.57																
45.	BERGOO CONSULTING LLC 3624 RITTENHOUSE CT MARIETTA, GA 30062	.64	.57																
46.	HILL MATTHEW TIMOTHY & JENNIFER CUPPY 4499 WOODFORD PASS NE ROSWELL, GA 30075	.64	.57																
47.	LERNER VLADIMIR & SUAREZ BETILUZ 315 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
48.	JAMISON MICHAEL CHRISTIAN 325 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
49.	CONNORS SCOTT A & LINDSAY K 335 HEMBREE FOREST CT ROSWELL, GA 30076	.64	.57																
50.	VAN CHRISTIAN T & VAN KELLY T 345 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
51.	JACKSON CAROLYN J 355 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																
52.	PEREZ MARIA E & CASTENA GABRIEL L 385 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57																

53.	SHAFIK BAHAA M & KANATER SAHAR 425 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
54.	SOTO ALEJANDRO ALANIS 435 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
55.	ROJAS WILLIAM R & ROJAS MANUELA M 445 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
56.	PASUMARTHI TAVI C & RAVITEJA 465 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
57.	STELMACHERS ALEXANDER 475 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
58.	FORD CURTIS LEE & RUIZ CRISTIAN ED UARDO BLAS 485 HEMBREE FOREST CIR ROSWELL, GA 30076	.64	.57															
59.	MATHENY RONALD S 230 ENCLAVE CT ROSWELL, GA 30076	.64	.57															
60.	ADVANCED RECOVERY SYSTEMS LLC 100 SE THIRD AVE SUITE 1800 FORT LAUDERDALE, FL 33394	.64	.57															
61.	POINTE PLACE HEMBREE LP 11731 POINTE PL ALPHARETTA, GA 300040	.64	.57															
62.	AMAZON COM SERVICES LLC 410 TERRY AVE N SEATTLE, WA 98109	.64	.57															
63.	NATURAL MEDICAL SOLUTIONS LLC 1130 UPPER HEMBREE RD ROSWELL, GA 30076	.64	.57															

64.	ORTEGA ENTERPRISES LLC 5369 FOREST BROOK PKWY MARIETTA, GA 30068	.64	.57																
65.	ICREATE LLC 11755 POINTE PL ALPHARETTA GA 30076	.64	.57																
66.	BIS PROPERTIES LLC 1230 UPPER HEMBREE RD # 200 ROSWELL GA 30076	.64	.57																
67.	1250 UPPER HEMBREE LLC 8111 VALLI FARM RD FOUNTAIN CO 80817	.64	.57																
68.	SPIRIT OF GOD CHRISTIAN CHURCH INC 7197 BELCREST DR DULUTH GA 30097	.64	.57																
69.	GRIFFIN REVOCABLE TRUST THE 1050 TAYLOR OAKS DR ROSWELL GA 30076	.64	.57																
70.	DORSETT DAVID EDWARDS & DORSETT LA UREN MARIE 1060 TAYLOR OAKS DR ROSWELL GA 30076	.64	.57																
71.	ECHOLS BRANDON T 1070 TAYLOR OAKS DR ROSWELL GA 30076	.64	.57																
72.	HILL ANDRE S & HILL CEDRA ALANA 1100 TAYLOR OAKS DR ROSWELL GA 30076	.64	.57																
73.	TEG ROSWELL LLC 5901 PEACHTREE DUNWOODY RD STE A500 ATLANTA GA 30328	.64	.57																
74.	ROSWELL BC LLC 780 OLD ROSWELL PL STE 100 ROSWELL GA 30076	.64	.57																

75.	OSWALD GEORGE JR 195 FOREST AVE MARIETTA GA 30060	.64	.57																
76.	PREMIERE HOMES LLC 11175 CICERO DR SUITE 100 ALPHARETTA GA 30022	.64	.57																
77.	HEMBREE POINTE PROS LLC 11775 POINTE PL #104 ROSWELL GA 30076	.64	.57																
78.	HEMBREE POINTE PROS LLC 11775 POINTE PL #102 ROSWELL GA 30076	.64	.57																
79.	HARBEN ALAN 11775 POINTE PL # 103 ROSWELL GA 30076	.64	.57																
80.	HEMBREE POINTE PROS LLC 11775 POINTE PL # 101 ROSWELL GA 30076	.64	.57																
81.	M CENTER ENTERPRISES LLLP THE 1240 UPPER HEMBREE RD UNIT A ROSWELL GA 30076	.64	.57																
82.	KASHLAN MUNIR & KACHLAN EIMAN 1240 UPPER HEMBREE RD UNIT B ROSWELL GA 30076	.64	.57																
83.	AVC PROPERTY LLC 1033 SOUTHERBY LANE ALPHARETTA GA 30004	.64	.57																
84.	EC UPPER HEMBREE LLC 1240 UPPER HEMBREE RD UNIT D ROSWELL GA 30076	.64	.57																
85.	C2M HOLDINGS LLC 1240 UPPER HEMBREE RD STE E ROSWELL GA 30076	.64	.57																

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To: [Taylor, Elicia](#)
Subject: FW: FERNLEAF Park
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Sent: Friday, March 1, 2024 8:26 AM
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[REDACTED]

Subject: FERNLEAF Park

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Thanks again,

Bob Vonderhorst
Bellsmith Regency
Sent from my iPad

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: CLUP-24-01/Z-24-04/

PH #: PH-24-05/V-24-04/

PHA230047

Property Taxes & Code Violations Verified

Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: EAH Acquisitions, LLC c/o Kathryn M. Zickert (Smith, Gambrell and Russell, LLP)

Telephone: 404-815-3704

Address: 1105 W. Peachtree St. NE

Suite: 1000

City Atlanta

State: GA

Zip: 30309

Fax: 404-685-7004

Mobile Tel: 404-815-3704

Email: kzickert@sgrlaw.com

Subject Property Information:

Address: 1180 Upper Hembree Road

Current Zoning: PSC

District: 1st

Section: 2nd

Land Lot: 550 & 553

Parcel ID: 12 223005500825

Proposed Zoning: R-8A/D

Current Use: Vacant 2-story building and associated parking

This Application For (Check All That Apply):

☐ Conditional Use

☐ Master Plan Amendment

☒ Comprehensive Plan Amendment

☒ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☐ Exception

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

See attached Statement of Intent.

Applicant's Request (Please itemize the proposal):

See attached Statement of Intent.

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

See attached Statement of Intent.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Amazon.com Services LLC

Telephone: _____

Address: 410 Terry Ave. N

Suite: _____

City: Seattle

State: WA

Zip: 98109

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: EAH Acquisitions, LLC c/o Kathryn M. Zickert
(Smith, Gambrell, and Russell, LLP)

Telephone: 404-815-3704

Address: 1105 W. Peachtree St. NE

Suite: 1000

City: Atlanta

State: GA

Zip: 30309

So Sworn and Attested:

Owner Signature: _____

(Authorized Agent for Amazon.com Services LLC)

Date: _____

12/21/23

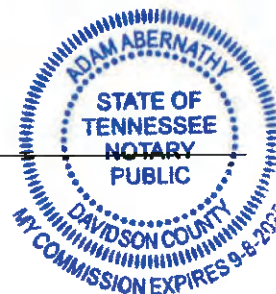
Notary:

Notary Signature: _____

Adam Abernathy

Date: _____

12-21-23



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: Heather Allen
(Authorized Agent for EAH Acquisitions, LLC)

Subject Public Hearing Case: 1180 Upper Hembree Road

Campaign Contribution Information:

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

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

Name of Official: _____ Position: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: Heather Allen Date: 12/18/23

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).

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Name of Applicant or Opponent: Amazon.com Services LLC by: **Fredrick Lutz**

(Authorized Agent for Amazon.com Services LLC)

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

Description of Contribution: N/A Value: _____

Description of Contribution: _____ Value: _____

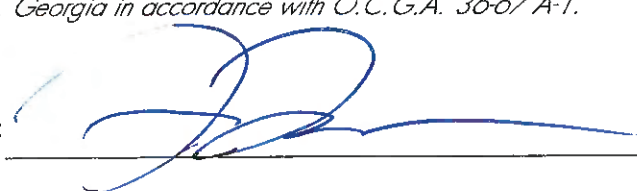
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature:  _____

Date: 12/21/23

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

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

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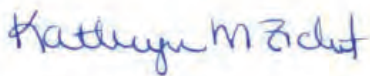
Description of Contribution: Value:

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Signature:



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

Date: 12.11.2023

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

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

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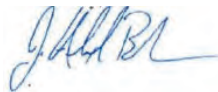
Description of Contribution: Value:

Description of Contribution: Value:

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Signature:



Date: 12.11.2023

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

DISCLOSURE FORM

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

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

Campaign Contribution Information:

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Signature: _____

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

Date: 12.11.2023

DISCLOSURE FORM

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

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

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Signature: _____



Date: 12.11.2023

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

DISCLOSURE FORM

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

Subject Public Hearing Case: 1180 Upper Hembree Rezoning

Campaign Contribution Information:

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Signature: _____



William J. Diehl (Smith, Gambrell, and Russell, LLP)

Date: 12.11.2023

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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: 1180 Upper Hembree Rezoning

Contact Name: Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP) Telephone: 404.815.3704

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

See attached Property Owner Mailing List.

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

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

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

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

500' Property Owner Mailing List

12 223005500460	S2 PARTNERS LLC	5755 NORTH POINT PKWY STE 210	ALPHARETTA GA 30022
12 223005501229	JC VENTURES GROUP LLC	8905 HUNTCLIFF LAKE CT	SANDY SPRINGS GA 30350
12 223005530780	HEMBREE CC LLC	200 GLENRIDGE POINT PKWY	ATLANTA GA 30342
12 223105510047	GARNETT LYNDEE L	8510 BIRCH HOLLOW DR	ROSWELL GA 30076
12 223105510062	CHERYL L GORMAN REVOCABLE TRUST THE	8530 BIRCH HOLLOW DR	ROSWELL GA 30076
12 223205500013	ARREH ABDORACHID C & BARKAD KADIDJA A	1110 TAYLOR OAKS DR	ROSWELL GA 30076
12 223205500039	SCHWARZELL ANDREW G & WENTZEL KATHLENE	1130 TAYLOR OAKS DR	ROSWELL GA 30076
12 223505520042	ALBERT ALEXANDER & ALBERT ARIEL	4206 HARRIS RIDGE CT	ROSWELL GA 30076
12 224005540753	LUCKY CORP	1055 BAY POINTE XING	ALPHARETTA GA 30005
12 224105490412	JIMENEZ LUIS	410 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490446	BONNETTE RICHARD KELLY	380 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490453	GOODRICH PHYLLIS JEAN	370 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490644	VAN CHRISTIAN T & VAN KELLY T	345 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490685	SHAFIK BAHAA M & KANATER SAHAR	425 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490693	SOTO ALEJANDRO ALANIS	435 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490701	ROJAS WILLIAM R & ROJAS MANUELA M	445 HEMBREE FOREST CIR	ROSWELL GA 30076
12 223005500924	POINTE PLACE HEMBREE LP	11731 POINTE PL	ALPHARETTA GA 30004
12 223005500965	ICREATE LLC	11755 POINTE PL	ALPHARETTA GA 30076

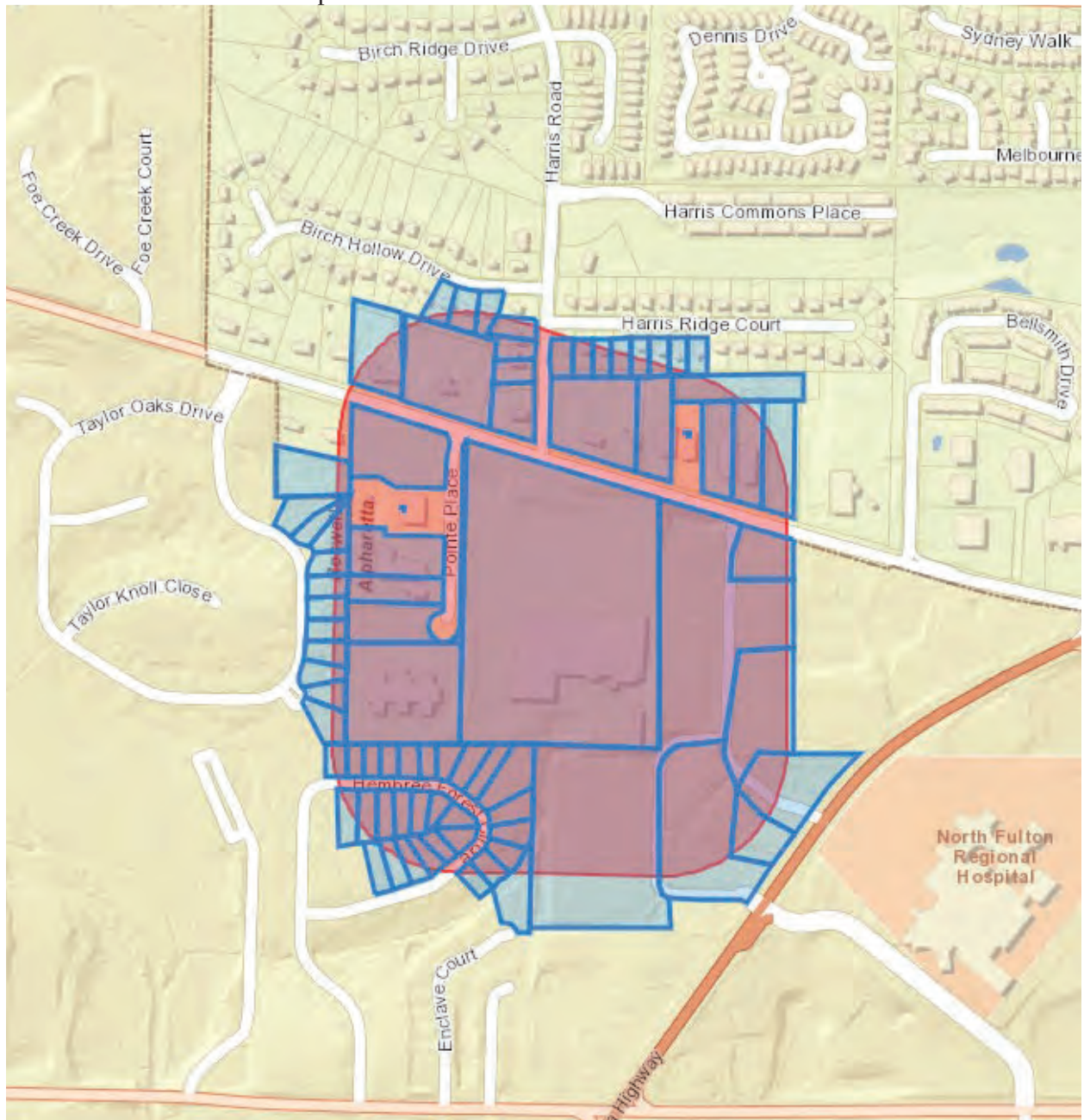
12 223205500336	GRIFFIN REVOCABLE TRUST THE	1050 TAYLOR OAKS DR	ROSWELL GA 30076
12 224005540779	ROSWELL BC LLC	780 OLD ROSWELL PL STE 100	ROSWELL GA 30076
12 223005501815	PREMIERE HOMES LLC	11175 CICERO DR SUITE 100	ALPHARETTA GA 30022
12 223005501203	HEMBREE POINTE PROS LLC	11775 POINTE PL # 101	ROSWELL GA 30076-4636
12 223005531770	KASHLAN MUNIR & KACHLAN EIMAN	1240 UPPER HEMBREE RD UNIT B	ROSWELL GA 30076
12 223105510021	BARNETT MARK D	11920 HARRIS RD	ROSWELL GA 30076
12 223205500021	FIX DAWN & KRISTOFER D	1120 TAYLOR OAKS DR	ROSWELL GA 30076-1186
12 223205500369	MIODUSER SUSAN A & HUNTER JEFFREY E	1080 TAYLOR OAKS DR	ROSWELL GA 30076
12 223205500377	ARGO E DONALD & BRITT A	1090 TAYLOR OAKS DR	ROSWELL GA 30076
12 223505520034	GUY-RICE BONNA K RICE DENNIS	4204 HARRIS RIDGE CT	ROSWELL GA 30076
12 223505520067	COLLEEN PATRICIA PEREZ REVOCABLE LIVING TRUST THE	4210 HARRIS RIDGE CT	ROSWELL GA 30076
12 223505520083	KONTUL JANICE M	4214 HARRIS RIDGE CT	ROSWELL GA 30076-4610
12 224005541124	HORIZON CLINICAL LLC	1170 PEACHTREE ST STE 2400	ATLANTA GA 30309
12 224105490396	WRIGHT LISA L	430 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490404	BOLDEN LES	420 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490420	BOURALEH WAISS G & WAIS AMINA L	400 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490438	SWAY 2014 1 BORROWER LLC	8665 E HARTFORD DR STE 200	SCOTTSDALE AZ 85255

12 224105490461	HICKS NATALIE B	360 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490479	GOMEZ ALEXEI MENDIETA & GARCIA MIRLA PEREZ	350 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490495	FKH SFR C2 LP	1850 PARKWAY PL SUITE 900	MARIETTA GA 30067
12 224105490610	LERNER VLADIMIR & SUAREZ BETILUZ	315 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490628	JAMISON MICHAEL CHRISTIAN	325 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490677	PEREZ MARIA E & CASTENA GABRIEL L	385 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490719	PASUMARTHI TAVI C & RAVITEJA	465 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490727	STELMACHERS ALEXANDER	475 HEMBREE FOREST CIR	ROSWELL GA 30076
12 223005500833	NATURAL MEDICAL SOLUTIONS LLC	1130 UPPER HEMBREE RD	ROSWELL GA 30076
12 223005530848	1250 UPPER HEMBREE LLC	8111 VALLI FARM RD	FOUNTAIN CO 80817
12 223205500344	DORSETT DAVID EDWARDS & DORSETT LAUREN MARIE	1060 TAYLOR OAKS DR	ROSWELL GA 30076
12 223205500351	ECHOLS BRANDON T	1070 TAYLOR OAKS DR	ROSWELL GA 30076
12 223205500385	HILL ANDRE S & HILL CEDRA ALANA	1100 TAYLOR OAKS DR	ROSWELL GA 30076
12 224005540647	TEG ROSWELL LLC	5901 PEACHTREE DUNWOODY RD STE A500	ATLANTA GA 30328
12 223605500076	OSWALD GEORGE JR	195 FOREST AVE	MARIETTA GA 30060
12 223005501211	HARBEN ALAN	11775 POINTE PL # 103	ROSWELL GA 30076
12 223005531804	C2M HOLDINGS LLC	1240 UPPER HEMBREE RD STE E	ROSWELL GA 30076
12 223005500403	NEKTALOV RAFAEL & NEKTALOV BORIS	5749 SINGLETON RD	NORCROSS GA 30093

12 223005530681	UPPER HEMNBREE MEDICAL PLAZA ROSWELL LLC & YASH PROPERTY INVESTMENTS LLC	235 MORTON MANNER CT	ALPHARETTA GA 30022
12 223005530699	MARTIN JAMES F	1004 RIVERBEND CLUB DR	ATLANTA GA 30339
12 223005530806	1250 UPPER HEMBREE LLC	8111 VALLI FARM RD	FOUNTAIN CO 80817
12 223105510013	MATIKEEVA KINNEY SAIRAGUL & KINNEY ANTHONY ROBERT	11910 HARRIS RD	ROSWELL GA 30076
12 223105510054	JACOBSON WILLIAM D & KATHLEEN M	8520 BIRCH HOLLOW DR	ROSWELL GA 30076
12 223205500047	BINA PAYVAND & POOSTI MARYAM	1140 TAYLOR OAKS	ROSWELL GA 30076
12 223205500054	MARTIN MARTINA PATRICE	1150 TAYLOR OAKS DR	ROSWELL GA 30076
12 223505520018	DUFFY JAIME & DUFFY GRANT	4200 HARRIS RIDGE CT	ROSWELL GA 30076
12 223505520026	ELAINE RUSSELL LIVING TRUST THE	4202 HARRIS RIDGE CT	ROSWELL GA 30076
12 223505520059	TOMIOKA HIROSHI	5050 QUORUM DR SUITE 225	DALLAS TX 75254
12 223505520075	COOPER NOCHOLAS & HUFF KAITLYN ELIZABETH	4212 HARRIS RIDGE CT	ROSWELL GA 30076
12 224005540902	MMAC PIX ATLANTA GA SPE LLC	3807 CLEGHORN AVE SUITE 903	NASHVILLE TN 37215
12 224105490388	JENNIFER JEAN MARTIN LIVING TRUST THE	1605 BRANCH VALLEY DR	ROSWELL GA 30076
12 224105490487	PANCICH GUILLERMO ISRAEL RAMOS & MARTINEZ NORMA ANGELICA TELLO	340 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490503	MORALES SILVA JUAN A & ESOBEDO SERENO MARIA	320 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490511	WANG BINHONG	2732 COLLINS COVE AVE	LAWRENCEVILLE GA 30043-6100
12 224105490529	BERGOO CONSULTING LLC	3624 RITTENHOUSE CT	MARIETTA GA 30062

12 224105490602	HILL MATTHEW TIMOTHY & JENNIFER CUPPY	4499 WOODFORD PASS NE	ROSWELL GA 30075
12 224105490636	CONNORS SCOTT A & LINDSAY K	335 HEMBREE FOREST CT	ROSWELL GA 30076-1199
12 224105490651	JACKSON CAROLYN J	355 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224105490735	FORD CURTIS LEE & RUIZ CRISTIAN EDUARDO BLAS	485 HEMBREE FOREST CIR	ROSWELL GA 30076
12 224305490147	MATHENY RONALD S	230 ENCLAVE CT	ROSWELL GA 30076
12 223005500866	ADVANCED RECOVERY SYSTEMS LLC	100 SE THIRD AVE SUITE 1800	FORT LAUDERDALE FL 33394
12 223005500825	AMAZON COM SERVICES LLC	410 TERRY AVE N	SEATTLE WA 98109
12 223005500932	ORTEGA ENTERPRISES LLC	5369 FOREST BROOK PKWY	MARIETTA GA 30068
12 223005530665	BIS PROPERTIES LLC	1230 UPPER HEMBREE RD # 200	ROSWELL GA 30076
12 223005530855	SPIRIT OF GOD CHRISTIAN CHURCH INC	7197 BELCREST DR	DULUTH GA 30097
12 223005501187	HEMBREE POINTE PROS LLC	11775 POINTE PL #104	ROSWELL GA 30076-4636
12 223005501195	HEMBREE POINTE PROS LLC	11775 POINTE PL #102	ROSWELL GA 30076
12 223005531762	M CENTER ENTERPRISES LLLP THE	1240 UPPER HEMBREE RD UNIT A	ROSWELL GA 30076
12 223005531788	AVC PROPERTY LLC	1033 SOUTHERBY LANE	ALPHARETTA GA 30004
12 223005531796	EC UPPER HEMBREE LLC	1240 UPPER HEMBREE RD UNIT D	ROSWELL GA 30076

500' Public Notification Map





SITE LOCATION MAP
NOT TO SCALE

FEMA FIRM MAP

VARIANCE REQUEST:

1. SINGLE FAMILY DETACHED VARIANCES
 - 1.1. REDUCE REAR ALLEY SETBACK FROM 20 FEET TO 0 FEET
 - 1.2. INCREASE THE LOT COVERAGE FROM 40% TO 65% FOR IMPERVIOUS COVERAGE.
 - 1.3. REDUCE THE MIN. LOT AREA FROM 4,500 FEET TO 2,000 FEET FOR REAR LOADED HOMES.
 - 1.4. REDUCE THE MIN. LOT WIDTH FROM 50 FEET TO 31 FEET

ZONING NOTES:

1. ALL SIDEWALKS SHOWN ARE FOR ILLUSTRATIVE PURPOSES. SIDEWALKS WILL BE DESIGNED AT LATER DATE TO HAVE DIFFERENT TYPES OF MATERIALS IN GREEN SPACE AREAS AND BE UNIQUE. (NOT ALL CONCRETE.)
2. SECOND ENTRANCE IS TO BE FIRE ACCESS ONLY AND 20 FEET IN WIDTH.

SITE DATA	
SITE AREA	19.32 ACRES
ZONING	
EXISTING ZONING	P6C
PROPOSED ZONING	R40D
ZONING JURISDICTION	CITY OF ALPHARETTA, GEORGIA
PROPERTY SPECIFIC REQUIREMENTS	
FRONT SETBACK	65 FEET
SIDE SETBACK FROM ADJACENT PROPERTY	5 FEET
REAR SETBACK	NOT SPECIFIED > 0 FEET
SINGLE FAMILY DETACHED LOT REQUIREMENTS	
FRONT YARD SETBACK	NOT SPECIFIED 0 FEET
SIDE YARD SETBACK	0 FEET
REAR YARD SETBACK	0 FEET
REAR YARD SETBACK	0 FEET W/ ALLEY; 0 FEET WITHOUT ALLEY
DEVELOPMENT STANDARDS	
MAX. HEIGHT OF BUILDINGS	35 FEET
MAX. PRINCIPAL BUILDINGS COVERAGE	65% PERMISSIBLE COVERAGE
MIN. FLOOR AREA PER DEVELOPING UNIT	1,200 SF
REAR LOADED CRITERIA	
REAR LOADED HOME PROVIDED	99 UNITS
REAR LOADED HOME LOT SIDE MIN.	2,000 SF
REAR LOADED HOME LOT SIDE MIN.	31 FEET
FRONT LOADED CRITERIA	
FRONT LOADED HOME PROVIDED	90 UNITS
FRONT LOADED HOME LOT SIDE MIN.	4,000 SF
FRONT LOADED HOME LOT SIDE MIN.	38 FEET
ADDITIONAL CRITERIA	
REAR RESIDENTIAL HOMES PROVIDED	149 UNITS
SITE DENSITY PROVIDED	7.71 DUA (149 UNITS / 19.32 ACRES)
MAX DENSITY ALLOWED IN DISTRICT	8 UNITS PER ACRE
OTHER CRITERIA	
MIN. PARKING REQUIRED	258 SPACES (2 SP. DEVELOPING UNIT)
GUEST PARKING REQUIRED	109/202 UNITS (2 GARAGES + 8 SPACES)
MIN. PARKING REQUIRED	36 SPACES
HOMES PROVIDED	998 SPACES (2 SPACES + 2 DRIVEWAY SP.)
PARKING PROVIDED	632 SPACES (4.24 SPACES/UNIT)
ADDITIONAL COMMENTS	
MINIMUM 50% OPEN SPACE REQUIRED	1.47 AC, 7.5% (Includes Dog Park, Amenity, Golf)
GREEN SPACE REQUIRED	3.43 AC, 17.78% (Includes Pond)

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

WWW.PFC.PLUS



Planners & Engineers Collaborative+

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

**350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092**

PROJECT

UPPER HEMBREE
RD.

**A MASTER PLANNED RESIDENTIAL
DEVELOPMENT**

AT

1180 UPPER HEMBREE ROAD
ALPHARETTA, GEORGIA 30076

CITY ALPHARETTA JURISDICTION

FOR

EMPIRE COMMUNITIES

MUNICIPALITY PROJECT #

REVISIONS

[illegible]

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



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2

REZONING
MASTER PLAN

SCALE: 1" = 5'

DATE: 12/6/2002

DATE: 12/6/202
PROJECT: 20167.00



Z1

SUEP

24 HOUR CONTACT:
KELLEY RHINO

Written Description: Upper Hembree Tract (Overall)

All that tract or parcel of land lying and being in Land Lots 550 and 553, 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE at a 1" rebar found at the corner common to Land Lots 549, 550, 553, and 554, said point being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED;

thence along the common line of Land Lots 549 and 550 N88°20'56"W for a distance of 299.74 feet to a 1-1/2" crimped top pipe found; thence leaving said Land Lot Line N01°38'54"E for a distance of 399.93 feet to a 1/2" rebar found; thence N01°37'02"E for a distance of 787.92 feet to a 1/2" rebar set at the southerly right of way of Upper Hembree Road (right of way varies); thence in a easterly direction along said southerly right of way the following courses and distances:

S72°51'15"E for a distance of 309.95 feet to a point;

S73°17'31"E for a distance of 497.19 feet to a 1/2" rebar set;

thence leaving said southerly right of way S01°33'37"W for a distance of 972.20 feet to a 1/2" rebar found at the common line of Land Lots 553 and 554; thence along said Land Lot Line N88°47'22"W for a distance of 480.13 feet to a 1" rebar found, said point being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land contains 19.317 acres.

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Atlanta, Georgia 30309-3608
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kzickert@sgrlaw.com

December 22, 2023

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

Re: Application of EAH Acquisitions, LLC (“EAH”) for 19.32 Acres located at 1180 Upper Hembree Road for (i) Rezoning from PSC to R-8A/D for the development of 149-unit Detached Single Family Neighborhood (7.71 units per acre); (ii) amendment to the Future Land Use Map to change the future land use map from Commercial to High Density Residential Designations; (iii) and for four (4) concurrent variances to UDO § 2.2.9 for reducing a rear alley setback from 20’ to 0’; increasing lot coverage from 40% to 65%; reduction of lot size minimums from 4,500 to 2,000; and reduction of minimum lot widths from 50’ to 31’.

Dear Kathi:

Please accept this letter as the Letter of Intent of my client, EAH Acquisitions, LLC (“EAH”) in support of the above referenced application for rezoning (from PCS to R8-A/D); an application to amend the Future Land Use Map (from Commercial to High Density Residential); and for concurrent variances as listed above.

As you may know, I represent EAH in its effort to develop the project described above. The subject property is a 19.32 acre lot located at 1180 Upper Hembree Road (the “Property”). The project envisions the redevelopment of an underutilized parking lot and older commercial/retail building that until 2014 serviced the Harry’s Farmers Market, and is now vacant having served as a Whole Foods distribution center between 2014 and 2017. This project is an exciting example of an adaptive reuse of an obsolete and largely vacant commercial property, offering the opportunity to provide a vibrant single-family community incorporating open space, community amenities, and a variety of attractive housing products where, currently, a depreciated, vacant commercial/retail facility sits.

The project contemplates the deconstruction of the existing 145,000 square foot commercial/retail space and the associated parking lot, allowing for the development of a 149-unit single family detached-housing community. The homes will include various housing

products and styles to include a mixture of front-entry and rear-entry garages. The minimum heated floor area will be 1,200 sq/ft, which is compliant with the development code. Building heights will not exceed thirty-five feet (35'), which again meets the code.

The community plan includes the development of various amenities such as a pool, club house, pickle ball courts, dog park, and a community garden. The density of the development is 7.71 units per acre, which is not only consistent with recent residential development along the Upper Hembree corridor but also provides a transition between more intensive and dense residential and commercial uses and older residential developments on Upper Hembree further West of its intersection with Highway 9.

The Property is currently zoned in the PSC (Planned Shopping Commercial) zoning district, a zoning district intended for “grouped retail” sales and services managed as a “total entity.” Essentially, the zoning district envisions strip-center retail developments, although this property was not developed as a strip center. The Future Land Use Map identifies the Property for future commercial uses. This project requests that both of these designations be amended. The Comprehensive Plan’s policies, existing market conditions, and surrounding land use patterns fully support these changes.

First, the Comprehensive Plan identifies the rising rates of vacancy in older commercial developments as a concern for the City, which creates the opportunity for adaptive redevelopment and to add mixes of uses. The Comprehensive Plan also identifies the value of infill and adaptive residential redevelopment that is consistent and contributory to the surrounding community.

The Property, although currently being used for warehousing by a national brand, reflects this challenge identified in the plan. The older retail building has been underutilized since 2014, when the Harry’s Farmers Market closed and was relocated to the Whole Foods at the Avalon. Since then, the building was retrofitted for warehousing use and has since 2017 been vacant. Unfortunately, the existing retail and shopping center market no longer supports the use for which the Property was originally developed and is currently zoned. This project’s residential and community oriented use is much more consistent with the comprehensive plan’s goals and these circumstances support amendments to the Future Land Use Map.

Surrounding land uses are diverse. Uses within a half mile radius of the Property include office and commercial zoned properties (particularly along the eastern-side of Upper Hembree Road) and a mix of higher density residential developments (zoned PUD and R8-A/D) and established, older suburban neighborhoods (zoned R-10 and R-15). More recent residential neighborhoods were developed with denser residential uses. The Harris Commons and Bellsmith Regency neighborhoods, for example, are infilled townhome communities all located less than a quarter of a mile from the Property. Harris Commons is a seventy-seven (77) unit townhome community zoned PUD (built in 2004) (appx. 6.5 u/acre). Bellsmith Regency is an eighty-five (85) unit townhome community zoned R8-A/D (built in 2006) (appx. 6.8 u/acre).

The Bellsmith Regency neighborhood is classified in the Future land Use Map’s High Density Residential designation. Harris Commons is in the Medium Density Residential

designation, although its current density and development (townhomes) would be more consistent with the High Density Residential designation.

If approved, this project will serve as a transitional development separating more densely developed and intensely-used properties closer to Alpharetta Highway to the east and the established residential neighborhoods to the west. This property's topography makes it uniquely situated for a transitional density. The site is below grade from Upper Hembree, protecting the community from direct sightlines along the road. At the same time, a large setback from Upper Hembree will provide additional tree and landscaping coverage to further obscure direct sightlines.

The development will require concurrent variances. Those variances, detailed below, are necessary on account of challenges related to the site's geography and layout. Moreover, the variances requested allow the proposed project to provide a variety of housing types and layouts, preventing it from appearing "rubberstamped" and repetitive.

All variance requests arise from the dimensional requirements of the Unified Development Code § 2.2.9.D.

First, a variance is requested to accommodate the proposed alley setbacks for the rear-entry units. Section 2.2.9.D requires a twenty (20) foot setback from alley ways. While the circumstances are limited, certain homes in the development, particularly homes with corner lots, are adjacent to lot lines (amounting to a zero-foot setback along the alley). This, however, does not mean that the homes are adjacent to the road. The forty-four (44') foot alleyway access and utility easement provides additional buffering (at least 10' on both sides) from the drivable portion of the alley to the lot-line. The variance is necessary as consequence of the alley access and utility easement that is required by the code, and the special spatial challenges of the site. The Property's size and shape require that roads be constructed in a grid, thereby increasing the number of corner lot homes and decreasing flexibility with housing arrangements and lot location.

The second variance request seeks approval of an increase of the lot coverage maximums of the principal buildings. Section 2.2.9.D requires that the maximum lot coverage of the principal buildings be 40%. Here, we are seeking an increase of the maximum coverage to 65%. The increase allows the development to preserve its cottage-home aesthetic, while still preserving areas for landscaped common spaces to be incorporated within the project. The variance is necessary on account of the site dimensions which, to accommodate buffering and geographic challenges, concentrate developable portions of the property in the center of the development. Notably, the property is currently developed with impervious surfaces covering approximately 80% of the total area. This concept allows for a significant increase in greenspace and pervious surfaces from the existing conditions, even with the variance.

The third and fourth variance requests concern lot size and dimensions. Section 2.2.9.D requires that the minimum lot sizes be 4,500 sq. ft and that lot widths are a minimum of fifty (50) feet. The applicant seeks reductions in the minimum lot sizes (to 2,000 feet) and the minimum lot width (to thirty-one feet) respectively. Again, these variances allow the development to preserve

a cottage-home aesthetic while preserving the shared common area. The request is also required by dimensions of the developable lot and to accommodate the significant redevelopment costs associated with replacing the large commercial building on the Property. Without such reductions in the project is not economically feasible.

In summary, these improvements require the following approvals:

1. Rezoning of the Property from PSC to R8-A/D.
2. An amendment of the Comprehensive Plan's Future Land Use Map from Commercial Uses to High Density Residential.
3. Concurrent variances from the Unified Development Code accordingly:
 - a. Alpharetta UDC Section 2.2.9.D.—reduction of rear alley setback from 20 feet to 0 feet
 - b. Alpharetta UDC Section 2.2.9.D.—increase lot coverage from 40% to 65% of lot coverage by principal buildings.
 - c. Alpharetta UDC Section 2.2.9.D.—reduction minimum lot size from 4,500 feet to 2,000 feet for rear loaded homes
 - d. Alpharetta UDC Section 2.2.9.D.—reduction minimum lot width from 50 feet to 31 feet.

A. Phasing

The project is not intended to be phased.

B. Trip Generation

			A.M. Peak (7 am to 9 am)			P.M. Peak (4 pm to 6 pm)		
Land Use (ITE Code)	Proposed Intensity	Daily Total	In	Out	Total	In	Out	Total
Single-Family Detached Housing (210)	149 Units	1,148	30	89	119	94	55	149

*Source: Trip Generation Manual, 9th Ed.

The Property has access to Upper Hembree Road and easy connectivity to Highway 9. Both roads have capacity to accommodate the increase in traffic generation. For sake of

comparison, the anticipated traffic generation of the property if used as developed for a supermarket would amount to 493 and 1,375 trips per hour at A.M. and P.M. peak hours respectively. Thus, the proposed development's impact on traffic capacities would be significantly less than uses that would be allowed by right in the current zoning district.

C. Schools

The school-age children living in the residences will attend Hembree Springs Elementary, Elkins Pointe Middle School and Milton High School. Hembree Springs and Elkins Pointe are currently within their capacities. Milton High School is currently over capacity, however, it is projected to be within its capacity in the 2025-26 and 2026-27 school years.

D. Standards for the Requested Amendments and Variances

ZONING MAP

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

Response: Yes. Recent residential development in the area has been of similar or higher densities of use. The Property is in an area with relatively high connectivity, being near the intersection of Upper Hembree Road and Alpharetta Highway. Some higher intensity commercial uses remain at that intersection, however, much of the commercial inventory at the intersection is depreciating and continued commercial uses are dubious. The proposed use allows for a transitional buffer between a commercial corridor and the established lower density suburban housing along Upper Hembree Road.

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

Response: No. The Property is surrounded by office, commercial, and residential uses, which currently exist in harmony. Similar residential uses at similar densities currently exist within a quarter mile radius from the Property. The residential uses here will not impact adjacent or surrounding uses.

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

Response: No. The Property is currently nearly entirely impervious, largely lacks tree cover, and is depreciating. The zoning proposal will redevelop the parcel to decrease the amount of impervious surface, to redesign and improve the stormwater system and to provide for additional landscaping and tree coverage.

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

Response: Yes. Commercial and retail markets have deteriorated. The Property's current use reflects that change in market conditions. The previous retail use was no longer sustainable and the property is currently vacant.

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

Response: No. The Property is well connected to arterial roads and major highways. The Property was developed and designed for intensive and heavily trafficked commercial uses that would have generated much higher trip volumes than the proposed redevelopment of the subject property will.

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

Response: Yes. The Comprehensive Plan envisions revitalization and adaptive reuse of aging retail facilities. The proposal is an innovative reuse project that converts an aging and deteriorating commercial use to a productive and energized neighborhoods in a manner and intensity that is consistent with surrounding uses.

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

Response: Yes. The request to change the use of the property from commercial and retail strip center to residential reflects a reasonable balance.

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

Response: See, response to (d) above.

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

Response: The zoning proposal does not meet the Comprehensive Land Use Plan designation of the property, which is "Commercial." The Applicant proposes an amendment to the Comprehensive Land Use Plan designation of the property to 'High Density Residential'. However, the project is consistent with the spirit of the Comprehensive Plan and the desire to redevelop underutilized retail spaces.

COMPREHENSIVE LAND USE PLAN

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

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

Response: The Property was developed in 1989 for a Harry's Farmers Market. Since that development traditional "big box" retail has significantly trended downward. New commercial development is centered around more heavily trafficked areas with additional and higher density housing surrounding the development. The farmer's market ceased operating in 2014. The Property is now vacant and has been since Whole Foods ceased operations in 2017.

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

Response: The Applicant's proposal complies with the goals and policies of the City's Comprehensive Plan, particularly its goals of providing innovative and community-oriented infill developments and for revitalizing aging and vacant commercial properties. The proposal converts a large and aging retail relic to a community-oriented neighborhood.

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

Response: The proposed change in use would increase some demands for public services such as transportation, water, sewer, and safety when compared to the existing underutilized use as a warehouse. However, the proposed change would not be a material increase from the provision of public services if this Property were used as constructed and zoned. A supermarket use would contribute to additional traffic in the area and would have had substantial water and sewer needs.

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

Response: No such negative impacts will occur.

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

Response: Not applicable.

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

Response: The Comprehensive Plan does recognize that traditional retail, including both the "big-box" retail store uses (for which this Property was developed) and the traditional strip-center uses (for which this Property is currently zoned) are not economically feasible.

VARIANCE REVIEW CRITERIA

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

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

Response: Yes.

- **Rear alley setback**—Redevelopment requires perpendicular gridded streets and increase the amount of corner lots, where alley setbacks are imposed from various sides. These setbacks in combination with the utility easements that are required by the development ordinance reduce the developability to lots such that development is not feasible.
- **Increase in building coverage**—the Property was developed below the grade of Upper Hembree Road and the access from the Upper Hembree Road switches back to accommodate the grade. As a result, much of the Property facing Upper Hembree road is used to safely accommodate the grade elongating the access road and reduces the developable portion of the Property.
- **Minimum lot size reduction**—as discussed, the developable portion of the Property is concentrated in the middle of the Property due to geography and spatial challenges.
- **Reduction in lot width**—as discussed, the developable portion of the Property is concentrated in the middle of the Property due to geography and spatial challenges.

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

Response: Yes.

- **Rear alley setback**—the redevelopment requires perpendicular gridded streets and increase the amount of corner lots, where alley setbacks are imposed from various sides. This reduces the developable portion of all lots. A hardship also arises on account of the geographic challenges and other challenges related to reconstruction of the older retail building. These development costs can only be offset by either, increases in density or reductions in lot sizes. To harmonize this development with the surrounding intensities of use, the developer has elected to develop detached housing products (as opposed to attached housing) while requesting variances from the development code.
- **Increase in building coverage**—reductions in the developable portion of the Property cause result in smaller sized lots. While this increases impervious surfaces from the UDO standards, the lot is currently being used for a supermarket and parking lot and

is, primarily impervious. Therefore, the reduction nets pervious surfaces and green space from the current condition.

- **Minimum lot size reduction**—as discussed, the developable portion of the Property is concentrated in the middle of the Property due to geography and spatial challenges.
- **Reduction in lot width**—as discussed, the developable portion of the Property is concentrated in the middle of the Property due to geography and spatial challenges.

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

Response: Yes.

- **Rear alley setback**— The existing and aged retail shopping center creates a sizable challenge for redevelopment. As discussed, the deconstruction has associated costs that are beyond those experienced in traditional greenfield development. Additionally, the existing retail market and this Property's location away from higher trafficked commercial corridors make continued commercial uses a substantial detriment.
- **Increase in building coverage**—same as above.
- **Minimum lot size reduction**— same as above.
- **Reduction in lot width**— same as above.

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

Response: Yes.

- **Rear alley setback**— The development project replaces an underutilized and aging retail building and the associated, largely vacant, parking lot with a vibrant single-family neighborhood. This is consistent with the goals of the Comprehensive Plan and the intent of the Unified Development Code. Moreover, the proposed use would be less intensive on utility and city services than the use that is permitted by right.
- **Increase in building coverage**—same as above.
- **Minimum lot reduction**— same as above.
- **Reduction in lot size width**— same as above.

E. Requested Conditions

- 1) The property shall be developed substantially in accordance with the plans by PEC dated December 6, 2023.
- 2) Single family detached lots will have a minimum lot width of 31' exclusive of public street rights-of-way.

- 3) Each unit shall contain a minimum of 1,200 sf.
- 4) A minimum landscaped buffer will be installed and maintained along Upper Hembree Rd.
- 5) The units should have driveways that allow for two cars to park on each driveway.
- 6) Elevations and architectural treatment shall be substantially in accordance with the materials attached as Exhibit A. These include cementitious siding brick and board and batten. The elevations show the variation in the façade and the massing of the units.
- 7) The project provides approximately 4.9 acres of community space (± 25.35 % of total site) which includes ± 1.47 acres of amenity space (± 7.6 % of total site) and ± 3.43 acres of green space (including the detention pond) (± 17.75 % of total site).
- 8) Stormwater management will employ smart stormwater design techniques (e.g. rain gardens, enhanced swales, etc.) within the main stormwater detention area(s).
- 9) Pedestrian amenities including pathways and benches should be included throughout the development and amenity areas.
- 10) No more than 10% of the residential units will be permitted to be rented, as recorded in the HOA's declarations and covenants.
- 11) New utilities interior to the site will be placed underground

F. Preservation of Rights

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

CONCLUSION

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

Respectfully submitted,



Kathryn M. Zickert

CC: Kevin Norton, PE
Hannah Cates
Kelly Rhino

Alpharetta

0

LOG IN

Real Estate

View Bill

As of

12/12/2022

Bill Year

2023

Bill

2304353

Owner

AMAZON.COM SERVICES LLC

Parcel ID

12-0280-0380-082-5

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2028	\$46,234.27	\$46,234.27	\$0.00	\$0.00	\$0.00
TOTAL		\$46,234.27	\$46,234.27	\$0.00	\$0.00	\$0.00

Home

Citizen Self Service

Alcohol and Business License Renewals

General Billing

Personal Property

Real Estate

View Bill

Charges

Property Detail

Owner Information

Assessment

Assessment History

Tax Rates

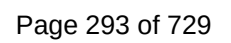
All Bills

Contact Us

Search Results

New Search

Utility Billing



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

SPECIMEN TREE REPORT

*Tree Inventory
1180 Upper Hembree
Alpharetta, GA 30076*

Prepared For:

**EAH Acquisition, LP.
Mr. Nate Welch
5775 Glenridge Drive
Building D, Suite 350
Atlanta, GA 30328
Phone: 770-541-5250
Email: nwelch@empirecommunities.com**

Assessor:

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

October 24, 2023

On October 24, 2023, Robert Brettschneider, Owner of His Hands Tree Preservation and an International Society of Arboriculture (ISA) Certified Arborist, conducted the onsite tree assessment and inventory. This assessment aimed to verify sizes and evaluate the biological and structural health of the specimen and boundary/shared trees.

All specimen-sized trees were assessed for insect infestations, disease pressures, structural defects, biological decline, and overall health. A health and structural assessment was performed as a visual ground assessment and documented in the report.

Smaller non-specimen trees in the parking lot areas were also assessed and identified if the health and condition were poor or the tree was dead.

The following criteria per the City of Alpharetta Unified Development Code were used to determine Boundary/Shared Trees or Specimen Tree statuses. Determining a tree's specimen status is ultimately up to the City of Alpharetta Arborist and staff.

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

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

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

Site Location:

This piece of land contains several buildings. The site is fully developed with the old Harris Teeter grocery store. Most of the parking lot trees on site were of poor quality, and the buffering area of trees was in fair condition.

Table and Report:

The table below summarizes the inventory and assessment of the specimen trees on this site. The table contents contain the following information.

Tree ID: The specific metal identification tag on the tree.

Tree Size: The size of the tree measured at 3.5 feet on the trunk gives the diameter size.

Tree Species: Identifies the genus and species of each tree.

Condition Rating: The condition rating comprises three distinct qualities: health, structure, and form.

- *Health:* Tree health (vigor) includes evaluation of the crown density, foliage color, leaf size, annual shoot growth, disease infections, insect infestations, the presence of injuries, and shoot dieback symptoms.
- *Structural:* The tree structural evaluation includes assessing tree features impacting the structural integrity. These conditions may have the presence of codominant stems, weak branch attachments, decay indicators, root collar burial, dead and dying branches, low live crown ratio, visual cavities, and other conditions of concern.
- *Form:* The tree form considers the tree's growth habit – its symmetry, shape, or silhouette. The form is also based on the tree species, site conditions, proximity to other trees or structures, and management history.

The condition ratings are categorized as good, fair, and poor.

- *Good:* The vigor is normal for the species. There is no significant damage due to diseases or pests. Any twig dieback, defoliation, or discoloration is minor. It has a well-developed structure. The defects are minor and can be corrected. There are minor asymmetries/deviations from species norm.
- *Fair:* The tree has a reduced vigor. Damage from insects or diseases is significant and associated with defoliation but is not likely fatal. Twig dieback, defoliation, discoloration, and/or dead branches may comprise up to 50% of the crown. The tree has a single defect of a significant nature or multiple moderate defects. The defects are not practical to correct or would require multiple treatments over several years. The tree form has major asymmetries/deviations from species norm and/or intended use. The functions and/or aesthetics are compromised.
- *Poor:* The tree is unhealthy and declining in appearance. Poor vigor. Low foliage density and poor foliage color are present. The tree has a potentially fatal pest infestation. Has an extensive twig and/or branch dieback. The tree has a single serious defect or multiple significant defects. Recent change in tree orientation. The structural problems cannot be corrected and may fail at any time. The tree form is largely asymmetric/abnormal and distracts from the intended use and/or aesthetics significantly.

Specimen Tree: An "X" identifies that the City of Alpharetta Arborist would consider the specimen tree a non-recompense



FERNLEAF
Park





FERNLEAF
Park



FERNLEAF
Park





FERNLEAF
Park





FERNLEAF
Park





FERNLEAF
Park



Suitability for Preservation: This categorizes a tree's potential to be an asset to the project following development. While this rating is future-focused, it is based on the species, current size, current condition, and species tolerance to construction. This rating is not based on specific construction plans or anticipated impacts on the tree.

The preservation ratings are categorized as high, medium, and low.

- *High:* A tree that is in good condition, has a long remaining lifespan, is desirable, and a species that can tolerate construction damage.
- *Moderate:* A tree with a moderate rating is between the High and Low ratings. They have conditions or qualities that could be mitigated with arboriculture treatments (pruning, pest management, soil management, or supplemental irrigation).
- *Low:* A tree in poor condition, has a short remaining lifespan, has poor aesthetics, is intolerant of construction damage, or is an invasive species tree.

The species tolerance ratings were taken from Coder, Kim D. 2021. Tree Tolerance of Site Development Activities. University of Georgia, Warnell School of Forestry & Natural Resources Outreach Publication WSFNR21-45C. Pp.6

Table Key and Results:

The bold type indicated a specimen tree.

Italic type indicates a boundary or shared tree.

Table: Trees on site

Tree ID	Diameter	Tree Species	Condition			Specimen Tree	Suitability for Preservation	Comments
#	Inches	Common Name	Biological Health (Vigor)	Structural	Form	"X"		Main problems
276	24	Red Maple	Good	Good	Good	X	High	
277	28	Red Maple	Good	Good	Good	X	High	
278	28	Red Maple	Good	Poor	Fair		Moderate	V-Union split and crack. Preserving tree would require cable and throughbolt braces.
279	21	Leyland Cypress	Good	Good	Good	X	Moderate	
280	22	Leyland Cypress	Good	Good	Good	X	Moderate	
281	15	Yoshino Cherry	Fair	Fair	Good	X	Moderate	

282	12	Yoshino Cherry	Fair	Fair	Good	X	Moderate	
283	15	Yoshino Cherry	Fair	Fair	Good	X	Moderate	
284	35	Northern Red Oak	Good	Good	Fair	X	Moderate	
285	28	Red Maple	Good	Good	Good	X	Moderate	
286	21	Yoshino Cherry	Fair	Fair	Fair	X	Moderate	Multi-stemmed leader.
287	30	Loblolly Pine	Fair	Fair	Fair	X	Moderate	

Photos



Tree #278 Red Maple with "V" union



Several Yoshino Cherry with straps



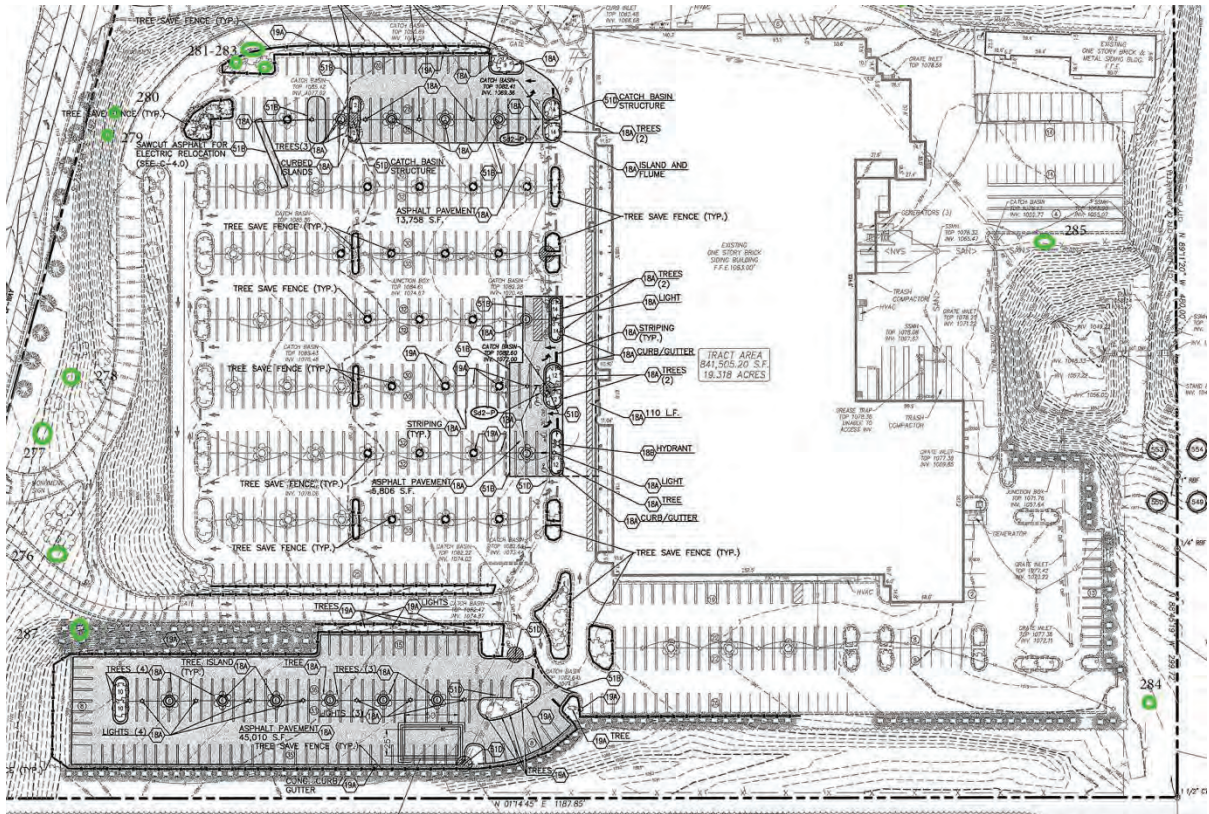


Parking lot trees are fair to Poor condition





Map



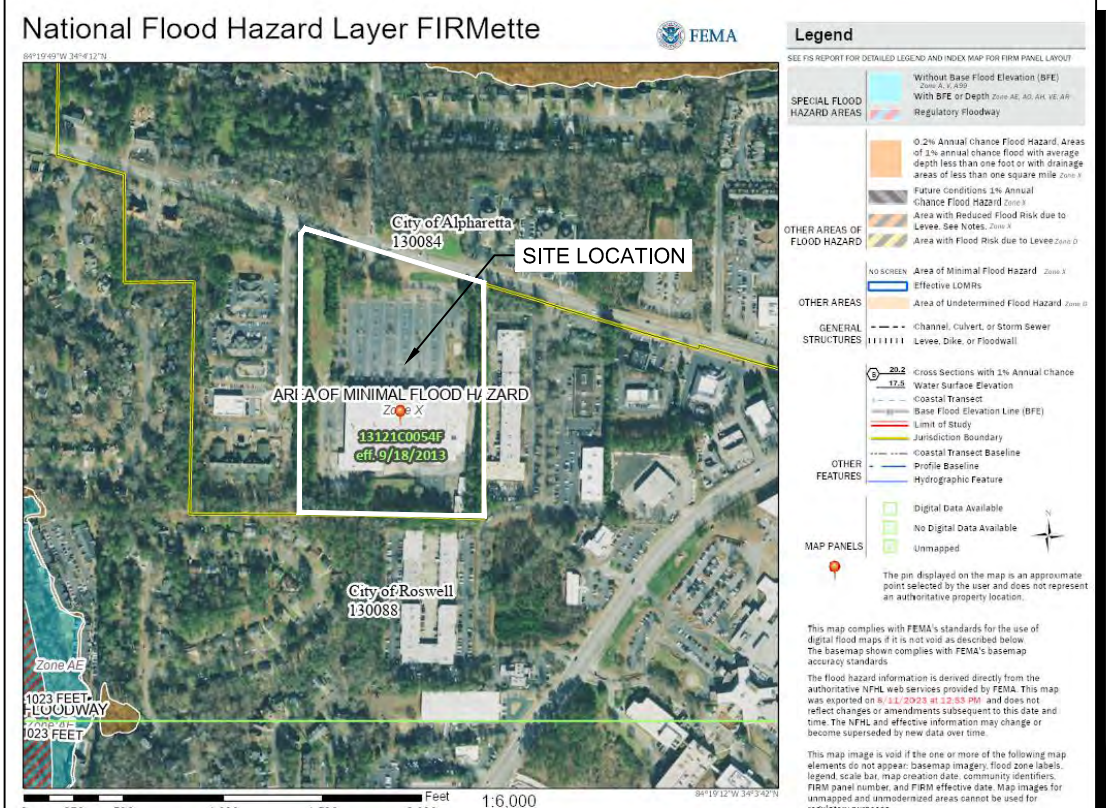
The above observations, discussion, and recommendations are based on my professional experience and education. It is important to note that trees are natural living things, and it is impossible to predict when a tree may die or fail, especially when impacted by construction, human intervention, natural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

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



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

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1. SINGLE FAMILY DETACHED VARIANCES
 - 1.1. REDUCE REAR ALLEY SETBACK FROM 20 FEET TO 0 FEET
 - 1.2. INCREASE THE LOT COVERAGE FROM 40% TO 65% FOR IMPERVIOUS COVERAGE.
 - 1.3. REDUCE THE MIN. LOT AREA FROM 4,500 FEET TO 2,000 FEET FOR REAR LOADED HOMES.
 - 1.4. REDUCE THE MIN. LOT WIDTH FROM 50 FEET TO 31 FEET

1. ALL SIDEWALKS SHOWN ARE FOR ILLUSTRATIVE PURPOSES. SIDEWALKS WILL BE DESIGNED AT LATER DATE TO HAVE DIFFERENT TYPES OF MATERIALS IN GREEN SPACE AREAS AND BE UNIQUE. (NOT ALL CONCRETE.)
2. SECOND ENTRANCE IS TO BE FIRE ACCESS ONLY AND 20 FEET IN WIDTH.

SITE DATA:	
SITE AREA	19.32 ACRES
ZONING	
EXISTING ZONING	PSC
PROPOSED ZONING	R-84D
ZONING JURISDICTION	CITY OF ALPHARETTA, GEORGIA
PROPERTY SETBACK/BUFFER REQUIREMENTS	
FRONT SETBACK	65 FEET
SIDE SETBACK FROM ADJACENT PROPERTY	5 FEET
REAR SETBACK	NOT SPECIFIED - 0 FEET
SINGLE FAMILY DETACHED LOT SETBACKS	
FRONT YARD SETBACK	NOT SPECIFIED 0 FEET
SIDE YARD SETBACK	0 FEET
MAJOR SIDE YARD SETBACK	0 FEET
REAR YARD SETBACK	0 FEET W/ ALLEY/ 0 FEET WITHOUT ALLEY
DEVELOPMENT STANDARDS	
MAX. HEIGHT OF BUILDINGS	35 FEET
MAX. PRINCIPAL BUILDING COVERAGE	65% IMPERVIOUS COVERAGE
MIN. FLOOR AREA PER DWELLING UNIT	1,200 SF
REAR LOADED CRITERIA	
REAR LOADED HOMES PROVIDED	99 UNITS
REAR LOADED HOME LOT SIZE MIN.	2,000 SF
REAR LOADED HOME LOT WIDTH MIN.	31 FEET
FRONT LOADED CRITERIA	
FRONT LOADED HOMES PROVIDED	53 UNITS
FRONT LOADED HOME LOT SIZE MIN.	4,500 SF
FRONT LOADED HOME LOT WIDTH MIN.	38 FEET
TOTAL RESIDENTIAL HOMES PROVIDED	149 UNITS
SITE DENSITY PROVIDED	7.71 DUA (149 UNITS/ 19.32 ACRES)
MAX DENSITY ALLOWED IN DISTRICT	8 UNITS PER ACRE
PARKING REQUIREMENTS	
MIN. PARKING REQUIRED	298 SPACES (2 SP/ DWELLING UNIT)
GUEST PARKING REQUIRED	15P/20 UNITS / 149 UNITS = 8 SPACES
GUEST PARKING PROVIDED	36 SPACES
HOME PARKING PROVIDED	596 SPACES (2 GARAGE + 2 DRIVEWAY SP.)
TOTAL PARKING PROVIDED	632 SPACES (4.24 SP/UNIT)
PARKING REQUIREMENTS	
AMENITY SPACE PROVIDED	1.47 AC. 7.6% (Includes Dog Park, Amenity, Courts)
GREEN SPACE TOTAL	5.43 AC. 17.75% (Includes Pond)

PEC+

LAND PLANNING + LANDSCAPE ARCHITECTURE + CIVIL ENGINEERING

350 RESEARCH COURT STE 200
PEACHTREE CORNERS, GA 30092

PROJECT

UPPER HEMBREE
RD.

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

AT

**1180 UPPER HEMBREE ROAD
ALPHARETTA, GEORGIA 30076**

CITY ALPHARETTA JURISDICTION

FOR

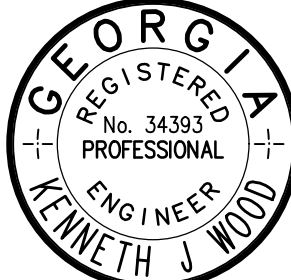
EMPIRE COMMUNITIES

MUNICIPALITY PROJECT #

REVISIONS

[illegible]

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

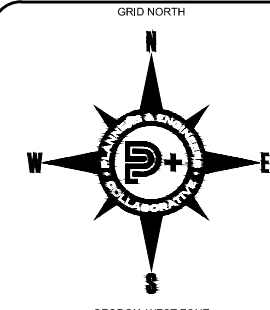


GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2024

REZONING MASTER PLAN



SCALE: 1" = 50'
DATE: 12/6/2023
PROJECT: 20167.00C



Z1

SHEET

24 HOUR CONTACT
KELLEY RHINO



CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: April 29, 2024

AGENDA ITEM: CLUP-24-02/Z-24-07/CU-24-04/V-24-07 PARK WALKER II

The applicant, The Providence Group, is requesting a comprehensive land use plan amendment, rezoning, conditional use, and variances to allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown. The proposed density is 9.97 dwelling units per acre. A comprehensive land use plan amendment is requested for the western portion of the property from 'Commercial' to 'Mixed Use Live-Work' and a rezoning is requested for the western portion of the property from C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density and variances are requested to modify Downtown block and access standards (interconnected streets, blocks, stub-out streets, and dead-end streets) and vehicle parking location, as well as to increase maximum lot coverage. The subject property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway at the northeast corner of Old Milton Parkway and Haynes Bridge Road.

This item was considered at the April 11, 2024 Planning Commission meeting. There was one (1) public comment requesting that the applicant replace trees in kind. After discussion, Planning Commission recommended approval subject to staff's recommended conditions and accepting the applicant's changes. Vote 7-0

STAFF RECOMMENDATION:

Approve CLUP-24-02/Z-24-07/CU-24-04/V-24-07 Park Walker II, subject to the following conditions:

1. Approximately 3.41 acres shall be zoned DT-LW and developed substantially similar to site plan prepared by Travis Pruitt & Associates, dated 4/26/24, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. The comprehensive land use plan designation of the property shall be 'Mixed Use Live Work'.
3. Architecture and materials shall be developed substantially similar to the submitted renderings, labeled Exhibit A, except for modifications required to comply with the Alpharetta Downtown Code, subject to final approval by DRB. All townhomes shall have 4-sided architecture, materials, and details.
4. Density shall not exceed 9.97 dwelling units per acre.
5. Block, access, and vehicle parking location shall be as depicted on the site plan prepared by Travis Pruitt & Associates, dated 4/26/24, or as approved by Staff and GDOT.
6. Maximum lot coverage shall be 80%, except that the developer shall utilize pervious hardscape materials to minimize lot coverage, as approved by Staff.
7. Front yards may encroach into landscape strips, subject to meeting the minimum landscape material requirements, as approved by DRB.
8. Developer shall improve Old Milton Parkway streetscape with a minimum 2' planter planted with a row of shrubs or grass (subject to GDOT approval), minimum 8' sidewalk, and decorative pedestrian lighting, with final approval by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
9. Project entrance, alleys, and sidewalks internal to the site shall be developed as depicted on the site plan prepared by Travis Pruitt & Associates, dated 4/26/24, with final approval by Staff. Decorative pedestrian lighting shall be required throughout the development. Internal streets and alleys shall be private and maintained by the HOA.
10. Minimum 15' building setback and 10' landscape strip shall be provided along Old Milton Parkway. Building setbacks shall be as depicted on the site plan prepared by Travis Pruitt &

Associates, dated 4/26/24. Stoops, stairs, and porches may encroach into the setback and landscape strip.

11. Developer shall plant minimum 6" caliper Nuttall Oaks as shown on the Conceptual Hardscape & Landscape Plan – Old Milton & Haynes Bridge prepared by Pollock & Associates, dated 4/8/24, or other species approved by Staff, along Old Milton Parkway frontage, as approved by DRB. Trees shall be planted approximately 35' apart unless design requires a deviation, i.e. a sidewalk connection or park, to be approved by Staff.
12. Minimum 10' landscape strips shall be required along both sides of the project entrance. Minimum 5' sidewalk shall be required along the west side of project entrance and shall connect to the sidewalk at the mail kiosk. Fulton County and secondary utilities shall be allowed in landscape strips. Should Fulton County require an unencumbered water easement, shrubs shall replace trees in the landscape strip on waterline side of entrance. There shall be no other landscape strips along internal roads, alleys, or drives.
13. Minimum 10' planted buffer shall be provided along the east property line, with final approval by DRB.
14. Project entrance shall include a decorative paver apron, landscape, and hardscape, as approved by DRB. Improvements shall be maintained by the HOA.
15. Decorative wall with fence along Old Milton Parkway shall be substantially similar to East of Main, as approved by DRB. Developer shall plant Creeping Phlox (pink or white), or alternative plantings, at the top of the wall and creeping vines at the base of the wall, with final approval by DRB. Improvements shall be maintained by the HOA.
16. Open space shall be developed substantially similar to the Conceptual Hardscape & Landscape Plan – Old Milton at Haynes Bridge – Linear Park plan prepared by Pollock & Associates, dated 4/3/24, the Conceptual Hardscape & Landscape Plan – Old Milton & Haynes Bridge prepared by Pollock & Associates, dated 4/8/24, and site plan prepared by Travis Pruitt & Associates, dated 4/26/24, as approved by Staff. Open space shall be developed with a park-like setting with decorative landscape, hardscape, and seating. Landscape shall include plant selections promoting the historic Downtown. Improvements shall be maintained by the HOA.
17. Developer shall save trees as depicted on the site plan prepared by Travis Pruitt & Associates, dated 4/26/24.
18. Per public hearing file #Z-18-05/E-18-07 Kairos Old Milton LLC/DT-LW, developer shall provide a City-approved bus shelter at the existing MARTA bus stop adjacent to the applicant's property, as approved by MARTA, GDOT, and Staff.
19. Unfinished wood fences and decks shall not be visible from the public street.
20. HVAC and similar equipment shall not be visible or shall be screened from the public right-of-way.
21. Garbage pickup shall be from within the development.
22. No more than 10% of the residential units shall be permitted to be rented, as recorded in the HOA's declarations and covenants.
23. Trees shall not be required between the driveways of Units 15-18, 19-23, and 24-28.

ITEM DESCRIPTION:

The submitted request, if approved, would allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown. The proposed density is 9.97 dwelling units per acre. The applicant proposes a comprehensive land use plan amendment for the western portion of the property from 'Commercial' to 'Mixed Use Live-Work' and rezoning from C-2 (General Commercial) to DT-LW (Downtown Live-Work). A conditional use is requested to increase density and variances are requested to modify Downtown block and access standards (interconnected street, blocks, stub-out streets, and dead-end streets) and vehicle parking location, as well as to increase maximum lot coverage. The subject property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway at the northeast corner of Old Milton Parkway and Haynes Bridge Road.

The eastern portion of the property is zoned DT-LW and was approved in 2018 for two (2) office buildings (52,000 square feet) with structured parking. The western portion of the property is zoned C-2. Of the five (5) parcels, only the middle parcel is currently developed which was a former funeral home. The eastern and western parcels are undeveloped, and the two (2) remaining parcels were previously developed with single-family homes; however, those structures have since been demolished. Surrounding properties are zoned DT-LW to the north, O-I (Office-Institutional) to the east, DT-LW, O-I, and C-2 to the south, and C-2 to the west. Cadence Bank is located to the east, Thompson Street Flats and Park Walke I (under construction) are located to the north, Publix stormwater pond is located to the west, and Sabri Guven Fine Jewelry, My First Academy and a recently approved townhome development are located to the south. The comprehensive land use plan designation of the property is 'Commercial' and 'Mixed Use Live Work', of which the applicant is requesting an amendment to change the designation of the western half of the property.

As shown in the table below, the applicant requests variances to modify Downtown block and access regulations and vehicle parking location, as well as to increase maximum lot coverage.

Applicant's Variance Requests

UDC Section	Applicant's Request
UDC, Appendix A: Alpharetta Downtown Code – Section 2.2 Block and Access	Modify block and access standards to modify interconnected streets, stub-out streets, and block standards and to allow dead-end streets.
UDC, Appendix A: Alpharetta Downtown Code – Subsections 2.4.6 and 2.7.2 Vehicle Access and Parking Location & Rules Specific to Building Types	Allow parking between the building and the street.
UDC Appendix A: Alpharetta Downtown Code – Section 3.7 DT-LW: Downtown Live-Work	Increase maximum lot coverage from 70% to 80%.

The table below identifies residential approvals along Haynes Bridge Road and Thompson Street since the adoption of the 2015 Downtown Master Plan update. The applicant's proposed density, which requires approval of a conditional use to increase density above eight (8) dwelling units per acre, is similar to densities approved at the adjacent properties to the north (Thompson Street Flats and Park Walke I/Thompson Street Park).

Residential Approvals – Haynes Bridge Road and Thompson Street

Development Name	Type	Acres	Density
Applicant's Request (Park Walke II)	34 TH	3.41 acres	9.97 du/ac
TPG/2325 Old Milton Pkwy	24 TH	4.88 acres	4.92 du/ac
Thompson Street Park (Park Walke I)	19 SFD	2.23 acres	8.52 du/ac
AlphaDev	11 SFD, 6 TH	2.21 acres	7.7 du/ac
Alcove Place	10 SFD	1.23 acres	8.1 du/ac
City Center/Voysey	42 SFD, 168 For-Rent	25 acres	8.0 du/ac
Midwick	17 SFD, 23 TH	5.85 acres	6.8 du/ac
Old Milton Holdings (Foundry)	25 SFD, 137 TH	23.89 acres	6.8 du/ac
Thompson Street Flats	24 Condo (High)	2.39 acres	10.0 du/ac
Chiswick	43 TH	5.72 acres	7.5 du/ac
Chelsea Walk	49 TH	7.04 acres	7.0 du/ac

SITE PLAN

The submitted site plan depicts 34 'For-Sale' townhomes with access from a new entrance off

Old Milton Parkway. Townhomes are depicted with access from a new private alley. Fourteen (14) rear-loaded townhomes are oriented to Old Milton Parkway and are approximately 33' wide. Units 15-28 are also rear-loaded with frontage on a shared amenity space with Park Walke I and are twenty-feet (20') wide. Units 29-34 are front-loaded and approximately 26' wide. A fifteen-foot (15') setback and ten-foot (10') landscape strip are depicted along Old Milton Parkway. Apart from Chelsea Walk which was approved with a fifteen-foot (15') building setback and landscape strip, all other developments approved since 2015 along Old Milton Parkway in the Downtown have been approved with a twenty-foot (20') building setback and landscape strip.

An eight-foot (8') sidewalk and two-foot (2') planter are depicted along Old Milton Parkway and five-foot (5') sidewalks are depicted throughout the development. Ten-foot (10') landscape strips are depicted along the east and west property lines where the property adjoins the Publix detention pond (west) and Cadence Bank (east).

Each townhome unit will have two (2) side-by-side parking spaces within a garage and a Code-compliant driveway accommodating two (2) additional cars. Four (4) guest parking spaces are provided at the mail kiosk near the project entrance. The Downtown Code requires 85 parking spaces for the proposed subdivision (2.5 parking spaces/unit), of which 140 spaces are provided on the site plan.

The site plan depicts 0.43 acres, or 12.5%, amenity space within the proposed development, which complies with the minimum requirement. The DT-LW district requires a minimum 10% amenity space for properties less than five (5) acres, as well as a proportional increase in amenity space for densities above eight (8) dwelling units per acre. Amenity space is proposed to include a pocket park, amenity tree save area, and plaza. The plaza will also serve as a fire truck turnaround and provides line-of-sight to the tree save area.

There are approximately fourteen (14) specimen trees on the property. Of those, the applicant proposes to save three (3) specimen trees and 83" of tree groupings in a tree save area in the northwest corner of the property. The proposed tree save area is contiguous to a required tree save area on the adjacent property to the north, which is being developed by the same homebuilder. As confirmed by the City Arborist, most of the specimen trees on the property are in various states of declining health and therefore are not good tree saves. An underground stormwater facility is depicted to the west of the project entrance along Old Milton Parkway in an area called out as a pocket park.

RENDERINGS

The submitted renderings depict two (2) story and three (3) story townhomes in three (3) different product types. The two (2) story Alexandria, which is depicted along the frontage of the property, is the largest product type in the Federal and Greek Revival style. The product types proposed along the rear of the property are two (2) story over basement and three (3) story in the Georgian style. All townhomes are depicted with a brick exterior. Units will range in size from approximately 2,100 to 3,050 square feet and will consist of three (3) and four (4) bedrooms. According to the City's Downtown Consultant, the proposed photographs generally comply with the design regulations in the Downtown Overlay.

TRAFFIC

The applicant provided a trip generation information, which estimates that the 34 townhome

units would generate approximately fifteen (15) AM Peak Hour trips and eighteen (18) PM Peak Hour trips.

SCHOOLS

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

FULTON COUNTY SCHOOLS – 34 Townhomes

School	Single Family Average #
Manning Oaks Elementary School	1 to 7 students
Hopewell Middle School	0 to 3 students
Alpharetta High School	2 to 5 students
TOTAL	3 to 15 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 3 – 15 school age children. Numbers provided by Fulton County Schools show that all three (3) schools have existing capacity.

STANDARDS FOR COMPREHENSIVE LAND USE PLAN AMENDMENTS

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

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

Response: Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses. In addition, commercial development on the property would be limited by buffer requirements from the surrounding residential developments and an alcohol license for uses such as a restaurant would not meet the minimum separation requirement from the surrounding residential.

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

Response: The applicant's proposal is consistent with the goals and policies of the Horizon 2040 Comprehensive Plan as it relates to implementing a walkable, mixed-use environment in the Downtown.

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

Response: The proposed change would not result in a significant demand on public facilities and services. A commercial development on the property would generate significantly more vehicular trips than a residential use.

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

Response: The proposed change to the future land use designation would not negatively impact the public health, safety and welfare. The applicant's proposal is consistent with development approvals in this area of the Downtown Overlay which have been primarily residential.

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

Response: Given the current state of retail and abundance of available commercial space, additional land area is not needed to develop commercial uses.

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

Response: Not applicable.

STANDARDS FOR ZONING CHANGES

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

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

Response: The proposal is consistent with the zoning on the eastern portion of the subject property and surrounding area. The area is envisioned to redevelop into a mix of residential and office uses.

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

Response: The zoning proposal would not adversely affect the existing use or usability of adjacent or nearby properties which are primarily developed or approved for residential uses. The area is envisioned to redevelop into a mix of residential and office uses.

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

Response: The proposal should not significantly impact the natural environment. A tree save area is depicted on the applicant's site plan.

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

Response: The western portion of the property is currently zoned C-2, which would be limited by buffer requirements from the surrounding residential developments and an alcohol license for uses such as a restaurant would not meet the minimum separation requirement from the surrounding residential. The requested zoning is consistent with the zoning on the eastern portion of the property and surrounding properties. The area is envisioned to redevelop into a mix of residential and office uses.

e. Whether the zoning proposal will result in a use that will or could cause an excessive or

burdensome use of public facilities or services, including but not limited to existing streets and transportation facilities, schools, water or sewer utilities, and police or fire protection.

Response: The zoning proposal would not cause an excessive burden on public facilities and services. The requested rezoning to allow a residential development would increase demand on schools and parks; however, the proposed residential use would generate fewer vehicular trips than a commercial development.

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

Response: The property is in the Downtown, which includes opportunities for properties to develop under the Downtown zoning districts. The requested zoning is consistent with the zoning on the eastern portion of the property and surrounding properties. The area is envisioned to redevelop into a mix of residential and office uses.

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

Response: The proposal should not negatively impact public health, safety, or welfare. The proposed zoning is consistent with the future land use designation of the property. If approved, a twenty-foot (20') building setback and landscape strip should be provided along Old Milton Parkway, and a MARTA bus shelter should be provided at the existing bus stop.

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

Response: The western portion of the property is currently zoned C-2, which would be limited by buffer requirements from the surrounding residential developments and an alcohol license for uses such as a restaurant would not meet the minimum separation requirement from the surrounding residential. The requested zoning is consistent with the zoning on the eastern portion of the property and surrounding properties. The area is envisioned to redevelop into a mix of residential and office uses.

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

Response: The requested future land use designation is consistent with the designation on the eastern portion of the property and surrounding properties.

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: Access to the property is proposed through a new curb cut on Old Milton Parkway which would not negatively impact pedestrian safety, flow of traffic, or emergency vehicles.

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 above-referenced site development requirements are addressed on the applicant's site plan.

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: A conditional use to increase density has been approved at the adjacent residential developments to the north. In addition, the site plan meets the required proportional increase in amenity space for densities above eight (8) dwelling units per acre.

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: A conditional use to increase density has been approved at the adjacent residential developments to the north. In addition, the site plan meets the required proportional increase in amenity space for densities above eight (8) dwelling units per acre.

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: A conditional use to increase density has been approved at the adjacent residential developments to the north. In addition, the site plan meets the required proportional increase in amenity space for densities above eight (8) dwelling units per acre.

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: Not applicable.

VARIANCE REVIEW CRITERIA

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

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

Response: The property has exceptional conditions due to its unusual shape and topography. The properties to the north have been redeveloped or approved for redevelopment and do not allow for interconnected streets. If approved, lot coverage should be minimized by utilizing pervious hardscape materials.

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

Response: Application of the ordinance would create an unnecessary hardship. The recent approval on the adjacent properties to the north do not allow for interconnected streets. If approved, lot coverage should be minimized by utilizing pervious hardscape materials.

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

Response: The property has peculiar conditions due to its unusual shape, topography, and two (2) deceleration turn lanes along its frontage which contributes to the requested variances. If approved, lot coverage should be minimized by utilizing pervious hardscape materials.

CONCURRENCES

Staff has reviewed the applicant's proposal against the established review criteria for a comprehensive land use plan amendment, rezoning, conditional use and variance. The proposal is consistent with the vision of the Downtown Master Plan and the proposed future land use designation and zoning match surrounding properties. In addition, the proposed density is consistent with densities approved on the adjacent properties to the north. Developments approved along Old Milton Parkway in the Downtown have provided a twenty-foot (20') building setback and landscape strip, except that Chelsea Walk was approved with a fifteen-foot (15') building setback and landscape strip. If approved, a twenty-foot (20') building setback and landscape strip should be provided along Old Milton Parkway, and the developer should provide MARTA bus shelter at the existing bus stop.

There are exceptional conditions pertaining to the property due to its unusual shape, topography, and two (2) deceleration turn lanes along its frontage which contributes to the requested variances. The properties to the north have been redeveloped or approved for redevelopment and do not allow for interconnected streets. If approved, lot coverage should be minimized by utilizing pervious hardscape materials.

CITIZEN PARTICIPATION PLAN

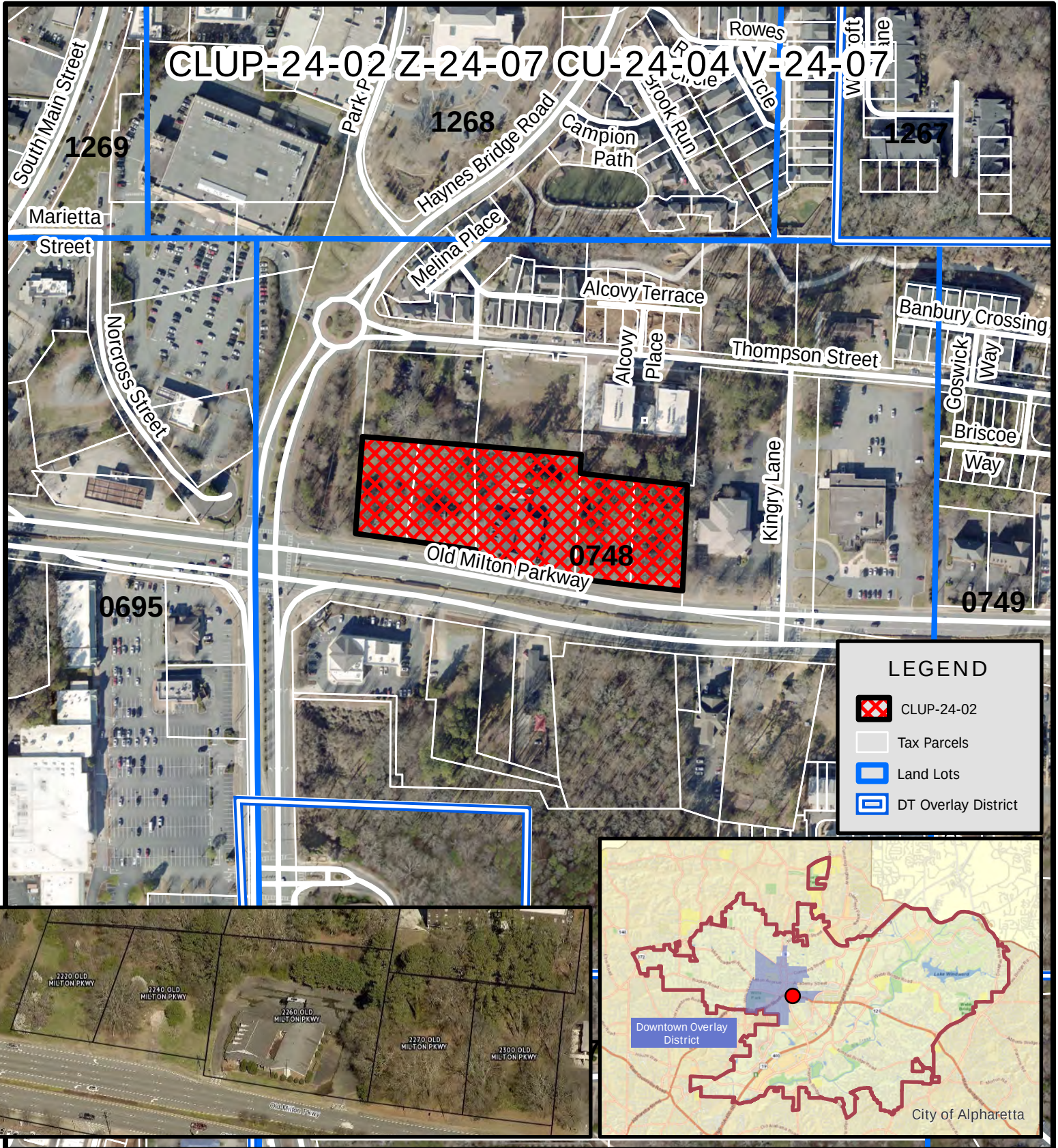
The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that no comments were received.

COMMUNITY ZONING INFORMATION MEETING

CZIM was held on March 13, 2024. There were two (2) public comments, one (1) in support and one (1) with questions about density.

ATTACHMENTS:

- Aerial Map
- Zoning Map
- Future Land Use Map
- Location Map
- Latest Site Plan
- Exhibit A
- Conceptual Hardscape & Landscape Plan – Old Milton at Haynes Bridge – Linear Park
- Conceptual Hardscape & Landscape Plan – Old Milton & Haynes Bridge
- CZIM
- Citizen Part B
- Application



CLUP-24-02 Z-24-07

CU-24-04 V-24-07

D/LL: 1/2/748

PC: 4/11/24

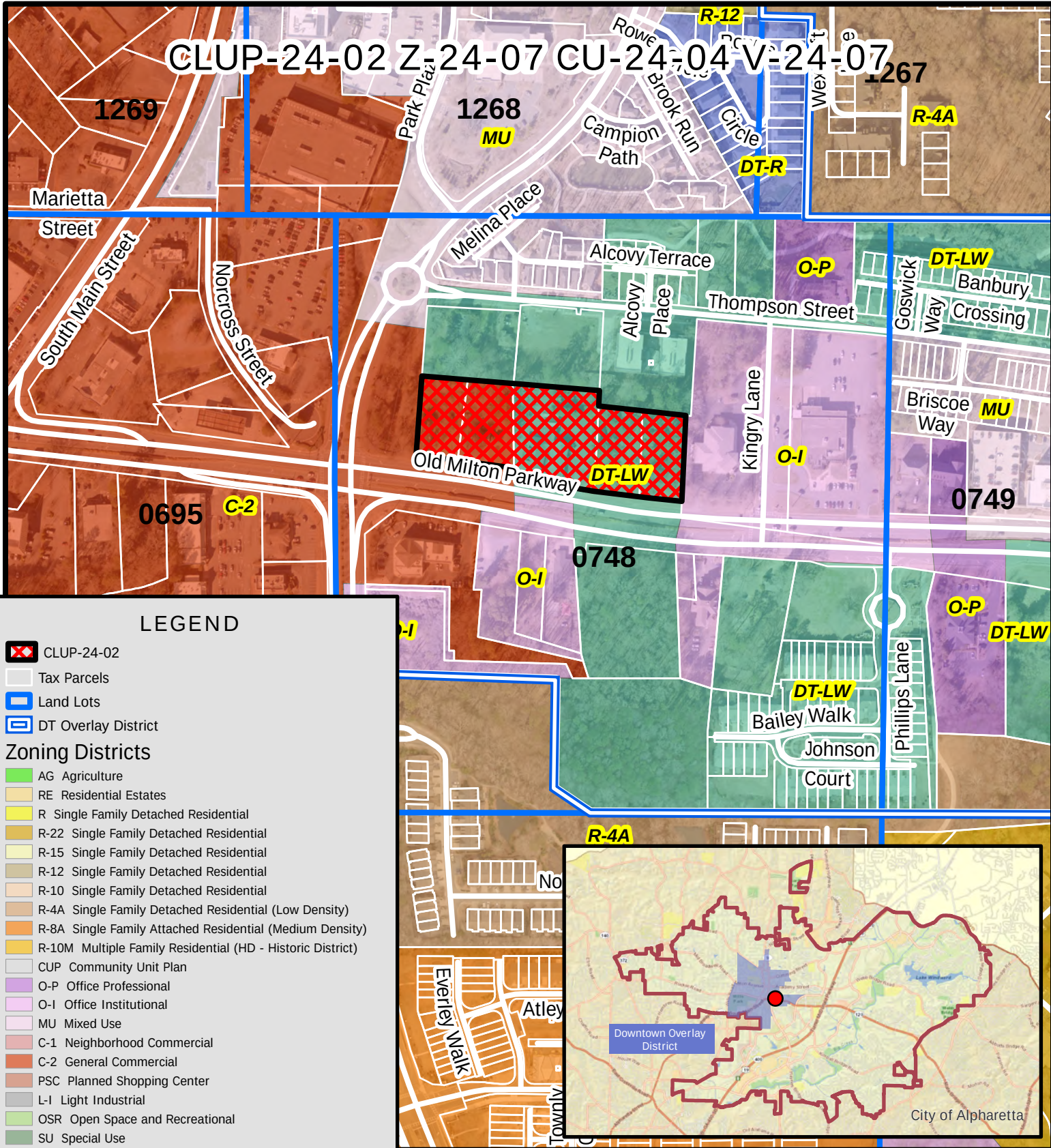
CC: 4/29/24

Aerial Map

TPG/Park Walke II

2220, 2240 2260, 2270, & 2300 Old Milton Parkway

CLUP-24-02 Z-24-07 CU-24-04 V-24-07



LEGEND

CLUP-24-02

Tax Parcels

Land Lots

DT Overlay District

Zoning Districts

AG Agriculture

RE Residential Estates

R Single Family Detached Residential

R-22 Single Family Detached Residential

R-15 Single Family Detached Residential

R-12 Single Family Detached Residential

R-10 Single Family Detached Residential

R-4A Single Family Detached Residential (Low Density)

R-8A Single Family Attached Residential (Medium Density)

R-10M Multiple Family Residential (HD - Historic District)

CUP Community Unit Plan

O-P Office Professional

O-I Office Institutional

MU Mixed Use

C-1 Neighborhood Commercial

C-2 General Commercial

PSC Planned Shopping Center

L-I Light Industrial

OSR Open Space and Recreational

SU Special Use

R-8D Single Family Detached Residential

R-4D Single Family Detached Residential (Medium Density)

R-8A/D Single Family Attached/Detached Residential

DT-C Downtown Core

DT-MU Downtown Mixed-Use

DT-LW Downtown Live-Work

DT-R Downtown Residential

CLUP-24-02 Z-24-07

CU-24-04 V-24-07

D/LL: 1/2/748

PC: 4/11/24

CC: 4/29/24

Zoning Map

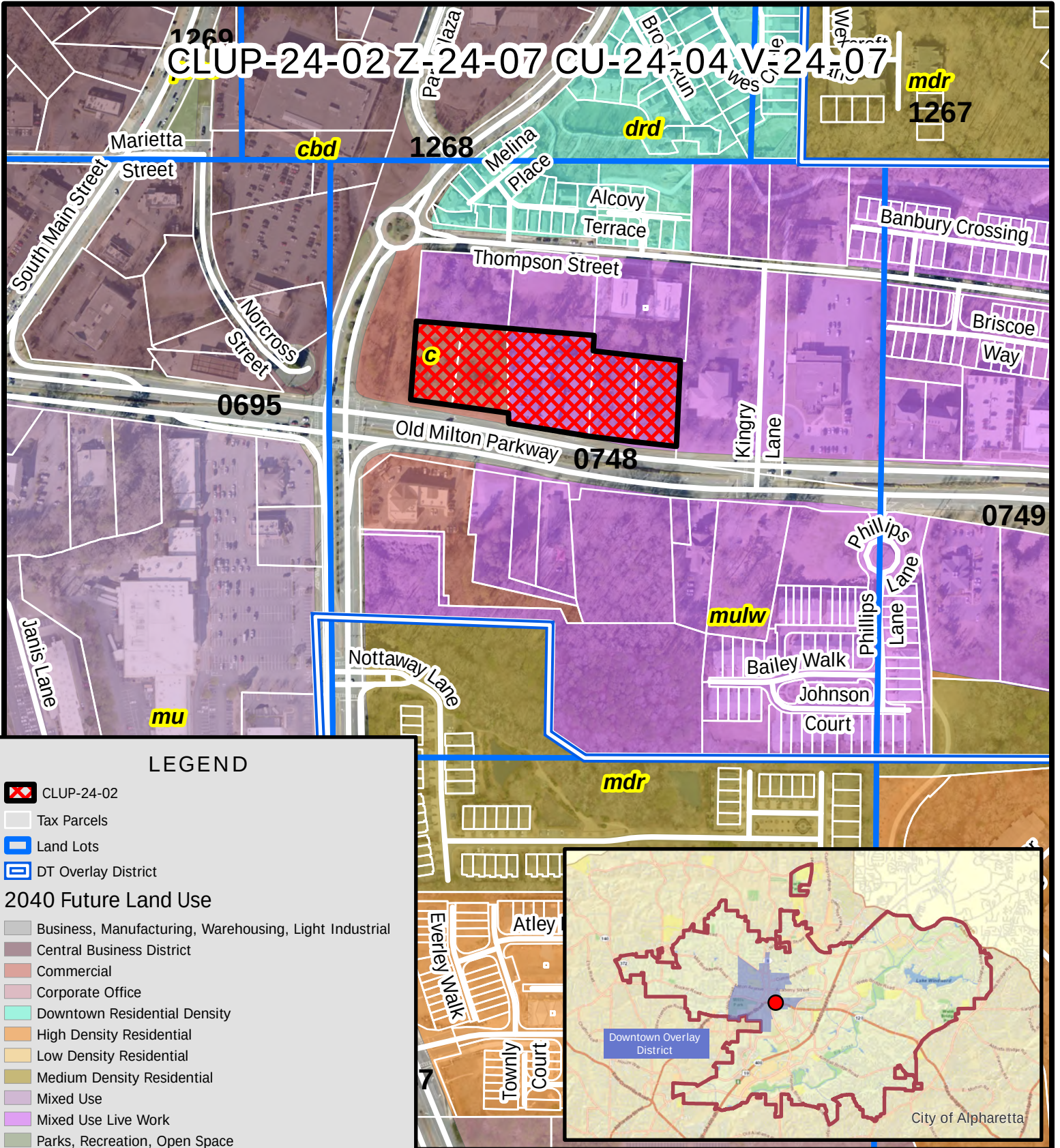
TPG/Park Walke II

2220, 2240 2260, 2270, & 2300 Old Milton Parkway



Location Map Provided by:
Community Development - GIS
Page 325 of 729

CLUP-24-02 Z-24-07 CU-24-04 V-24-07



Future Land Use Map
TPG/Park Walke II

2220, 2240 2260, 2270, & 2300 Old Milton Parkway

CLUP-24-02 Z-24-07

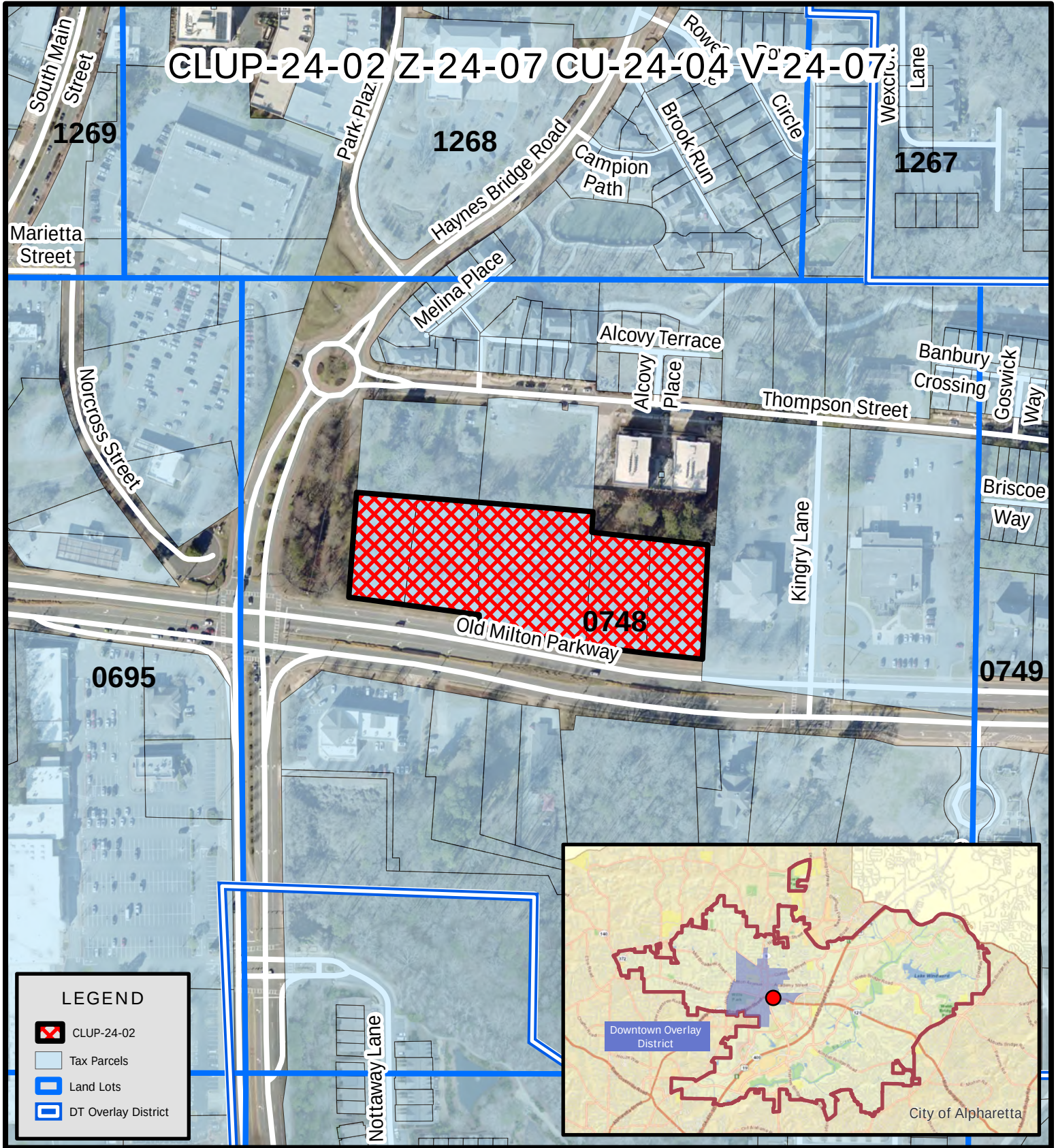
CU-24-04 V-24-07

D/LL: 1/2/748

PC: 4/11/24

CC: 4/29/24





CLUP-24-02 Z-24-07

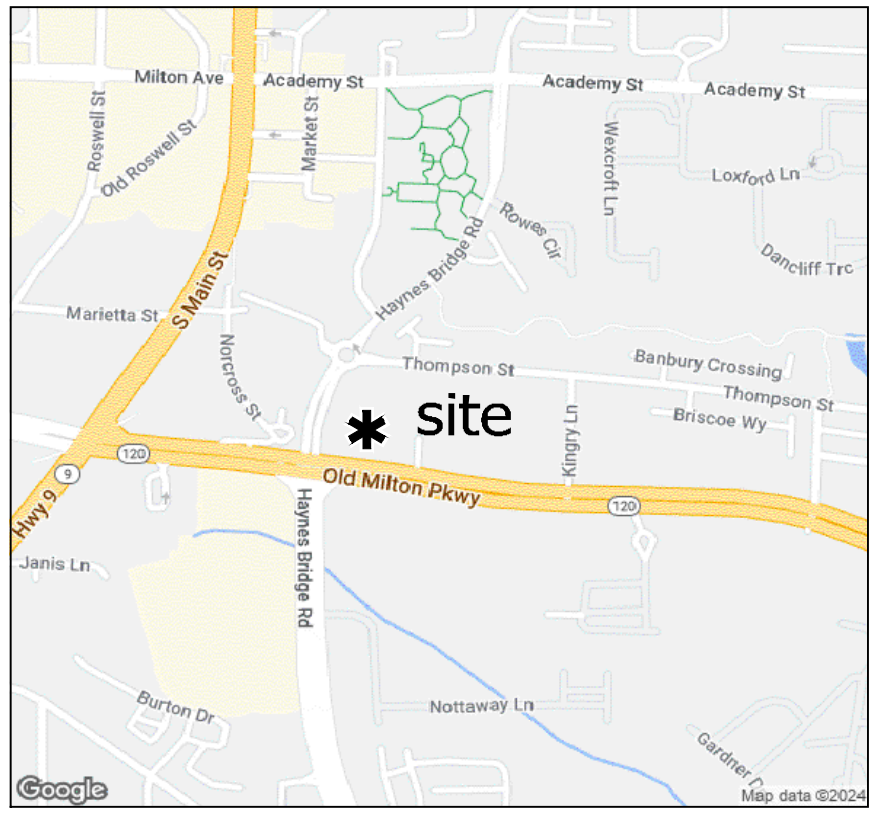
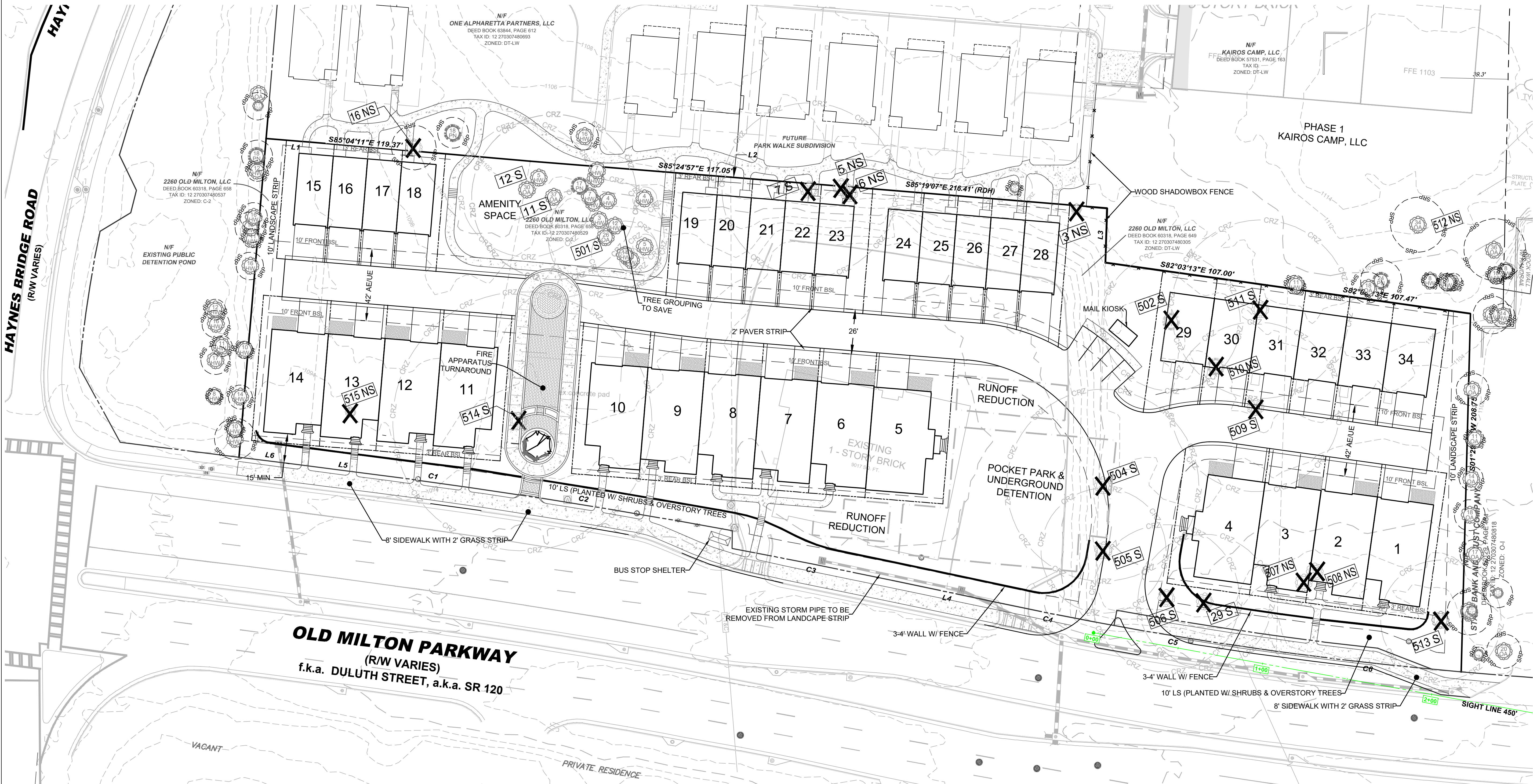
CU-24-04 V-24-07

D/LL: 1/2/748

PC: 4/11/24

CC: 4/29/24





SITE DATA:	
TOTAL SITE AREA	3.41 ACRES
FLOODPLAIN (APPROXIMATE)	0

ZONING	
EXISTING ZONING	C-2/DT-LW
PROPOSED ZONING	DT-LW
ZONING JURISDICTION	ALPHARETTA
DEVELOPMENT TYPE	
TOTAL UNITS	34
TOTAL DENSITY	10.0 U/A

DEVELOPMENT STANDARDS	
MAXIMUM BUILDING HEIGHT	40' (3 STORIES)
FRONT YARD	10 FEET
REAR YARD	3 FEET
SIDE YARD	0 FEET
MINIMUM BUILDING SEPARATION	10 FEET
MINIMUM LOT WIDTH	20 FEET
MINIMUM LOT SIZE	900 SF
MAXIMUM DENSITY	10 U/A
AMENITY SPACE	10% + 2.5%(PROPORTIONAL INCREASE)
	0.43 ACRES (12.5%)

LANDSCAPE STRIPS	
SIDE	10 FEET
OLD MILTON PARKWAY	10 FEET
PARKING	
REQUIRED	2 PER UNIT/0.5 GUEST
GARAGE	68
DRIVEWAY	68
SPACES	3
TOTAL	139

- NOTES**
1. SPEED LIMIT OF OLD MILTON PARKWAY IS 45 MPH.
 2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.
 3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR FULTON COUNTY 13121C0058F, EFFECTIVE DATE 9/18/2013. THE PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD ZONE "A" (AREAS OF 100 YEAR FLOOD).
 4. WATERS OF THE STATE ARE WITHIN 200' OF THIS PROPERTY.
 5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.
 6. ALPHARETTA FIRE DEPARTMENT SHALL APPROVE ROAD LAYOUT AND ENTRANCES.
 7. WATER SERVICE SHALL BE PROVIDED BY FULTON COUNTY. EXISTING WATER SERVICE WILL BE USED
 8. SANITARY SEWER SERVICE WILL BE PROVIDED BY FULTON COUNTY. EXISTING SEWER WILL BE TAPPED ON SITE.
 9. THE PROPOSED DEVELOPMENT MAY BE GATED AND HAVE PRIVATE STREETS.

VARIANCES:

1. TO INCREASE THE LOT COVERAGE FROM 70 PERCENT TO 80 PERCENT LOT COVERAGE.
2. TO AMEND THE DOWNTOWN OVERLAY REQUIREMENTS TO REDUCE THE 50 FOOT UNDISTURBED BUFFER ADJACENT TO C-1 AND C-2 DISTRICTS TO A 10 LANDSCAPE STRIP.
3. TO AMEND THE BLOCK REQUIREMENTS TO ELIMINATE THE REQUIREMENT FOR INTERCONNECTED STREETS AND BLOCK REQUIREMENTS, ALLOW DEAD END STREETS AND ELIMINATE THE REQUIREMENT FOR STUB OUT STREETS.

ZONING PLAN

Old Milton at Haynes Bridge

2260 Old Milton Pkwy

Land Lot 748, 1st District, 2nd Section

City of Alpharetta, Fulton County, Georgia

GEORGIA REGISTERED

EDWARD J. ANDERSON

LANDSCAPE ARCHITECT

DATE: 04-26-2024

SCALE: 1" = 30'

CN:230461CP1.4

LSV:

JN:

FN:

For The Firm
Travis Pruitt & Associates, Inc.

1 of 3

SURVEY NOTES:

NOTE : Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

REFERENCE DOCUMENTS:

1. ALTA/ACSM Land Title Survey of Old Milton and Haynes Road dated 1-9-2024.

OWNER/DEVELOPER

thePROVIDENCEgroup

Warren Jolly

11340 Lakeland Drive
Building II, Suite 140

Johns Creek, Georgia 30097
Tel: (678) 475-1800

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

Travis Pruitt & Associates, Inc.

SURVEY NOTES

1. This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.
2. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).
3. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.
4. Exterior footprint of all buildings at ground level.
5. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Fulton County, Georgia and incorporated areas Map Number 13121C0058F, effective date 9/18/2013.
6. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey.
7. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.
8. The Property has direct vehicular and pedestrian access to Old Milton Parkway, a variable-width, dedicated public right of way, as shown on the survey.
9. No wetland delineation markers were observed at the time of the survey.
- 10.No observable evidence of earth moving work, building construction or building additions at the time of the survey.
- 11.No observable evidence or proposed changes in right of way made available to the surveyor.
- 12.No observable evidence of recent street or sidewalk construction or repairs.
- 13.There may be underground utilities not shown on this survey.
- 14.No buildings observed on Tracts 1,2,4, & 5 at time of survey.

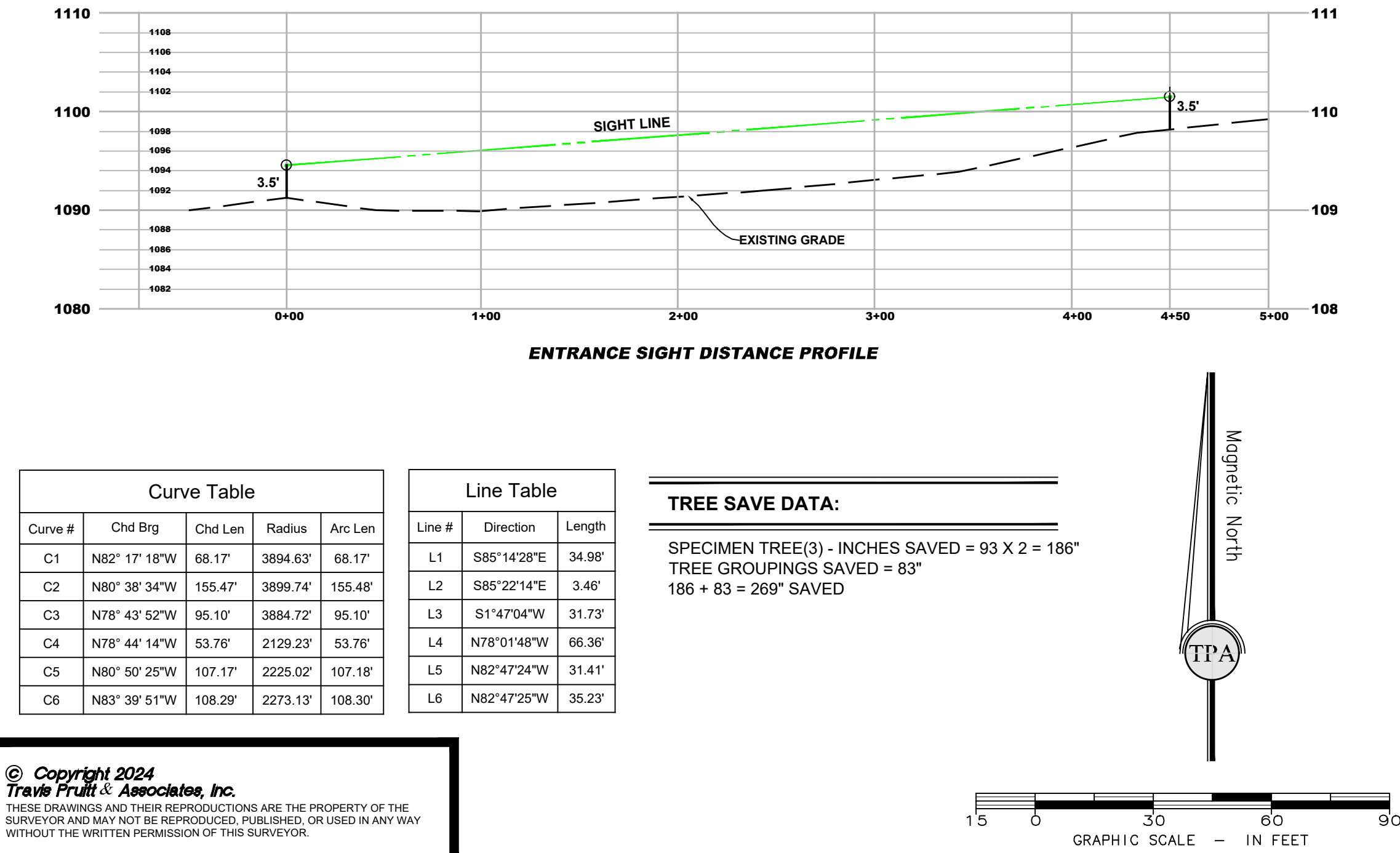
LAND DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the Southeastern end of a mitered right of way intersection of the Easterly right of way Haynes Bridge Road (R/W varies) and the Northern right of way of Old Milton Parkway (R/W varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set, said rebar being the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** departing said right of way and proceeding North 04 degrees 50 minutes 27 seconds East a distance of 186.23 feet to an iron pin set; THENCE South 85 degrees 14 minutes 28 seconds East a distance of 34.98 feet to an iron pin set; THENCE South 85 degrees 04 minutes 11 seconds East a distance of 119.37 feet to an iron pin set; THENCE South 85 degrees 24 minutes 57 seconds East a distance of 117.05 feet to a 3/8" rebar found; THENCE South 85 degrees 22 minutes 14 seconds East a distance of 3.46 feet to an iron pin set; THENCE South 85 degrees 19 minutes 07 seconds East a distance of 216.41 feet to a 1/2" rebar found; THENCE South 01 degrees 47 minutes 04 seconds West a distance of 31.73 feet to a rod found; THENCE South 82 degrees 03 minutes 13 seconds East a distance of 107.00 feet to an iron pin set; THENCE South 82 degrees 03 minutes 13 seconds East a distance of 107.47 feet to an iron pin set; THENCE South 01 degrees 29 minutes 45 seconds West a distance of 208.75 feet to a 1/2" rebar found on the Northerly right of way line of Old Milton Parkway (R/W varies); THENCE along said right of way the following courses and distances: along a curve to the right with a radius of 2273.13 feet and an arc length of 108.30 feet, said curve having a chord bearing of North 83 degrees 39 minutes 51 seconds West and a chord distance of 108.29 feet to a 1/2" rebar found; THENCE along a curve to the right with a radius of 2225.02 feet and an arc length of 107.18 feet, said curve having a chord bearing of North 80 degrees 50 minutes 25 seconds West and a chord distance of 107.17 feet to a 1/2" rebar found; THENCE along a curve to the right with a radius of 2129.23 feet and an arc length of 53.76 feet, said curve having a chord bearing of North 78 degrees 44 minutes 14 seconds West and a chord distance of 53.76 feet to a point; THENCE North 78 degrees 01 minutes 48 seconds West a distance of 66.36 feet to a point; THENCE along a curve to the left with a radius of 3894.72 feet and an arc length of 95.10 feet, said curve having a chord bearing of North 78 degrees 43 minutes 52 seconds West and a chord distance of 95.10 feet to a right of way monument found; THENCE North 00 degrees 42 minutes 49 seconds East a distance of 10.29 feet to an iron pin set; THENCE along a curve to the left with a radius of 3899.74 feet and an arc length of 155.48 feet, said curve having a chord bearing of North 80 degrees 38 minutes 34 seconds West and a chord distance of 155.47 feet to an iron pin set; THENCE along a curve to the left with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of North 82 degrees 17 minutes 18 seconds West and a chord distance of 68.17 feet to a point; THENCE North 82 degrees 47 minutes 24 seconds West a distance of 31.41 feet to a point; THENCE North 82 degrees 47 minutes 25 seconds West a distance of 35.23 feet to an iron pin set, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 148,559 square feet or 3.410 acres.



LIFESTYLE

Exhibit A

LIFETIME



LOCATION

LONGEVITY

Park Walke II





20' Rear Entry
 Alexandria
 Chaucer

Site Map Version 1
Park Walke II

THE
PROVIDENCE
GROUP

A GREEN BRICK PARTNER



20' Rear Entry
Park Walke II



Alexandria
Park Walke II



Chaucer
Park Walke II

CONCEPTUAL
LANDSCAPE AND SITE DEVELOPMENT PLAN-
**OLD MILTON AT
HAYNES BRIDGE-
LINEAR PARK**

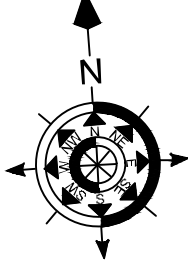
PREPARED FOR:
THE PROVIDENCE GROUP

PREPARED BY:
 **POLLOCK & ASSOCIATES, INC.**
LANDSCAPE ARCHITECTS
ALPHARETTA, GA
770-569-5900

SCALE: 1" = 10'
DATE: 4/3/2024

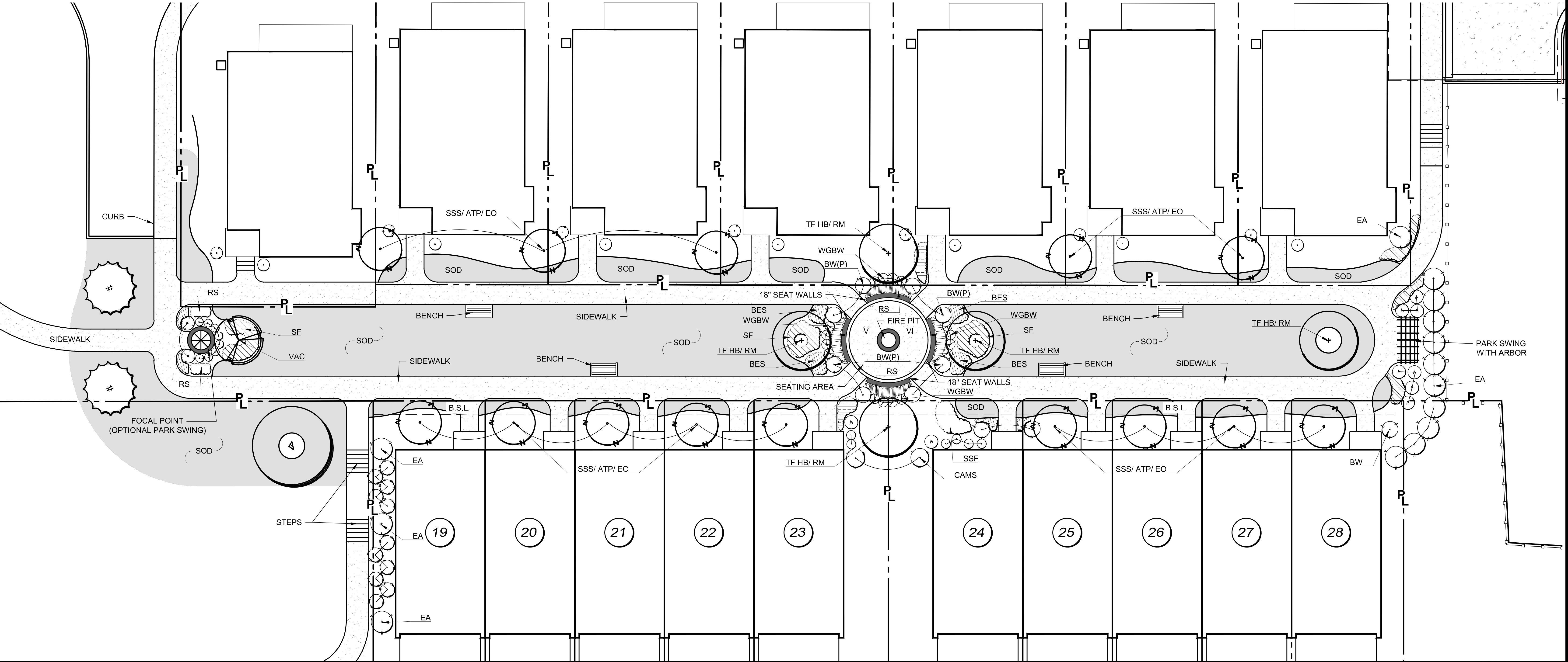
0 10' 20' 30'

SCALE: 1" = 10'



**OLD MILTON AT HAYNES BRIDGE- LINEAR PARK
PLANT SYMBOLS LIST**

SYMBOL	COMMON NAME
ATP	ARNOLD TULIP POPLAR
BES	BLACK-EYED SUSAN
BW	BOXWOOD
BW(P)	PYRAMIDAL BOXWOOD
CAM S	CAMELLIA SASANQUA
EA	EMERALD ARBORVITAE
EO	UPRIGHT ENGLISH OAK
RM	OCTOBER GLORY RED MAPLE
RS	RUSSIAN SAGE
SF	SWEET FLAG
SSF	SOUTHERN SHIELD FERN
SSS	SLENDER SILHOUETTE SWEETGUM
TF HB	TREE FORM HORNBEAM
VAC	VITEX
VI	VARIEGATED IRIS
WGBW	WINTERGREEN BOXWOOD



OLD MILTON AT HAYNES BRIDGE	
PLANT SYMBOLS LIST	
SYMBOL	COMMON NAME
BW	BOXWOOD
BW(P)	PYRAMIDAL BOXWOOD
C	SEASONAL COLOR
CAM S (W)	WHITE CAMELLIA
CAM S (YT)	CAMELLIA SASANQUA YULETIDE
CF	CONTORTED FILBERT
CFL	CRIMSON FIRE LOROPETALUM
CVIB	CHINDO VIBURNUM
DCS	DWARF CAMELLIA 'SHI SHI GASHIRA'
DIST	DISTYLUM
DR	DRIFT ROSE
DSD	DWARF SHASTA DAISY
EA	EMERALD ARBORVITAE
ENC.P	ENCORE AZALEA- PINK
FESH	FESTIVE HOLLY
GHC	GOLDEN HINOKI CYPRESS
HYD	HYDRANGEA
JA	JANTAR ARBORVITAE
JAP M (BG)	BLOODGOOD JAP. MAPLE
LE	LAMBS EAR
LLH	LIME LIGHT HYDRANGEA
O	OAK
PER	PERENNIAL
PMG	PINK MUHLY GRASS
RCA	ROSE CREEK ABELIA
SF	SWEET FLAG
SSF	SOUTHERN SHIELD FERN
SSL	SUNSHINE LIGUSTRUM
VI	VARIEGATED IRIS
WGBW	WINTERGREEN BOXWOOD

CONCEPTUAL
HARDSCAPE & LANDSCAPE DEVELOPMENT PLAN

OLD MILTON AT HAYNES BRIDGE

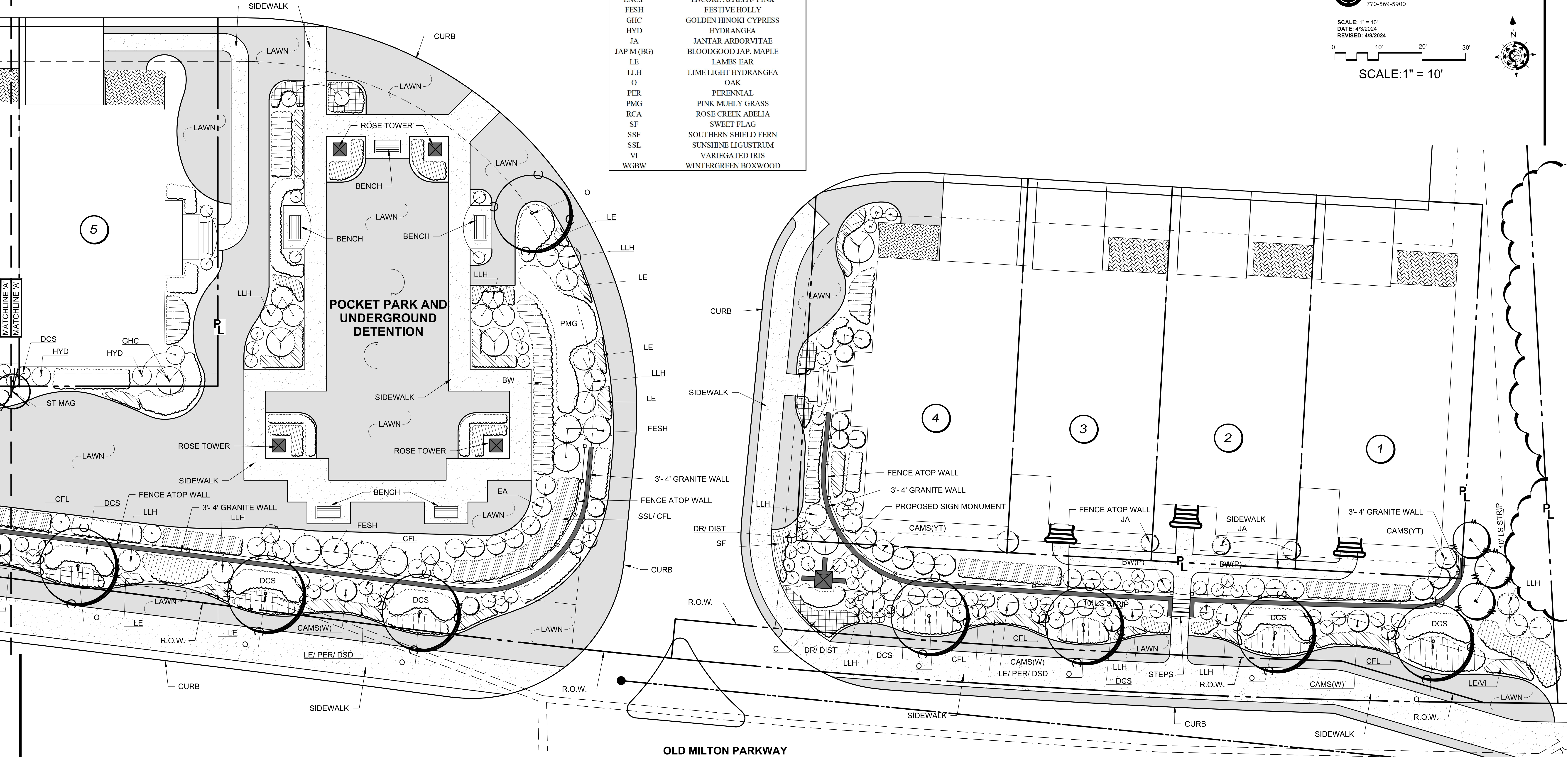
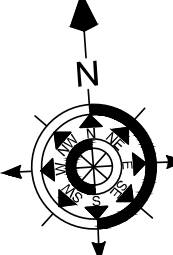
PREPARED FOR:
THE PROVIDENCE GROUP

PREPARED BY:
 **POLLOCK & ASSOCIATES, INC.**
LANDSCAPE ARCHITECTS
ALPHARETTA, GA
770-569-5900

SCALE: 1" = 10'
DATE: 4/3/2024
REVISED: 4/8/2024

0 10' 20' 30'

SCALE: 1" = 10'



OLD MILTON AT HAYNES BRIDGE	
PLANT SYMBOLS LIST	
SYMBOL	COMMON NAME
BW	BOXWOOD
BW(P)	PYRAMIDAL BOXWOOD
C	SEASONAL COLOR
CAM S (W)	WHITE CAMELLIA
CAM S (YT)	CAMELLIA SASANQUA YULETIDE
CF	CONTORTED FILBERT
CFL	CRIMSON FIRE LOROPETALUM
CVIB	CHINDO VIBURNUM
DCS	DWARF CAMELLIA 'SHI SHI GASHIRA'
DIST	DISTYLUM
DR	DRIFT ROSE
DSD	DWARF SHASTA DAISY
EA	EMERALD ARBORVITAE
ENC.P	ENCORE AZALEA- PINK
FESH	FESTIVE HOLLY
GHC	GOLDEN HINOKI CYPRESS
HYD	HYDRANGEA
JA	JANTAR ARBORVITAE
JAP M (BG)	BLOODGOOD JAP. MAPLE
LE	LAMBS EAR
LLH	LIME LIGHT HYDRANGEA
O	OAK
PER	PERENNIAL
PMG	PINK MUHLY GRASS
RCA	ROSE CREEK ABELIA
SF	SWEET FLAG
SSF	SOUTHERN SHIELD FERN
SSL	SUNSHINE LIGUSTRUM
VI	VAREGATED IRIS
WGBW	WINTERGREEN BOXWOOD

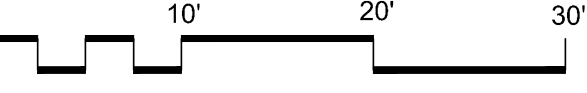
CONCEPTUAL
HARDSCAPE & LANDSCAPE DEVELOPMENT PLAN

OLD MILTON AT HAYNES BRIDGE

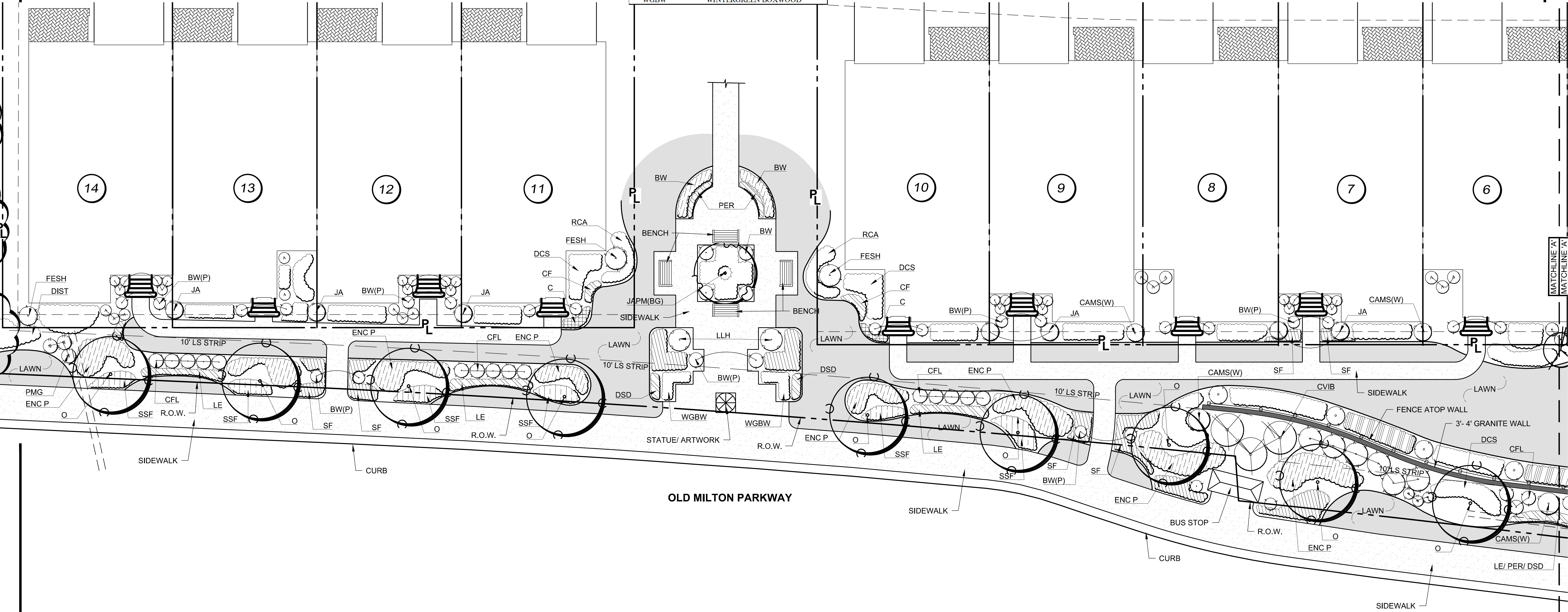
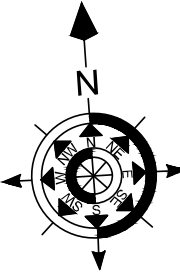
PREPARED FOR:
THE PROVIDENCE GROUP

PREPARED BY:
 **POLLOCK & ASSOCIATES, INC.**
LANDSCAPE ARCHITECTS
ALPHARETTA, GA
770-569-5900

SCALE: 1" = 10'
DATE: 4/3/2024
REVISED: 4/8/2024



SCALE: 1" = 10'



Community Zoning Information Meeting (CZIM)

March 13, 2024

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

CLUP-24-02/Z-24-07/CU-24-04/V-24-07 / Park Walke II

NAME	ADDRESS	COMMENTS
NICK Grecco	310 Barbory Xing Alphr 30009	Supportive
Angèle Holmquist + Lars	319 Thompson St. Alphr 30009	O.k. w. rezoning to residential. questions about envy + density of (yet another! group of) townhomes.

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: CLUP-24-02/Z-24-07/CU-24-04/V-24-07 Park Walke

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

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

Letters were sent to the property owners noted on the attached list. No feedback has been received as a result of the letters. The applicant attended the Community Zoning Information Meeting on March 13, 2024 and received comments in support of the development.

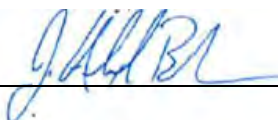
Method by which these individuals were contacted. Please mark all that apply. *Please provide samples of any and all written communications used to provide notification.*

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

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

On February 27, 2024, notice was provided to property owners within 500 feet of the subject property. A copy of that notice letter and the mailing list are included.

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

Signature of Authorized Agent:  Date: 3.14.2024

Print Form

CZIM Sign-In Sheet - 3.13.2024

Community Zoning Information Meeting (CZIM)

March 13, 2024

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

CLUP-24-02/Z-24-07/CU-24-04/V-24-07 / Park Walke II

NAME	ADDRESS	COMMENTS
NICK Grecco	310 Barbory Xing Alphr 30009	Supportive
Angèle Holmquist + Lars	319 Thompson St. Alphr 30009	O.k. w. rezoning to residential. questions about entry + density of (yet another! group of) townhomes.

Letter to 500 Foot Property Owners

1105 W. Peachtree St. NE, Suite 1000
Atlanta, Georgia 30309-3608
Tel: 404 815-3500
www.sgrlaw.com



J. Alexander Brock
Direct Tel: 404-815-3603
Direct Fax: 404-685-6903
jabrock@sgrlaw.com

February 26, 2024

Re: NE intersection of Old Milton Parkway and Haynes Bridge Road (Parcel IDs 12 270307480529, 12 270307480537, 12 270307480305, 12 270307480487, 12 270307480479) Application # CLUP-24-02 / Z-24-07 / CU-24-04 / V-24-04 Park Walke

Dear Neighbor:

Please allow this letter to serve as public notice for The Providence Group of Georgia's Comprehensive Land Use Plan Amendment, Rezoning, Conditional Use, and Variance requests to allow for the construction of 34 'For-Sale' townhomes on 3.41 acres in the Downtown Overlay. The property is located at 2220, 2240, 2260, 2270, and 2300 Old Milton Parkway and is legally described as being located in Land Lot 748, 1st District, 2nd Section, Fulton County, Georgia. Their Application to the City of Alpharetta requests the following:

1. A Comprehensive Plan Amendment to the Future Land Use Map from Commercial to Mixed Use Live-Work.
2. A Rezoning from C-2 (General Commercial) and DT-LW (Downtown Live-Work) to DT-LW.
3. A Conditional Use Permit to increase density above eight (8) dwelling units per acre.
4. Concurrent Variances from:
 - a. Alpharetta UDC § 2.2.3 – To eliminate interconnected streets and block requirements; allow dead end streets; and eliminate the requirement for stub-out streets.
 - b. Alpharetta UDC § 3.7.3 – To increase maximum lot coverage from 70% to 80%.

The Community Zoning Information Meeting (CZIM) for these requests will be held on **Wednesday, March 13, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the **Planning Commission on Thursday, April 11, 2024 and City Council on Monday, April 29, 2024 at 6:30 PM**. The meeting(s) will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

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

Sincerely,

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

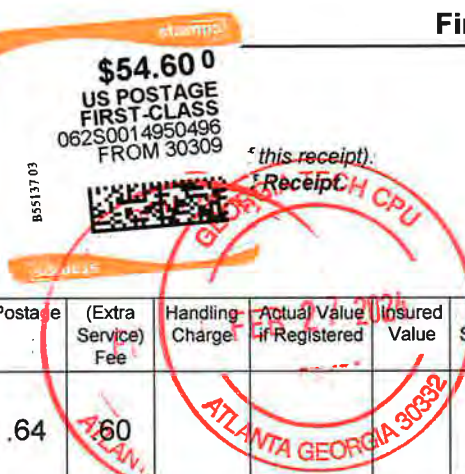
J. Alexander Brock

500 Foot Property Owner List



Firm Mailing Book For Accountable Mail

Name and Address of Sender	Check type of mail or service	Postage and Fees													
Kylie Thomas Smith, Gambrell & Russell, LLP 1105 West Peachtree Street, NE Suite 1000 Atlanta, GA 30309	☐ Adult Signature Required	£ Priority Mail Express	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
	☐ Adult Signature Restricted Delivery	£ Registered Mail													
	☐ Certified Mail	£ Return Receipt for Merchandise													
	☐ Certified Mail Restricted Delivery	£ Signature Confirmation													
	☐ Collect on Delivery (COD)	£ Signature Confirmation Restricted Delivery													
	☐ Insured Mail														
	☐ Priority Mail														
1.	BERBERIAN PROPERTIES LLC 515 LYELL DR STE 101 MODESTO CA 95356		.64	.60											
2.	GUVEN KERIMAN 3396 CARVERTON LANE ALPHARETTA GA 30022		.64	.60											
3.	CHAN TIN & ENG DANNY 3975 OLD MILTON PKWY # S 1 ALPHARETTA GA 30005		.64	.60											
4.	2260 OLD MILTON LLC 2300 BETHELVIEW RD STE 110-329 CUMMING GA 30040		.64	.60											
5.	2365 OLD MILTON PARKWAY MOB LLC 1835 SAVOY DR SUITE 101 ATLANTA GA 30341		.64	.60											
6.	MY FIRST ACADEMY INC 1025 N POINT DR ROSWELL GA 30075		.64	.60											
7.	GUVEN KERIMAN 3396 CARVERTON LANE ALPHARETTA GA 30022		.64	.60											
8.	ESKANDARI MOSLEM & LEILA 501 S MAIN ST STE 103 ALPHARETTA GA 30009		.64	.60											
9.	92 THOMPSON DEVELOPMENT LLC 3065 BELLINGRATH BLVD ROSWELL GA 30076		.64	.60											

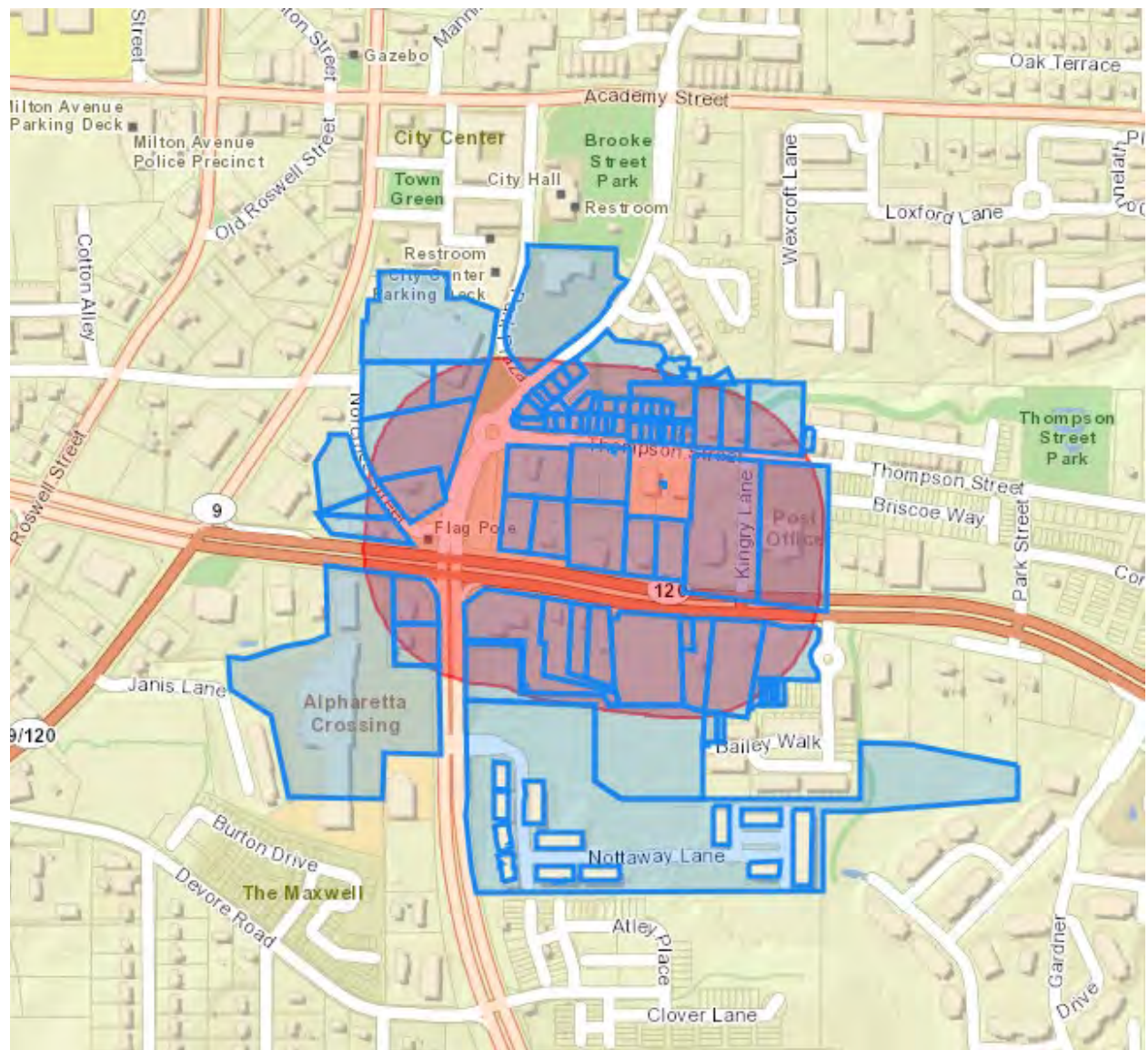


10.	MOSS LESLIE MOSS RHONDA 112 THOMPSON ST ALPHARETTA GA 30004	.64	.60												
11.	PUBLIX SUPER MARKETS INC P.O. BOX 32018 LAKELAND FL 33802	.64	.60												
12.	DALTEX ALPHARETTA LLC 3715 NORTHSIDE PKWY ATLANTA GA 30327	.64	.60												
13.	AVERY PARK PARTNERS LLC 2300 BETHELVIEW RD STE 110 239 CUMMING GA 30040	.64	.60												
14.	UNITED STATES POSTAL SERVICE 1735 NORTH BROWN RD STE 200 LAWRENCEVILLE GA 30043	.64	.60												
15.	STATE BANK & TRUST COMPANY 4219 FORSYTH RD MACON GA 31208	.64	.60												
16.	BUR ROG INC PO BOX 642 ALPHARETTA GA 30004	.64	.60												
17.	ZAINA PROPERTIES LLC 314 KENT VALLEY CIR TUCKER GA 30084	.64	.60												
18.	HAYNES PARK NEIGHBORHOOD ASSOC. INC 400 NORTHRIDGE RD STE 1250 SANDY SPRINGS GA 30350	.64	.60												
19.	FULTON COUNTY GEORGIA 141 PRYOR ST ATLANTA GA 30303	.64	.60												
20.	SCHMIDT JOHN THOMAS & FABIAN TAYLOR MARIE 2310 MELINA PL ALPHARETTA GA 30009	.64	.60												
21.	THOMPSON STREET CITY HOMES LLC 8256 MAIN ST WOODSTOCK GA 30188	.64	.60												

22.	SHARMA PREM & RAMIT KUMAR 824 ADLER CT ALPHARETTA GA 30005	.64	.60														
23.	BOTTS EDWARD & CHERYL 347 BAILEY WALK ALPHARETTA GA 30009	.64	.60														
24.	HIMOT WESLEY BOYD 211 PHILLIPS LANE ALPHARETTA GA 30009	.64	.60														
25.	BURKE DONALD PATRICK & CRAIG BURKE LURLINE 213 PHILLIPS LN ALPHARETTA GA 30009	.64	.60														
26.	OYEWOLE AYORINDE O & PATRICIA S 215 PHILLIPS LN ALPHARETTA GA 30009	.64	.60														
27.	SHINNERS MICHAEL PATRICK & TERESA T 217 PHILLIPS LANE ALPHARETTA GA 30009	.64	.60														
28.	BREEDLOVE MICHAEL & MARGARET ELLEN 219 PHILLIPS LANE ALPHARETTA GA 30009	.64	.60														
29.	CHELSEA WALK LAND LLC 2771 LAWRENCEVILLE HWY STE 210 DECATUR GA 30033	.64	.60														
30.	VOYSEY TRUST THE 2585 BROOK RUN ALPHARETTA GA 30009	.64	.60														
31.	DEAN MARY MARSHA 305 BANBURY XING ALPHARETTA GA 30009	.64	.60														
32.	VOYSEY COMMUNITY ASSOCIATION INC 1465 NORTHSIDE DR NW SUITE 128 ATLANTA GA 30318	.64	.60														
33.	KRIEGER BRAM & KRIEGER MARY E 2290 MELINA PL ALPHARETTA GA 30009	.64	.60														

34.	MOONEY PATRICK & ANGELA PORTER 2300 MELINA PL ALPHARETTA GA 30009	.64	.60													
35.	KURT AKGUN BASAK & GAMZE ALATAN 2785 WEBB RD ALPHARETTA GA 30009	.64	.60													
36.	FLEMING SCOTT A 2320 MELINA PL ALPHARETTA GA 30009	.64	.60													
37.	HARPER TERRENCE P & HARPER TRACEY S 2330 MELINA PL ALPHARETTA GA 30009	.64	.60													
38.	LANCE SCOTT & NATALIE 2360 MELINA PL # 8 ALPHARETTA GA 30009	.64	.60													
39.	KAPLAN MICHAEL E & KAPLAN LORI J 2340 MELINA PL ALPHARETTA GA 30009	.64	.60													
40.	FRAGLE GUY J & MARIA 2380 MELINA PL ALPHARETTA GA 30009	.64	.60													
41.	LONG JARRET & LONG KAREN 2305 MELINA PL ALPHARETTA GA 30009	.64	.60													
42.	MELZER STEVEN M & MARY P 2390 MELINA PL ALPHARETTA GA 30009	.64	.60													
43.	HUGE KATHERINE S 7325 BREEZE BAY RD CUMMING GA 30041	.64	.60													
44.	HODGE RANDALL & MARY ELIZABETH 75 FERRY LANE BARRINGTON RI 02806	.64	.60													
45.	MORACA LISA 2400 MELINA PL ALPHARETTA GA 30009	.64	.60													

46.	MILLER CONNOR & MILLER KATHERINE ELIZABETH 2410 MELINA PL ALPHARETTA GA 30009	.64	.60																
47.	CHRISTIE NICK JR & CHRISTIE FRANCE S B 2420 MELINA PL ALPHARETTA GA 30009	.64	.60																
48.	RENNER JEFF & RENNER JUDI 2430 MELINA PL ALPHARETTA GA 30009	.64	.60																
49.	BURNS HERBERT III & JOY 2440 MELINA PL ALPHARETTA GA 30009	.64	.60																
50.	KEBEDE MIZANU & KEBEDE GAYLE 2295 MELINA PL ALPHARETTA GA 30009	.64	.60																
51.	COOK KATHRYN E 2325 MELINA PL ALPHARETTA GA 30009	.64	.60																
52.	VOYSEY COMMUNITY ASSOCIATION INC 1465 NORTHSIDE DR NW SUITE 128 ATLANTA GA 30318	.64	.60																
53.	ONE ALPHARETTA PARTNERS LLC 410 PEACHTREE PKWY STE 4245 CUMMING GA 30041	.64	.60																
54.	THOMPSON STREET CITY HOMES LLC 8256 MAIN ST WOODSTOCK GA 30188	.64	.60																
55.	CHANDLER JUSTIN DANE & ELISABETH L YNN 115 ROSE GARDEN LN ALPHARETTA GA 30009	.64	.60																
56.	ROSENTHAL KAY 81 THOMPSON ST UNIT 302 ALPHARETTA GA 30009	.64	.60																
57.	TOLBERT KEVIN T & TOLBERT SHELLEY LEWIS 81 THOMPSON ST UNIT 101 ALPHARETTA GA 30009	.64	.60																



CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: CLUP -24-02/Z-24-04/
PH-24-05/V-24-04

PH #: PHA240004

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: The Providence Group, LLC, c/o Kathryn M. Zickert - Smith,
Gambrell, and Russell, LLP

Telephone: 404.815.3500

Address: 1105 W. Peachtree St. NE

Suite: 1000

City Atlanta

State: GA

Zip: 30309

Fax: 404.685.7004

Mobile Tel: 404.815.3704

Email: kzickert@sgrlaw.com

Subject Property Information:

Address: Northeast intersection of Old Milton Pkwy. and Haynes Bridge Road

Current Zoning: C-2 & DT-LW

District: 12

Section: _____

Land Lot: 748

Parcel ID: _____

12 270307480529, 12 270307480537,
12 270307480479, 12 270307480487,
and 12 0270307480305

Proposed Zoning: DT-LW

Current Use: vacant

This Application For *(Check All That Apply):*

☒ Conditional Use

☐ Master Plan Amendment

☒ Comprehensive Plan Amendment

☒ Rezoning

☐ Master Plan Review

☒ Variance

☐ Public Hearing

☐ Exception

☐ Other *(Specify):* _____

APPLICANT REQUEST AND INTENT

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

See attached Statement of Intent.

Applicant's Request (Please itemize the proposal):

See attached Statement of Intent.

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

See attached Statement of Intent.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

See Statement of Intent.

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

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.

See attached Statement of Intent.

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

See attached Statement of Intent.

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

See attached Statement of Intent.

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.

See attached Statement of Intent.

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

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: 2260 Old Milton, LLC

Telephone: 404.915.1400 / 678.485.7022

Address: 103 Hendrix Drive

Suite:

City Canton

State: GA

Zip: 30115

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: The Providence Group, LLC, c/o Kathryn M. Zickert -
Smith, Gambrell, and Russell, LLP

Telephone: 404.815.3500

Address: 1105 W. Peachtree St. NE

Suite: 1000

City Atlanta

State: GA

Zip: 30309

So Sworn and Attested:

Owner Signature:

(Authorized Agent for 2260 Old Milton, LLC)

Date:

1/30/24

Notary:

Notary Signature:



Date:

1/30/24

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: THE PROVIDENCE GROUP OF GEORGIA, LLC

Subject Public Hearing Case: Old Milton/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

Name of Official: N/A Position: —

Description of Contribution: — Value: —

Description of Contribution: — Value: —

Description of Contribution: — Value: —

Description of Contribution: — Value: —

Description of Contribution: — Value: —

Campaign Contribution Information:

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

Signature: ATW

Date: 1/30/24

DISCLOSURE FORM

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

Subject Public Hearing Case: Old Milton Parkway/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



Date: 1.31.2024

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

DISCLOSURE FORM

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

Subject Public Hearing Case: Old Milton Parkway/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



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

Date: 1.31.2024

DISCLOSURE FORM

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

Subject Public Hearing Case: Old Milton Parkway/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

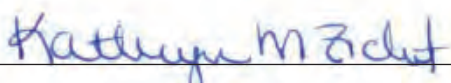
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



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

Date: 1.31.2024

DISCLOSURE FORM

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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: William J. Diehl (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: Old Milton Parkway/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



William J. Diehl (Smith, Gambrell, and Russell, LLP)

Date: 1.31.2024

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

Subject Public Hearing Case: Old Milton Parkway/Haynes Bridge Rezoning

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

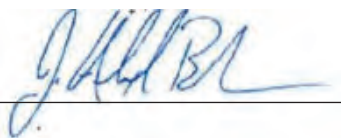
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



Date: 1.31.2024

TRACT 1 PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the southeastern end of a mitered right of way intersection of the easterly right of way Haynes Bridge Road (right of way varies) and the northerly right of way of Old Milton Parkway (right of way varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set, said rebar being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING departing said right of way North 04 degrees 50 minutes 27 seconds East a distance of 186.23 feet to a 1/2" rebar set; THENCE South 85 degrees 14 minutes 28 seconds East a distance of 34.98 feet to a 1/2" rebar set; THENCE South 85 degrees 04 minutes 11 seconds East a distance of 119.37 feet to a 1/2" rebar set; THENCE South 10 degrees 41 minutes 11 seconds West a distance of 193.26 feet to a 1/2" rebar set on the northerly right of way of Old Milton Parkway; THENCE proceed along said right of way the following three courses: along a curve to the left with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of North 82 degrees 17 minutes 18 seconds West and a chord distance of 68.17 feet to a point; THENCE North 82 degrees 47 minutes 24 seconds West a distance of 31.41 feet to a point; THENCE North 82 degrees 47 minutes 23 seconds West a distance of 35.23 feet to a 1/2" rebar set, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 27,357 square feet or 0.628 acre.

The above-described property is shown on an ALTA Survey for The Providence Group, dated 01/04/2024, prepared by Travis Pruitt & Associates. Survey File Number (172-D-119).

Being the same property as described in Exhibit A, contained within a Title Commitment number prepared by with an effective date of .

TRACT 2 PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the southeastern end of a mitered right of way intersection of the easterly right of way of Haynes Bridge Road (right of way varies) and the northern right of way of Old Milton Parkway (right of way varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE leaving said intersection proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 25 seconds East a distance of 35.23 feet to a point; THENCE South 82 degrees 47 minutes 24 seconds East a distance of 31.41 feet to a point; THENCE along a curve to the right with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of South 82 degrees 17 minutes 18 seconds East and a chord distance of 68.17 feet to a 1/2" rebar set, said rebar being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING departing said right of way North 10 degrees 41 minutes 11 seconds East a distance of 193.26 feet to a 1/2" rebar set; THENCE South 85 degrees 24 minutes 57 seconds East a distance of 117.05 feet to a 3/8" rebar found; THENCE South 85 degrees 22 minutes 14 seconds East a distance of 3.46 feet to a 1/2" rebar set; THENCE South 00 degrees 42 minutes 49 seconds West a distance of 205.57 feet to a 1/2" rebar set on the northerly right of way of Old Milton Parkway; THENCE proceed along said tight of way along a curve to the left with a radius of 3899.74 feet and an arc length of 155.48 feet, said curve having a chord bearing of North 80 degrees 38 minutes 34 seconds West and a chord distance of 155.47 feet to a 1/2" rebar set, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 27,298 square feet or 0.627 acre.

The above-described property is shown on an ALTA Survey for The Providence Group, dated 01/04/2024, prepared by Travis Pruitt & Associates. Survey File Number (172-D-119).

Being the same property as described in Exhibit A, contained within a Title Commitment number prepared by with an effective date of .

TRACT 3 PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the southeastern end of a mitered right of way intersection of the easterly right of way of Haynes Bridge Road (right of way varies) and the northern right of way of Old Milton Parkway (right of way varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE leaving said intersection proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 25 seconds East a distance of 35.23 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 24 seconds East a distance of 31.41 feet to a point; THENCE along a curve to the right with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of South 82 degrees 17 minutes 18 seconds East and a chord distance of 68.17 feet to a 1/2" rebar set; THENCE along a curve to the right with a radius of 3899.74 feet and an arc length of 155.48 feet, said curve having a chord bearing of South 80 degrees 38 minutes 34 seconds East and a chord distance of 155.47 feet to a 1/2" rebar set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING departing said right of way North 00 degrees 42 minutes 49 seconds East a distance of 205.57 feet to a 1/2" rebar set; THENCE South 85 degrees 19 minutes 07 seconds East a distance of 216.41 feet to a 1/2 rebar found; THENCE South 01 degrees 47 minutes 04 seconds West a distance of 31.73 feet to a tie-rod end found; THENCE South 01 degrees 46 minutes 21 seconds West a distance of 209.42 feet to a 1/2" rebar found on the northerly right of way of Old Milton Parkway; THENCE proceed along said right of way along a curve to the right with a radius of 2129.23 feet and an arc length of 53.76 feet, said curve having a chord bearing of North 78 degrees 44 minutes 14 seconds West and a chord distance of 53.76 feet to a point; THENCE North 78 degrees 01 minutes 48 seconds West a distance of 66.36 feet to a point; THENCE along a curve to the left with a radius of 3884.72 feet and an arc length of 95.10 feet, said curve having a chord bearing of North 78 degrees 43 minutes 52 seconds West and a chord distance of 95.10 feet to a concrete right of way monument found; THENCE North 00 degrees 42 minutes 49 seconds East a distance of 10.29 feet to a 1/2" rebar set, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 48,850 square feet or 1.121 acres.

The above-described property is shown on an ALTA Survey for The Providence Group, dated 01/04/2024, prepared by Travis Pruitt & Associates. Survey File Number (172-D-119).

Being the same property as described in Exhibit A, contained within a Title Commitment number prepared by with an effective date of .

TRACT 4 PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the southeastern end of a mitered right of way intersection of the easterly right of way of Haynes Bridge Road (right of way varies) and the northern right of way of Old Milton Parkway (right of way varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE leaving said intersection proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 25 seconds East a distance of 35.23 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 24 seconds East a distance of 31.41 feet to a point; THENCE along a curve to the right with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of South 82 degrees 17 minutes 18 seconds East and a chord distance of 68.17 feet to a 1/2" rebar set; THENCE along a curve to the right with a radius of 3899.74 feet and an arc length of 155.48 feet, said curve having a chord bearing of South 80 degrees 38 minutes 34 seconds East and a chord distance of 155.47 feet to a 1/2" rebar set; THENCE South 00 degrees 42 minutes 49 seconds West a distance of 10.29 feet to a concrete right of way monument found; THENCE along a curve to the left with a radius of 3884.72 feet and an arc length of 95.10 feet, said curve having a chord bearing of South 78 degrees 43 minutes 52 seconds East and a chord distance of 95.10 feet to a point; THENCE South 78 degrees 01 minutes 48 seconds East a distance of 66.36 feet to a point; THENCE along a curve to the left with a radius of 2129.23 feet and an arc length of 53.76 feet, said curve having a chord bearing of South 78 degrees 44 minutes 14 seconds East and a chord distance of 53.76 feet to a 1/2" rebar found, said rebar being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING departing said right of way North 01 degrees 46 minutes 21 seconds East a distance of 209.42 feet to a tie-rod end found; THENCE South 82 degrees 03 minutes 13 seconds East a distance of 107.00 feet to a 1/2" rebar set; THENCE South 01 degrees 47 minutes 57 seconds West a distance of 211.69 feet to a 1/2" rebar found on the northerly right of way of Old Milton Parkway; THENCE proceed along said right of way along a curve to the right with a radius of 2225.02 feet and an arc length of 107.18 feet, said curve having a chord bearing of North 80 degrees 50 minutes 25 seconds West and a chord distance of 107.17 feet to a 1/2" rebar found, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 22,435 square feet or 0.515 acre.

The above-described property is shown on a ALTA Survey for The Providence Group, dated 01/04/2024, prepared by Travis Pruitt & Associates. Survey File Number (172-D-119).

Being the same property as described in Exhibit A, contained within a Title Commitment number prepared by with an effective date of .

TRACT 5 PROPERTY DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 748 of the 1st District, 2nd Section, City of Alpharetta, Fulton County, Georgia and being more particularly described as follows:

COMMENCING at the southeastern end of a mitered right of way intersection of the easterly right of way of Haynes Bridge Road (right of way varies) and the northern right of way of Old Milton Parkway (right of way varies, a.k.a. SR 120, f.k.a. Duluth Street); THENCE leaving said intersection proceed along said Old Milton Parkway right of way South 82 degrees 47 minutes 24 seconds East a distance of 69.69 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 25 seconds East a distance of 35.23 feet to a 1/2" rebar set; THENCE South 82 degrees 47 minutes 24 seconds East a distance of 31.41 feet to a point; THENCE along a curve to the right with a radius of 3894.63 feet and an arc length of 68.17 feet, said curve having a chord bearing of South 82 degrees 17 minutes 18 seconds East and a chord distance of 68.17 feet to a 1/2" rebar set; THENCE along a curve to the right with a radius of 3899.74 feet and an arc length of 155.48 feet, said curve having a chord bearing of South 80 degrees 38 minutes 34 seconds East and a chord distance of 155.47 feet to a 1/2" rebar set; THENCE South 00 degrees 42 minutes 49 seconds West a distance of 10.29 feet to a concrete right of way monument found; THENCE along a curve to the left with a radius of 3884.72 feet and an arc length of 95.10 feet, said curve having a chord bearing of South 78 degrees 43 minutes 52 seconds East and a chord distance of 95.10 feet to a point; THENCE South 78 degrees 01 minutes 48 seconds East a distance of 66.36 feet to a point; THENCE along a curve to the left with a radius of 2129.23 feet and an arc length of 53.76 feet, said curve having a chord bearing of South 78 degrees 44 minutes 14 seconds East and a chord distance of 53.76 feet to a 1/2" rebar found; THENCE along a curve to the left with a radius of 2225.02 feet and an arc length of 107.18 feet, said curve having a chord bearing of South 80 degrees 50 minutes 25 seconds East and a chord distance of 107.17 feet to a 1/2" rebar found, said rebar being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING departing said right of way North 01 degrees 47 minutes 57 seconds East a distance of 211.69 feet to a 1/2" rebar set; THENCE South 82 degrees 03 minutes 13 seconds East a distance of 107.47 feet to a 1/2" rebar set; THENCE South 01 degrees 29 minutes 45 seconds West a distance of 208.75 feet to a 1/2" rebar found on the northerly right of way of Old Milton Parkway; THENCE proceed along said right of way along a curve to the right with a radius of 2273.13 feet and an arc length of 108.30 feet, said curve having a chord bearing of North 83 degrees 39 minutes 51 seconds West and a chord distance of 108.29 feet to a 1/2" rebar found, said rebar being the TRUE POINT OF BEGINNING.

Said tract contains 22,619 square feet or 0.519 acre.

The above-described property is shown on an ALTA Survey for The Providence Group, dated 01/04/2024, prepared by Travis Pruitt & Associates. Survey File Number (172-D-119).

Being the same property as described in Exhibit A, contained within a Title Commitment number prepared by with an effective date of .

1105 W. Peachtree St. NE, Suite 1000
Atlanta, Georgia 30309-3608
Tel: 404 815-3500
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Direct Fax: 404-685-6903
jabrock@sgrlaw.com

February 1, 2024

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

Re: **Application of The Providence Group of Georgia for** for ±3.41 acres of land located in the northeast quadrant of Old Milton Parkway (a.k.a State Route 120) and Haynes Bridge Road to rezone from C-2/DT-LW to DT-LW; secure a Comprehensive Plan Amendment to change the character area to MU-LW; secure a Conditional Use Permit to allow a density above 8 units per acre; and to secure three (3) variances from Sections 2.2.3, 2.6.2, and 3.7.3 of the City of Alpharetta Unified Development Code and the Downtown Overlay District; which tract is located in Land Lot 748, 12th District, Fulton County, GA.

Dear Kathi:

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

As you know I represent TPG in its effort to develop a total of 34 “for-sale” residential townhome units, at a density of 9.97 units per acre on the last remaining tract to be developed in the area. A Site Plan by Travis Pruitt & Associates (TPA) dated January 31, 2024 more particularly details the nature of the intended project. The Applicant envisions a mix of unit sizes that will range from 2,100 to 3,050 square feet. The townhomes will be 3 to 4-bedroom units with 3½ baths. Also, each unit will have an attached garage for two cars with 20-foot driveways and there will be four guest parking spaces on site.

The proposed development will be accessed from Old Milton Parkway, about 600 feet east of where the parkway intersects Haynes Bridge Road¹; there will be no vehicular access to any of the neighboring properties. The Applicant does request the right for the entrance to be

¹ However, the Applicant is exploring a vehicular connection to Thompson Street through the development due north of the subject property. To prevent cut through traffic, the Applicant also will request that this connection be gated.

gated. There will be pocket parks spaced throughout the development to provide greenspace access to future residents, along with a mail kiosk located near the main entrance. A portion of this greenspace will also be accessible to the properties due north of the site. The design will also set aside greenspace to protect several of the significant onsite trees. There is an underground stormwater facility proposed near the entrance of the development that will collect runoff during significant rain events and mitigate impacts to the downstream storm sewers.

The Subject Property is currently zoned C-2 (Commercial) (Parcels 12 270307480529 and 12 270307480537) and DT-LW (Downtown Live-Work) (Parcels 12 270307480479, 12 270307480487, and 12 270307480305) within the Downtown Overlay District. The current zoning of the site allows a drug store with substantial surface parking on the C-2 parcels and an office building with a parking deck on the DT-LW parcels. The tract is currently developed with a vacant commercial building that formerly contained the Southcare Cremation Society. To the south the Subject Property abuts the right-of-way of Old Milton Parkway. To the east, is a property zoned Office Institutional (O-I) owned by the State Bank and Trust (now Ca and containing a two-story bank and office building. To the west the Subject Property borders a parcel zoned C-2 containing the detention pond for the nearby Publix shopping center. To the north, the Subject Property borders a property developed with the Thompson Street Flats condominiums and another vacant property zoned DT-LW for nineteen (19) single family detached residences, also under development by The Providence Group. It is important to note that the rezoning to the north was very similar to the Applicant's current request. In that application the applicant was granted, a rezoning from C-2 to DT-LW, a comprehensive land use plan amendment from 'Commercial' to 'Mixed Use Live Work', a conditional use to increase density from 8 to 10 dwelling units per acre, and several variances.² Consequently, the Applicant's proposal is fitting and appropriate given the existing developments and entitlements in the surrounding area.

The Subject Property is situated along a section of Old Milton Parkway between the Avalon mixed-use development and downtown Alpharetta, which is largely characterized by a mix of townhome residential, small lot single-family detached residential, commercial, and office/institutional uses. The proposed townhome development is completely harmonious with the existing residential in the area and is complementary to the nearby non-residential uses. The proposed development is also in line with the City of Alpharetta's Horizon 2040 Comprehensive Plan ("Comp Plan"), which encourages a mix of uses in the area. The Comp Plan's Future Land Use Map designates the Subject Property as being within the Commercial and Mixed-Use Live Work (MULW) character areas, as well as being within the Downtown Master Plan. The Applicant is requesting a Comp Plan Amendment to bring the entire property into the MULW character area. The Comp Plan notes the desired development within the MULW character area as: "[i]n the Downtown Overlay, office and residential uses mixed vertically within a building and/or horizontally within a development or area."³ The surrounding area on Thompson Street is developed with a mix of residential uses. The proposed development will add to the mix of

² Refer to Zoning Case Numbers CLUP-22-05/Z-22-15/CU-22-12/V-22-29.

³ See City of Alpharetta's Horizon 2040 Comprehensive Plan, pg. 58.

uses that the Comp Plan desires for the MULW character area. Furthermore, the Comp Plan notes that DT-LW is an appropriate zoning district for the MULW character area.

As a consequence of being within the Downtown Overlay, there are a number of additional design elements which are to be incorporated into the proposed development. The proposed development will meet the Downtown Overlay requirements for open space by providing ± 0.426 acres (12.5% of the site) of amenity space.⁴ Thus, the ultimate goal is to create an attractive and fitting residential development in compliance with the vision adopted by the City in its Comp Plan and the Downtown Master Plan. This development represents an opportunity for high scale, for-sale housing in an area that is devoid of such options.

These improvements require the following approvals:

1. Rezone the Subject Property from C-2 and Downtown Live Work (DT-LW) to DT-LW.
2. Approve a Comprehensive Plan Amendment from Commercial to Mixed Use-Live/Work (for Parcel Numbers 12 270307480529 and 12 270307480537)
3. Approve a Conditional Use Permit to allow a density over 8 units per acre in the DT-LW district.
4. To secure three concurrent variances and approvals from certain sections of the City of Alpharetta Unified Development Code requirements occasioned by factors peculiar to the Subject Property. The development will need the following variance from:
 - a. Alpharetta UDC § 2.2.3 – Amend the block requirements to eliminate the requirement for interconnected streets and block requirements; allow dead end streets; and eliminate the requirement for stub out streets.
 - b. Alpharetta UDC Section 2.6.2.A – Amend the Downtown Overlay requirements to reduce the 50-foot undisturbed buffer adjacent to the O-I and C-2 districts.
 - c. Alpharetta UDC Section 3.7.3 – Increase the lot coverage from 70% to 80%

A. Relevant Background Information

The Subject Property contains a vacant building that formerly housed the Southcare Cremation Society and the remainder is wooded. The site has remained vacant, while much of the surrounding area has experienced significant development. The recent growth of the Thompson Street area is characterized by higher density residential (particularly townhomes). The Subject Property is ideally located for the type of community sought after by contemporary

⁴ Civic space is not required for sites under 5 acres per Alpharetta UDO §3.8.3.

consumers and residents within close proximity to employment, retail and entertainment. The site is located in close proximity to major employment centers in the Avalon mixed use development as well as Alpharetta's Central Business District. In addition, the property is approximately 1/3 mile from Alpharetta's downtown and approximately ½ mile from the commercial shops and restaurants in the Avalon development. Thus it is highly walkable.

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

B. Trip Generation

The proposed development will not overly burden existing streets or transportation facilities. The Applicant has submitted a Trip Generation Memorandum along with this application detailing the anticipated number of trips. The Trip Generation Memorandum states that the 34 townhomes are expected to generate 14.96 trips during the AM weekday peak hour, 17.68 trips during the PM weekday peak hour, and 197.54 total trips on a weekday. At present, the proposed development will be accessed solely from Old Milton Parkway, about 600 feet east of where the parkway intersects Haynes Bridge Road. (*See Also* Footnote 1 of this letter). Old Milton Parkway is classified as a principal arterial per the Georgia Department of Transportation State Functional Classification Map. This type of roadway is intended to carry a large volume of traffic and the Applicant is unaware of any capacity issues with that roadway. Accordingly, Old Milton Parkway is anticipated to easily accommodate the minor amount of traffic generated by the proposed project.

C. Schools

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

D. Standards for Zoning Changes

Unified Development Code Section 4.2.3 Standards for Zoning Changes approval, provides the following criteria for consideration when evaluating a request for a change in zoning district:

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

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

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

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

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

Response: No. The proposal is sensitive to the environmental constraints of the site and will implement many environmentally sensitive measures. In particular, the Applicant’s site plan identifies tree save areas to protect the existing tree canopy.

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

Response: A majority of the property is already zoned DT-LW for an office building with a parking deck; however, two parcels, (Parcel IDs 12 270307480529 and 12 270307480537), are zoned C-2 for a drug store. The C-2 district limits development to certain commercial uses that generally are not consistent with the DT-LW district. The Applicant seeks to rezone the entire property to DT-LW to develop it as one cohesive project.

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

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

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

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

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

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

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

Response: See response to (d) above.

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

Response: Two of the five parcels (Parcel IDs 12 270307480529 and 12 270307480537) are in the Commercial character area, which does not support the proposed DT-LW zoning. The remaining three parcels are within the Mixed Use-Live/Work character area that supports the proposed DT-LW zoning. The Applicant proposes an amendment to the Comprehensive Land Use Plan designation of the parcels within Commercial character area to Mixed Use-Live/Work. This will bring the entire property into a single cohesive character area designation.

E. Standards for a Conditional Use Permit

Unified Development Code Section 4.2.3.B Conditional Use standards, provides the following criteria for consideration when evaluating a request for a Conditional Use Permit:

- a. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access.

Response: The proposed development will have access to Old Milton Parkway. Additionally, the layout of the internal streets will provide adequate room for emergency vehicles.

- b. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property.

Response: The proposed development's street layout provides sufficient vehicular turning movement to allow garbage trucks and emergency vehicles to service the homes. Additionally, the units will have sufficient parking on each lot, as well as additional guest parking on site.

- c. 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: As noted above, the property is bordered to the north by similar single-family development by the Applicant. Additionally, there will be no negative impact upon the non-residential properties on either side of the subject property.

- d. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties.

Response: There are no anticipated effects to local or state expenditures on the neighboring properties from allowing the higher density townhomes.

- e. 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 townhomes are compatible with the known and anticipated developments in the area.

- f. Ensuring that the location and character of the conditional use is considered to be consistent with a desirable pattern of development for the city, in general.

Response: The proposed townhomes are consistent with other townhome and residential development in the area. Additionally, residential growth at higher densities is a key component of plans for the Old Milton corridor and Thompson Street in the Downtown Master Plan. The property also is located within the Downtown Overlay, which states “a range of high-quality and aesthetically compatible housing options should be provided to accommodate different needs in the community.”

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

Response: The proposed townhomes are appropriate for the area given the mix of residential and commercial uses in the surrounding community. The proposed residences are not anticipated to have any negative impact on the surrounding developments.

F. Comprehensive Land Use Plan

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

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

Response: A majority of the subject property is already within the Mixed Use-Live/Work character area. The Applicant's proposal will bring the remaining two parcels into the same Mixed Use-Live/Work character area to allow a cohesive development of the property. Additionally, the property is situated along a section of Old Milton Parkway between the Avalon mixed-use development and downtown Alpharetta. This area has experienced tremendous redevelopment over the last twenty years, while the subject property has remained in a stagnant state. This stagnation is partly due to the mix of zoning districts and character areas that prevent its singular development; it is also due to the changing retail needs in the community.

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

Response: The Applicant's proposal complies with the goals and policies of the City's Comprehensive Plan, and brings it into alignment with the goals of the City's Downtown overlay.

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

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

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

Response: No such negative impacts will occur.

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

Response: Not applicable.

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

Response: Not applicable.

G. Variance Review Criteria

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

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

Response: The approximately 3.41-acre property is configured in an irregular shape along Old Milton Parkway. In addition, the property requires a 20-foot setback along Old Milton Parkway and is bordered on two sides by nonresidential zoning districts (O-I and C-2) which requires a significant amount of buffers along those property lines. Also, there are several specimen trees that the Applicant is preserving, which limit the buildable area. The combination of the irregular shape, the zoning buffers, and tree preservation severely restricts any practical development of the property without relief.

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

Response: The particular features associated with the property, its irregular shape, preservation of specimen trees, and its location between two non-residential districts, along with the requirements of the Downtown Overlay creates a hardship which requires a design with these variances. A slight reduction in zoning buffer setbacks, along with minor dimensional adjustments provides a more reasonable developable land area on the subject site.

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

Response: The peculiar shape along with the required zoning buffers affect the Subject Property's ability to be reasonably developed.

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

Response: Relief would not cause substantial detriment to the public good. The site constraints, with relief, allows for a cluster development that efficiently uses the land and meets the intent of the Zoning Code and desired creation of place within Downtown Alpharetta.

H. Requested Conditions

- 1) The property shall be developed substantially in accordance with the plans by Travis Pruitt & Associates, dated January 31, 2024.
- 2) Each unit shall contain a minimum of 2,000sf.

- 3) The project provides approximately 0.426 acres of amenity space ($\pm 12.5\%$ of total site). Amenity space is spread throughout the site and includes pocket parks and passive green spaces.
- 4) The site will have vehicular access from Old Milton Parkway only. That access may be gated.
- 5) No more than 10% of the residential units will be permitted to be rented, as recorded in the HOA's declarations and covenants.
- 6) New utilities interior to the site will be placed underground.
- 7) The rezoning shall be subject to a recombination plat depicting the proposed ± 3.41 -acre parcel. The recombination plat will be prepared and recorded at a later date.

I. Preservation of Rights

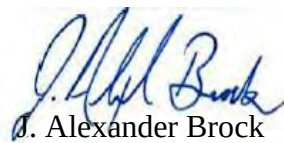
It is the position of the Applicant that the Alpharetta Zoning Ordinance, in limiting the property to the uses allowed in the current zoning district is unconstitutional in that it destroys the marketability of the property and renders the property economically unfeasible, and such zoning therefore constitutes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

CONCLUSION

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

[Signature on Following Page]

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "J. Alexander Brock". The signature is stylized with a large initial "J" and a cursive "Brock".

J. Alexander Brock
Attorney

SITE PLAN CHECK LIST

This document is provided as a resource for the applicant to assist in the preparation of site plans to be submitted in support of applications for public hearing. The items listed below reflect the minimum information that must be included on all site plans submitted as part of the public hearing process.

Site plans submitted as part of a public hearing application must be drawn to scale, and the scale must be displayed in the lower left corner of the plan page. The maximum page size for original full-size plan documents is 30" x 42". Plan copies submitted as part of the completed application packets may be a maximum of 11" x 17", must be folded to a size of 8.5" x 11", and must be attached to each submittal packet set.

Applications that include site plan documents that do not meet these requirements will not be accepted.

☒	Element Description
☒	Key and/or legend and site location map with North arrow
☒	Boundary survey of subject property which includes dimensions along property lines that match the metes and bounds of the property's written legal description and clearly indicates the point of beginning.
☒	Acreage of the subject property.
☒	Location of land lot lines and identification of land lots.
☒	Existing, proposed, new dedicated, and future reserved rights-of-way of all streets, roads, and rail lines adjacent to and on the subject property.
☒	Proposed streets on the subject site.
☒	Current zoning of the subject site and adjoining properties.
☒	Existing buildings (with square footages, heights, and stories), wells, driveways, fences, cell towers, and any other structures or improvements on the subject property.
☒	Location of proposed buildings with square footages, heights, and stories.
☒	Layout and minimum lot size of proposed single-family residential lots.
☒	Topography of subject site.
☒	Required and proposed setbacks.
☒	100-year flood plain horizontal limits and flood zone designations as shown on survey or FEMA FIRM maps.
☒	Required landscape strips, undisturbed buffers, and any other natural areas as required or proposed.
☒	Tree lines, woodlands, significant trees with critical root zones (1.3 x trunk diameter), and open fields on subject site.
☒	Required and proposed parking spaces, loading, and unloading facilities.
☒	Lakes, streams, and other waters on the site and associated buffers. Wetlands shown on GIS maps or survey.
☒	Proposed stormwater management facilities.
☒	Entrance distance profile assuming the driver's eye at a height of 3.5 feet.
☒	Existing driveways located within 150 feet of the subject property on adjacent or nearby parcels (including those parcels on the opposite side of a public street).
☒	Proposed access driveways and the available intersection sight distance (according to AASHTO Green Book).



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DATE: 01-31-2024
SCALE: 1" = 30'
CN:230461DP9
LSV:
JN:
FN:
1 of 2

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: Old Milton Parkway/Haynes Bridge Rezoning

Contact Name: Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP) Telephone: 404.815.3500

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

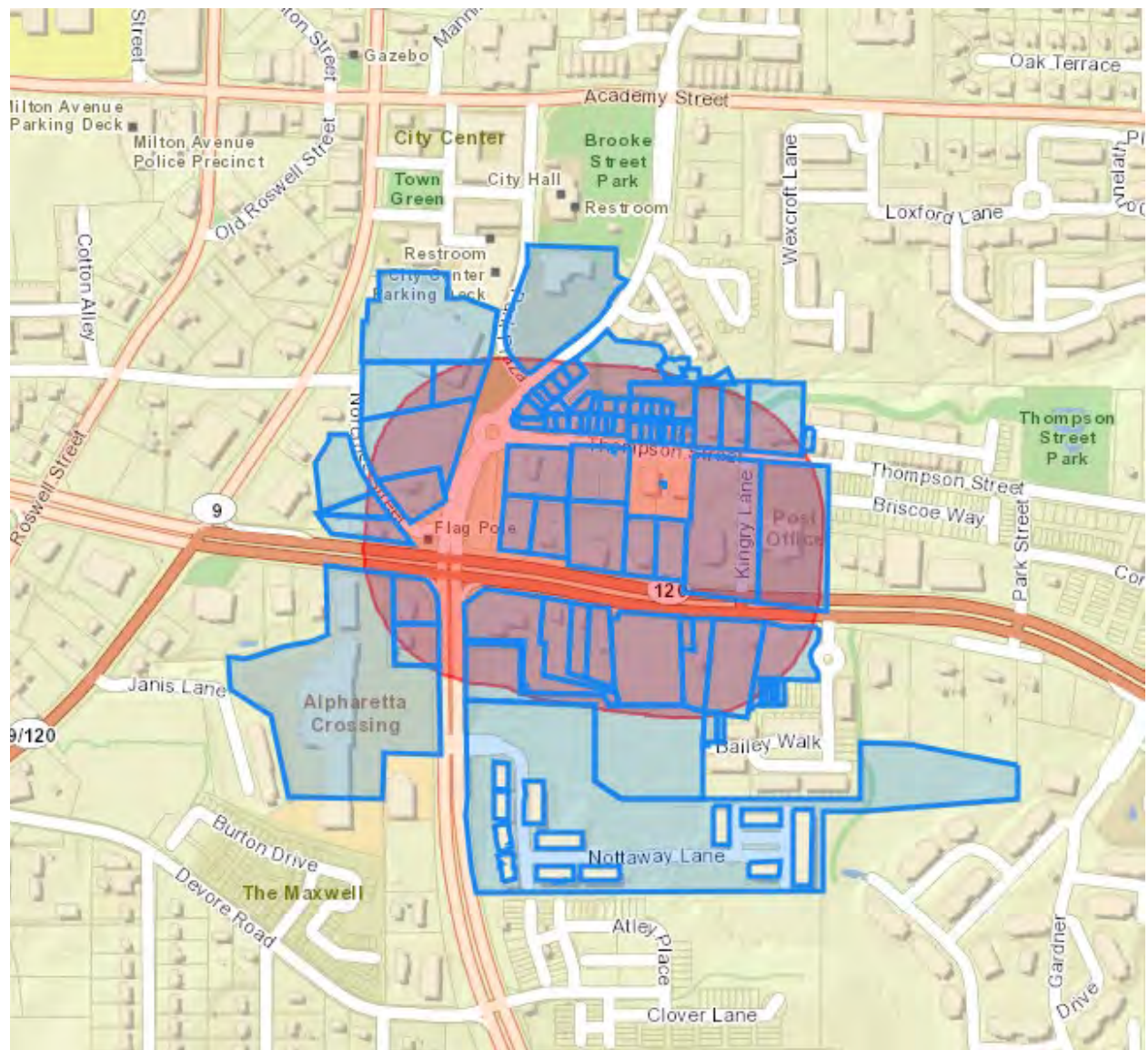
See attached Property Owner Mailing List.

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

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

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

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



12 258406951078 BERBERIAN PROPERTIES LLC
 12 258406951086 BERBERIAN PROPERTIES LLC
 12 270307480149 GUVEN KERIMAN
 12 270307480164 GUVEN KERIMAN
 12 270307480180 CHAN TIN & ENG DANNY
 12 270307480230 CHAN TIN & ENG DANNY
 12 270307480529 2260 OLD MILTON LLC
 12 270307480537 2260 OLD MILTON LLC
 12 270307480545 2365 OLD MILTON PARKWAY MOB LLC
 12 270307480552 2365 OLD MILTON PARKWAY MOB LLC
 12 270307480578 MY FIRST ACADEMY INC
 12 270307480586 GUVEN KERIMAN
 12 270307480636 ESKANDARI MOSLEM & LEILA
 12 270307480685 2260 OLD MILTON LLC
 12 270307480701 92 THOMPSON DEVELOPMENT LLC
 12 270307480719 92 THOMPSON DEVELOPMENT LLC
 12 270307480776 MOSS LESLIE MOSS RHONDA
 12 270307480560 CHAN TIN & ENG DANNY
 12 258406950963 PUBLIX SUPER MARKETS INC
 12 258406950757 PUBLIX SUPER MARKETS INC
 12 258406950765 PUBLIX SUPER MARKETS INC
 12 258406951052 DALTEX ALPHARETTA LLC
 12 270307480305 2260 OLD MILTON LLC
 12 270307480479 AVERY PARK PARTNERS LLC
 12 270307480487 2260 OLD MILTON LLC
 12 270307480800 UNITED STATES POSTAL SERVICE
 12 270307480818 STATE BANK & TRUST COMPANY
 12 258406951110 BUR ROG INC
 12 258406950187 ZAINA PROPERTIES LLC
 12 258406950179 ZAINA PROPERTIES LLC
 12 270007470713 HAYNES PARK NEIGHBORHOOD ASSOCIATION INC
 22 498412680803 FULTON COUNTY GEORGIA
 22 498412680761 PUBLIX SUPER MARKETS INC
 12 258406950955 PUBLIX SUPER MARKETS INC
 12 270307480842 SCHMIDT JOHN THOMAS & FABIAN TAYLOR MARIE
 12 270307482210 THOMPSON STREET CITY HOMES LLC
 12 270307481311 SHARMA PREM & RAMIT KUMAR
 12 270307481303 BOTTS EDWARD & CHERYL
 12 270307481477 HIMOT WESLEY BOYD
 12 270307481485 BURKE DONALD PATRICK & CRAIG BURKE LURLINE
 12 270307481493 OYEWOLE AYORINDE O & PATRICIA S
 12 270307481501 SHINNERS MICHAEL PATRICK & TERESA T
 12 270307481519 BREEDLOVE MICHAEL & MARGARET ELLEN
 12 270307481527 CHELSEA WALK LAND LLC
 22 498412681926 VOYSEY TRUST THE
 12 270307481584 DEAN MARY MARSHA
 12 270307481840 VOYSEY COMMUNITY ASSOCIATION INC
 12 270307480826 KRIEGER BRAM & KRIEGER MARY E
 12 270307480834 MOONEY PATRICK & ANGELA PORTER
 12 270307480883 KURT AKGUN BASAK & GAMZE ALATAN
 12 270307480859 FLEMING SCOTT A
 12 270307480867 HARPER TERRENCE P & HARPER TRACEY S
 12 270307480891 LANCE SCOTT & NATALIE
 12 270307480875 KAPLAN MICHAEL E & KAPLAN LORI J
 12 270307480917 FRAGLE GUY J & MARIA
 12 270307481006 LONG JARRET & LONG KAREN
 12 270307480925 MELZER STEVEN M & MARY P
 12 270307480909 HUGE KATHERINE S
 12 270307480990 HODGE RANDALL & MARY ELIZABETH
 12 270307480933 MORACA LISA
 12 270307480941 MILLER CONNOR & MILLER KATHERINE ELIZABETH
 12 270307480958 CHRISTIE NICK JR & CHRISTIE FRANCES B
 12 270307480966 RENNER JEFF & RENNER JUDI

515 LYELL DR STE 101
 515 LYELL DR STE 101
 3396 CARVERTON LANE
 3396 CARVERTON LANE
 3975 OLD MILTON PKWY # S 1
 3975 OLD MILTON PKWY # S 1
 2300 BETHELVIEW RD STE 110-329
 2300 BETHELVIEW RD STE 110-329
 1835 SAVOY DR SUITE 101
 1835 SAVOY DR STE 101
 1025 N POINT DR
 3396 CARVERTON LANE
 501 S MAIN ST STE 103
 2300 BETHELVIEW RD STE 110-329
 3065 BELLINGRATH BLVD
 3065 BELLINGRATH BLVD
 112 THOMPSON ST
 3975 OLD MILTON PKWY # S 1
 P O BOX 32018
 P.O. BOX 32018
 P O BOX 32018
 3715 NORTHSIDE PKWY
 2300 BETHELVIEW RD STE 110-329
 2300 BETHELVIEW RD STE 110 239
 2300 BETHELVIEW RD STE 110-329
 1735 NORTH BROWN RD STE 200
 4219 FORSYTH RD
 PO BOX 642
 314 KENT VALLEY CIR
 314 KENT VALLEY CIR
 400 NORTHRIDGE RD STE 1250
 141 PRYOR ST
 P.O. BOX 32018
 P O BOX 32018
 2310 MELINA PL
 8256 MAIN ST
 824 ADLER CT
 347 BAILEY WALK
 211 PHILLIPS LANE
 213 PHILLIPS LN
 215 PHILLIPS LN
 217 PHILLIPS LANE
 219 PHILLIPS LANE
 2771 LAWRENCEVILLE HWY STE 210
 2585 BROOK RUN
 305 BANBURY XING
 1465 NORTHSIDE DR NW SUITE 128
 2290 MELINA PL
 2300 MELINA PL
 2785 WEBB RD
 2320 MELINA PL
 2330 MELINA PL
 2360 MELINA PL # 8
 2340 MELINA PL
 2380 MELINA PL
 2305 MELINA PL
 2390 MELINA PL
 7325 BREEZE BAY RD
 75 FERRY LANE
 2400 MELINA PL
 2410 MELINA PL
 2420 MELINA PL
 2430 MELINA PL

MODESTO CA 95356
 MODESTO CA 95356
 ALPHARETTA GA 30022
 ALPHARETTA GA 30022
 ALPHARETTA GA 30005
 ALPHARETTA GA 30005
 CUMMING GA 30040
 CUMMING GA 30040
 ATLANTA GA 30341
 ATLANTA GA 30327
 ROSWELL GA 30075
 ALPHARETTA GA 30022
 ALPHARETTA GA 30009
 CUMMING GA 30040
 ROSWELL GA 30076
 ROSWELL GA 30076
 ALPHARETTA GA 30004
 ALPHARETTA GA 30005
 LAKELAND FL 33802-2018
 LAKELAND FL 33802
 LAKELAND FL 33802-2018
 ATLANTA GA 30327
 CUMMING GA 30040
 CUMMING GA 30040
 CUMMING GA 30040
 LAWRENCEVILLE GA 30043-8153
 MACON GA 31208
 ALPHARETTA GA 30004
 TUCKER GA 30084
 TUCKER GA 30084
 SANDY SPRINGS GA 30350
 ATLANTA GA 30303
 LAKELAND FL 33802
 LAKELAND FL 33802-2018
 ALPHARETTA GA 30009
 WOODSTOCK GA 30188
 ALPHARETTA GA 30005
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 CUMMING GA 30041
 BARRINGTON RI 02806
 ALPHARETTA GA 30009
 ALPHARETTA GA 30009
 ALPHARETTA GA 30009
 ALPHARETTA GA 30009

12 270307480974	BURNS HERBERT III & JOY	2440 MELINA PL	ALPHARETTA GA 30009
12 270307481014	KEBEDE MIZANU & KEBEDE GAYLE	2295 MELINA PL	ALPHARETTA GA 30009
12 270307480982	COOK KATHRYN E	2325 MELINA PL	ALPHARETTA GA 30009
12 270307481022	VOYSEY COMMUNITY ASSOCIATION INC	1465 NORTHSIDE DR NW SUITE 128	ATLANTA GA 30318
12 270307480693	ONE ALPHARETTA PARTNERS LLC	410 PEACHTREE PKWY STE 4245	CUMMING GA 30041
12 270307482202	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482194	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482186	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482178	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482160	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482228	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482129	CHANDLER JUSTIN DANE & ELISABETH LYNN	115 ROSE GARDEN LN	ALPHARETTA GA 30009
12 270307482137	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482152	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482145	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307480511	THOMPSON STREET CITY HOMES LLC	8256 MAIN ST	WOODSTOCK GA 30188
12 270307482053	ROSENTHAL KAY	81 THOMPSON ST UNIT 302	ALPHARETTA GA 30009
12 270307482004	TOLBERT KEVIN T & TOLBERT SHELLEY LEWIS	81 THOMPSON ST UNIT 101	ALPHARETTA GA 30009
12 270307482012	MACINNIS GEORGE BRIAN & SUZETTE	13858 SE MARINA PL	PALM CITY FL 34990
12 270307482020	FARRELL LORI A	81 THOMPSON ST UNIT 201	ALPHARETTA GA 30009
12 270307482038	JANOVITZ RICHARD & RENEE	205 W SPRINGS LAKE DR	ALTAMONTE SPRINGS FL 32714
12 270307482046	BENNETT HARRY MICHAEL & BENNETT DONNA STRINGER	81 THOMPSON STREET FLATS UNIT 301	ALPHARETTA GA 30009
12 270307482061	STRACHAN MARIJKE W & BERSON STEVEN L	71 THOMPSON ST # 101	ALPHARETTA GA 30009
12 270307482079	TIEKEN DONALD R & SANDRA CASEY	71 THOMPSON ST UNIT 102	ALPHARETTA GA 30009
12 270307482087	JANKE SCOTT L & JANKE BEVERLY J	71 THOMPSON ST UNIT 201	ALPHARETTA GA 30009
12 270307482095	LEADWOOD PROPERTIES LLC	2455 LORRAINE CT S	PONTE VEDRA BEACH FL 32082
12 270307482103	BEELEN FRANS	71 THOMPSON ST UNIT 301	ALPHARETTA GA 30009
12 270307482111	BARRETT THOMAS C & SANDRA K	71 THOMPSON ST UNIT 302	ALPHARETTA GA 30009

Real Estate

View Bill

As of	2/1/2024
Bill Year	2023
Bill	2307222
Owner	2260 OLD MILTON LLC
Parcel ID	12 -2703-0748-052-9

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$1,044.43	\$1,044.43	\$0.00	\$0.00	\$0.00
TOTAL		\$1,044.43	\$1,044.43	\$0.00	\$0.00	\$0.00

Real Estate

View Bill

As of	2/1/2024
Bill Year	2023
Bill	2307223
Owner	2260 OLD MILTON LLC
Parcel ID	12 -2703-0748-053-7

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$965.77	\$965.77	\$0.00	\$0.00	\$0.00
TOTAL		\$965.77	\$965.77	\$0.00	\$0.00	\$0.00

Real Estate

View Bill

As of	2/1/2024
Bill Year	2023
Bill	2307219
Owner	AVERY PARK PARTNERS LLC
Parcel ID	12 -2703-0748-047-9

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$984.86	\$984.86	\$0.00	\$0.00	\$0.00
TOTAL		\$984.86	\$984.86	\$0.00	\$0.00	\$0.00

Real Estate

View Bill

As of	2/1/2024
Bill Year	2023
Bill	2307220
Owner	2260 OLD MILTON LLC
Parcel ID	12 -2703-0748-048-7

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$1,001.42	\$1,001.42	\$0.00	\$0.00	\$0.00
TOTAL		\$1,001.42	\$1,001.42	\$0.00	\$0.00	\$0.00

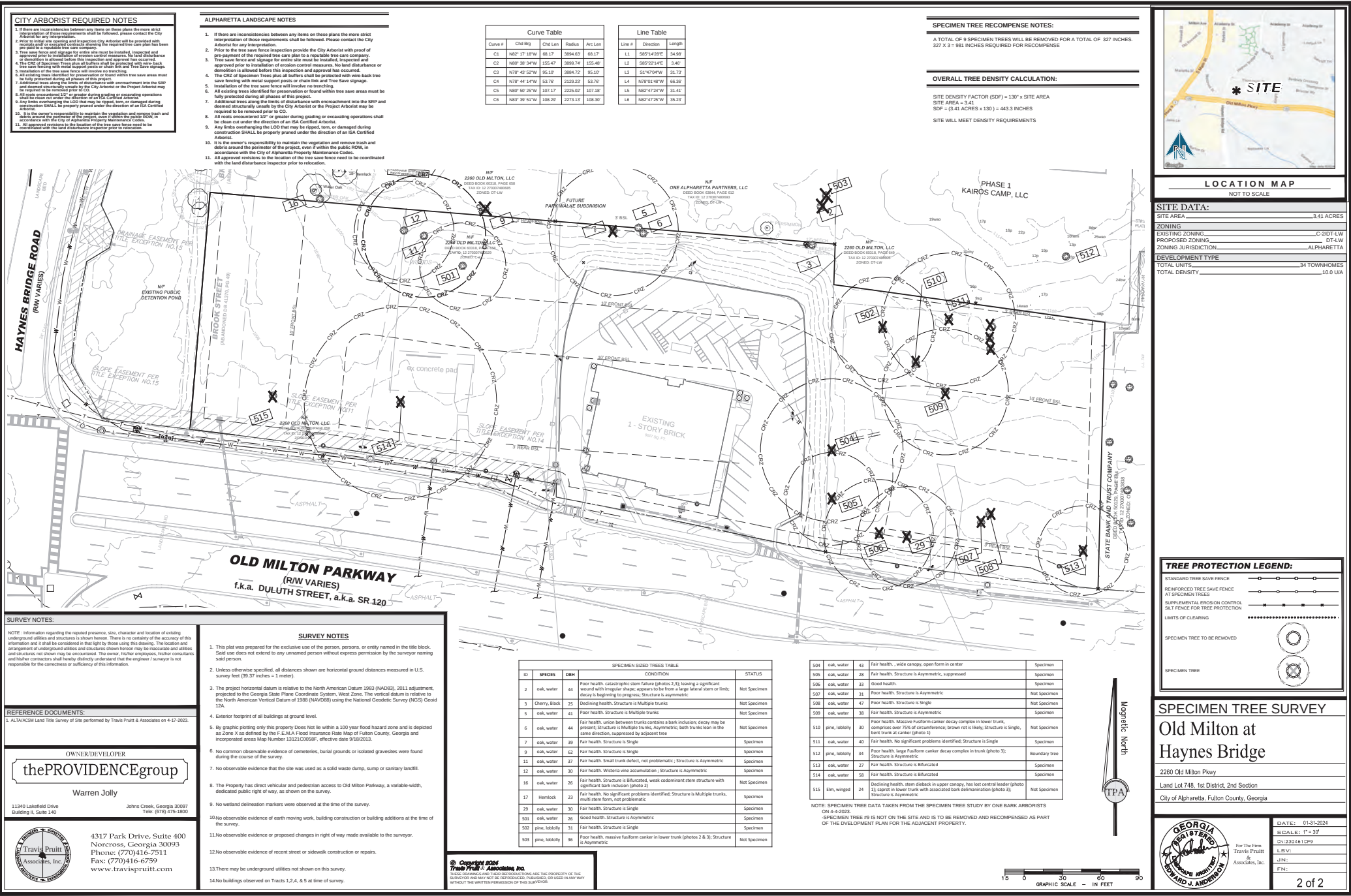
Real Estate

View Bill

As of	2/1/2024
Bill Year	2023
Bill	2307218
Owner	2260 OLD MILTON LLC
Parcel ID	12 -2703-0748-030-5

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$2,790.59	\$2,790.59	\$0.00	\$0.00	\$0.00
TOTAL		\$2,790.59	\$2,790.59	\$0.00	\$0.00	\$0.00







ONEBARK LLC
5456 PEACHTREE BOULEVARD
ATLANTA GA 30341
p: 678-344-6948 www.onebark.com

Tree Study Report

Old Milton Tracts, Alpharetta GA 30009

Date of Inspection 1/2/2024

Inspector

Jesse Milton
ISA #SO-1170B
Email: jesse@onebark.com

Developer

Clint Walters
11340 Lakefield Drive, Suite 140
Johns Creek GA 30097

INTRODUCTION

This inspection was made to verify trees that meet Specimen tree criteria and/or meet the criteria for an Arborist Report as outlined in the Alpharetta municipal code.

METHODOLOGY

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request. All tree sizes were measure as DBH (Diameter at Breast Height, 4.5 feet above soil level).

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees, including boundary trees within 30 feet outside of the parcel limits and potential 'Trees of Quality.' (Pine, Tuliptree, and Sweetgum cannot be considered Quality trees). Boundary trees can only be inspected from the subject parcel, unless written permission is given by the neighboring parcel owner. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

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:

30-inch DBH or larger for trees in the Pinus genus
30-inch diameter or larger for trees in the Sweetgum or Tulip poplar genus
20-inch DBH or larger for trees in the Cedrus, Thuja, or other ecologically similar trees
20-inch diameter or larger for trees in the Beech, Nyssa, Persimmon, Sassafras, or other ecologically similar trees
20-inch diameter or larger for Magnolia grandiflora and those cultivars that generally reach a mature height over 40'
24-inch DBH or larger for trees in all other genera
10-inch DBH or larger for Sourwood
Understory Trees: 8-inch DBH diameter or larger

DEFINITIONS OF TREE HEALTH

GOOD - Few if any pathological problems exist; canopy is full, leaf density is above average, and live crown ratio is generally 50% or greater

FAIR - vigor is reasonable but a minor pathological problem may exist; leaf density is average; live crown ratio may be less than 50%. Most urban trees fall in this category.

POOR - vigor is waning, some dieback may be present, leaf density is below average; a significant pathological problem may be present; decay may exist within vital structures.

DECLINING - vigor is terminal, dieback is developing or is inevitable; tree has a limited life expectancy of less than 5 years.

Tree 2

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 44" oak, water, *Quercus nigra*

Condition: Poor health. catastrophic stem failure (photos 2,3); leaving a significant wound with irregular shape; appears to be from a large lateral stem or limb; decay is beginning to progress; Structure is asymmetric

Other notes: Does not meet condition criteria for specimen trees



Tree 3

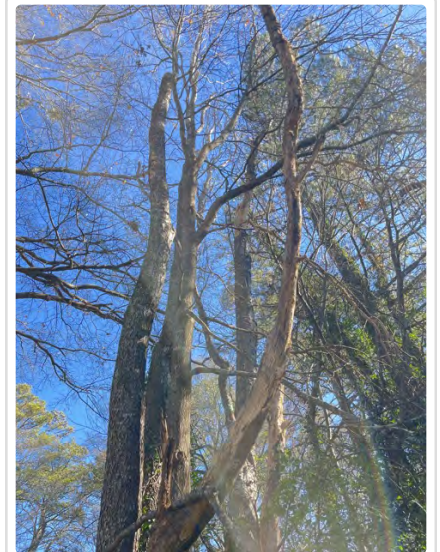
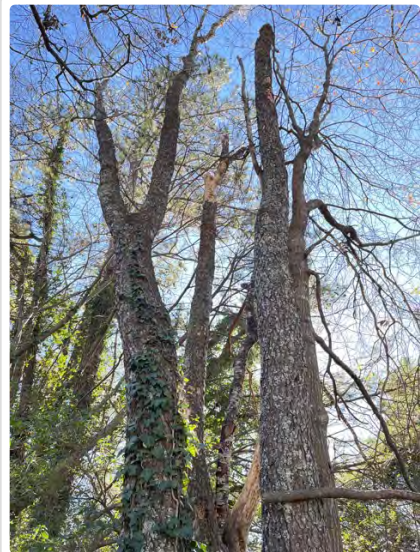
Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 25" Cherry, Black, *Prunus serotina*

Condition: Declining health. tops of stems are dead, progressive dieback from terminals; death is imminent; Structure is Multiple trunks

Other notes: Does not meet condition criteria for specimen trees



Tree 5

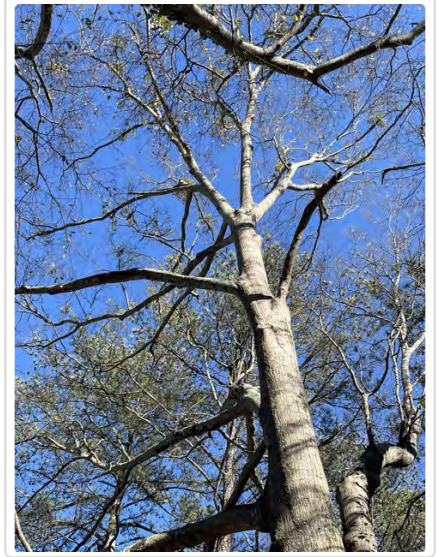
Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 41" oak, water, *Quercus nigra*

Condition: Poor health. significant column of decay in southern stem, not correctable; open cavity is irregular in shape, vertical along vascular axis (photo 1); Structure is Multiple trunks, double form

Other notes: Does not meet condition criteria for specimen trees



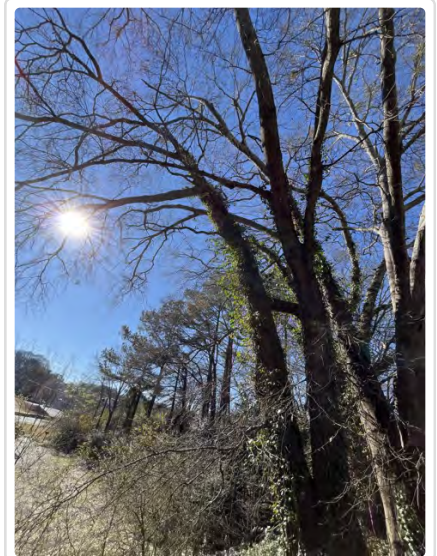
Tree 6

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 44" oak, water, *Quercus nigra*

Condition: Fair health. union between trunks contains a significant bark inclusion; decay may be present (photos 1,2); Structure is Multiple trunks, Asymmetric; both trunks lean in the same direction, suppressed by adjacent tree (photo 3)



Tree 7

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 39" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified, moderate English Ivy growth along trunk surface;

Structure is Single, No significant problems identified

Other notes:



Tree 9

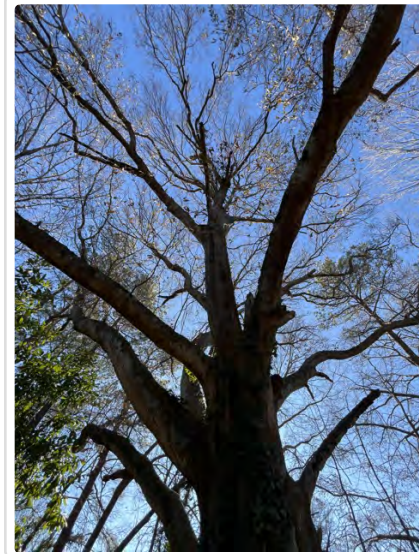
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 62" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; Structure is Single, some deadwood, normal senescence

Other notes:



Tree 11

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 37" oak, water, *Quercus nigra*

Condition: Fair health. Small trunk defect, not problematic ; Structure is Asymmetric, No significant problems identified, one-sided (photo 2)

Other notes:



Tree 12

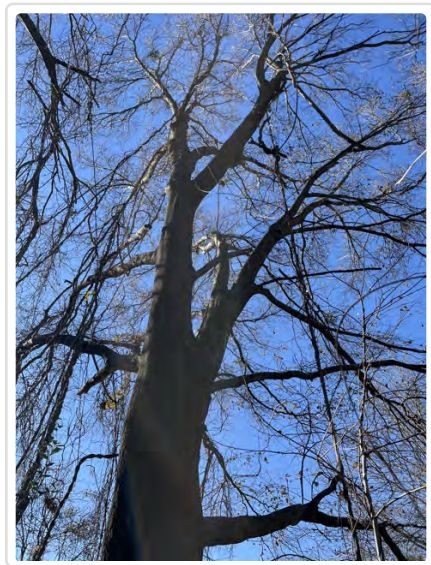
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 30" oak, water, *Quercus nigra*

Condition: Fair health. Wisteria vine accumulation in upper canopy, not yet causing dieback; Structure is Asymmetric, No significant problems identified

Other notes:



Tree 16

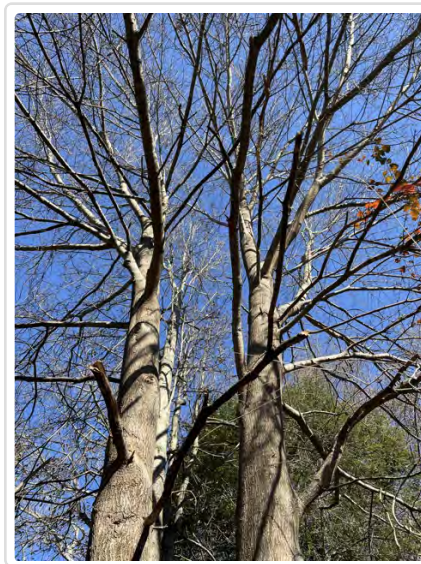
Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 26" oak, water, *Quercus nigra*

Condition: Fair health. Structure is Bifurcated, weak co-dominant stem structure with significant bark inclusion (photo 2)

Other notes: Tree does not meet condition criteria for specimen trees



Tree 17

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 23" Hemlock, *Tsuga canadensis*

Condition: Fair health. No significant problems identified; Structure is Multiple trunks, multi stem form, not problematic

Other notes:



Tree 29

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 30" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; Structure is Single, No significant problems identified
Other notes:



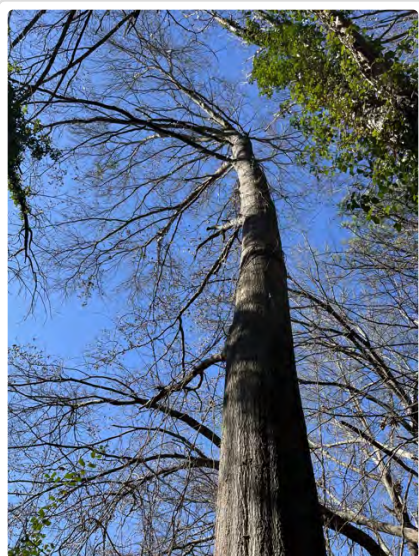
Tree 501

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 26" oak, water, *Quercus nigra*

Condition: Good health. No significant problems identified; Structure is Asymmetric, one-sided canopy (photo 1)
Other notes:



Tree 502

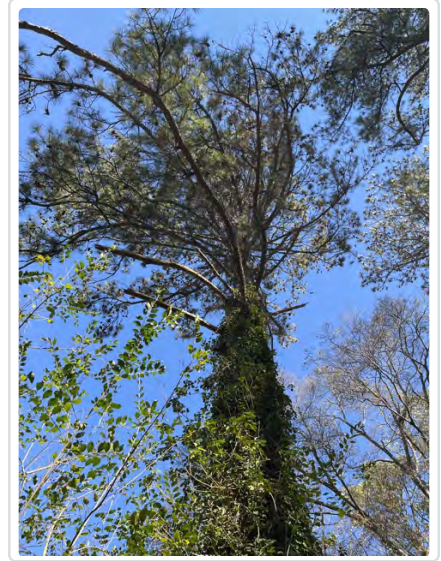
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 31" pine, loblolly, *Pinus taeda*

Condition: Fair health. No significant problems identified; moderate English Ivy growth along trunk surface;
Structure is Single, normal lower deadwood accumulation

Other notes:



Tree 503

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 36" pine, loblolly, *Pinus taeda*

Condition: Poor health. massive fusiform canker in lower trunk (photos 2 & 3); Structure is Asymmetric, failure is likely

Other notes: Does not meet condition criteria for specimen trees



Tree 504

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 43" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; heavy English Ivy growth along trunk surface; Structure is bifurcated, wide canopy, open form in center

Other notes:



Tree 505

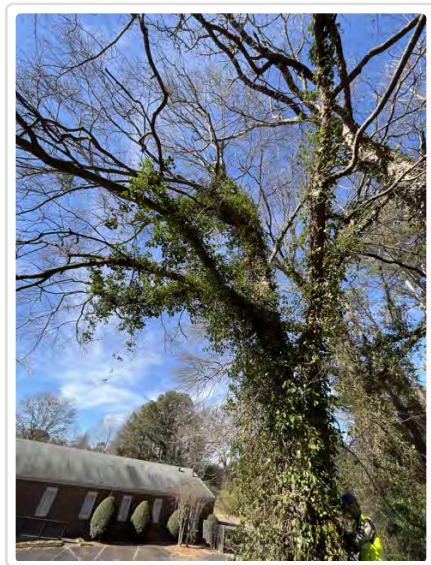
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 28" oak, water, *Quercus nigra*

Condition: Fair health. moderate English Ivy growth along trunk surface; Structure is Asymmetric, suppressed canopy form

Other notes:



Tree 506

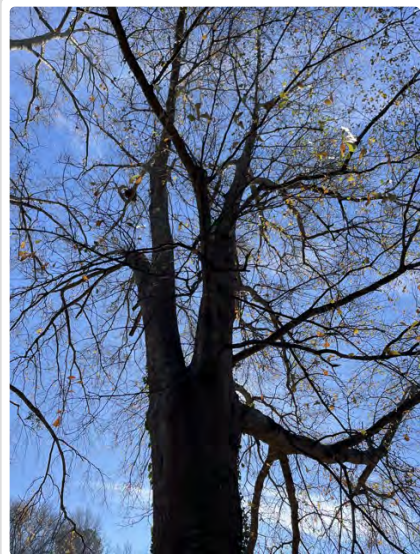
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 33" oak, water, *Quercus nigra*

Condition: Good health. moderate English Ivy growth along trunk surface; Structure is single

Other notes:



Tree 507

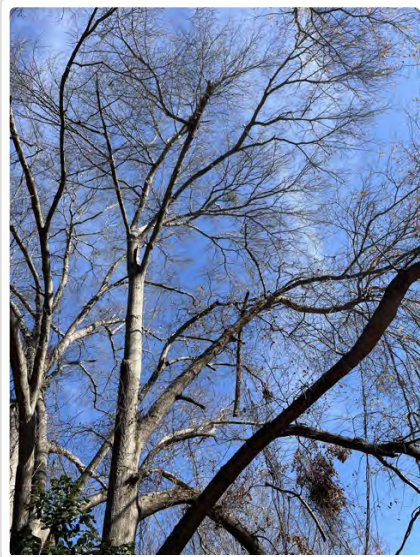
Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 31" oak, water, *Quercus nigra*

Condition: Poor health. primary lateral limb has failed (photos 1, 3); moderate degree of interior deadwood accumulation (photo 1); Structure is Asymmetric

Other notes: Does not meet condition criteria for specimen trees



Tree 508

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 47" oak, water, *Quercus nigra*

Condition: Poor health. high degree of interior deadwood accumulation (photo 1); Psudoinonotus dryadeus conks in flare region (photo 3); Structure is Single

Other notes: Does not meet condition criteria for specimen trees



Tree 509

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 38" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; Structure is Asymmetric, No significant problems identified

Other notes:



Tree 510

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 30" pine, loblolly, *Pinus taeda*

Condition: Poor health. Massive Fusiform canker decay complex in lower trunk, comprises over 75% of circumference; brown rot is likely; Structure is Single, bent trunk at canker (photo 1)

Other notes: Does not meet condition criteria for specimen trees



Tree 511

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 40" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; light English Ivy growth along trunk surface; Structure is Single, No significant problems identified

Other notes:



Tree 512

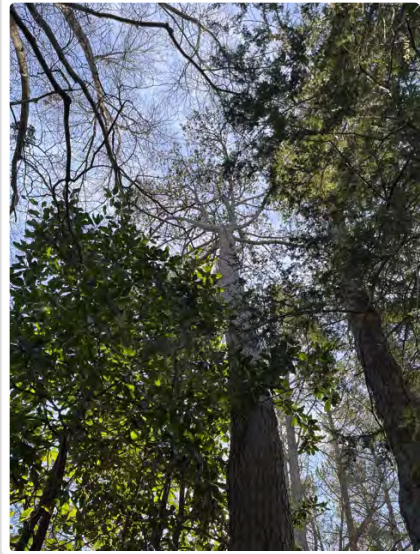
Status: **BOUNDARY TREE**

Cataloged : 1/2/2024

Species 34" pine, loblolly, *Pinus taeda*

Condition: Poor health. large Fusiform canker decay complex in trunk (photo 3); Structure is Asymmetric

Other notes: Does not meet condition criteria for specimen trees



Tree 513

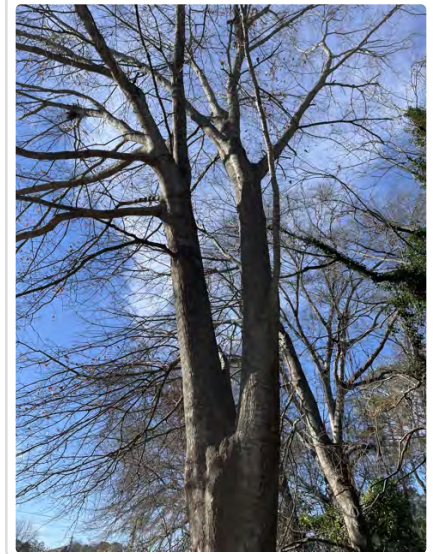
Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 27" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; Structure is Bifurcated, relatively narrow canopy; decay may be present between stems (photos 1-2)

Other notes:



Tree 514

Status: **SPECIMEN**

Cataloged : 1/2/2024

Species 58" oak, water, *Quercus nigra*

Condition: Fair health. moderate mistletoe infestation in canopy, typical of older water oaks; Structure is Bifurcated, some deadwood, normal senescence; woody plant undergrowth in root zone

Other notes:



Tree 515

Status: **NOT SPECIMEN**

Cataloged : 1/2/2024

Species 24" Elm, winged, *Ulmus alata*

Condition: Declining health. stem dieback in upper canopy, has lost central leader (photo 1); saprot in lower trunk with associated bark delamination (photo 3); Structure is Asymmetric

Other notes: Does not meet condition criteria for specimen trees



Summary

Total Specimen trees identified within study area: 15

Additional Notes

This site does not contain any obvious non-specimen "Trees of Quality" , however based on the site design proposal, some areas may have suitable tree groupings.

LIMITATIONS

This report is not meant to override any determination by Alpharetta regarding the status of Specimen trees. Additional tree information may be required by the City once the Specimen Tree Report is submitted to Alpharetta, including but not limited to: Trees of Character, Level III assessments, site meetings with the Municipal arborist, and any Tree Maintenance Plan preparation.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments cannot be guaranteed. Clients may choose to accept or disregard the recommendations of the arborists, or to seek additional advice. This inspection was made without the expectation of a particular result.

Certification

Date Certified: 1/3/2024

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

Jesse Milton
ISA #SO-1170B
Tree Risk Assessment Qualified (TRAQ)



LIFESTYLE

LIFETIME

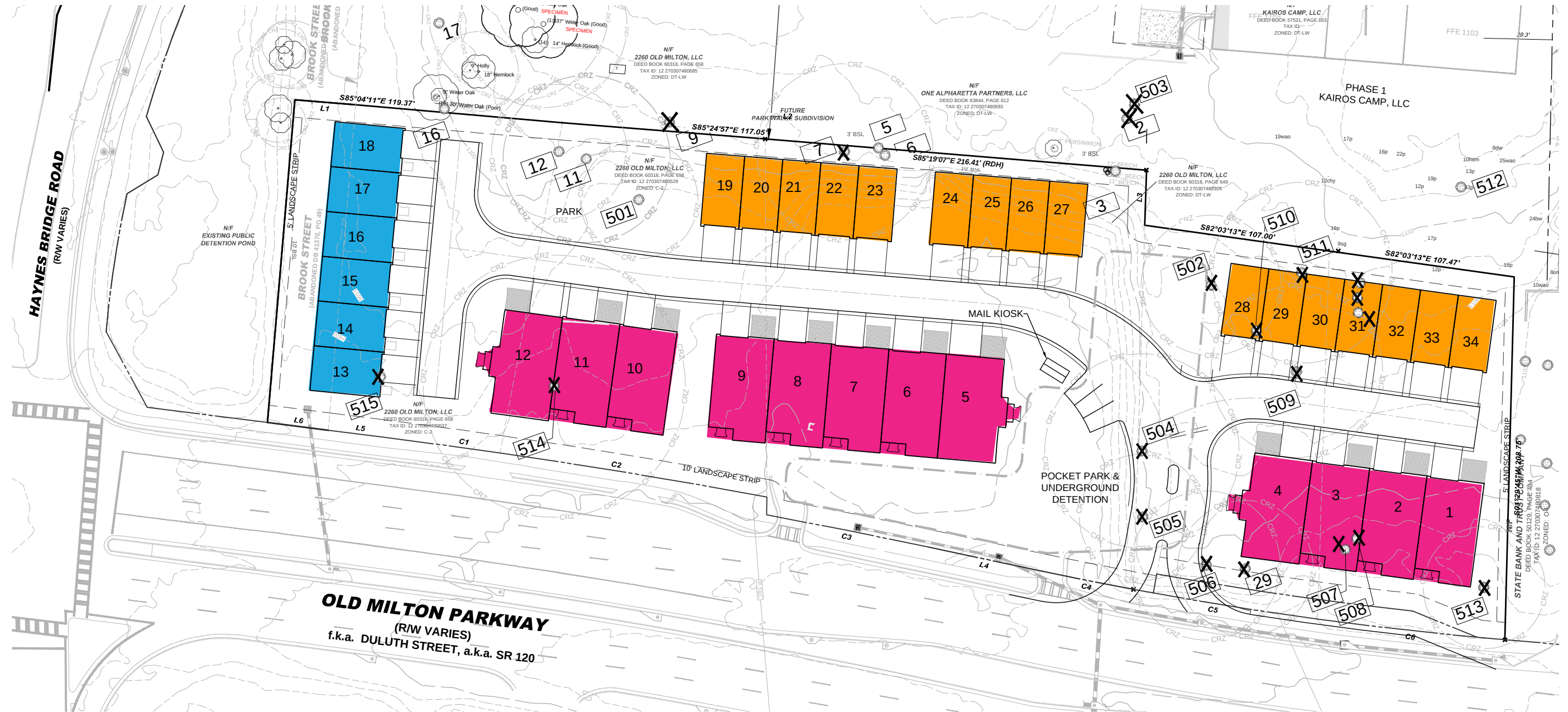


LOCATION

LONGEVITY

Park Walke II





20' Rear Entry Alexandria Chaucer

Site Map
Park Walke II

THE
PROVIDENCE
GROUP

A GREEN BRICK PARTNER



20' Rear Entry
Park Walke II



Alexandria
Park Walke II



Chaucer
Park Walke II



MEMORANDUM

TO: City of Alpharetta
FROM: Alex Brock - Smith, Gambrell & Russell, LLP
DATE: February 1, 2024
RE: Trip Generation Report – The Providence Group of Georgia – Old Milton Parkway

The proposed development will not overly burden existing streets or transportation facilities. The Applicant has submitted a Trip Generation Memorandum along with this application detailing the anticipated number of trips. The Trip Generation Memorandum states that the 34 townhomes are expected to generate 14.96 trips during the AM weekday peak hour, 17.68 trips during the PM weekday peak hour, and 197.54 total trips on a weekday. At present, the proposed development will be accessed solely from Old Milton Parkway¹, about 600 feet east of where the parkway intersects Haynes Bridge Road. Old Milton Parkway is classified as a principal arterial per the Georgia Department of Transportation State Functional Classification Map. This type of roadway is intended to carry a large volume of traffic and the Applicant is unaware of any capacity issues with that roadway. Accordingly, Old Milton Parkway is anticipated to easily accommodate the minor amount of traffic generated by the proposed project.

¹ However, the Applicant is exploring a vehicular connection to Thompson Street through the development due north of the subject property. To prevent cut through traffic, the Applicant will also request that this connection be gated.



CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: April 29, 2024

AGENDA ITEM: PH-24-07 UNIFIED DEVELOPMENT CODE TEXT AMENDMENTS – HOTELS

Consideration of text amendments to the Unified Development Code (UDC). Amend UDC Articles I and II to amend the definition of 'Extended Stay Hotel', add a definition for 'Hotel, Hybrid', add 'Hotel, Hybrid' use in certain zoning districts, amend Miscellaneous Regulations pertaining to 'Extended Stay Hotels', and add Miscellaneous Regulations pertaining to 'Hotel, Hybrid' use.

This item was considered at the April 11, 2024 Planning Commission meeting. There were no public comments. After discussion, Planning Commission recommended approval. Vote 7-0

ITEM DESCRIPTION:

Staff recommends amendments to Unified Development Code (UDC) Articles I and II to amend the definition of 'Extended Stay Hotel', add a definition for 'Hotel, Hybrid', add 'Hotel, Hybrid' use in certain zoning districts, amend Miscellaneous Regulations pertaining to 'Extended Stay Hotels', and add Miscellaneous Regulations pertaining to the 'Hotel, Hybrid' use. Amend UDC Section 1.4. Definitions, amend UDC Section 2.2 Permitted Use Districts and Regulations, and amend UDC Section 2.7 Miscellaneous Regulations.

The amendments to the definition and miscellaneous regulations pertaining to 'Extended Stay Hotel' is necessary to distinguish the use from the proposed 'Hotel, Hybrid' use. The primary distinction proposed to the definition of 'Extended Stay Hotel' is to the average length of stay. Additional regulations related to 'Extended Stay Hotel' and 'Hotel, Hybrid' are proposed to address public health, safety, and welfare. These include prohibitions against vehicles backing into parking spaces with the license plate not visible from the drive aisle, as well as a maximum height for shrubs along the properties' road frontage.

The proposed 'Hotel, Hybrid' use is intended to address a new hotel concept allowing stays up to one (1) year. The new hotel concept typically has rooms equipped with a full kitchen and laundry room. Currently, the City's Unified Development Code (UDC) includes three (3) hotel uses, 'Boutique Hotel', 'Hotel or Motel' and 'Extended Stay Hotel'. 'Extended Stay Hotel' use would not allow the new hotel concept due to the length of stay and in-room food preparation and laundry facilities.

The proposed definition of 'Hotel, Hybrid' limits the number of long-term stay rooms (up to one year) to no more than 30% of the total rooms in the hotel. All other rooms would comply with the definition of 'Hotel or Motel' which has an average stay of less than seven (7) days. Staff proposes to allow 'Hotel, Hybrid' by conditional use in the CUP (Community Unit Plan), O-I (Office-Institutional), C-2 (General Commercial), PSC (Planned Shopping Center), LI (Light Industrial), and MU (Mixed Use) zoning districts. As is the case with an 'Extend Stay Hotel', miscellaneous regulations are proposed for the 'Hotel, Hybrid' use, including a minimum three (3) acre parcel size, minimum 60,000 square feet of conference room or group meeting space, minimum 4-star hotel rating, specific parking rate, maximum number of long-term stay rooms, minimum 3,000 square foot on-site sit-down restaurant, minimum room size and maximum occupancy, to name a few. A conditional use request for this hotel type would be required to comply with the miscellaneous regulations in order to be considered for approval.

ATTACHMENTS:

- Ordinance
- UDC Section 1.4 Definitions
- UDC Section 2.2 Permitted Use Districts and Regulations
- UDC Section 2.7 Miscellaneous Regulations



AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLES I AND II OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD AND AMEND DEFINITIONS, USE OF LAND AND STRUCTURES, AND MISCELLANEOUS REGULATIONS PERTAINING TO EXTENDED STAY HOTELS AND HYBRID HOTELS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Mayor and Council of the City of Alpharetta (the “City Council” or “Council”) are charged with the protection of the public health, safety, and welfare of the citizens of the City of Alpharetta;

WHEREAS, the Unified Development Code was designed to be amended from time to time when circumstances warrant that modifications be made in order to make said Codes more responsive to community needs;

WHEREAS, the City Council finds that ordinances and regulations governing the uses of land and development of land within the City, as well as the City’s operations, should be continually improved from time to time and modified as necessary to better protect and promote the public health, safety and welfare of the residents and businesses of the City of Alpharetta;

WHEREAS, the City Council desires to amend Articles I and II of the Unified Development Code for the foregoing purposes; and

WHEREAS, the City Council finds that the following amendments to the Unified Development Code promote the health, safety, morals, convenience, order, prosperity and general welfare of the present and future inhabitants of the City of Alpharetta.

NOW THEREFORE, the Mayor and City Council of the City of Alpharetta hereby ordains, as follows:

Section 1: Article I, Subsection 1.4.2 titled “Defined Terms” of the Unified Development Code is hereby amended by amending same as set forth in Exhibit “A” attached hereto as if fully set forth herein.

Section 2: Article II, Section 2.2 titled “Permitted Use Districts and Regulations” of the Unified Development Code is hereby amended by amending same as set forth in Exhibit “B” attached hereto as if fully set forth herein.

Section 3: Article II, Section 2.7 titled “Miscellaneous Regulations” of the Unified Development Code is hereby amended by amending same as set forth in Exhibit “C” attached hereto as if fully set forth herein.

Section 4: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have

been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 5: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this ____ day of _____.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

[INSERT ATTORNEY], City Attorney

Exhibit “A”

1.4.2 Defined Terms.

Extended Stay Hotel. ~~A building in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and A building containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all~~ guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels, hybrid hotels, and hotels (or motels) are separate and distinct uses. See Section 2.7.3, and Section 2.7.8.

Hotel, Hybrid. A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquets rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

Exhibit “B”

2.2.11 CUP community unit plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the

CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).
 - p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Distillery.
 - w. Drug Store.
 - x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.

- z. Extended stay hotel (see Section 2.7).
- aa. Fitness Studio.
- bb. Florist, Retail without Greenhouse.
- cc. Funeral Home wino cemetery or mausoleum.
- dd. Golf, Miniature.
- ee. Grocery Store.
- ff. Hardware and Garden Supply Store.
- gg. Hotel or Motel.
- hh. Hotel, Hybrid.
- ii. Laboratory, Research or Commercial.
- jj. Laundry, Self-Serve, Pick-up.
- kk. Liquor Store.
- ll. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
- mm. Park, playground.
- nn. Pet Day Care.
- oo. Pet Grooming.
- pp. Print Shop.
- qq. Public Building.
- rr. Recreation Facilities, Indoor and Outdoor.
- ss. Rental Services Establishment without outside storage.
- tt. Research and Development.
- uu. Restaurant.
- vv. Restaurant, with Drive-thru window.
- ww. Retail Sales and Services Establishments not otherwise listed for this zoning district.
- xx. Retail Establishment, Mixed Sales.
- yy. School, Commercial.
- zz. Shop or Studio, Craftsman/Artist.
- aaa. Spa Services.
- bbb. Special Event Facility.
- ccc. Theater, Cinema.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Laundry, Industrial.
 - b. Locker, Frozen Food or Cold Storage.

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

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

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

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

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Open space: Each CUP shall have a minimum of 15% of the gross acres of the CUP dedicated or set aside as open space. Amenities may be included within the 15% open space requirement. However, open

space shall not include any other required open areas such as required building set backs, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

(Ord. No. 718 , §§ 2, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

- A. *Conditional Principal Uses.* A property in the O-1 district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank, office or research and development use without public hearing subject to Design Review Board Approval.
1. Residential Uses.
 - a. Dwelling, Group (nursing home, children's home, congregate housing, assisted living facility).
 2. Business Uses.
 - a. Bank, Savings and Loan.
 - b. Broadcasting Studio (radio or TV).
 - c. Clinic.
 - d. Congregate Housing.
 - e. Day Care Center.
 - f. Drug Store.
 - g. Manufacturing, Heavy.
 - h. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
 - i. Recreational Facilities (Indoor or Outdoor).
 - j. Research and Development.
 - k. Special Event Facility.
 - l. Theater, Cinema.
 3. Semipublic Uses, Utilities.
 - a. Church, Synagogue.
 - b. Club, association or lodge.
 - c. Golf Course, Driving Range.
 - d. Heliport.
 - e. Hospital.

- f. Library.
- g. Museum.
- h. Public Building.
- i. School, Academic.

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

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

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

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

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

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

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.
8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.

- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.

1. Residential Uses.
 - a. Reserved.
2. Business Uses.
 - a. Animal Hospital, Small Animal.

- b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.
 - i. Boutique Hotel.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Car Wash.
 - m. Contractor's Office without outside storage.
 - n. Convenience Market with or without gas pumps.
 - o. Dance Studio.
 - p. Distillery.
 - q. Dry Cleaning Pick-up Station.
 - r. Extended Stay Hotel (see Sec. 2. 7).
 - s. Fitness Studio.
 - t. Florist, Retail without Greenhouse.
 - u. Funeral Home w/out cemetery or mausoleum.
 - v. Golf, Miniature, or Golf Driving Range.
 - w. Hotel/motel.
 - x. Hotel, Hybrid.
 - y. Laboratory, Research or Commercial.
 - z. Liquor Store.
 - aa. Parking Lot, Commercial.
 - bb. Print Shop.
 - cc. Restaurant.
 - dd. Restaurant, with Drive-thru window.
 - ee. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ff. School, Commercial.
 - gg. Spa Services.
3. Wholesale, Storage and Industrial Uses.

- a. Manufacturing, Light.
- 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Country Club.
 - e. Fire Station.
 - f. Park or Playground.
 - g. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - h. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5.).*

- F. *Open space.* All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

(Ord. No. 718 , §§ 3, 6, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.15 C-2 general commercial.

- A. *Permitted Principal Uses.* A property in the C-2 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bakery.
 - f. Bank, Savings and loan.
 - g. Barber Shop.
 - h. Beauty Shop.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Broadcasting Studio (radio or TV).
 - l. Carpet and Rug Sales.
 - m. Clinic.
 - n. Contractor's Office without outside storage.
 - o. Convenience Market with or without gas pumps.
 - p. Dance Studio.
 - q. Day Care Center.
 - r. Drug Store.
 - s. Dry Cleaning Pick-up Station.
 - t. Fitness Studio.
 - u. Florist, Retail Without Greenhouse.
 - v. Grocery Store.
 - w. Hardware and Garden Supply Store.
 - x. Home Improvement Store.
 - y. Laundry, Self-Serve, Pick-up.
 - z. Liquor Store.
 - aa. Nail Salon.
 - bb. Office Building or Park.
 - cc. Parking lot, Commercial.
 - dd. Pet Day Care.

- ee. Pet Grooming.
 - ff. Print Shop.
 - gg. Rental Services Establishment without outside storage.
 - hh. Restaurant.
 - ii. Restaurant w/ Drive-thru Window.
 - jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - kk. Retail Establishment, Mixed Sales.
 - ll. School, Commercial.
 - mm. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Hospital.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. School, Academic.
- B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following: (See also Supplementary Regulations in this Article.)

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

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

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

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

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.

5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.
 - j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).
 - n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Hotel, Hybrid.
 - s. Limousine Service and Taxi.
 - t. Massage Therapy (see Sec. 2.7).
 - u. Pest Control Business.
 - v. Spa Services.
 - w. Recreation Facilities, Indoor.
 - x. Recreation Facilities, Outdoor.
 - y. Small Appliance Repair Shop.

- z. Smoke Shop and Tobacco Store.
- aa. Spa Services.
- bb. Special Event Facility.
- cc. Theater, Cinema.
- 3. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Public Building.
 - c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.16 PSC planned shopping center.

All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center.

- A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, only upon approval as a conditional use by the city council:

- 1. Residential Uses.
 - a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
 - b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
- 2. Business Uses.

- a. Art Galleries.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Brewery.
- g. Book Store.
- h. Car Wash.
- i. Carpet and Rug Sales.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).
- o. Florist, Retail without Greenhouse.
- p. Grocery Store (max. 50,000 SF in the North Point Overlay).
- q. Hardware Store (max. 50,000 SF in the North Point Overlay).
- r. Home Improvement Store.
- s. Laundry, Self-Serve, Pick-up.
- t. Liquor Store.
- u. Office Building or Park.
- v. Pest Control Business.
- w. Rental Services Establishment without outside storage.
- x. Restaurant.
- y. Restaurant w/Drive-thru window.
- z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- aa. Retail Establishment, Mixed Sales.

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

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

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.

3. Signs, subject to all of the requirements regulating signage herein.
 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Boutique Hotel.
 - g. Broadcasting Studio (radio or TV).
 - h. Convenience Center with gas pumps.
 - i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Fitness Studio.
 - l. Funeral Home with no cemetery or mausoleum.
 - m. Greenhouse, Nursery.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Hotel, Hybrid.
 - q. Nail Salon.
 - r. Parking Lot, Commercial.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Recreation Facilities, Indoor.
 - w. School, Commercial.
 - x. Shop or Studio, Craftsman/Artist.
 - y. Spa Services.
 - z. Special Event Facility.

aa. Theater, Cinema.

3. Semipublic Uses, Utilities.

a. Auditorium.

b. Church, Synagogue.

c. Club, fraternity, association or lodge.

d. Heliport, public or private.

e. Libraries.

f. Museum.

g. Park or Playground.

h. Public Building.

i. Recreational Facilities (Outdoor).

j. School, Academic.

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

l. Wholesale Establishment.

m. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

1. Pedestrian connectivity to all uses.

2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.

3. Accommodations for public transportation.

4. Buildings that face or appear to face public roadways.
5. Appearance standards for buildings and structured parking.
6. Limitations on uninterrupted building elevations.
7. Creation of vistas and view corridors within development.
8. Focal point features at prominent locations and ends of vistas.
9. Incorporation of natural site features.
10. Block lengths conducive to pedestrian traffic.
11. Detention and retention facilities designed to be aesthetically pleasing.
12. Creative methods for stormwater management to provide additional open space.
13. Attractive and usable street furniture in public spaces.
14. Emphasis on a high quality landscape plan.

(Ord. No. 715 , § 2, 9-28-2015; Ord. No. 718 , §§ 3, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 4, 6, 7-10-2017; Ord. No. 767 , §§ 1—3, 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.17 L-I industrial.

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

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (home-elderly, children, nursing).
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Automotive Parts.
 - f. Automotive Sales and Leasing.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Builder's Equipment/Material.
 - n. Car Wash.

- o. Carpenter Shop, Woodworking.
- p. Carpet and Rug Sales.
- q. Check Cashing.
- r. Church, Synagogue.
- s. Congregate Housing.
- t. Contractor's Office with and without outside storage.
- u. Convenience Market with or without gas pumps.
- v. Dance Studio.
- w. Day Care Center.
- x. Discount Store.
- y. Distillery.
- z. Drug Store.
- aa. Dry Cleaning Pick-up Station.
- bb. Fireworks Sales.
- cc. Fitness Studio.
- dd. Funeral Home.
- ee. Greenhouse, Nursery.
- ff. Grocery Store.
- gg. Hardware and Garden Center.
- hh. Home Improvement Store.
- ii. Kennel.
- jj. Laboratory, Research or Commercial.
- kk. Laundry, Self-Serve, Pick-up.
- ll. Limousine Service and Taxi.
- mm. Liquor Store.
- nn. Massage Therapy (see Sec. 2.7).
- oo. Nail Salon.
- pp. Office Building or Office Park.
- qq. Parking Lot, Commercial.
- rr. Pawn Shop.
- ss. Pest Control.
- tt. Pet Day Care.
- uu. Pet Grooming.
- vv. Print Shop.

- ww. Recreation Facilities, Indoor and Outdoor.
- xx. Rental Services Establishment with outside storage.
- yy. Rental Services Establishment without outside storage.
- zz. Research and Development.
- aaa. Restaurant.
- bbb. Restaurant w/ Drive-thru Window.
- ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- ddd. Retail Establishment, Mixed Sales.
- eee. Shop or Studio, Craftsman/Artist.
- fff. Small Appliance Repair Shop.
- ggg. Smoke Shop and Tobacco Store.
- hhh. Spa Services.
- iii. Special Event Facility.
- jjj. Tattoo Parlor, Body Piercing.
- kkk. Taxidermist.
- III. Theater, Cinema.
- mmm. Tire Retreading.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Machine Shop.
 - d. Manufacturing, Light.
 - e. Mini-Warehouse.
 - f. Septic Tank Sales, Construction.
 - g. School, Commercial.
 - h. Storage, Inside and Outside.
 - i. Welding Shop.
 - j. Wholesale Trade Establishment.
- 4. Semipublic Uses, Utilities.
 - a. Amphitheater.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Heliport.

- e. Hospital.
- f. Library.
- g. Museum.
- h. Park or Playground.
- i. Public Building.
- j. School, Academic.
- k. Switching Station, Telecom.

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

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

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

- 1. Site design.
- 2. Property access.
- 3. Hours of operation of the business.
- 4. Vehicular trips generated by the use.
- 5. Impact of the use on surrounding properties.
- 6. Impact of the use on the natural features of the site.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Hotel, Hybrid.
- g. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Recycling Center.
- i. Sawmill.
- j. Sewage Disposal Plant.
- k. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;
- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
- d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
- e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
- f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
- g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
- h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;

- i. All solid waste is removed from the transfer station within 24 hours of receipt;
- j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
- k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
- l. The transfer facility must be cleaned at least once every 24 hours;
- m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
- n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
- o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
- p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
- q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
- r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
- s. The transfer station must have adequate storage space for incoming solid waste;
- t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
- u. The facility shall not generate more than 150 total vehicle trips per day;
- v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
- w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
- x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);

- (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
- (3) Engineering report. The engineering report must include:
- (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 Design Standards. All transfer stations must meet minimum design requirements as follows:

- a. Unloading and loading areas.
 - (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;
 - (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
 - (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;
 - (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
 - (5) Sufficient internal storage areas must be provided for incoming solid waste;
 - (6) Exhaust removal systems must be installed in enclosed areas; and
 - (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 Expansion or Modification of Existing Facilities. No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council

may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments:* A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses:* In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
4. *Office/Institutional:* At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses.* A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU

zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. Residential Uses:

- a. Dwelling, Group (assisted living facility, congregate housing).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. Commercial Uses:

- a. Art Gallery.
- b. Athletic Facility.
- c. Bakery.
- d. Bank, Savings & Loan.
- e. Barber Shop.
- f. Beauty Shop.
- g. Book Store.
- h. Boutique Hotel.
- i. Brewery.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).
- o. Dry cleaning, Pickup Station.
- p. Fitness Studio.
- q. Florist, Retail.
- r. Grocery Store (max. 50,000 SF in the North Point Overlay).
- s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
- t. Hotel/Motel.
- u. Hotel, Hybrid.
- v. Liquor Store.
- w. Manufacturing. Heavy.
- x. Nail Salon.
- y. Office.
- z. Pet Grooming.

- aa. Print Shop.
- bb. Recreation Facilities, Indoor and Outdoor.
- cc. Restaurant.
- dd. Retail Establishment.
- ee. School, Commercial.
- ff. Spa Services.
- gg. Special Event Facility.
- hh. Theater, Cinema.
- 3. Semipublic Uses, Utilities:
 - a. Church, Synagogue.
 - b. Heliport.
 - c. Library.
 - d. Museum.
 - e. Park or Playground.
 - f. Public Building.
 - g. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

- 1. Retail, restaurant, office, and personal service uses at ground level.
- 2. Pedestrian connectivity to all uses.
- 3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
- 4. Accommodations for public transportation.

5. Buildings that face or appear to face public roadways.
 6. Appearance standards for buildings and structured parking.
 7. Limitations on uninterrupted building elevations.
 8. Creation of vistas and view corridors within development.
 9. Focal point features at prominent locations and ends of vistas.
 10. Incorporation of natural site features.
 11. Block lengths conducive to pedestrian traffic.
 12. Detention and retention facilities designed to be aesthetically pleasing.
 13. Creative methods for stormwater management to provide additional open space.
 14. Attractive and usable street furniture in public spaces.
 15. Emphasis on a high quality landscape plan.
 16. Number of office jobs internally captured on-site.
- F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:
1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 732 , § 1, 2-6-2017; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 749 , §§ 2, 3, 9-18-2017; Ord. No. 767 , § 4(Exh. A), 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zoning district subject to the general provisions of the Unified Development Code. An "A" means that the use is permitted as an accessory use in the zoning district subject to the general provisions of the Unified Development Code. An "S" means that the use will be permitted as a subordinate use in that district if a Conditional Use Permit is granted by the City Council. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O	S					O		X	
Amphitheater												O	S					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O	S		O	O	S	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	S	O	X	X	O	X			O
Asphalt Plant																		O			
Athletic Facility												O	S		O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks, Vans, Cars and Accessories)												O				O		X			
Automotive Parts												O			O	X	S	X			

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Automotive Service & Service Station												O	S			X	S	X			
Bakery												O	S	O	X	X	O	X			O
Bank, Savings and Loan, Mortgage Company												O	O	X	X	X	O	X			O
Barber/Beauty Shop												O	S	X	X	X	O				O
Bed and Breakfast	X	O	O	O	O						X	O		X	X	X					O
Book Store or Stationery												O	S	A	X	X	O	X			O
Bottle Gas Storage and Distribution																		X			
Boutique Hotel												O	S			O	S	O			O
Bowling Alley												O	S		O	X	S	X			
Brewery												O	S		O	O	O	X			O
Broadcasting Studio (Radio and TV)	O											O	O			X	S	X			
Builder's Equipment/Material	O											O				O		X			
Car Wash													S			O	O	X			
Carpenter Shop, Woodworking	O																	X			
Carpet and Rug Sales															X	X	O	X			
Cemetery	O																			O	
Check Cashing															O	O		X			
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	S	X		O	O

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Clinic, Public/Private												O	O	X	X	X	O				O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	O	O	O	O	S			O	
Concrete Plant																		O			
Congregate Housing, Assisted Living Facility										O	O	O		O	O			X		O	
Contractor's Office without outside storage											O	S	X	O	X			X			
Contractor's Office with outside storage											O				O			X			
Convenience Center w/Gas Pumps											O	S			X	S		X			
Country Club	O	O	O	O	O	O	O	O	O	O	O	S									
Dance Studio											O	S		X	X	O		X		O	
Day Care Center											O	O	X	X	X	O		X		O	
Discount Store																		X			
Distillery											O	S		O	O	O		X		O	
Drug Store (Pharmacy)											O	O		X	X	O		X		O	
Dry Cleaning, Pick- Up Station											O	S	O	X	X	S		X		O	
Dry Cleaning, Plant																		O			
Dwelling, 'For-Sale', Attached							X		X	X	O					O				O	

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Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O					O				O
Dwelling, 'For-Rent'											X	O									O
Dwelling, Group											O	O	O		O	O					O
Equestrian Center	O	O	O	O	O							O								X	
Extended Stay Hotel (see Section 2.7)												O	S			O		O			
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	O									
Farmlands (including Livestock, poultry)	X																				
Fire station												O	S							X	
Fireworks Sales																		X			
Fitness Studio												O	S	O	X	X	S	X			O
Florist, Retail												O	S	O	X	X	O				O
Funeral Homes with no cemetery or mausoleum												O	S		O	O	S	X			
Glass Fabrication																		O			
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O					O		X	
Golf, Miniature												O	S		O	O	S			X	
Greenhouse, Nursery	O															O	S	X			
Grocery Store												O			O	X	O	X			O

Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X					O								
Hardware and Garden Supply Store												O			X	X	O	X		O
Heliport, Public/Private	O											O	O				S	X	X	O
Home Improvement Store															X	O	X			
Home-Elderly, Children, Nursing										O	O	O		O	O		X			
Hospital												O	O		O	X		X	X	
Hotel or Motel												O	S		O	O	S			O
<u>Hotel, Hybrid</u>												<u>O</u>	<u>S</u>			<u>O</u>	<u>S</u>	<u>O</u>		<u>O</u>
Indoor Shooting Range																		O		
Junk/Salvage Yard																		O		
Kennel	O																	X		
Laboratory, Research Commercial												O	S					X		
Laundry, Industrial												O						O		
Laundry, Self-Serve, Pick-Up												O			X	X	O	X		
Limousine Service and Taxi (with or without outside vehicle storage)																O		X		

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Liquor Store												O	S		O	X	O	X			O
Locker, Frozen Food or Cold Storage												O						X			
Machine Shop																		X			
Manufacturing, Heavy, General																		O			
Manufacturing, Light												O	S					X			
Massage Therapy																O		X			
Medical Cannabis or Marijuana Dispensary																		O			
Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries												O	O		X	X	S	X		X	O
Nail Salon												O			X	X	S	X			O
Office												O	O	X	X	X	O	X			O
Park or Playground	X	X	X	X	X	X	X	X	X	X	X	O	S	X	X	X	S	X	X	X	O
Parking Lot, Commercial												O	S		O	X	S	X			
Pawn Shop																		X			
Pest Control Business (with or without onsite chemical storage)															O	O		X			

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Pet Day Care													O			X	X	S	X				
Pet Grooming													O			X	X	S	X				O
Power Station													O						O		O		
Print Shop													O	S	A	X	X	S	X				O
Prison																					O		
Public Building													O	O	O	O	O	S	X		O	O	
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards, Children's event facilities, etc.)													O	O			O	S	X				O
Recreational Facilities, Outdoor													O	O			O	S	X		O	O	
Recycling Center																			O				
Rental Services Establishment without outside storage													O			O	X	O	X				
Rental Services Establishment with outside storage																			X				
Research and Development													O	O					X				
Restaurant													O	S	O	X	X	O	X				O
Restaurant w/Drive- thru window													O	S		O	X	O	X				
Retail Establishment													O	S	A	X	X	O	X				O

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Retail Establishment (Mixed Sales)												O			O	X	O	X			
Sawmill																		O			
School, Academic												O	O	O	X	X	S	X		X	O
School, Commercial (Beauty, Business)												O	S	O	X	X	S	X			O
Septic Tank, Sales, Construction																		X			
Sewage, Disposal Plant																		O			
Shop or Studio, Craftsman/Artist												O		O	X	X	S	X			
Small Appliance Repair Shop																O		X			
Smoke Shop and Tobacco Store															O	O		X			
Spa Services												O	S	O	O	O	S	X			O
Special Event Facility	O											O	O		O	O	S	X			O
Storage, Inside																		X			
Storage, Outside																		X			
Switching Station (Telecom)												O						X			
Tattoo Parlor and Body Piercing																		X			
Taxidermist	X																	X			
Theater, Cinema												O	O		O	O	S	X			O
Tire Retreading																		O			

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Transfer Station																		O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	S	O	O	O	S	O	O	X	
Welding Shop																		X			
Wholesale Establishment											O						S	X			
Wireless Tower (subject to approval of conditional use permit in accordance with Section 2.8.7)	O											O	S			O	S	O		O	

(Ord. No. 671, § 1, 2-4-2013 ; Ord. No. 675, § 1, 6-3-2013 ; Ord. No. 692, § 1(Exh. 1), 7-21-2014 ; Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 4, 9-28-2015; Ord. No. 718 , § 14(Exh. B), 12-14-2015; Ord. No. 730 , § 5, 12-5-2016; Ord. No. 741 , § 5(Exh. A), 6-5-2017; Ord. No. 744 , § 7(Exh. A), 7-10-2017; Ord. No. 767 , § 7(Exh. C), 10-22-2018; Ord. No. 772 , § 8(Exh. A), 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

SECTION 2.2 a. CONDITIONAL USE REVIEW CRITERIA

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

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

Exhibit “C”

SECTION 2.7 MISCELLANEOUS REGULATIONS

2.7.3 Extended stay hotel.

- A. *Definition.* "Extended Stay Hotel" means a building ~~in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all~~ guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels, ~~hybrid hotels~~, and hotels (or motels) are separate and distinct uses.
- B. *Findings and Purpose.* The City finds that extended stay hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Extended stay hotels, which are places of public accommodation providing longer-term temporary lodging (weekly or monthly occupancies), may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of said conditional use is consistent with a desirable pattern of development for the city; however, the City finds that if extended stay hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to "For-Rent" dwellings. Further, because extended stay hotels are designed for longer-term, temporary lodging (weekly or monthly occupancies), whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) ~~and hybrid hotels are designed for short-term and long-term transient occupancies (less than seven (7) days and up to one (1) year, respectively)~~, the City finds that tourism activities and other attendant activities of guests at extended stay hotels differ from those activities of guests at hotels or motels ~~and hybrid hotels~~, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that extended stay hotels are separate and distinct land uses from hotels (or motels) ~~and hybrid hotels~~ and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) ~~and hybrid hotels~~ to implement important City interests, including the promotion of tourism within the City, while also providing the opportunity for the development of extended stay hotels to meet the demands of businesses and the community for lodging accommodations designed for longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.
- C. *Conditional Use Permit Approval.* The location, construction and use of a property or building for an extended stay hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for an extended stay hotel is subject to the City Council finding that the proposed use meets the following requirements:
1. The minimum lot size for extended stay hotels is three (3) acres.
 2. No facility may contain more than thirty-five (35) guestrooms per gross acre of development.

3. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area. For any such guestrooms designed for occupancy of more than two (2) guests, a minimum of five hundred and fifty square feet (550 sq. ft.) of floor area shall be required.
 4. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
 5. All such facilities shall provide a fifty-foot (50') buffer from any property zoned for a 'For-Rent' dwelling use and a one-hundred-foot (100') buffer from any property zoned for a 'For-Sale' dwelling use.
 6. No building may be located within three hundred feet (300 ft.) of any residentially zoned property, inclusive of the required buffer.
 7. Access to each guest room shall be through an inside lobby which is supervised at all hours the facility is open.
 8. Number of Vehicle Parking Spaces Required: One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.
- D. *Additional Regulations.* Extended stay hotels shall comply with the following additional regulations:
1. The maximum occupancy for a guestroom with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code. Further, except to the extent the regulations of the Life Safety Code are applicable, the restrictions set forth in this subparagraph shall not apply to extended stay hotels built prior to the effective date of these regulations.
 2. No more than ten percent (10%) of individual guests shall register, ~~reside~~ lodge in, or occupy a room or rooms within the same facility for more than a continuous ninety (90) day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
 3. Each such facility shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.
 4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
 5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
 6. No permanent business license shall be issued for the conduct of any business from any guestroom of the facility.

7. No facility under this section may be converted to or used as an apartment or condominium.

8. Facilities under this section shall maintain parking lot and landscape strip shrubs along the properties' road frontage at a height not to exceed four (4) feet.

- E. The prior approval of a hotel (or motel) or hybrid hotel use shall not confer the right to locate, construct or use a property or building as an extended stay hotel. No hotel (or motel) or hybrid hotel may be converted to an extended stay hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.
- F. Extended stay hotels built prior to the effective date of these regulations, which conform to the standards in place at the time of their approval, shall be deemed non-conforming uses; provided, however, such uses shall comply with the regulations set forth in Paragraph D above, except to the extent expressly excepted therefrom as provided herein.

(Ord. No. 718 , § 18, 12-14-2015)

2.7.8 Hybrid hotel.

A. Definition. "Hybrid Hotel" means a building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquets rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

B. Findings and Purpose. The City finds that hybrid hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Hybrid hotels, which are places of public accommodation providing both short- and longer-term temporary lodging, may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of the hybrid hotel is consistent with a desirable pattern of development for the City; however, the City finds that if hybrid hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to 'For-Rent' dwellings. Further, because hybrid hotels are designed for a mix of short- and long-term temporary lodging, whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) and extended stay hotels are designed for long-term transient occupancies (weekly or monthly occupancies), the City finds that tourism activities and other attendant activities of guests at hybrid hotels differ from those activities of guests at hotels or motels, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that hybrid hotels are separate and distinct land uses from hotels (or motels) and extended stay hotels and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) to implement important City interests, including the promotion of

tourism within the City, while also providing the opportunity for the development of hybrid hotels to meet the demands of businesses and the community for lodging accommodations designed for a mix of short- and longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.

C. *Conditional Use Permit Approval.* The location, construction and use of a property or building for a hybrid hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for a hybrid hotel is subject to the City Council finding that the proposed use meets the following requirements:

1. The minimum lot or development size for hybrid hotels is three (3) acres.
2. The building shall contain no more than thirty percent (30%) of guest rooms for long-term stays.
3. Building shall be rated by Forbes or AAA as 4 stars or better.
4. Building or development shall have a minimum 60,000 square foot conference room, event space, or group meeting space with banquet facilities.
5. Building shall have a minimum 3,000 square foot sit-down restaurant with table service.
6. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area.
7. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
8. All such buildings shall provide a minimum fifty-foot (50') buffer from any property zoned for a 'For-Sale' or 'For-Rent' dwelling use.
9. Access to each guest room shall be through an inside lobby which is supervised at all hours the building is open.
10. Number of Vehicle Parking Spaces Required: One (1) space for each short-term guest room and two (2) spaces for each long-term guest room, plus 1 employee space for each 20 guest rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

D. *Additional Regulations.* Hybrid hotels shall comply with the following additional regulations:

1. The maximum occupancy for a guest room with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. The maximum occupancy shall be six (6) persons when an additional bedroom is provided. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code.

2. No more than 30% of individual guests shall register, lodge in, or occupy a room or rooms within the same facility for more than a continuous 365-day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
 3. Each such building shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.
 4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
 5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
 6. No permanent business license shall be issued for the conduct of any business from any guestroom of the building.
 7. No building under this section may be converted to or used as an apartment or condominium.
- E. The prior approval of a hotel or motel use shall not confer the right to locate, construct or use a property or building as a hybrid hotel. No hotel or motel may be converted to a hybrid hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.

SECTION 1.4 DEFINITIONS

1.4.1 Use of words and phrases.

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

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

1.4.2 Defined terms.

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

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

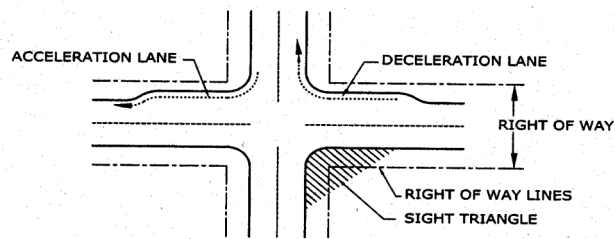


FIGURE 1

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

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

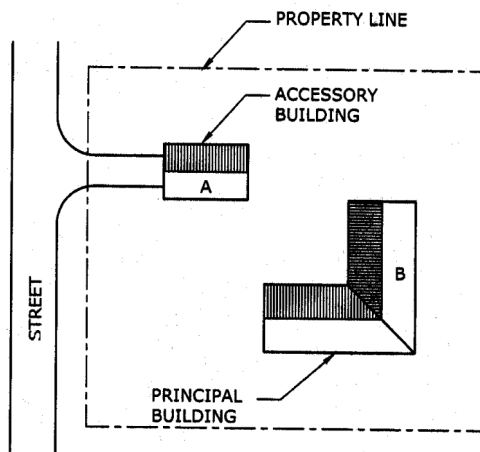


FIGURE 2

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

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

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

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

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

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

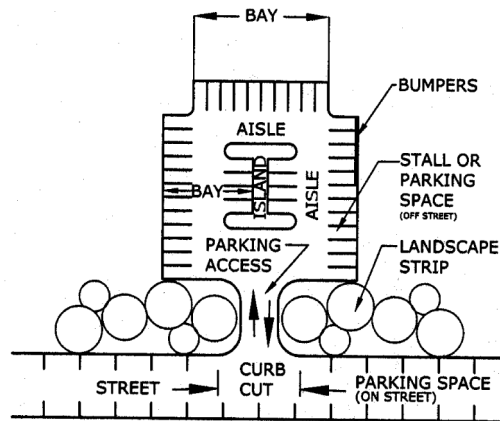


FIGURE 3

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

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

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

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

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

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

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

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

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

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

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

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

Assisted Living Facility. See Congregate Housing.

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

Athletic Facility. An establishment sometimes referred to as a health club or gym. These facilities are typically located in a large space containing special equipment, and may include indoor and/or outdoor courts (tennis, basketball, etc.) and swimming facilities, where people go to do physical exercise. Establishments tend to be general exercise facilities but often provide specialized classes. Businesses frequently include incidental (occupying no more than 10% of the floor area) related services such as, personal training, tanning beds, massage and stretch therapy, nutritional programs, cafe, juice bars, and retail sales.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Buildable Area. See "Lot Building Area."

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

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

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

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

Building Height. The vertical distance between the "ground" and the level of the highest point of the roof surface of a flat roof, the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip or gambrel roof. For the purpose of measuring building height, the "ground" level is the highest of the following three levels: curb level; established or mean street grade if no curb exists; or the average existing ground level adjoining the building if the building is setback more than 10 feet from the street line.

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

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

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

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

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

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

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

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

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

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

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

City. The City of Alpharetta, Georgia.

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

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

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

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

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

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

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

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

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

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

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

Conditional Use. A use that generally would not be appropriate throughout a zoning district but which, if controlled as to visual appearance, number, area, height, location, or relation to abutting or nearby uses, would not be injurious to the public, health, safety, welfare, morals, order, comfort, convenience, appearance or general welfare. Such uses may be permitted only in zoning districts specified in this Ordinance and are subject to conditions and approval by the Mayor and Council.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dwelling, 'For-Sale'.

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

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

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

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

Egress. An exit.

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

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

Extended Stay Hotel. ~~A building in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and A building containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all~~ guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code,

extended stay hotels, [hybrid hotels](#), and hotels (or motels) are separate and distinct uses. See Section 2.7.3, [and Section 2.7.8](#).

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

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

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

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

Fitness Studio. An establishment where equipment or instruction is provided for a specialized activity related to physical well-being such as, personal training, dance, martial arts, boxing, yoga, barre and other forms of similar physical exercise. These facilities are typically located in a smaller space due to their focused specialty. Businesses frequently include incidental (occupying no more than 10% of the floor area) related services such as, tanning beds, massage and stretch therapy, nutritional programs, cafe, juice bars, and retail sales.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Hotel (or Motel). A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for an average stay of less than 7 days and offered to the public for compensation. Hotel services shall include the provision of food

and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting spaces with banquet facilities and selective amenities, such as but not limited to spas, banquet rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall contain no equipment for food preparation other than a mini-fridge and/or microwave. There shall be no self-serve laundry facilities (for guests use) within the building. Access to each guest room shall be through an inside lobby supervised at all hours.

Hotel, Hybrid. A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquet rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

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

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

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

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

Ingress. Access or entry.

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

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

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

Laboratory, Research or Commercial (also see *Research and Development*). A facility that provides controlled conditions in which scientific or technological research, experiments, and measurement may be performed. At the Federal level, four levels of laboratory biosafety have been created. The levels denote the types of actions, administrative (procedures, training or physical controls (protective gear, filtration) that should be used to contain

the agent(s) being worked with. Containment means protection of the lab workers, those in the building, and the greater environment. Containment level limited to biosafety levels 1, 2 and 3.

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

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

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

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

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

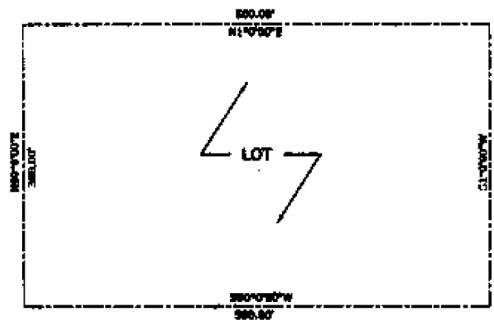


FIGURE 4

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

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

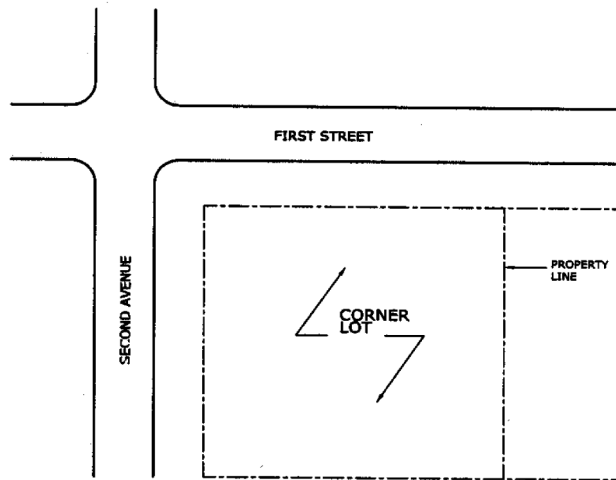


FIGURE 5

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

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

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

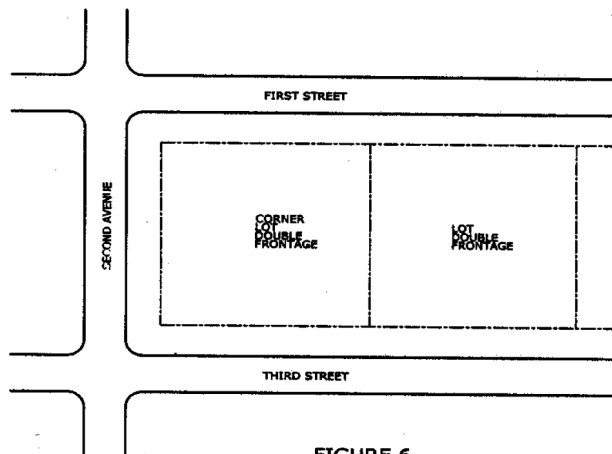


FIGURE 6

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

Lot Frontage. See "Frontage."

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

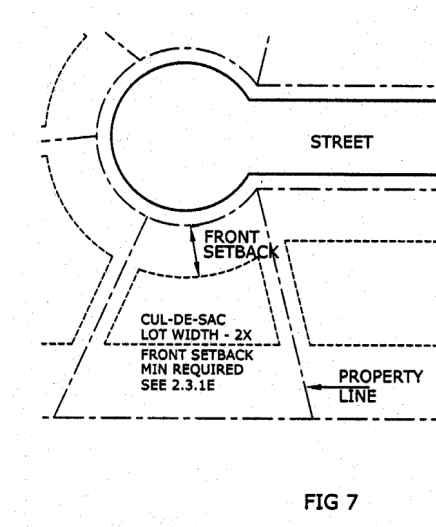
- A. *Front Lot Line.* Any boundary line of a lot which is coterminous with a public street right-of-way line or private street easement line. For a corner lot, the narrow portion is usually considered the front.
- B. *Rear Lot Line.* Any boundary line of a lot which does not intersect with a street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

- C. *Side Lot Line.* Any boundary line of a lot which intersects with a street right-of-way or private street easement line.

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

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

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



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

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

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

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

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

Massage Therapy. The manipulation and/or treatment of soft tissues of the body, including, but not limited to, the use of effleurage, petrissage, pressure, friction, tapotement, kneading, vibration, range of motion stretches, a system of structured touch, pressure, movement, and holding to the soft tissue of the body, and any other soft tissue manipulation whether manual or by use of massage apparatus, and may include the use of water, oils, lotions, creams, lubricants, salt glows or scrubs, hydrotherapy, heliotherapy, hot packs, cold packs or other topical preparations. Such business shall be located within a zoning category allowing retail use, shall not occupy more than 4,000 sq. ft. and shall not be closer than 2,000 ft. to a comparable business. The term "massage" or "massage therapy" shall not include diagnosis, the prescribing of drugs or medicines, spinal or other joint manipulations, or any service or procedure when performed by a person who is licensed by the state to practice chiropractic, physical therapy, podiatry or medicine. Further, the term "massage" or "massage therapy" shall not include the following when lawfully performed by a natural person licensed or certified by the state board of cosmetology

while engaged in the practice authorized by such state license (or certificate of registration) in accordance with, and as further regulated by, the state licensing laws set forth in O.C.G.A. § 43-10-1 et seq.:

- (1) Touching of the scalp or face by a state-licensed barber or cosmetologist;
- (2) Touching of the hands or feet by a state-licensed nail technician or cosmetologist; and
- (3) Touching of the face, neck, décolletage, or arms by a state-licensed esthetician or cosmetologist. It shall be unlawful to establish a massage establishment in the city, unless said establishment is located:
 - (1) At least 300 feet from State Route 9;
 - (2) At least 300 feet from State Route 120; and
 - (3) At least 300 feet from any parcel occupied by a house of worship, public or private elementary or secondary school/public park, state-licensed day care facility, or any residence.

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

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

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

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

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

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

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

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

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

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

Motel. See "Hotel".

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

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

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

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

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

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

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

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

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

Nursery School. See "Day Care Center."

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

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

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

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

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

Open Space. A privately or publicly owned area on the grounds of a premises outside of any principal building or parking area, which is open to the sky and set aside and intended for the outdoor enjoyment of occupants or visitors to the property, and which may but is not required to include such pedestrian oriented improvements as landscaping, walkway paths, pergolas, gazebos, bikeways, exercise or play equipment, and benches, and which may further include up to 20% of its area in water bodies or areas inappropriate for pedestrian use. Open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance. There are 2 types of open space: Civic space and Amenity space.

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

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

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

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

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

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

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

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

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

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

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

- C. *Handicap - Van Only.* A designated space not less than sixteen feet in width including loading area and twenty feet in length.
- D. *Regular Parking Space.* A designated space not less than 9 feet in width by 19 feet in length.

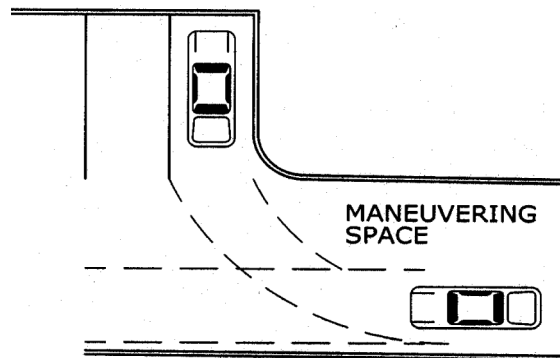


FIGURE 8

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

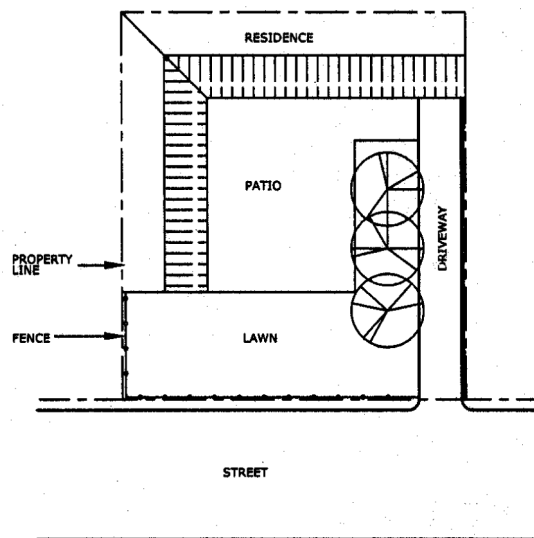


FIGURE 9

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

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

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

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

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

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

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

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

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

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

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

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

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

Portable. See Industrialized Buildings.

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

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

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

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

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

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

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

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

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

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

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

Residence. A dwelling unit.

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

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

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

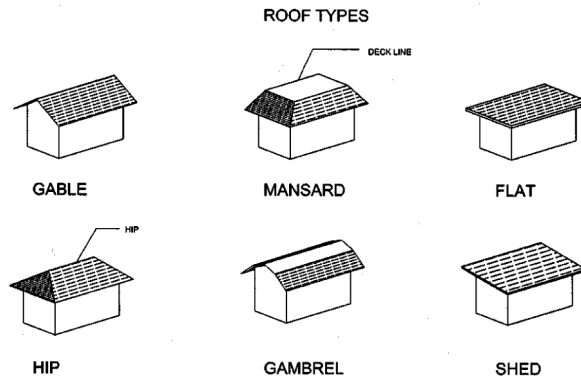
Retail Sales Establishment. A business principally engaged in offering a category of similar goods or products for sale to the general public, such as grocery store, hardware store, pharmacy, clothing shop, home furnishings store, office supplies store, and the like.

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

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

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

Roof. The outside top covering of a building.



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

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

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

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

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

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

Setback, Front Cul-de-Sac.

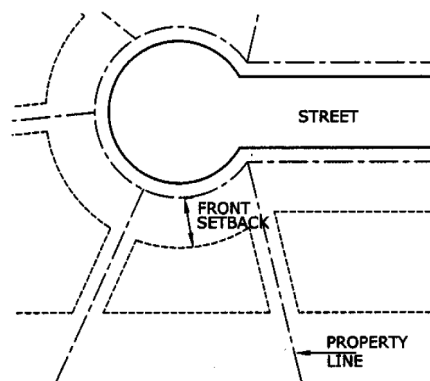


FIG 11

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Tract. See "Lot."

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

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

Use, Accessory. See "Accessory Use."

Use, Conditional. See "Conditional Use."

Use, Principal. See "Principal Use."

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

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

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

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

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

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

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

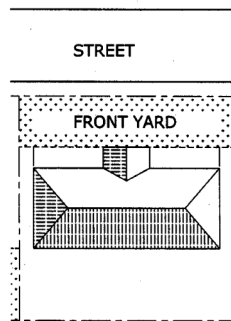


FIG 12

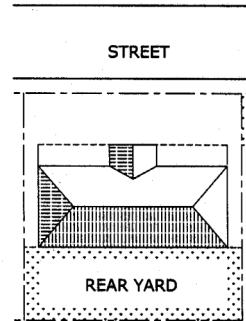


FIG 13

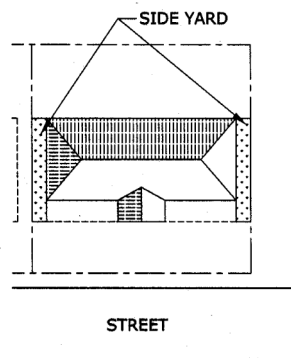


FIG 14

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

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

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

(Ord. No. 689, § 1, 6-2-2014 ; Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 704, § 1, 6-1-2015 ; Ord. No. 715, § 1, 9-28-2015; Ord. No. 718, § 1, 12-14-2015; Ord. No. 730, § 1, 12-5-2016; Ord. No. 741, § 1, 6-5-2017; Ord. No. 744, § 1, 7-10-2017; Ord. No. 749, § 1, 9-18-2017; Ord. No. 772, § 1, 2-4-2019; Ord. No. 778, § 1, 6-17-2019; Ord. No. 786, § 1, 9-23-2019; Ord. No. 787, § 1(Exh. A), 10-28-2019; Ord. No. 804, § 1(Exh. A), 8-10-2020; Ord. No. 807, § 1(Exh. A), 9-8-2020; Ord. No. 808, § 1(Exh. A), 9-8-2020; Ord. No. 835, § 1(Exh. A), 10-4-2021; Ord. No. 843, § 1(Exh. A), 4-18-2022; Ord. No. 847, § 1(Exh. A), 8-22-2022)

SECTION 2.2 a CONDITIONAL USE REVIEW CRITERIA

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

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

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

2.2.1 AG agriculture.

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

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

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

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

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

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

D. *District Regulations.*

Minimum lot size—5 acres.

Minimum Lot Width—200 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 800 , § 1(Exh. A), 6-22-2020; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 833 , § 2(Exh. B), 7-26-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.2 Re-residential estate.

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

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

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

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

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

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

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

D. *District Regulations.*

Minimum Lot Size—3 acres.

Minimum Lot Width—100 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

Accessory Structure setback see Sec. 2.3 (c).

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

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

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

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

B. *Accessory Uses.* A property in the R district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional

use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

D. *District Regulations.*

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

Minimum Lot Width—100 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—50 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

Accessory Structure Setback see Sec. 2.3 (c).

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

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

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

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

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

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

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

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

1. Semipublic Uses, Utilities.
 - a. Church, Synagogue or any other religious institution.
 - b. Country Club, Association or Lodge.
 - c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Bed and Breakfast.

e. Golf Course, Driving Range.

f. Equestrian Center.

D. *District Regulations.*

Minimum Lot Size—22,000 square feet.

Minimum Lot Width—100 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—25 feet.

Rear yard—30 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

Accessory Structures Setback see Sec. 2.3 (c).

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

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

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

1. Agricultural and Residential Uses.

a. Dwelling, 'For-Sale', Detached.

2. Semipublic Uses, Utilities.

a. Park or Playground.

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

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

1. Privacy and decorative fences and walls.

2. Home Occupation in a residence.

3. Family Day Care Home in a residence.

4. Group Home.

5. Special Care Home in a 'For-Sale' detached dwelling.

-
6. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 8. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 9. Signs, subject to all of the requirements regulating signage herein.
 10. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-15 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue or other religious institution.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - e. Bed and Breakfast.
 - f. Equestrian Center.

D. *District Regulations.*

Minimum Lot Size—15,000 square feet

Minimum Lot Width—100 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—10 feet.

Rear yard—25 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

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

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

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

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

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

 - 1. Privacy and decorative fences and walls.
 - 2. Home Occupation in a residence.
 - 3. Family Day Care Home in a residence.
 - 4. Group Home.
 - 5. Special Care Home in a 'For-Sale' detached dwelling.
 - 6. Swimming pool, tennis court, detached garage, play house, storage shed, patio and other private recreation facilities.
 - 7. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 8. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 9. Signs, subject to all of the requirements regulating signage herein.
 - 10. Retaining walls and other site improvement structures approved as part of the development permit.
 - C. *Conditional Uses.* A property in the R-12 district may be used for any of the following only upon approval as a conditional use by the City Council:
 - 1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or any other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—12,000 square feet.

Minimum Lot Width—80 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—10 feet.

Rear yard—30 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

Accessory Structure Setback see Sec. 2.3 (c).

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

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

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

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

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

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

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

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

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

D. *District Regulations.*

Minimum Lot Size—10,000 square feet.

Minimum Lot Width—75 feet.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—10 feet.

Rear yard—25 feet.

Maximum Ground Coverage By Principal Buildings—25%.

Maximum Building Height—35 feet.

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

Accessory Structures Setback see Sec. 2.3 (c).

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

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

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

- B. *Accessory Uses.* A property in the R-4A district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-4A district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Size—1 acre.

Maximum Density of Dwelling Units—4 per acre.

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

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard:

From lot line of adjacent property—20.

Between building groupings—20 feet.

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

Rear yard—30 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

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

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

- A. *Permitted Principal Uses.* A property in the R-4D district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Agricultural and Residential Uses.
 - a. Dwelling, Single-Family Detached.
 2. Semipublic Uses, Utilities.
 - a. Park or Playground.

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- B. *Accessory Uses.* A property in the R-4D district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

- C. *Conditional Uses.* A property in the R-4D district may be used for any of the following only upon approval as a conditional use by the City Council.

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

- D. *District Regulations.*

Minimum Lot Size—5,000 sf.

Maximum Density of Dwelling Units—4 per acre.

Minimum Lot Width—50 ft.

Minimum Setbacks.

Front yard—from all street frontages.

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

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

Side yard—5 feet.

Corner Side Yard—10 feet.

Rear yard:

With Rear Alley—0'.

No Rear Alley—20'.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

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

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

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

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

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

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

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

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

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

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

D. *District Regulations.*

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

Maximum Density of Dwelling Units—8 per gross acre.

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

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard.

From lot line of adjacent property—5 feet.

Between building groupings—10 feet.

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

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

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—35 feet.

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

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

(Ord. No. 675, § 1, 6-3-2013)

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

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

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

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

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

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.

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3. Family Day Care Home in a residence.
 4. Swimming pool, tennis court, storage shed, play house, patio and other private recreation facilities.
 5. Clubhouse, swimming pool, or community recreation facilities serving a development.
 6. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 7. Signs, subject to all of the requirements regulating signage herein.
 8. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the R-10M district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Business Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Semipublic Uses, Utilities.
 - a. Associations, (Clubs and Lodges).
 - b. Church, Synagogue, or other religious institutions.
 - c. Country Club with golf course or driving range.
 - d. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

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

Maximum Density of Dwelling Units—10 per gross acre.

Minimum Lot Width.

For the property to be developed—75 feet.

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

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard.

From lot line of adjacent property—25 feet.

Between building groupings—20 feet.

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

Rear yard—50 feet.

Maximum Coverage By Principal Buildings—none.

Maximum Building Height—35 feet.

Minimum Floor Area of a Dwelling Unit—none.

(Ord. No. 730 , §§ 3, 4, 12-5-2016)

2.2.11 CUP community unit plan.

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

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

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

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

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

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

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

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

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

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

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

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

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

C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).
 - p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Distillery.
 - w. Drug Store.

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- x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.
 - z. Extended stay hotel (see Section 2.7).
 - aa. Fitness Studio.
 - bb. Florist, Retail without Greenhouse.
 - cc. Funeral Home wino cemetery or mausoleum.
 - dd. Golf, Miniature.
 - ee. Grocery Store.
 - ff. Hardware and Garden Supply Store.
 - gg. Hotel or Motel.
 - hh. Hotel, Hybrid.
 - ii. Laboratory, Research or Commercial.
 - jj. Laundry, Self-Serve, Pick-up.
 - kk. Liquor Store.
 - ll. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
 - mm. Park, playground.
 - nn. Pet Day Care.
 - oo. Pet Grooming.
 - pp. Print Shop.
 - qq. Public Building.
 - rr. Recreation Facilities, Indoor and Outdoor.
 - ss. Rental Services Establishment without outside storage.
 - tt. Research and Development.
 - uu. Restaurant.
 - vv. Restaurant, with Drive-thru window.
 - ww. Retail Sales and Services Establishments not otherwise listed for this zoning district.
 - xx. Retail Establishment, Mixed Sales.
 - yy. School, Commercial.
 - zz. Shop or Studio, Craftsman/Artist.
 - aaa. Spa Services.
 - bbb. Special Event Facility.
 - ccc. Theater, Cinema.
3. Wholesale, Storage and Industrial Uses.

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- a. Laundry, Industrial.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Manufacturing, Light.
 - d. Wholesale Establishment.
4. Semipublic Uses, Utilities.
- a. Airport, public or private.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Church, Synagogue.
 - e. Club, association or lodge.
 - f. Country Club.
 - g. Fire Station.
 - h. Golf Course, Driving Range.
 - i. Heliport, public or private.
 - j. Hospital.
 - k. Library.
 - l. Museum.
 - m. Parle or Playground.
 - n. Power Station.
 - o. School, Academic.
 - p. Switching Station (Telecom).
 - q. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - r. Wireless Tower.

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

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

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

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

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

(Ord. No. 718 , §§ 2, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.12 O-P office-professional.

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

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

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

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

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

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

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

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is an accessory shall be in compliance with and decorative fences and walls all applicable provisions of the life safety code, the building code, and other standard codes of the City.

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

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

1. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Dry Cleaning Pick up station with drive-thru.
 - d. Fitness studio.
 - e. Florist.
 - f. Restaurant without drive-thru.
 - g. Shop or studio, Craftsman/Artist.
 - h. School Commercial.
 - i. Spa Services.
2. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Church, Synagogue.
 - c. Club, association or lodge.
 - d. Public Building.
 - e. School, Academic.
 - f. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

A. *Conditional Principal Uses.* A property in the O-1 district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank, office or research and development use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

a. Dwelling, Group (nursing home, children's home, congregate housing, assisted living facility).

2. Business Uses.

a. Bank, Savings and Loan.

b. Broadcasting Studio (radio or TV).

c. Clinic.

d. Congregate Housing.

e. Day Care Center.

f. Drug Store.

g. Manufacturing, Heavy.

h. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).

i. Recreational Facilities (Indoor or Outdoor).

j. Research and Development.

k. Special Event Facility.

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- I. Theater, Cinema.
 - 3. Semipublic Uses, Utilities.
 - a. Church, Synagogue.
 - b. Club, association or lodge.
 - c. Golf Course, Driving Range.
 - d. Heliport.
 - e. Hospital.
 - f. Library.
 - g. Museum.
 - h. Public Building.
 - i. School, Academic.
 - B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

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

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
 - 2. Privacy and decorative fences and walls.
 - 3. Swimming pool, tennis court, patio and other private recreation facilities.
 - 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 6. Signs, subject to all of the requirements regulating signage herein.
 - 7. Retaining walls and other site improvement structures approved as part of the development permit.
 - 8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.

C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.

1. Residential Uses.
 - a. Reserved.
2. Business Uses.
 - a. Animal Hospital, Small Animal.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Bakery.
 - f. Barber Shop.
 - g. Beauty Shop.
 - h. Book Store.
 - i. Boutique Hotel.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Car Wash.
 - m. Contractor's Office without outside storage.
 - n. Convenience Market with or without gas pumps.
 - o. Dance Studio.
 - p. Distillery.
 - q. Dry Cleaning Pick-up Station.
 - r. Extended Stay Hotel (see Sec. 2. 7).
 - s. Fitness Studio.
 - t. Florist, Retail without Greenhouse.
 - u. Funeral Home w/out cemetery or mausoleum.
 - v. Golf, Miniature, or Golf Driving Range.
 - w. Hotel/motel.
 - x. Hotel, Hybrid.
 - y. Laboratory, Research or Commercial.
 - z. Liquor Store.
 - aa. Parking Lot, Commercial.
 - bb. Print Shop.
 - cc. Restaurant.

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- dd. Restaurant, with Drive-thru window.
 - ee. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
 - ff. School, Commercial.
 - gg. Spa Services.
 - 3. Wholesale, Storage and Industrial Uses.
 - a. Manufacturing, Light.
 - 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Country Club.
 - e. Fire Station.
 - f. Park or Playground.
 - g. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - h. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5.).*

- F. *Open space.* All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

(Ord. No. 718 , §§ 3, 6, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.14 C-1 neighborhood commercial.

- A. *Permitted Principal Uses.* A property in the C-1 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:
1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
 2. Business Uses.
 - a. Art Gallery.
 - b. Bakery.
 - c. Bank, Savings and Loan.
 - d. Barber Shop.
 - e. Beauty Shop.
 - f. Book Store.
 - g. Carpet and Rug Sales.
 - h. Clinic.
 - i. Dance Studio.
 - j. Day Care Center.
 - k. Drug Store.
 - l. Dry Cleaning Pick-up Station.
 - m. Fitness Studio.
 - n. Florist, Retail Without Greenhouse.
 - o. Hardware and Garden Supply Store.
 - p. Laundry, Self-Serve, Pick-up.
 - q. Nail Salon.
 - r. Office Building or Park.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Restaurant.
 - w. Retail Sales and Services (Establishments not otherwise listed for this zoning district as a permitted or conditional use).

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- x. School, Commercial.
 - y. Shop or Studio, Craftsman/Artist.
 - 3. Semipublic Uses, Utilities.
 - a. Library.
 - b. Museum.
 - c. Park or Playground.
 - d. School, Academic.
 - B. *Accessory Uses.* A property in the C-1 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

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

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

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

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

The square footage of the dwelling shall not exceed forty percent (40%) of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
 - 2. Privacy and decorative fences and walls.
 - 3. Swimming pool, tennis court, patio and other private recreation facilities.
 - 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations, herein.
 - 6. Signs, subject to all of the requirements regulating signage herein.
 - 7. Retaining walls and other site improvement structures approved as part of the development permit.
 - C. *Conditional Uses.* A property in the C-1 district may be used for any of the following only upon approval as a conditional use by the City Council:
 - 1. Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, nursing).
 - 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.

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- c. Athletic Facility.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Brewery.
 - g. Check Cashing.
 - h. Club, association or lodge.
 - i. Contractor's Office without outside storage.
 - j. Distillery.
 - k. Funeral home with no cemetery or mausoleum.
 - l. Golf, Miniature.
 - m. Grocery Store.
 - n. Hotel/Motel.
 - o. Liquor Store.
 - p. Parking Lot, Commercial.
 - q. Pest Control Business.
 - r. Rental Services Establishment without outside storage.
 - s. Restaurant, with Drive-thru Window.
 - t. Retail Establishment, Mixed Sales.
 - u. Smoke Shop and Tobacco Store.
 - v. Spa Services.
 - w. Special Event Facility.
 - x. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Auditorium.
 - b. Church, Synagogue.
 - c. Hospital.
 - d. Public Building.
 - e. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulations.*

Minimum Lot Area—30,000 square feet.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—45%.

Maximum Building Height—35 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 6—8, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 4, 7-10-2017; Ord. No. 772 , § 2, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.15 C-2 general commercial.

A. *Permitted Principal Uses.* A property in the C-2 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bakery.
 - f. Bank, Savings and loan.
 - g. Barber Shop.
 - h. Beauty Shop.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Broadcasting Studio (radio or TV).
 - l. Carpet and Rug Sales.
 - m. Clinic.
 - n. Contractor's Office without outside storage.
 - o. Convenience Market with or without gas pumps.
 - p. Dance Studio.
 - q. Day Care Center.

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- r. Drug Store.
 - s. Dry Cleaning Pick-up Station.
 - t. Fitness Studio.
 - u. Florist, Retail Without Greenhouse.
 - v. Grocery Store.
 - w. Hardware and Garden Supply Store.
 - x. Home Improvement Store.
 - y. Laundry, Self-Serve, Pick-up.
 - z. Liquor Store.
 - aa. Nail Salon.
 - bb. Office Building or Park.
 - cc. Parking lot, Commercial.
 - dd. Pet Day Care.
 - ee. Pet Grooming.
 - ff. Print Shop.
 - gg. Rental Services Establishment without outside storage.
 - hh. Restaurant.
 - ii. Restaurant w/ Drive-thru Window.
 - jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - kk. Retail Establishment, Mixed Sales.
 - ll. School, Commercial.
 - mm. Shop or Studio, Craftsman/Artist.
3. Semipublic Uses, Utilities.
- a. Hospital.
 - b. Library.
 - c. Museum.
 - d. Park or Playground.
 - e. School, Academic.

- B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following: (See also Supplementary Regulations in this Article.)

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

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

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

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

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.
 2. Privacy and decorative fences and walls.
 3. Swimming pool, tennis court, patio and other private recreation facilities.
 4. Clubhouse, swimming pool, or community recreation facilities serving a development.
 5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.
 - j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).

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- n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Hotel, Hybrid.
 - s. Limousine Service and Taxi.
 - t. Massage Therapy (see Sec. 2.7).
 - u. Pest Control Business.
 - v. Spa Services.
 - w. Recreation Facilities, Indoor.
 - x. Recreation Facilities, Outdoor.
 - y. Small Appliance Repair Shop.
 - z. Smoke Shop and Tobacco Store.
 - aa. Spa Services.
 - bb. Special Event Facility.
 - cc. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Auditorium.
 - b. Public Building.
 - c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.16 PSC planned shopping center.

All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center.

A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, only upon approval as a conditional use by the city council:

1. Residential Uses.
 - a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
 - b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
2. Business Uses.
 - a. Art Galleries.
 - b. Bakery.
 - c. Barber Shop.
 - d. Bank, Savings and Loan.
 - e. Beauty Shop.
 - f. Brewery.
 - g. Book Store.
 - h. Car Wash.
 - i. Carpet and Rug Sales.
 - j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Florist, Retail without Greenhouse.
 - p. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - q. Hardware Store (max. 50,000 SF in the North Point Overlay).
 - r. Home Improvement Store.
 - s. Laundry, Self-Serve, Pick-up.
 - t. Liquor Store.
 - u. Office Building or Park.
 - v. Pest Control Business.
 - w. Rental Services Establishment without outside storage.

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- x. Restaurant.
 - y. Restaurant w/Drive-thru window.
 - z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - aa. Retail Establishment, Mixed Sales.
- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

- 1. Privacy and decorative fences and walls.
 - 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 3. Signs, subject to all of the requirements regulating signage herein.
 - 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:
- 1. Residential Uses.
 - a. Reserved.
 - 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Boutique Hotel.
 - g. Broadcasting Studio (radio or TV).
 - h. Convenience Center with gas pumps.
 - i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Fitness Studio.
 - l. Funeral Home with no cemetery or mausoleum.
 - m. Greenhouse, Nursery.
 - n. Golf, Miniature.
 - o. Hotel or Motel.

p. Hotel, Hybrid.

- q. Nail Salon.
 - r. Parking Lot, Commercial.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Recreation Facilities, Indoor.
 - w. School, Commercial.
 - x. Shop or Studio, Craftsman/Artist.
 - y. Spa Services.
 - z. Special Event Facility.
 - aa. Theater, Cinema.
3. Semipublic Uses, Utilities.
- a. Auditorium.
 - b. Church, Synagogue.
 - c. Club, fraternity, association or lodge.
 - d. Heliport, public or private.
 - e. Libraries.
 - f. Museum.
 - g. Park or Playground.
 - h. Public Building.
 - i. Recreational Facilities (Outdoor).
 - j. School, Academic.
 - k. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - l. Wholesale Establishment.
 - m. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

1. Pedestrian connectivity to all uses.
2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
3. Accommodations for public transportation.
4. Buildings that face or appear to face public roadways.
5. Appearance standards for buildings and structured parking.
6. Limitations on uninterrupted building elevations.
7. Creation of vistas and view corridors within development.
8. Focal point features at prominent locations and ends of vistas.
9. Incorporation of natural site features.
10. Block lengths conducive to pedestrian traffic.
11. Detention and retention facilities designed to be aesthetically pleasing.
12. Creative methods for stormwater management to provide additional open space.
13. Attractive and usable street furniture in public spaces.
14. Emphasis on a high quality landscape plan.

(Ord. No. 715 , § 2, 9-28-2015; Ord. No. 718 , §§ 3, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 4, 6, 7-10-2017; Ord. No. 767 , §§ 1—3, 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.17 L-I industrial.

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

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (home-elderly, children, nursing).
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Athletic Facility.

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- d. Automobile Service and Service Station.
 - e. Automotive Parts.
 - f. Automotive Sales and Leasing.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Builder's Equipment/Material.
 - n. Car Wash.
 - o. Carpenter Shop, Woodworking.
 - p. Carpet and Rug Sales.
 - q. Check Cashing.
 - r. Church, Synagogue.
 - s. Congregate Housing.
 - t. Contractor's Office with and without outside storage.
 - u. Convenience Market with or without gas pumps.
 - v. Dance Studio.
 - w. Day Care Center.
 - x. Discount Store.
 - y. Distillery.
 - z. Drug Store.
 - aa. Dry Cleaning Pick-up Station.
 - bb. Fireworks Sales.
 - cc. Fitness Studio.
 - dd. Funeral Home.
 - ee. Greenhouse, Nursery.
 - ff. Grocery Store.
 - gg. Hardware and Garden Center.
 - hh. Home Improvement Store.
 - ii. Kennel.
 - jj. Laboratory, Research or Commercial.
 - kk. Laundry, Self-Serve, Pick-up.

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- ll. Limousine Service and Taxi.
 - mm. Liquor Store.
 - nn. Massage Therapy (see Sec. 2.7).
 - oo. Nail Salon.
 - pp. Office Building or Office Park.
 - qq. Parking Lot, Commercial.
 - rr. Pawn Shop.
 - ss. Pest Control.
 - tt. Pet Day Care.
 - uu. Pet Grooming.
 - vv. Print Shop.
 - ww. Recreation Facilities, Indoor and Outdoor.
 - xx. Rental Services Establishment with outside storage.
 - yy. Rental Services Establishment without outside storage.
 - zz. Research and Development.
 - aaa. Restaurant.
 - bbb. Restaurant w/ Drive-thru Window.
 - ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
 - ddd. Retail Establishment, Mixed Sales.
 - eee. Shop or Studio, Craftsman/Artist.
 - fff. Small Appliance Repair Shop.
 - ggg. Smoke Shop and Tobacco Store.
 - hhh. Spa Services.
 - iii. Special Event Facility.
 - jjj. Tattoo Parlor, Body Piercing.
 - kkk. Taxidermist.
 - III. Theater, Cinema.
 - mmm. Tire Retreading.
 - 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Machine Shop.
 - d. Manufacturing, Light.

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- e. Mini-Warehouse.
 - f. Septic Tank Sales, Construction.
 - g. School, Commercial.
 - h. Storage, Inside and Outside.
 - i. Welding Shop.
 - j. Wholesale Trade Establishment.
4. Semipublic Uses, Utilities.
- a. Amphitheater.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Heliport.
 - e. Hospital.
 - f. Library.
 - g. Museum.
 - h. Park or Playground.
 - i. Public Building.
 - j. School, Academic.
 - k. Switching Station, Telecom.
- B. *Accessory Uses.* A property in the L-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
- 1. Privacy and decorative fences and walls.
 - 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 3. Signs, subject to all of the requirements regulating signage herein.
 - 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:
- 1. Site design.
 - 2. Property access.
 - 3. Hours of operation of the business.
 - 4. Vehicular trips generated by the use.
 - 5. Impact of the use on surrounding properties.
 - 6. Impact of the use on the natural features of the site.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Hotel, Hybrid.
- g. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Recycling Center.
- i. Sawmill.
- j. Sewage Disposal Plant.
- k. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;

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- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
 - d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
 - e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
 - f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
 - g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
 - h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;
 - i. All solid waste is removed from the transfer station within 24 hours of receipt;
 - j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
 - k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
 - l. The transfer facility must be cleaned at least once every 24 hours;
 - m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
 - n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
 - o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
 - p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
 - q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
 - r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
 - s. The transfer station must have adequate storage space for incoming solid waste;
 - t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
 - u. The facility shall not generate more than 150 total vehicle trips per day;
 - v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
 - w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and

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- x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);
 - (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
 - (3) Engineering report. The engineering report must include:
 - (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 *Design Standards.* All transfer stations must meet minimum design requirements as follows:

- a. Unloading and loading areas.
 - (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;
 - (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
 - (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;

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- (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
 - (5) Sufficient internal storage areas must be provided for incoming solid waste;
 - (6) Exhaust removal systems must be installed in enclosed areas; and
 - (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 *Expansion or Modification of Existing Facilities.* No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.18 OSR open space and recreational.

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

1. Semipublic Uses, Utilities.

a. Park or Playground.

B. *Accessory Uses.* A property in the OSR district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional

use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

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

1. Privacy and decorative fences and walls.
2. Clubhouse, swimming pool, tennis courts or other community recreation facilities.
3. Vehicle access and public parking areas.
4. Signs, subject to all of the requirements regulating signage herein.
5. Retaining walls and other site improvement structures approved as part of the development permit.

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

1. Semipublic Uses, Utilities.
 - a. Amphitheater.
 - b. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

D. *District Regulation.*

Minimum Lot Size—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—15 feet.

Rear yard—30 feet.

Maximum Coverage By Principal Buildings—20%.

Maximum Building Height—75 feet.

Screening and buffers—none.

(Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.19 SU special use.

A. *Permitted Principal Uses.* A property in the SU district may be used for any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Business Uses.
 - a. Golf, Miniature.
2. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.

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- c. Equestrian Center.
 - d. Fire Station.
 - e. Golf Course, Driving Range.
 - f. Heliport, Public/Private.
 - g. Hospital.
 - h. Library.
 - i. Museum.
 - j. Park or Playground.
 - k. School, Academic.
 - l. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- B. *Accessory Uses.* A property in the SU district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.
- Permitted accessory structures and uses include but are not limited to the following:
- 1. Privacy and decorative fences and walls.
 - 2. Swimming pool, tennis court, patio and other recreation facilities.
 - 3. Clubhouse, swimming pool, or community recreation facilities serving a development.
 - 4. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 - 5. Signs, subject to all of the requirements regulating signage herein.
 - 6. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the SU district may be used for any of the following only upon approval as a conditional use by the City Council:
- 1. Semipublic Uses, Utilities.
 - a. Cemetery.
 - b. Church, Synagogue, or other religious institutions.
 - c. Club, association or lodge.
 - d. Power Station.
 - e. Prison.
 - f. Public Building.
 - g. Recreation Facilities, Outdoor.
 - h. Wireless Tower.
- D. *District Regulations.*
- Minimum Lot Size—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

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

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

Side yard—10 feet.

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70%.

Maximum Building Height—40 feet.

Screening and buffers—Where a property in this district abuts a residential use or zoning district, a 50 foot wide buffer strip shall be provided along the abutting property lines, in addition to the minimum setback requirements.

(Ord. No. 744 , § 6, 7-10-2017; Ord. No. 836 , § 1(Exh. A), 10-4-2021)

2.2.20 MU mixed use district.

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

2. *Commercial:* At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space:* MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments:* A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses:* In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be

calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.

4. *Office/Institutional*: At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: Land Use Land Area (acres)/Total MU Land Area (acres) = % Land Use of MU Development

Example: 25 acres of Residential Land Use/100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Development (square feet) = % Land Use of MU Development

Example: 25,000 SF of Commercial Land Use/100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

Land Use Gross Floor Area (square feet)/Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet) = % Land Use of MU Development

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development]/200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses*. A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. Residential Uses:
 - a. Dwelling, Group (assisted living facility, congregate housing).
 - b. Dwelling, 'For-Rent'.
 - c. Dwelling, 'For-Sale', Attached and Detached.
 - d. Bed and Breakfast.
2. Commercial Uses:
 - a. Art Gallery.
 - b. Athletic Facility.

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- c. Bakery.
 - d. Bank, Savings & Loan.
 - e. Barber Shop.
 - f. Beauty Shop.
 - g. Book Store.
 - h. Boutique Hotel.
 - i. Brewery.
 - j. Clinic.
 - k. Dance Studio.
 - l. Day Care Center.
 - m. Distillery.
 - n. Drug Store (Pharmacy).
 - o. Dry cleaning, Pickup Station.
 - p. Fitness Studio.
 - q. Florist, Retail.
 - r. Grocery Store (max. 50,000 SF in the North Point Overlay).
 - s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
 - t. Hotel/Motel.
 - u. Hotel, Hybrid.
 - v. Liquor Store.
 - w. Manufacturing. Heavy.
 - x. Nail Salon.
 - y. Office.
 - z. Pet Grooming.
 - aa. Print Shop.
 - bb. Recreation Facilities, Indoor and Outdoor.
 - cc. Restaurant.
 - dd. Retail Establishment.
 - ee. School, Commercial.
 - ff. Spa Services.
 - gg. Special Event Facility.
 - hh. Theater, Cinema.
 - 3. Semipublic Uses, Utilities:
 - a. Church, Synagogue.

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- b. Heliport.
 - c. Library.
 - d. Museum.
 - e. Park or Playground.
 - f. Public Building.
 - g. School, Academic.

D. *District Regulations.*

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is 25 acres.

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

1. Retail, restaurant, office, and personal service uses at ground level.
2. Pedestrian connectivity to all uses.
3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
4. Accommodations for public transportation.
5. Buildings that face or appear to face public roadways.
6. Appearance standards for buildings and structured parking.
7. Limitations on uninterrupted building elevations.
8. Creation of vistas and view corridors within development.
9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features.
11. Block lengths conducive to pedestrian traffic.
12. Detention and retention facilities designed to be aesthetically pleasing.
13. Creative methods for stormwater management to provide additional open space.
14. Attractive and usable street furniture in public spaces.
15. Emphasis on a high quality landscape plan.

16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 732 , § 1, 2-6-2017; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 749 , §§ 2, 3, 9-18-2017; Ord. No. 767 , § 4(Exh. A), 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

District	Lot Area	Lot ^B Width	Front Yd. Set Back (ft.) ^F	Side Yards (ft.)	Corner Side Yards (ft.)	Rear Yards (ft.)	Total Bldg. Coverage	Max. Ht. In (ft.)	Min. Flr. Area in Sq. Ft.	Max. Impervious Area ^A
AG	5 acres	200	50' local street 65' all other streets	25	35	50	25%	35	1,800	40%
RE	3 acres	100	50'/65'	25	35	50	25%	35	1,800	40%
R ^E	One acre	100	50'/65'	25	35	50	25%	35	1,800	50%
R-22 ^E	22,000 sq. ft.	100	35' local street 65' all other streets	25	35	30	25%	35	1,500	50%
R-15 ^E	15,000 sq. ft.	100	35' local street 65' all other streets	10	20	25	25%	35	1,500	50%
R-12 ^E	12,000 sq. ft.	80	30' local street 65' all other streets	10	20	30	25%	35	1,500	50%
R-10 ^E	10,000 sq. ft.	75	30' local street 65' all other streets	10	20	25	25%	35	1,500	50%
R-4A ^E	One acre	30	35' local street 65' all	20 ^C	20	30	40%	35	1,200	60%

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			other streets							
R-4D	5,000 sq. ft.	50	35'/65'	5	10	w/alley 0' no alley 20'	40%	35	1,500	60%
R-8A/D ^E	One acre (Attached) 4,500 sq. ft. (Detached)	50	35' local street 65' all other streets	5 adjacent property 10 between buildings	10	w/alley 0' no alley 20'	40%	35	1,200	60%
R-10M ^E	One acre	75	35' local street 65' all other streets	25 adjacent property 20 between buildings	35	50	None	35	None	60%
CUP ^D	100 acres	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.		70%
O-P	30,000 sq. ft.	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	40%	40		70%
O-I ^D	25 acres	None	50/65	15	50/65	15	40%	40		70%
C-1	30,000 sq. ft.	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	45%	35		80%
C-2	NONE	NONE	Cond.	Cond.	Cond.	10	70% 90% DT Overlay	40		90% (95% DT Overlay)
PSC ^D	10 acres	NONE	50/65	15	50/65	15	40	40		80%

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L-I	One acre	NONE	50' local street 65' all other streets	15	50' local street 65' all other streets	15	35%	35		80%
OS & R	NONE	NONE	50/60	15	50/65	30	20	75	NONE	NONE
SU	NONE	NONE	50/65	10	50/65	10	70%	40		80%
MU	25 acres	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.	Cond.		80%

A - Includes surface or deck parking.

B - Minimum lot width at setback line per unit.

C - Side yard set back from project boundaries and building groupings.

D - Area regulations conditional and are subject to a master plan.

E - All minimum lot sizes as noted are allowable if served by sanitary sewer. If sanitary sewer is not available to the property, then Fulton County Health Department (lot size) regulation shall apply for septic tank approval.

F - Tree save areas may overlap the building lot and building setback area. Such tree save areas must be identified on the land disturbance permit and dedicated on the final plat for permanent preservation.

(Ord. No. 718 , § 13(Exh. A), 12-14-2015; Ord. No. 732 , § 1, 2-6-2017)

TABLE 2.2 LIST OF PERMISSIBLE AND CONDITIONAL USES

On the following table, an "O" means that the use will be permitted in that district only if a Conditional Use Permit is granted by the City Council. An "X" means that the use is permitted in the zoning district subject to the general provisions of the Unified Development Code. An "A" means that the use is permitted as an accessory use in the zoning district subject to the general provisions of the Unified Development Code. An "S" means that the use will be permitted as a subordinate use in that district if a Conditional Use Permit is granted by the City Council. For uses not included in this list or when the Director of Community Development is unable to determine placement, application shall be made to the Board of Appeals for interpretation.

USES	AG	RE	R	R-22	R-15	R-12	R-10	R-4A	R-4D	R-8A/D	R-10M	CUP*	OI*	OP	C-1	C-2	PSC	LI	OS-R	SU	MU
Adult Entertainment Establishment																		O			
Airport, Public/Private	O											O	S					O		X	
Amphitheater												O	S					X	O	X	
Animal Hospital, Small Animal (Veterinarian)	O											O	S		O	O	S	X			
Animal Hospital, Large Animal	O																	X			
Art Galleries												O	S	O	X	X	O	X			O
Asphalt Plant																		O			
Athletic Facility												O	S		O	X	S	X			O
Auditorium	O											O	S	O	O	O	S	X			
Auto Sales and Leasing (Trucks, Vans, Cars and Accessories)												O				O		X			
Automotive Parts												O			O	X	S	X			

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Automotive Service & Service Station												O	S			X	S	X			
Bakery												O	S	O	X	X	O	X			O
Bank, Savings and Loan, Mortgage Company												O	O	X	X	X	O	X			O
Barber/Beauty Shop												O	S	X	X	X	O				O
Bed and Breakfast	X	O	O	O	O						X	O		X	X	X					O
Book Store or Stationery												O	S	A	X	X	O	X			O
Bottle Gas Storage and Distribution																		X			
Boutique Hotel												O	S			O	S	O			O
Bowling Alley												O	S		O	X	S	X			
Brewery												O	S		O	O	O	X			O
Broadcasting Studio (Radio and TV)	O											O	O			X	S	X			
Builder's Equipment/Material	O											O				O		X			
Car Wash													S			O	O	X			
Carpenter Shop, Woodworking	O																	X			
Carpet and Rug Sales															X	X	O	X			
Cemetery	O																			O	
Check Cashing															O	O		X			
Church, Synagogue	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	O	S	X		O	O

Clinic, Public/Private												O	O	X	X	X	O				O
Club, associations, or Lodge	O			O	O	O	O	O	O	O	O	O	O	O	O	O	S			O	
Concrete Plant																		O			
Congregate Housing, Assisted Living Facility										O	O	O		O	O			X		O	
Contractor's Office without outside storage												O	S	X	O	X		X			
Contractor's Office with outside storage												O				O		X			
Convenience Center w/Gas Pumps												O	S			X	S	X			
Country Club	O	O	O	O	O	O	O	O	O	O	O	O	S								
Dance Studio												O	S		X	X	O	X		O	
Day Care Center												O	O	X	X	X	O	X		O	
Discount Store																		X			
Distillery												O	S		O	O	O	X		O	
Drug Store (Pharmacy)												O	O		X	X	O	X		O	
Dry Cleaning, Pick- Up Station												O	S	O	X	X	S	X		O	
Dry Cleaning, Plant																		O			
Dwelling, 'For-Sale', Attached								X		X	X	O					O			O	

Dwelling, 'For-Sale', Detached	X	X	X	X	X	X	X		X	X		O					O				O
Dwelling, 'For-Rent'											X	O									O
Dwelling, Group											O	O	O		O	O					O
Equestrian Center	O	O	O	O	O							O								X	
Extended Stay Hotel (see Section 2.7)												O	S			O		O			
Family Day Care Home (accessory use)	X	X	X	X	X	X	X	X	X	X	X	O									
Farmlands (including Livestock, poultry)	X																				
Fire station												O	S							X	
Fireworks Sales																		X			
Fitness Studio												O	S	O	X	X	S	X			O
Florist, Retail												O	S	O	X	X	O				O
Funeral Homes with no cemetery or mausoleum												O	S		O	O	S	X			
Glass Fabrication																		O			
Golf Course, Driving Range	O	O	O	O	O	O	O	O	O	O	O	O	O					O		X	
Golf, Miniature												O	S		O	O	S			X	
Greenhouse, Nursery	O															O	S	X			
Grocery Store												O			O	X	O	X			O

Group Home, Special Care Home (accessory use)	X	X	X	X	X	X	X					O									
Hardware and Garden Supply Store												O			X	X	O	X			O
Heliport, Public/Private	O											O	O				S	X		X	O
Home Improvement Store															X	O	X				
Home-Elderly, Children, Nursing										O	O	O	O	O			X				
Hospital												O	O		O	X		X		X	
Hotel or Motel												O	S		O	O	S				O
<u>Hotel, Hybrid</u>												<u>O</u>	<u>S</u>			<u>O</u>	<u>S</u>	<u>O</u>			<u>O</u>
Indoor Shooting Range																		O			
Junk/Salvage Yard																		O			
Kennel	O																	X			
Laboratory, Research Commercial												O	S					X			
Laundry, Industrial												O						O			
Laundry, Self-Serve, Pick-Up												O			X	X	O	X			
Limousine Service and Taxi (with or without outside vehicle storage)																O		X			

Liquor Store												O	S		O	X	O	X			O
Locker, Frozen Food or Cold Storage												O						X			
Machine Shop																		X			
Manufacturing, Heavy, General																		O			
Manufacturing, Light												O	S					X			
Massage Therapy																O		X			
Medical Cannabis or Marijuana Dispensary																		O			
Mini-warehouse Storage, Conditioned or Unconditioned space																		X			
Museum and Libraries												O	O		X	X	S	X		X	O
Nail Salon												O			X	X	S	X			O
Office												O	O	X	X	X	O	X			O
Park or Playground	X	X	X	X	X	X	X	X	X	X	X	O	S	X	X	X	S	X	X	X	O
Parking Lot, Commercial												O	S		O	X	S	X			
Pawn Shop																		X			
Pest Control Business (with or without onsite chemical storage)															O	O		X			

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Pet Day Care												O			X	X	S	X				
Pet Grooming												O			X	X	S	X				O
Power Station												O						O		O		
Print Shop												O	S	A	X	X	S	X				O
Prison																				O		
Public Building												O	O	O	O	O	S	X		O	O	
Recreation Facilities, Indoor (Health Clubs, Skating Rink, Billiards, Children's event facilities, etc.)												O	O			O	S	X				O
Recreational Facilities, Outdoor												O	O			O	S	X		O	O	
Recycling Center																		O				
Rental Services Establishment without outside storage												O			O	X	O	X				
Rental Services Establishment with outside storage																		X				
Research and Development												O	O					X				
Restaurant												O	S	O	X	X	O	X				O
Restaurant w/Drive- thru window												O	S		O	X	O	X				
Retail Establishment												O	S	A	X	X	O	X				O

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Retail Establishment (Mixed Sales)												O			O	X	O	X			
Sawmill																		O			
School, Academic												O	O	O	X	X	S	X		X	O
School, Commercial (Beauty, Business)												O	S	O	X	X	S	X			O
Septic Tank, Sales, Construction																		X			
Sewage, Disposal Plant																		O			
Shop or Studio, Craftsman/Artist												O		O	X	X	S	X			
Small Appliance Repair Shop																O		X			
Smoke Shop and Tobacco Store															O	O		X			
Spa Services												O	S	O	O	O	S	X			O
Special Event Facility	O											O	O		O	O	S	X			O
Storage, Inside																		X			
Storage, Outside																		X			
Switching Station (Telecom)												O						X			
Tattoo Parlor and Body Piercing																		X			
Taxidermist	X																	X			
Theater, Cinema												O	O		O	O	S	X			O
Tire Retreading																		O			

Transfer Station																		O			
Utility Substation	O	O	O	O	O	O	O	O	O	O	O	O	S	O	O	O	S	O	O	X	
Welding Shop																		X			
Wholesale Establishment												O					S	X			
Wireless Tower (subject to approval of conditional use permit in accordance with Section 2.8.7)	O											O	S			O	S	O		O	

(Ord. No. 671, § 1, 2-4-2013 ; Ord. No. 675, § 1, 6-3-2013 ; Ord. No. 692, § 1(Exh. 1), 7-21-2014 ; Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 4, 9-28-2015; Ord. No. 718 , § 14(Exh. B), 12-14-2015; Ord. No. 730 , § 5, 12-5-2016; Ord. No. 741 , § 5(Exh. A), 6-5-2017; Ord. No. 744 , § 7(Exh. A), 7-10-2017; Ord. No. 767 , § 7(Exh. C), 10-22-2018; Ord. No. 772 , § 8(Exh. A), 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

* Uses under the CUP and OI Zoning Districts shall be permissible through an approved master plan amendment and statement of intent.

SECTION 2.2 a. CONDITIONAL USE REVIEW CRITERIA	
When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:	
1. Site design	4. Vehicular trips generated by the use
2. Property access	5. Impact of the use on surrounding properties
3. Hours of operation of the business	6. Impact of the use on the natural features of the site

SECTION 2.7 MISCELLANEOUS REGULATIONS

2.7.0 Dwelling, for-rent residential.

- a. Standards for developing For-Rent residential in the Downtown Overlay:
1. Required off-street parking spaces shall be no greater than 400 feet, as measured along a pedestrian walkway, from the door of the unit they serve.
 2. Buildings with "for-rent" use shall incorporate outdoor amenity spaces provided on the lot and available as passive or active recreational space by occupants, subject to the following:
 - (i) Outdoor amenity space shall be provided at a minimum ratio of 30 square feet per dwelling unit.
 - (ii) Outdoor amenity space may be met in one contiguous open area or in multiple open areas on the lot. To receive credit the area must be at least 10 feet in both length and depth.
 - (iii) Outdoor amenity space may be located at or above grade.
 - (iv) Outdoor amenity space may be roofed but cannot be enclosed.
 - (v) Outdoor amenity space cannot be parked or driven upon, except for emergency access.
 - (vi) In calculating the minimum outdoor amenity space requirement, the following can be included: swimming pools, paved surfaces and structures when they are a part of approved features such as gazebos, fountains, and plazas (but excluding any parking areas serving such approved features), ground-level active and passive recreational facilities, roof decks, and roof top gardens
 3. For-rent dwellings are prohibited on first floor of building on a Storefront Street. In addition, all ground floor residential units shall:
 - (i) Be oriented to the sidewalk.
 - (ii) Provide individual unit entrance from the exterior of the building.
 - (iii) Provide individual stoops or porches.
 - (iv) Provide a minimum of one ground floor window facing the sidewalk
 4. A minimum of 50 percent of dwelling units above the first-floor shall have balconies with a minimum floor dimension of 6 feet by 8 feet.
 5. No bicycles, storage boxes, storage crates, interior furniture, or any other item, except patio furniture or potted plants, may be placed on balconies.
 6. Adequate provision for the disposal of refuse shall be made within each apartment building, or such refuse shall be conveyed to a central point or points to facilitate collection.
 7. Buildings containing "Downtown For-Rent Dwellings" may not be located more than 1,500 feet from at least one neighborhood grocery store, (measured along the most direct improved pedestrian route from the door of the building containing the for-rent dwelling to the closest customer door.
- b. Standards for developing For-Rent residential in outside of Downtown Overlay:
1. Required off-street parking spaces shall be no greater than 400 feet, as measured along a pedestrian walkway, from the door of the unit they serve.
 2. Buildings with "for-rent" use shall incorporate outdoor amenity spaces provided on the lot and available as passive or active recreational space by occupants, subject to the following:

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- (i) Outdoor amenity space shall be provided at a minimum ratio of 75 square feet per dwelling unit.
 - (ii) Outdoor amenity space may be met in one contiguous open area or in multiple open areas on the lot. To receive credit the area must be at least 10 feet in both length and depth.
 - (iii) Outdoor amenity space may be located at or above grade.
 - (iv) Outdoor amenity space may be roofed but cannot be enclosed.
 - (v) Outdoor amenity space cannot be parked or driven upon, except for emergency access.
 - (vi) In calculating the minimum outdoor amenity space requirement, the following can be included: swimming pools, paved surfaces and structures when they are a part of approved features such as gazebos, fountains, and plazas (but excluding any parking areas serving such approved features), ground-level active and passive recreational facilities, roof decks, and roof top gardens.
 - (vii) In calculating the minimum outdoor amenity space requirement, open and public spaces counting towards the minimum requirements of the applicable zoning district may not be included.
- 3. For-rent dwellings are prohibited on first floor of building on a Storefront Street. A maximum of two building sides shall be permitted first floor dwellings. In addition, all ground floor residential units shall:
 - (i) Be oriented to the sidewalk.
 - (ii) Provide individual unit entrance from the exterior of the building.
 - (iii) Provide individual stoops or porches.
 - (iv) Provide a minimum of one ground floor window facing the sidewalk.
 - 4. A minimum of 50 percent of dwelling units above the first-floor shall have balconies with a minimum floor dimension of 6 feet by 8 feet.
 - 5. No bicycles, storage boxes, storage crates, interior furniture, or any other item, except patio furniture or potted plants, may be placed on balconies.
 - 6. First floor shall be a minimum of 14 ft. as measured from floor to ceiling, additional floors shall be a minimum of 9' floor to ceiling.
 - 7. Adequate provision for the disposal of refuse shall be made within each apartment building, or such refuse shall be conveyed to a central point or points to facilitate collection.
 - 8. A minimum of 30 square feet of separate storage closet shall be provided for every 5 dwelling units. This storage space should be convenient to outside ground level and appropriate for storage of trunks and items of dead storage.
 - 9. For Rent units shall be incorporated as part of a mixed use project and incorporate a neighborhood grocery of sufficient size to support the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015)

2.7.1 Reserved.

Ord. No. 715 , § 5, adopted Sept. 28, 2015, repealed former § 2.7.1, which pertained to antennas and towers.

2.7.2 Bed and breakfast.

- A. Bed and breakfast establishments shall be allowed as a permitted use within the OP zoning district and as a conditional use within the CUP and some 'For-Sale' residential districts subject to the following:

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1. The rooms utilized are part of the primary residential use.
 2. No more than fifteen (15) guests are permitted at any time.
 3. The facility includes a common dining room and individual guest rooms do not include kitchens.
 4. The establishment is owner occupied and operated.
 5. It is determined that the use of the facility as a Bed and Breakfast will not detrimentally impact surrounding properties by virtue of noise, traffic, excess activity and other factors which could undermine the character and normal enjoyment of the surrounding property.
 6. Sufficient parking is provided to accommodate the building owner and guests at the rate of one space per bedroom.
 7. Parking may not be located closer to the frontage street than the primary building and the parking shall be screened with landscaping to maintain the residential appearance and character of the establishment.
 8. No retail or other sales shall be permitted within the establishment unless such sales are clearly incidental to the operation of the Bed and Breakfast.
 9. The owner operator shall maintain a current City of Alpharetta Home Occupation license for the operation of the Bed and Breakfast.
 10. Identification of the Bed and Breakfast shall be limited to one ground sign no greater than six (6) square feet in area, four (4) feet in height and setback ten (10) feet from the right-of-way.

2.7.2.1 Data Center.

A Data Center use shall be subject to the following:

1. Noise testing shall be required prior to issuance of a Certificate of Occupancy in order to ensure compliance with the Noise Ordinance.
2. Exterior lighting shall be designed and constructed with fully shielded fixtures that direct light downward and into the interior of the property and away from adjacent roads and adjacent properties.
3. Buildings shall be a minimum of 20' in height.
4. Principal building facades that face adjacent public roads shall meet the following standards:
 - a. Shall avoid the use of undifferentiated surfaces by including at least two (2) of the following design elements:
 - (1) Change in building height, building step-backs or recesses, fenestration, change in building material, pattern, or use of architectural accent materials.
 - b. 75% of each elevation facing a public roadway shall be brick, stone or accent material. Each elevation which faces a public roadway shall be consistent in terms of design, materials, details and treatment.
 - c. Chain link fence shall not be visible from the public roadways. All fencing along roadways shall be decorative with Director approval.
 - d. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment and loading areas shall be screened. Roof top screening shall be provided by principal building parapet. Ground level equipment shall be screened by a visually solid screen wall constructed of materials compatible with those used in exterior construction of the principal building. Mechanical equipment located in a manner found to have no adverse

impact on adjacent roads and adjacent property, as determined by the Director shall not be required to be screened.

- e. No data center building shall be located within 100' of a collector or local roadway. Site line studies shall be provided to confirm screening of equipment from adjacent roads and properties.
- f. A 40' heavy planted landscape buffer shall be required along public roadways. Use of natural topography and preservation of existing vegetation, supplemented by new vegetation, if needed, may be substituted for the above requirements when found by Director to provide screening at the appropriate density, depth and height. Landscape shall be maintained for the life of the project. Photographic documentation shall be provided for City record prior to issuance of certificate of occupancy.

(Ord. No. 689, § 1, 6-2-2014)

2.7.3 Extended stay hotel.

- A. *Definition.* "Extended Stay Hotel" means a building ~~in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all guest rooms have facilities~~ for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels, hybrid hotels, and hotels (or motels) are separate and distinct uses.
- B. *Findings and Purpose.* The City finds that extended stay hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Extended stay hotels, which are places of public accommodation providing longer-term temporary lodging (weekly or monthly occupancies), may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of said conditional use is consistent with a desirable pattern of development for the city; however, the City finds that if extended stay hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to "For-Rent" dwellings. Further, because extended stay hotels are designed for longer-term, temporary lodging (weekly or monthly occupancies), whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) and hybrid hotels are designed for short-term and long-term transient occupancies (less than seven (7) days and up to one (1) year, respectively), the City finds that tourism activities and other attendant activities of guests at extended stay hotels differ from those activities of guests at hotels or motels and hybrid hotels, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that extended stay hotels are separate and distinct land uses from hotels (or motels) and hybrid hotels and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) and hybrid hotels to implement important City interests, including the promotion of tourism within the City, while also providing the opportunity for the development of extended stay hotels to meet the demands of businesses and the community for lodging accommodations designed for longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.

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- C. *Conditional Use Permit Approval.* The location, construction and use of a property or building for an extended stay hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for an extended stay hotel is subject to the City Council finding that the proposed use meets the following requirements:
1. The minimum lot size for extended stay hotels is three (3) acres.
 2. No facility may contain more than thirty-five (35) guestrooms per gross acre of development.
 3. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area. For any such guestrooms designed for occupancy of more than two (2) guests, a minimum of five hundred and fifty square feet (550 sq. ft.) of floor area shall be required.
 4. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
 5. All such facilities shall provide a fifty-foot (50') buffer from any property zoned for a 'For-Rent' dwelling use and a one-hundred-foot (100') buffer from any property zoned for a 'For-Sale' dwelling use.
 6. No building may be located within three hundred feet (300 ft.) of any residentially zoned property, inclusive of the required buffer.
 7. Access to each guest room shall be through an inside lobby which is supervised at all hours the facility is open.
 8. Number of Vehicle Parking Spaces Required: One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.
- D. *Additional Regulations.* Extended stay hotels shall comply with the following additional regulations:
1. The maximum occupancy for a guestroom with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code. Further, except to the extent the regulations of the Life Safety Code are applicable, the restrictions set forth in this subparagraph shall not apply to extended stay hotels built prior to the effective date of these regulations.
 2. No more than ten percent (10%) of individual guests shall register, ~~reside~~ lodge in, or occupy a room or rooms within the same facility for more than a continuous ninety (90) day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
 3. Each such facility shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.

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4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
 5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
 6. No permanent business license shall be issued for the conduct of any business from any guestroom of the facility.
 7. No facility under this section may be converted to or used as an apartment or condominium.
 8. Facilities under this section shall maintain parking lot and landscape strip shrubs along the properties' road frontage at a height not to exceed four (4) feet.
- E. The prior approval of a hotel (or motel) or hybrid hotel use shall not confer the right to locate, construct or use a property or building as an extended stay hotel. No hotel (or motel) or hybrid hotel may be converted to an extended stay hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.
- F. Extended stay hotels built prior to the effective date of these regulations, which conform to the standards in place at the time of their approval, shall be deemed non-conforming uses; provided, however, such uses shall comply with the regulations set forth in Paragraph D above, except to the extent expressly excepted therefrom as provided herein.

(Ord. No. 718 , § 18, 12-14-2015)

2.7.4 Indoor shooting ranges.

- A. *Definition.* Indoor Shooting Range (Range) shall be defined as a room, place or enclosure wherein the firing of firearms is permitted for the practice of marksmanship.
- B. *License Requirements.* It shall be unlawful for any person, association, partnership or cooperation to operate a Range within the City of Alpharetta without a license to do so. The annual license fee for the operation of a Range shall be established from time to time by resolution of the City Council. The initial annual license fee shall be one hundred dollars. (\$100.00). The annual license fee shall be due and payable on or before the first business day of January each year.
- C. *License Qualifications.*
1. No license to operate a Range shall be granted to any person who, within five (5) years prior to the filing of the application for such license, has been convicted under any federal, state or local law of any offense involving the possession or use of firearms, any misdemeanor involving moral turpitude, or any felony. For the purposes of this section, a plea of nolo contendere shall constitute a conviction.
 2. No license fee operation of a Range shall be granted to any person who has had any City license revoked within two (2) years prior to the filing of the application.
- D. *License Application.*
1. Every applicant for a license shall make a written application to the City Clerk on forms prescribed by the City Clerk. All Applications shall be accompanied by a certified check for the full amount of the license fee, together with a separate check or cash in the amount of one hundred dollars (\$100.00) to defray investigative and administrative costs. If the application is denied, or if the applicant withdraws the application prior to its approval, the license fee (without interest) shall be refunded, but the one hundred dollar (\$100.00) investigative fee shall be retained.

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2. Every application for a license shall be accompanied by one or more fully completed background questionnaires on forms prescribed by the City Clerk. The background questionnaire shall be completed by the owner and primary operator of the Range. If the owner is a corporation or partnership, each officer and director of the corporation and each general partner of the partnership shall provide a background questionnaire.
 3. The City Clerk or her designee shall review the application and shall send a copy to all affected departments of city government to determine compliance with city regulations and laws, and to the police department to investigate the character and reputation of the applicant and other parties required to submit background questionnaires.

E. *Regulations.*

1. Buildings containing Ranges shall have walls, ceilings and floors that are either impenetrable to the bullets of the firearms being used within it, or have internal baffling built so that the bullets cannot hit the walls or ceilings. Provisions shall also be made to stop glancing bullets or particles of bullets at the sides of the target area.
2. A system of ventilation shall be installed within the Range in accordance with the standards and requirements of the Environmental Protection Agency (the "EPA").
3. The Range shall be so constructed and insulated that the discharge of firearms within shall not disturb persons outside the premises. The discharge of firearms shall be deemed to constitute a disturbance if the noise level exceeds fifty-five decibels (55dBA) at a distance of fifty feet (50') or more from the building containing the Range. Sound measurements shall be made with a sound level meter.
4. Hearing Protectors which fully cover the shooters' ears will be provided by the Range and made available for all shooters or other persons in the firing area.
5. There shall be one (1) instructor for each five (5) firing points in use. All instructors will be required to be certified by the National Rifle Association or similar organization satisfactory to the City. The owner of the Range shall require personnel, instructors and attendants to be at least eighteen (18) years of age.
6. No person under the age of eighteen (18) years of age shall be permitted to enter the Range unless accompanied by an adult.
7. No weapons other than handguns or rimfire rifles with a .22 caliber or less shall be allowed on the premises. All weapons brought into the Range shall be in a case designed for the weapons so that no part of the weapon will be visible. Certified law enforcement officers are exempt from the provisions of this Ordinance.
8. Loaded weapons shall only be allowed in the firing area of the Range and shall not be permitted in any other place inside the building or premises or within the property boundaries outside the building.
9. Not more than one (1) person shall shoot from a firing point at one (1) time. All of the persons except instructors must stand behind the firing point. No person shall be allowed in front of a firing point at any time during operating hours except instructors and/or employees and law enforcement officers.
10. An emergency system shall be installed within each Range, capable of alerting the people on the Range to stop firing immediately.
11. It shall be unlawful for any person operating a Range to permit any person or persons to bring any alcoholic beverages on the premises of any Range, or to permit the consumption of alcoholic beverages on the premises or to permit alcoholic beverages to be left at any place on the premises. It shall also be unlawful for any person operating a Range to permit any intoxicated person to be on or remain in the premises of a Range.

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12. It shall be unlawful for any person operating a Range to permit any form of gambling or wagering.
 13. It shall be the responsibility of the licensee or instructor to brief patrons concerning the rules and regulations in the Range before they are permitted to use the firing Range. The licensee shall keep posted in a conspicuous place inside the building and outside the building a sign stating the rules and regulations of the Range.
 14. All Ranges shall be subject to all requirements of the Occupational Safety and Health Act, and the National Institute for Occupational Safety and Health.

F. *Location and Hours of Operation.*

1. No Range shall be located within five hundred feet (500') of any parcel of land which is zoned for residential uses or purposes. No Range shall be located within any zoning category other than industrial (L-1) as defined on Article 6 of the Alpharetta Zoning Ordinance. In addition, the operation of a Range within the L-1 zoning district shall require a conditional use permit. The measurement of distance for the purposes of this Section shall be from property line to property line along the shortest possible straight line distance, regardless of any customary or common route or path of travel, i.e. "as the crow flies".
2. No Range shall be open for business between the hours of 12:00 midnight and 6:00 a.m.

G. *Suspension or Revocation of License.* The City Clerk may suspend or revoke the license of any licensee found to have violated any provision of this Ordinance. However, no license shall be suspended or revoked without the opportunity for a hearing before the City Council. Any licensee desiring a hearing shall, within fifteen (15) days of being notified of an Ordinance violation, file a written petition for a hearing in the office of the City Clerk. A hearing shall be conducted by the City Council within thirty (30) days of the filing of the petition, unless a continuation of such date is agreed to by the licensee and the City Clerk. The licensee shall have the right to be represented by an attorney at the hearing at the expense of the licensee. The findings of the City Council shall be forwarded to the City Clerk after the conclusion of the hearing and it shall be the duty of the City Clerk to notify the licensee of the action of the City Council. The findings of the City Council shall be final. The findings of the City Council may be appealed to the Superior Court of the County within thirty (30) days of the date of the findings; provided, however, that the findings shall not be set aside unless found to be contrary to the law or Ordinance, or unsupported by any evidence on the record as a whole. For the purposes of this Section, notice shall be deemed delivered when personally served or, when served by mail, within three (3) days after the date of deposit in the United States Mail.

H. *Criminal Penalties.*

1. Any person, firm or cooperation operating a Range within the municipality without having obtained a license as provided for in this Section, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not less than two thousand dollars (\$2,000.00); and each day the Range is operated without a license shall be a separate offense.
2. Any licensee who violates any provision of this Section shall be guilty of a misdemeanor and upon conviction shall be fined in an amount not less than fifty dollars (\$50.00) nor more than two thousand dollars (\$2,000.00); and each violation thereof shall constitute a separate offense and shall be punishable as such.

I. *Unlawful Operation Declared Nuisance.* Any Range operated, conducted or maintained contrary to the provisions of this Section shall be declared to be unlawful and a public nuisance. The City may, in addition to, or in lieu of prosecuting a criminal action hereunder, commence an action or proceedings for abatement or removal thereof, in the manner provided by law.

J. *Liability Insurance and Bond.*

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1. The owner of the Range, whether individual, or corporate or other business entity, shall carry liability insurance protecting the general public and users of the Range against any injury resulting from the discharge of firearms in the Range in the amount of not less than five hundred thousand dollars (\$500,000.00) bodily injury and one hundred thousand dollars (\$100,000.00) property damage.
 2. As a condition to the issuance of a license, each licensee shall post to the City Clerk a five hundred dollar (\$500.00) cash or surety bond payable to the City of Alpharetta and conditioned upon the licensee's faithful performance of all provisions of this Ordinance. All surety bonds shall be issued by a surety licensed to do business in the State of Georgia and listed on the U.S. Treasury list as an "approved surety".

2.7.5 Adult entertainment.

A. *Purpose.* The purpose of this Ordinance is to reasonably regulate adult entertainment establishments in a manner that serves the legitimate governmental interest of reducing criminal activity and protecting property values without unreasonably infringing upon the protected rights of adult entertainment establishments and their patrons.

B. *Definitions.*

Adult Entertainment Establishment. A Nightclub, cabaret or other establishment featuring live performances by topless and/or bottomless dancers, strippers or similar entertainers, where such performances are characterized by the display or exposure of specified anatomical areas.

Church. A building in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship or for propagating a particular form of religious belief.

Good Moral Character. Refers to a person that has not been convicted of a drug-related or alcohol-related felony or sex-related crime in the past five (5) years.

Licensed Day-Care Center. A facility licensed by the State of Georgia that provides care, training, education, custody, treatment or supervision for more than twelve (12) children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to the Owner or Operator of the facility, for less than twenty-four (24) hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

Minor. Any person who has not attained the age of eighteen (18) years.

Operator. The manager or other natural person principally in charge of an Adult Entertainment Establishment.

Owner. The proprietor if a sole proprietorship, all partners (general and limited) if a partnership, or all officers, directors and persons holding ten percent (10%) or more of the outstanding shares if a corporation.

Residential. Premises such as homes, townhomes, patio homes, mobile homes, duplexes, condominiums and apartment complexes, which contain habitable rooms for nontransient occupancy and which are designed primarily for living, sleeping, cooking, and eating therein.

School. A building where persons regularly assemble for the purpose of instruction or education together with the playgrounds, stadiums and other structures or grounds used in conjunction therewith. The term is limited to:

1. Public and private schools used for primary or secondary education, in which any regular kindergarten or grades one (1) through twelve (12) classes are taught; and
2. Special educational facilities in which students who have physical or learning disabilities receive specialized education in lieu of attending regular classes in kindergarten or any of grades one (1) through twelve (12).

Specified Anatomical Areas. Shall include any of the following:

1. Less than completely and opaquely covered human genital or pubic region; buttock; or female breast below a point immediately above the top of the areola; or
2. Human male genitalia in a discernibly turgid state, even if completely and opaquely covered.

C. *Regulations.*

1. No person, firm, partnership, corporation, or other entity shall advertise, or cause to be advertised, an Adult Entertainment Establishment without a valid adult entertainment license issued pursuant to this Section.
2. No later than March 1 of each year an Adult Entertainment Establishment licensee shall file a verified report with the City Clerk certifying the licensee's gross receipts and amounts paid to dancers for the preceding calendar year.
3. No Adult Entertainment Establishment shall employ or contract with as a dancer a person under the age of eighteen (18) years of age or a person not permitted pursuant to this Section.
4. No person under the age of eighteen (18) years of age shall be admitted to an Adult Entertainment Establishment.
5. An Adult Entertainment Establishment shall be closed between 12:00 midnight and 9:00 a.m.
6. No patron, dancer or other employee of an Adult Entertainment Establishment shall, while on the premises of an Adult Entertainment Establishment, commit the offense of public indecency as defined in O.C.G.A. § 16-6-8. For the purposes of this Section, the term "employee" includes an "independent contractor".
7. If any portion, or subparagraph, of this section of this Ordinance, or its application to any person or circumstance, is held invalid, by a Court of competent jurisdiction, the remainder or application to other persons or circumstances shall not be affected.

D. *License Requirements.* It shall be unlawful for any person, association, partnership or corporation to engage in, conduct or carry on, in or upon any premises within the City of Alpharetta, an Adult Entertainment Establishment without a license to do so. The issuance of such a license shall not be deemed to authorize, condone or make legal any activity or conduct that is illegal or unlawful under the laws of the State of Georgia or the United States. The annual license fee for an Adult Entertainment Establishment shall be established from time to time by Resolution of the City Council.

E. *On Premises Operator Requirement.* An Adult Entertainment Establishment shall designate a natural person to serve as an on-premises Operator. The Operator shall be principally in charge of the Establishment and shall be located on the premises on a regular basis.

F. *Employee Permit Requirement.* It shall be unlawful for any person to be employed by an Adult Entertainment Establishment without a permit issued under the terms of this Section.

G. *Admission of Minors.*

1. It shall be unlawful to allow a person who is younger than eighteen (18) years of age to enter or be on the premises of an Adult Entertainment at any time that the Establishment is open for business.
2. It shall be the duty of the Operator of each Adult Entertainment Establishment to ensure that an attendant is stationed at each public entrance to the Establishment at all times during such Establishment's regular business hours. It shall be the duty of the attendants to not allow any person under the age of eighteen (18) years of age to enter the Establishment. It shall be presumed that an attendant knew a person was under the age of eighteen (18) unless such attendant asked for and was furnished:

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- a. A valid Operator's, commercial Operator's or chauffeur's driver's license; or
 - b. A valid personal identification certification issued by the Georgia Department of Public Safety reflecting that such person is eighteen (18) years of age or older.

H. *Location and Development Standards.*

- 1. No Adult Entertainment Establishment shall be located:
 - a. Within seven hundred fifty feet (750') of any parcel of land which is zoned for residential uses or purposes;
 - b. Within seven hundred fifty feet (750') of any parcel of land upon which a church, school, licensed daycare center, governmental building simultaneously owned and occupied by such government, library, civic center, neighborhood public park or neighborhood playground is located;
 - c. Within seven hundred fifty feet (750') of any parcel of land upon which another Adult Entertainment Establishment is located;
 - d. Within any zoning category other than Light Industrial (L-1) as defined in Article II of the Alpharetta Unified Development Code.

The measurement of distances for purposes of this Section shall be from property line to property line along the shortest possible straight-line distance, regardless of any customary or common route or path of travel, i.e. "as the crow flies." The term "parcel of land" means any quantity of land capable of being described by located and boundary, designated and used or to be used as a unit.

- 1. The minimum lot area for an Adult Entertainment Establishment shall be one (1) acre.
- 2. Adult Entertainment Establishments shall be required to be on lots that have a minimum of one hundred fifty feet (150') of road frontage on a public road, street or highway. Such Establishments shall have a minimum of two (2) driveways, which shall provide access to a public road, street or highway.
- 3. In addition to development standards governing the L-1 zoning district, buildings and structures established in connection with an Adult Entertainment Establishment shall be set back at least forty feet (40') from any other business establishment and minimum rear yard shall be seventy-five feet (75').
- 4. Adult Entertainment Establishments shall be required to provide one (1) automobile parking space for each twenty-five square feet (25 sq. ft.) of gross building area or for every three (3) customer seats, whichever results in the greater number of parking spaces.
- 5. Adult Entertainment Establishments shall not allow the merchandise or activities of the Establishment to be visible from any point outside such Establishment.

I. *Employee Requirements.*

- 1. Employees of an Adult Entertainment Establishment shall be not less than eighteen (18) years of age.

Every employee must be of good moral character as defined in this Section. Any employee who is convicted of a sex-related crime, or drug-related or alcohol-related felony while employed as an Adult Entertainment Establishment employee shall not thereafter be employed by any Adult Entertainment Establishment licensed under this Ordinance for a period of five (5) years from the date of such conviction, unless a longer time is ordered by a Court of competent jurisdiction. The term "convicted" shall include an adjudication of guilt or a plea of guilty. The term "employed as an Adult Entertainment Establishment employee" shall include all work done or services performed while in the scope of employment elsewhere than on the licensed premises.

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2. Before any person may be employed by an Adult Entertainment Establishment, he or she shall file an application for an Adult Entertainment employee permit with the City Clerk on forms that require the information set forth in provision (a) above. Each such person shall also provide a signed and notarized consent on forms prescribed by the Georgia Crime Information Center authorizing the release of such person's criminal records to the Alpharetta Police Department. The City shall have fifteen (15) days to investigate the information contained in the application. If the employee is found to be of good moral character, the City Clerk shall grant the permit. Upon approval, the employee may begin working on the licensed premises. If approval is denied, the prospective employee may, within ten (10) days of said denial, apply to the City Clerk for a hearing. The decision of the licensing officer after the hearing may be appealed to the City Council. An investigative fee of fifty dollars (\$50.00) shall accompany the application.
 3. The license of any employee who violates the provisions of this Code, the Ordinances of the City of Alpharetta, laws and regulations of the State of Georgia, or the rules and regulations of the City shall be subject to suspension or revocation.
 4. For the purpose of this Ordinance, independent contractors shall be considered as employees and shall be permitted as employees, regardless of the business relationship with the Owner or licensee of any Adult Entertainment Establishment.

J. *License Application.*

1. Any person, association, partnership or corporation desiring to obtain a license to operate, engage in, conduct or carry on any Adult Entertainment Establishment shall make application to the City Clerk, or her designated representative. The Application must be made in the name of the Adult Entertainment Establishment, the Operator and each Owner, as defined in this Section, of the Adult Entertainment Establishment. The application shall be accompanied by a non-refundable fee, established from time to time by Resolution of the City Council, to defray, in part, the cost of investigation and report required by this Section.
2. The license application does not authorize the engaging in, operation of, conduct of or carrying on of any Adult Entertainment Establishment.

K. *Application Contents.*

1. The name, street address (and mailing address if different) and Georgia driver's license number of the intended Operator;
2. The name, street address (and mailing address if different) and Georgia driver's license number of the Owner;
3. The name under which the Establishment is to be operated and a general description of the services to be provided;
4. The telephone number of the Establishment;
5. The address and legal description of the parcel of land on which the Establishment is to be located;
6. The business, occupation or employment history of each Owner and Operator for the five (5) years immediately proceeding the date of the application.
7. If any Owner or Operator has had an Adult Entertainment Establishment license or similar type of license denied, revoked or suspended, and if so, the violation that led to the denial, suspension or revocation, the date of the denial, suspension or violation, date of conviction, jurisdiction and any disposition, including any fine or sentence imposed and whether terms of disposition have been fully completed.

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8. If any Owner or Operator has been convicted of any crime involving good moral character in the past five (5) years and, if so, a complete description of any such crime including date of violation, date of conviction, jurisdiction and any disposition, including any fine or sentence imposed and whether terms of disposition have been fully completed.
 9. If the Establishment is or proposes to do business under a trade name, a copy of the trade name properly recorded.
 10. If the Establishment is a Georgia corporation, a certified copy of the articles of incorporation, together with all amendments thereto; and the most recent annual report.
 11. If the Establishment is a foreign corporation, a certified copy of the certificate of authority to transact business in this state, together with all amendments thereto; and the most recent annual report.
 12. If the Establishment is a limited partnership formed under the laws of Georgia, a certified copy of the certificate of limited partnership, together with all amendments thereto, filed in the office of the County Clerk.
 13. If the Establishment is a foreign limited partnership, a certified copy of the certificate of limited partnership and the qualification documents, together with all amendments thereto.
 14. Three (3) character references for each Owner and Operator from individuals who are not related by blood or marriage to any Owner or Operator, who will not directly or indirectly benefit financially if the license is granted, and who have not been convicted of any crime involving good moral character. The licensing officer shall prepare forms consistent with the provisions of this subsection for the applicants who shall submit all character references on such forms.
 15. A plat by a registered engineer, licensed by the State of Georgia, certifying the location of the proposed premises is not inconsistent with the provisions contained in Section (h) of this Ordinance respecting location and development standards.
 16. The application shall contain a statement under oath that:
 - a. The person(s) signing the application have personal knowledge of the information contained in the application and that the information contained therein is true and correct; and
 - b. The person(s) signing the application have read the provisions of this Section.
 17. The application shall be signed by each Owner and the Operator.
 18. Each Owner and Operator shall provide a signed and notarized consent on forms prescribed by the Georgia Crime Information Center authorizing the release of each such person's criminal records to the Alpharetta Police Department.
 19. The written consent of a Fulton County resident certifying that such resident shall serve as a registered agent for each Owner and Operator, as required by Section 20(a) of this Ordinance.
 20. Any of items 9. through 13. noted previously shall not be required for a renewal application if the applicant states that the documents previously furnished the City Clerk with the original application or previous renewals thereof remain correct and current.
- L. *Owner and Operator to Appear.* At least one (1) Owner, as defined in this Section, and the Operator shall personally appear at the public hearing scheduled pursuant to Subsection M.2. of this regulation for consideration of the application.
- M. *Application and Investigation.*
1. Within fifteen (15) days of receipt of the application, the City Clerk or designee shall review the application and shall send a copy to all affected departments of city government to determine

compliance with city regulations and laws and to the Police Department to investigate the character and reputation of each Owner and Operator. Each department notified shall submit a report within fifteen (15) days to the City Clerk. If no report is received, it shall be concluded that there is no objection.

2. The City Clerk shall prepare and cause to be published a notice of each pending application, which notice shall include the date the application will be considered by the Council, the location or street number of the premises where applicant proposes to conduct activities permitted by this Section and the name of each Owner and Operator. The applicant shall pay the publication costs. The notice shall be published in a newspaper of general circulation within the City, and shall appear once a week for two (2) weeks immediately preceding consideration of the application by Council. Each applicant for a license for an Adult Entertainment Establishment shall, at such applicant's expense, post on the premises where the activities permitted by such license are to be conducted, continuously for a period of not less than ten (10) days prior to the consideration of the application by the Council, a notice of the pending application, meeting the following minimum specifications: This notice shall be painted or printed in black letters three inches (3") or more in height, against a white background, on a wooden or metal sign and having a surface of not less than twelve square feet (12 sq. ft.), and shall be placed with the base of the sign not more than three feet (3') from the ground on the most conspicuous part of the premises, facing the most frequently traveled road, street or highway abutting same, and not more than ten feet (10') therefrom. The sign shall state clearly the nature and purpose of the application, the date and hour and place of the Council hearing, and the name of each Owner and Operator making the application.
3. The Mayor and Council may grant the license following the public hearing if it finds:
 - a. The required fee has been paid.
 - b. The application conforms in all respects to the provisions of this Ordinance.
 - c. No Owner or Operator knowing made a material misrepresentation in the application.
 - d. Each Owner and Operator has fully cooperated in the investigation of his application.
 - e. Each Owner and Operator is of good moral character as defined in this Ordinance.
 - f. No Owner or Operator has had an Adult Entertainment Establishment license or other similar license or permit denied, suspended or revoked for cause involving moral character by this City or any other city located in or out of this State prior to the date of application.
 - g. The building, structure, equipment or location of the Adult Entertainment Establishment, as proposed by applicant, will comply with all applicable City zoning and development standards.
 - h. Each Owner who is a natural person and the Operator is at least twenty-one (21) years of age.
 - i. No Owner or Operator is a City employee or an elected or appointed City official, or a spouse of an elected or appointed City official.
 - j. No Owner or Operator has within five (5) years of the date of application, committed or knowingly allowed another to commit the crime of public indecency, as defined in O.C.G.A. § 16-6-6, upon the premises of an Adult Entertainment Establishment or similar business.
 - k. The location of the proposed Adult Entertainment Establishment is not inconsistent with the provisions of this ordinance and the grant of such license will not cause a violation of this or any other Ordinance or regulation of the City of Alpharetta, State of Georgia, or the United States.
 - l. The registered agent's written consent has been provided.
 - m. Subsection H. of this Ordinance respecting location and development standards.

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4. If the license is approved it shall be issued jointly in the name of the Establishment and each Owner and Operator.
 5. The issuance of an Adult Entertainment Establishment license shall not authorize any other conduct or activity regulated by other City ordinances, including, but not limited to, the Alcoholic Beverage Ordinance. Applicants desiring to obtain an alcoholic beverage license or other such license shall submit separate application for each such license, and must independently satisfy all conditioned of each applicable ordinance.
 6. As a condition to the issuance of a license, the Establishment shall post with the City Clerk a ten thousand dollar (\$10,000.00) cash bond or surety bond payable to the City of Alpharetta and conditioned upon the licensee's faithful performance of the provisions of this Ordinance. All surety bonds shall be issued by a surety licensed to do business in the State of Georgia and listed on the U.S. Treasury list as an "approved surety".
- N. *License Renewal.* Licenses for Adult Entertainment Establishments may be renewed on a calendar year basis provided that the licensees continue to meet the requirements set out in this Ordinance. The renewal fee for an Adult Entertainment license shall be established from time to time by resolution of the City Council. Renewal applications shall be submitted by November 15 of each year prior to January 1 of the year for which such permit is requested. The form for renewal applications shall be designated by the City Clerk.
- O. *Licenses Non-Transferable.* No Adult Entertainment Establishment license may be sold, transferred or assigned by a licensee, or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such license and such license shall thereafter be null and void; provided and excepting, however, that if the licensee is a partnership and one or more of the partners should die, one or more of the surviving partners may acquire, by purchase or otherwise, the interest of the deceased partner or partners without effecting a surrender or termination of such license, and in such case, the license upon notification to the City, shall be placed in the name of the surviving partner. An Adult Entertainment Establishment license issued to a corporation shall be deemed terminated and void when either any outstanding stock of the corporation is sold, transferred or assigned after the issuance of the license, or any stock not issued at the time of the granting of a license is thereafter issued.
- P. *Change of Location or Name.*
1. No Adult Entertainment Establishment shall move from the location specified on its license until a change of location fee, established by resolution of the City Council, has been deposited with the City, and approval has been obtained from the Mayor and Council for the City of Alpharetta. Such approval shall not be given unless all requirements and regulations, as contained in the City's Code, have been met.
 2. No licensee shall operate, conduct, manage, engage in, or carry on any Adult Entertainment Establishment under any name other than his name and the name of the business as specified on the license.
 3. Any application for an extension or expansion of a building or other place of business where an Adult Entertainment Establishment is located shall require inspection and shall comply with the provisions and regulations of this Ordinance.
- Q. *Revocation and Appeal.*
1. The City Clerk shall be authorized to suspend or revoke an Adult Entertainment Establishment license under the conditions set forth in this Section. In the event the City Clerk seeks to suspend or to revoke a license, the City Clerk shall give written notification to the licensee of such action and such notice shall contain a specification of the violation or violations.

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2. The City Clerk shall be authorized to suspend or revoke a license in the event of any one or more of the following:
 - a. A licensee gave false or misleading information in the original application or renewal process;
 - b. A licensee has knowingly allowed possession, use, or sale of controlled substances on the premises, or the licensee did not make a reasonable effort to prevent any such occurrence;
 - c. A licensee has knowingly allowed a violation of this Adult Entertainment Establishment Ordinance, any other Ordinance of the City, or any criminal law of the State of Georgia to occur on the premises, or the licensee did not make a reasonable effort to prevent any such violation;
 - d. A licensee has violated any provision of this Adult Entertainment Ordinance.
 - e. A licensee has been convicted of any drug-related, alcohol-related or sex-related crime by the State of Georgia or the City of Alpharetta regarding an offense which was committed on the premises or which would otherwise violate the provisions of this Ordinance; and
 - f. A licensee fails to pay any fee, license fee, fine or other amount of money due to the City of Alpharetta under this Ordinance or any other licensing Ordinance of the City of Alpharetta.
 3. In the event that the City Clerk determines that a license violation has occurred, such license shall be suspended for ten (10) days for the first violation. For a second violation occurring within any consecutive twelve-month period, the license shall be suspended for thirty (30) days. For a third violation occurring within any consecutive twelve-month period, the license shall be suspended for ninety (90) days. Any license that has been suspended three (3) or more times in any consecutive twelve-month period shall be revoked. In addition, any licensee found to be in violation of Sections C.4 and C.6 of this Ordinance shall be subject to immediate license revocation. Provided, however, that the license shall be authorized to continue its business operations until the date of the hearing. No licensee or any other applicant may apply for a license for the same premises during any period of suspension or revocation.
 4. In the event of a suspension or revocation by the City Clerk, the licensee may appeal the decision of the City Clerk to the Mayor and the City Council by filing a written notice of appeal with the City Clerk within ten (10) days from the date of the effective date of the written notice received by the licensee in accordance with subsection 1 of this Section. The notice of appeal shall be accompanied by a memorandum or other writing setting out fully the grounds for such appeal and all arguments in support thereof. The City Clerk may submit a memorandum in response to the memorandum filed by the licensee on appeal to the City Council. The City Clerk's decision shall be final unless an appeal is timely filed. An appeal shall stay the City Clerk's decision until the appeal is heard or withdrawn. The Clerk shall place the appeal on the agenda of the next regular Council Meeting occurring not less than five (5) nor more than thirty (30) days after receipt of the appeal.
 5. When an appeal is placed on the Council agenda, the Council may take either of the following actions:
 - a. Set a hearing date before the City Council and instruct the City Clerk to give such notice of hearing as may be required by law; or
 - b. Appoint a hearing officer and fix the time and place for hearing. The hearing officer may or may not be a City employee, and may be appointed for an extended period of time. The Clerk shall assume responsibility for such publication of notice of the hearing as may be required by law. If a hearing officer is appointed, the hearing shall be conducted in accordance with the procedures set out in this Ordinance.

In either event, the hearing shall be held within thirty (30) days of the Council's action, unless a continuance of such date is agreed to by the licensee and the City Clerk.

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6. At any hearing, the hearing officer or the City Council (if it elects not to appoint a hearing officer) shall receive oral and written testimony regarding the appeal. Hearings shall be conducted under rules issued by the hearing officer or City Council, which shall be consistent with rules applied in administrative proceedings, and shall ensure that each party may present evidence, cross-examine witnesses and be represented by legal counsel.
 7. If the hearing is held before the City Council, the City Council may sustain, overrule or modify the action of the City Clerk. The decision of the Mayor and City Council shall be final. Appeals from the decision of the Mayor and City Council shall be to the Superior Court of Fulton County filed within thirty (30) days of the final action of Mayor and City Council.
 8. If the hearing is held before the hearing officer, the hearing officer shall, within reasonable time not to exceed fifteen (15) days from the date of such hearing is terminated, submit a written report to the Council. Such report shall contain a brief summary of the evidence considered and state findings, conclusions and recommendations. The report may recommend that the City Council sustain, overrule or modify the action of the City Clerk. All such reports shall be filed with the City Clerk, and shall be considered public records. A copy of such report shall be forwarded by certified mail to the appellant the same day it is filed with the City Clerk, with additional copies furnished to the City Administrator and Chief of Police. The City Clerk shall place the hearing officer's report on the agenda of the next regular Council meeting occurring not less than ten (10) days after the report is filed and shall notify the appellant of the date of such meeting at least ten (10) days prior to the meeting unless the appellant stipulates to a shorter notice period.
 9. The Council may adopt or reject the hearing officer's decision in its entirety or may modify the proposed recommendation. The Council shall base its determination on the hearing officer's report and other evidence in the record. No additional evidence or arguments shall be permitted at the Council meeting. If the Council does not adopt the hearing officer's recommendation, it may:
 - a. Refer the matter to the same or another hearing officer for a de novo hearing, or for the taking of additional evidence on specific points, and in either of such cases the hearing officer shall proceed as provided in this Section.
 - b. Decide the case upon review of the entire record before the hearing officer with or without taking additional evidence.

R. *Criminal Penalties.*

1. Any person, firm or corporation operating an Adult Entertainment Establishment within the City of Alpharetta without having obtained a license as provided in this Ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined in an amount not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000.00); and each day the Adult Entertainment Establishment is operated without a license shall be a separate offense.
2. Any person, firm or corporation who violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined in an amount not less than fifty dollars (\$50.00) nor more than two thousand dollars (\$2,000.00); and each violation thereof shall constitute a separate offense and shall be punishable as such.

- S. *Unlawful Operation Declared Nuisance.* Any Adult Entertainment Establishment operated, conducted or maintained contrary to the provisions of this Section shall be and the same is hereby declared to be unlawful and a public nuisance. The City may, in addition to, or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings for abatement, removal or injunction thereof, in the manner provided by law. It shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such Adult Entertainment Establishment and

restrain and enjoin any person from operating, conducting or maintaining an Adult Entertainment Establishment contrary to the provisions of this Ordinance.

T. *Notices; Registered Agent; Jurisdiction.*

1. All licensed establishments must have and continuously maintain in Fulton County a registered agent upon whom any process, notice or demand required or permitted by law under this Section to be served upon the licensee may be served. This person shall act as registered agent for the Operator and each Owner. This person must be a natural person who is a resident of Fulton County. The Operator shall be appointed registered agent if he or she is a resident of Fulton County. The licensee shall file the name of such agent, along with the written consent of such agent, with the City Clerk in such form as the Clerk may prescribe. By appointing such registered agent, and as a condition of the issuance of a license pursuant to the terms of this Ordinance, the licensee agrees that any legal action brought by the City against the Adult Entertainment Establishment or the licensee (which includes the Operator or any Owner) to enforce the provisions of the Ordinance may be filed in any court of competent jurisdiction in Fulton County, Georgia.
2. Any notice required or permitted to be given by the City Clerk or any other city office division, department or other agency under this Section to any licensee, Operator or Owner of an Adult Entertainment Establishment may be given either by personal delivery or by certified United States mail, postage prepaid, return receipt requested, addressed to licensee's registered agent at the most recent address specified in the agent's written consent form received by the City Clerk, or any notice of address change which has been received by the City Clerk. If personally delivered, the effective date of the notice shall be the date of delivery. If mailed, the effective date of the notice shall be two (2) days after the notice is placed in the mail.

U. *Conditions.*

1. All Adult Entertainment Establishments shall be kept in a clean, sanitary condition, and shall be in full compliance with all ordinances and regulations of the city, county and state.
2. The County Health Department shall have the authority to regularly inspect Adult Entertainment Establishments to determine compliance with all city, county and state health rules and regulations and report any violations to the City Clerk.
3. The City Fire Department shall have the authority to regularly inspect Adult Entertainment Establishments to determine compliance with all city, county and state fire regulations and report any violations to the City Clerk.
4. The building inspector or designee shall have the authority to regularly inspect Adult Entertainment Establishments to determine compliance with all technical codes of the city.
5. The City Police Department shall have the authority to periodically inspect Adult Entertainment Establishments to determine compliance with all provisions of this Ordinance or other applicable law and report any violations to the City Clerk.

2.7.6 Adult bookstores.

A. *Intent, Rationale and Findings.*

1. *Purpose.* It is the purpose of this Ordinance to regulate sexually oriented businesses, such as adult book or video stores and sexual device shops, in order to promote the health, safety, moral, and general welfare of the citizens of the City, and to establish reasonable and uniform regulations to prevent the deleterious secondary effects of sexually oriented businesses within the City. The provisions of this Ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content or reasonable access to any communicative materials, including sexually oriented materials. Similarly, it is

neither the intent nor effect of this Ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this Ordinance to condone or legitimize the distribution of obscene material.

2. *Findings and Rationale.* Based on evidence of the adverse secondary effects of adult uses presented in hearings and in reports made available to the City Council, and on findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, L.L.C.*, 541 U.S. 774 (2004); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *City of Erie v. Pap's A.M.*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theaters*, 427 U.S. 50 (1976); *Barnes v. Glen Theatre, Inc.*, 501 U.S. 560 (1991); *California v. LaRaz*, 409 U.S. 109 (1972); and

Artistic Entertainment, Inc. v. City of Warner Robins, 331 F.3d 1196 (11th Cir. 2003); *Artistic Entertainment, Inc. v. City of Warner Robins*, 223 F.3d 1306 (11th Cir. 2000); *Williams v. Pryor*, 240 F.3d 944 (11th Cir. 2001); *Williams v. A.G. of Alabama*, 378 F.3d 1232 (11th Cir. 2004); *Gary v City of Warner Robins*, 311 F.3d 1334 (11th Cir. 2002); *Ward v. County of Orange*, 217 F.3d 1350 (11th Cir. 2000); *Boss Capital, Inc. v. City of Casselberry*, 187 F.3d 1251 (11th Cir. 1999); *David Vincent, Inc. v. Broward County*, 200 F.3d 1325 (11th Cir. 2000); *Sammy's of Mobile, Ltd. v. City of Mobile*, 140 F.3d 993 (11th Cir. 1998); *Lady J. Lingerie, Inc. v. City of Jacksonville*, 176 F.3d 1358 (11th Cir. 1999); *This That And The Other Gift and Tobacco, Inc. v. Cobb County*, 285 F.3d 1319 (11th Cir. 2002); *DLS, Inc. v. City of Chattanooga*, 107 F.3d 403 (6th Cir. 1997); *Grand Faloan Tavern, Inc. v. Wicker*, 670 F.2d 943 (11th Cir. 1982); *International Food and Beverage Systems v. Ft. Lauderdale*, 794 F.2d 1520 (11th Cir. 1986); *Gammoh v. City of LaHabra*, 396 F.3d 1114 (9th Cir. 2005); *World Wide Video of Washington, Inc. v. City of Spokane*, 368 F.3d 1186 (9th Cir. 2004); *Ben's Bar, Inc. v. Village of Somerset*, 316 F.3d 702 (7th Cir. 2003); and

Fairfax MK, Inc. v. City of Clarkston, 274 Ga. 520 (2001); *Morrison v. State*, 272 Ga. 129 (2000); *Sewell v. Georgia*, 233 S.E.2d 187 (Ga. 1977), dismissed for want of a substantial federal question, 435 U.S. 982 (1978) (sexual devices); *Flippen Alliance for Community Empowerment, Inc. v. Brannan*, 601 S.E. 2d 106 (Ga. Ct. App. 2004); *Chamblee Visuals, LLC v. City of Chamblee*, 270 Ga. 33 (1998); *World Famous Dudley's Food and Spirits, Inc. v. City of College Park*, 265 Ga. 618 (1995); *Airport Bookstore, Inc. v. Jackson*, 242 Ga. 214 (1978); and based upon reports concerning secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Austin, Texas—1986; Indianapolis, Indiana—1984; Garden Grove, California—1991; Houston, Texas—1983; Phoenix, Arizona—1979, 1995-98; Chattanooga, Tennessee—1999-2003; Los Angeles, California—1977; Whittier, California—1978; Spokane, Washington—2001; St. Cloud, Minnesota—1994; Littleton, Colorado—2004; Oklahoma City, Oklahoma—1986; Dallas, Texas—1997; Greensboro, North Carolina—2003; Amarillo, Texas—1977; New York, New York Times Square—1994; and the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses. (June 6, 1989, State of Minnesota).

the City Council finds:

- (a) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, prostitution, potential spread of disease, lewdness, public indecency, obscenity, illicit drug use and drug trafficking, negative impacts on surrounding properties, urban blight, litter, and sexual assault and exploitation.
- (b) Sexually oriented businesses should be separated from sensitive land uses to minimize the impact of their secondary effects upon such uses, and should be separated from other sexually oriented businesses, to minimize the secondary effects associated with such uses and to prevent an unnecessary concentration of sexually oriented businesses in one area.

-
- (c) Each of the foregoing negative secondary effects constitutes a harm which the City has a substantial government interest in preventing and/or abating. This substantial government interest in preventing secondary effects, which is the City's rationale for this Ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented businesses. Additionally, the City's interest in regulating sexually oriented businesses extends to preventing future secondary effects of either current or future sexually oriented businesses that may locate in the City. The City finds that the cases and documentation relied on in this Ordinance are reasonably believed to be relevant to said secondary effects.

B. *Definitions.* The following terms used in this Ordinance shall have the meanings indicated below:

Adult Bookstore or Adult Video Store. Means a commercial establishment which, as one of its substantial business activities, offers 'For-Sale' or rental for any form of consideration any one or more of the following items: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, digital video discs, slides, or other visual representations which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas. A substantial business activity exists where the commercial establishment devotes more than ten square feet (10 sq. ft.) of its total interior business base to the display, sale and/or rental of the foregoing items or derives more than five percent (5%) of its net sales from the sale or rental, or any form of consideration, of the foregoing items. All references to the term "adult bookstore" throughout this Ordinance shall be deemed to include adult video stores and sexual device shops, and all regulations hereinafter set forth in this Ordinance shall be deemed to apply to and include adult bookstores, adult video stores, and sexual device shops.

Church. Means a building in which persons regularly assemble for religious worship intended primarily for purposes connected with such worship or for propagating a particular form of religious belief.

Licensed Day Care Center. A facility licensed by the State of Georgia that provides care, training, education, custody, treatment or supervision for more than twelve (12) children under fourteen (14) years of age, where such children are not related by blood, marriage or adoption to the Owner or Operator of the facility, for less than twenty-four (24) hours a day, regardless of whether or not the facility is operated for a profit or charges for the services it offers.

Residential. Pertaining to the use of land, means premises such as homes, townhomes, patio homes, duplexes, condominiums and apartment complexes, which contain habitable rooms for non-transient occupancy and which are designed primarily for living, sleeping, cooking, and eating therein.

School. A building where persons regularly assemble for the purpose of instruction or education together with the playgrounds, stadiums and other structures or grounds used in conjunction therewith. The term is limited to:

1. Public and private schools used for primary or secondary education, in which any regular kindergarten or grades one (1) through twelve (12) classes are taught; and
2. Special educational facilities in which students who have physical or learning disabilities receive specialized education in lieu of attending regular classes in kindergarten or any of grades one (1) through twelve (12).

Sexual Device. Means any three-dimensional object designed and marketed for stimulation of the male or female human genitals, anus, female breasts, or for sadomasochistic use or abuse of one's self or others and shall include devices such as dildos, vibrators, penis pumps, and physical representation of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

Sexual Device Shop. Means a commercial establishment that regularly features sexual devices. Nothing in this definition shall be construed to include any pharmacy, drug store, medical clinic, or any establishment primarily

dedicated to providing medical or healthcare products or services, nor shall this definition be construed to include commercial establishments which do not restrict access to their premises by reason of age.

Specified Anatomical Areas. Shall include any of the following:

1. Less than completely and opaquely covered human genital or pubic region; buttock; or female breast below a point immediately above the top of the areola; or
2. Human male genitalia in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Means genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse or sodomy; fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts.

C. *Location; Development Standards.*

1. No adult bookstore shall be located:
 - a. Within one thousand feet (1,000') of any parcel of land which is zoned for residential uses or purposes or used residentially;
 - b. Within one thousand feet (1,000') of any parcel of land upon which a church, school, licensed daycare center, governmental building simultaneously owned and occupied by such government, library, civic center, neighborhood public park or neighborhood playground is located;
 - c. Within one thousand feet (1,000') of any parcel of land upon which another adult bookstore is located;
 - d. Within any zoning category other than Industrial (L-I) as defined in Article II of the Unified Development Code.

The measurement of distances for purposes of this section shall be from property line to property line along the shortest possible straight-line distance, regardless of any customary or common route or path of travel, i.e. "as the crow flies." The term "parcel of land" means any quantity of land capable of being described by location and boundary, designated and used or to be used as a unit.

- (1) The minimum lot area for an adult bookstore facility shall be one (1) acre.
- (2) Adult bookstores shall be required to be on lots that have a minimum of one hundred fifty feet (150') of road frontage on a public road, street or highway. Such Establishments shall have a minimum of two (2) driveways, which shall provide access to a public road, street or highway.
- (3) In addition to development standards governing the L-I zoning district, buildings and structures established in connection with an adult bookstore shall be set back at least forty feet (40') from any other business establishment and the minimum rear yard shall be seventy-five feet (75').
- (4) Adult bookstores shall be required to provide one (1) automobile parking space for each twenty-five square feet (25 sq. ft.) of gross building area or for every three (3) customer seats, whichever results in the greater number of parking spaces.
- (5) Adult bookstores shall not allow the depictions of specified anatomical areas or specified sexual activities to be visible from any point outside the structure.

- D. *Violations; Penalties.* Any person, firm or corporation who violates any provision of this Ordinance shall be guilty of a misdemeanor and upon conviction, shall be fined in an amount not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00); and each violation thereof shall constitute a

separate offense and shall be punishable as such; and each day that a violation continues shall be punishable as a separate offense.

- E. *Unlawful Operation Declared Nuisance.* Any adult bookstore operated, conducted or maintained contrary to the provisions of this Ordinance shall be and the same is hereby declared to be unlawful and a public nuisance. The City may, in addition to, or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings for abatement, removal or injunction thereof, in the manner provided by law. It shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove the adult bookstore and restrain and enjoin any person from operating, conducting or maintaining the adult bookstore contrary to the provisions of this Ordinance.
- F. *Licensing Provisions.* The owner and/or operator of an adult bookstore shall be subject to the same application and licensing requirements applicable to owners and operators of adult entertainment establishments as set forth in Section 2.7.5 of this Code, specifically including the following sections: Section 2.7.5D., E., I., J., K., L., M., N., O., P. and Q. It shall be unlawful for any person to operate an adult bookstore in the City without a valid license issued in accordance with such provisions.
- G. *Scienter.* This Ordinance does not impose strict liability. Unless a culpable mental state is otherwise specified herein, a showing of a knowing or reckless mental state is necessary to establish a violation of a provision of this Ordinance. Notwithstanding anything to the contrary, for the purposes of this Ordinance, an act by an employee that constitutes grounds for suspension or revocation of that employee's license shall be imputed to the sexually oriented business licensee for purposes of finding a violation of this Ordinance, or for the purpose of license denial, suspension, or revocation, only if an officer, director, or a general partner, or a person who managed, supervised or controlled the operation of the business premises, knowingly or recklessly allowed such act to occur on the premises. It shall be a defense to liability that the person to who liability is imputed was powerless to prevent the act.
- H. *Severability.* This Ordinance and each section and provision of said Ordinance hereunder are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, is hereby declared to be the controlling legislative intent that if any provisions of this Ordinance, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid. Should any procedural aspect of this Ordinance be invalidated, such invalidation shall not affect the enforceability of the substantive aspects of this Ordinance.
- I. *Supplemental Regulations.* Where possible, this Ordinance shall be interpreted to supplement other ordinances regulating adult oriented businesses. Where there is a direct conflict, the more strict provision shall control.

2.7.7 Reserved.

Ord. No. 730 , § 8, adopted Dec. 5, 2016, repealed former § 2.7.7 which pertained to massage therapy.

2.7.8 Hybrid hotel.

- A. Definition. "Hybrid Hotel" means a building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not

limited to spas, banquets rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

- B. *Findings and Purpose.* The City finds that hybrid hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Hybrid hotels, which are places of public accommodation providing both short- and longer-term temporary lodging, may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of the hybrid hotel is consistent with a desirable pattern of development for the City; however, the City finds that if hybrid hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to 'For-Rent' dwellings. Further, because hybrid hotels are designed for a mix of short- and long-term temporary lodging, whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) and extended stay hotels are designed for long-term transient occupancies (weekly or monthly occupancies), the City finds that tourism activities and other attendant activities of guests at hybrid hotels differ from those activities of guests at hotels or motels, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that hybrid hotels are separate and distinct land uses from hotels (or motels) and extended stay hotels and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) to implement important City interests, including the promotion of tourism within the City, while also providing the opportunity for the development of hybrid hotels to meet the demands of businesses and the community for lodging accommodations designed for a mix of short- and longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.
- C. *Conditional Use Permit Approval.* The location, construction and use of a property or building for a hybrid hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for a hybrid hotel is subject to the City Council finding that the proposed use meets the following requirements:
1. The minimum lot or development size for hybrid hotels is three (3) acres.
 2. The building shall contain no more than thirty percent (30%) of guest rooms for long-term stays.
 3. Building shall be rated by Forbes or AAA as 4 stars or better.
 4. Building or development shall have a minimum 60,000 square foot conference room, event space, or group meeting space with banquet facilities.
 5. Building shall have a minimum 3,000 square foot sit-down restaurant with table service.
 6. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area.

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7. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
 8. All such buildings shall provide a minimum fifty-foot (50') buffer from any property zoned for a 'For-Sale' or 'For-Rent' dwelling use.
 9. Access to each guest room shall be through an inside lobby which is supervised at all hours the building is open.
 10. Number of Vehicle Parking Spaces Required: One (1) space for each short-term guest room and two (2) spaces for each long-term guest room, plus 1 employee space for each 20 guest rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

D. Additional Regulations. Hybrid hotels shall comply with the following additional regulations:

1. The maximum occupancy for a guest room with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. The maximum occupancy shall be six (6) persons when an additional bedroom is provided. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code.
2. No more than 30% of individual guests shall register, lodge in, or occupy a room or rooms within the same facility for more than a continuous 365-day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
3. Each such building shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.
4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
6. No permanent business license shall be issued for the conduct of any business from any guestroom of the building.
7. No building under this section may be converted to or used as an apartment or condominium.

E. The prior approval of a hotel or motel use shall not confer the right to locate, construct or use a property or building as a hybrid hotel. No hotel or motel may be converted to a hybrid hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.



STAFF REPORT

Department: Finance
Submitted By: Shawn Mitchell
Meeting Date: April 29, 2024

AGENDA ITEM:

Resolution: Update and Approval of a Policy for Engineering/Design Services for Federal Aid Highway Program Funded Projects

Consideration of adoption of a resolution to update and adopt a policy regarding engineering and design services selection process for Federal Aid Highway Program (FAHP) funded projects and with authorization for the Mayor to execute the Georgia Department of Transportation Confirmation of Understanding, as part of the City's Local Administered Project (LAP) Re-certification Application.

STAFF RECOMMENDATION:

Adopt the Resolution authorizing approval of the Policy (Engineering and Design Services Selection Process for FAHP Funded Projects) and authorizing the Mayor to execute the companion GDOT Confirmation of Understanding (Appendix B to the Policy).

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

BACKGROUND

The Georgia Department of Transportation (GDOT) receives a delegated authority to approve certain types of projects for development and construction administration from the Federal Highway Administration (FHWA). The Local Administered Project (LAP) process allows GDOT to delegate authority to qualified Local Governments (LG) such as the City of Alpharetta.

An LG must submit a LAP Certification or Re-Certification Application for review and approval by GDOT in order to receive delegated authority for project oversight. Within the LAP Certification Application, the LG is responsible for citing the qualifications and capabilities it possesses.

The LAP certification is beneficial for the LG to administer a project successfully. The certification allows the LG to create time savings related to their authority to develop, advertise, award, and manage the project. This time savings does not diminish the LG's responsibility to provide professional engineering and other resources necessary to ensure all State and Federal requirements are followed. The LG will be certified for a period of three (3) years or until either party modifies or rescinds the agreement. By agreeing to accept Federal-aid funds, the LG assumes the stewardship roles and responsibilities with respect to properly carrying out the Federal-aid project process.

CURRENT

The City of Alpharetta most recently completed the LAP recertification process in 2021.

As detailed above, the LAP certification stays in effect for a period of three (3) years and is currently working towards the 2024 recertification.

One component of the LAP recertification process relates to the procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized. The City operates under a compliant policy for eligible projects (e.g. Windward Parkway Phase 2 – PI0010768; Encore Parkway PI0010241-PI0010339). However, as part of this recertification process, GDOT is requesting formal adoption of this Policy along with the approval of Appendix B to said Policy (the GDOT Confirmation of Understanding).

- The attached Policy (“Engineering and Design Services Selection Process for FAHP Funded Projects”) highlights the City’s process for procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized. One main component of this Policy is compliance with the 40 U.S.C. 1101–1104, commonly referred to as the Brooks Act (qualifications-based procurement selection).
- The attached Appendix (GDOT Confirmation of Understanding) is now required by GDOT as part of the LAP recertification process and builds upon many of the requirements set forth in the Policy above and requires confirmation the City will follow all policies and procedures related to the procurement of engineering and design services.

As previously stated, this Policy is currently adhered to by the City when procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized. This request is to formally adopt the Policy and Appendix B in accordance with the LAP recertification process.

ALTERNATIVES:

ATTACHMENTS:

1. Resolution re FAHP and LAP Recertification
2. Exhibit A to Resolution (FAHP Service Selection Process [Policy] 2024 [v.04102024])
3. Appendix B to Policy (Confirmation of Understanding - GDOT)

RESOLUTION NUMBER:



A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO UPDATE AND ADOPT A POLICY REGARDING ENGINEERING AND DESIGN SERVICES SELECTION PROCESS FOR FEDERAL-AID HIGHWAY PROGRAM (FAHP) FUNDED PROJECTS AND TO AUTHORIZE THE MAYOR TO EXECUTE THE GDOT CONFIRMATION OF UNDERSTANDING AS PART OF THE CITY'S LOCAL ADMINISTERED PROJECT (LAP) RE-CERTIFICATION APPLICATION

WHEREAS, in accordance with 23 CFR § 635.105, the Georgia Department of Transportation (GDOT), through the Local Administered Project (LAP) process, may delegate to local governments such as the City the authority to self-administer projects eligible for Federal-aid Highway Program (FAHP) funding; and

WHEREAS, local governments must submit a LAP Certification or Re-certification application for review and approval by GDOT in order to receive delegated authority for project oversight; and

WHEREAS, as a condition of eligibility to self-administer FAHP projects, GDOT requires that local public agencies adopt administrative policies and procedures for the procurement, management, and administration of engineering and design-related consultant services to be reimbursed in whole or in part with FAHP funding; and

WHEREAS, the City desires to adopt such administrative policies and procedures as are necessary to qualify for self-administration of FAHP projects, and desires that such policies and procedures comply with applicable law.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alpharetta as follows:

1. The City Council hereby adopts the Engineering and Design Services Selection Process for FAHP Funded Projects Finance Department Policy Manual ("Policy"), attached hereto as Exhibit A and incorporated herein by reference.
2. The Mayor is hereby authorized and directed to execute the GDOT Confirmation of Understanding in substantially the form set forth in Appendix B of the Policy for submission to GDOT as part of the City's LAP Re-Certification Application.

SO RESOLVED this ____ day of April 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRECEDING PAGE]

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal M. Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein City Attorney

City of Alpharetta, GA

Finance Department
City Hall
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Alpharetta, GA 30009
Phone (678) 297-6000
www.alpharetta.ga.us

Engineering and Design Services Selection Process for FAHP Funded Projects

Finance Department Policy Manual



Financial Management Policy
Updated April 2024

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Selection Process

Except as provided in (2) and (3) below, the City of Alpharetta shall use the competitive negotiation method for the procurement of engineering and design related services when Federal Aid Highway Program (FAHP) funds are involved in the contract (as specified in 23 U.S.C. 112(b)(2)(A)).

The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for engineering and design related services codified under 40 U.S.C. 1101–1104, commonly referred to as the Brooks Act.

Engineering and design related services are defined as: program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural related services (as specified in 23 U.S.C. 112(b)(2)(A) and 23 CFR 172.3). The Brooks Act further defines architectural and engineering related services as professional services of an architectural or engineering nature, as defined by State law, if applicable, that are required to be performed, approved, or logically/justifiably performed by a person licensed, registered, or certified as an engineer or architect to provide the services (as specified in 40 U.S.C. 1102(2)).

1. Process

In accordance with the requirements of the Brooks Act, the following policy shall apply to the competitive negotiation procurement method:

A. Solicitation

The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of the contract. Solicitations shall be posted to the Georgia Procurement Registry in addition to other venues (e.g. city's procurement site). Procurement procedures may involve a single step process with issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with issuance of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, an RFP specific to the project, task, or service is

SELECTION PROCESS

required for evaluation of a consultant's specific technical approach and qualifications.

B. Request for Proposal (RFP)

The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:

- i. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies.
- ii. Identify the requirements for any discussions that may be conducted with three (3) or more of the most highly qualified consultants following submission and evaluation of proposals.
- iii. Identify evaluation factors including their relative weight of importance in accordance with 1(C) of this section.
- iv. Specify the contract type, method(s) of payment, terms, and incorporating required contract provisions, assurances, and certifications in accordance with 23 CFR 172.9.
- v. Identify any special provisions or contract requirements associated with the solicited services.
- vi. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase.
- vii. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.

C. Evaluation Factors

- i. Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to,

SELECTION PROCESS

technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.

- ii. Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.
- iii. In-State or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.
- iv. The following non-qualifications-based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:
 - a. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria;

D. Evaluation, Ranking, and Selection

- i. Consultant proposals shall be evaluated by the City of Alpharetta based on the criteria established and published within the public solicitation.
- ii. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.
- iii. Following submission and evaluation of proposals, the City of Alpharetta shall conduct interviews or other types of discussions with the three most

SELECTION PROCESS

highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in response to the RFP. Discussion requirements shall be specified within the RFP and should be based on the size and complexity of the project as defined in City of Alpharetta written policies and procedures (as specified in 23 CFR 172.5(c)). Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain enough information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.

- iv. From the proposal evaluation and any subsequent discussions which have been conducted, the City of Alpharetta shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.
- v. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
- vi. The City of Alpharetta shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant accordance with the provisions of 49 CFR 18.42.

E. Negotiation

- i. Independent estimate. Prior to receipt or review of the most highly qualified consultant's cost proposal, the City of Alpharetta shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
- ii. Elements of contract costs (e.g., indirect cost rates, direct salary or wage rates, fixed fee, and other direct costs) shall be established separately in accordance with 23 CFR 172.11.
- iii. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
- iv. The City of Alpharetta shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the

SELECTION PROCESS

contract in accordance with the provisions of 49 CFR 18.42. This documentation shall include the consultant cost certification and documentation supporting the acceptance of the indirect cost rate to be applied to the contract (as specified in 23 CFR 172.11(c)).

2. Small Purchases

The small purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed, and the total contract costs do not exceed an established simplified acquisition threshold. The City of Alpharetta may use the State's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the Federal simplified acquisition threshold (as specified in 48 CFR 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower threshold shall apply to the use of FAHP funds. The following additional requirements shall apply to the small purchase procurement method.

- A. The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
- B. A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
- C. Contract costs may be negotiated in accordance with State small purchase procedures; however, the allow ability of costs shall be determined in accordance with the Federal cost principles.
- D. The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid funding. The Federal Highway Administration (FHWA) may withdraw all Federal aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.

3. Noncompetitive

The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:

- A. The City of Alpharetta may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable Federal requirements.

ADDITIONAL PROCUREMENT REQUIREMENTS

- B. The City of Alpharetta shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
- C. Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following.
 - i. The service is available only from a single source;
 - ii. There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
 - iii. After solicitation of several sources, competition is determined to be inadequate.
- D. Contract costs may be negotiated in accordance with the City of Alpharetta noncompetitive procedures; however, the allowability of costs shall be determined in accordance with the Federal cost principles.

Additional Procurement Requirements

1. Common Grant Rule

- A. The City of Alpharetta must comply with procurement requirements established in State and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable Federal laws and regulations (as specified in 49 CFR 18.36).
- B. When State and local procurement laws, regulations, policies, or procedures are in conflict with applicable Federal laws and regulations, the City of Alpharetta must comply with Federal requirements to be eligible for Federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR 18.4).

2. Suspension and Debarment

The City of Alpharetta must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR 18.35 and 23 CFR part 172.7(b)(3).

3. GDOT Confirmation of Understanding

The City of Alpharetta will comply with the stipulations set forth in the attached Confirmation of Understanding to GDOT (Georgia Department of Transportation) which is included in Appendix B.

APPENDIX A (ADOPTING RESOLUTION)

Appendix A (Adopting Resolution)

TO BE ADDED

APPENDIX B (GDOT CONFIRMATION OF UNDERSTANDING)

Appendix B (GDOT Confirmation of Understanding)

TO BE ADDED



2 PARK PLAZA
ALPHARETTA, GA 30009
PHONE: 678.297.6000
WWW.ALPHARETTA.GA.US

Date: _____

Georgia Department of Transportation (GDOT)
600 West Peachtree Street, NW, 7th Floor
Atlanta, GA 30308

Attn: Maria L. Roux
Asst. Chief Procurement Officer-QA Compliance
GDOT - Office of Procurement

The City of Alpharetta affirms that all staff listed in the submitted Letter of Agreement have attended, passed training, and understands that any future staff who will participate in soliciting, facilitating evaluations, conducting negotiations and contract administration must attend and pass procurement training prior to participating in any of the processes associated with procuring, managing, and administering engineering and design consultant services when Federal Aid Highway Program (FAHP) funds are utilized.

(The below confirmation of understanding must be signed by the person(s) responsible for the authorization of funds should repayment become necessary)

Confirmation Of Understanding:

Please **initial** the below confirming understanding and agreeing to follow all policies and procedures related to the procurement of engineering and design as per 23 CFR 172.

City of Alpharetta agrees with and confirms:

_____ They have read and understand all rules, regulations and policies and procedures associated with engineering and design procurement:

- 23 CFR Part 172 Procurement, Management and Administration of Engineering and Design Related Services; Final Rule.

MAYOR
JIM GILVIN

MAYOR PRO TEM
DAN MERKEL

COUNCIL MEMBERS
FERGAL M. BRADY
DOUGLAS J. DERITO
JOHN HIPES
DONALD F. MITCHELL
BRIAN WILL

CITY ADMINISTRATOR
CHRIS LAGERBLOOM

- 2 CFR Chapter I, and Chapter II, Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule.
- 40 U.S.C. 1101-1104 Selection of Architects and Engineers “**The Brooks Act**”.
- 48 CFR Part 31 – Contract Cost Principles and Procedures.
- Repayment of Preliminary Engineering Cost (Order 2020.1).
- FHWA Policy for Contractor Certification of Costs in Accordance with Federal Acquisition Regulations (FAR) to Establish Indirect Cost Rates on Engineering and Design-related Services Contracts Order No. 4470.1A.
- O.C.G.A. 50-22-1 through 50- 22-9.
- GDOTs DBE program.

_____ The understanding of Qualification Based Selection 23 CFR 172.7(a)(1) and that price may **NEVER** be used as a selection factor or consideration in the selection process.

_____ That **if** it has adopted GDOTs policies and procedures as outlined in the manual and discussed in class that it will follow all policies and procedures unless exceptions have been requested and approved. The City of Alpharetta agrees with and confirms that while exceptions may be requested for best practices, exceptions to regulatory requirements will not be considered.

_____ That it will comply with all provisions of 23 CFR 172.5(b) including developing and sustaining organizational capacity and provide the resources necessary for the procurement, management and administration of engineering and design related consultant services.

_____ That it will comply with all provisions of 23 CFR 172.9(d)(1) by assigning a full-time, public employee as the Responsible Charge who will fulfill inherently governmental activities which include, at a minimum, contract negotiation; contract payment; evaluation of contract compliance, performance, and quality; familiarity with contract requirements and scope; scheduling and attending progress and project review meetings; ensuring costs billed are allowable in accordance with federal cost principles; ensuring costs are consistent with contract terms; evaluating and participating in decisions for contract modifications; documenting contract monitoring activities; and maintaining supporting contract records in accordance with 2 CFR 200.333.

_____ That only individuals who have attended GDOT's training and passed the test on Procurement, Management, Administration of Engineering & Design Related Services will serve in a role which is decision making and/or which is involved in fulfilling any of the roles necessary in order to complete the full procurement cycle.

Prequalification

City of Alpharetta agrees with and confirms:

- _____ The understanding of GDOT's prequalification process and its purpose as related to federally funded engineering and design related services.
- _____ That all solicitations will specify the unique required area classes for the Prime Consultant as well as the Team (which includes the Prime and all Sub-Consultants) to ensure appropriate responses on all federally funded projects utilizing federal funds.
- _____ The prequalification certificates will be required in the solicitation to be submitted for the Prime and all Team to verify awarded consultant meets all required area classes and has current prequalification.

Development

City of Alpharetta agrees with and confirms:

- _____ Scope(s) of services will be drafted with as much detail (which makes it clear, complete and logical) as possible and organized in the order in which services will be completed.
- _____ Understanding that the level of detail required in the scope will be determined by the contract type. On-Call and Multi-Phase Project Specific contracts can have more generic and all-inclusive scopes however, project specific contracts must include all services necessary to complete the entire project.
- _____ It will not require the Prime Consultant to be pre-qualified in excessive area classes which could be covered by the team and recognizes that doing so would limit competition and risk not meeting the requirement in 23 CFR 172.7(a)(1)(iv)(D) of the minimum of three responses.
- _____ Solicitations will ensure that area classes and scope are related and that there is associated scope for every area class required.
- _____ Area Classes and/or Scope which is not included in the Solicitation prior to its closing are not eligible to be added later.
- _____ Solicitations will identify the Project Manager and Key Team Roles for which resumes must be submitted to allow the Selection Committee to evaluate qualifications in order to determine the most qualified team in accordance with the allowable Qualification Based Selection (QBS) Selection Criteria.
- _____ The understanding of the three procurement methods used in procuring engineering and design services. 23 CFR 172.7(a) – Qualification Based Selection, Small Purchases, and Noncompetitive.
- _____ The understanding of the three contract types used in procuring engineering and design services. 23 CFR 172.9(a) – Project Specific; Multi-Phase Project Specific; Indefinite-Delivery Indefinite Quantity (On-Call).

- _____ The understanding of the payment method(s) associated with engineering and design procurements. 23 CFR 172.9(b) – Cost Plus Fixed Fee; Lump Sum; Cost Per Unit of Work; Specific Rates of Compensation.
- _____ Each Solicitation will indicate contract and payment types.
- _____ Each Solicitation will include the selection criteria and associated weights in solicitation.
- _____ Each Solicitation will include only qualification based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii) – Technical Approach; Work Experience; Specialized Expertise; Professional Licensure; Staff Capabilities; Workload Capacity; Past Performance.
- _____ Each Solicitation will include only non-qualification based selection criteria which are allowable in accordance with 23 CFR 172.7(1)(1)(iii)(D) – Local Presence and Participation of Disadvantaged Business Enterprises.
- _____ Non-Qualification Based Criteria cannot exceed ten (10) percent of the overall evaluation as outlined in 23 CFR Part 172.7.(a)(1)(iii)(D).
- _____ DBE goals must be consistent with GDOT's current DBE goal or must be approved in advance by GDOT's Office of Equal Employment Opportunity (EEO) for the utilization of Federal-Aid Highway Program Funds.

Advertisement 23 CFR 172.7(a)(1)(i)

City of Alpharetta agrees with and confirms:

- _____ It has published the solicitation as required by state law to the Georgia Procurement Registry.
- _____ Understanding of the State of Georgia requirement to post solicitation in two (2) phases and understands posting time frames of a minimum of 15 days for Phase 1 (in accordance with O.C.G.A. 50-22-3) and a minimum of 14 days for Phase 2 (for the Technical Approach in accordance with 23 CFR 172.7(a)(1)(ii)(G)).
- _____ If adopting GDOT policies and procedures, it understands posting requirements of GDOT.
- _____ That all posting requirements will be met.
- _____ It can provide link to the Georgia Procurement Registry for all federally funded procurements for engineering and design services for the last three (3) years.
- _____ Solicitation Posting will identify the appropriate NIGP codes to obtain adequate competition – minimum of 31842-Engineering Consulting; 91843-Environmental Consulting; 91896-Transportation Consulting; 92513-Bridge Engineering; 92517-Civil Engineering; 92533-Professional Engineer Services; 92535-Environmental Engineering; 92536-Engineering Services.

Evaluation 23 CFR 172.7(a)(1)(iii) - 23 CFR 172.7(a)(1)(iv)

City of Alpharetta agrees with and confirms:

- _____ It understands the role and responsibilities of the Selection Committee.
- _____ All members of the selection committee are qualified as per FAR 36.602-2.
- _____ All selection committee members have been provided with training and instructions on how to provide scores and comments.
- _____ Evaluations will be conducted in two (2) phases.
- _____ Phase 1 evaluations will result in the shortlist to begin Phase 2.
- _____ Individual scores **and** comments will be documented for Phase 1, unless the Selection Committee discusses all firms and Selection Committee comments and Scores are provided for all Respondents.
- _____ Phase 1 **and** Phase 2 selection committee meetings will be held and will be documented with Phase 1 and Phase 2 committee scores and comments.
- _____ Upon request, individual and selection committee Phase 1 **and** Phase 2 scores and comments can be provided.

Negotiations 23 CFR 172.7(a)(1)(v)

City of Alpharetta agrees with and confirms:

- _____ Professional services contracts and Consultant Services Contracts are to be procured as specified in the Federal Brooks Act, 40 U.S.C 1104(a).
- _____ It can provide the scope of the contract and a supporting task list to start negotiations.
- _____ An Independent Estimate, which will include an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee, will be completed by a qualified individual as per 23 CFR 172.7(a)(1)(v)(B) and obtained prior to receiving consultants cost proposal and beginning negotiations.
- _____ That Consultant Cost Proposals will be requested only after completion of the Independent Estimate and that both the Independent Estimate and consultant cost proposal will be available for review upon request.
- _____ Understanding of the different elements of contract costs which must be considered during negotiations and include the Independent Estimate, Indirect Cost Rates (Overhead), Direct Salary or Wage Rates, Fixed Fee, Other Direct Costs, and Sub-Consultant/Vendor Costs.
- _____ Understanding of the Process of Negotiations to include scoping meeting between PM and Consultant team, identification of required tasks/preparation of task list, providing task list to consultant team, agency team preparing hours for task list, agency team identifying appropriate labor classes, consultant team preparing hours for task list, consultant team identifying appropriate labor classes, agency and consultant teams

sending required documents to negotiator, negotiator reviewing hours and labor classes and determining where differences are greater than 10% variance in hours, holding negotiations meetings to resolve differences, determining the payment method (of those listed in the solicitation as options), applying consultant direct salary/wage rates and indirect costs to determine preliminary costs, negotiating and applying other direct costs, agreeing upon final costs.

- _____ Understanding of the different elements which may require negotiations.
- _____ Understanding of the tools which GDOT uses for negotiating and either uses the same or similar tools which provide the same level of information in order to document negotiation activities in accordance with 23 CFR 172.7(a)(1)(v)(E).

Award

City of Alpharetta agrees with and confirms:

- _____ Understanding of the award process including the preparation and approval of the selection package.
- _____ Understanding and inclusion of all required contract provisions as required by 23 CFR 172.9(c).
- _____ Understanding and compliance with all of the requirements for preparing and maintaining all award documentation.
- _____ Understanding and compliance with notifications being posted to the Georgia Procurement Registry.

Contract Administration 23 CFR 172.9

City of Alpharetta agrees with and confirms:

- _____ All contract provisions have been included in the contract in accordance with 23 CFR 172.9(c).
- _____ The understanding and compliance with assigning a **Responsible Charge** who is a fulltime, government employee - 23 CFR 172.9(d).
- _____ The understanding and compliance with the requirement for Performance Evaluations in 23 CFR 172.9(d)(2), and that these performance evaluations will be used in making future selection decisions.
- _____ All modifications 23 CFR 172.9(e) made to agreements after execution of contracts will be documented and be provided upon request. All modifications will be in accordance with the solicitation in regards to scope, area classes, contract types, payment methods, etc.
- _____ Any modifications will be negotiated in the same manner and formality as the original agreements.

- _____ Notices to Proceed (NTP) will be issued which will serve to document the first day when work is authorized to begin and when charges are eligible for billing to the project.
- _____ Stop Work Notices will be issued which will serve to document the last day when work is authorized to occur and when charges must cease to the project.

Additional Confirmation

City of Alpharetta agrees with and confirms:

- _____ The understanding of:
- Disadvantaged Business Enterprise (DBE) 23 CFR 172.7(b)(2).
 - Suspension and Debarment 23 CFR 172.7(b)(3).
 - Conflict of interest requirements 23 CFR 172.7(b)(4).
 - Consultant Services in Management Support Roles 23 CFR 172.7(b)(5).

Please keep in mind this is only for the current certification/re-certification period. The City of Alpharetta is still required to complete the procurement portion of the application when recertifying at which time they will either be APPROVED or DENIED based on the application.

(Affix signatures and seal)

CITY OF ALPHARETTA, GEORGIA

By: _____

Jim Gilvin, Mayor

Date: _____

Approved as to substance:

Thomas G. Harris, Finance Director and Procurement Official

Approved as to form:
JARRARD & DAVIS, LLP

Molly N. Esswein, City Attorney



STAFF REPORT

Department: Public Works

Submitted By:

Meeting Date: April 29, 2024

AGENDA ITEM:

Contract Approval: Lighting of Webb Bridge Road Corridor

Consideration of approval of a contract to Georgia Power to install lighting along the Webb Bridge Road Corridor from east of North Point Parkway to east of the new Roundabout at Webb Bridge Road/Webb Bridge Way Intersection in an amount not to exceed \$1,280,000.00; approve a yearly expense of \$59,786.40 for the maintenance and usage fee associated with 301 streetlights, and to authorize the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve a contract to Georgia Power to install lighting along the Webb Bridge Road Corridor from east of North Point Parkway to east of the new Roundabout at Webb Bridge Road/Webb Bridge Way Intersection in an amount not to exceed \$1,280,000.00; approve a yearly expense of \$59,786.40 for the maintenance and usage fee associated with the 301 lights, and to authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
WBR Greenway to Roundabout/33541100 541410 C2232	\$1,280,000.00

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
-	\$0.00

ITEM DESCRIPTION:

On February 5, 2024, City Council awarded the construction of the Webb Bridge Corridor, which includes the span running from Big Creek Greenway to the intersection with Maid Marion Close to OhmShiv Construction, LLC in the amount of \$14,491,227.19. The total length of this section is approximately 1.6 miles. The project will provide:

1. Two travel lanes, each approximately 10.5 feet in width.
2. 4 feet wide bike lanes.
3. 10 feet wide sidewalks on both sides of the road, except a few areas where ROW was limited, and the sidewalk width was reduced.
4. 6 feet wide planting areas on both sides of the road, except a few locations where ROW was limited and a planting buffer between travel lanes and the sidewalk was not provided.
5. Landscape medians.

Overview of Pedestrian Lighting System for Phase 2b (Big Creek Greenway to Maid Marion Close):

Each of the bidders that responded to ITB 24-009 provided a cost to install a pedestrian lighting system including 173 decorative poles, fixtures (LUMEC Serenade), and cables along the corridor. A cost proposal was obtained from Georgia Power to provide the lighting system. Georgia Power's cost proposal to lease the lighting system is

provided below by the low bidder.

Company/ Bidder	Proposed Price
Georgia Power	\$1,200,000.00 Lease (with an additional \$2,816.44 monthly maintenance and usage cost) \$1,547,574.00 (City maintains lights)
OhmShiv Construction, LLC	\$1,962,202.50 (City maintains lights)

Monthly energy consumption is included in Georgia Power's proposed cost. The monthly service amount will remain the same indefinitely for the lifetime of the current agreement with Georgia Power. Georgia Power Company will own and maintain the entire lighting system for the lifetime of the installation. Georgia Power's fee for usage and maintenance equates to \$16.28/pole/month. The average cost per month for energy usage along Rucker Road and Kimball Bridge Road is approximately \$7/fixture/month.

During discussion of the item at the February 5th Council Meeting, a question was posed if the LUMEC fixtures meet Dark Sky compliance. These fixtures do not, only because they have a glass globe encasing the downward lit fixture. The premise is that when the light shines down, a small percentage of the light reflects upward and thus doesn't meet the dark sky criteria. In order for a fixture to meet dark sky compliance, there can't be a globe around the light fixture.

A fixture that does meet dark sky compliance is the King Luminare (see attached exhibit). Community Development was consulted on the fixture and did approve it. Georgia Power also accomplished a photometric study of the corridor with the dark sky compliant luminare and the study illustrated that the placement of the lights as per the plans and the King luminare met the foot-candle requirements established by the Illuminating Engineering Society (IES). IES recommends an average foot-candle of 0.5 and the corridor is just above that number. The City could elect to install a 74 watt fixture, instead of a 60 watt fixture, and that would increase the average, but it would also make it considerably brighter at the base of the fixture. Georgia Power has the capability of controlling the output of individual lights, making the 74W option a little more desirable in that it provides the City the ability to dim lights if needed. There would be no additional cost for the 74 watt fixture.

The cost to install the King Luminare on the stretch of Webb Bridge Road is \$1,000,000. However, the sections of Webb Bridge Road currently under construction, bridge replacement and roundabout area, will not match the middle section. The total number of lights that need to be replaced in these areas is 128. Georgia Power provided the City with a cost of \$280,000.00 to purchase, replace, and install the King Luminare fixture. If Georgia Power replaces the fixtures currently installed/purchased, Georgia Power will add the poles and fixtures under their maintenance responsibility. The cost to replace the 128 fixtures will be \$280,000.000 and the cost associated with usage and Georgia Power to maintain the fixtures is \$4,973.20 per month (\$16.52/pole/month) respectively.

ALTERNATIVES:

Install 173 of the same fixtures (Lumec) currently installed along Webb Bridge Road at a cost of \$1,200,000 and an annual maintenance and usage fee of \$59,786.40 (301 fixtures along the corridor).

ATTACHMENTS:

1. GP Lighting Webb Bridge Road
2. 60W WBR LEASE (LUMEC) - LIGHTING AGREEMENT
3. 74W WBR (Customer Conversion with Maint- DARK SKY) - LIGHTING AGREEMENT
4. 74W WBR LEASE (DARK SKY COMPLIANT) - LIGHTING AGREEMENT

Outdoor Lighting

from Georgia Power

LaRhonda Dukes Webb Bridge Rd Project



Georgia Power

A SOUTHERN COMPANY

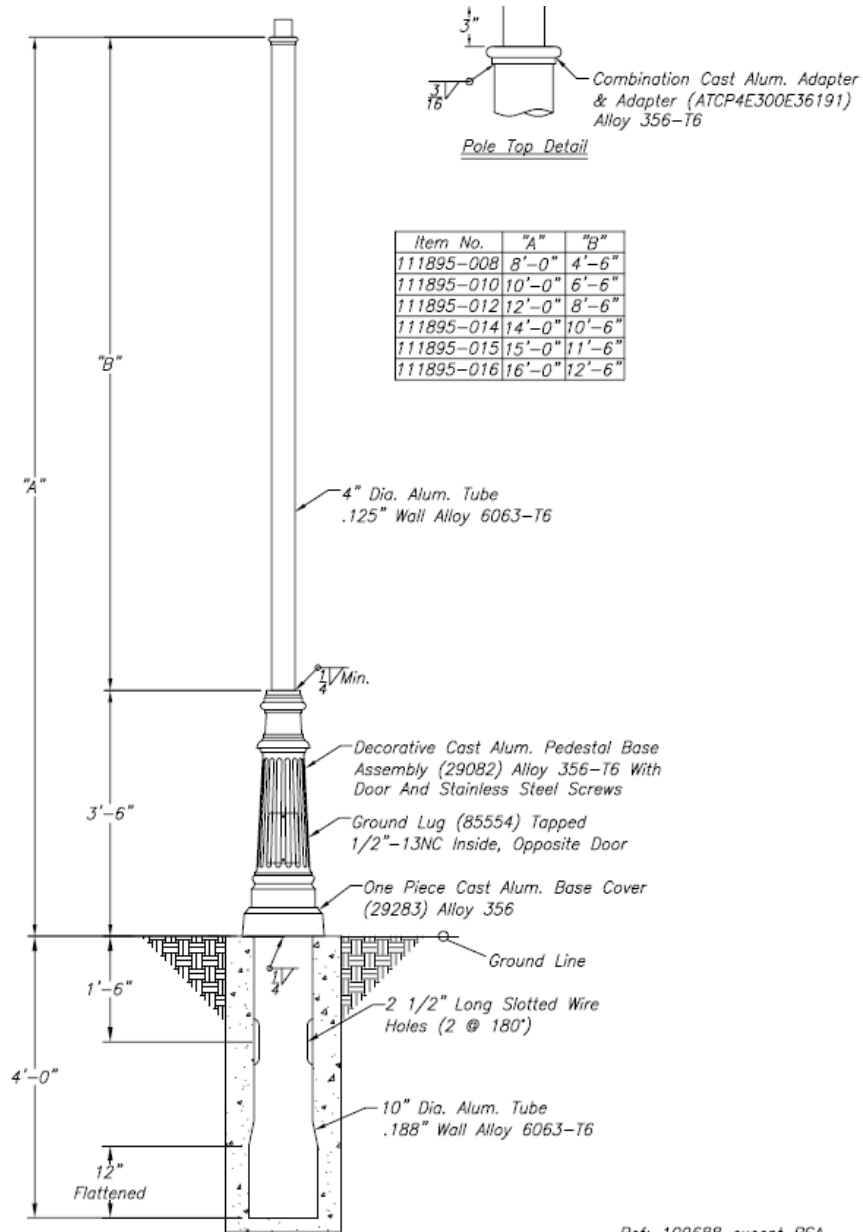
Intent is to closely match the existing decorative fixture. This fixture option meets the dark sky compliant criteria.



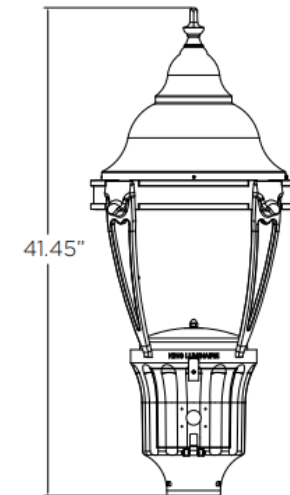
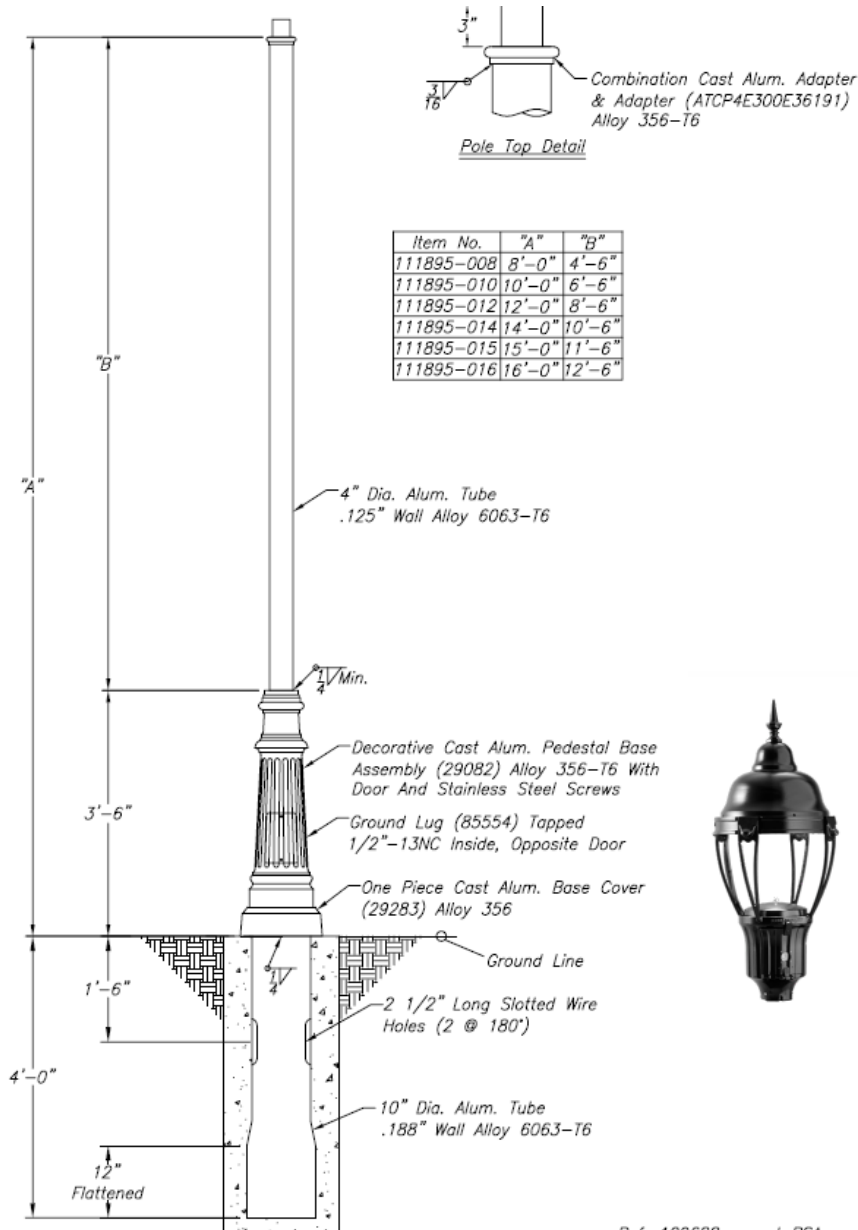
INTERNATIONAL DARK-SKY ASSOCIATION

DARK SKIES





Webb Bridge Road



SHOWN WITH K24 CAPITAL



K137 YARMOUTH (NO GLOBE) - LED

With its simple, yet classic design, the K137 Yarmouth is an excellent fit in architectural locations that are contemporary, historical, or somewhere in between. Teamed with King Luminaire's high performance P4 LED engine it makes for a perfect solution for city streets, parks, schools and commercial areas.



**King
Luminaire**

**StressCrete®
GROUP**

Summary

- Pedestrian Lighting Solution
- Roadway Lighting Solution
- Fixtures & Poles



Alpharetta

Lighting Services Agreement



Project # LP86111

Customer Legal Name _____ DBA _____
Service Address _____ County _____
Mailing Address _____
Email _____ Tel # _____ Alt Tel # _____
Tax ID# _____ Business Description UNREG GOV LIGHTS

Existing Customer Yes ☒ No ☐ If Yes (and if possible), does customer want the Service added to an existing account? Yes ☐ No ☒ If Yes, which Account Number? _____

Selected Components				
Action	Qty	Wattage	Type	Description
INS	173	60	LED	Post Top

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*	Term (Months)	1
\$2,337.23	\$479.21	\$2,816.44		

* The actual Regulated Cost will be calculated using the tariffs approved by Georgia Public Service Commission at the time of billing. The estimate is based on Summer Rates in effect at the time of this proposal. Excludes applicable sales tax.

Project Notes:

Customer agrees to this Lighting Services Agreement with Georgia Power Company under the attached terms and conditions and authorizes all actions noted on this agreement.
Customer also agrees to allow removal of existing lights. Yes ☐ N/A ☒

Type	Customer	Tariff	Content	Pre-Payment (\$)
NESC	Gov	EOL	NLC	\$1,200,000.00

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer Authorization	Georgia Power Authorization
Signature:	Signature:
Print Name:	Print Name: LaRhonda Dukes
Print Title:	Print Title: Account Exec
Date:	Date:

TERMS and CONDITIONS (*Lighting – Governmental Service*)

1. **Agreement Scope.** This Lighting Services Agreement (“**Agreement**”) establishes the terms and conditions under which Georgia Power Company (“**GPC**”) will provide lighting and related service (collectively, the “**Service**”) to the customer identified on Page 1 (“**Customer**”) at the Service Address shown on Page 1 (the “**Premises**”). GPC may install, update, modify, or replace any GPC-owned pole, base, wiring, conduit, fixture, control, equipment, device, or related item at the Premises (collectively, “**GPC Assets**”) for any reason related to the Service or to use of GPC Assets.
2. **Term and Termination.** The initial Agreement term is stated on Page 1, calculated from the date of the first bill. After the initial term, this Agreement automatically renews on a month-to-month basis until terminated by either party by providing written notice of intent to terminate to the other party (in accordance with the notice provisions of the *Miscellaneous* section below) at least 30 days before the desired termination date. The initial term and any renewal term or terms are collectively the “**Term**.”
3. **Intent and Title.** This Agreement governs GPC’s provision of the Service to Customer and is not a sale, lease, or licensing of goods, equipment, property, or assets of any kind. GPC retains the sole and exclusive right, title, and interest in and to all GPC Assets. Customer acknowledges that GPC Assets, although attached to real property, always will remain the exclusive personal property of GPC and that GPC may remove GPC Assets upon Agreement termination. **GPC makes no representation or warranty regarding treatment of this transaction by the Internal Revenue Service or the status of this transaction under any federal or state tax law. Customer enters into this Agreement in sole reliance upon its own advisors.**
4. **Payment.** GPC will invoice Customer monthly for the Monthly Cost as described on Page 1. The Service Cost portion of the Monthly Cost will renew at the amount shown on Page 1, but the Regulated Cost portion will be determined by the applicable Georgia Public Service Commission-approved tariff at the time of billing. Customer agrees to pay the total amount billed in full by the invoice due date. If a balance is outstanding past the due date, Customer acknowledges that GPC may require Customer to pay a deposit of up to two times the Estimated Monthly Charge in order to continue Service. If applicable, Customer must provide a copy of its Georgia sales tax exemption certificate. Customer must pay costs associated with any Customer-initiated change to the Service after the date of this Agreement.
5. **Premises Activity.** Customer hereby grants to GPC and its contractors, agents, and representatives the right and license to enter the Premises at any time to perform any activity related to the Service or to GPC’s use of the GPC Assets, including the right to access the Premises with vehicles, GPC Assets, or other tools or equipment, and to survey, dig, or excavate, in order to: (i) install and connect GPC Assets, provide Service, or provide or install any other service; (ii) inspect, maintain, test, replace, repair, disconnect, or remove GPC Assets; (iii) install additional equipment or devices on GPC Assets; or (iv) conduct any other activity reasonably related to the Service or GPC Assets (collectively, “**GPC Activity**”). Customer represents or warrants that it has the right to permit GPC to provide the Service and to perform the GPC Activity upon the Premises and, if applicable, has obtained express written authority and required permission from all Premises owners, and any other person or entity with rights in the Premises, to enter into this Agreement and to authorize the GPC Activity and the Service.
6. **Installation and Underground Work.** Customer recognizes that the Service requires installation of GPC Assets. Customer warrants or covenants that: (i) the Premises’ final grade will vary no more than six inches from the grade existing at the time of installation; and (ii) if applicable and required for proper installation, Premises property lines will be clearly marked before installation.
 - A. **Customer Work.** If GPC, upon Customer’s request, allows Customer, itself or through a third party, to perform any activity related to installation of GPC Assets (including trenching), Customer warrants or covenants that the work will meet GPC’s installation specifications (which GPC will provide to Customer and which are incorporated by this reference). Customer must provide GPC at least 10 days’ prior written notice of its schedule for the work, so that GPC can schedule GPC’s installation work promptly thereafter. Customer will be responsible for any additional costs arising from non-compliance with GPC’s specifications, Customer’s failure to complete Customer’s work by the agreed completion date, or failure to provide GPC timely notice of any schedule change.
 - B. **Underground Facility/Obstruction Not Subject to Dig Law.** Because GPC Activity may require excavation not subject to the Georgia Utility Facility Protection Act (O.C.G.A. §§25-9-1 – 25-9-13) (“**Dig Law**”), **Customer must mark any private utility or facility (e.g., gas/water/sewer line; irrigation facility; fiber/data/communication line) or other underground obstruction at the Premises that is not subject to the Dig Law.** If GPC causes or incurs damage due to Customer’s failure to mark a private facility or obstruction before GPC commences GPC Activity, Customer is responsible for all damages and any loss or damage resulting from any such delay.
 - C. **Unforeseen Condition.** The estimated charges shown on Page 1 include no allowance for subsurface rock, wetland, underground stream, buried waste, unsuitable soil, underground obstruction, archeological artifact, burial ground, threatened or endangered species, hazardous substance, or similar condition (“**Unforeseen Condition**”). If GPC encounters an Unforeseen Condition in connection with any GPC Activity, GPC, in its sole discretion, may stop all GPC Activity until Customer either remedies the condition or agrees to reimburse all GPC costs arising from the condition. Customer is responsible for all costs of modification or change to GPC Assets requested by Customer or dictated by an Unforeseen Condition or circumstance outside GPC’s control.
7. **GPC Asset Protection and Damage.** Throughout the Term, in the event of any work or digging near GPC Assets, Customer (or any person or entity working on Customer’s behalf) must: (i) provide notices and locate requests to the Georgia Utilities Protection Center (“**UPC**”) and other utility owners or operators as required by the then-current Dig Law; (ii) coordinate with the UPC and any utility facility owner/operator as required by the Dig Law; and (iii) comply with the High-voltage Safety Act (O.C.G.A. §§46-3-30 – 46-3-40). As between Customer and GPC, Customer is responsible for any damage arising from failure to comply with applicable law or for damage to GPC Assets caused by anyone other than GPC or a GPC contractor, agent, or representative.
8. **Pole Attachments.** Nothing in this Agreement conveys to Customer any right to attach or affix anything to any GPC Asset. Customer agrees that it will not, and will not permit others to, rearrange, disconnect, remove, relocate, repair, alter, tamper with, or otherwise interfere with any GPC Asset. If Customer desires to attach or affix anything to GPC Assets, Customer must first obtain GPC’s written consent. Customer may call GPC Lighting and Smart Services business unit at 1-888-660-5890 to request consent.
9. **Interruption of Service.** Customer understands that Service is provided on an “as is” and “as available” basis and may be interrupted. If there is a Service interruption, Customer must notify GPC. Following notice, GPC will restore Service, at no cost to Customer. Customer may notify GPC by either calling 1-888-660-5890 or by reporting online at: <https://www.georgiapower.com/community/outages-and-stormcenter/power-outage-overview/street-light-outage.html>.
10. **Disclaimer; Damages.** **GPC makes no covenant, warranty, or representation of any kind (including warranty of fitness for a particular purpose, merchantability, or non-infringement) regarding Service, GPC Assets, or any GPC Activity.** Customer acknowledges that, due to the unique characteristics of the Premises, Customer’s needs, or selection of GPC Assets, the Service may not follow IESNA guidelines. **Customer waives any right to consequential, special, indirect, treble, exemplary, incidental, punitive, loss of business reputation, interruption of Service or loss of use (including loss of revenue, profits, or capital costs) damages in connection with the loss or interruption of Service, GPC Assets, or this Agreement, or arising from damage, hindrance, or delay involving the Service, GPC Assets, or this Agreement, whether or not reasonable, foreseeable, contemplated, or avoidable.** To the extent GPC is liable under this Agreement, and to the extent allowed by applicable law, GPC’s liability is expressly limited to: (i) with respect to the Service purchased by Customer, the annual amount paid by Customer for the Service; or (ii) with respect to any other liability, to proven direct damages in an amount not to exceed \$100.00. Customer is solely responsible for safety of the Premises; Customer agrees that GPC has no obligation to ensure safety of the Premises and that GPC has no liability for any personal injury, real or personal property damage or loss, or negative impact to Customer or any third party that occurs at the Premises.
11. **Risk Allocation.** Each party will be responsible for its own acts and the results of its acts, except as otherwise described in this Agreement.
12. **Georgia Security, Immigration, and Compliance Act.** Customer is a “public employer” as defined by O.C.G.A. § 13-10-91 and this is a contract for physical performance of services in Georgia. Compliance with O.C.G.A. § 13-10-91 is a condition of this Agreement and is mandatory. GPC will provide to Customer a contractor’s affidavit for installation services as required by O.C.G.A. § 13-10-91. If GPC employs any subcontractor in connection with installation under this Agreement, GPC also will secure from each subcontractor an affidavit attesting to compliance with O.C.G.A. § 13-10-91.
13. **Default.** Customer is in default if Customer: (i) does not pay the entire amount owed to GPC within 45 days after the due date; (ii) terminates this Agreement without proper notice and prior to the end of the then-current Term; or (iii) breaches any material term, warranty, covenant, or representation of this Agreement. GPC’s waiver of a past or concurrent default will not waive any other default. If a default occurs, GPC may: (a) immediately terminate this Agreement; (b) remove any GPC Asset from the Premises; or (c) seek any available remedy provided by law, including the right to collect any past due amount, or any amount due for the Service during the remaining Term.
14. **Miscellaneous.** This Agreement contains the parties’ entire agreement relating to the Service, GPC Assets, and GPC Activity and replaces any prior agreement, written or oral. Subject to applicable law, GPC may modify the terms of this Agreement by providing 30 days’ prior written notice of such modification to Customer. If Customer uses the Service or makes any payment for the Service on or after the modification effective date, Customer accepts the modification. GPC’s address for notice is 1790 Montreal Circle, Tucker, GA 30084-6801; Customer’s address for notice is stated on Page 1. Either party may update administrative or contact information (e.g., address, phone, website) at any time by written notice to the other. Customer will not assign, in whole or in part, this Agreement or any right or obligation it has under this Agreement; any such assignment without GPC’s prior written consent will be void and of no effect. In this Agreement: (i) “**include(ing)**” means “include, but are not limited to” or “including, without limitation”; (ii) “**or**” means “either or both” (“A or B” means “A or B or both A and B”); (iii) “**e.g.**” means “for example, including, without limitation”; and (iv) “**written**” or “**in writing**” includes email communication. Georgia law governs this Agreement. If a court rules an Agreement provision unenforceable to any extent, the rest of that provision and all other provisions remain effective.

Lighting Services Agreement Customer Conversion NEC® (Governmental)



Project # LP91957

Customer Legal Name _____ DBA _____

Service Address _____ County _____

Mailing Address _____

Email _____ Tel # _____ Alt Tel # _____

Tax ID# _____ Business Description _____

Existing Customer Yes ☐ No ☒ If Yes (and if possible), does customer want the Service added to an existing account? Yes ☐ No ☒ If Yes, which Account Number? _____

Equipment *(excludes any applicable sales taxes)*

Action	Qty	Wattage	Type	Description	OH/UG	M/UM	Monthly Charge (\$)*
(1) INS	128	70	LED	Post Top	UG	UM	\$2,165.76
<i>Install (INS) Remove (REM) Reconnect (R/O) Previously Unbilled (UNB)</i>						Monthly Total	\$2,165.76

* Excludes applicable sales tax.

GPC Maintenance Explanation

- 1) Are Poles Included: ☒ Yes ☐ No
2) Wiring Included: ☒ Hand Hole to Light ☐ None
3) Control Device: ☐ Photocell(s) ☐ Timer(s) ☐ Switch(es) ☐ LED Control(s) ☒ Other (Note Below)
4) Other (Note Below) ☒

Project Notes:

Existing customer owned system, Georgia Power will take over and maintain Fixtures, poles, UD Cable.

Term (Months) 1

Prepaid Amount *(excludes any applicable sales tax)* \$280,000.00

Customer agrees to lease the Equipment referenced above from Georgia Power Company on the attached terms and conditions and authorizes all actions noted above. Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer also agrees to allow removal of existing lights. Yes ☒ N/A ☐

Customer Authorized Signature		Georgia Power Company	
Sign	Date	Sign	Date
Print Name:		Print Name: LaRhonda Dukes	
Print Title:		Print Title: Account Exec	

TERMS and CONDITIONS (Governmental Customer Conversion NEC Lease)

1. **Lighting Equipment Lease.** This Lease Agreement (“**Agreement**”) states the agreed terms and conditions upon which **Georgia Power Company (“GPC”)** will: lease to “**Customer**” (identified on Page 1) the “**Equipment**” referenced on Page 1 for use at the stated “**Service Address**” (the “**Premises**”). The “**Equipment**” includes all poles, bases, wiring, conduit, fixtures, controls, and related items necessary to provide lighting service through the listed fixtures, unless expressly noted otherwise in “**Project Notes**.” Customer acknowledges that regulatory change during the Agreement term may require GPC to modify or replace some Equipment.
2. **Intent and Title.** This Agreement is not a sale of the Equipment to Customer. **Customer expressly acknowledges that GPC retains title to the Equipment** and agrees that this Agreement only gives Customer the right to use the Equipment during the Agreement term, so long as Customer complies with all terms and conditions. Customer acknowledges that the Equipment, although attached to real property, always will remain the exclusive personal property of GPC and that GPC may remove the Equipment when this Agreement ends. Customer authorizes GPC, without further consent or action, to file any UCC financing statement or security agreement relating to the Equipment and agrees that GPC may record those documents. **GPC makes no representation or warranty regarding treatment of this transaction by the Internal Revenue Service or the status of this Agreement under any federal or state tax law; Customer enters into this Agreement in sole reliance upon Customer’s own advisors.**
3. **Term.** The initial Agreement term is stated on Page 1, calculated from the date of the first monthly bill. After the initial term, this Agreement automatically renews on a month-to-month basis until terminated by either party by providing written notice of intent to terminate to the other party at least 30 days before the desired termination date. GPC’s address for notice is 1790 Montreal Circle, Tucker, GA 30084-6801; Customer’s mailing address is noted on Page 1.
4. **Payment.** GPC will invoice Customer per the terms stated on Page 1, subject to any change in the electric service charge dictated by the Georgia Public Service Commission. Customer agrees to pay the amount billed by the due date (20 days after billing date). Customer acknowledges GPC may require Customer to pay a deposit of up to two times the Estimated Monthly Charge in order to continue service. If applicable, Customer must provide a copy of its Georgia sales tax exemption certificate.
5. **Premises Activity.** Customer grants a license and right of access to GPC, and its contractors and representatives, to enter the Premises with vehicles and equipment to: (i) install and connect the Equipment and, if applicable, remove or disconnect existing equipment (collectively, the “**Installation**”); (ii) inspect, maintain, test, replace, repair, or remove the Equipment; (iii) provide electric service for the Equipment; or (iv) conduct any other Agreement-related activity (items (i) – (iv) collectively, the “**GPC Activity**”). Customer represents that the individual signing this Agreement on its behalf has authority to do so and that it has express authority from all Premises owners (and any other party with rights in the Premises) to enter into this Agreement and to authorize the GPC Activity. **Customer is solely responsible for safety of the Premises and agrees that GPC has no obligation to ensure the safety of the Premises.**
6. **Installation.** Customer represents that: (i) the Premises’ final grade will vary no more than 6 inches from the grade existing at the time of Installation; and (ii) if applicable and required for proper Installation, Premises property lines will be clearly marked before Installation.
 - A. **Customer Work.** If GPC, upon Customer’s request, allows Customer to perform any part of the Installation (including trenching) itself or through a third party, Customer warrants that the work will meet GPC’s installation specifications (which GPC will provide to Customer and are incorporated by this reference). Customer is responsible for all reasonable additional costs arising from Customer’s non-compliance with GPC’s specifications or lack of timely (i.e., 10 days’) notice to GPC that GPC’s Installation activity can commence.
 - B. **Underground Facility/Obstruction Not Subject to Dig Law.** Because GPC Activity may require excavation not subject to the Georgia Utility Facility Protection Act (O.C.G.A. §§25-9-1 – 25-9-13) (“**Dig Law**”), **Customer must mark any private utility or facility (e.g., gas/ water/sewer line; irrigation facility; low voltage data/communication line) or other underground obstruction at the Premises that is not subject to the Dig Law.** If GPC causes or incurs damage due to Customer’s failure to mark a private facility or obstruction before GPC commences Installation, Customer is responsible for all damages and any resulting delay.
 - C. **Unforeseen Condition.** The estimated charges shown on Page 1 include no allowance for any subsurface rock, wetland, underground stream, buried waste, unsuitable soil, underground obstruction, archeological artifact, burial ground, threatened or endangered species, hazardous substance, etc. not properly marked or identified (“**Unforeseen Condition**”). If GPC encounters an Unforeseen Condition, GPC, in its sole discretion, may stop all GPC Activity until Customer either remedies the condition or agrees to reimburse all GPC costs arising from the condition. Customer is responsible for all costs of Equipment modification or change requested by Customer or dictated by an Unforeseen Condition or circumstance outside GPC’s control.
7. **Equipment Protection and Damage.** After Installation and throughout this Agreement’s term, in the event of any work or digging near the Equipment, Customer (or any person or entity working on Customer’s behalf) must: (i) provide notices and locate requests to the Georgia Utilities Protection Center (“**UPC**”) and other utility owners or operators as required by the then current Dig Law; (ii) coordinate with the UPC and all utility facility owners or operators as required by the Dig Law; and (iii) comply with the High-voltage Safety Act (O.C.G.A. §§46-3-30 -- 46-3-40). As between Customer and GPC, Customer is responsible for all damages arising from failure to comply with applicable law or for Equipment damage caused by anyone other than GPC (or a GPC contractor or representative).
8. **Maintenance.** During this Agreement’s term, GPC will maintain the Equipment and will bear the cost of routine repair or replacement. For a Customer Conversion, routine repair or replacement includes the light fixture, lamp, ballast, photoelectric device, and wiring from hand-hole to the light fixture. It excludes maintenance and replacement of all other components (poles, bases, conduit, controls, all other wiring, etc.) unless otherwise noted on Page 1. All non-routine maintenance can be done at Customer’s request and will be billed to Customer at then-current GPC rates. **Customer must notify GPC of any need for Equipment repair by either calling 1-888-660-5890 or by reporting the need online (<http://outdoorlighting.georgiapower.com>).** If the Equipment damage was caused by Customer or a third party, Customer will reimburse GPC for the repair or replacement cost.
9. **Pole Attachments.** If Customer desires to attach anything to any GPC Equipment (poles, light fixtures, etc.), Customer must first obtain GPC’s written consent. Customer must call GPC Lighting Services Business Unit at 1-888-768-8458 to obtain the proper pole attachment authorization. No GPC consent is required to attach something to equipment owned by the customer.
10. **Disclaimer; Damages.** GPC makes no covenant, warranty, or representation of any kind (including warranty of fitness for a particular purpose or of merchantability) regarding the Equipment or any GPC Activity. Customer also acknowledges that, due to the unique characteristics of the Premises, Customer’s needs, or Equipment choice, the Equipment may not follow IESNA guidelines. **Customer waives any right to consequential, special, indirect, treble, exemplary, incidental, punitive, loss of business reputation, or loss of use (including loss of revenue, profits, or capital costs) damages in connection with the Equipment or this Agreement, or arising from damage, hindrance, or delay involving the Equipment or this Agreement, whether or not reasonable, foreseeable, contemplated, or avoidable.**
11. **Risk Allocation Liability.** Each Party will be responsible for its own acts and the results of its acts.
12. **Default.** Customer is in default if Customer does not pay the entire amount owed within 45 days of billing. GPC’s waiver of any past default will not waive any other default. If default occurs, GPC, at its discretion, may immediately terminate this Agreement, collect all past due amounts (including late fees) and all amounts due for the Equipment during the remaining Agreement term, remove the Equipment from the Premises, and seek any other available remedy.
13. **Georgia Security, Immigration, and Compliance Act.** Customer is a “public employer” as defined by O.C.G.A. § 13-10-91 and this is a contract for physical performance of services within the state of Georgia. Compliance with requirements of O.C.G.A. § 13-10-91 is a condition of this Agreement and is mandatory. GPC will provide to Customer a contractor’s affidavit as required by O.C.G.A. § 13-10-91. GPC also agrees that, if it employs or contracts with any subcontractor(s) in connection with this Agreement, GPC will secure from each subcontractor an affidavit attesting to the subcontractor’s compliance with O.C.G.A. § 13-10-91.
14. **Miscellaneous.** This Agreement contains the parties’ entire agreement relating to the Equipment and replaces any prior agreement, written or oral. Only a written amendment signed by each party can modify this Agreement, except that either party may update administrative or contact information (e.g., address, phone, website) at any time by written notice to the other party. Customer will not assign, in whole or in part, this Agreement or its Agreement rights or obligations without GPC’s prior written consent. No assignment, whether with or without consent, relieves Customer of its Agreement obligations. Customer must provide advance notice of a change in control of all, or substantially all, of Customer’s ownership or interest in the Premises. In this Agreement, “**including**” means “including, but not limited to.” Georgia law governs this Agreement. If a court rules an Agreement provision unenforceable to any extent, the rest of that provision and all other provisions remain effective.

Lighting Services Agreement



Project # LP86111

Customer Legal Name _____ DBA _____
Service Address _____ County _____
Mailing Address _____
Email _____ Tel # _____ Alt Tel # _____
Tax ID# _____ Business Description UNREG GOV LIGHTS

Existing Customer Yes ☒ No ☐ If Yes (and if possible), does customer want the Service added to an existing account? Yes ☐ No ☒ If Yes, which Account Number? _____

Selected Components				
Action	Qty	Wattage	Type	Description
INS	173	70	LED	Post Top

Service Cost (\$)	Regulated Cost (\$)*	Monthly Cost (\$)*	Term (Months)	1
\$2,273.22	\$543.22	\$2,816.44		

* The actual Regulated Cost will be calculated using the tariffs approved by Georgia Public Service Commission at the time of billing. The estimate is based on Summer Rates in effect at the time of this proposal. Excludes applicable sales tax.

Project Notes:

Customer agrees to this Lighting Services Agreement with Georgia Power Company under the attached terms and conditions and authorizes all actions noted on this agreement.
Customer also agrees to allow removal of existing lights. Yes ☐ N/A ☒

Type	Customer	Tariff	Content	Pre-Payment (\$)
NESC	Gov	EOL	NLC	\$1,000,000.00

Customer recognizes that the individual signing this Agreement on its behalf has authority to do so.

Customer Authorization	Georgia Power Authorization
Signature:	Signature:
Print Name:	Print Name: LaRhonda Dukes
Print Title:	Print Title: Account Exec
Date:	Date:

TERMS and CONDITIONS (*Lighting – Governmental Service*)

1. **Agreement Scope.** This Lighting Services Agreement (“**Agreement**”) establishes the terms and conditions under which Georgia Power Company (“**GPC**”) will provide lighting and related service (collectively, the “**Service**”) to the customer identified on Page 1 (“**Customer**”) at the Service Address shown on Page 1 (the “**Premises**”). GPC may install, update, modify, or replace any GPC-owned pole, base, wiring, conduit, fixture, control, equipment, device, or related item at the Premises (collectively, “**GPC Assets**”) for any reason related to the Service or to use of GPC Assets.
2. **Term and Termination.** The initial Agreement term is stated on Page 1, calculated from the date of the first bill. After the initial term, this Agreement automatically renews on a month-to-month basis until terminated by either party by providing written notice of intent to terminate to the other party (in accordance with the notice provisions of the *Miscellaneous* section below) at least 30 days before the desired termination date. The initial term and any renewal term or terms are collectively the “**Term**.”
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4. **Payment.** GPC will invoice Customer monthly for the Monthly Cost as described on Page 1. The Service Cost portion of the Monthly Cost will renew at the amount shown on Page 1, but the Regulated Cost portion will be determined by the applicable Georgia Public Service Commission-approved tariff at the time of billing. Customer agrees to pay the total amount billed in full by the invoice due date. If a balance is outstanding past the due date, Customer acknowledges that GPC may require Customer to pay a deposit of up to two times the Estimated Monthly Charge in order to continue Service. If applicable, Customer must provide a copy of its Georgia sales tax exemption certificate. Customer must pay costs associated with any Customer-initiated change to the Service after the date of this Agreement.
5. **Premises Activity.** Customer hereby grants to GPC and its contractors, agents, and representatives the right and license to enter the Premises at any time to perform any activity related to the Service or to GPC’s use of the GPC Assets, including the right to access the Premises with vehicles, GPC Assets, or other tools or equipment, and to survey, dig, or excavate, in order to: (i) install and connect GPC Assets, provide Service, or provide or install any other service; (ii) inspect, maintain, test, replace, repair, disconnect, or remove GPC Assets; (iii) install additional equipment or devices on GPC Assets; or (iv) conduct any other activity reasonably related to the Service or GPC Assets (collectively, “**GPC Activity**”). Customer represents or warrants that it has the right to permit GPC to provide the Service and to perform the GPC Activity upon the Premises and, if applicable, has obtained express written authority and required permission from all Premises owners, and any other person or entity with rights in the Premises, to enter into this Agreement and to authorize the GPC Activity and the Service.
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 - B. **Underground Facility/Obstruction Not Subject to Dig Law.** Because GPC Activity may require excavation not subject to the Georgia Utility Facility Protection Act (O.C.G.A. §§25-9-1 – 25-9-13) (“**Dig Law**”), **Customer must mark any private utility or facility (e.g., gas/water/sewer line; irrigation facility; fiber/data/communication line) or other underground obstruction at the Premises that is not subject to the Dig Law.** If GPC causes or incurs damage due to Customer’s failure to mark a private facility or obstruction before GPC commences GPC Activity, Customer is responsible for all damages and any loss or damage resulting from any such delay.
 - C. **Unforeseen Condition.** The estimated charges shown on Page 1 include no allowance for subsurface rock, wetland, underground stream, buried waste, unsuitable soil, underground obstruction, archeological artifact, burial ground, threatened or endangered species, hazardous substance, or similar condition (“**Unforeseen Condition**”). If GPC encounters an Unforeseen Condition in connection with any GPC Activity, GPC, in its sole discretion, may stop all GPC Activity until Customer either remedies the condition or agrees to reimburse all GPC costs arising from the condition. Customer is responsible for all costs of modification or change to GPC Assets requested by Customer or dictated by an Unforeseen Condition or circumstance outside GPC’s control.
7. **GPC Asset Protection and Damage.** Throughout the Term, in the event of any work or digging near GPC Assets, Customer (or any person or entity working on Customer’s behalf) must: (i) provide notices and locate requests to the Georgia Utilities Protection Center (“**UPC**”) and other utility owners or operators as required by the then-current Dig Law; (ii) coordinate with the UPC and any utility facility owner/operator as required by the Dig Law; and (iii) comply with the High-voltage Safety Act (O.C.G.A. §§46-3-30 – 46-3-40). As between Customer and GPC, Customer is responsible for any damage arising from failure to comply with applicable law or for damage to GPC Assets caused by anyone other than GPC or a GPC contractor, agent, or representative.
8. **Pole Attachments.** Nothing in this Agreement conveys to Customer any right to attach or affix anything to any GPC Asset. Customer agrees that it will not, and will not permit others to, rearrange, disconnect, remove, relocate, repair, alter, tamper with, or otherwise interfere with any GPC Asset. If Customer desires to attach or affix anything to GPC Assets, Customer must first obtain GPC’s written consent. Customer may call GPC Lighting and Smart Services business unit at 1-888-660-5890 to request consent.
9. **Interruption of Service.** Customer understands that Service is provided on an “as is” and “as available” basis and may be interrupted. If there is a Service interruption, Customer must notify GPC. Following notice, GPC will restore Service, at no cost to Customer. Customer may notify GPC by either calling 1-888-660-5890 or by reporting online at: <https://www.georgiapower.com/community/outages-and-stormcenter/power-outage-overview/street-light-outage.html>.
10. **Disclaimer; Damages.** **GPC makes no covenant, warranty, or representation of any kind (including warranty of fitness for a particular purpose, merchantability, or non-infringement) regarding Service, GPC Assets, or any GPC Activity.** Customer acknowledges that, due to the unique characteristics of the Premises, Customer’s needs, or selection of GPC Assets, the Service may not follow IESNA guidelines. **Customer waives any right to consequential, special, indirect, treble, exemplary, incidental, punitive, loss of business reputation, interruption of Service or loss of use (including loss of revenue, profits, or capital costs) damages in connection with the loss or interruption of Service, GPC Assets, or this Agreement, or arising from damage, hindrance, or delay involving the Service, GPC Assets, or this Agreement, whether or not reasonable, foreseeable, contemplated, or avoidable.** To the extent GPC is liable under this Agreement, and to the extent allowed by applicable law, GPC’s liability is expressly limited to: (i) with respect to the Service purchased by Customer, the annual amount paid by Customer for the Service; or (ii) with respect to any other liability, to proven direct damages in an amount not to exceed \$100.00. Customer is solely responsible for safety of the Premises; Customer agrees that GPC has no obligation to ensure safety of the Premises and that GPC has no liability for any personal injury, real or personal property damage or loss, or negative impact to Customer or any third party that occurs at the Premises.
11. **Risk Allocation.** Each party will be responsible for its own acts and the results of its acts, except as otherwise described in this Agreement.
12. **Georgia Security, Immigration, and Compliance Act.** Customer is a “public employer” as defined by O.C.G.A. § 13-10-91 and this is a contract for physical performance of services in Georgia. Compliance with O.C.G.A. § 13-10-91 is a condition of this Agreement and is mandatory. GPC will provide to Customer a contractor’s affidavit for installation services as required by O.C.G.A. § 13-10-91. If GPC employs any subcontractor in connection with installation under this Agreement, GPC also will secure from each subcontractor an affidavit attesting to compliance with O.C.G.A. § 13-10-91.
13. **Default.** Customer is in default if Customer: (i) does not pay the entire amount owed to GPC within 45 days after the due date; (ii) terminates this Agreement without proper notice and prior to the end of the then-current Term; or (iii) breaches any material term, warranty, covenant, or representation of this Agreement. GPC’s waiver of a past or concurrent default will not waive any other default. If a default occurs, GPC may: (a) immediately terminate this Agreement; (b) remove any GPC Asset from the Premises; or (c) seek any available remedy provided by law, including the right to collect any past due amount, or any amount due for the Service during the remaining Term.
14. **Miscellaneous.** This Agreement contains the parties’ entire agreement relating to the Service, GPC Assets, and GPC Activity and replaces any prior agreement, written or oral. Subject to applicable law, GPC may modify the terms of this Agreement by providing 30 days’ prior written notice of such modification to Customer. If Customer uses the Service or makes any payment for the Service on or after the modification effective date, Customer accepts the modification. GPC’s address for notice is 1790 Montreal Circle, Tucker, GA 30084-6801; Customer’s address for notice is stated on Page 1. Either party may update administrative or contact information (e.g., address, phone, website) at any time by written notice to the other. Customer will not assign, in whole or in part, this Agreement or any right or obligation it has under this Agreement; any such assignment without GPC’s prior written consent will be void and of no effect. In this Agreement: (i) “**include(ing)**” means “include, but are not limited to” or “including, without limitation”; (ii) “**or**” means “either or both” (“A or B” means “A or B or both A and B”); (iii) “**e.g.**” means “for example, including, without limitation”; and (iv) “**written**” or “**in writing**” includes email communication. Georgia law governs this Agreement. If a court rules an Agreement provision unenforceable to any extent, the rest of that provision and all other provisions remain effective.



STAFF REPORT

Department: Recreation, Parks & Cultural Services

Submitted By: Christine Young

Meeting Date: April 29, 2024

AGENDA ITEM:

Premises Usage Agreement: Alpharetta Town Commons and the City of Alpharetta

Consideration of approval of the Premises Usage Agreement between the City of Alpharetta and Alpharetta Town Commons, LLC, located at 10 Roswell Street, permitting the use of parking lot for Taste of Alpharetta 2024.

STAFF RECOMMENDATION:

Approve, as presented, the Premises Usage Agreement between the City of Alpharetta and Alpharetta Town Commons, LLC, located at 10 Roswell Street, permitting the use of parking lot for Taste of Alpharetta 2024.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

BACKGROUND:

As in years past, the City of Alpharetta is requesting a usage agreement for the Alpharetta Town Commons, LLC parking lot for the annual Taste of Alpharetta event on May 9th, 2024, from 8:00am-11:59pm. Due to the attendance of this event, it is required to accommodate the activities of the event.

RECOMMENDATION EXPLANATION:

As there were no questions or concerns raised during workshop discussions by either the Recreation Commission or the City Council, staff recommends approval of the premises usage agreement. If the Mayor and Council approve the agreement presented, Staff will proceed with issuing the document for signatures.

ALTERNATIVES:

Deny approval of the Premises Usage Agreement and forego the opportunity for parking at 10 Roswell Street.

ATTACHMENTS:

1. Premises Usage Agreement Alpharetta Town Commons

PREMISES USAGE AGREEMENT

This Premises Usage Agreement (“Agreement”) is entered into this 29th day of April, 2024 by and between Alpharetta Town Commons, LLC (“ATC”) and City of Alpharetta (“Grantee”).

Scope of Permitted Use

Subject to the terms and conditions set forth below, ATC hereby grants Grantee a revocable right to use the ATC Premises which only includes the Roswell Street Parking Lot located at 10 Roswell Street, Alpharetta, Georgia (“Roswell Street Lot”) for the purpose of event space usage for Taste of Alpharetta (“Permitted Use”). Grantee’s use of the Premises shall at all times be subject to the Rules and Regulations attached hereto and incorporated herein as Exhibit A.

Term of Agreement

Grantee shall be permitted to use the Roswell Street Lot on Thursday, May 9, 2024, commencing at 8 a.m. and ending at 11:59 p.m. Grantee agrees to clean the parking lot at the conclusion of the event so that it is returned to the same condition as when given usage.

Grantee acknowledges that ATC uses the Premises at various dates and times for business parking, and ATC may preempt Grantee’s use of the Premises at any time and for any reason upon notice to Grantee.

Either party shall have the right to terminate this Agreement and revoke the right of use at any time, for any reason, or for no reason, and termination of the Agreement shall be effective upon one party providing seven (7) day notice of termination to the other.

Usage Fee and Deposit

Grantee shall pay ATC a usage fee \$0 prior to its use of the Premises (“Fee”). If Grantee is prevented from using the Premises in accordance with this Agreement, ATC will refund any paid and unused Fee.

Grantee shall pay ATC a separate Security Deposit in the amount of \$0 upon executing this Agreement which will be applied toward any damage caused by Grantee’s use of the Premises and any unapplied Security Deposit shall be refunded to Grantee.

Insurance

Grantee shall provide and keep in force during the term of this Agreement, for the benefit of BP or any other persons or entities designated by ATC, comprehensive general liability insurance provided by a company selected by Grantee and satisfactory to ATC, for property damage and bodily injury, personal injury or death to one (1) or more persons, which insurance shall insure the interests of ATC and Grantee and any designees of ATC. Grantee shall deliver certificates of such insurance to ATC before using the Premises, and in any event, within 30 days after the signing of this Agreement. All such policies shall include a provision that ATC shall receive at least thirty (30) days advance notice prior to material changes or cancellation thereof.

Delivery of Premises and Alterations

Grantee agrees to use of the Premises in “as is” condition without any obligation of ATC to make any repairs, alterations, or modifications to the Premises. Grantee shall not make any alterations or modifications to the Premises unless approved in advance in writing by ATC.

Maintenance of Premises

Grantee shall at all times keep and maintain the Premises and the furniture and equipment therein, neat, clean, free of debris and trash, and in good order and repair and in an attractive and clean condition and in accordance with the Rules and Regulations attached hereto and incorporated herein as Exhibit A. Grantee shall be liable to ATC for damage to ATC property resulting from Grantee’s use of the Premises. If additional clean-up is required by the Grantor’s Maintenance staff a fee of \$30 per hour will be deducted from the security deposit.

Assignment

Grantee shall not assign this Agreement, nor permit use of the Premises by anyone other than Grantee.

Indemnification

Grantee shall use the Premises at Grantee’s sole risk. Grantee shall keep the Premises free of all liens and claims of lien that may arise from any act or omission on the part of Grantee. Except for damages caused by ATC’s negligence, Grantee shall indemnify, defend and hold harmless ATC, and ATC’s contractors, employees, agents and invitees, from all claims, damages, or liabilities for injury to persons or property, including, without limitation, reasonable attorney’s fees which may arise out of Grantee’s use of the Premises. Grantee shall and does hereby release ATC from and against all claims of any nature arising out of or related to Grantee’s use of the Premises. This paragraph shall survive termination of this Agreement.

Entire Agreement

This Agreement contains the entire agreement between the parties, and all prior understandings and agreements between the parties are merged into this Agreement. This Agreement may be changed or modified only by a writing executed by the party against whom enforcement thereof is sought.

Limited Right of Use

This Agreement grants a limited and specified personal right of use only. No other interest is granted or conveyed by this Agreement. This Agreement, and any act or omission by either party under this Agreement or in reliance upon this Agreement, does and shall not create or convey a partnership, joint venture, lease, easement, estate, or property interest between the parties. By entering into this Agreement and permitting your use of the Premise, ATC does not in any way endorse Grantee’s organization. By entering into this Agreement and permitting your use of the Premise, ATC does not grant Grantee permission to advertise your use of the Premises (or any related event).

Governing Law

This Agreement shall be governed by and construed in accordance with the laws of Georgia.

Time is of the Essence

Time is of the essence of this Agreement.

[SIGNATURES TO FOLLOW]

**ALPHARETTA TOWN COMMONS,
LLC
("GRANTOR")**

By: _____

Title: _____

Date: _____

**CITY OF ALPHARETTA
("GRANTEE")**

By: _____

Jim Gilvin, Mayor

Date: _____

Approved as to Substance:

By: _____

Chris Lagerbloom, City Administrator

Approved as to Form:

By: _____

City Attorney

EXHIBIT A: RULES AND REGULATIONS

As a condition of this Agreement, Grantee shall prevent the following list of prohibited activities or uses of the Premises:

1. Use of the Premises for any illegal purpose.
2. Use which creates fire, explosive or environmental hazards.
3. Use which generates, stores, treats, disposes of, installs or otherwise causes or permits any Hazardous Substances to be brought upon or kept or used on the Premises.
4. Use which creates or permits a nuisance or trespass.
5. Use which produces, emanates, or transmits odors, fumes, dust or vapors which are detectable outside the Premises, or which are strong, unusual, offensive or otherwise objectionable.
6. Use or occupancy by any person under the age of 18 without adequate adult supervision.



STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: April 29, 2024

AGENDA ITEM:

Resolution: Authorizing the Use of Eminent Domain for Parcel 18 of the Webb Bridge Road Improvements Project

Consideration of adoption of a resolution of the Mayor and Council of the City of Alpharetta, Georgia to authorize the use of eminent domain to acquire certain property located at Webb Bridge Road, Alpharetta, GA 30005 (Tax Parcel 21 -5590-1239-056-4) for right of way for proposed Webb Bridge Road Bike & Pedestrian Improvements from Big Creek Greenway to Webb Bridge Way and with authorization for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Adopt a resolution of the Mayor and Council of the City of Alpharetta, Georgia to authorize the use of eminent domain to acquire certain property located at Webb Bridge Road, Alpharetta, GA 30005 (Tax Parcel 21 -5590-1239-056-4) for right of way for proposed Webb Bridge Road Bike & Pedestrian Improvements from Big Creek Greenway to Webb Bridge Way and with authorization for the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
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ITEM DESCRIPTION:

During the March 25, 2024 City Council Meeting, Mayor and City Council adopted a resolution authorizing the use of eminent domain for this parcel for the Webb Bridge Road Improvements Project. However, the City Attorney's Office determined that there was a scrivener's error in the previously approved resolution documentation and would require a new resolution to be brought forward for consideration before moving forward and filing with the Court.

The City has determined that it is necessary to make bike and pedestrian improvements from Big Creek Greenway to Webb Bridge Way. This road project is known as the Webb Bridge Road Project (the "Project"). In order to construct the Project, it is necessary to acquire certain rights (through the use of eminent domain) to, in, over, under, through and across property within the City of Alpharetta, Georgia. Further, the use of eminent domain is not only necessary for the public interest, but also must be carried out expeditiously to ensure the timely completion of the Project.

Approval of this resolution will authorize the City Attorney's Office to acquire, through the use of Eminent Domain, the necessary property rights to, in, over, under, through and across the property located at Webb Bridge Road, Alpharetta, Georgia 30005 (Tax Parcel No.: 21 -5590-1239-056-4) in order to ensure the timely completion of the Project Webb Bridge Road from Big Creek Greenway to Webb Bridge Way. Further, this resolution authorizes the Mayor and the City Administrator to execute, on behalf of and as if signed by every member of the governing

authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

ALTERNATIVES:

Do not approve this resolution and do not acquire the right of way necessary for the Webb Bridge Road Improvements Project.

ATTACHMENTS:

1. Resolution Package - Webb Bridge Road - Parcel 18

CITY OF ALPHARETTA

Webb Bridge Road Corridor
Parcel 18

Tax Parcel I.D.: 21 -5590-1239-056-4

Condemnees: Westerra Windward, LLC;
Windward Community Services
Association, Inc.

FOR CITY COUNCIL REVIEW,
CONSIDERATION, AND EXECUTION:

- (1) Resolution
- (2) Declaration of Taking
- (3) Order to Condemn

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA GEORGIA TO AUTHORIZE THE USE OF EMINENT DOMAIN
TO ACQUIRE CERTAIN PROPERTY LOCATED AT WEBB BRIDGE ROAD,
ALPHARETTA, GA. 30005 (TAX PARCEL 21 -5590-1239-056-4) FOR RIGHT OF
WAY FOR PROPOSED WEBB BRIDGE ROAD BIKE & PEDESTRIAN
IMPROVEMENTS FROM BIG CREEK GREENWAY TO WEBB BRIDGE WAY**

WHEREAS, the City of Alpharetta (the "City") has determined that it is necessary to make bike and pedestrian improvements from Big Creek Greenway to Webb Bridge Way, such road project being known as the Webb Bridge Road Project (the "Project"); and

WHEREAS, in order to construct the Project, it is necessary to acquire certain rights to, in, over, under, through and across the property now or formerly owned by Westerra Windward, LLC, located at Webb Bridge Road, Alpharetta, GA. 30005 (Tax Parcel No.: 21-5590-1239-056-4) within the City of Alpharetta, Georgia (reference: **Project Parcel 18**), as further described and shown in Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, the Mayor and Council have considered the Project and determined that the Project and the use of eminent domain to acquire those certain rights to, in, over, under, through and across the foregoing property are necessary in the public interest and must be carried out expeditiously to ensure the timely completion of the Project.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR AND
COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA, AS FOLLOWS:**

For public road purposes and to meet the public necessity for immediately acquiring the subject property rights, which are hereby declared, the Mayor and Council authorize the City Attorney's Office to acquire through the use of Eminent Domain, pursuant to Title 32 of the Official Code of Georgia Annotated, the necessary property rights to, in, over, under, through and across the property located at Webb Bridge Road, Alpharetta, GA. 30005 (Tax Parcel No.: 21-5590-1239-056-4) in order to ensure the timely completion of the Project Webb Bridge Road from Big Creek Greenway to Webb Bridge Way. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

[SIGNATURES ON FOLLOWING PAGE]

[CONTINUED FROM THE PREVIOUS PAGE]

SO RESOLVED, this _____ day of _____, 2024.

CITY OF ALPHARETTA, GEORGIA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Donald Mitchell

Brian Will

Douglas DeRito

John Hipes

Fergal M. Brady

Dan Merkel

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

City Attorney

***** PARCEL 14 LINDA L & ANDREW JACK DOSSETT REQ'D TEMP. EASW'T. DE1401 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE11009	39.50 R	132+19.27	WEBB BRIDGE ROAD
ARC LENGTH = 207.99			
CHORD BEAR = S 70°54'40.9" E			
LNTH CHORD = 207.56			
RADIUS = 930.30			
DEGREE = 6°09'31.9"			
DE11022	39.50 R	134+36.09	WEBB BRIDGE ROAD
DE20025	60.00 R	134+36.17	WEBB BRIDGE ROAD
DE30011	60.00 R	134+00.00	WEBB BRIDGE ROAD
DE20024	50.00 R	133+10.00	WEBB BRIDGE ROAD
DE20023	50.00 R	132+21.22	WEBB BRIDGE ROAD
DE11009	39.50 R	132+19.27	WEBB BRIDGE ROAD
REQD EASMT AREA = 3043.23 SF			

PARCEL 14 LINDA L & ANDREW JACK DOSSETT REQ'D DRWY. EASW'T. DE1402 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE30011	60.00 R	134+00.00	WEBB BRIDGE ROAD
DE20025	60.00 R	134+36.17	WEBB BRIDGE ROAD
DE30012	75.00 R	134+36.24	WEBB BRIDGE ROAD
DE30013	75.00 R	134+00.00	WEBB BRIDGE ROAD
DE30011	60.00 R	134+00.00	WEBB BRIDGE ROAD

PARCEL 15 TIMA A SMITH REQ'D R/W DE1500 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE11076	39.50 L	133+68.01	WEBB BRIDGE ROAD
ARC LENGTH = 223.59			
CHORD BEAR = S 62°10'56.6" E			
LNTH CHORD = 223.13			
RADIUS = 1009.30			
DEGREE = 5°40'36.5"			
DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
S 11°34'09.8" E			
2494	29.22 L	135+93.14	WEBB BRIDGE ROAD
N 56°05'27.8" W			
2493	29.32 L	135+86.33	WEBB BRIDGE ROAD
ARC LENGTH = 197.32			
CHORD BEAR = N 59°57'37.0" W			
LNTH CHORD = 197.01			
RADIUS = 1025.46			
DEGREE = 5°35'14.4"			
DE11076	39.50 L	133+68.01	WEBB BRIDGE ROAD
SF			
REQD R/W = 1335.88 ACRES			
REMAINDER = +/- 0.83 ACRES			

***** PARCEL 15 TIMA A SMITH REQ'D TEMP. EASW'T. DE1501 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE20114	46.00 L	133+14.77	WEBB BRIDGE ROAD
DE20115	43.50 L	134+00.00	WEBB BRIDGE ROAD
DE20116	48.00 L	135+00.00	WEBB BRIDGE ROAD
ARC LENGTH = 78.27			
CHORD BEAR = S 58°31'40.3" E			
LNTH CHORD = 78.25			
RADIUS = 1017.80			
DEGREE = 5°37'45.8"			
DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
ARC LENGTH = 223.59			
CHORD BEAR = N 62°10'56.6" W			
LNTH CHORD = 223.13			
RADIUS = 1009.30			
DEGREE = 5°40'36.5"			
DE11076	39.50 L	133+68.01	WEBB BRIDGE ROAD
ARC LENGTH = 53.15			
CHORD BEAR = N 66°58'27.2" W			
LNTH CHORD = 53.74			
RADIUS = 1025.46			
DEGREE = 5°35'14.4"			
2491	42.38 L	133+16.51	WEBB BRIDGE ROAD
DE20114	46.00 L	133+14.77	WEBB BRIDGE ROAD
REQD EASMT AREA = 1519.98 SF			

PARCEL 16 MICHAEL J MCFARLIN REQ'D R/W DE1600 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
2128	36.88 R	134+36.08	WEBB BRIDGE ROAD
S 62°04'10.9" E			
2131	36.59 R	135+25.19	WEBB BRIDGE ROAD
S 55°57'10.9" E			
2137	37.62 R	136+12.87	WEBB BRIDGE ROAD
S 34°00'49.1" W			
DE11023	39.50 R	136+12.93	WEBB BRIDGE ROAD
ARC LENGTH = 169.64			
CHORD BEAR = N 59°16'57.7" W			
LNTH CHORD = 169.40			
RADIUS = 930.30			
DEGREE = 6°09'31.9"			
DE11022	39.50 R	134+36.09	WEBB BRIDGE ROAD
2.62			
N 25°16'49.1" E			
2128	36.88 R	134+36.08	WEBB BRIDGE ROAD
SF			
REQD R/W = 328.17 ACRES			
REMAINDER = +/- 1.0 ACRES			

PARCEL 16 MICHAEL J MCFARLIN REQ'D TEMP. EASW'T. DE1601 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE11022	39.50 R	134+36.09	WEBB BRIDGE ROAD
ARC LENGTH = 169.64			
CHORD BEAR = S 59°16'57.7" E			
LNTH CHORD = 169.40			
RADIUS = 930.30			
DEGREE = 6°09'31.9"			
DE11023	39.50 R	136+12.93	WEBB BRIDGE ROAD
DE20026	60.00 R	136+13.67	WEBB BRIDGE ROAD
ARC LENGTH = 166.51			
CHORD BEAR = N 59°15'30.9" W			
LNTH CHORD = 166.28			
RADIUS = 909.80			
DEGREE = 6°17'51.5"			
DE20025	60.00 R	134+36.17	WEBB BRIDGE ROAD
DE11022	39.50 R	134+36.09	WEBB BRIDGE ROAD
REQD EASMT AREA = 3445.50 SF			

***** PARCEL 16 MICHAEL J MCFARLIN REQ'D DRWY. EASW'T. DE1602 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE30014	60.00 R	135+50.00	WEBB BRIDGE ROAD
ARC LENGTH = 27.97			
CHORD BEAR = S 36°53'45.9" E			
LNTH CHORD = 27.97			
RADIUS = 909.80			
DEGREE = 6°17'51.5"			
DE30015	60.00 R	135+79.82	WEBB BRIDGE ROAD
DE30016	75.00 R	135+80.00	WEBB BRIDGE ROAD
DE30017	75.00 R	135+50.00	WEBB BRIDGE ROAD
DE30014	60.00 R	135+50.00	WEBB BRIDGE ROAD

PARCEL 17 CAITLIN ANN GUEST REQ'D R/W DE1700 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
2174	30.88 R	136+81.42	WEBB BRIDGE ROAD
ARC LENGTH = 184.82			
CHORD BEAR = S 44°53'39.3" E			
LNTH CHORD = 184.66			
RADIUS = 1266.02			
DEGREE = 4°27'19.0"			
2192	29.49 R	138+71.55	WEBB BRIDGE ROAD
S 40°46'37.5" E			
2194	29.07 R	139+10.50	WEBB BRIDGE ROAD
S 1°20'03.8" W			
DE11026	39.50 R	139+22.29	WEBB BRIDGE ROAD
S 1°20'03.8" W			
N 40°10'00.0" W			
DE11025	39.50 R	138+48.07	WEBB BRIDGE ROAD
ARC LENGTH = 176.77			
CHORD BEAR = N 45°36'36.8" W			
LNTH CHORD = 176.51			
RADIUS = 930.30			
DEGREE = 6°09'31.9"			
DE11024	39.50 R	136+63.80	WEBB BRIDGE ROAD
ARC LENGTH = 19.85			
CHORD BEAR = S 77°27'03.2" E			
LNTH CHORD = 19.05			
RADIUS = 20.00			
DEGREE = 286°28'44.0"			
2174	30.88 R	136+81.42	WEBB BRIDGE ROAD
SF			
REQD R/W = 2152.77 ACRES			
REMAINDER = +/- 2.9 ACRES			

PARCEL 17 CAITLIN ANN GUEST REQ'D TEMP. EASW'T. DE1701 *****			
PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
DE11024	39.50 R	136+63.80	WEBB BRIDGE ROAD
ARC LENGTH = 176.77			
CHORD BEAR = S 45°36'36.8" E			
LNTH CHORD = 176.51			
RADIUS = 930.30			
DEGREE = 6°09'31.9"			
DE11025	39.50 R	138+48.07	WEBB BRIDGE ROAD
DE11026	39.50 R	139+22.29	WEBB BRIDGE ROAD
DE20030	68.00 R	139+54.50	WEBB BRIDGE ROAD
DE20029	60.00 R	139+00.00	WEBB BRIDGE ROAD
DE20028	60.00 R	138+48.07	WEBB BRIDGE ROAD
ARC LENGTH = 175.82			
CHORD BEAR = N 45°42'11.0" W			
LNTH CHORD = 175.55			
RADIUS = 909.80			
DEGREE = 6°17'51.5"			
DE20027	60.00 R	136+60.65	WEBB BRIDGE ROAD
2138	52.73 R	136+60.01	WEBB BRIDGE ROAD
ARC LENGTH = 14.00			
CHORD BEAR = N 54°03'42.8" E			
LNTH CHORD = 13.71			
RADIUS = 20.00			
DEGREE = 286°28'44.0"			
DE11024	39.50 R	136+63.80	WEBB BRIDGE ROAD
REQD EASMT AREA = 5583.22 SF			

PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
REQ'D R/W			
DE1800			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
ARC LENGTH = 252.01			
CHORD BEAR = S 48°40'58.7" E			
LNTH CHORD = 251.36			
RADIUS = 1009.30			
DEGREE = 5°40'36.5"			
DE11078	39.50 L	138+25.00	WEBB BRIDGE ROAD
N 48°28'12.6" E			
DE11079	40.00 L	138+25.00	WEBB BRIDGE ROAD
S 41°17'59.5" E			
DE11080	40.00 L	138+32.79	WEBB BRIDGE ROAD
S 1°13'08.4" W			
2500	35.02 L	138+38.08	WEBB BRIDGE ROAD
S 1°11'18.5" W			
2499	30.27 L	138+43.23	WEBB BRIDGE ROAD
ARC LENGTH = 80.18			
CHORD BEAR = N 43°54'04.3" W			
LNTH CHORD = 80.17			
RADIUS = 1350.00			
DEGREE = 4°14'38.9"			
2497	28.66 L	137+65.42	WEBB BRIDGE ROAD
S 6°08'19.0" W			
2496	29.10 L	137+30.39	WEBB BRIDGE ROAD
ARC LENGTH = 141.25			
CHORD BEAR = N 51°07'34.2" W			
LNTH CHORD = 141.25			
RADIUS = 1015.32			
DEGREE = 5°38'35.3"			
2494	29.22 L	135+93.14	WEBB BRIDGE ROAD
N 11°34'09.8" W			
DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
REQD R/W = 2693.67 SF			
REQD R/W = 0.062 ACRES			
REMAINDER = +/- 2.0 ACRES			

PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
REQ'D TEMP.			
EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
ARC LENGTH = 136.88			
CHORD BEAR = S 52°28'19.8" E			
LNTH CHORD = 136.78			
RADIUS = 1017.80			
DEGREE = 5°37'45.8"			
DE20118	48.00 L	137+05.00	WEBB BRIDGE ROAD
N 45°22'27.7" W			
ARC LENGTH = 127.13			
CHORD BEAR = N 52°13'40.0" W			
LNTH CHORD = 127.04			
RADIUS = 1009.30			
DEGREE = 5°40'36.5"			
DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
REQD R/W = 2693.67 SF			
REQD R/W = 0.062 ACRES			
REMAINDER = +/- 2.0 ACRES			

PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
REQ'D TEMP.			
EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
ARC LENGTH = 136.88			
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DEGREE = 5°37'45.8"			
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N 45°22'27.7" W			
ARC LENGTH = 127.13			
CHORD BEAR = N 52°13'40.0" W			
LNTH CHORD = 127.04			
RADIUS = 1009.30			
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DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
REQD R/W = 2693.67 SF			
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REQ'D TEMP.			
EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
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REQD R/W = 2693.67 SF			
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PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
REQ'D TEMP.			
EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
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N 45°22'27.7" W			
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PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

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N 45°22'27.7" W			
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PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
REQ'D TEMP.			
EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
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DE20118	48.00 L	137+05.00	WEBB BRIDGE ROAD
N 45°22'27.7" W			
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DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
REQD R/W = 2693.67 SF			
REQD R/W = 0.062 ACRES			
REMAINDER = +/- 2.0 ACRES			

PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
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PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
ARC LENGTH = 136.88			
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DEGREE = 5°37'45.8"			
DE20118	48.00 L	137+05.00	WEBB BRIDGE ROAD
N 45°22'27.7" W			
ARC LENGTH = 127.13			
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RADIUS = 1009.30			
DEGREE = 5°40'36.5"			
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REQD R/W = 2693.67 SF			
REQD R/W = 0.062 ACRES			
REMAINDER = +/- 2.0 ACRES			

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N 45°22'27.7" W			
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N 45°22'27.7" W			
ARC LENGTH = 127.13			
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DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
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PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
ARC LENGTH = 136.88			
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EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD
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DE11077	39.50 L	135+82.85	WEBB BRIDGE ROAD
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PARCEL 18 WINDWARD COMMUNITY SERVICES ASSOC INC			
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EASW'T. TRACT 1 DE1801			

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT

DE20117	48.00 L	135+74.58	WEBB BRIDGE ROAD

[illegible]

LEGAL DESCRIPTION

PROJECT NO.:	Webb Bridge Road Bike & Pedestrian Improvements Project C1933
P.I. NO.:	N/A
PARCEL NO.:	18
DATE OF R/W PLANS:	October 14, 2021
REVISION DATE:	August 23, 2022

Required Right of Way

Being a strip or parcel of land running in, through, over and across the property now or formerly owned by Westerra Windward, L.L.C., as described in a deed recorded among the Land Records of Fulton County, Georgia in Deed Book 21911, Page 220, said strip or parcel being shown on a Right of Way sketch prepared by POND, and attached hereto, and said strip or parcel lying and being in Land Lots 1238, 1239, and 1248 of the 2nd District, 1st Section, Fulton County, Georgia, and being more particularly described as follows:

Beginning at a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+82.85 thence along an arc 252.013 feet to the right, having a radius of 1009.298 feet, the chord of which is S 48°40'58.7" E for a distance of 251.359 feet, to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+25.00 thence N 48°28'12.6" E a distance of 0.500 feet to a point 40.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+25.00 thence S 41°17'59.5" E a distance of 8.106 feet to a point 40.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+32.79 thence S 1°13'08.4" W a distance of 7.419 feet to a point 35.023 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+38.08 thence S 1°11'18.5" W a distance of 7.138 feet to a point 30.266 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+43.23 thence along an arc 80.180 feet to the left, having a radius of 1350.000 feet, the chord of which is N 43°54'04.3" W for a distance of 80.168 feet, to a point 28.656 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+65.42 thence N 45°22'27.7" W a distance of 36.077 feet to a point 29.103 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+30.39 thence along an arc 141.368 feet to the left, having a radius of 1015.317 feet, the chord of which is N 51°07'34.2" W for a distance of 141.253 feet, to a point 29.220 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+93.14 thence N 11°34'09.8" W a distance of 14.808 feet to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+82.85 and the POINT OF BEGINNING.

The above described parcel contains ± 0.06 acres (2693.674 sq. ft.)

Required Temporary Construction Easement

This temporary easement grants the right to execute certain construction over and upon the property described below abutting on and adjacent to the right of way in such manner as City of Alpharetta may deem proper to support or accommodate the improvement of said right of way, including the right to slope the adjacent ground to tie in with the roadway or sidewalk elevations and to construct any required slopes within the easement area shown on the attached plats. Said easement shall expire 24 months after recording of this instrument or upon completion and final acceptance of the Project above by City of Alpharetta, whichever occurs first.

Tract 1:

Beginning at a point 48.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+74.58 thence along an arc 136.878 feet to the right, having a radius of 1017.798 feet, the chord of which is S 52°28'19.8" E for a distance of 136.775 feet, to a point 48.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+05.00 thence S 41°22'50.0" W a distance of 8.500 feet to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+05.00 thence along an arc 127.125 feet to the left, having a radius of 1009.298 feet, the chord of which is N 52°13'40.0" W for a distance of 127.041 feet, to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+82.85 thence N 11°34'09.8" W a distance of 12.125 feet to a point 48.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 135+74.58 and the POINT OF BEGINNING.

The above described parcel contains $\pm$ 0.03 acres (1122.070 sq. ft.)

Tract 2:

Beginning at a point 47.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+45.00 thence along an arc 84.372 feet to the right, having a radius of 1016.798 feet, the chord of which is S 43°52'44.8" E for a distance of 84.347 feet, to a point 47.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+25.47 thence S 1°12'14.5" W a distance of 10.363 feet to a point 40.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+32.79 thence N 41°17'59.5" W a distance of 8.106 feet to a point 40.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+25.00 thence S 48°28'12.6" W a distance of 0.500 feet to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 138+25.00 thence along an arc 83.258 feet to the left, having a radius of 1009.298 feet, the chord of which is N 43°53'34.9" W for a distance of 83.235 feet, to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+45.00 thence N 43°44'37.5" E a distance of 7.500 feet to a point 47.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+45.00 and the POINT OF BEGINNING.

The above described parcel contains $\pm$ 0.02 acres (656.869 sq. ft.)

Driveway Easement:

Beginning at a point 60.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+05.00 thence S 47°26'16.2" E a distance of 42.472 feet to a point 60.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+45.00 thence S 43°44'37.5" W a distance of 20.500 feet to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+45.00 thence along an arc 41.629 feet to the left, having a radius of 1009.298 feet, the chord of which is N 47°26'16.2" W for a distance of 41.626 feet, to a point 39.500 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+05.00 thence N 41°22'50.0" E a distance of 20.500 feet to a point 60.000 feet left of DE1 - WEBB BRIDGE ROAD at Station 137+05.00 and the POINT OF BEGINNING.

The above described parcel contains $\pm$ 0.02 acres (855.865 sq. ft.)

EXHIBIT “A”

DECLARATION OF TAKING

WHEREAS, the City of Alpharetta, Georgia, has made and passed a Resolution finding that the circumstances in connection with acquiring certain interests in property for public road or other transportation purposes are such that it is necessary to acquire title, estate, or interest in the lands fully described in said order to condemn contained in the Resolution, a certified copy/duplicate original of which is attached to this Declaration as Appendix A to Exhibit “A,” and made a part hereof, under O.C.G.A. §§ 32-3-1 *et seq.*, and

WHEREAS, said interests in property are for public purposes upon, across, and over the tract of land in said county, as fully described in the attachment hereto identified as Appendix B to Exhibit “A,” and made a part hereof; and

WHEREAS, the City of Alpharetta, Georgia, has caused an investigation and report to be made by a competent land appraiser upon which to estimate the sum of money to be deposited in the Court as just and adequate compensation for the interests in property, above referred to, a copy of the appraiser’s sworn statement being attached hereto identified as Appendix C to Exhibit “A,” and made a part hereof; and

WHEREAS, in consequence of the sworn statement, Appendix C to Exhibit “A,” City of Alpharetta, Georgia estimates \$8,700.00 as just and adequate compensation to be paid for said interests in property, as fully described in Appendix B to Exhibit “A” which is attached hereto and made a part hereof and now deposits said sum in the Court to the use of the persons entitled thereto.

NOW, THEREFORE, the premises considered, the City of Alpharetta, Georgia, under authority of the Official Code of Georgia Annotated §§ 32-3-1 *et seq.* and O.C.G.A. § 22-3-140 hereby declares that the property and interests as described in Appendix B to Exhibit “A,” which is attached hereto and made a part hereof of this Declaration, is taken for purposes of locating,

constructing, maintaining, repairing, replacing, extending, expanding, and/or installing infrastructure for a public road or other transportation purposes.

This ____ day of _____, 2024.

JIM GILVIN, MAYOR
City of Alpharetta, Georgia

ATTEST:

CHRIS LAGERBLOOM, City Administrator

APPROVED AS TO FORM:

Priya M. Patel, City Attorney

**ORDER OF THE CITY OF ALPHARETTA, CITY COUNCIL TO CONDEMN
PROPERTY FOR PURPOSES OF BIKE & PEDESTRIAN IMPROVEMENTS FROM
BIG CREEK GREENWAY TO WEBB BRIDGE WAY PROJECT**

WHEREAS, the City Council for the City of Alpharetta has determined that it is necessary to make bike and pedestrian improvements for the City of Alpharetta at parcel identification number 21-5590-1239-056-4, being more fully described and shown in the description and drawing attached as Appendix B to the Declaration of Taking.

WHEREAS, the tract of property and other rights as herein described and as listed below shown of record as owned by the persons named herein, all as described and shown in Appendix B to the Declaration of Taking incorporated herein by reference and made a part of this Order are essential for the construction of said project:

Property/Rights: ± 0.06 acres (2,693.674 square feet) of fee simple right of way; ± 0.04 (1,778.94 square feet) of temporary construction easement; (1) driveway easement.

Owner(s): Westerra Windward, L.L.C.

Potentially Interested

Party(s): Windward Community Services Association, Inc.; Georgia Power Company; Tax Commissioner of Fulton County, Georgia; Probate Court Judge of Fulton County, Georgia.

NOW THEREFORE, in accordance with O.C.G.A. § 32-3-6(b)(6) and (c), it is hereby found by the City Council for the City of Alpharetta that the circumstances are such that it is necessary that the property as described in Appendix B to Exhibit “A” of the Declaration of Taking be acquired by condemnation under the provisions of O.C.G.A. § 32-3-1 *et seq.* for road, bike and pedestrian improvements.

IT IS ORDERED that the City of Alpharetta proceed to acquire the title, estate or interest in the lands hereinafter described in Appendix B of the Declaration of Taking by condemnation

under the provisions of said Code, and that the City Attorney or its designees are authorized and directed to file condemnation proceedings, including a Declaration of Taking, to acquire said title, estate, or interest in said lands and to deposit in the Court the sum estimated as just compensation all in accordance with the provisions of said law.

SO ORDERED by the City of Alpharetta City Council, this _____ day of _____ 2024.

JIM GILVIN, MAYOR
City of Alpharetta, Georgia

ATTEST:

CHRIS LAGERBLOOM, City Administrator

APPROVED AS TO FORM:

Priya Patel, City Attorney



STAFF REPORT

Department: Public Works
Submitted By: Peter Sewczwicz
Meeting Date: April 29, 2024

AGENDA ITEM:

Resolution: Atlanta Regional Commission Transportation Improvement Program Grant

Consideration of adoption of a resolution by the Mayor and Council of the City of Alpharetta, Georgia supporting an application and funding match for the Atlanta Regional Commission Transportation Improvement Program Grant.

STAFF RECOMMENDATION:

Adopt a resolution by the Mayor and Council of the City of Alpharetta, Georgia supporting an application and funding match for the Atlanta Regional Commission Transportation Improvement Program Grant.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

In 2008, City Council adopted the North Point Activity Center Livable Centers Initiative, which has been updated and recommended pedestrian safety and streetscape improvements.

This resolution, if adopted, will be incorporated into the application package for the Atlanta Regional Commission Transportation Improvement Program (TIP) Grant, which is due on May 6, 2024. Further, this resolution details that the City Council supports this grant application and will provide appropriate match funds, if awarded.

ALTERNATIVES:

Do not approve this resolution and forego the opportunity to apply for the ARC's TIP Grant.

ATTACHMENTS:

1. Resolution for North Point Parkway Grant
2. North Point LCI Update 2018



**A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF
ALPHARETTA, GEORGIA SUPPORTING AN APPLICATION AND
FUNDING MATCH FOR THE ATLANTA REGIONAL COMMISSION
TRANSPORTATION IMPROVEMENT PROGRAM GRANT**

WHEREAS, the City of Alpharetta adopted the North Point Activity Center Livable Centers Initiative in 2008 and has since updated and recommended pedestrian safety and streetscape improvements along North Point Parkway between Mansell Road and Haynes Bridge Road;

WHEREAS, the City of Alpharetta has commenced the design of the North Point Parkway Pedestrian and Streetscape Improvements project; and

WHEREAS, the construction of the North Point Parkway Streetscape project is an integral part of implementing the Livable Centers Initiative by developing a multiuse trail and implementing a lane diet, which encourages both healthier and safer transportation options for residents and visitors of the City of Alpharetta; and

WHEREAS, the Mayor and City Council supports the City of Alpharetta's application to the Atlanta Regional Commission for a grant to implement the North Point Parkway Pedestrian and Streetscape Improvements.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alpharetta as follows:

- The City of Alpharetta will provide the appropriate match funds for this project should Atlanta Regional Commission grant funds be awarded.

SO RESOLVED this 29th day of April 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[SIGNATURES CONTINUED FROM PRECEDING PAGE]

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal M. Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein City Attorney

NORTHPOINT

— LIVABLE CENTERS INITIATIVE PLAN —



THE CITY OF
ALPHARETTA

February 21, 2018

Kimley»Horn

ACKNOWLEDGMENTS

CITY COUNCIL

David Belle Isle, Mayor
Donald Mitchell, Post 1, Mayor pro tem
Ben Burnett, Post 2
Chris Owens, Post 3
Jim Gilvin, Post 4
Jason Binder, Post 5
Dan Merkel, Post 6
Mike Kennedy, Post 2*

*Term ended January 2018

CITY OF ALPHARETTA STAFF

Kathi Cook, Community Development
Director
Michael Woodman, AICP, Senior Planner
Eric Graves, Senior Traffic Engineer
Elicia Taylor, Planning and Zoning
Coordinator
Ben Kern, GIS Specialist/Planner

CORE TEAM

Annalee Edwards | Westside Commons
Homeowners Association (HOA)
Adam Schwegman, Steven Silverstein,
Nick Nicolosi | General Growth Properties
Sheila Wilson | Macy's North Point Mall
Dan Merkel | City Council, Post 6
Mike Kennedy | City Council, Post 2
Ryan Sager | MARTA
Fred Kay | Area resident
Kim Matherly | Design Review Board
Kile Lewis | Board of Zoning Appeals
Gorden Hagler | Academy Park HOA
Steve Usry | Planning Commission
Morgan Rodgers | City of Alpharetta,
Director of Recreation and Parks

PLANNING AND DESIGN TEAM

KIMLEY-HORN AND ASSOCIATES

Eric Bosman, AICP
William Zeh Herbig, AICP
Beth Tucker
Allison Galloway

BLEAKLY ADVISORY GROUP

Ken Bleakly
Geoff Koski

SPECK AND ASSOCIATES

Jeff Speck

REVEL

George Banks
Kristi Rooks

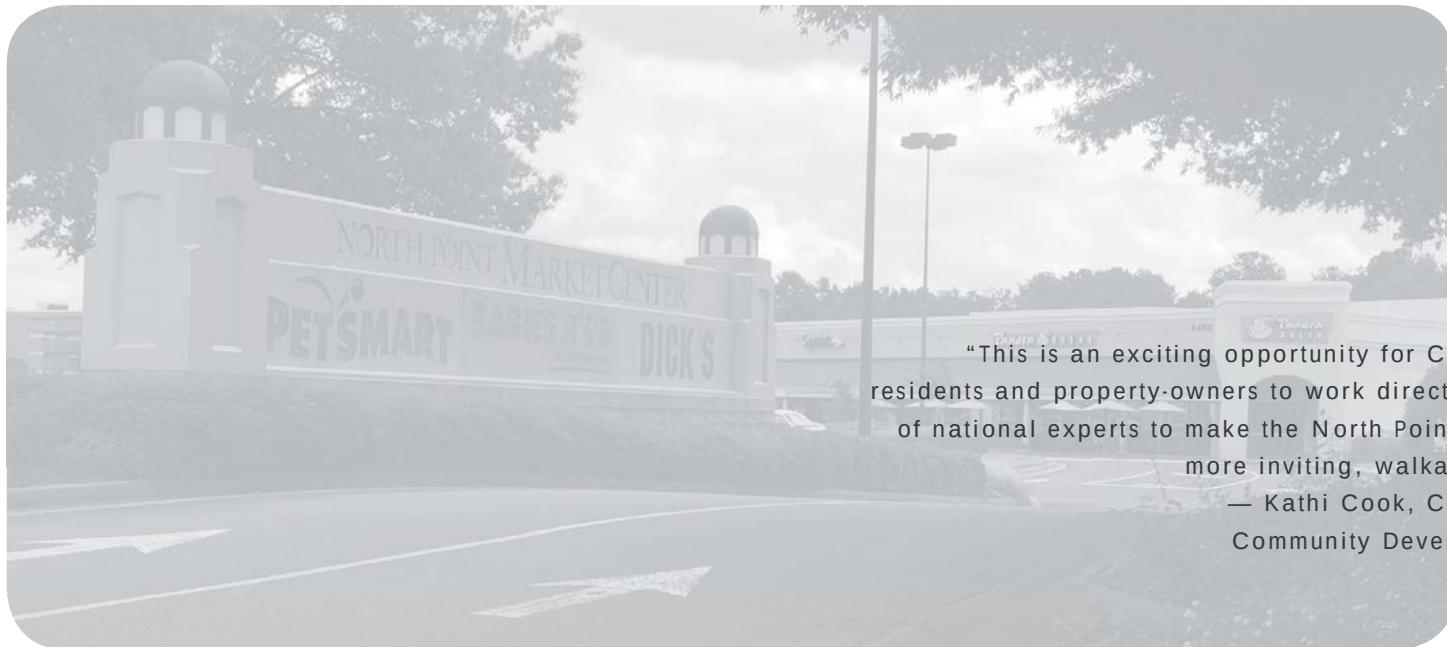
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INTRODUCTION

With the opening of the North Point Mall in 1993, the surrounding area, also known as North Point, became a regional destination. Over the last decade, North Point has served as the center for retail and dining in North Fulton County, attracting thousands of visitors every week. Recently, new competitors have emerged and begun to capture the attention of consumers by creating a shopping experience less characterized by the automobile and sprawling parking and more by experience, walkability, compactness, and pedestrian-friendliness.

Through an 8-month planning process, this Livable Centers Initiative (LCI) Plan serves as a 10-Year update to the original 2008 LCI study and seeks to take an evaluative look at some of the challenges facing the North Point area. This report documents the community's exploration of the North Point area to chart its future through a participative planning process focused on walkability and quality development.



"This is an exciting opportunity for City of Alpharetta residents and property-owners to work directly with our team of national experts to make the North Point Activity Center more inviting, walkable, and lively."

— Kathi Cook, City of Alpharetta
Community Development Director

North Point Market Retail Center Development

HOW TO USE THIS DOCUMENT

This report is organized to respond to the project goals and outcomes that were identified at the study's onset. Chapter 1 details the assessment and status of previous planning efforts. Chapter 2 analyzes existing conditions within the study area. Chapter 3 describes the public engagement and planning process. Chapter 4 explores relevant case studies that formulated the strategy for the future of the North Point Activity Center and includes several design concepts for the North Point area. Finally, Chapter 5 outlines the implementation and action plan to realize the community's vision for the future.

CHAPTER OBJECTIVES

- | | |
|---|--|
| <p>1 ASSESS PREVIOUS PLAN SUCCESSES AND OBSTACLES.</p> | <p>4 ASSIST PROPERTY OWNERS IN UNDERSTANDING THE SCALE, DESIGN, AND LOCATION OF DESIRED FUTURE DEVELOPMENT.</p> |
| <p>2 UPDATE AND CLARIFY THE COMMUNITY'S VISION FOR THE DISTRICT.</p> | <p>5 DEVELOP STRATEGY AND POLICY ENHANCEMENTS TO REALIZE THE COMMUNITY'S VISION.</p> |
| <p>3 IDENTIFY AND CLARIFY PUBLIC INVESTMENTS —PARTICULARLY RELATED TO WALKABILITY, PLACEMAKING, AND GREEN SPACE.</p> | |

PROJECT SCHEDULE

The North Point LCI planning process included four phases of analysis and collaboration over an 8-month period. The first two phases included a review and assessment of the impact of previous planning efforts and an analysis of existing market conditions. This work was followed by a collaborative process that included four meetings with a Core Team of area leaders, landowners, residents, and business owners and three public meetings/workshops.

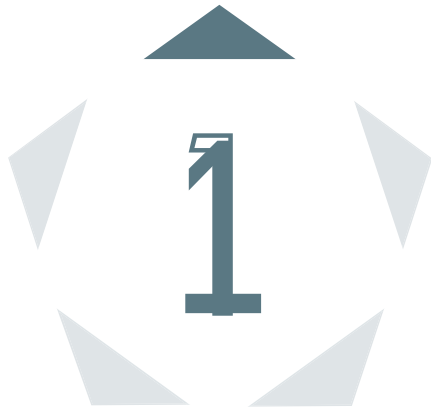




PREVIOUS PLANNING EFFORTS

NORTH POINT AREA PLANS
SUMMARY OF ACCOMPLISHMENTS

PREVIOUS PLANNING EFFORTS



ASSESS PREVIOUS PLAN SUCCESSES AND OBSTACLES.

NORTH POINT AREA PLANS

A thorough review of previously published planning efforts for the study area led to an understanding of area trends and refinement of project outcomes and goals to be achieved through this Livable Centers Initiative update.

- North Point Activity Center LCI (2008)
- Alpharetta 2030 Comprehensive Plan (2011)
- City of Alpharetta Rental Housing Study (2015; update in 2016)
- Alpharetta Comprehensive Land Use Plan Update (2016)

2008 LCI STUDY

The original North Point Livable Centers Initiative Master Plan, adopted by the City of Alpharetta in 2008, provided a framework for the district's future and resulted in [numerous district-wide improvements](#), including landscaping along GA 400 interchanges; corridor and intersection improvements along Mansell and Haynes Bridge Roads; North Point area design guidelines that improved the character and quality of new development; and the Encore Parkway Corridor project, which was completed in 2017 in partnership with the Atlanta Regional Commission (ARC), Georgia Department of Transportation (GDOT), the State Road and Tollway Authority (SRTA), and the North Fulton Community Improvement District (CID).

2008 LCI STUDY

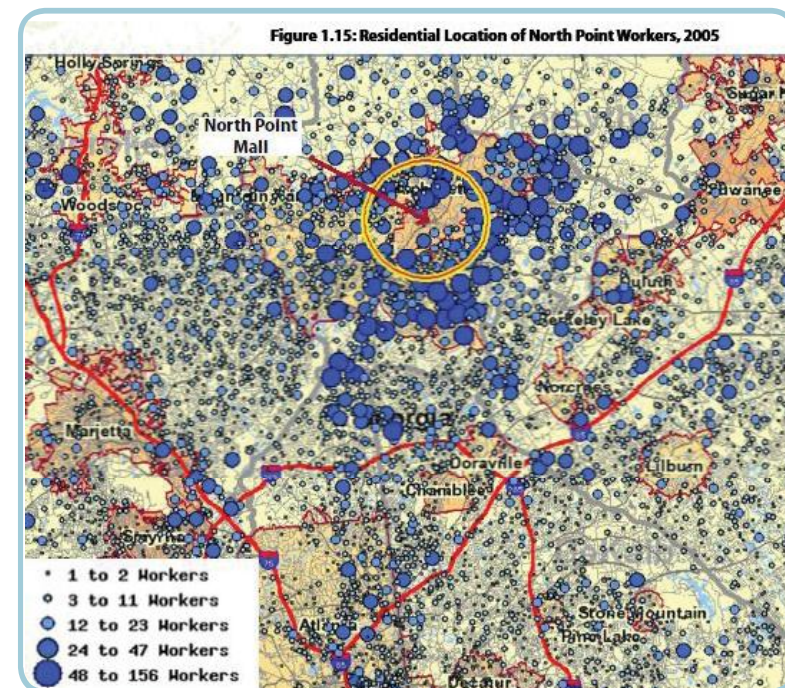
The 2008 LCI Plan also identified particular **assets** and **issues** within the North Point Activity Center to highlight areas to capitalize on existing strengths as well as potential opportunities for improvement.

ASSETS

- Proximity of GA 400
- Existing efficient road network
- Big Creek Greenway
- Quality infrastructure
- Potential of development for vacant properties (13 percent of study area)
- Quality executive housing nearby
- Good reputation
- Strip commercial outparcel redevelopment potential

ISSUES

- Lacks sense of place
- Lacks integration of retail and residential uses (poor walkability)
- At risk for future decline of retail properties
- Auto-dependent
- Does not relate well to greenway or open spaces



The lack of integration of retail and office uses with residential uses is evident in this map from 2005, showing the disparity between where North Point workers live and where they work within the North Point area.

PREVIOUS PLANNING EFFORTS

2008 LCI STUDY (CONTINUED)

CHARACTER AREAS

The Conceptual Land Use Framework Plan on the facing page was developed as a part of the 2008 LCI Study to function as a general policy guide concerning different types of desired development and character in the North Point Activity Center. Instead of relying on conventional zoning and separate uses for different areas, this plan recommended three mixed use character areas. By incorporating a character area approach rather than zoning to shape the North Point area's future land use patterns, the 2008 LCI Study aimed to encourage more walkable, integrated, high-quality development with a unique sense of place. Recommended character areas included:

- **Mixed Use Village Center:** a mid-rise, walkable, mixed use district along Encore Parkway from North Point Parkway to Westside Parkway
- **Mixed Use Commercial Centers:** two higher access, mixed use commercial centers at the interchanges of GA 400 at Mansell Road and Haynes Bridge Road
- **Transitional Areas:** two transitional areas between the core of the Activity Center and surrounding areas

CITY ACTIONS

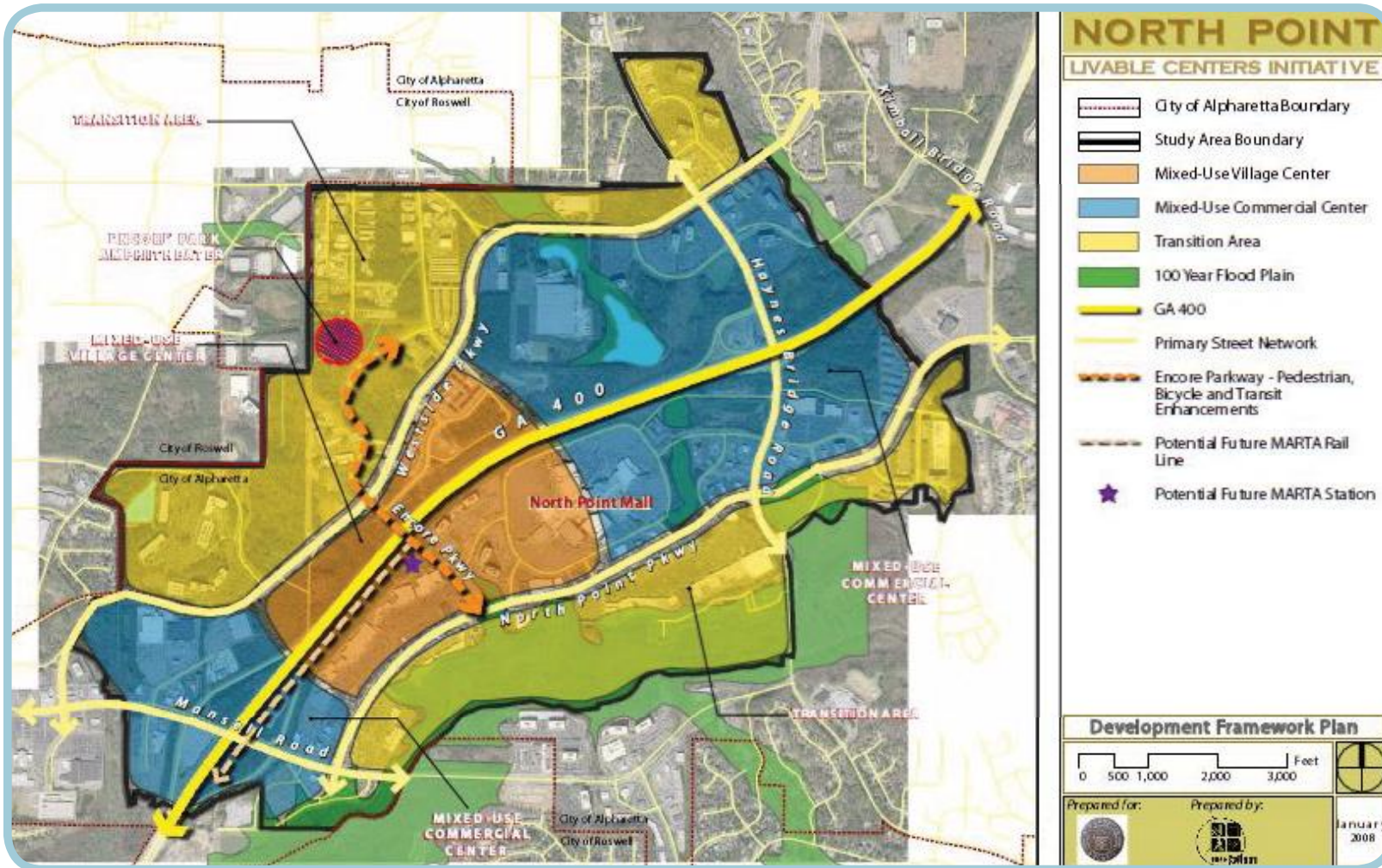
To realize the plan's aspirations, three actions to be taken by the City of Alpharetta were recommended. These act as implementation tools to foster the three character areas outlined above.

- **Update the City's Land Use Plan:** Incorporating the LCI plan and its land use and transportation concepts into the City's future land use plan and comprehensive plan
- **Alternative zoning/Incentive Zoning Classification:** Incentives for vertical mixed use and for development/redevelopment that is consistent with the desired character of each of the three character areas
- **Clarification of the multi-family housing policy:** The availability of housing in the district being a key component of achieving a mixed use environment

DEVELOPMENT RECOMMENDATIONS

The study's development recommendations were grouped into the two following categories:

- **Transportation, access, and connectivity:** Prioritize the necessary intensity of development to reduce congestion on existing roadways and reduce vehicular trips through an emphasis on walkability
- **High-quality development and creating a sense of place:** Integrated mixed use centers that afford consumers a diverse, low-maintenance lifestyle that is consistent with the plan's market research findings



Conceptual Land Use Framework Plan showing the recommended three mixed use character areas

PREVIOUS PLANNING EFFORTS

2015 CITY OF ALPHARETTA RENTAL HOUSING STUDY

PURPOSE

Conducted by Bleakly Advisory Group in 2015 (with an update in 2016), this study examined historical and projected trends in the demand for and supply of rental housing in the City of Alpharetta. From 2000 to 2013, the City's population grew from 34,854 to 59,533 residents, a 71 percent increase. With Alpharetta's population evolving and housing demand changing, the purpose of this study was to determine the appropriate mix of renter- and owner-occupied housing in the City.

EXISTING RENTAL HOUSING STOCK

Alpharetta's rental housing stock according to the 2015 study consisted of:

- Single-family detached (17 percent)
- Townhouses (7 percent)
- Smaller multifamily apartments of 2 to 9 units (19 percent)
- Apartment complexes of 10 or more units (56 percent)

Much of this housing stock was constructed from 1980 to 1999. For an apartment, this is late in its life cycle if upgrades have not been implemented to maintain its condition. The tables on the facing page go into greater detail on characteristics of Alpharetta's housing stock as of 2013.

RENTAL HOUSING POLICY

The study recommended updating the way in which the City of Alpharetta classifies rental versus owner housing, consistent with census-driven figures. This change was adopted as part of the City's 2016 Comprehensive Land Use Plan update. Since 2012, several new rental developments incorporated into mixed use developments have been approved within the City. These new developments are consistent with current housing policy, which requires new rental housing to be a part of mixed use developments.

RENTER HOUSEHOLD CHARACTERISTICS IN ALPHARETTA, 2013		
	All HHs	Rental HHs
Number of Households	21,775	7,873
Household Size		
1-person	24.7%	38.4%
2-person	27.7%	23.0%
3-person +	47.6%	38.6%
Household Type		
Family Households	71.9%	56.7%
Married Couples	60.1%	40.1%
Single Parent-Female	8.9%	13.4%
Single Parent-Male	2.9%	3.1%
Non-Family Households	28.1%	43.3%
Singles	24.7%	38.4%
2 or more Persons	3.4%	4.9%
Children Present		
With Children	45.0%	38.8%
Without Children	55.0%	61.2%
Age of Householder		
Householder 15-34	17.2%	35.2%
Householder 35-64	69.7%	53.1%
Householder 65+	13.1%	11.7%

Source: U.S. Census, 2009-2013 Community Survey

Table #1: Renter household characteristics in Alpharetta, 2013

CHARACTERISTICS OF ALPHARETTA'S HOUSING STOCK 2013		
	Owner	Renter
Occupied Units	13,902	7,873
Units in Structure	100.0%	100.0%
1 detached	88.5%	17.2%
1 attached	9.7%	7.1%
2-4 units	0.4%	4.0%
5-9 units	0.3%	15.2%
10 or more units	1.1%	56.2%
mobile	0.0%	0.3%
Age of Structure	100.0%	100.0%
2010+	0.3%	0.1%
2000-2009	18.8%	22.8%
1980-1999	73.6%	64.1%
1960-1979	6.4%	10.8%
Pre 1960	0.9%	2.2%

Source: U.S. Census, American Community Survey

Table #2: Characteristics of Alpharetta's housing stock, 2013

OWNER AND RENTER HOUSEHOLDS IN ALPHARETTA 2000-2013						
	2000		2013		Growth 2000-2013	
	N	%	N	%	N	%
Population	34,854		59,553		24,699	71%
Households	13,911	100%	21,775	100%	7,864	57%
Owner Households	8,387	60%	13,902	64%	5,515	66%
Renter Households	5,524	40%	7,873	36%	2,349	43%

Source: U.S. Census, Decennial and American Community Survey

Table #3: Growth of owner and renter households from 2000-2013

PREVIOUS PLANNING EFFORTS



Encore Parkway Bridge, completed 2017

SUMMARY OF ACCOMPLISHMENTS

Considering the assets and issues in the North Point Activity Center that were recognized in the 2008 LCI Plan, the [action and implementation plan](#) delineated specific interventions and improvements for the study area. The list below outlines the status of each active project and offers an overview of initiatives from previous efforts.

2017 STATUS OF PROJECTS IDENTIFIED BY PREVIOUS PLANS

COMPLETED

- Encore Parkway Bridge
- Add sidewalks, bicycle lanes, and streetscaping to Encore Parkway to Big Creek Greenway
- Mansell and Haynes Bridge Corridor enhancements
- Interchange landscaping
- Investigate co-op shuttle between North Point, Windward, Historic Downtown, and MARTA park-and-ride lots
- Conduct consumer research study regarding potential residential development in North Point Activity Center
- Develop alternative/incentive zoning for North Point Activity Center that accommodates redevelopment and encourages connectivity, open space, and structured parking
- Update the Comprehensive Land Use Plan to reflect rental housing study policies

NOT YET STARTED

- Create new roadway to provide a main street for development activities extending from Encore Parkway to Mansell Road and from GA 400 to North Point Parkway
- Upgrade bus stops along bus routes
- Construct bicycle and pedestrian facilities on Mansell Road from Big Creek to MARTA Park-and-Ride Lot
- Add bicycle racks at strategic locations



EXISTING CONDITIONS

COMMUNITY VISION

NORTH POINT TODAY

EXISTING CONDITIONS ANALYSIS

MARKET POTENTIAL

EXISTING CONDITIONS



UPDATE AND CLARIFY THE COMMUNITY'S VISION FOR THE DISTRICT.

COMMUNITY VISION

In 2011 the City of Alpharetta updated its [Comprehensive Land Use Plan \(CLUP\)](#), which fulfilled one of the actionable items the City was advised to pursue in the original LCI. The 2016 CLUP prescribed a planning approach based on character areas, with the Mansell Corridor and Old Milton Corridor designated for the highest density and building intensity. These areas also provide the greatest opportunities to maximize pedestrian and bicycle connectivity and public transportation access. Decisions on where to concentrate new development led to the emergence of Avalon and the increased activity in Alpharetta's downtown—both of which offer a quality retail experience in a walkable, pedestrian-friendly environment.

The plan also communicated Alpharetta's desire to become a "[signature city](#)." This vision was articulated as a balance between having a unique sense of place characterized by established single-family neighborhoods and promoting the City's position as the "Technology City of the South." As a part of this study, it will be crucial for the North Point area to form its own identity tailor-fit to its unique opportunities and challenges.



Appealing to all ages, developing key nodes, protecting the character of single-family neighborhoods, emphasizing art and culture, attracting top echelon companies, and fostering a strong sense of community with green space, multimodal connections, and safety.

2016 CLUP Community Vision

NORTH POINT TODAY

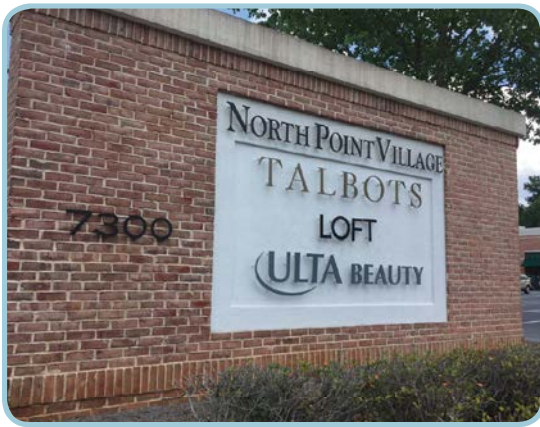
The photographs below were taken in Fall 2017 at beginning of the LCI study as a way to catalog existing conditions within the North Point area and document current land use patterns, infrastructure, community amenities, market conditions, architectural styles, and building typologies.



Big Creek Greenway access signage



Entrance to Mansell Crossing strip center



North Point Village retailers



Shaded area with fixed furniture within existing strip-style retail center



North Point monumental sign

EXISTING CONDITIONS

NORTH POINT TODAY (CONTINUED)



North Point Market Center retail development



Zagster Bike Share Station along Big Creek Greenway



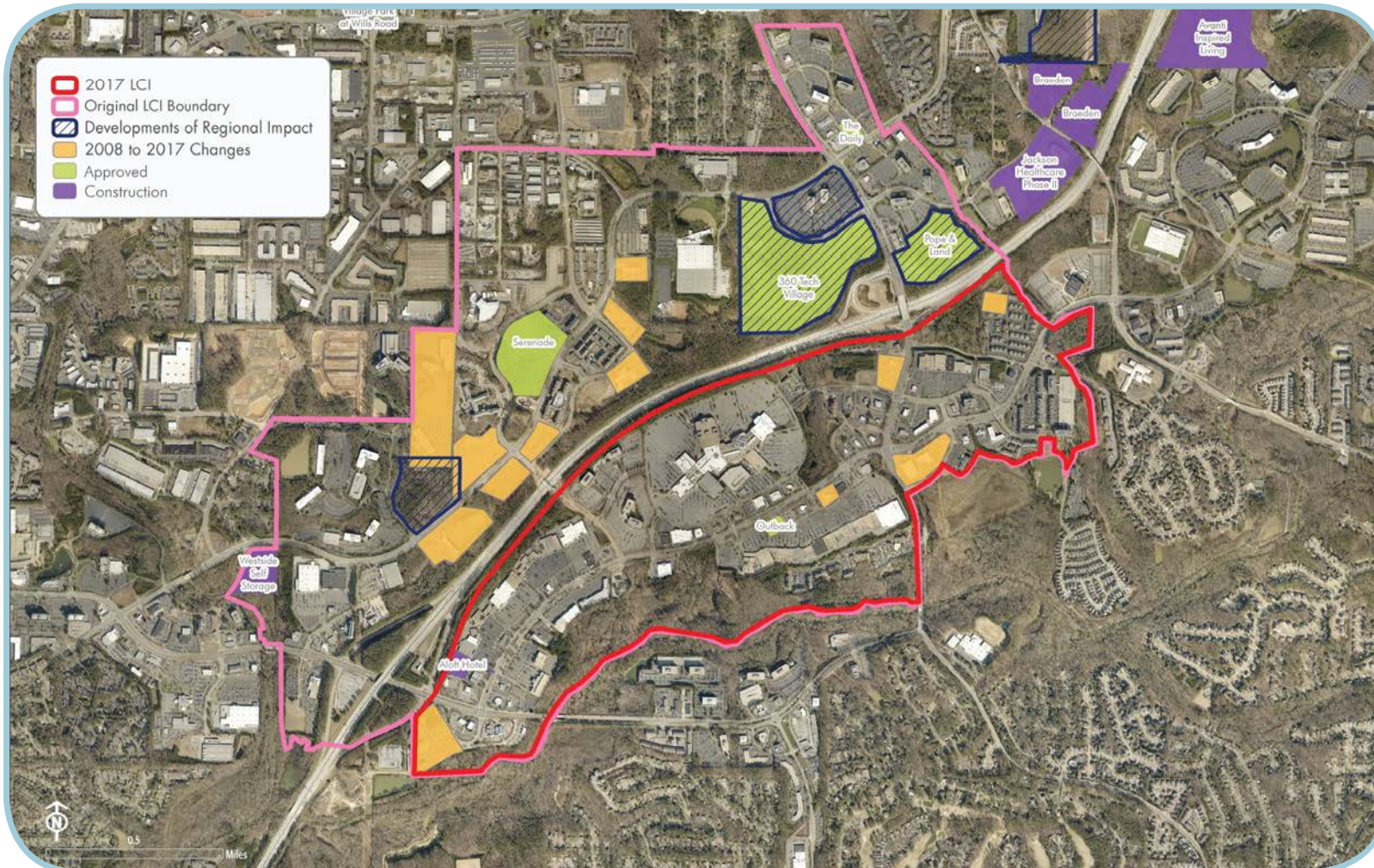
North Point Mall wayfinding signage

EXISTING CONDITIONS ANALYSIS

To better understand the existing characteristics of the North Point area, it is useful to review information spatially in the format of a series of maps. The following graphics are included in this section:

- Recent Development Activity
- Study Area
- Recent Property Ownership
- Existing Zoning
- Existing Land Use
- Future Land Use
- Environmental Features
- Surface Parking
- Tree Canopy
- Road Classification
- Transit Routes
- Trails Network

The **Development Activity** map below includes the Atlanta Regional Commission's Developments of Regional Impact (DRI) as well as projects proposed, approved, or under construction within the district since 2008. Since the last LCI Update, a vast majority of redevelopment/development has occurred northwest of GA 400. This imbalance in investment has created a renewed focus on walkability and quality retail southeast of GA 400 as a part of this LCI plan update.

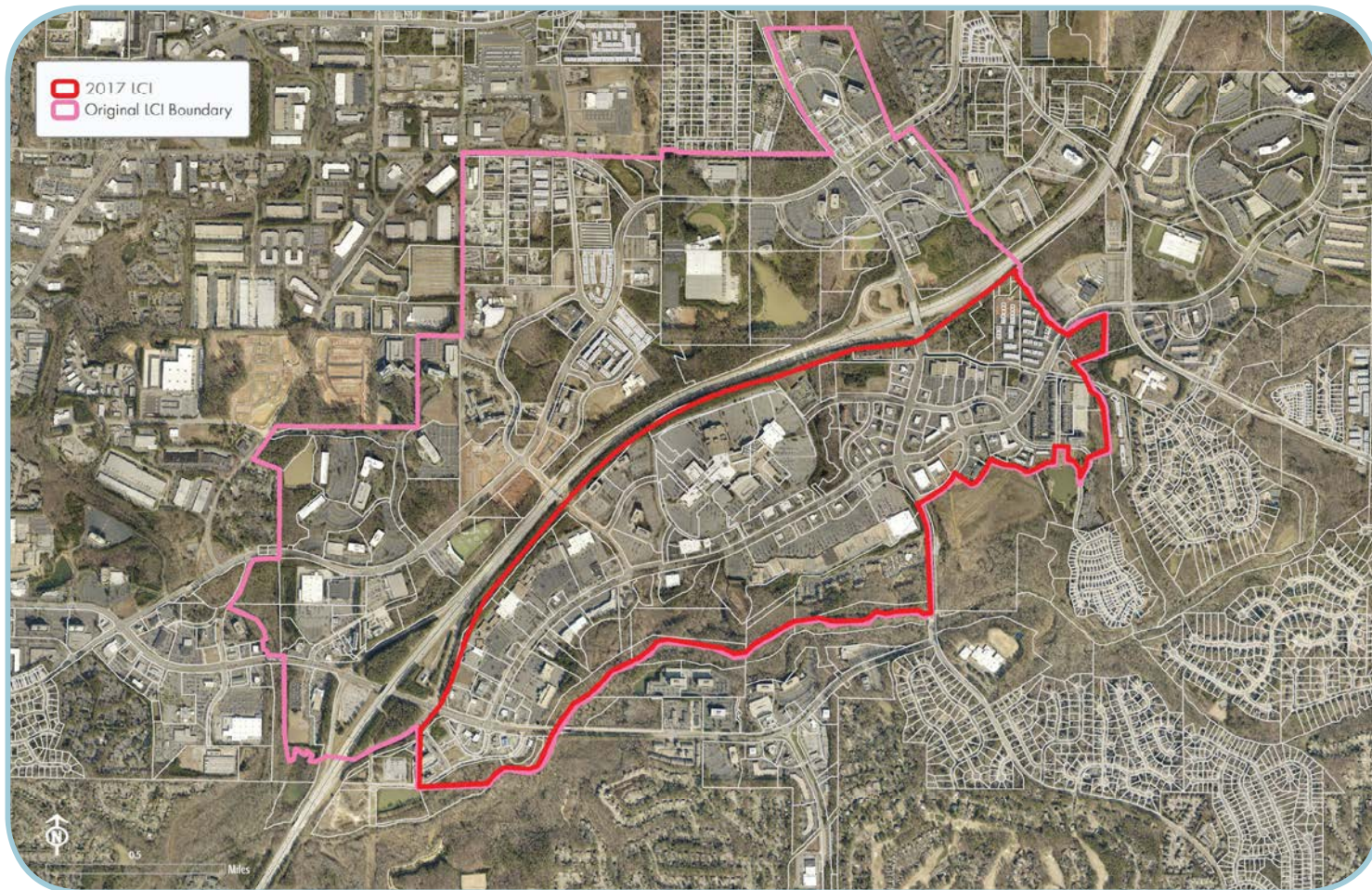


DEVELOPMENT ACTIVITY

EXISTING CONDITIONS

LCI FOCUS AREA

The original 2008 Activity Center LCI, outlined in pink in the map below, included both the area north and west of GA 400, as well as south and east of GA 400. The vast majority of development and redevelopment north and west of GA 400 has been either residential or entertainment, while development south and east of GA 400 has been characterized by retail, mall, restaurant, and hotel development. This imbalance, combined with a focus on walkability and quality retail, has generated a renewed focus for the 2017 LCI Update to the area outlined in red in the picture below.

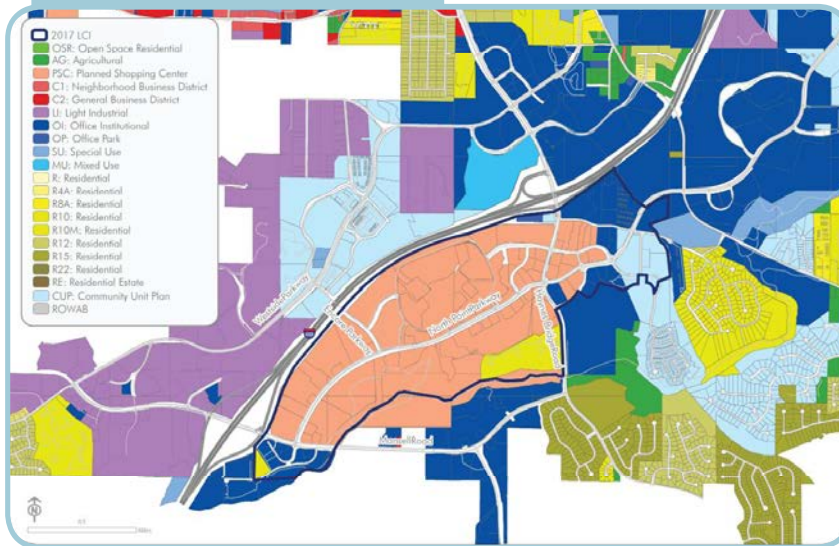


PROPERTY OWNERSHIP

A detailed map of the North Point Market Center area in Atlanta, Georgia. The map is color-coded to show different property owners and their respective parcels. Key landmarks include North Point Mall at the top, Mansell Crossing on the left, and North Point Market Center at the bottom. The map also shows the location of the City of Alpharetta and the City of Atlanta. A legend in the top left corner indicates that the blue outline represents the 2017 LCI. A scale bar at the bottom left shows a distance of 0.5 miles. The map is densely packed with numerous property owner names, including Delta Community Credit Union, Cousins Properties Inc., Sears, and many others. The map also shows the location of the North Point Mall and the North Point Market Center. The map is a detailed representation of the area, showing the layout of the streets and the locations of the various properties.

EXISTING CONDITIONS

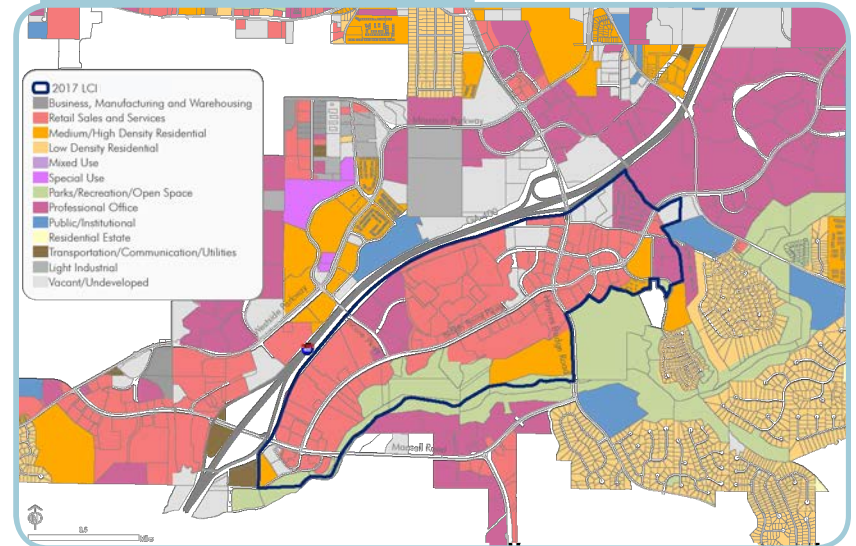
EXISTING ZONING



Existing Zoning in the North Point area is largely comprised of Planned Shopping Center (PSC), Office Institutional (OI), and Light Industrial (LI). This zoning framework somewhat underlines the lack of housing and walkability in the area, as well as the focus on the automobile for transportation. Graphically speaking, these zoning categories are concentrated in the following regions:

- **Central:** Planned Shopping Center (PSC)
- **Northeast and South:** Office Institutional (OI)
- **Northwest:** Light Industrial (LI)
- **Peripheral:** Office Park (OP), Community Unit Plan (CUP), Varying densities of limited residential

EXISTING LAND USE



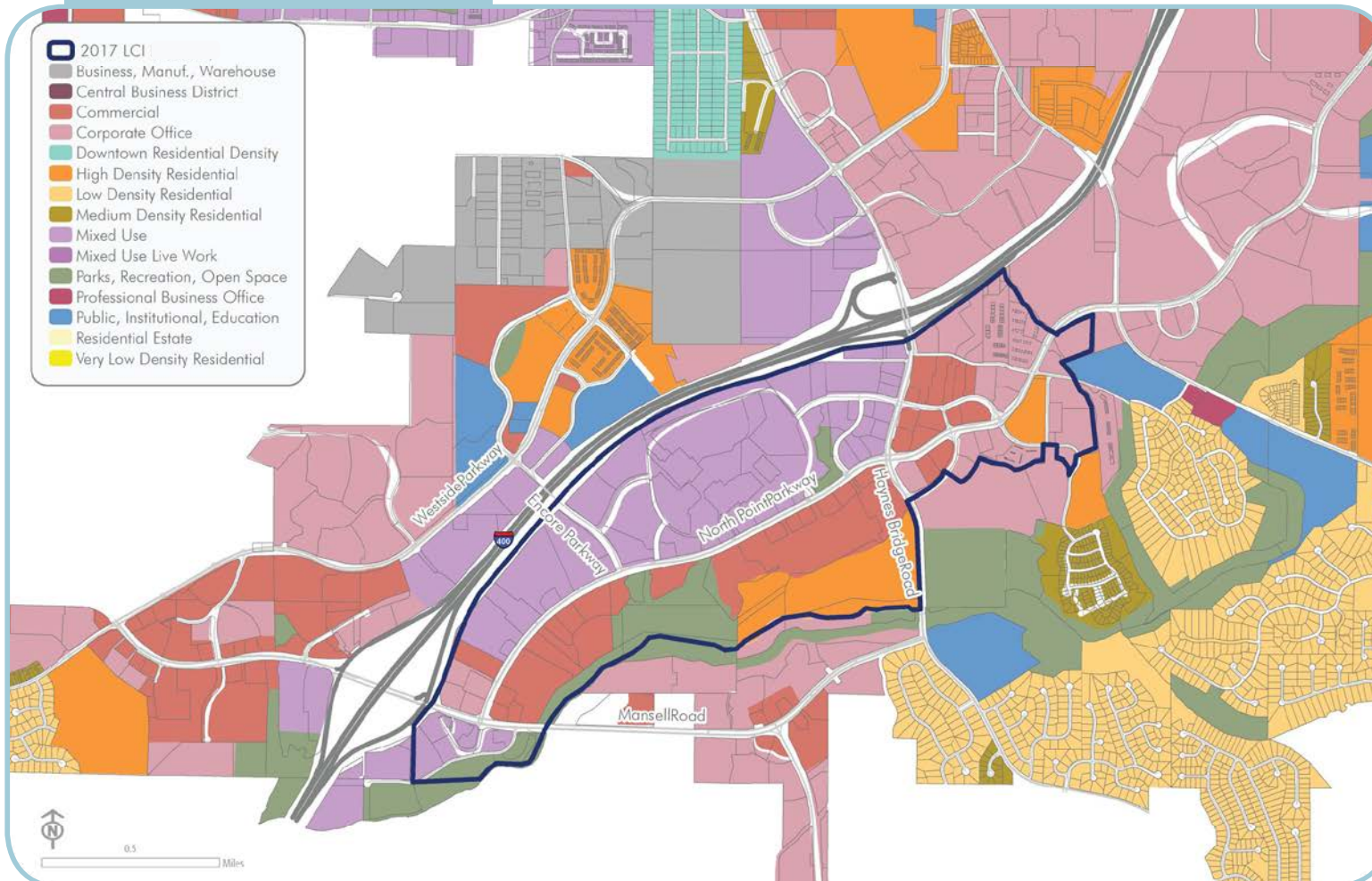
The Existing Land Use map reinforces the area's identity as a shopping destination and is dominated by the following categories:

- Retail sales and services (within the study boundary)
- Parks/Recreation/Open Space concentrated in the southern portion of the study area most of which is constituted by the Big Creek Greenway, which makes up 9 percent of the total study area

Other land uses include:

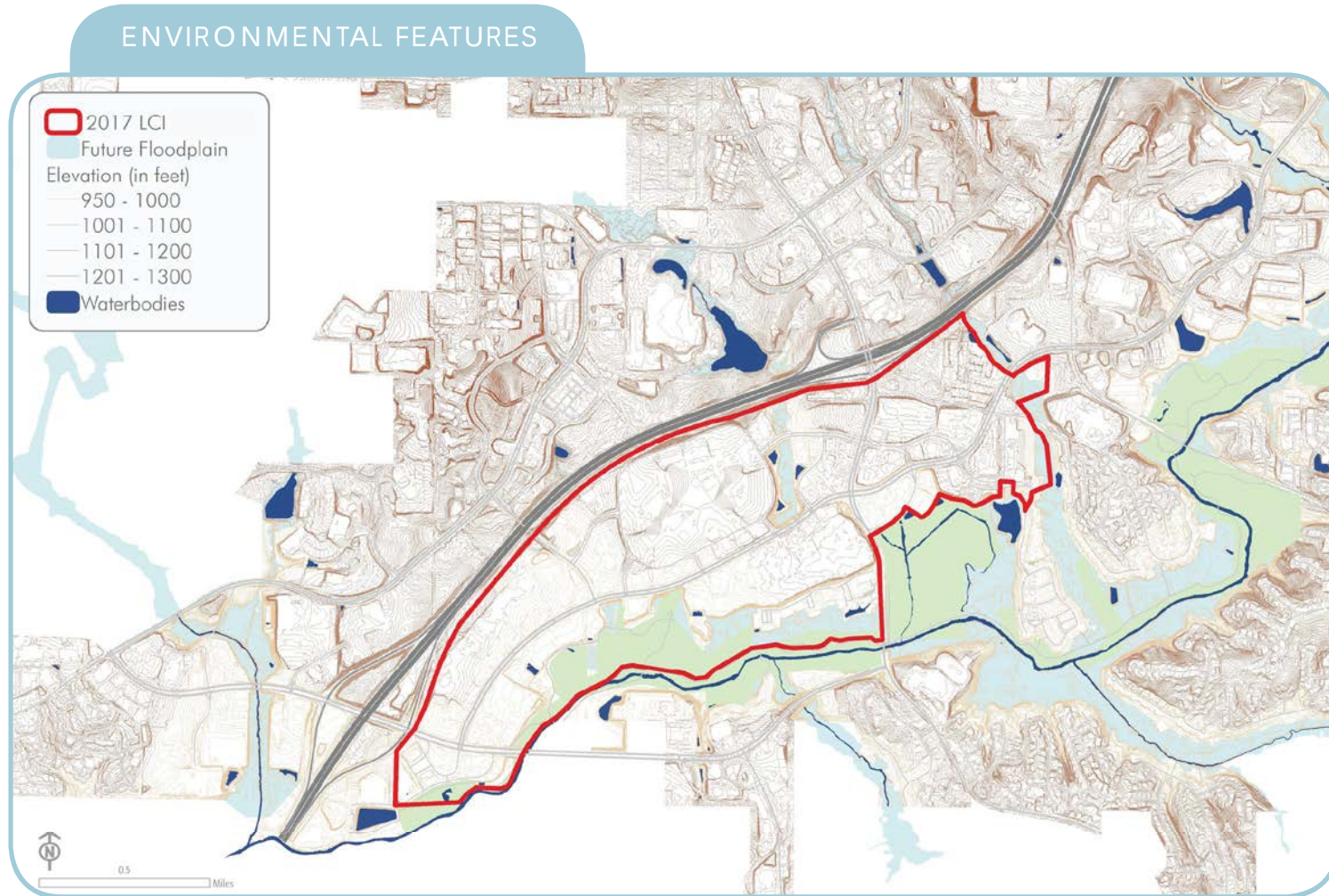
- Medium/high density residential scattered throughout
- Professional office (widespread northwest of the study boundary)
- Special use, which includes the Verizon Wireless Amphitheater, a fire station, and a cemetery

FUTURE LAND USE



Future Land Use gives priority to mixed use development on the north side of North Point Parkway while focusing commercial development on the south side. The CLUP (last updated in 2016) also identifies existing high-density residential development between commercial uses and the Big Creek Greenway to the south.

EXISTING CONDITIONS



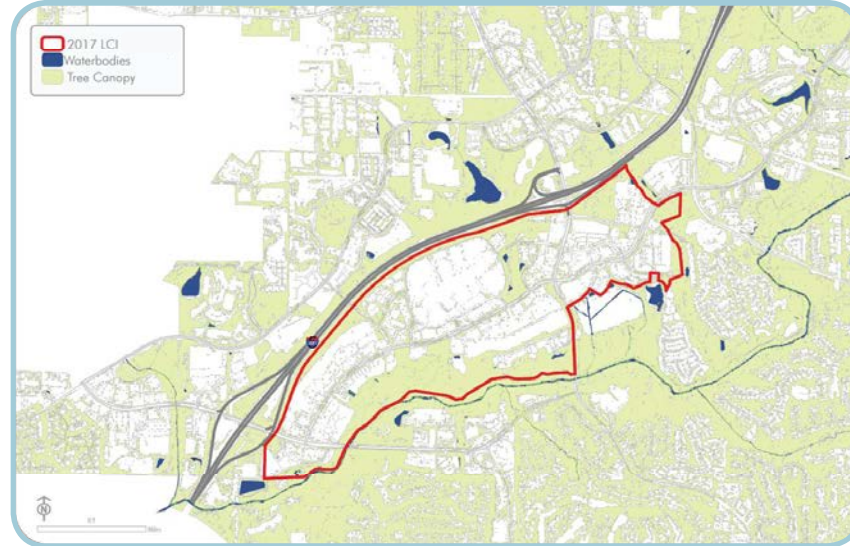
Environmental Features in the North Point area consist of one primary water body, Big Creek, floodplain areas, and varied topography. Big Creek creates an east-west spine running along and through the Big Creek Greenway area. Floodplain areas are located along Big Creek, also concentrated in the south. A majority of the study area features flat topography, particularly along North Point Parkway and in the mall area, while more intense slopes form the stormwater retention space east of the mall and residential areas south of Mansell.

SURFACE PARKING



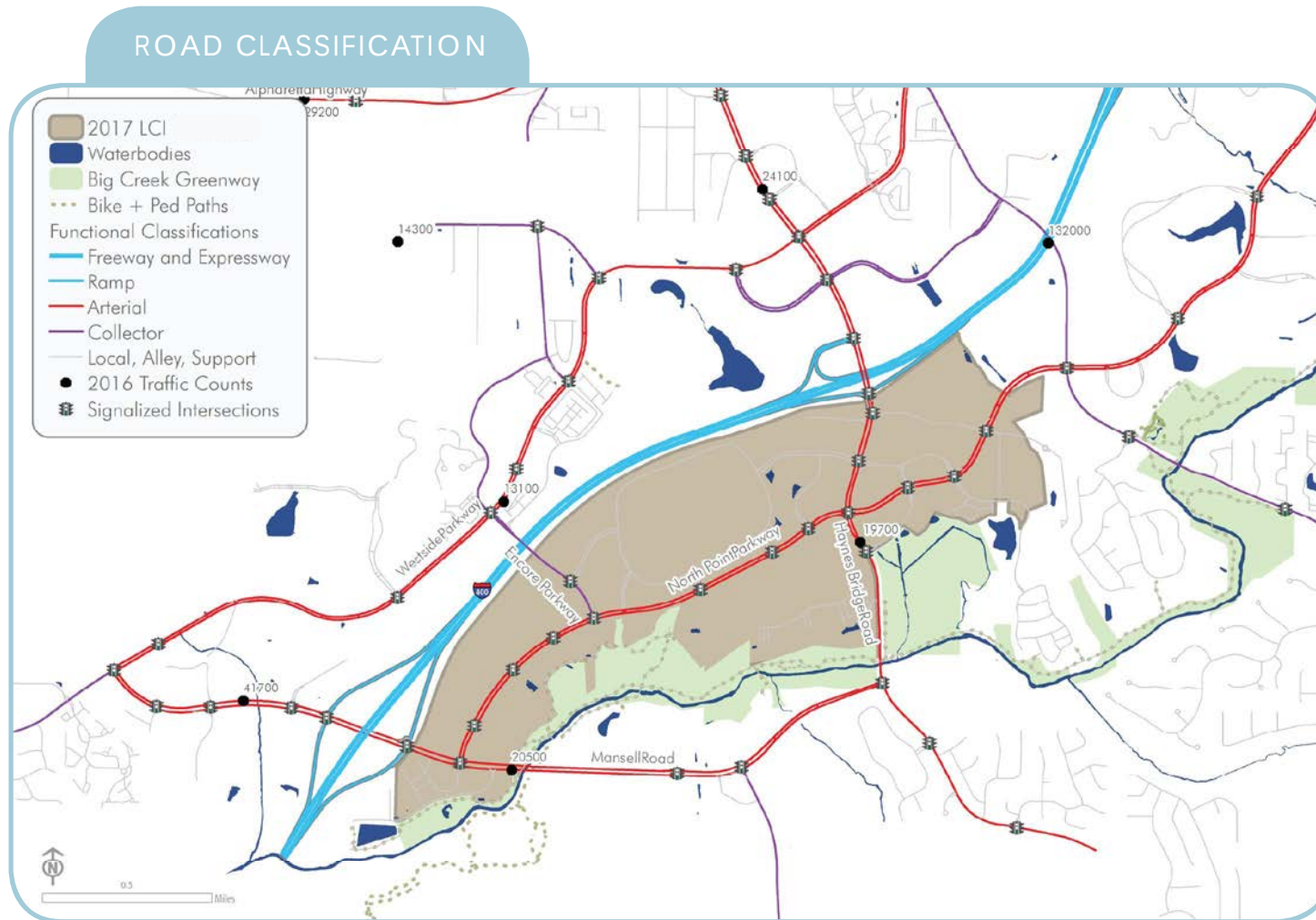
Between **Surface Parking** lots and land dedicated to roadways, the North Point area has a large percentage of impervious paved surfaces. Surface parking alone accounts for more than **30 percent** of the total land within the study area, not including roadways or building structures.

TREE CANOPY



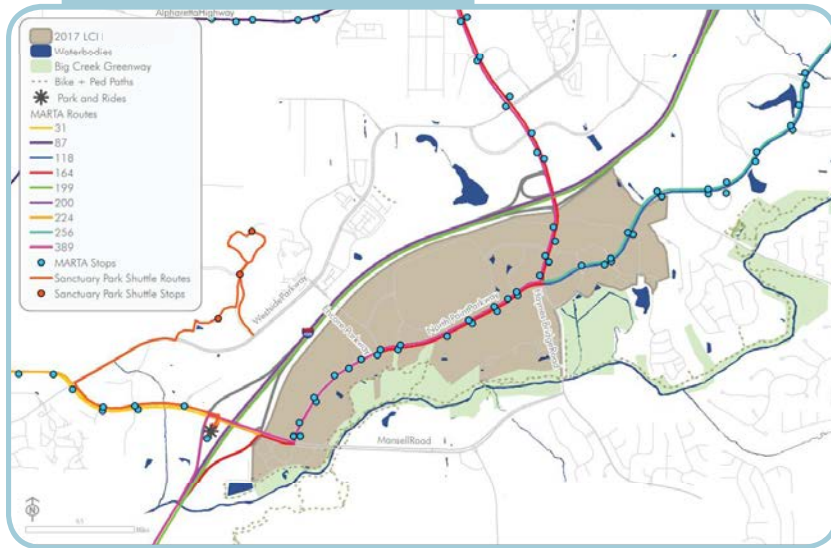
The North Point area's **Tree Canopy** covers **37 percent** of the land area within the study area. The Big Creek Greenway is an ecological asset with an abundance of trees, a stark contrast to the lack of vegetation and green infrastructure incorporated into neighboring strip retail center development and the North Point Mall site.

EXISTING CONDITIONS



The North Point area features a sufficient number of large arterial roads to effectively move traffic, supplemented by a series of limited interior streets and private drives. Within the study area, there are several Road Classifications: one major freeway (GA 400) and four arterial roads (North Point Parkway, Mansell Road, and Haynes Bridge Road), which are supported by multiple collectors and local streets. North Point Parkway serves as a primary north-south spine for the study area while Mansell, Encore, and Haynes Bridge provide critical east-west connectivity.

TRANSIT ROUTES

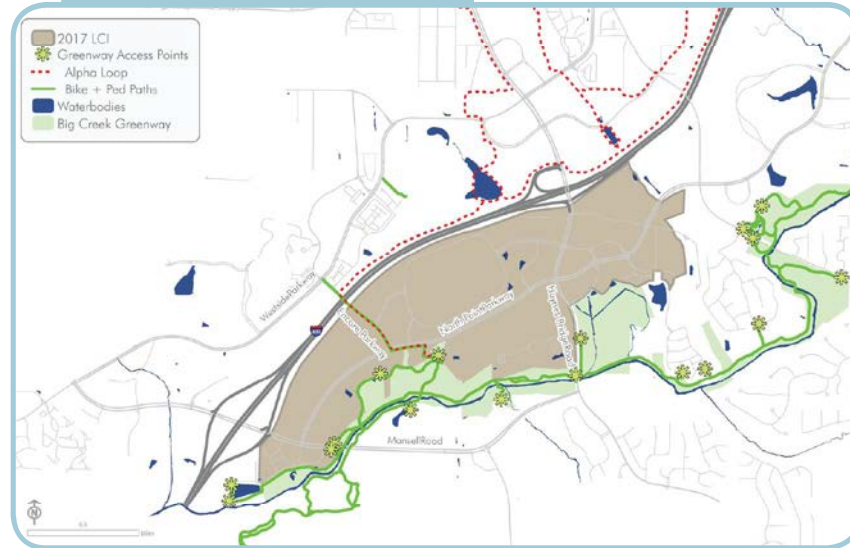


Transit in the North Point area includes MARTA local bus routes and the Sanctuary Park Shuttle.

MARTA offers nine different bus routes in the study area, with routes #164 and #389 located along North Point Parkway. Most transit stops consist solely of signage and lack benches or bus shelters.

The Sanctuary Park Shuttle is a complimentary service that connects several office buildings off of Westside Parkway in Sanctuary Park to the Kiss & Ride at the North Springs MARTA Station. It operates during typical weekday peak commute times.

TRAILS NETWORK



The North Point area's existing Trails Network is heavily concentrated on the south side of the study area along Big Creek Greenway.

Recently built trails, including the Encore Bridge connection and future trail connections, such as the proposed Alpha Loop trail shown in dashed red lines. Current greenway access points are symbolized with green asterisks. Although there are multiple access points within the study area, the Big Creek Greenway is fairly hidden from North Point Parkway and retail developments, diminishing visible accessibility and general accessibility to this amenity.

EXISTING CONDITIONS

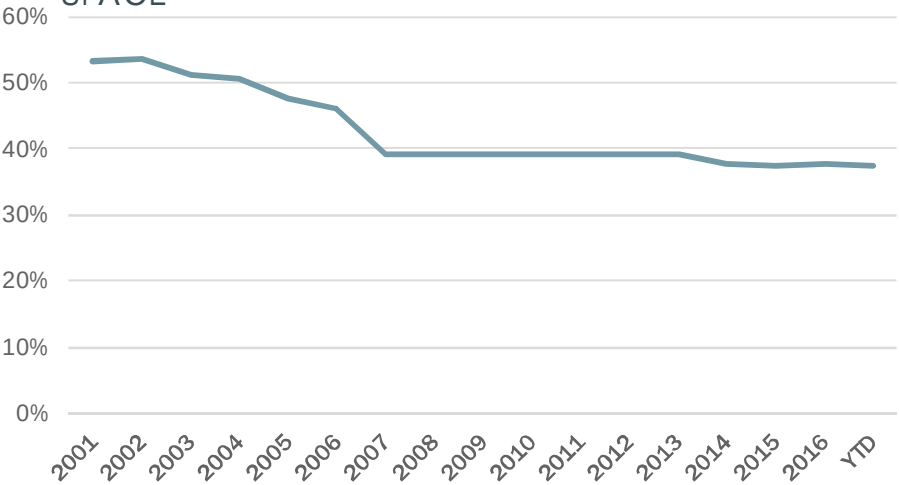
MARKET POTENTIAL

EXISTING MARKET CONDITIONS

Today there is approximately 3.5 million square feet of retail space within the North Point study area, making up 37 percent of the City of Alpharetta's total retail space. This retail space within the study area is 97.4 percent occupied, while the total retail space in the City of Alpharetta is 96.3 percent occupied.

Since 2001, the study area's share of retail space as a part of the whole city has been decreasing—a trend that is expected to continue with new store openings at Avalon, Downtown Alpharetta, and other new developments offering a unique shopping experience. This decline is significant as it will potentially impact the occupancy rate for the North Point area due to increased nearby competition.

STUDY AREA SHARE OF ALPHARETTA RETAIL SPACE



The office market in the North Point area only makes up 6 percent of the City of Alpharetta's total office space at 1.1 million square feet. This proportion increased from just under 5 percent in 2007, and has been stable since.

Multifamily residential units represent a small segment of the study area's market, but have grown since 2000 with the total number of units growing to 1,091 units. Currently, 99.9 percent of North Point's 7,000 workers live outside of the study area and commute into the area during the week. Therefore, there is demand for housing options within the study area that will enable workers to live closer to their jobs as well as attract new residents and employees to Alpharetta.

CATALYTIC ASSETS

The North Point area is well-positioned with a renewed focus on walkability and quality retail to evolve beyond the context of what has traditionally been a automobile-oriented corridor. Largely dominated by one-story retail centers and anchored by **North Point Mall**—which features more than **1.3 million square feet of retail space**—the area also has several community amenities that provide a strong starting point for enhancements. The **Big Creek Greenway** on the south side of the study area should be explored to promote walkability, placemaking, and green space. Similarly, the overabundance of surface parking located within the study area creates a unique opportunity for new development, offering numerous prime **redevelopment sites** that are already cleared and relatively flat if property assembly and demolition risks are minimized.

DEVELOPMENT TYPES

The supply of walkable places that mix housing, shopping, and office space within a compact community are increasingly desirable places to live and work. In areas outside of the Atlanta core, the market has not been able to keep pace with the growing demand for these communities. As the North Point area evaluates ways it could evolve in the future, transforming its automobile-centric land use pattern into a more **walkable framework** will be necessary to compete with nearby places. As a part of this study effort, Bleakly Advisory Group completed a Market Analysis of the North Point area, and developed the following “**likely**” and “**aggressive**” scenarios of future demand potential over the next five years. These estimations, are not development projections or recommendations, but rather potential short-term demand under current and similar market conditions that were utilized as a foundation for envisioning the area's future and developing concepts based upon a market-appropriate mix of uses. Future development may deviate from these estimations depending on future market conditions, the City's intentions for development, and a variety of other factors.

Development Type	Likely Scenario		Aggressive Scenario		Notes
	Square Feet	# of Units*	Square Feet	# of Units*	
Residential - For Rent	357,000	357	454,000	454	Vertically integrated, mixed use, structured parking
Residential - For Sale	274,000	183	295,000	197	Condos or townhomes
Retail	53,600	n/a	68,775	n/a	Grocery, pharmacy, local hardware
Office	297,180	n/a	363,182	n/a	Unique building type, mixed use, technology focused
Hotel	72,000	240 (Rooms)	120,000	400 (Rooms)	Potential for boutique or full-service

*These unit counts only include estimations for residential properties with market-driven pricing

EXISTING CONDITIONS

DEVELOPMENT POTENTIAL BY LAND USE

The projected demand quantities mentioned in the “likely” and “aggressive” scenarios provide a quantitative basis for an appropriate mix of new development that could occur in the North Point area over the next five years. Because these quantities correspond to particular types of new retail, office, and residential development, it is crucial to distinguish and define these markets. The following three sections provide qualitative descriptions and explore this aspect in greater detail.

RETAIL DEVELOPMENT POTENTIAL

Demand Potential: 50,000—70,000 square feet

In response to shifting consumer preferences, the most successful retail markets are remaining competitive by:

- Responding to the growing demand for memorable and authentic places
- Fostering a true sense of design and a sense of place
- Attracting a balanced mix of national brands and local boutiques

Specific retail opportunities recommended for the North Point area include:

- Local grocery stores or markets
- Pharmacies (not free-standing, but included on the ground floor of a mixed use building)
- Local hardware stores/niche store with neighborhood goods



Local grocery on the ground floor of a mixed use building at Emory Point in Atlanta, GA



Target and Anthropologie stores across from each other demonstrate a balance of retail offerings at the Mosaic District development in Fairfax, VA



The unique atmosphere at Krog Street Market successfully combines boutique shops and local restaurants in Atlanta, GA

OFFICE DEVELOPMENT POTENTIAL

Demand Potential: 300,000—375,000 square feet

While the existing office uses in the North Point area are characterized by stand-alone office buildings, current consumer preferences indicate a desire for office spaces that are more a part of mixed use developments.

“Developers are transforming the commercial office building model as they refocus on their tenants’ need to recruit a younger, more creative and collaborative workforce. Its preference for buildings that map to its values puts a premium on sustainability, wellness, loft-like spaces, and locations that are active, transit-friendly, and walkable.”
— Gensler’s The Future of the Workplace



Office within a mixed use development at Santana Row in San Jose, CA



Formerly Town & County Mall, CityCentre features office within mixed use in Houston, TX

Of the potential office demand in the study area, approximately two-thirds will likely come from technology companies seeking to locate in the City—Alpharetta is well-established as a much sought-after destination for technology companies. According to City statistics, more than 640 tech companies currently occupy office space within the city limits and more than one-fourth of metro Atlanta’s top tech employees call Alpharetta home. A redeveloped North Point area, with a focus on walkability and green space, will offer an environment that 21st Century tech companies are increasingly seeking. Companies in the Information sector, as well as the Professional, Scientific, and Technical Services sector will drive office demand to the study area. These two sectors alone are expected to account for more than 5,000 new employees in Alpharetta over the next five years. Assuming the study area can capture 15 percent of the office space demanded for these new tech employees, the North Point area could attract more than 200,000 SF of new tech-oriented office in the near-term.

EXISTING CONDITIONS

RESIDENTIAL DEVELOPMENT POTENTIAL

Consistent with the City of Alpharetta's development policy, residential multifamily development should only occur as a part of a mixed use development. This new residential should emphasize walkability by being developed concurrently with green space, multimodal pathway connections, and other pedestrian amenities, such as shade, furniture, and lighting.

Demand Potential:

- For Rent Residential: 350 to 450 new quality rental units over the next five years
- For Sale Residential: 175 to 200 new condos and/or townhomes over the next five years



The Landmark Mall Redevelopment transforms a former mall property into residential within mixed use development in Alexandria, VA

PRICING BY RESIDENTIAL TYPE

For rent residential development in the form of one-and two-bedroom units would be well-suited for the area.

- New one-bedroom units would average approximately \$1,750 per month, or \$2.40 per square foot
- New two-bedroom units would average approximately \$2,500 per month, or \$2.25 per square foot

Townhomes are an extremely viable form of for sale residential appropriate to the North Point area in the near-term. There is also a demand for condos.

- Condo pricing would likely start around \$250,000/unit and range up to more than \$500,000 (this could fluctuate based on size, orientation, views, and finish level—with the potential to climb even higher)
- Townhome pricing would likely start at \$400,000 and range to exceed \$750,000 for premium units (for example, units located alongside a trail)

DEVELOPMENT POTENTIAL FOR OTHER MARKETS

Beyond the development potential that has been discussed for retail, office, and residential in the North Point area, there also is an opportunity for including entertainment uses in the overall study area. The projections mentioned below are market estimates that assume entertainment will be incorporated into mixed use developments and are relative to the other uses that will be planned for those developments.

ENTERTAINMENT DEVELOPMENT POTENTIAL

If integrated into a well-executed mixed use district, entertainment uses in various forms have the potential to be successful destinations and attractions in the North Point area. These options can help to add vibrancy and drive retail demand. Alpharetta has proven to successfully support entertainment facilities of varying scales, particularly northeast of the freeway. The study area provides a logical location for additional entertainment venues in the City. Leveraging entertainment to achieve an interesting and unique mix of uses will certainly attract attention to the area, but only coupled with targeted changes that increase walkability and enhance the pedestrian experience overall.

“Entertainment districts are being planned or are popping up all over the country. While they vary in size, building type, and tenant mix, the collective intent of developers and municipalities is clear: to rejuvenate exhausted or neglected real estate, to generate much-needed tax revenues, and to bolster their cities’ live-work-play image as they compete fiercely with other metros for businesses and residents.”

— Building Design and Construction Network



CONCEPT STRATEGY

PUBLIC ENGAGEMENT
CONCEPTUAL FRAMEWORK

CONCEPT STRATEGY



IDENTIFY AND CLARIFY PUBLIC INVESTMENTS — PARTICULARLY RELATED TO WALKABILITY, PLACEMAKING, AND GREEN SPACE.

Consistent contact with a key group of stakeholders and targeted efforts to involve North Point community members helped the planning team develop a [strategic plan](#) for the study area. Over the course of the planning process, three public workshops were held. The first two public workshops provided the community the opportunity to provide input on the challenges facing the area as well as to express their goals and vision for future development enhancements. Through these conversations, several recurring themes and priorities emerged, including [walkability](#), [placemaking](#), and [green space](#). These themes, in conjunction with other plan analysis, helped shape a cohesive strategy and framework for the future of the North Point area. The third public workshop enabled the public to review the finalized plan concepts and to provide input on their priorities for the plan's implementation projects. The third public workshop's input is included in Chapter 5, Implementation, through prioritized projects.



PUBLIC ENGAGEMENT

PUBLIC WORKSHOP #1

At a September 2017 public meeting, community members were provided an overview of the existing conditions and previous plan summaries and actions in Chapters 1 and 2 and invited to participate in several activities designed to encourage input and spur discussion about walkability, quality retail development, and green space.

NORTH POINT ATTRACTIONS

The public was asked to identify their top three reasons for typically coming to the North Point area to help the planning team understand how people use the area and what purpose it serves within the community. This input was used during concept development to ensure that the area would continue to be a regionally important and successful activity center.



Responses to “What are your top three reasons for coming to the North Point area?” at the September 14, 2017 public workshop

CONCEPT STRATEGY

PUBLIC WORKSHOP #1 (CONTINUED)

STUDY FOCUS: QUALITY RETAIL

A key focus of this LCI plan update is promoting quality retail in the North Point area. Shifting consumer preferences have created a need to adjust the way retail development is approached. The most successful retail markets have remained competitive by:

- Responding to the growing demand for memorable and authentic places
- Fostering a true sense of design and a sense of place
- Attracting a balanced mix of national brands and local boutiques

Retail Preferences

Community members were asked to prioritize features of different types of retail developments and indicate their preferences. The top images included examples from Hillsboro Center in Nashville, TN (#1); The Gulch in Nashville, TN (#2); and Santana Row in San Jose, CA (#3). All of these developments continue to incorporate the pedestrian components touched on in the walkability examples below.



Hillsboro Center



The Gulch



Santana Row

STUDY FOCUS: WALKABILITY

Walkability is another key focus of this study. Current trends indicate a growing preference for walkable places. Fostering walkability requires a wide range of interventions:

- Complete streets that balance vehicular lane and sidewalk widths
- Pathways that connect key destinations
- Shade and pedestrian amenities
- Use mix and visually interesting buildings
- Mobility options/circulators that extend the walk (park once and walk everywhere)

Walkability Visual Preferences

Utilizing a variety of images that depict varying characteristics of pedestrian infrastructure, community members were asked to select images that best captured the aspects of walkability they would like to see incorporated in the North Point area. The highest-rated images are included below: Storrs Center in Mansfield, CT; Mariahilfer Strasse shopping boulevard in Vienna, Austria; and Technology Square in Atlanta, GA.



Storrs Center



Mariahilfer Strasse



Technology Square

General Theory of Walkability

Nationally recognized walkability expert and author Jeff Speck participated in the September Core Team meeting and public workshop to discuss the walkability potential of the North Point area. His “General Theory of Walkability” identifies **four conditions needed for a successful walking environment**:

1

USEFUL

Most aspects of daily life are located close at hand and organized in a way that walking serves them well.

2

SAFE

The street has been designed to give pedestrians a fighting chance against being hit by automobiles; they must not only be safe but feel safe.

3

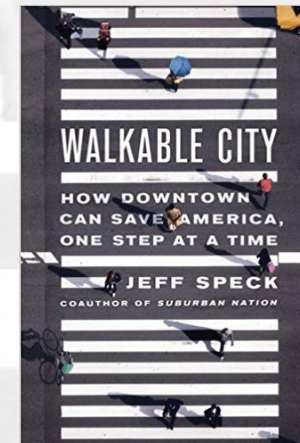
COMFORTABLE

Buildings and landscape shape urban streets into “outdoor living rooms,” in contrast to wide-open spaces.

4

INTERESTING

Sidewalks are lined with unique buildings with friendly faces and signs of humanity abound.



CONCEPT STRATEGY

PUBLIC WORKSHOP #1 (CONTINUED)



Images from the September 14, 2017 public workshop

OPPORTUNITIES EXERCISE

The Opportunities Activity at the September public workshop helped community members identify aspects of the North Point area they would like to keep and aspects they wanted to fix. Redevelopment priorities were concentrated around **North Point Mall**, **North Point Market Center**, and other similar retail centers. The **Big Creek Greenway** also was identified as an incredible natural and recreational resource, but lacking in accessibility and visibility.

PLAN VISION

Taking into account feedback from the workshop and Core Team meeting, the project team summarized this information into a Plan Vision, which is outlined below. These four ideas serve as guiding principles for the plan and served as a launch-point for future public discussions.



Opportunities Map Board

- **CREATE A “PARK ONCE WALK EVERYWHERE” WALKABLE ENVIRONMENT** for people to enjoy a network of green spaces programmed with events and public art.
- **CREATE MULTIMODAL CONNECTIONS PARALLEL TO NORTH POINT PARKWAY** closer to existing retail centers, traversing existing surface parking areas where possible, while maintaining North Point Parkway as the area's major vehicular artery.
- **INDUCE REDEVELOPMENT OF LARGE AREAS OF SURFACE PARKING** to support a grid of new streets and pathways lined by street-fronting buildings and active ground level uses.
- **IMPROVE THE AREA'S RETAIL BALANCE** to offer a mix of destinations and quality retailers (at a variety of price points) to create a reason to visit both day and night.

CONCEPT STRATEGY

PUBLIC WORKSHOP #2

FUTURE DEVELOPMENT EXERCISE

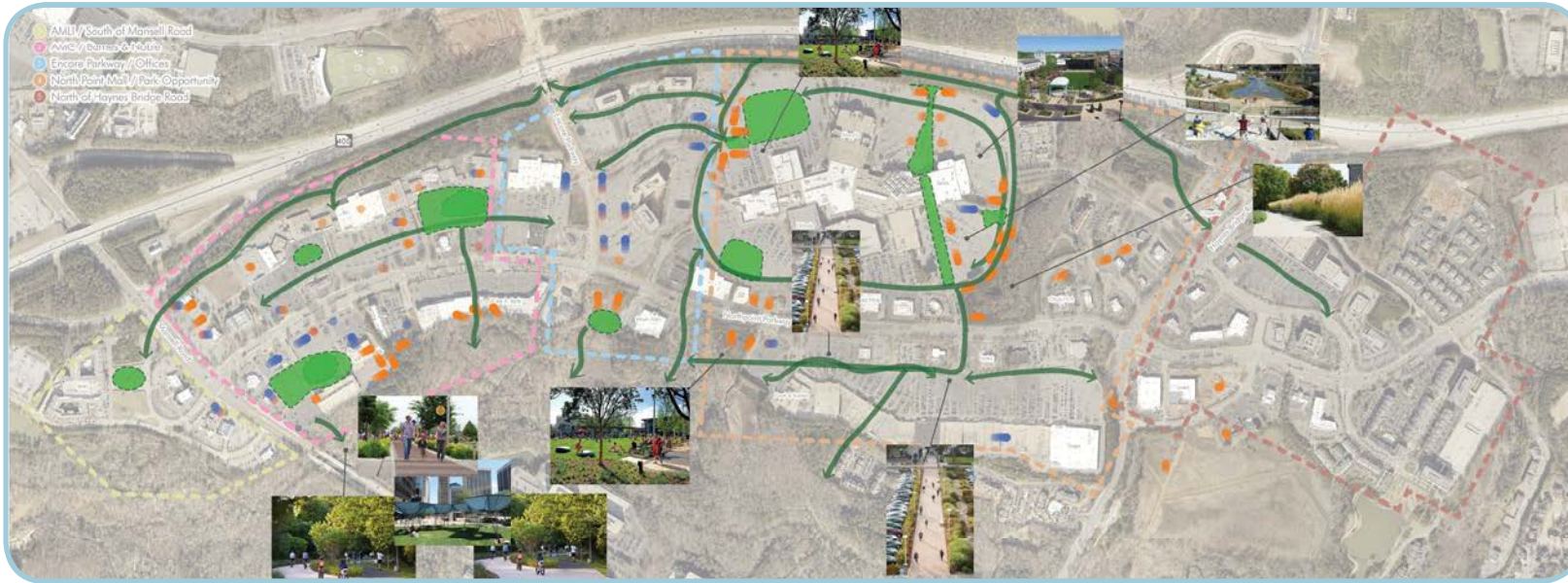
Based on the market analysis (pages 30-36), potential future demand over the next five years was translated into a visualization exercise facilitated by the planning team. Participants used colored blocks corresponding to retail, residential, office, and hotel uses. Through this exercise, community members were able to communicate desired locations, type, and intensity of future development as well as potential green spaces and green connections.



These photos summarize feedback from the community members who participated in the Future Development exercise. Overall, the community expressed a need to focus on converting excess surface parking into moderately dense nodes of residential and office development.



Community members participating in the Future Development exercise at the October 29, 2017 public workshop



Summary of open space/green space feedback

STREET BUILDER EXERCISE

To understand the [public vision for North Point Parkway](#), the most prominent roadway in the study area, participants were provided an opportunity to design their ideal cross section for the corridor. Although there were different interpretations of what the corridor could look like, overall participants expressed a [desire for a wider variety of transportation options and multimodal access to destinations](#) along the corridor, including protected bicycle and pedestrian pathways.



Street Builder activity

CONCEPT STRATEGY

CONCEPTUAL FRAMEWORK

Drawing on information from the Core Team and public workshops and utilizing North Point area's existing market potential and projected demand as a basis, conceptual frameworks were created to help organize public priorities. One framework, the **Green Space Network**, was created to identify opportunities regarding the lack of accessibility to green space coupled with a desire to transform the area into a more walkable place. Two more framework diagrams delineate **Opportunity Areas**, that identify **1st Tier priority** and **2nd Tier priority** sites for reinvestment and redevelopment.

EXPANDING GREEN SPACE

Building from the Big Creek Greenway, there is a significant opportunity to develop a green space network that can distinguish and enhance the district. This includes potential ecological features along the North Point corridor, pocket parks, and pathway connections that can provide much needed connectivity and bicycle/pedestrian accessibility. This green space network can provide both passive spaces and innovative active uses, including art, sculpture, and play elements.

Specifically, green space projects envisioned include:

- Creating **pocket parks** in parking lots of businesses susceptible to change or redeveloping in the near or mid-term future to re-green the area
- Transforming the existing stormwater detention facility directly northeast of North Point Mall into an expansive **park with dedicated event space** and an approachable **storm water pond**
- Locating **green pathway connections** to strategically break-up retail strips and provide greater connectivity and access to the Big Creek Greenway
- Continuing to add green connections where appropriate to develop an **ecological fabric that complements North Point's retail focus**

GREEN SPACE NETWORK



EXISTING AND POTENTIAL GREEN SPACES



EXISTING GREENWAY TRAILS



PROPOSED PATHWAY CONNECTIONS



PLANNED ALPHA LOOP TRAIL

CONCEPT STRATEGY

DEFINING OPPORTUNITY AREAS

1ST TIER PRIORITIES

The North Point study area, stretching between Mansell Road and Haynes Bridge Road, is a relatively large land area compared to the potential market demand. With both the expanse of the study area and the current health of existing retail in mind, transformation of the study area into **walkable areas of high quality retail** will need to occur in concentrated nodes over time. Three primary areas were identified through the planning process: **Lower Mansell**, **Encore Parkway corridor**, and **North Point Mall area**.



LOWER MANSELL

- Southern gateway to the district at Mansell and North Point Parkway
- Underutilized area and most susceptible to change in the near term
- Logically ties into the Big Creek Greenway



ENCORE PARKWAY CORRIDOR

- Strategically leverages recent investments, specifically the new bridge connection across GA 400
- Strengthens the connection across the Alpha Loop and Big Creek Greenway
- Opportunity to develop a double-loaded corridor lined with active ground floor buildings



NORTH POINT MALL AREA/PARK

- Develop a focal green space for the study area
- Amenitize and transform underutilized mall parking areas and stormwater detention facilities
- Create a multiuse gathering and event space with ties to proposed pathway connections

1ST TIER OPPORTUNITY AREAS



PRIORITY AREAS, 1ST TIER



EXISTING AND POTENTIAL GREEN SPACES



PROPOSED PATHWAY CONNECTIONS

CONCEPT STRATEGY

DEFINING OPPORTUNITY AREAS (CONTINUED)

2ND TIER PRIORITIES

Due to the need to focus short-term investment in clusters that change the character of the area, 2nd Tier Redevelopment areas are secondary opportunities due to property ownership limitations or potential regional projects that could impact the area, including potential future transit extensions along GA 400. These have the capacity to further catalyze North Point's transformation in the mid- to long-term.

4

NORTHWEST MALL AREA

- Underutilized surface parking bordered to the north by GA 400 and informal green pathway connections
- Proximity to Encore Bridge area
- Potential regional transportation connection
- Preferred location for future transit station, if transit is extended along GA 400

5

OFF-ROAD PEDESTRIAN PATH/RETAIL CENTER INFILL

- Opportunity to infill without requiring traditional retrofitting of existing building clusters or outparcel development
- Preserves North Point Parkway as a primary vehicular corridor while creating an opportunity for pedestrian circulation safely buffered from the street
- Proximity to the Big Creek Greenway to strengthen the area's green space network and resources

2ND TIER OPPORTUNITY AREAS



PRIORITY AREAS, 1ST TIER



PRIORITY AREAS, 2ND TIER



EXISTING AND POTENTIAL GREEN SPACES



PROPOSED PATHWAY CONNECTIONS



CONCEPT DEVELOPMENT

DESIGN GUIDELINES

1ST TIER SCHEMATIC CONCEPTS

CASE STUDIES

OTHER INITIATIVES

THE NORTH POINT ECODISTRICT

CONCEPT DEVELOPMENT



ASSIST PROPERTY OWNERS IN UNDERSTANDING THE SCALE, DESIGN, AND LOCATION OF DESIRED FUTURE DEVELOPMENT.

Based on the green space network and priority opportunities areas identified by the community, a series of detailed explorations were conducted and concepts developed to help guide future public and private investments in the North Point area. The following pages include the following concept components:

- Schematic concepts for the three 1st Tier priority investment areas: Lower Mansell, Encore Parkway, and North Point Park
- Case studies of successful development examples for North Point's potential
- Examples of other district-wide initiatives with the potential to meet the community's aspiration for a more lively, connected activity center.

Throughout this chapter and the next, projects and initiatives are numbered with a letter-number identifier. The letter denotes the type or category of improvement and corresponds to the list below, while the numbers are sequential and not necessarily in order of importance or priority.

Project Letter	Category of Improvement
I	Infrastructure
G	Green Space Strategy
W	Walkability
D	Development
O	Other Initiatives

CONCEPT DEVELOPMENT

SCHEMATIC CONCEPTS

CONCEPT 1: LOWER MANSELL

LOCATION AND ADVANTAGES

The Lower Mansell concept area is situated just north of Mansell Road and east of North Point Parkway, highlighted in red in the diagram to the right. Currently anchored by an AMC Theater and Barnes & Noble Booksellers, this area is characterized by buildings set back from North Point Parkway's street edge and an abundant supply of surface parking located in front of the buildings. The area is currently zoned planned Shopping Center (PSC).

One of the most significant limitations to redevelopment and reinvestment in the North Point activity center, and other similar commercial areas, is the limited number of large parcels owned by single property owners. When retail properties are held by multiple owners and complicated with a variety of lease terms, properties must be assembled, risk increases, and reinvestment is less likely. The advantage of the Lower Mansell area is that the theater/bookstore site is approximate 14 acres in size, held by a single property owner.

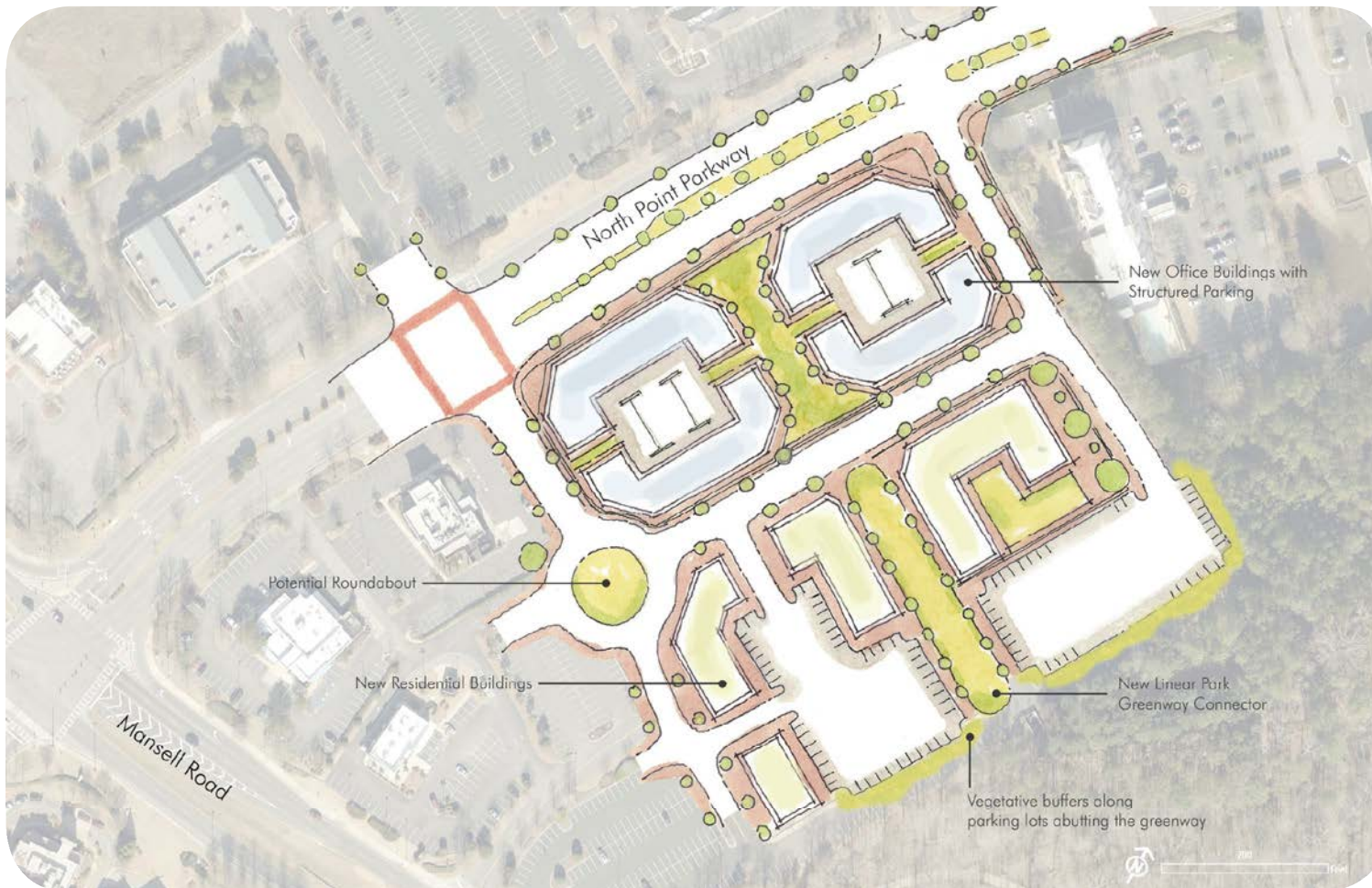
Additionally, the site's proximity to the Big Creek Greenway provides an opportunity to build upon and tie into the area's greenway and green space network. By incorporating new greenway access points into the concept, the community vision of enhancing walkability and providing a network of green spaces can be furthered as a part of the redevelopment process.



Concept Location

LOWER MANSELL CONCEPT RENDERING

The concept drawing on the facing page illustrates the redevelopment potential of the Lower Mansell area and other larger retail blocks or parcels within the district over time. Redevelopment of and reinvestment in these parcels provides an opportunity to eliminate underutilized or obsolete big box stores and expansive surface parking lots and incorporate a greater variety of uses, including office space, which is desired within areas with nearby amenities, and potential residential uses. In addition to incorporating a mix of uses that meet market demands in more economically sustainable building patterns, the concept enhances walkability and connectivity to the Big Creek Greenway by locating new buildings along street edges, placing parking behind building frontages, and incorporating green spaces and direct connectivity to the greenway.



Lower Mansell Concept Rendering*

**Concept sketches are for illustrative purposes only and are not development proposals. They are intended to show one potential option for future development and are indicative of the types and character of investments that are consistent with plan goals, objectives, and strategies.*

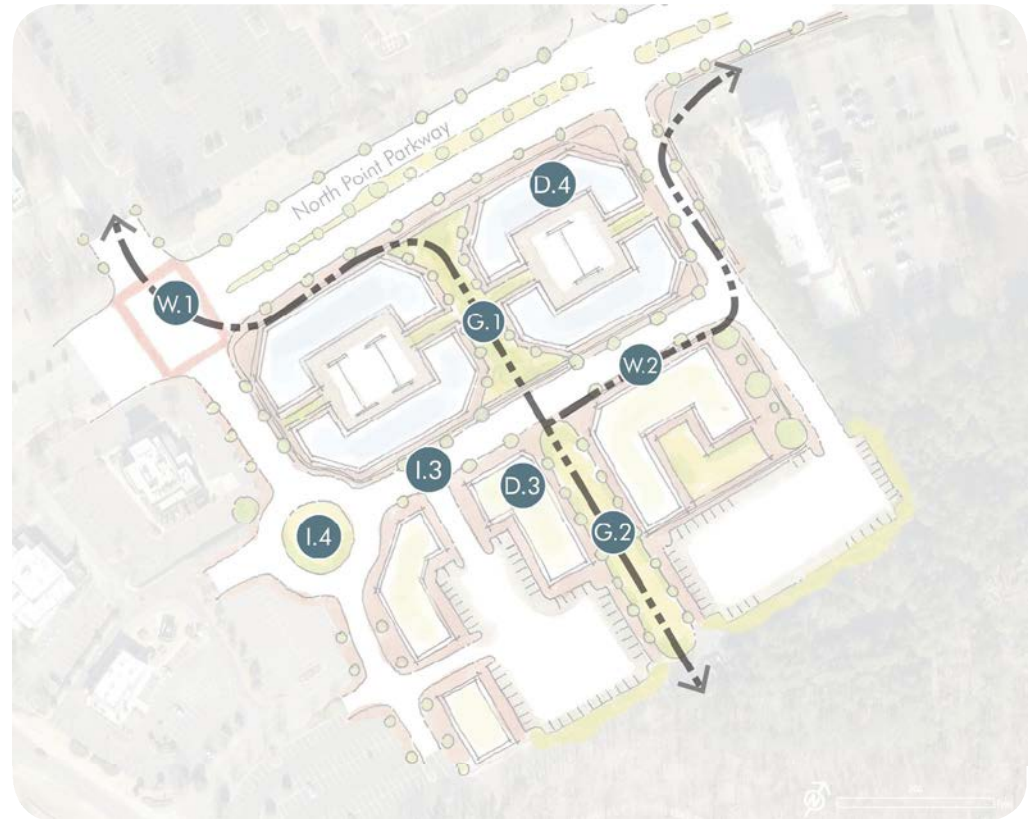
CONCEPT DEVELOPMENT

CONCEPT 1: LOWER MANSELL (CONTINUED)

PROJECTS AND GREEN CONNECTIONS

While the concept is an example and not necessarily how the site will evolve over time it does lead to an identification of potential improvements and action items. The diagram to the right shows the schematic concept with specific project opportunities labeled in blue and recommended green connections shown with dashed lines. A key component of the Lower Mansell concept is the introduction of multimodal connections that enhance pedestrian connectivity within the area and to destinations beyond (W.1 and W.2). These paths, coupled with several intervening street connections, break the site into blocks that are more human-scaled and compact. Furthermore, the block structure distributes traffic and provides the community with safe alternatives to traverse the area, reinforcing the plan vision of creating a “park-once” environment.

These path connections follow the intervening tree-lined streets and capitalize on new green spaces, particularly the active pocket park (G.1) and linear park/greenway connection (G.2). These spaces together create a green promenade through the concept area and daylight the greenway by providing access from North Point Parkway.



Lower Mansell projects and green connections

LOWER MANSELL PROJECT LIST

#	Name	Description	Improvement
I.3	Parallel Road Connection	Construct a parallel road to North Point Parkway between developments	Infrastructure
I.4	New Roundabout	Add a roundabout at the existing Unnamed Road traversing the site north-south	Infrastructure
G.1	Active Pocket Park	Create a residential pocket park with outdoor exercise equipment and other active park details	Green Space Strategy
G.2	Linear Park/Greenway Connector	Implement a landscaped linear park between properties and tying into the Greenway on the south side of the site	Green Space Strategy
W.1	Trail Across North Point Parkway	Connect the Lower Mansell area with properties to the north by constructing a multiuse trail connection across North Point Parkway	Walkability
W.2	East Trail Connection	Construct a multiuse trail extending east to connect to existing hotel property and beyond	Walkability
D.3	New Residential	Infill existing parking lot with residential development. As illustrated, the concept accommodates 230,000 to 345,000 square feet of potential residential development (assuming 4 to 6 stories, consistent with a village-style development, general public input, and case studies).	Development
D.4	New Office	Redevelop existing properties with new office buildings. As illustrated, the concept accommodates 280,000 to 420,000 square feet of potential office development (assuming 4 to 6 stories, consistent with a village-style development, general public input, and case studies).	Development

EXAMPLE DEVELOPMENTS



Storrs Center in Mansfield, CT



East Nashville, Nashville, TN

CONCEPT DEVELOPMENT

CONCEPT 2: ENCORE PARKWAY

LOCATION AND ADVANTAGES

The Encore Parkway concept area, highlighted in red in the diagram to the right, includes land on both the east and west sides of Encore Parkway between North Point Parkway and GA 400.

The area consists of 29 acres of land area on five different parcels, all of which are presently zoned PSC. Three of these parcels share the same owner east of Encore Parkway. This land is almost entirely occupied by parking lots fronting the street. West of Encore Parkway, the parcels include Wells Fargo Bank and Mansell Crossing, which is a retail center with large parking lots along North Point Parkway. Finally, one of the three parcels owned by the same entity is situated directly south of Encore Parkway, and is currently undeveloped and is situated adjacent to the Big Creek Greenway.

As previously mentioned, one of the major accomplishments of the original 2008 LCI Plan was the completion of the Encore Parkway Bridge as a key pedestrian and bicycle connector across GA 400 and the addition of sidewalks, bicycle lanes, and streetscaping along Encore Parkway. To further leverage these enhancements to benefit the community, promoting future development that prioritizes the community's vision of walkability in the Encore Parkway corridor will be essential.



Concept Location

ENCORE PARKWAY CONCEPT RENDERING

The concept drawing for Encore Parkway on the facing page illustrates the development potential along the enhanced corridor. To further enhance Encore Parkway, improve the area's walkability, and foster quality retail, new buildings should line Encore Parkway, the existing sidewalk should be widened, and parking should be placed behind primary structures. Future development and investment should also seek to create smaller blocks and pocket parks within the area. Ground floor uses along Encore Parkway should include retail and other active uses, as required in the North Point Design Guidelines. Upper floors should be utilized for office and residential uses.



- Residential
- Office
- Mixed Use

**Concept sketches are for illustrative purposes only and are not development proposals. They are intended to show one potential option for future development and are indicative of the types and character of investments that are consistent with plan goals, objectives, and strategies.*

Encore Parkway Concept Rendering*

CONCEPT DEVELOPMENT

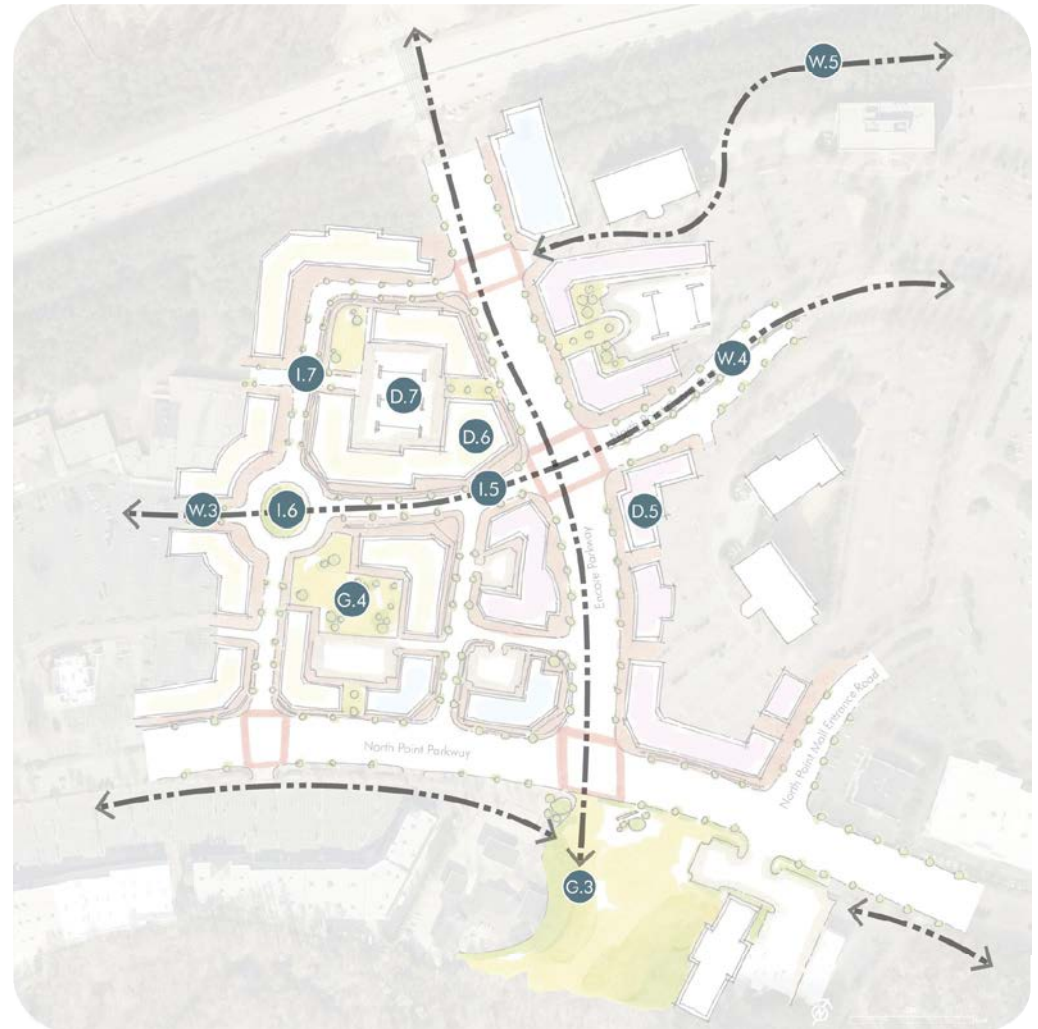
CONCEPT 2: ENCORE PARKWAY (CONTINUED)

PROJECTS AND GREEN CONNECTIONS

Several east-west multimodal path connections are illustrated in the diagram on the right, anchored by Encore Parkway, which acts as a spine running north-south. These connections act to effectively position Encore Parkway as a node of development that can exist within the context of the study area as opposed to as a stand-alone endeavor.

This concept maximizes the undeveloped parcel south of Encore Parkway by imagining an open green space that functions as a gateway to the Big Creek Greenway (G.3). This focus on green space, along with multiple other pocket parks throughout (G.4), complement the proposed new buildings by balancing recreation with higher intensities of land use. Potential new buildings include residential, office, and mixed use development with retail.

All streets and pathways should take care to mitigate curb cuts, service areas, and building penetrations to promote a walkable environment. Alleys and rear lanes should be considered to support building operations, service, and freight.



Encore Parkway projects and green connections

ENCORE PARKWAY PROJECT LIST

#	Name	Description	Improvement
I.5	Road Extension	Extend North Point Center East roadway between new developments	Infrastructure
I.6	New Roundabout	Add a roundabout west of Encore Parkway to connect new intervening streets	Infrastructure
I.7	Secondary Streets	Introduce new secondary streets to develop a more connective network between the east and west sides of Encore Parkway	Infrastructure
G.3	Greenway Gateway	Leverage the property at the south-end of Encore Parkway as an opportunity to provide public open space and enhance access to the Big Creek Greenway	Green Space Strategy
G.4	Active Pocket Parks	Incorporate pocket parks to reinvestment efforts on the west side of Encore Parkway, including temporary and permanent activities, equipment, and programming to give each park a unique identity and purpose	Green Space Strategy
W.3	West Trail Connection	Connect the new pocket park to the west with a multiuse trail through existing surface parking	Walkability
W.4	East Trail Connection	Construct a multiuse trail extending east to connect along North Point Center East roadway	Walkability
W.5	Parallel Trail Pathway	Construct a multiuse path situated parallel to GA 400	Walkability
D.5	New Mixed Use	Infill existing parking lot with office and mixed use developments on the east side of Encore Parkway. As illustrated, the concept accommodates 750,000 to 1.1 million square feet of mixed use space, assumed to be 25 percent retail and 75 percent office or residential development (assuming 4 to 6 stories, consistent with a village-style development, general public input, and case studies).	Development
D.6	New Residential and Office	Infill existing parking lot with residential and office buildings on the west side of Encore Parkway. As illustrated, the concept accommodates 300,000 to 450,000 square feet of office and 265,000 to 400,000 square feet of residential development (assuming 4 to 6 stories, consistent with a village-style development, general public input, and case studies) beyond what is included in item D.5.	Development
D.7	New Structured Parking	Construct adequate structured parking to accommodate new infill development	Development

EXAMPLE DEVELOPMENTS



The Gulch in Nashville, TN



Hill Center in Nashville, TN

CONCEPT DEVELOPMENT

CONCEPT 3: NORTH POINT PARK

LOCATION AND ADVANTAGES

North Point Park is highlighted in red in the diagram to the right. Larger in area than the previous two concepts, North Point Park is comprised of nine parcels totaling approximately 48 acres. These parcels are held by five different entities, with two of the entities owning three parcels each—making their support for the concept plan critical.

Similar to the Lower Mansell and Encore Parkway sites, all of the land within the North Point Park concept is presently zoned PSC. With the exception of the Big Creek Greenway, this concept area has the most varied topography in the North Point study area. This is due in part to several detention ponds that sit on land located on the east side, surrounded by vegetation and undeveloped land. This property represents a prime opportunity for the North Point area to regain green space and incorporate a usable amenity that is more accessible and attractive for community members.

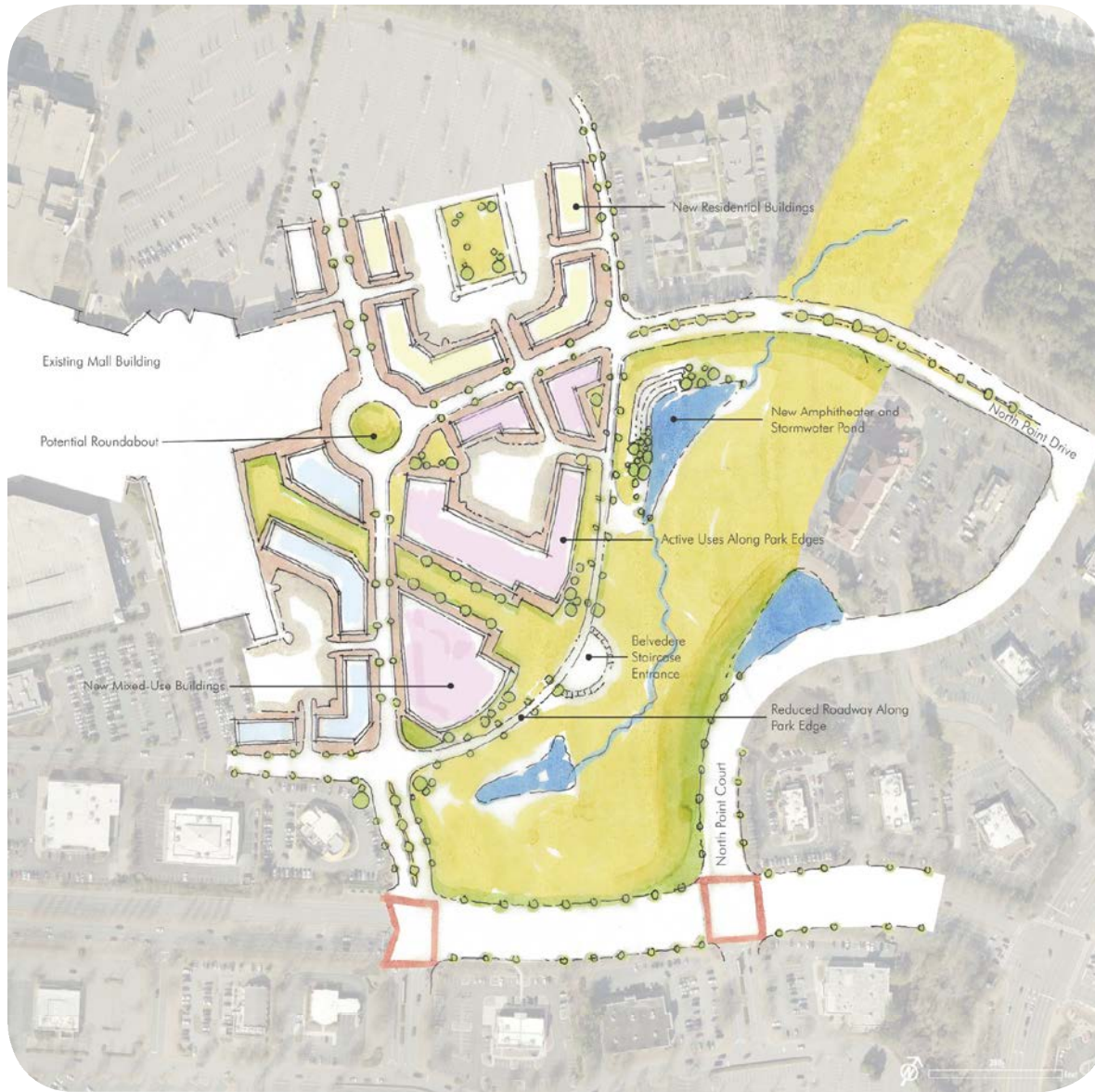
Another advantage of this concept area is revitalizing a vast amount of surface parking that currently surrounds the North Point Mall. This land is already cleared and graded, and can significantly decrease construction costs for new development as opposed to development sites where heavy demolition is required. Furthermore, locating future development in these parking lots has the residual effect of right-sizing parking for the concept area by removing excess spaces that are rarely utilized and instead dedicating that land to a higher and better use.



Concept Location

NORTH POINT PARK CONCEPT RENDERING

The schematic concept displaying the potential future scheme of the North Point Park area is illustrated on the next page. As its name suggests, the North Point Park concept features an expansive green space as its focal point, concentrating development in the underutilized surface parking lots between the detention area and the mall. Secondary streets are introduced to subdivide the mall parking lot into walkable blocks. Mixed use buildings, continuing the theme of incorporating an active ground floor to foster pedestrian activity, line the park edge and include both residential and office upper floors. Buildings dedicated solely to office are shown at the south end of the concept with easy access to North Point Parkway, while residential buildings are concentrated to the north. These clusters of buildings hide several smaller parking lots that are masked from view, recasting the area's focus from an auto-centric retail hub to a destination offering a mix of retailers, office spaces, and housing options.



North Point Park Concept Rendering*

**Concept sketches are for illustrative purposes only and are not development proposals. They are intended to show one potential option for future development and are indicative of the types and character of investments that are consistent with plan goals, objectives, and strategies.*

CONCEPT DEVELOPMENT

CONCEPT 3: NORTH POINT PARK (CONTINUED)

PROJECTS AND GREEN CONNECTIONS

The North Point Park concept area is composed of several projects that continue to build upon the themes of walkability, green space, and quality retail. North Point Park is envisioned to be an active stormwater facility that reshapes the existing stormwater detention area into a space suitable for large-scale community events and gatherings (G.5). A new amphitheater or event space (O.6) is recommended to be constructed into an existing slope located at the northeast edge of the park, taking advantage of the site's topography.

Circulation can be improved by extending the North Point Mall Entrance Road (I.10) and North Point Drive Road (I.11). Introducing a roundabout (I.9) at the intersection of these streets will further the goal of walkability by slowing automobile traffic to safer speeds. Beyond the multimodal path connections pictured in the diagram to the right, North Point Circle, the mall's perimeter street, will place a higher priority on functioning as a multimodal roadway by being scaled down from four lanes to two lanes.



North Point Park projects and green connections

NORTH POINT PARK PROJECT LIST

#	Name	Description	Improvement
I.8	North Point Mall Entrance Road Extension	Extend North Point Mall Entrance Road north to increase connectivity throughout mall development	Infrastructure
I.9	North Point Drive Road Extension	Extend North Point Drive to new roundabout connection	Infrastructure
I.10	North Point Circle Road Diet	Convert North Point Circle Road along the park's edge to prioritize bicycle and pedestrian circulation in addition to vehicular by reducing the roadway from four to two lanes. This new allocation of roadway can serve as a model for the remainder of North Point Circle Road.	Infrastructure
I.11	New Roundabout	Introduce new secondary streets to develop a more connective network throughout the site	Infrastructure
I.12	Secondary Streets	Add a roundabout to connect new intervening streets on existing mall surface parking	Infrastructure
G.5	Stormwater Park	Leverage existing stormwater detention area for new large-scale community park/open space	Green Space Strategy
G.6	Green Corridor Connection to the Mall	Introduce green corridor between buildings connecting new stormwater park with existing mall	Green Space Strategy
G.7	Pocket Park	Include new pocket park adjacent to existing mall connecting the to new green corridor	Green Space Strategy
W.6	East Trail Connection	New multiuse trail connection extending east along North Point Drive towards Haynes Bridge Road and beyond	Walkability
W.7	West Trail Connection	New multiuse trail connection extending west along the north-end of the mall and parallel to GA 400	Walkability
W.8	South Trail Connection	New multiuse trail connection extending south across North Point Parkway to connect between developments and Big Creek Greenway	Walkability
D.8	Infill Development on the Mall Property	There are a variety of development opportunities around the mall, and the exact mix of uses will need to be determined by the mall and the City of Alpharetta.	Development
D.9	Develop Park Edges with Active Uses	Prioritize outdoor dining and shopping fronting the park space and new intervening street network	Development

(Continued on next page)

CONCEPT DEVELOPMENT

CONCEPT 3: NORTH POINT PARK (CONTINUED)

NORTH POINT PARK PROJECT LIST (CONTINUED)

#	Name	Description	Improvement
O.6	New Amphitheater	Construct a new amphitheater for gathering/flexible event space within the new stormwater park	Other Initiative
O.7	Space Activation Strategy	Evaluate potential strategies to activate the new park space daily with a variety of initiatives and events	Other Initiative

EXAMPLE DEVELOPMENTS



Old Fourth Ward Park in Atlanta, GA



Former parking lot at Northgate Mall in Antioch, TN

CASE STUDIES

To better understand possible outcomes for Lower Mansell, Encore Parkway, and North Point Park, it can be instructive to review case studies of other redevelopment sites that share similar characteristics and challenges. The following pages contain a collection of examples of developments that have experienced success by leveraging similar strategies proposed for priority North Point concept areas. Most case studies are successful examples of transforming outdated auto-centric retail areas into new walkable environments that support quality retail and dining destinations. Reviewing and learning from these examples can help guide the North Point area's future growth and help shape a unique identity for the district.

BELMAR LAKEWOOD, CO



An example of placemaking when applied to a dying mall, Belmar Town Center emerged in 2002 as a hybrid shopping/dining/living experience, despite the environmental challenges and complicated ownership that had to be overcome as a part of the redevelopment process.

SHOPS AT STONEFIELD CHARLOTTESVILLE, VA

Offering a mix of retail, restaurant, entertainment, and residential options, the Shops at Stonefield attract more than 500,000 visitors annually, redefining the shopping experience with elegant facades and outdoor dining.



CONCEPT DEVELOPMENT

CASE STUDIES (CONTINUED)

ASSEMBLY ROW SOMERVILLE, MA



A short distance from downtown Boston, Assembly Row combines residential, entertainment, shopping, dining, and fitness with prominent walkways for a pedestrian-focused experience.



CROCKER PARK WESTLAKE, OH



Crocker Park's iconic boulevard invites pedestrians to shop local brands and specialty shops outdoors from the safety of a wide, protected median planted with beautiful street trees.





BETHESDA ROW
BETHESDA, MD



Bethesda Row features Class-A office space just a short walk away from the Bethesda Metro Station as well as neighborhood dining, shopping, and living options. The site is situated close to two interstates and connects to the Capitol Crescent multiuse trail.

29TH STREET
BOULDER, CO



Designed as an open-air shopping center, 29th Street differentiates itself with the following amenities:

- EV Charging Stations
- Bicycle Rentals
- Free Wi-Fi
- Pet-friendliness
- Children's play areas
- Outdoor family games (life-size checkers, giant Jenga, and bean bags)



CONCEPT DEVELOPMENT

AREA-WIDE INITIATIVES

As a component of the this LCI Update, a series of green space, activation, local transit, and stormwater initiatives are also recommended to enhance the area as a more vibrant, walkable destination.

These initiatives include:

1. CONSTRUCTING STORMWATER PARK GATHERING AND EVENT SPACE
2. PLACEMAKING WITH SPACE ACTIVATION STRATEGIES AND INTERACTIVE ART
3. MAXIMIZING THE GREENWAY AS A DISTRICT AMENITY
4. INCORPORATING GREEN PATHWAYS AND PARALLEL MULTIMODAL ROADS
5. INTEGRATING ON-DEMAND TRANSIT OPTIONS

Each initiative features instances where it has been successfully applied. In the associated images, it is important to note that these are only examples and do not serve as recommendations to be duplicated in the North Point area without tailoring them to be contextually effective. Furthermore, these images do not recommend any specific future tenant mix for future development in the North Point area.

1 CONSTRUCTING STORMWATER PARK GATHERING AND EVENT SPACE

This initiative is mentioned previously as part of the North Point Park priority concept area. The concept suggests converting the existing stormwater detention area east of the mall into an active stormwater facility that would serve as a signature city park to anchor the district. The stormwater park is envisioned to incorporate a new amphitheater or event space that can host large-scale community gatherings while still allowing the facility to function as an important stormwater resource. The park will be lined by intimate multiuse lanes supporting those walking and biking. The park will be lined with active uses, particularly dining terraces overlooking the park. A belvedere stair will provide a focal entry from the mall to the park.



North Point Park priority concept area with Stormwater Park



OLD FOURTH WARD PARK ATLANTA, GA

Offering 17 acres of green space within the City of Atlanta, Old Fourth Ward Park addresses flooding and drainage issues that formerly plagued the area with a picturesque 2-acre lake. Designed to flood, concrete walkways traverse the lake and lead to a large amphitheater that functions as an outdoor community gathering space. Other amenities include passive lawns, playground areas, a splash-pad as well as the park's proximity to Ponce City Market, a former Sears Warehouse building that has become a regional retail destination.



SWAMP RABBIT TRAIL GREENVILLE, SC

The Swamp Rabbit Trail is a 19.5-mile greenway system linking several parks, restaurants, schools, and local businesses to downtown Greenville. Notably, this trail features:

- Non-motorized transportation and recreation opportunities
- Several trailheads, including one located at Falls Park—a city landmark featuring natural waterfalls and enhanced with unique architecture and public art throughout

CONCEPT DEVELOPMENT

AREA-WIDE INITIATIVES (CONTINUED)

2 PLACEMAKING WITH SPACE ACTIVATION STRATEGIES AND INTERACTIVE ART

Placemaking is a useful strategy for enhancing new developments and reinvestment areas and create the memorable experience consumers demand today. Interactive art, fitness playgrounds, and permanent and temporary installations that support recreation, social interaction, and relaxation are recommended to activate key spaces in the North Point area. The graphic below identifies suggested possible locations to incorporate these strategies, assuming the development framework discussed in Chapters 3 and 4.



Placemaking framework plan with potential locations indicated by blue stars



THE PORCH PHILADELPHIA, PA

The Porch 2.0 is an update to its predecessor, which was effectively a dead public plaza. After its original transformation from a surface parking lot into a space dedicated to serving the public, The Porch has assumed the role of an iterative experiment, allowing planners to learn which types of activities worked well in the location and which were not as successful. Today, 33 percent more visitors frequent The Porch due to permanent bench swings, modular furniture, fresh landscaping, and a variety of pop-up events.



MOMENTUM PLAYGROUND AT MARYMOOR PARK REDMOND, WA

Initiated by a local fitness group focused on developing healthy and eco-friendly opportunities for everyday exercise, the Momentum Park Playground at Marymoor Park features fitness machines that are:

- 100 percent powered by the user, making equipment electricity-free
- Permanently installed fixtures
- Free to use
- Adjacent to the children's play area
- Funded by a local non-profit

THE LAWN ON D BOSTON, MA

First opening in 2014, The Lawn on D is a 2.7-acre space that has become a destination with activities for all ages. Supported in-part by Boston's Citizens Bank, the park is a public-private venture that also garners funding from offering concessions and functioning as a popular event venue. Several of the elements that make this place so vibrant and active are:

- Colorful public seating and lounge chairs
- Paved walkways and landscaping
- Glowing circular swings functioning as seating and art
- Lawn games, including bocce ball and ping pong
- Free Wi-Fi
- Seasonal live music
- Two pavilions functioning as flexible event space
- Utility infrastructure and staging capabilities



CONCEPT DEVELOPMENT

AREA-WIDE INITIATIVES (CONTINUED)

2 PLACEMAKING WITH SPACE ACTIVATION STRATEGIES AND INTERACTIVE ART (CONTINUED)

Public art is a popular strategy for transforming parks, plazas, and the spaces between buildings. These creative installations punctuate the public realm by adding extra interest to walking and biking routes and refocusing the human experience on elements that make being in these spaces more enjoyable. Furthermore, public art can serve the purpose of a barrier, mitigating against factors that detract from the human experience such as arterial roads and building service entrances. Incorporating public art elevates the pedestrian experience beyond creating multimodal pathway connections and a green space network alone, and is an important placemaking strategy to include to create a truly walkable and animated district.

A unified architectural style can also reinforce an area's sense of place. This placemaking strategy can be expressed in many different forms, including building materials, relationship to the street, and spaces designed to authentically reflect an area's history. The North Point area should consider developing a style that both references its past as a retail-focused corridor while also incorporating elements that exemplify the modern, mercantile style of retail today. Stanley Marketplace in Aurora, CO, is an example of a development that has successfully done this. Prior to becoming a mixed use warehouse, the building served a different purpose as part of the original Denver airport. Today, the marketplace is a popular hangout featuring a food hall, boutique retailers, business offices, and several green spaces for gathering and promoting human interaction.



Abernathy Greenway Park sculptural swing set

Source: City of Sandy Springs, GA



A corner bar counter eatery in the Stanley Marketplace food hall uses creative signage to recognize its former use as an airport

Other components to consider as North Point aims to create a more animated public realm include:

- Decreasing building height and massing approaching the greenway, with more substantial buildings closer to the freeway
- Space for outdoor dining and café patio seating, especially along new interior streets and park edges
- Encouraging articulated storefronts with awnings and windows
- Attractive wayfinding and signage representing a cohesive brand for the area
- Strategically hidden parking structures with active façades or located within blocks
- Avoiding blank walls by encouraging landscape art installations



Public art and industrial signage at Stanley Marketplace



Outdoor dining with colorful shades at Campus 805, a former school in Huntsville, AL



Buildings activate a proposed public plaza and green space by fronting the space's edges at Halcyon in Forsyth County, GA



Industrial elements are incorporated into the proposed architectural style at Halcyon in Forsyth County, GA

CONCEPT DEVELOPMENT

AREA-WIDE INITIATIVES (CONTINUED)

3 MAXIMIZING THE GREENWAY AS A DISTRICT AMENITY

As mentioned in Chapter 2, Big Creek Greenway area is located south of North Point Parkway and includes the area's primary water body, Big Creek. Big Creek forms an east-west spine through the greenway and is surrounded by floodplain area. Presently, Big Creek Greenway exists in the district as an incredible natural and recreational resource. However, general public sentiment is that the greenway is not currently being used to its full potential due to its lack of accessibility and visibility.

Maximizing the greenway as a district amenity is crucial to the success of the district as it moves forward from being primarily an auto-centric retail corridor to becoming a walkable, sustainable place. There are several shifts that the City, private developers, business leaders, and the public can make in how they treat the greenway, which have the potential to drive change in a positive direction to achieve this initiative.

GUIDING PRINCIPLES

- Orient buildings toward the greenway by locating active uses, functioning entrances and windows, patios with outdoor seating, bicycle parking, and business signage not only facing North Point Parkway but also Big Creek Greenway.
- Take special care when evaluating any new development that is planned along the greenway, specifically the greenway connector in the Lower Mansell concept, the new greenway gateway in the Encore Parkway concept, and the property across North Point Parkway from the existing mall area (this is currently designated as a 2nd Tier opportunity area). Elements to consider include architectural style, building use, and the developer's willingness to prioritize and protect the greenway.
- In the case where either structured decks or surface parking lots abut the greenway, exercise sensitivity by providing vegetative buffers to preserve its natural features and wildlife.
- Reinforce the importance of green spaces by requiring green spaces to be included in residential development.



Cleveland Park in Greenville, SC. Source: City of Greenville.

EXAMPLES OF GUIDING PRINCIPLES



Greenway gateway signage for the Abernathy Greenway in Sandy Springs, GA. Source: Modera Sandy Springs



The Passarelle Bistro at is a café located within Falls Park and along the Swamp Rabbit Trail in Greenville, SC, featuring park-side dining on outdoor terraces immediately adjacent to the park's edge



An active building entrance with vibrant signage, outdoor seating, and bicycle parking at Stanley Marketplace in Aurora, CO



Falls Creek Park in Greenville, SC, makes the Reedy River approachable through bridges and interior pathways. There are also several restaurants, cafés, and office buildings located around the park's perimeter. Source: Falls Park website

CONCEPT DEVELOPMENT

AREA-WIDE INITIATIVES (CONTINUED)

4 INCORPORATING GREEN PATHWAYS AND PARALLEL MULTIMODAL ROADS

The graphic below illustrates potential green spaces within the priority concept areas and the existing Big Creek Greenway to the south. To connect these park amenities and create a cohesive network, green pathways and multimodal roads are recommended. These multimodal roads are intended to be parallel to North Point Parkway to provide safe, green, multimodal linkages between various developments while North Point Parkway continues to serve as a main arterial street to facilitate automobile traffic to and through the district. Bringing elements of or connections to the Big Creek Greenway northward into existing retail areas will counterbalance the overabundance of surface parking as well as reposition the area as a more connected, healthy, and sustainable place to live, work, and play. Suggested pathway connections are shown with green lines and arrows and either run parallel to an existing roadway or are incorporated into existing surface parking lots. Expansion of the existing bike share program with locations in and around new development areas will further leverage these pathways; additional bike share stations are depicted with pink stars.



Green space and green pathway network conceptual framework with potential new bike share locations

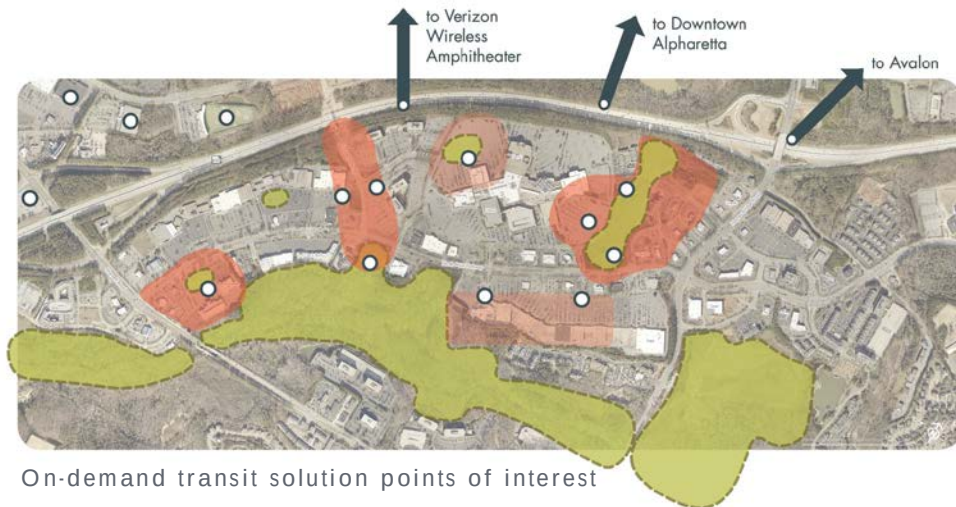
PATH PARKWAY ATLANTA, GA

A local example of a multimodal road is the Path Parkway in Atlanta, GA. This new 1.5 mile stretch of cycletrack and dedicated pedestrian corridor was formerly the two southbound lanes of Tech Parkway, which borders the western edge of the Georgia Institute of Technology. Prior to conversion, Tech Parkway was an underutilized four-lane thoroughfare separated by a large landscaped median. To continue to accommodate two-way traffic, the two northbound lanes were re-striped to allow one lane for circulation in either direction. This project sets an important precedent for the possibility of implementing a road diet on an existing roadway and promoting a more walkable and bikable environment by rededicating existing resources. Path Parkway was funded through a joint partnership between Georgia Tech and the Path Foundation.



5 INTEGRATING ON-DEMAND TRANSIT OPTIONS

With the advancement of new driverless vehicle technologies in recent years, it is important to explore the impacts and potential benefits these vehicles could have in the North Point area. One recommendation of this plan is for an on-demand, self-driving bus or shuttle service to be evaluated and implemented as an alternative to vehicular travel. The graphic below illustrates the points of interest this type of transit solution would frequently serve, assuming the development framework discussed in Chapters 3 and 4 and taking into account existing points of interest in and around the North Point area.



Local Motors, an American vehicle manufacturing company headquartered in Phoenix, AZ, has created a new on-demand self-driving bus, Olli. Olli buses are digitally manufactured with 3D printing technology, and incorporate the following features:

- Can seat up to 8 passengers
- Typically operates at a speed of 35 mph
- LIDAR capability allows for 360 visibility
- IBM Watson IoT responsive technology enables Olli to recommend nearby attractions
- Customizable for use in a campus environment or in urban contexts
- Sustainable design is environmentally conscious and requires no fossil fuels



CONCEPT DEVELOPMENT

THE NORTH POINT ECODISTRICT

A SHOWCASE OF ENVIRONMENTAL STEWARDSHIP AND SUSTAINABILITY

Establishing measures and standards that would transform North Point into a livable and highly sustainable mixed-use EcoDistrict might prove effective in helping achieve the placemaking, branding, and asset repositioning goals outlined in this report. A future EcoDistrict study should look at strategies and goals to best manage the area's existing assets and natural resources while establishing targets for improving the area's economic vitality and environmental health. Towns and cities nationwide are driving economic development and achieving their placemaking goals through detailed EcoDistrict planning and practices that integrate land use, transportation, and environmental planning with high performance infrastructure, buildings, landscapes and urban design. In other words, an EcoDistrict approach seeks to foster harmony and interaction between people and nature.

ECODISTRICT STANDARDS

What defines an EcoDistrict? According to the Portland Sustainability Institute,

“An EcoDistrict is a neighborhood or district with a broad commitment to accelerate neighborhood-scale sustainability.”

This new concept is intended to spur greater resource efficiency in cities so they can become more sustainable in the future. The Portland Sustainability Institute has developed several performance factors to better define the goals and objectives of EcoDistricts. Examples of these standards include:

- Jobs, housing, goods, and services are sustainably accessed through multimodal transportation options and urban form
- Energy needs met while providing positive environmental benefit
- Water uses create a sustainable water balance between users, infrastructure, and nature
- Urban ecosystems optimize ecosystem services across built and natural environments
- Materials are used and reused for their highest and best purpose
- Active and diverse participation in creating and enjoying the benefits of the programs and places that make a healthy, vital community
- Least impactful across local, regional, and global airsheds
- These characteristics are satisfied at a district-level scale

FAR-REACHING BENEFITS

Beyond shaping North Point as a more livable and sustainable place, the EcoDistrict could drive economic development in the area by providing incentives to employers involved in environmental sciences, research, and/or lighting manufacturing. New buildings and public spaces may be designed to permit ease of change so that new products and technologies may continuously be demonstrated. The district might host a partnership with Georgia Tech and the University of Georgia to test emerging innovations and provide opportunities for public demonstrations.

By introducing the EcoDistrict concept as a way to approach the projects and initiatives recommended in Chapter 5, North Point could become a new highly sustainable, walkable neighborhood and workplace that connects people to the natural world, reduces costs, reduces environmental footprints, and drives development. As a result, North Point could be reborn as a showcase of sustainability distinct within metro Atlanta.



Landsburgh Park, in Washington, DC



Low-impact development in Washington, DC

A LAYER OF “ECO” THINKING

Within North Point specifically, the EcoDistrict concept might be realized by applying a layer of “eco” thinking to every investment going forward. For example, the City might consider the following paradigm shifts:

- Incentivizing future energy, stormwater, and transportation infrastructure that meets high-performance metrics and goals
- Encouraging non-motorized mobility by connecting activity nodes, parks, and green spaces with new places to walk and bike
- Promoting more efficient use of buildings by establishing minimum building standards such as LEED, Earth Craft, or similar programs
- Incorporating solar panels and/or use of recycled building materials and geothermal energy
- Constructing urban design guidelines to shape the design of new parks, plazas, and public spaces
- Re-imagining streets with low-impact design principles, including bioswales, stormwater collection, native vegetation, trailing plants, and grasses to provide habitat and nature in concert with vibrant places for people

CONCEPT DEVELOPMENT

DESIGN GUIDELINES

NORTH POINT ACTIVITY CENTER DESIGN GUIDELINES

The North Point Activity Center Design Guidelines, adopted in 2015, serve the purpose of defining and encouraging design principles intended to improve the area's public realm and sense of place. The guidelines recommend new development and redevelopment within commercial areas that foster greater pedestrian connectivity. They also recommend buildings and landscaping that contribute to the physical definition of thoroughfares and public gathering spaces.

With the majority of the North Point Activity Center currently zoned either Planned Shopping Center (PSC), Office-Institutional (O-I), or Community Unit Plan (CUP), these guidelines aim to enhance the design character of these properties without changing their underlying zoning or land use. These elements include placing a limit on the amount of parking and drive aisles between the roadway and building, requiring maximum setbacks instead of minimum setbacks, and requiring streetscape construction.

As the North Point area continues to evolve and plan for the future, it would be beneficial for the City of Alpharetta and key stakeholders to engage in a collaborative effort to add greater detail to the existing design guidelines. The City should build upon aspects that have already generated positive results and incorporate details that have not yet been outlined. For example, including guidelines focused on promoting sustainability such as specifying the use of native species in landscape design or requiring exterior lighting to be compliant with Dark-Sky standards.

STREET TYPOLOGIES

The North Point Activity Center Design Guidelines also include a typology framework for classifying streets within the area. Corridors are categorized as Type A, B, or C, with corresponding requirements for each. These include setbacks, surface parking requirements, furniture zones buffers, minimum sidewalk widths, and tree and lighting requirements.

These typology definitions should be applied to the infrastructure improvements recommended in this LCI Update, with additional types added to accommodate new proposed improvements, such as roundabouts, secondary streets interior to new developments, and road diets. A type should also be considered to specifically address multimodal pathway connections. By delineating the proper conditions for each type of street, the North Point area can continue to clarify which streets are intended to accommodate and prioritize pedestrian activity, while preserving arterial roads for vehicular circulation.

AREA-WIDE PROJECTS AND INITIATIVES

COMPREHENSIVE DIAGRAM

The diagram below compiles the area-wide initiatives mentioned previously into a single graphic. Additional features are also included such as the Proposed Alpha Loop Trail on the north-side of GA 400, which will connect to the Encore Parkway Bridge Connection. This connection will provide a link across the freeway to this Plan's proposed green pathways and multimodal roads, ultimately reaching as far south as the Big Creek Greenway. Labels with project identification codes are shown and correspond to the Implementation Plan in Chapter 5.





IMPLEMENTATION PLAN

100-DAY ACTION PLAN
5-YEAR ACTION PLAN

IMPLEMENTATION



DEVELOP STRATEGY AND POLICY ENHANCEMENTS TO REALIZE THE COMMUNITY’S VISION.

This chapter consists of an implementation and action plan outlining priority projects and initiatives for the North Point study area. Priority projects to be addressed by city staff and local partners at the beginning of the implementation process are identified in the 100-Day Action Plan on the facing page, while the 5-Year Action Plan consists of short-term projects and initiatives on subsequent pages.

Recommendations are organized into sections based on the concept area they pertain to, while comprehensive items are ideas that apply to multiple concept areas or the entire North Point study area.

As in Chapter 4, projects and initiatives are identified with a letter-number identifier. The letter denotes the type or category of improvement and corresponds to the list below, while the numbers are sequential. Within each improvement category (Infrastructure, Green Space, etc.), the projects are ordered by priority based on public and Core Team input.

Project Letter	Category of Improvement
I	Infrastructure
G	Green Space Strategy
W	Walkability
O	Other Initiatives

100-DAY ACTION PLAN

The 100-Day Action Plan includes tasks that should be pursued in the first 100 days after this plan is adopted. As a part of the 100-Day Action Plan, the City of Alpharetta should work together with local partners and organizations to identify opportunities for collaboration and define the projects and initiatives for which they would like to take a leading or major partnership role.

Tasks	
1	As a part of plan adoption, incorporate the LCI Update into the City of Alpharetta's Comprehensive Plan.
2	Review and revise the City of Alpharetta's Unified Development Code to allow residential uses within properties zoned Planned Shopping Center (PSC) and other appropriate regulatory changes consistent with the updated LCI Update.
3	Meet with local partners and organizations to determine potential opportunities for their collaboration and involvement in the green space and public art projects and initiatives included in the project lists.
4	Continue to gather information from area property owners and market available properties in key locations.
5	Continue to educate area businesses, property owners, residents, and developers on the plan's recommendation for a shift from an auto-centric, retail corridor to an area that promotes sustainability specifically through an increased focus on walkability and quality retail.
6	Incorporate green space projects and initiatives into the City of Alpharetta's Parks and Recreation Plan.
7	Identify potential grant funding for the active stormwater park.
8	Develop the scope for a study focused on creating a branding plan for the North Point area.
9	Monitor the Fulton County Transit Master Plan and state legislation, which may impact transit services in the North Point area.
10	For road diet projects, consider short-term re-striping or other tactical interventions as demonstration projects or a first phase of implementation.

IMPLEMENTATION

5-YEAR ACTION PLAN

CONCEPT-SPECIFIC PROJECTS AND INITIATIVES

#	Applicable Area	Name	Description
INFRASTRUCTURE			
I.10	North Point Park	North Point Circle Road Diet	Convert North Point Circle Road along the park's edge to prioritize bicycle and pedestrian circulation in addition to vehicular by reducing the roadway from four to two lanes. This new allocation of roadway can serve as a model for the remainder of North Point Circle Road. (1,500 linear feet)
I.3	Lower Mansell	Parallel Road Connection	Construct a parallel road to North Point Parkway between developments (10,600 linear feet)
I.5	Encore Parkway	Road Extension	Extend North Point Center East roadway between new developments (1,200 linear feet)
I.8	North Point Park	North Point Mall Entrance Road Extension	Extend North Point Mall Entrance Road north to increase connectivity throughout mall development (1,350 linear feet)
I.9	North Point Park	North Point Drive Road Extension	Extend North Point Drive to new roundabout connection
I.7	Encore Parkway	Secondary Streets	Introduce new secondary streets to develop a more connective network between the east and west sides of Encore Parkway (700 linear feet)
I.6	Encore Parkway	New Roundabout	Add a roundabout west of Encore Parkway to connect new intervening streets
I.12	North Point Park	Secondary Streets	Introduce new secondary streets to develop a more connective network throughout the site (2,025 linear feet)
I.11	North Point Park	New Roundabout	Add a roundabout to connect new intervening streets on existing mall surface parking
I.4	Lower Mansell	New Roundabout	Add a roundabout at the existing Unnamed Road traversing the site north-south

Type of Improvement	Engineering / Design		Construction		Total Project Cost	Funding			
	Year	Cost	Year	Cost		Responsible Party	Primary Source	Local Source	Local Match
INFRASTRUCTURE									
Infrastructure	2019	\$100,000-\$150,000	2011-2022	\$500,000-\$1,000,000	\$600,000-\$1,150,000	Developer, City	Private	City of Alpharetta	TBD
Infrastructure	2020	\$50,000-\$100,000	2022	\$500,000	\$550,000-\$600,000	Developer/City	Private	City of Alpharetta	TBD
Infrastructure	2020	\$200,000-\$400,000	2022	\$2,000,000-\$3,000,000	\$2,200,000-\$3,400,000	Developer, City	Private	City of Alpharetta	TBD
Infrastructure	2022	\$100,000-\$200,000	2024	\$1,000,000-\$1,500,000	\$1,100,000-\$1,700,000	Developer, City	Private	City of Alpharetta	TBD
Infrastructure	2022	\$50,000-\$100,000	2024	\$500,000	\$550,000-\$600,000	Developer, City	Private	City of Alpharetta	TBD
Infrastructure	*	\$50,000-\$100,000	*	\$700,000	\$750,000-\$800,000	Developer	Private	N/A	N/A
Infrastructure	*	\$100,000-\$300,000	*	\$1,000,000-\$2,000,000	\$1,100,000-\$2,300,000	Developer	Private	N/A	N/A
Infrastructure	*	\$100,000-\$250,000	*	\$1,000,000-\$1,500,000	\$1,100,000-\$1,750,000	Developer	Private	N/A	N/A
Infrastructure	*	\$100,000-\$300,000	*	\$1,000,000-\$2,000,000	\$1,100,000-\$2,300,000	Developer	Private	N/A	N/A
Infrastructure	*	\$100,000-\$300,000	*	\$1,000,000-\$2,000,000	\$1,100,000-\$2,300,000	Developer	Private	N/A	N/A

*Timeline depends on private development

IMPLEMENTATION

5-YEAR ACTION PLAN (CONTINUED)

CONCEPT-SPECIFIC PROJECTS AND INITIATIVES

#	Applicable Area	Name	Description
GREEN SPACE STRATEGY			
G.3	Encore Parkway	Greenway Gateway	Leverage the property at the south-end of Encore Parkway as an opportunity to provide public open space and enhance access to the Big Creek Greenway
G.5	North Point Park	Stormwater Park	Leverage existing stormwater detention area for new large-scale community park/open space
G.6	North Point Park	Green Corridor Connection to the Mall	Introduce green corridor between buildings connecting new stormwater park with existing mall
G.7	North Point Park	Pocket Park	Include new pocket park adjacent to existing mall connecting the to new green corridor
G.1	Lower Mansell	Active Pocket Park	Create a residential pocket park with outdoor exercise equipment and other active park details
G.2	Lower Mansell	Linear Park/Greenway Connector	Implement a landscaped linear park between properties and tying into the Greenway on the south side of the site
G.4	Encore Parkway	Active Pocket Parks	Incorporate pocket parks to reinvestment efforts on the west side of Encore Parkway, including temporary and permanent activities, equipment, and programming to give each park a unique identity and purpose

Type of Improvement	Engineering / Design		Construction		Total Project Cost	Funding			
	Year	Cost	Year	Cost		Responsible Party	Primary Source	Local Source	Local Match
GREEN SPACE STRATEGY									
Green Space Strategy	2019	\$700,000-\$800,000	2022	\$8,000,000-\$10,000,000	\$8,700,000-\$10,800,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$1,740,000-\$2,160,000
Green Space Strategy	2019	\$1,500,000-\$2,000,000	2022	\$20,000,000-\$25,000,000	\$21,500,000-\$27,000,000	Developer, City	Private	City of Alpharetta	TBD
Green Space Strategy	*	\$100,000-\$150,000	*	\$1,500,000	\$1,600,000-\$1,650,000	Developer	Private	N/A	N/A
Green Space Strategy	*	\$150,000-\$250,000	*	\$3,000,000	\$3,150,000-\$3,250,000	Developer	Private	N/A	N/A
Green Space Strategy	*	\$150,000-\$200,000	*	\$2,000,000	\$2,150,000-\$2,200,000	Developer	Private	N/A	N/A
Green Space Strategy	*	\$100,000-\$150,000	*	\$1,500,000	\$1,600,000-\$1,650,000	Developer	Private	N/A	N/A
Green Space Strategy	*	\$200,000-\$300,000	*	\$3,500,000	\$3,700,000-\$3,800,000	Developer	Private	N/A	N/A

*Timeline depends on private development

IMPLEMENTATION

5-YEAR ACTION PLAN (CONTINUED)

CONCEPT-SPECIFIC PROJECTS AND INITIATIVES

#	Applicable Area	Name	Description
WALKABILITY			
W.8	North Point Park	South Trail Connection	New multiuse trail connection extending south across North Point Parkway to connect between developments and Big Creek Greenway (2,200 linear feet)
W.5	Encore Parkway	Parallel Trail Pathway	Construct a multiuse path situated parallel to GA 400 (1,700 linear feet)
W.7	North Point Park	West Trail Connection	New multiuse trail connection extending west along the north-end of the mall and parallel to GA 400 (3,600 linear feet)
W.3	Encore Parkway	West Trail Connection	Connect the new pocket park to the west with a multiuse trail through existing surface parking (700 linear feet)
W.1	Lower Mansell	Trail Across North Point Parkway	Connect the Lower Mansell area with properties to the north by constructing a multiuse trail connection across North Point Parkway (1,300 linear feet)
W.6	North Point Park	East Trail Connection	New multiuse trail connection extending east along North Point Drive towards Haynes Bridge Road and beyond (2,000 linear feet)
W.2	Lower Mansell	East Trail Connection	Construct a multiuse trail extending east to connect to existing hotel property and beyond (900 linear feet)
W.4	Encore Parkway	East Trail Connection	Construct a multiuse trail extending east to connect along North Point Center East roadway (1,200 linear feet)
OTHER INITIATIVES			
O.6	North Point Park	New Amphitheater	Construct a new amphitheater for gathering/flexible event space within the new stormwater park
O.7	North Point Park	Space Activation Strategy	Evaluate potential strategies to activate the new park space daily with a variety of initiatives and events

Type of Improvement	Engineering / Design		Construction		Total Project Cost	Funding			
	Year	Cost	Year	Cost		Responsible Party	Primary Source	Local Source	Local Match
WALKABILITY									
Walkability	2019	\$50,000-\$100,000	2022	\$500,000-\$700,000	\$550,000-\$800,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$110,000-\$160,000
Walkability	2019	\$75,000	2021-2022	\$500,000	\$575,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$115,000
Walkability	2019	\$100,000-\$150,000	2021-2022	\$500,000-\$1,000,000	\$600,000-\$1,150,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$120,000-\$230,000
Walkability	2021	\$50,000	2024	\$150,000-\$250,000	\$200,000-\$300,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$40,000-\$60,000
Walkability	*	\$50,000	*	\$500,000	\$550,000	Developer	Private	N/A	N/A
Walkability	*	\$75,000	*	\$500,000	\$575,000	Developer	Private	N/A	N/A
Walkability	*	\$50,000	*	\$200,000-\$300,000	\$250,000-\$350,000	Developer	Private	N/A	N/A
Walkability	*	\$50,000	*	\$150,000-\$250,000	\$200,000-\$300,000	Developer	Private	N/A	N/A
OTHER INITIATIVES									
Other Initiative	2019	\$100,000-\$200,000	2022	\$500,000-\$1,000,000	\$600,000-\$1,200,000	City	City of Alpharetta	City of Alpharetta	\$600,000-\$1,200,000
Other Initiative	2020	\$150,000-\$200,000	2022	N/A	\$150,000-\$200,000	City	City of Alpharetta	City of Alpharetta	\$150,000-\$200,000

*Timeline depends on private development

IMPLEMENTATION

5-YEAR ACTION PLAN

AREA-WIDE PROJECTS AND INITIATIVES

#	Applicable Area	Name	Description
INFRASTRUCTURE			
I.1	Area-wide	Streetscape Upgrades: North Point Parkway	Corridor enhancements along North Point Parkway, including pedestrian sidewalk widening, installation of pedestrian lighting, and street trees to form a cohesive streetscape
I.2	Area-wide	Streetscape Upgrades: Existing Roadways	Corridor enhancements along all secondary existing roadways within the North Point Study Area, including pedestrian sidewalk widening, installation of pedestrian lighting, and street trees to form a cohesive streetscape.
WALKABILITY			
W.9	Area-wide	Green pathways and multimodal streets	Incorporate green pathways and multimodal parallel streets where possible to connect popular destinations
W.10	Area-wide	Alpha Loop/Encore Parkway Bridge Connection	Incorporate multi-use trail connection between the Alpha Loop and the Big Creek Greenway, connecting through the Georgia 400 buffer between the 360 Tech Village development and Encore Parkway (4,000 linear feet)
OTHER INITIATIVES			
O.1	Area-wide	Public Art Program	Consider opportunities for interactive public art installations that effectively activate public spaces
O.2	Area-wide	Development of New Architectural Standards	Develop unifying architectural and design standards to re-brand the area and reinforce its identity
O.3	Area-wide	Implement Olli/Autonomous Bus Service	Evaluate and implement an on-demand, self-driving bus or shuttle service as an alternative to vehicular travel throughout the study area

*In the table above, “—” appears in situations where further information is needed to determine costing.

Type of Improvement	Engineering / Design		Construction		Total Project Cost	Funding			
	Year	Cost	Year	Cost		Responsible Party	Primary Source	Local Source	Local Match
INFRASTRUCTURE									
Infrastructure	2022	\$1,000,000-\$3,000,000	2024	\$15,000,000-\$20,000,000	\$16,000,000-\$23,000,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$3,200,000-\$4,600,000
Infrastructure	2023	\$500,000-\$1,500,000 (per mile)	2025	\$5,000,000-\$10,000,000 (per mile)	\$5,500,000-\$11,500,000 (per mile)	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$1,100,000-\$2,300,000 (per mile)
WALKABILITY									
Walkability	2022	Varies	2024	Varies	Varies	City	City of Alpharetta, ARC/Federal	City of Alpharetta	Varies
Walkability	2020	\$150,000-\$200,000	2022-2023	\$2,025,000-\$2,700,000	\$2,175,000-\$2,900,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$435,000-\$580,000
OTHER INITIATIVES									
Other Initiative	2020	\$100,000	—	—	\$100,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$50,000
Other Initiative	2019	\$50,000	—	—	\$50,000	City	City of Alpharetta	City of Alpharetta	\$50,000
Other Initiative	2022	\$1,000,000	—	—	\$1,000,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$1,000,000

IMPLEMENTATION

5-YEAR ACTION PLAN (CONTINUED)

AREA-WIDE PROJECTS AND INITIATIVES

#	Applicable Area	Name	Description
O.4	Area-wide	Development of New Sustainable Design Alternatives	Promote the use of eco-friendly alternatives and sustainable design elements/interventions as redevelopment occurs
O.5	Area-wide	Reevaluate Parking Requirements	Study existing parking and right-size parking for the district
O.6	Area-wide	Update Planned Shopping Center (PSC) Zoning	Update the City of Alpharetta's Unified Development Code to allow residential uses within properties zoned PSC
O.7	Area-wide	Development of Placemaking Best Practices	Pursue a study focused on the development of critical items to support placemaking, public space, and new design guidelines
O.8	Area-wide	District-wide Rebranding Effort	Pursue a study focused on rebranding the district by developing place-based strategies including unified wayfinding and signage standards
O.9	Area-wide	Support Transit Investments	Continue to prioritize increased connectivity in the district by supporting new transit investments, specifically bus shelters at existing bus stops
O.11	Area-wide	Expansion of Bike Share Program	Expand existing bike share program by adding locations consistent with new development in the district for maximum coverage of the area

*In the table above, “—” appears in situations where further information is needed to determine costing.

Type of Improvement	Engineering / Design		Construction		Total Project Cost	Funding			
	Year	Cost	Year	Cost		Responsible Party	Primary Source	Local Source	Local Match
Other Initiative	2020	\$50,000	—	—	\$50,000	City	City of Alpharetta, ARC/Federal	City of Alpharetta	\$25,000
Other Initiative	2019	\$80,000	—	—	\$80,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$80,000
Other Initiative	2018	\$40,000	—	—	\$40,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$40,000
Other Initiative	2019	\$50,000	—	—	\$50,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$50,000
Other Initiative	2019	\$150,000	—	—	\$150,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$150,000
Other Initiative	2020	\$50,000	—	—	\$50,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$25,000
Other Initiative	2022	\$100,000	—	—	\$100,000	City of Alpharetta	City of Alpharetta, ARC/Federal	City of Alpharetta	\$50,000