



PLANNING COMMISSION MEETING

JULY 12, 2017

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

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MEETING MINUTES
 - a. May 10, 2017
 - b. May 19, 2017
 - c. June 1, 2017
- IV. ITEMS FROM BOARD MEMBERS
- V. ITEMS FROM STAFF
- VI. PUBLIC HEARING
 - a. Z-17-06/V-17-13 Tiffany Square
Consideration of a request to rezone 3.26 acres from R-12 (Dwelling, 'For-Sale' Residential) to DT-R (Downtown Residential) to allow for the redevelopment of a 12-unit townhome development with 25 'For-Sale' single-family detached homes. Variances are requested to reduce setbacks, increase building height and to allow parking between a building and the road. The property is located on the east side of Haynes Bridge Road at Tiffany Square Drive and is legally described as being located in Land Lots 1267 and 1268, 2nd District, 2nd Section, Fulton County, Georgia.
 - b. Z-17-07/V-17-17 Waters Road/Javanmard
NOTE: This item has been withdrawn by the applicant and will be neither heard nor considered.
Consideration of a request to rezone 1.16 acres from AG (Agriculture) and R-15 (Dwelling, 'For-Sale' Residential) to R-12 (Dwelling, 'For-Sale' Residential) for the purpose of subdividing two (2) lots into three (3) single-family detached lots. Variances are requested to reduce building setbacks. The properties are located at 10715 and 10745 Waters Road and are legally described as being located in Land Lot 918, 1st District, 2nd Section, Fulton County, Georgia.
 - c. Z-17-08/V-17-19 State Bridge Road/Mashinchi
Consideration of a request to rezone 1.15 acres from AG (Agriculture) to C-1 (Neighborhood Commercial) to allow for the construction of a 9,420 square foot retail center. A variance is requested to reduce the front setback along Kimball Bridge Road. The property is located at the northwest corner of State Bridge Road and Kimball Bridge Road and is legally described as being located in Land Lot 129, 1st District, 1st Section, Fulton County, Georgia.
 - d. PH-17-13 Design Review Board Ordinance and Design Guidelines Amendments
Consideration of amendments to the Design Review Board Ordinance and Design Guidelines with regard to sign regulations.
- VII. ADJOURNMENT



PLANNING COMMISSION MEETING MAY 19, 2017

ALPHARETTA CITY HALL
COUNCIL CHAMBERS
2 PARK PLAZA
1:00 PM

I. CALL TO ORDER

II. ROLL CALL

*This summary is provided as a convenience and service to the public, media and staff. It is not the intent to record proceedings verbatim. Any reproduction of this summary must include this notice. Public comments are noted as heard by The Planning Commission, but not quoted or paraphrased. This document includes limited presentation by The Planning Commission and invited speakers in **summary** form. **This is not an official record** of the Alpharetta Planning Commission Meeting proceedings. Official Minutes are recorded and available for review.*

I. CALL TO ORDER

II. ROLL CALL

- Commission Members Present
 - Kyle Caswell (Chairman)
 - Larry Attig
 - Ben Burnett
 - Karen Richard
 - John Goss
- Commission Members Absent
 - Francis Kung'u
 - Rob Partee
 - John Hipes
 - Fergal Brady
- Staff Members Present
 - Michael Woodman, Senior Planner
 - Eric Graves, Senior Traffic Engineer
 - Elle Taylor, Planning and Zoning Coordinator

III. PUBLIC HEARING

a. PH-17-15 Unified Development Code - Text Amendments

Michael Woodman presented consideration of amendments to the Unified Development Code (UDC) Section 1.4

Definitions to add definitions for ‘Discount Store’, ‘Brewery’ and ‘Distillery’. Text amendments are proposed within UDC Section 2.2 Permitted Use Districts and Regulations and UDC Appendix A: Alpharetta Downtown Code, Section 3.4 to identify ‘Discount Store’, ‘Brewery’ and ‘Distillery’ as permissible and conditional uses in the appropriate zoning districts.

Discount Store:

Staff proposes adding a definition for ‘Discount Store’ and to add the use as an allowable use in the LI (Light Industrial) zoning district. Currently, staff interprets a ‘Discount Store’ to be a ‘Retail Establishment, Mixed Sales’, which is a permitted use in the C-2 and LI zoning districts and a conditional use in the CUP, C-1 and PSC zoning districts. Staff proposes the following definition:

“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.”

Brewery & Distillery:

Staff proposes adding definitions for ‘Brewery’ and ‘Distillery’ and to add the uses as permissible in the LI district and as a conditional use in the CUP, O-I, C-1, C-2, PSC, MU, DT-C and DT-MU districts. Staff proposes the following definitions:

“Brewery. A facility where malt beverages are manufactured or brewed.”

“Distillery. A facility where distilled spirits are manufactured (distilled, rectified or blended).”

These definitions were provided by the City Attorney and come directly from State law and the City’s Alcohol Ordinance.

There was discussion on difference between retail establishments and discount stores.

There was discussion that definition of Discount Store may be too broad and may need more differentiation from Retail Establishments Mixed Sales. Staff stated that the City Attorney has reviewed definition.

- ❖ Commissioner Attig offered a motion to approve
 - The motion received a second from Commissioner Richard
 - The Motion was approved (6-0)

IV. ADJOURNMENT



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: Z-17-06/V-17-13 TIFFANY SQUARE

PLANNING COMMISSION: JULY 12, 2017

CITY COUNCIL: JULY 24, 2017

II. RECOMMENDATION:

Approve Z-17-06/V-17-13 Tiffany Square, subject to the following conditions:

1. The site, consisting of approximately 3.26 acres, shall be zoned DT-R and developed substantially similar to site plan submitted by BH&D Engineering, Inc., dated 6/15/2017, 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 permitted residential density shall be limited to no more than 6 dwelling units per acre and the maximum building height shall be no more than 35'.
3. Lots adjacent to the property to the north shall have a minimum lot size of 6,000 square feet.
4. Minimum building setbacks shall be:
 - a. Front – 5' (as measured from back of sidewalk)
 - b. Side – 0' (10' between structures)
 - c. Rear – 6' (in addition to the required perimeter landscape buffer)
5. Architecture and materials shall be developed similar to the submitted renderings, except for modifications required to comply with these conditions and Downtown Architect/Staff comments, and in compliance with the Alpharetta Downtown Code subject to approval by Staff. Front porches and stoops shall have a minimum depth of 8'. Bay windows shall have a minimum depth of 2'.
6. A minimum 15' undisturbed buffer, replanted where sparse, shall be provided along the north, east, south and west property lines and shall be supplemented with evergreen trees and shrubs to provide a visual screen, as approved by Staff. Developer shall remove exotic and invasive trees and shrubs within open space, buffers and tree save areas and replant where sparse as approved by Staff.
7. Final streetscape shall match the approved Downtown streetscape standards and include decorative pedestrian lighting as approved by Staff.
8. Developer shall provide a brick paver crosswalk across private driveway at Haynes Bridge Road.
9. Roadways with on-street parking shall incorporate curb extensions at intersections. Internal road shall include on-street parking and sidewalk, where feasible, as approved by Staff.
10. Amenity spaces shall be developed with a park-like setting with heavy decorative landscape, hardscape, walls and seating. The landscape shall include plant selections promoting the historic district.
11. The project entrance shall include a decorative knee wall and shall be heavily landscaped with ornamental plantings as approved by Staff. Landscape, hardscape, fences and walls shall complement materials used in the Downtown, as approved by Staff. Creeping fig or another creeping vine shall be planted to cover decorative and retaining walls as approved by Staff.
12. Development shall not be gated and roads will be private and maintained by the HOA.
13. Driveways shall be a minimum 18' from garage to back of sidewalk or less than 5'.

14. Internal sidewalks shall be provided as depicted on the site plan, including a connection to the fronts of units and shall be a minimum 5' with 4' planting strip and pedestrian-scale lighting provided throughout the development.
15. Fencing visible from the street shall be decorative as approved by Staff.
16. Existing trees shall be preserved as depicted on site plan prepared by BH&D Engineering, Inc., dated 6/15/2017. In addition, the developer shall save the following trees: #1028 (25" Oak) and #1034 (34" Oak). Additional encroachments shall be allowed per this plan with additional tree care to offset the encroachment as approved by Staff.
17. Developer shall spade and relocate on-site Japanese Maple located between 4009 and 4010 Tiffany Square Drive, as approved by Staff. If the Japanese Maple cannot be relocated due to health or other reason acceptable to Staff, it shall be replaced with a Japanese Maple of similar size.
18. Street trees shall be required along Haynes Bridge Road within the beauty strip, as well as behind the sidewalks as a continuation of what has been previously planted or designed in the Downtown and outside of any utility easements, as approved by Staff. In lieu of tree grates, the soil area around street trees shall be planted with evergreen ornamental grasses, groundcovers and/or shrubs.
19. Off-site tree encroachment shall be limited to no more than 20% on the CRZ and shall require notification/approval by property owner, as approved by administrative variance.
20. Stormwater pond shall not encroach any further into the 75' impervious setback than depicted on the approved site plan. Developer shall make every effort to minimize the encroachment into the 75' impervious setback.
21. Decorative paver aprons shall be required at the project driveway as approved by Staff.
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. Overhead utilities shall be placed underground.

III. REPORT IN BRIEF:

The applicant, Southeast Real Estate Acquisitions, is requesting a rezoning of 3.26 acres from R-12 (Dwelling, 'For-Sale' Residential) to DT-R (Downtown Residential) to allow for the construction of 23 'For-Sale' detached homes. The property is currently developed with 12 townhome units. Variances are requested to reduce building setbacks, increase building height and to allow parking between the road and a structure. The property is located on the east side of Haynes Bridge Road at Tiffany Square Drive.

DISCUSSION

The submitted request, if approved, will allow for the redevelopment of a 12-unit townhome community with 23 'For-Sale' single-family detached homes on 3.26 acres. The proposed density is 7.06 dwelling units per acre. The property is known as Tiffany Square and is located on the east side of Haynes Bridge Road at Tiffany Square Drive.

The subject property is zoned R-12 and was developed in 1985 at a density of 3.68 dwelling units per acre. Surrounding properties are zoned R-12 to the north, R-4A to the east, O-P and R-12 to the south and MU to the west. Academy Park is adjacent to the east, Voysey (Hedgewood) to the west, chiropractor's office and single-family residence to the south and single-family residence (Bilderback Property) to the north. The proposed use is consistent with the Comprehensive Land Use Plan designation of the property, which is 'Downtown Residential Density'.

As reflected in the table below, a total of 156 single-family detached (SFD) units have been approved in the Downtown Overlay.

'For-Sale' Residential Approved within the Downtown Overlay

Development	Downtown Area	Number*
Edward Andrews Homes	Thompson St	23 TH/17 SFD
Thompson St Flats	Thompson St	24 C
Southerton/Aycock	Thompson St	10 SFD
Old Milton Holdings	Thompson St	25 SFD/88 TH/42 C
Hedgewood (Voysey)	Thompson St	42 SFD
Burnett Circle	Thompson St	43 TH
East of Main	Academy St	41 SFD/42 TH
Lehigh Homes	Cumming St	9 SFD
Twelve on Canton	Canton St	12 SFD
Teasley Place	Canton St/Academy St	24 C
Chelsea Walk	Old Milton Pkwy	49 TH
Perling (Devore & South Main)	South Main St	78 TH
Total		156 SFD/323 TH/90 C

*SFD = Single Family Detached, TH = Townhome, C = Condominium

Densities vary in the Downtown, as shown in the table below. The applicant proposes a density of 7.06 dwelling units per acre. Surrounding properties have densities of 1.0 (Bilderback property), 4.0 (Academy Park) and 8.0 (Voysey) dwelling units per acre. In order to provide a transition between the applicant's property and surrounding properties, the density of the subject property should be limited to no more than six (6) dwelling units per acre. The property to the north is developed with one (1) single-family detached home. Approval should not increase the four (4) units in Tiffany Square to five (5) as depicted on the applicant's site plan.

Downtown Overlay – Residential Densities

Development Name	Type	Acres	Density
Southerton/Aycock	10 SFD	1.232 acres	8.1 units/acre
City Center	42 SFD, 156 Apartments	25 acres	8.0 units/acre
Edward Andrews	17 SFD, 23 TH	5.85 acres	6.8 units/acre
Old Milton Holdings/Notting Hill	25 SFD, 89 TH, 42 Condo	23.89 acres	6.5 units/acre
Thompson Street Flats	24 Condo	2.39 acres	10.0 units/acre
Thompson St/Burnett Circle	43 TH	5.722 acres	7.5 units/acre
Lehigh Homes	9 SFD	3.1 acres	2.9 units/acre
Teasley Place	24 Condo	2.2 acres	10.9 units/acre
East of Main	41 SFD, 42 TH	10.43 acres	8.0 units/acre
Newvale (f.k.a. Olmstead Park)	23 TH	2.39 acres	9.6 units/acre
Twelve on Canton	12 SFD	5.465 acres	2.2 units/acre
Perling – S. Main/Devore	78 TH, 129 Apartments	12.913 acres	16.0 units/acre
Chelsea Walk	49 TH	7.04 acres	7.0 units/acre

The applicant requests the following variances related to requirements established in UDC Appendix A: Alpharetta Downtown Code:

1. Reduce the front setback in the DT-R district from 10' to 5'.

2. Increase the allowable building height in the DT-R district from 35' to 45'.
3. Allow off-street parking between the street and the structure (front-loaded homes).

The requested front setback variance would accommodate perimeter tree saves at the rear of lots. Variances have previously been approved allowing parking between the road and a structure when the subject property abuts an established neighborhood. The justification for this variance is that landscape strips, buffers and tree save areas are more appropriate adjacent to existing residential subdivisions than an alley.

Surrounding properties have maximum building heights of 35', except for Voysey which has a maximum building height of 45'. However, the six (6) approved building permits in Voysey have building heights ranging from 32' to 35'. Therefore, staff recommends limiting the building height on the applicant's property to no more than 35'.

SITE PLAN

The submitted site plan depicts 23 single-family detached lots on 3.26 acres. Homes are proposed to be three (3) stories or 45' and are oriented to a central amenity space internal to the site. Lots are depicted backing up to Voysey, Academy Park and a single-family lot to the north. Lot sizes range from approximately 3,000 to 6,400 square feet, with an average lot size of 4,138 square feet.

One (1) project driveway is depicted on Haynes Bridge Road at the existing private right-of-way for Tiffany Square Drive. Six (6) on-street guest parking spaces are depicted adjacent to the central park, which exceeds the Downtown Code requirement of 0.15 parking spaces per residential unit. A four-foot (4') sidewalk is depicted along the internal road. Minimum building setbacks are proposed as follows:

- Perimeter Setback – 15'
- Interior (Front) – 5', as measured from back of sidewalk
- Internal (Side) – 0' – 6'
- Internal (Rear) – 6'

The applicant's site plan depicts an 8,566 square foot amenity space at the center of the site, as well as an 8,056 square foot tree save area at the site entrance. The Downtown Code requires a minimum 10% amenity space, which would be 14,200 square feet. The applicant's site plan complies with the minimum requirements for amenity space. If approved, both amenity areas should be improved with landscape and hardscape to provide gathering and seating areas.

There are several trees on the subject property, consisting mainly of Hardwoods and Pines. Trees are concentrated at the entrance, around the perimeter and on the south end of the property. Staff had concerns with the applicant's initial site plan, which did not save many trees. The applicant revised the site plan to incorporate additional tree save areas, including at the entrance and along the perimeter of the property. The City Arborist stated that additional trees should be saved on the property, such as the 25" Oak depicted on Lot 13, 17" Red Maple, Japanese Maple and the 34" Oak depicted within the detention pond.

A stormwater management pond is depicted at the south end of the site, which is the same location of an existing retention pond. The existing and proposed stormwater facilities are located and depicted within

the 75' impervious setback associated with the stream to the south. The City's Stormwater Engineer has reviewed the applicant's site plan and can generally support encroachment into the 75' impervious setback, as long as the developer makes every effort to minimize the encroachment.

According to the applicant, home prices will start at \$650,000 and homes will range in size from 2,300 to 2,800 square feet.

ELEVATIONS

The applicant's proposed renderings reflect four (4) architectural styles approved in the Downtown Overlay, including Georgian, Georgian Regency, Folk Victorian and Stick. Renderings of the detached product depict a variety of materials, including siding, board and batten and brick.

The City's Downtown Architect reviewed the proposed building elevations and finds the elevations to be generally in compliance with the approved architectural styles. The following comments were provided by the Downtown Architect:

- Georgian:
 - Need chimney, windows should be double-hung sashes, windows should be 9-12 panes per sash, muntins should be thick and wooden, cornice needs dentils or other decorative molding, front door should be centered and topped with a decorative crown support by decorative pilasters, door should have glass panes beneath crown, within the door or in a transom, roof is not typical of Georgian.
- Georgian Regency:
 - Need chimney, windows should be double-hung sashes, windows should be 9-12 panes per sash, muntins should be thick and wooden, cornice needs dentils or other decorative molding, front door should be centered and topped with a decorative crown support by decorative pilasters, door should have glass panes beneath crown, within the door or in a transom, roof is not typical of Georgian, missing details typical of the Regency period.
- Folk Victorian:
 - Need brackets under eaves, need spindle work porch detailing (or flat jigsaw cut trim), elevation missing details typical of this style
- Stick:
 - Gabled roof should be steeply pitched, need decorative trusses in gables, need diagonal or curving porch-support braces, need overhanging eaves with exposed rafter ends, need horizontal and vertical bands, siding should be applied in varying directions
- General Comments:
 - Building widths and heights should have more variation from lot-to-lot.
 - Simple garage doors are not historical.
 - Headers should span beyond the opening it supports.
 - Middle option doors and windows don't match style and half round window should move up a bit. Gable material should not be brick, when supported by wood columns.

TRAFFIC

The proposed project, consisting of 23 single-family detached units, would generate less than 30 PM Peak Hour trips. The net increase (removal of 12 townhome units and replacement with 23 detached lots) is less than 19 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 – 25 Single-Family Detached Units

School	Single Family Average #
Manning Oaks Elementary School	3 to 9 students
Hopewell Middle School	1 to 5 students
Alpharetta High School	2 to 8 students
TOTAL	6 to 22 students

Based on the total figure for all three school levels, it can be assumed that the proposed development could house approximately 6 – 22 school age children. Since 12 townhome units already exist on the subject property, the net increase is 3 – 11 school age children. Numbers provided by Fulton County Schools show that Alpharetta High School has capacity; however, Manning Oaks Elementary School and Hopewell Middle School are currently over capacity.

STANDARDS FOR ZONING CHANGES

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

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

Response: The zoning proposal would be suitable as it relates to the use and development of adjacent or nearby properties, if conditions are approved restricting the density to no more than six (6) dwelling units per acre and requiring perimeter tree saves and buffers. Also, since the property to the north is single-family detached home, adjacent lots should be a minimum 6,000 square feet.

- 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, if conditions are approved restricting the density to no more than six (6) dwelling units per acre and requiring perimeter tree saves and buffers.

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

Response: The applicant's proposal should not have significant impacts on the natural environment, if conditions are approved requiring tree save areas and limiting additional impacts on the stream buffer.

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

Response: The subject property could be developed with single-family detached lots under the existing R-12 zoning.

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 should not have significant impacts on public facilities or services as the applicant's proposal would result in a net gain of eleven (11) residential units. The proposal would represent an increased demand on roads, water and sewer, parks and recreation, police and fire, as well as schools.

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

Response: The subject property is located in the Downtown Overlay, which includes opportunities for properties to be developed under the new Downtown zoning districts.

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 applicant's zoning proposal generally reflects a reasonable balance as the proposed development would result in the redevelopment of an existing townhome community and the proposed use is consistent with the Downtown Master Plan. However, staff recommends that the density be limited to no more than six (6) dwelling units per acre.

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

Response: The subject property could be developed with single-family detached lots under the existing R-12 zoning.

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

Response: The request to allow 'For-Sale' residential uses is consistent with the Comprehensive Land Use Plan designation of the property, which is Downtown Residential Density.

VARIANCE REVIEW CRITERIA

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

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

Response: The subject property has an unusual shape and is completely surrounded by established and new residential development. Therefore, staff can support the request for units to be front-loaded and to reduce the front setback from 10' to 5', which will allow for perimeter tree saves. However, staff does not support the requested height variance as the proposed height is not consistent with the development of surrounding properties.

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

Response: The applicant could develop the site in compliance with the required setbacks, building height and building orientation. However, the site plan was laid out to minimize impacts to surrounding residential properties by saving perimeter trees. The requested height variance is not consistent with the development/approvals on adjacent properties and therefore is not appropriate for the area.

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

Response: The subject property has an unusual shape and is completely surrounded by established and new residential development. Therefore, staff can support the request for units to be front-loaded and to reduce the front setback from 10' to 5', which will allow for perimeter tree saves. However, staff does not support the requested height variance as the proposed height is not consistent with the development of surrounding properties.

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

Response: Approval would not cause substantial detriment to the public good as the site plan has been laid out to minimize impacts on adjacent residential properties by saving perimeter trees. Staff does not support the requested height variance as surrounding properties have maximum building heights or are being constructed at a height of no more than 35'. Staff recommends conditions to save perimeter trees and to replant perimeter buffers, where sparse, for the purpose of screening the subject property from surrounding properties.

CONCURRENCES

Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for rezoning and certain variances. While the proposed rezoning is consistent with the intent of the Downtown Master Plan and Comprehensive Plan, staff has concerns with the proposed residential density. Based on the surrounding development pattern, staff believes that a density of no more than six (6) dwelling units per acre is appropriate on the subject property in order to provide a transition between Academy Park (4.0 units/acre), the Bilderback property (1.0 units/acre) and Voysey (8.0 units/acre). When determining the appropriate density for the subject property, staff also took into consideration the fact that

the property is already developed with 12 townhome units, which will be removed and replaced with single-family detached product, and is situated back off the road.

Variances to reduce the front setback and to allow structures to be front-loaded can be supported in order to minimize impacts to surrounding properties by saving perimeter trees. However, staff does not support the requested variance to increase the building height to 45'. With the exception of Voysey, surrounding properties have a maximum height of 35'. Although Voysey was approved for a maximum height of 45', building permits for the first six (6) homes have heights that range from 32' to 35'. If approved, conditions are recommended restricting the density to no more than six (6) dwelling units per acre and limiting the height to no more than 35'.

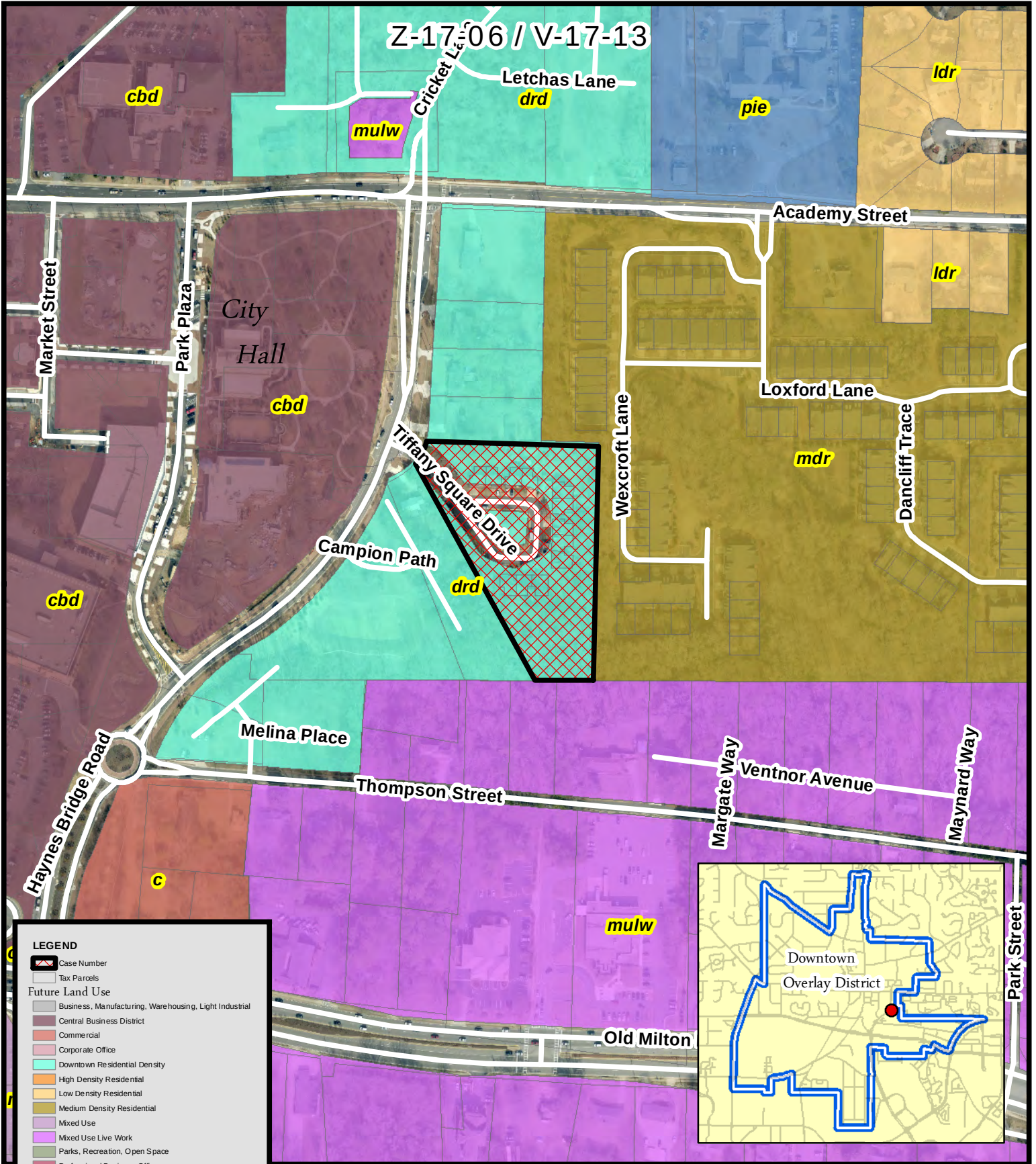
CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that the applicant held three (3) meetings at the Academy Park clubhouse. According to the applicant, a number of issues were discussed at the meetings, including price point, density, traffic, stormwater, trees, building height and sight lines between Academy Park and the proposed development.

IV. ATTACHMENTS:

- Site Plan
- Renderings

Z-17-06 / V-17-13



LEGEND

Case Number

Tax Parcels

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

**Future Land Use
Tiffany Square
Haynes Bridge Road**

Z-17-06 / V-17-13
D/LL: 2/2/1267, 1268
PC Date: 7/12/17
CC Date: 7/24/17

Location Map Provided by:
Community Development - GIS



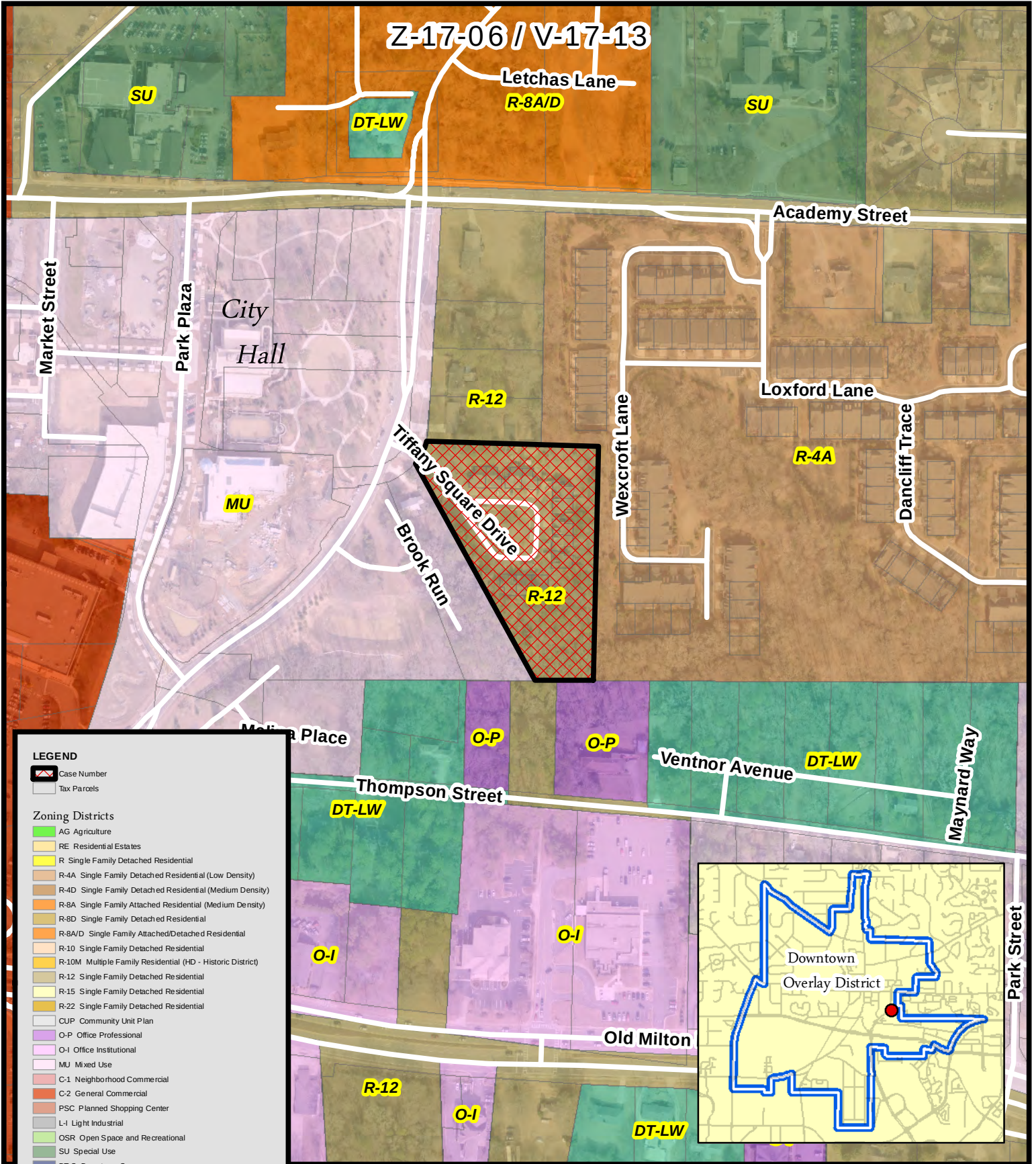


Aerial Map
Tiffany Square
Haynes Bridge Road

Z-17-06 / V-17-13
D/LL: 2/2/1267, 1268
PC Date: 7/12/17
CC Date: 7/24/17

Location Map Provided by:
Community Development - GIS

Z-17-06 / V-17-13

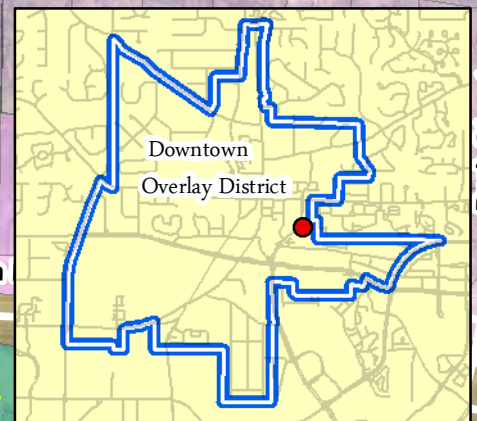


LEGEND

- Case Number
- Tax Parcels

Zoning Districts

- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-4D Single Family Detached Residential (Medium Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-8D Single Family Detached Residential
- R-8A/D Single Family Attached/Detached Residential
- R-10 Single Family Detached Residential
- R-10M Multiple Family Residential (HD - Historic District)
- R-12 Single Family Detached Residential
- R-15 Single Family Detached Residential
- R-22 Single Family Detached Residential
- 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-1 Light Industrial
- OSR Open Space and Recreational
- SU Special Use
- DT-C Downtown Core
- DT-MU Downtown Mixed-Use
- DT-LW Downtown Live-Work
- DT-R Downtown Residential

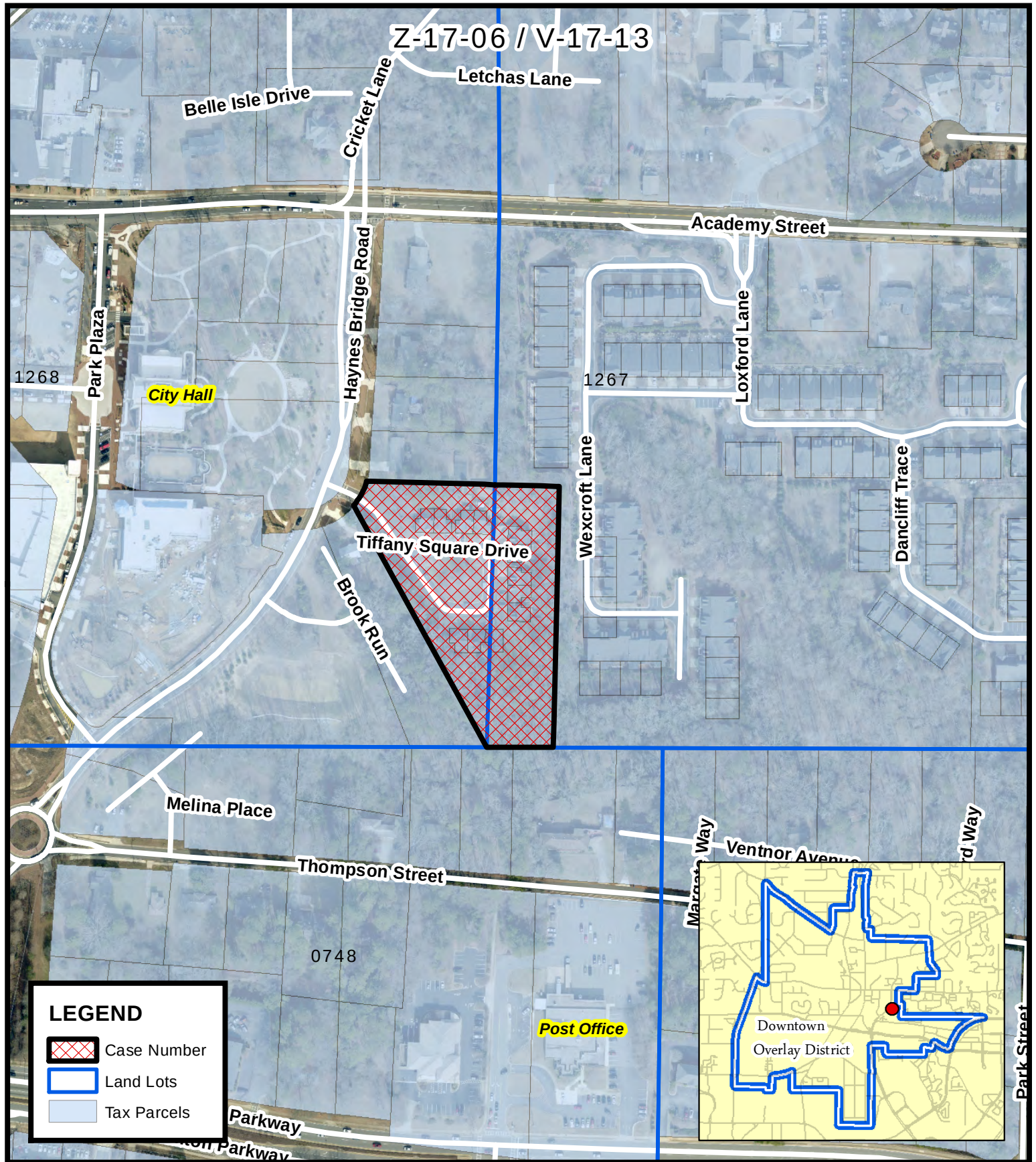


Zoning Map
Tiffany Square
Haynes Bridge Road

Z-17-06 / V-17-13
D/LL: 2/2/1267, 1268
PC Date: 7/12/17
CC Date: 7/24/17

Location Map Provided by:
Community Development - GIS





Z-17-06 / V-17-13
D/LL: 2/2/1267, 1268
PC Date: **7/12/17**
CC Date: **7/24/17**

Location Map Tiffany Square Townhomes

Location Map Provided by:
Community Development - GIS



SITE INFORMATION

ZONING-- TIFFANY SQUARE:
EXISTING ZONING: R-12
PROPOSED ZONING: DT-R DOWNTOWN RESIDENTIAL LOT AREA VARIES
MINIMUM LOT WIDTH: 25' FOR SINGLE FAMILY DETACHED
MINIMUM LOT WIDTH PROVIDED: 30'
NUMBER OF LOTS: 23
TOTAL LOT AREA: 3.28 ACRES
DISTURBED AREA: XX ACRES
DENSITY: 7.06 UNITS/ACRES
IMPERVIOUS AREA: 45% OR 1.47 ACRES
IMPERVIOUS AREA ALLOWED: 70% OR 2.38 ACRES
OPEN SPACE PROVIDED: 17,590 SF/ 0.40 ACRES (12.3%)
STORMWATER POND: ±14,741 SF/ 0.34 ACRES
A 4' WIDE CONC S/W IS PROPOSED FROM B/C AS SHOWN

SETBACKS REQUIRED:
FROM INTERIOR FRONT LOT LINE: 5' FROM Back of S/W
FROM INTERIOR SIDE LOT LINE: 0-6'
CORNER SIDE SETBACK: 0-6'
FROM INTERIOR REAR LOT LINE: 6' (EXTERIOR 15')
MAXIMUM BUILDING HEIGHT: 45'
MINIMUM HEATED SQUARE FOOTAGE: 2,500 SF

UTILITY PROVIDERS:
• WATER: FULTON COUNTY PUBLIC WORKS.
• SEWER: FULTON COUNTY PUBLIC WORKS.
• GAS: ATLANTA GAS AND LIGHT
• ELECTRIC BY GEORGIA POWER CO.
• PHONE: AT&T
• CABLE: COMCAST

THERE ARE NO WETLANDS/STREAMS LOCATED ON SUBJECT PROPERTY, PER CITY GIS MAPS

OFF STREET PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.

ALL REVISIONS TO THESE PLANS MUST BE SUBMITTED TO THE CITY OF ALPHARETTA COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO CONTINUING CONSTRUCTION.

ALL TEMPORARY AND PERMANENT SIGNS TO BE PERMITTED SEPARATELY.

ON SITE BURIAL IS NOT ALLOWED.

COMMON AREAS WILL BE MAINTAINED BY THE MANDATORY HOMEOWNER'S ASSOCIATION.

AN APPROVED FINAL PLAT WILL BE REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT/CO.

ALL UTILITY LOCATES AND RELOCATIONS TO BE THE RESPONSIBILITY OF THE DEVELOPER.

COMMUNITY DEVELOPMENT NOTES:

A 3-YEAR PERFORMANCE AND MAINTENANCE BOND WILL BE REQUIRED FOR ALL LANDSCAPING AND IRRIGATION.

PARKING LOT LIGHTS WILL BE LOCATED OUTSIDE OF LANDSCAPE ISLANDS. SITE LIGHTING MUST BE APPROVED BY THE ZONING DEPARTMENT PRIOR TO ISSUANCE OF ELECTRICAL PERMIT.

THE OWNER IS RESPONSIBLE FOR ANNUAL REPORTING OF THE WASTE GENERATION FOR THIS PROJECT ON AN ONGOING BASIS. THE WASTE GENERATION ANALYSIS MUST DEMONSTRATE A 25% OVERALL WASTE REDUCTION DUE TO RECYCLING.

OFF STREET PARKING SHALL BE PROVIDED AND MAINTAINED THROUGHOUT CONSTRUCTION.

ALL REVISIONS TO THESE PLANS MUST BE SUBMITTED TO THE CITY OF ALPHARETTA COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO CONTINUING CONSTRUCTION.

ALL ROOFTOP APPURTENANCES, SATELLITE DISHES AND/OR OTHER COMMUNICATION DEVICES WILL BE SCREENED FROM ALL PUBLIC RIGHTS OF WAY.

ALL TEMPORARY AND PERMANENT SIGNS TO BE PERMITTED SEPARATELY.

CONTACT THE FOLLOWING DEPARTMENTS FOR APPROVAL OF THE PERMANENT CERTIFICATE OF OCCUPANCY: COMMUNITY DEVELOPMENT, ENGINEERING, ARBORIST, TRAFFIC & FIRE. ALLOW A MINIMUM OF 3 DAYS NOTICE FOR A SITE INSPECTION APPOINTMENT.

ON-SITE BURIAL IS NOT ALLOWED.

AN ENGINEER'S CERTIFICATION WILL BE REQUIRED FOR ALL RETAINING WALLS PRIOR TO ISSUANCE OF THE CERTIFICATE OF OCCUPANCY. ALL RETAINING WALLS GREATER THAN 4 FEET IN HEIGHT MUST OBTAIN A BUILDING PERMIT.

AN APPROVED COMBINATION PLAT WILL BE REQUIRED PRIOR TO THE ISSUANCE OF A CO.

IRRIGATION NOTES:

IRRIGATION SYSTEMS ARE NOT ALLOWED WITHIN THE PUBLIC RIGHT OF WAY. (SYSTEMS WILL BE ALLOWED INSIDE MEDIANS IF AN INDEMNIFICATION LETTER IS PROVIDING ABSOLVING THE CITY OF ALPHARETTA OF ANY RESPONSIBILITY FOR DAMAGES).

IRRIGATION SPRAY ONTO PUBLIC ROADWAYS IS NOT ALLOWED.

IRRIGATION SYSTEMS MUST BE SHUT OFF OR OPERATED MANUALLY DURING WINTER MONTHS TO PREVENT UNNECESSARY ICE ON ROADS.

GENERAL NOTES:
ALL PAVEMENT MARKINGS SHALL BE THERMOPLASTIC.
ALL PAVEMENT MARKINGS AND SIGNS SHALL COMPLY WITH MUTCD STANDARDS.

ALL INSTALLATION METHODS AND MATERIALS SHALL COMPLY WITH CITY OF ALPHARETTA STANDARD AND SPECIFICATIONS.

ERADICATE ALL CONFLICTING MARKINGS BY GRINDING (NO BLACK-OUT PAINT).

MULCH STORAGE REQUIREMENTS
MULCH STORAGE MUST COMPLY WITH THE FOLLOWING SECTION OF STANDARD FIRE PREVENTION CODE.

SECTION 502.3.1.
NO PERSON SHALL STORE IN ANY BUILDING OR UPON ANY PREMISES IN EXCESS OF 2500 CU. FT. GROSS VOLUME OF COMBUSTIBLE EMPTY PARKING CASES, BOXES, BARRELS OR SIMILAR CONTAINERS, OR RUBBER TIRES, RUBBER OR CORK OR OTHER SIMILARLY COMBUSTIBLE MATERIALS WITHOUT A PERMIT.

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

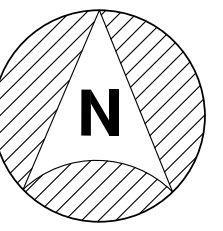
ALL CURB CUT RAMPS SHALL INCORPORATE DETECTABLE WARNING SURFACES AS PER GDOT SPECIAL DETAIL 44.

IMPERVIOUS AREA = XXX% OF SITE OR XX ACRES

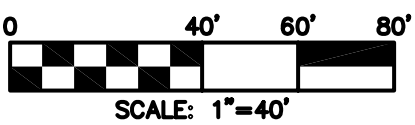
BOUNDARY & TOPOGRAPHY SURVEY BY GUNNIN LAND SURVEYING, LLC.
DATE OF SURVEY: 5/6/2016 & 1/21/2017
BENCHMARK: TOP OF FIRE HYDRANT ON HAYNES BRIDGE ROAD
ELEV. 1111.92
DATUM: GPS - NAD83 AND NAVD 1988

OWNER/DEVELOPER:
SOUTHEAST REAL ESTATE ACQUISITIONS, LLC
ATTN: MARK SHAW
3525 PIEDMONT ROAD
ATLANTA, GA 30305
404-395-5219

NORTH:



SCALE:



SCALE: 1"=40'

TRAFFIC NOTES:

CONTRACTOR IS TO PROVIDE THE CITY OF ALPHARETTA ENCROACHMENT PERMIT FOR ALL WORK WITHIN THE CITY'S R.O.W. ANY TRAFFIC SIGNAL OR UTILITY RELOCATIONS WILL BE THE RESPONSIBILITY OF THE OWNER/ DEVELOPER.

ALL UTILITY LOCATES AND RELOCATIONS, AND OR DAMAGE WILL BE THE RESPONSIBILITY OF THE DEVELOPER/CONTRACTOR. DEVELOPER/CONTRACTOR MUST CONTACT CITY OF ALPHARETTA LOCATE PERSONNEL DIRECTLY FOR TRAFFIC SIGNAL UTILITY LOCATES. PHONE 678.297.6200.

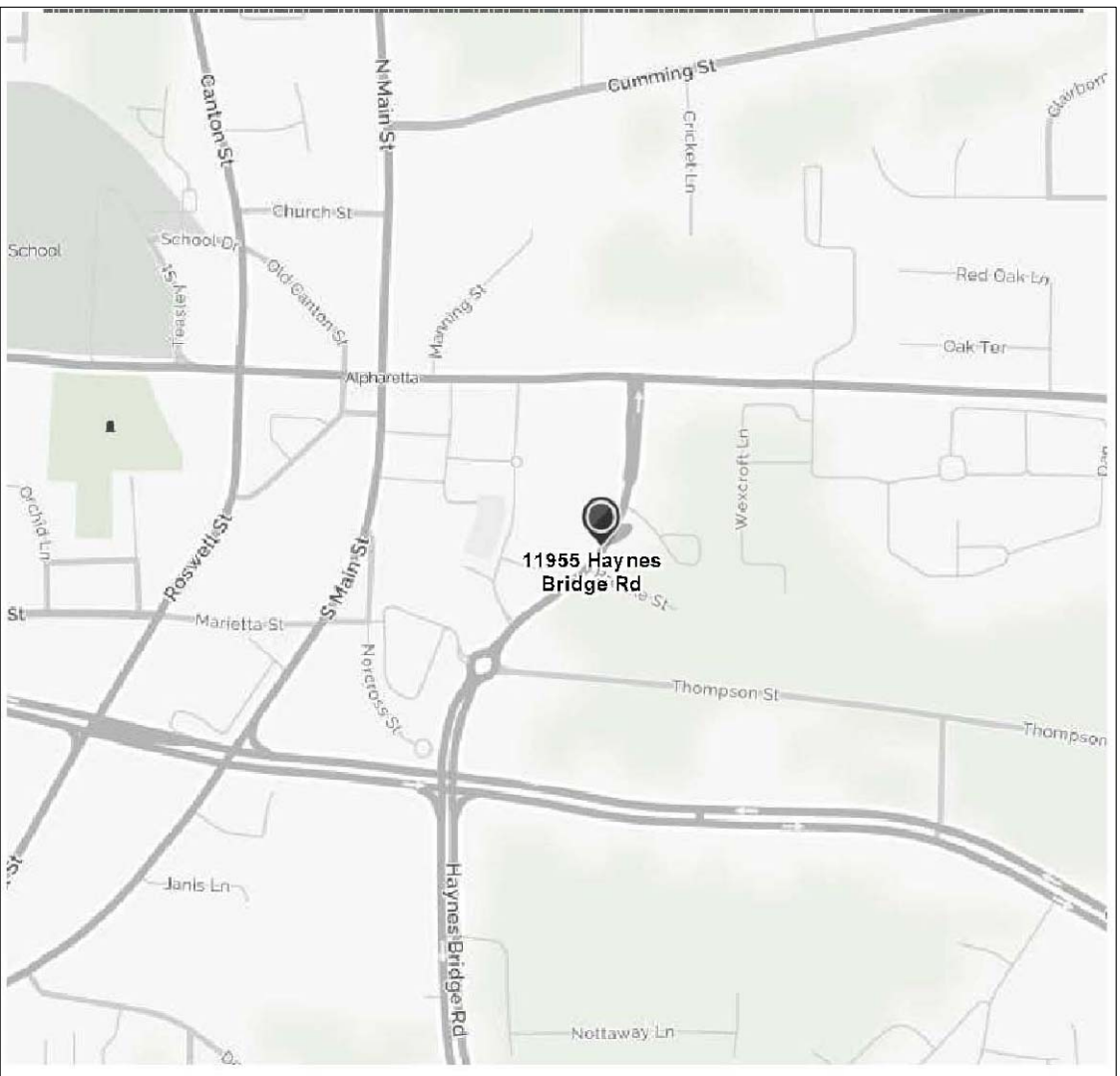
ALL REQUIRED TRAFFIC SIGNAGE MUST MEET MUTCD STANDARDS.

ALL REQUIRED TRAFFIC STRIPING MUST MEET MUTCD AND GDOT PLAN SPECIFICATIONS AND MUST BE THERMO-PLASTIC.

ALL H/C RAMP FORMS MUST BE APPROVED BY CITY LAND DISTURBANCE INSPECTOR PRIOR TO CONCRETE POUR.

AREA DEDICATED FOR PUBLIC R.O.W: 0 ACRES

TYPICAL PARKING STALL SIZE: 9'x19'



INTERSECTION CORNER SIGHT DISTANCE - NEW SUBDIVISION STREETS

I, THE UNDERSIGNED, HEREBY CERTIFY THAT WITH GRADING AND VEGETATIVE REMOVAL IN THE ZONE SHOWN ON THE PLAN, ADEQUATE CORNER SITE DISTANCE WILL BE PROVIDED FOR PROPOSED ENTRANCE AT THE INTERSECTION WITH HAYNES BRIDGE ROAD. THE REGULATED SPEED LIMIT WILL BE 25 MILES PER HOUR ON PROPOSED ROAD. THE SIGHT DISTANCE AT THE INTERSECTION OF PROPOSED ROAD AND HAYNES BRIDGE ROAD, UPON COMPLETION OF CONSTRUCTION AND ADDITIONAL GRADING AND REMOVAL OF VEGETATION, WILL MEET OR EXCEED 350' IN BOTH DIRECTIONS; THEREFORE CORNER SIGHT DISTANCE FROM THE APPROACHING STREET WILL BE EQUAL TO OR EXCEED 10 TIMES THE REGULATED SPEED OF THE INTERSECTION STREET, AS MEASURED FROM THE CENTER OF THE APPROACHING STREET IN BOTH DIRECTIONS ALONG THE RIGHT OF WAY LINE OF THE INTERSECTING STREET. THE SIGHT DISTANCE WILL PROVIDE CLEAR VISIBILITY OF AN OBJECT 3.5 FEET ABOVE THE INTERSECTING STREET VIEWED FROM THE CENTERLINE OF THE APPROACHING STREET MEASURED 10 FEET FROM EDGE OF PAVEMENT OF THE INTERSECTING STREET, AT A HEIGHT OF 2.5 FEET ABOVE THE GROUND.

Michael Henderson
MICHAEL HENDERSON, PE 28411

06-15-2017
DATE

TIFFANY SQUARE
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA
LAND LOT: 1267/1268
DISTRICT: 2ND
SECTION: 2ND

BH & D Engineering, Inc.
280 HERITAGE WALK
WOODSTOCK, GEORGIA 30188
PHONE: (678) 678-1976 (MICHAEL HENDERSON)
EMAIL: MHENDERSON@BHDENG.COM

SUBMITTALS

REVISIONS

SETBACKS

ZONING: SEE PLAN
FRONT SIDE REAR
XX XX XX
BUFFERS:
SEE PLAN



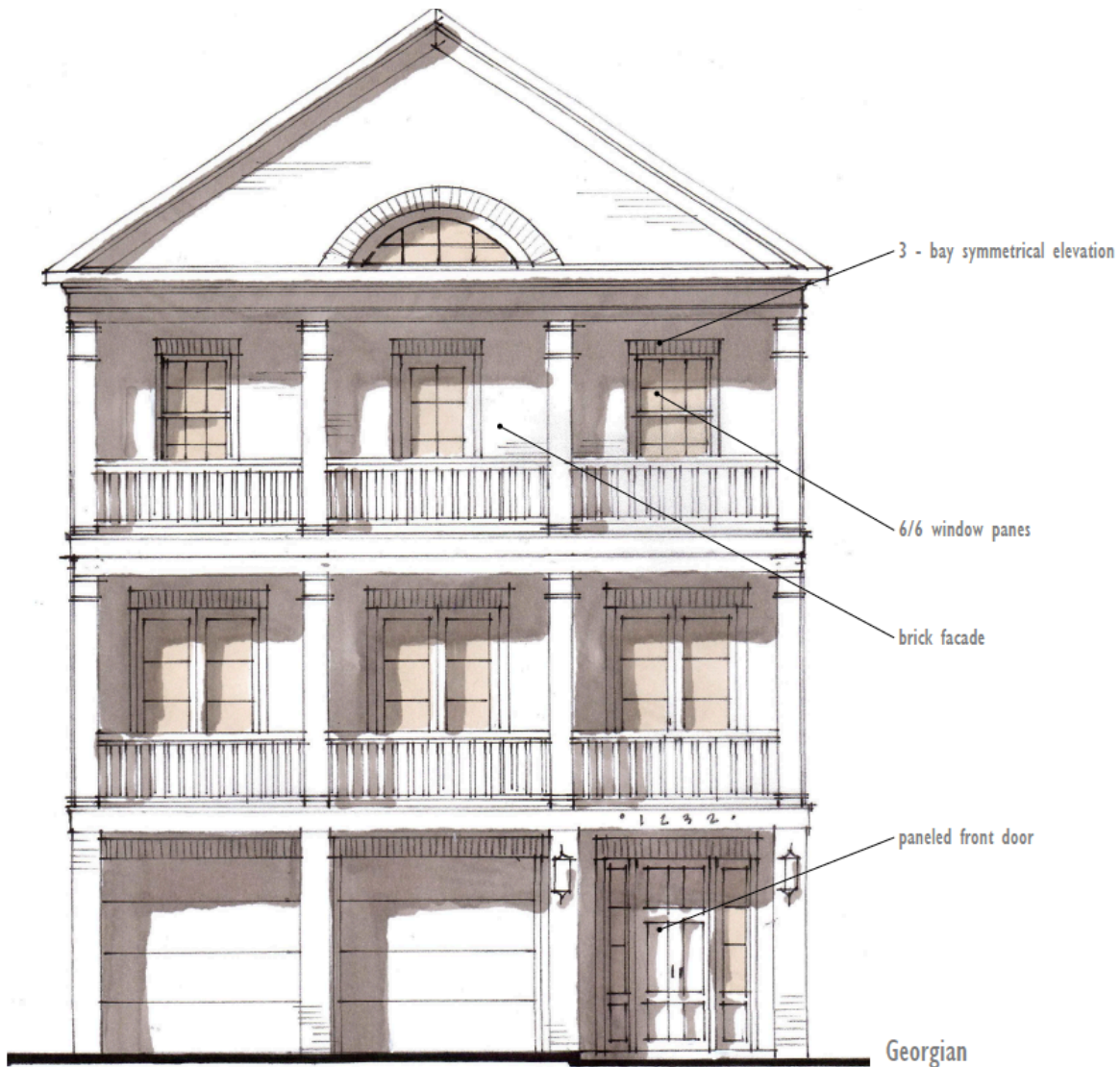
SHEET:
24 HOUR EMERGENCY CONTACT: MARK SHAW (404) 395-5219

811
IF YOU DIG GEORGIA...
CALL US FIRST!
UTILITIES PROTECTION CENTER
IT'S THE LAW



Georgian Regency

This elevation style captures the classic detailing of the Georgian period with its decorative cornice detailing, classic trim and symmetrical window patterns. This narrow façade is typical with its three-window symmetry.



Georgian

This elevation is classical with its gable adorned with a semi-circular transom window. It also offers the odd numbered window layout with 6/6 window and a paneled front door. The brick façade and classic railing hint to the Federal versus the Regency styles.



Folk Victorian

This symmetrical elevation is clad in board and batten with a simple roof adorned with a large porch detailed with Folk Victorian railing. The 4 light window pattern is typical with the style of architecture, creating open and well-lit interiors.



Stick

This asymmetrical elevation is typical of the Stick Style which is reinforced with the steeply pitched roof and exposed rafter tails. The horizontal banding and lighting layout create emphases on the levels and wall surfaces.



Tiffany Square Townhomes Rezoning
CITIZEN PARTICIPATION FORM-PART B

Applicant held 3 group meetings to present its request for the rezoning of Tiffany Square Townhomes.

All property owners within 500 feet of property were notified by mail and all meetings were held at the Academy Park Clubhouse.

Applicant presented the plan to redevelop the property into 25 single family detached lots along with the elevations of proposed homes. Several issues were discussed, including but not limited to price point, density, traffic, storm water and trees. Most everyone seemed to be pleased with the style and look of the homes.

Several owners which live adjacent to the northern and eastern boundaries expressed concerns relating to the impact of proposed development and the effect it would have on their existing view and site lines. Applicant discussed the proposed tree save areas along with a replanted buffer to help minimize the impact. Height of the units was also discussed.

Also, a question was raised regarding the storm water flow. Applicant stated the project will be subject to the current state and city laws requiring an approved storm water plan designed by a professional engineer and approved by the City of Alpharetta. Applicant stated the storm water management of this property, following redevelopment, will be significantly improved over the current system in place constructed in 1985.

Applicant stated the home prices will start at \$650,000 with potential to increase to over \$700,000 with each home consisting of approximately 2300 to 2800 square feet. There was also discussion of market demand and velocity of sales. Applicant stated that once homes are complete and sales begin, it is anticipated the subdivision would be sold out within a year.

Traffic was also discussed. Applicant stated the traffic generated from the additional 13 homes would not substantially increase traffic on Haynes Bridge Roads or surrounding roads. On a percentage basis of current traffic, the increase is quite low.

All 3 meetings were positive with open dialogue of the issues most concerning. Applicant made sure everyone was free to email comments to include in this report.

Meeting Attendees are attached.

Mark Shaw

From: Mark Shaw
Sent: Wednesday, June 21, 2017 3:46 PM
To: 'Nanc'
Cc: Rich Bondur; Diane Scaglione; steve stolle; Alexander Williamson
Subject: RE: Tiffany Square

Ms. Scott,

See responses below. I hope this helps, but if you would like to meet to further discuss please let me know. I will bring the larger plan for you to review.

Thank you and call me anytime. 404-395-5219

Mark

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

From: Nanc [mailto:ri_nhscott@comcast.net]
Sent: Monday, June 19, 2017 4:44 PM
To: Mark Shaw
Cc: Rich Bondur; Diane Scaglione; steve stolle; Alexander Williamson
Subject: Tiffany Square

Mr. Shaw - Thank you so much for taking the time to answer questions regarding Tiffany Square at a community meeting at Academy Park again this evening. Unfortunately, I do not believe I will be able to attend the meeting; however, I do have some questions or concerns and I appreciate your offer to ask them directly to you via email. Perhaps you can address some or all of these this evening as I am sure other residents of Academy Park would be interested:

- 1) What is your proposed Tree Save Plan and have you consulted with the City Arborist regarding your plan? We have a plan to preserve a tree buffer along the perimeter of our property by locating the homes closer to our interior roads. We have met with City Arborist several times to determine the most efficient tree save areas.
- 2) What is your proposed water source for irrigation (drilling a well or buying county water)? County water
- 3) What type of street lighting are you proposing? Lighting which is approved by the downtown district. We will request the lights not be as bright as the initial lights installed at East of Main
- 4) What is your understanding of the required "buffer zone" on either side of the property line between Tiffany Square and Academy Park (25 feet? 50 feet?). There is no buffer zone required, but we are proposing an undisturbed buffer of 10 feet along with an enhanced buffer of 5 feet. The enhanced buffer will screen areas which are sparse.
- 5) Are you proposing any additional fencing for privacy/security between Tiffany Square and Academy Park? How will you protect the Academy Park privacy fence from erosion or damage during and after construction at Tiffany Square? There will be a 6' high wooden fence built along the eastern and northern boundary of our development. Our engineer will design an erosion control plan to be approved by the City of Alpharetta.
- 6) How would you describe the "style" of neighborhood (elevation) that you anticipate building? See attached

7) Do you have a proposed landscape plan for the community? We have not completed a landscape plan as of now. In the event our zoning is approved, our licensed landscape architect will design a plan to be approved by the City and consistent with the surrounding newly constructed neighborhoods.

8) How do you plan to control pests such as mosquitoes breeding in the detention pond that you are planning to build? We do not currently have a plan to address this issue

I have many other questions. Some may be answered by your drawing, and I appreciate your sharing it, but it is so tiny that I cannot read it. I look forward to future gatherings in which I can view a larger version of your plan. Good luck tonight and good luck with your development plans. Thank you again for the opportunity to offer input.

Nancy Scott, Academy Park resident

Mark Shaw

From: ron coleman <rdc1430@aol.com>
Sent: Monday, June 19, 2017 10:42 AM
To: Mark Shaw; roncoleman@telepathnetworks.com; ljcoleman@aol.com; megbaer@accessmgt.com; rbondur@bellsouth.net
Subject: Academy Park

Hello Mark,

We are most concerned about the removal of trees as we have an end unit on Wexcroft that is situated along the fence behind which your proposed project will be built. How close to the fence do you propose to build ?

Please address this question in the meeting this evening. Our area has lost Far to many trees with all of the recent construction, and the City of Alpharetta needs to address this issue.

Thank you, Ron Coleman

Mark Shaw

From: Linda Bilderback <lbilderback@relocationrealtyinc.com>
Sent: Thursday, June 22, 2017 3:55 PM
To: Mark Shaw
Subject: Meeting on 6-19 At Academy Park

Hi Mark,

Thank you for including Tony and I at the meeting at Academy Park to talk about Tiffany Square. There were basically 5 main topics discussed; the fence around the property, trees remaining on the property, the front entry garages, the height of the homes and the density.

1. Fence we would not like to see a sold six foot wood fence. We think a black iron fence with landscaping will be far more attractive and conducive to the area.
2. From the rendering you had at the meeting it appears you are removing a lot of the trees. You will not have much green space at all and we would like to see you leave more trees.
3. Front entry garages are not consistent with what the current building elevations or code is for the Downtown architectural and building design requirements. We feel rear loading garages will keep with the current look and feel of the area. Front loading garages look like a town homes that are spaced 10 feet apart.
4. We understand you need 3 floors to meet adequate square footage to sell the homes, I am ok with 3 floors.
5. In our opinion the density is really excessive. To have six single family 3 story homes with an average foot print of 865 square feet, about 25 foot by 35 foot, along the entire side of our property line is extremely disturbing. The homes you are proposing are only 25 feet off our fence line right to the back door. You also have not shown us how the homes will set exactly on each property. We are absolutely apposed to such high density along our property line.

I hope this feedback is helpful in you making your decisions regarding the Tiffany Square property.

Best regards,

Linda Bilderback
11935 Haynes Bridge Road
Alpharetta GA 30009

TIFFANY SQUARE REZONING MEETING

MAY 24, 2017 7:00 PM

[illegible]

May 01, 2013

JUNE 19, 2017 7:00 pm

@gmail.com

SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

3525 PIEDMONT ROAD, NE
BUILDING 8, SUITE 205
ATLANTA, GEORGIA 30305

Mr. Michael A. Woodman, AICP
Senior Planner
City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009

RE: Tiffany Square Zoning Letter of Intent

Dear Mr. Woodman:

Please find enclosed the completed rezoning request application and site plans for the property located within the Tiffany Square Townhomes development.

As discussed, we are requesting the property be rezoned from R-12 to DT-R. This will allow for the redevelopment of 25 single family detached homes.

The approval of the following variances will be required to develop the property in accordance with the site plan herein:

- | | |
|------------------------------|---|
| (1) Setbacks: | Front Setback: 6 Feet(Zoning Category requires 10 feet) |
| | Side Setback: 0-5 Feet |
| | Rear Setback: 6 Feet |
| (2) Maximum Building Height: | 45 feet(Zoning Category requires 35 feet) |
| (3) Parking: | To allow parking between the road and building |

The homes are anticipated to have approximately 2200 square feet of heated and cooled area and will be constructed of brick, stucco, stone and cement based siding or a combination thereof.

In the event you have any questions or comments please feel free to contact me at 404-395-5219.

Thank you.

Sincerely,

W. Mark Shaw

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: MARK SHAW, MANAGER
SOUTHEAST REAL ESTATE ACQUISITIONS LLC Telephone: 404 395 5219
 Address: 3525 PIEDMONT RD, BUILDING 8 Suite: 205
 City: ATLANTA State: GA Zip: 30305 Fax: 404 442 7999
 Mobile Tel: 404 395 5219 Email: mshaw@eastlancapital.com

Subject Property Information:

Address: TIFFANY SQUARE TOWNHOMES
(SEE ATTACHED) Current Zoning: R-12 ☐
 District: 2ND Section: 2ND Land Lot: 1267
1268 Parcel ID: SEE ATTACHED
 Proposed Zoning: DT-R ☐ Current Use: TOWNHOMES

This Application For (Check All That Apply):

- | | |
|---|---|
| ☐ Conditional Use | ☐ Master Plan Amendment |
| ☒ Rezoning | ☐ Master Plan Review |
| ☐ Variance | ☐ Public Hearing |
| ☐ Comprehensive Plan Amendment | ☐ Other (Specify): _____ |

Tiffany Square

Unit #	Owner	Parcel ID	Title	Deed	Taxes	Owner Authorization
4001	Scott Burgamy	22-4985-1268-013-3	Y	Y	Y	Y
4002	Tonya Fields	22-4985-1268-002-6	Y	Y	Y	Y
4003	Kandice Andrade	22-4985-1268-003-4	Y	Y	Y	Y
4004	Sheri Spurlock	22-4985-1268-004-2	Y	Y	Y	Y
4005	Rebecca Morgan	22-4985-1268-005-9	Y	Y	Y	Y
4006	Allyson Chandler	22-4985-1268-006-7	Y	Y	Y	Y
4007	Connie Riley	22-4985-1268-007-5	Y	Y	Y	Y
4008	Sheri Spurlock	22-4985-1268-008-3	Y	Y	Y	Y
4009	Daniel Andrade	22-4985-1268-009-1	Y	Y	Y	Y
4010	Raymond E. Noel	22-4985-1268-010-9	Y	Y	Y	Y
4011	Beatriz Velasquez	22-4985-1268-011-7	Y	Y	Y	Y
4012	Diane H Noel	22-4985-1268-012-5	Y	Y	Y	Y
	TS HOA	22-4985-1268-001-8	Y	Y	Y	Y
Total						

APPLICANT REQUEST AND INTENT

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

THE PROPOSED USE WILL BE A SINGLE FAMILY DETACHED RESIDENTIAL COMMUNITY CONSISTING OF 25 HOMES WITH A COMMUNITY GREEN SPACE FOR THE RESIDENCES.

Applicant's Request (Please itemize the proposal):

APPLICANT IS REQUESTING THE PROPERTY BE REZONED TO DT-R. THE TOTAL PROJECT CONSISTS OF +/- 3.26 ACRES. THE PROPOSED DEVELOPMENT WILL BE CONSISTENT WITH THE DOWNTOWN ACTIVITY CENTER PROVIDING RESIDENTIAL HOMES TO SUPPORT THE RETAIL, RESTAURANTS AND ENTERTAINMENT.

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

IT IS APPLICANT'S INTENT TO DEVELOP A SINGLE FAMILY DETACHED COMMUNITY FOR THE CONSTRUCTION OF 25 HOMES. THE PROPOSAL WOULD FACILITATE THE NECESSARY ZONING IN ORDER TO OBTAIN THE PERMITS FOR THE CONSTRUCTION OF PROPOSED SITE PLAN.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

THE PROPOSAL WILL BE CONSISTENT WITH THE SURROUNDING PROPERTIES AND WILL PROVIDE THE MARKET WITH A SINGLE FAMILY COMMUNITY WITHIN WALKING DISTANCE TO NEARBY RETAIL, OFFICE AND RESTAURANTS.

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

THIS PROPOSAL, IF APPROVED, WILL ENHANCE THE USE AND VALUE OF SURROUNDING PROPERTIES. THIS PROPOSAL WILL PROVIDE ADDITIONAL HOUSING WITHIN CLOSE PROXIMITY TO RETAIL AND RESTAURANTS.

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

THE CURRENT ZONING WILL NOT ALLOW THE PROPERTY TO BE DEVELOPED FOR AN ECONOMIC USE CONSISTENT WITH THE SURROUNDING PROPERTIES. IN ADDITION, THE CURRENT ZONING WILL NOT ALLOW DEVELOPMENT CONSISTENT WITH THE FUTURE LAND USE PLAN AND DOWNTOWN DEVELOPMENT DISTRICT.

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

THE INCREASE IN TRAFFIC IS MORE SPECIFICALLY OUTLINED IN THE TRAFFIC REPORT.

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

THE IMPACT TO SCHOOLS WOULD BE MINIMAL. CONSIDERING A NET INCREASE OF ONLY 13 HOMES (12 HOMES CURRENTLY EXIST ON PROPERTY) THERE SHOULD BE NO REAL IMPACT TO SCHOOLS OR UTILITIES.

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

THE PROPOSAL IS CONSISTENT WITH FUTURE LAND USE MAP. SUBJECT PROPERTY IS LOCATED ADJACENT TO HIGH DENSITY RESIDENTIAL AND THIS PROPOSAL WILL PROMOTE PEDESTRIAN ORIENTED TRAVEL TO NEARBY RETAIL, OFFICE AND RESTAURANTS.

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

DUE TO THE PROXIMITY TO SIMILAR DEVELOPMENTS, IT IS APPLICANT'S OPINION THE DEVELOPMENT IS MORE CONDUSIVE TO THE CONSTRUCTION OF DETACHED SINGLE FAMILY LOTS.

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

THE PROPERTY CONSISTS OF A TRIANGULAR SHAPED 3.26 ACRES WHICH MAKES IT DIFFICULT TO DESIGN A SITE PLAN WHICH PREVENTS PARKING BETWEEN THE ROAD AND BUILDING. IN ADDITION, THE TOPOGRAPHY OF THE PROPERTY MAKES IT MORE CONDUSIVE TO HAVE AN ITERIOR ROAD DESIGN AS SHOWN ON THE SITE PLAN.

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

YES, THE CONSTRUCTION OF AN ADDITIONAL DRIVEWAY TO ACCESS THE REAR OF THE HOMES WOULD REQUIRE PLACEMENT OF AN IMPERVIOUS SURFACE WITHIN AN AREA NOW SHOWN AS THE REAR YARD OF THE INDIVIDUAL HOMES. THIS WOULD ELIMINATE A SUBSTANTIAL AMOUNT OF AREA SLATED FOR LANDSCAPING AND TREES.

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

YES, THE IRREGULAR SHAPE AND TOPOGRAPHY OF THE PROPERTY LIMITS THE ALTERNATIVES TO SITE PLAN CONFIGURATION. WE FEEL THE SITE PLAN SUBMITTED IS THE BEST OPTION FOR REDEVELOPMENT.

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

NO, THE RELEIF WILL ALLOW THE PROPERTY TO BE REDEVELOPMENT IN A MANNER CONSISTENT WITH THE NEARBY PROPERTIES RECENTLY DEVELOPED.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: _____

Telephone: _____

Address: _____

Suite: _____

City: _____

State: _____

Zip: _____

Authorization:

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

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

☐ Annexation

☐ Special Use

☐ Rezoning

☐ Conditional Use

☐ Variance

☐ Master Plan

☐ Land Use Application

☐ Other _____

Identify Authorized Applicant:

Name of Authorized Applicant: _____

Telephone: _____

Address: _____

Suite: _____

City: _____

State: _____

Zip: _____

So Sworn and Attested:

Owner Signature: _____

Date: _____

Notary: _____

Notary Signature: _____

Date: _____



#4001

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: SCOTT BURGAMY
REBECCA LEE BURGAMY Telephone: _____
Address: 1011 FOUNTAIN GLEN DR. Suite: _____
City: LAWRENCEVILLE, State: GA Zip: 30043

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Rebecca Lee Burgamy Scott Burgamy Date: 3/14/2017

Notary:

Notary Signature: Cornie P. Riley Date: 3/21/17


#4002

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: TONYA FIELDS

Telephone: 865-228-8108

Address: 1113 Terra Rosa Dr

Suite: _____

City: KNOXVILLE TN

State: _____

Zip: 37932

Authorization:

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

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

Identify Authorized Applicant: W. MARK SHAW

Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

Telephone: 404-395-5219

Address: 3525 PIEDMONT ROAD, BUILDING 8

Suite: 205

City: ATLANTA

State: GA

Zip: 30305

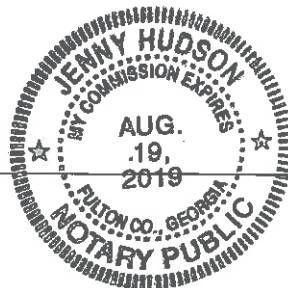
So Sworn and Attested:

Owner Signature: Shari Spudis for Tonya Fields
(Sister)

Date: 3/17/17

Notary:

Notary Signature: [Signature]



Date: 3/17/17

#4003

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: KANDICE ANDRADE Telephone: 770-664-2853
Address: 4003 TIFFANY SQUARE Suite: _____
City: ALPHARETTA State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

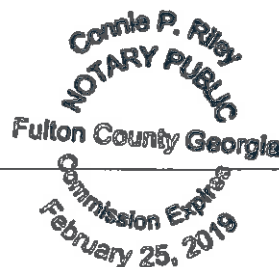
So Sworn and Attested:

Owner Signature: Kandice Andrade Date: 3/21/17

Notary:

Notary Signature:

Connie P. Riley



Date: 3-21-17

#4004

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: SHERI SPURLOCK Telephone: 770 309-7335
Address: 4004 TIFFANY SQ. Suite: _____
City: ALPHARETTA State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING B Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Sheri Spurlock Date: 3/17/17

Notary:

Notary Signature: [Signature] Date: 3/17/17



#4005

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: REBECCA M. MORGAN Telephone: 770 475-7524
Address: 4005 TIFFANY SQUARE Suite: _____
City: ALPHARETTA State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Rebecca M. Morgan Date: 3-22-17

Notary:

Notary Signature: [Signature]



Date: 3/22/17

#4006

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: ALLYSON B. CHANDLER Telephone: 770-846-6853
Address: 4006 Tiffany Sq Suite: _____
City: Alpharetta State: GA Zip: 30009

Authorization:

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

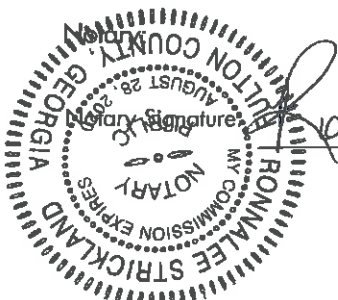
As the legal owner of record of the subject property, I hereby authorize the individual named below to act as the applicant in the pursuit of the Application for Public Hearing in request of the items indicated below.

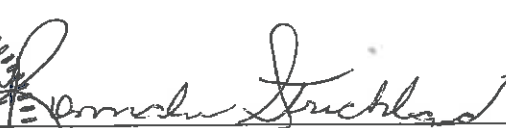
- | | |
|---|--|
| ☐ Annexation | ☐ Special Use |
| ☒ Rezoning | ☐ Conditional Use |
| ☐ Variance | ☐ Master Plan |
| ☐ Land Use Application | ☐ Other _____ |

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature:  Date: 3/20/17




Date: 3/20/17

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

CONNIE P. RILEY

404 509 8924

1655 OAK FARM DR

8206

ALPHARETTA

GA

30009

Authorization:

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

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

☐ Special Use

☐ Conditional Use☐ Master Plan☐ Other

W. MARK SHAW

SOUTHEAST REAL ESTATE ACQUISITIONS, LLC
Telephone:

404-395-5219

3525 PIEDMONT ROAD, BUILDING 8

205

ATLANTA

GA

30305

So Sworn and Attested:

Cornie P. Riley

03-17-17



[Signature]

3-17-17



#4008

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: SHERI SPURLOCK Telephone: 770-309-7335
Address: 4004 TIFFANY SQ Suite: _____
City: ALPHARETTA GA 30009 State: _____ Zip: _____

Authorization:

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

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

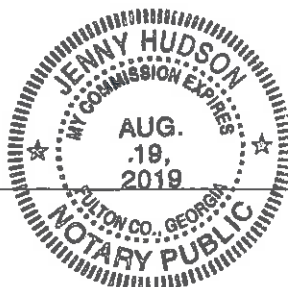
Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: [Signature] Date: 3/17/2017

Notary:

Notary Signature: [Signature] Date: 3/17/17



#4009

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: DANIEL J ANDRADE
KANDICE ANDRADE Telephone: 678 763 4905

Address: 4003 TIFFANY SQUARE Suite: _____

City: ALPHARETTA State: GA Zip: 30009

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW

Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219

Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205

City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: [Signature] Kandice Andrade Date: 3/21/17

Notary:

Notary Signature: Cornie P. Riley Date: 3-21-17

Cornie P. Riley
NOTARY PUBLIC
Fulton County Georgia
Commission Expires
February 25, 2019

#4010

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: RAYMOND E NOEL Telephone: 770 928-9215
Address: 911 KINGHORN DRIVE, NW Suite: _____
City: KENNESAW State: GA Zip: 30152

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Raymond E Noel Date: 3/16/17
WINIFRED WESLEY BARNER
NOTARY PUBLIC

Notary DEKALB COUNTY, GEORGIA

MY COMMISSION EXPIRES JUNE 5, 2019

Notary Signature: Winifred Wesley Barner Date: 3/16/17

#4011

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: DIEGO VELASQUEZ
BEATRIZ VELASQUEZ Telephone: 404 773 6731

Address: 5109 TUDOR HILLS LANE Suite: _____

City: CUMMING State: GA Zip: 30040

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW

Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219

Address: 3525 PIEDMONT ROAD, BUILDING B Suite: 205

City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Diego Velasquez 

Date: 3/23/17

Notary:

Notary Signature: [Signature]

Date: 3/23/17



#4012

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: DIANE H. NOEL Telephone: 770 928 9215
Address: 911 KINGHORN DRIVE, NW Suite: _____
City: KENNESAW, State: GA Zip: 30152

Authorization:

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

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

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

Identify Authorized Applicant: W. MARK SHAW
Name of Authorized Applicant: SOUTHEAST REAL ESTATE ACQUISITIONS, LLC Telephone: 404-395-5219
Address: 3525 PIEDMONT ROAD, BUILDING 8 Suite: 205
City: ATLANTA State: GA Zip: 30305

So Sworn and Attested:

Owner Signature: Diane H. Noel Date: 3-16-17
WINIFRED WESLEY BARNER
NOTARY PUBLIC
DEKALB COUNTY, GEORGIA
MY COMMISSION EXPIRES JUNE 5, 2019

Notary Signature: Winifred Wesley Barner Date: 3/16/17

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: MARK SHAW, MANAGER
SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

Name of Official: N/A Position: _____

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 Shaw

Date: 3/29/17

Legal Description

All that tract or parcel of land lying and being in Land Lots 1267 and 1268 of the 2nd District, 2nd Section, Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin found (1/2" rebar) located at the land lot corner common to Land Lots 1267 and 1268 of the 2nd District, 2nd Section, Fulton County, said iron pin also being located on the northern land lot line of Land Lot 748 of the 1st District, 2nd Section, Fulton County; thence leave said common land lot corner and run westerly along the common land lot line to Land Lot 1268 of the 2nd District, 2nd Section, Fulton County, and Land Lot 748 of the 1st District, 2nd Section, Fulton County, N89°40'51"W a distance of 21.96 feet to an iron pin found (1/2" rebar); thence leave said common land lot line and run N29°28'12"W a distance of 527.24 feet to an iron pin found (1/2" rebar) located on the easterly right-of-way line of Haynes Bridge Road (a variable width right-of-way); thence run northeasterly along the easterly right-of-way line of Haynes Bridge Road N31°42'44"E a distance of 60.22 feet to an iron pin found (1/2" rebar); thence leave said easterly right-of-way line and run S87°57'10"E a distance of 251.10 feet to an iron pin found (1/2" rebar) located on the land lot line common to Land Lots 1267 and 1268 of the 2nd District, 2nd Section, Fulton County; thence leave said common line and run S88°00'24"E a distance of 119.49 feet to an iron pin found (1/2" rebar); thence run S00°06'38"W a distance of 497.93 feet to an iron pin found (1/2" rebar) located on the land lot line common to the southern land lot line of Land Lot 1267 of the 2nd District, 2nd Section, Fulton County with the northern land lot line of Land Lot 748 of the 1st District, 2nd Section, Fulton County; thence run westerly along said common land lot line N89°40'27"W a distance of 119.71 feet to an iron pin found (1/2" rebar) located at the land lot corner common to Land Lots 1267 and 1268 of the 2nd District, 2nd Section, Fulton County said iron pin also being located on the northern land lot line of Land Lot 748 of the 1st District, 2nd Section, Fulton County, said iron pin found being the **TRUE POINT OF BEGINNING**.

Said tract or parcel of land containing 3.263 acres.

SOUTHEAST REAL ESTATE ACQUISITIONS, LLC

3525 PIEDMONT ROAD, NE
BUILDING 8, SUITE 205
ATLANTA, GEORGIA 30305

Mr. Michael A. Woodman, AICP
Senior Planner
City of Alpharetta
Community Development Department
2 Park Plaza
Alpharetta, Georgia 30009

RE: Tiffany Square Zoning Letter of Intent

Dear Mr. Woodman:

Please find enclosed the completed rezoning request application and site plans for the property located within the Tiffany Square Townhomes development.

As discussed, we are requesting the property be rezoned from R-12 to DT-R. This will allow for the redevelopment of 25 single family detached homes.

The approval of the following variances will be required to develop the property in accordance with the site plan herein:

- | | |
|------------------------------|---|
| (1) Setbacks: | Front Setback: 6 Feet(Zoning Category requires 10 feet) |
| | Side Setback: 0-5 Feet |
| | Rear Setback: 6 Feet |
| (2) Maximum Building Height: | 45 feet(Zoning Category requires 35 feet) |
| (3) Parking: | To allow parking between the road and building |

The homes are anticipated to have approximately 2200 square feet of heated and cooled area and will be constructed of brick, stucco, stone and cement based siding or a combination thereof.

In the event you have any questions or comments please feel free to contact me at 404-395-5219.

Thank you.

Sincerely,


W. Mark Shaw

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: TIFFANY SQUARE
Contact Name: MARK SHAW, MANAGER Telephone: 404395-5219
SOUTHEAST REAL ESTATE ACQUISITIONS

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.

HEDGEWOOD HOMES

ACADEMY PARK

LINDA BILDERBACK

CITY OF ALPHARETTA

PROVIDENCE GROUP

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.

APPLICANT SHALL NOTIFY ALL PARTIES OF REZONING AND WILL MAKE ITSELF AVAILABLE FOR GROUP OR INDIVIDUAL MEETINGS. APPLICANT WILL BE AVAILABLE BY PHONE AND EMAIL FOR FOLLOW-UP QUESTIONS AND COMMENTS



Onebark LLC
PO BOX 870784
Stone Mountain GA 30087
p: 678-634-8878 www.onebark.com

Specimen Tree Report

Tiffany Square Alpharetta GA 30004

Date of Inspection 3/20/2017

Inspector

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

Developer

Mark Shaw
Mshaw@easlancapital.com

INTRODUCTION

This inspection was made to verify trees that meet Specimen Tree criteria.

METHODOLOGY

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. Boundary trees can only be inspected at a distance, unless written permission is given by the neighboring parcel owner. Each tree was inspected using visual techniques and basic instruments standard for arboricultural inspection. The buttress roots, trunk, limbs, branches, twigs, leaves, and surrounding environment of the trees were reviewed. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

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

Size Criteria

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

Condition Criteria

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

WHAT YOU NEED TO KNOW

This report is not meant to override any determination by the City of 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 City arborist, and 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.

Tree 1

Species

7 " Plum, ornamental

Status

Possible Tree of Character

Health/Vig

Fair

Structure

Single

Other notes:



Tree 2

Species

17 " Maple, red

Status

Possible Tree of Character

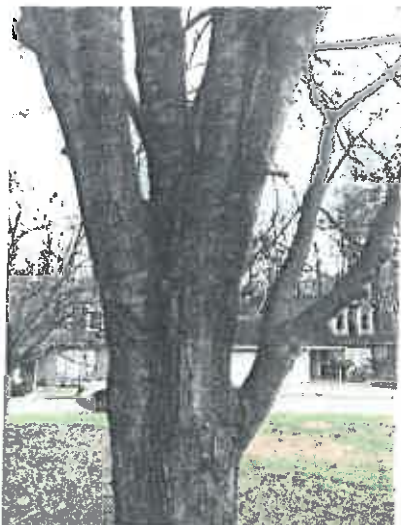
Health/Vig

Good

Structure

Single

Other notes:



Tree 3

Species	4 " Hemlock
Status	Possible Tree of Character
Health/Vigor	Good
Structure	Bifurcated
Other notes	



Tree 855

Species	25 " Sweetgum
Status	Specimen
Health/Vigor	Fair
Structure	Single
Other notes	Off site



Tree 1027

Species 33 " Oak, pin

Status Specimen

Health/Vigor Good

Structure Single

Other notes



Tree 1028

Species 26 " Oak, Southern red

Status Specimen

Health/Vigor Good

Structure Single

Asymmetrical trunk, one sided. Slight sweep in the trunk region

Other notes



Tree 1029

Species	26 " Oak, water
Status	Specimen
Health/Vigor	Good
Structure	Single
Other notes	



Tree 1030

Species 35 " Sweetgum

Status **Not Specimen**

Health/Vigor **Fair**

Notes

Tree appears to be separate physiological units. Neither stem shares a common pith. Reaction wood is visible to soil level.

Other notes



Tree 1031

Species 25 " Oak, white

Status **Not Specimen**

Health/Vigor Fair

Structure Multiple trunks

Tree appears to be separate physiological units. Neither stem shares a common pith. Seam visible to soil level

Other notes



Tree 1032

Species 30 " Pine, loblolly

Status **Specimen**

Health/Vigor Good

Structure Single

Other notes



Tree 1033

Tree ID

33 " Tulip poplar

Status

Not Specimen

Health/Vigor

Declining

Large limb dieback

Significance

Single

Trunk is hollow; visible open cavity on north west side of trunk.
Buttress region is hollow

Other notes



Tree 1034

Species 34 " Oak, Southern red

Status **Not Specimen**

Health/Vigor Poor Heartrot

Structure Single Wide hollow column in lower trunk. Trunk is distinctly resonant when sounded with a mallet.

Other notes



Tree 1035

Species 31 " Sweetgum

Status **Specimen**

Health/Vigor Fair

Structure Bifurcated

Significant bark inclusion at stem bifurcation , at approximately 20 feet height

Other notes



Tree 1036

Species 28 " Sweetgum

Status **Specimen**

Health/Vigor Fair

Structure Single

Moderate lean, though not highly asymmetrical .
Deadwood scattered throughout canopy

Other notes



Tree 1037

Species 26 " Sweetgum

Status **Specimen**

Health/Vigor Fair

Structure Single

Other notes



Tree 1038

Species 30 " Pine, loblolly

Status **Not Specimen**

Health/Vigor Fair

Structure Multiple trunks

Tree appears to be separate physiological units. Neither stem shares a common pith. Large burl growth formed from frictional compression wood between stems.

Other notes



Tree A

Species 24 " Oak, white

Status Specimen

Health/Vigor Fair Atypical wounding of lower trunk, likely related to embedded wire fence

Structure Single

Other notes Off site tree within 30'



Tree B

Species 27 " Tulip poplar

Status Specimen

Health/Vigor Fair

Structure Single

Other notes Off site tree within 30'



Tree C

Species	48 " Tulip poplar
Status	Specimen
Health/Vigor	Fair
Structure	Bifurcated
Other notes	Off site tree within 30'



Summary

Total specimen trees identified: 11

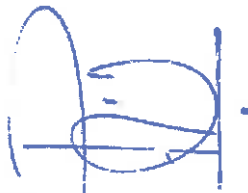
Additional Recommendations

Revise site plan to reflect any differing size, species, and location verifications made in field

Certification

Date Certified: 3/21/2017

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



A&R Engineering Inc.

2160 Kingston Court, Suite O
Marietta, GA 30067
Tel: (770) 690-9255 Fax: (770) 690-9210
www.areng.com



Memorandum

To: Southeast Real Estate Acquisitions, LLC
Date: March 28, 2017
Subject: Trip Generation Memorandum for Tiffany Square Residential Development

The purpose of this memorandum is to determine the trip generation that will result from a proposed residential development located on Haynes Bridge Road between Brook Street and Thompson Street in Alpharetta, Georgia. The development will replace the existing 12 townhomes with 25 single-family detached housing units and will make use of the existing full-access point via Tiffany Square. The location of the development is shown below in Figure 1.



Figure 1: Site Location

Trip generation estimates for this project were based on the rates and equations published in the 9th edition of the Institute of Transportation Engineers (ITE) Trip Generation report. This reference contains traffic volume count data collected at similar facilities nationwide. The trip generation for the existing 12 townhome units was subtracted from the total site-generated traffic for the proposed development to account for any decreases in traffic after full build out. The total trips added to the road network after removal of the existing townhome traffic is shown in Table 1 below.

TABLE 1 - TRIP GENERATION								
Type	Size/Land Use	AM Peak Hour			PM Peak Hour			24-Hour
		Enter	Exit	Total	Enter	Exit	Total	Two-way
New Trips	25 Single-Family Units	7	20	27	19	11	30	293
Removed Trips	12 Townhome Units	-2	-7	-9	-7	-4	-11	-102
Total Traffic Added to Road Network		5	13	18	12	7	19	191

As part of this memorandum, annual average daily traffic volumes were collected from Georgia Department of Transportation. This traffic counters near the proposed development were used to determine the annual average daily traffic in the surrounding area. The counts revealed an ADT of 12,200 vehicles per day in 2015 on Academy Street east of Haynes Bridge Road. The locations of the surrounding traffic counters near the proposed development are shown in Figure 2 below.

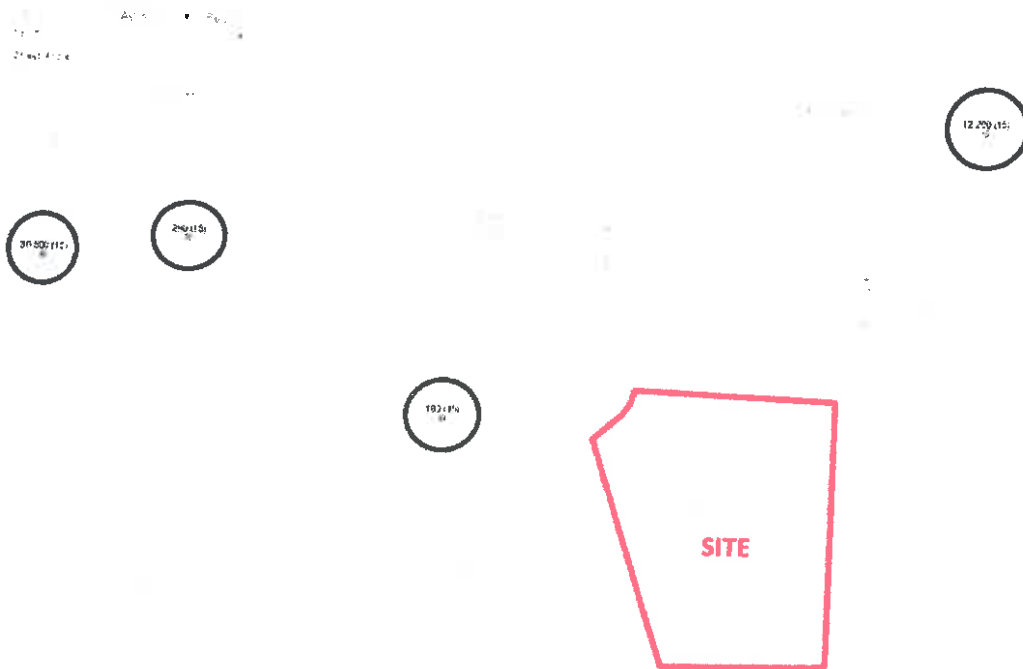


Figure 2: Traffic Counter Locations



CITY COUNCIL MEETING STAFF REPORT

SUBMITTING DEPARTMENT: COMMUNITY DEVELOPMENT

SUBMITTED BY: KATHI COOK

DRAFTED BY: MICHAEL WOODMAN

I. AGENDA ITEM TITLE: Z-17-07/V-17-17 WATERS ROAD/JAVANMARD

PLANNING COMMISSION: JULY 12, 2017

CITY COUNCIL: JULY 24, 2017

II. RECOMMENDATION:

Approve Z-17-07/V-17-17 Javanmard/Waters Road, subject to the following conditions:

1. The property to be rezoned shall have an "R-12" zoning classification. Lots shall be subdivided substantially as depicted on the zoning plan, dated 2/15/2009, 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. Property shall be subdivided into no more than 3 lots, with a density limited to 2.59 dwelling units per acre.
3. Property shall be limited to 'For-Sale' single-family detached residential use only.
4. Homes shall be similar in size, massing and style to the adjacent Warrenton subdivision homes with a minimum 3,000 square feet of heated space, as approved by Staff. If Lot 1 is redeveloped, it shall also be similar in size, massing and style to the Warrenton subdivision.
5. Residential accessory structures shall be constructed of similar materials as the dwelling.
6. There shall be no unfinished wood decks, fences or porches visible from Waters Road.
7. Development shall be limited to 1 curb cut on Waters Road with dedicated driveway easements to each lot.
8. Proposed curb cut and roadway-to-roadway intersection shall comply with AASHTO Design Guidelines; in particular, adequate Intersection Sight Distance must be provided and demonstrated by engineer-of-record.
9. Building equipment and materials shall only be allowed on-site when there is an active LDP or building permit on the property. If there is no construction activity on the property for a period of 14 days, all dumpsters, heavy equipment and machinery shall be removed from the site.
10. Minimum setbacks shall be as follows:
 - Front setbacks along Waters Road shall be 50'
 - Side setbacks shall be 10'
 - Rear setbacks shall be 30', except that Lot 1 shall have a 16' rear setback. Any new construction associated with Lot 1 shall meet the 30' rear setback.
11. This development shall not be given a separate subdivision name and there shall be no signage at the entrance or gating, walls, etc.
12. Waters Road frontage shall be upgraded to accommodate a 4' planting strip and 6' sidewalk. Planting strip may be reduced to reduce impacts to existing trees along Waters Road, as approved by Staff. Sidewalk installation shall minimize impacts to existing trees along Waters Road, as approved by Staff.
13. Site plan shall be configured to accommodate the natural features of the site, including specimen trees. Specimen trees shall be saved and home sites shall be laid out to minimize impact to existing tree canopy, as approved by Staff. Perimeter trees shall be maintained, where feasible, to provide screening. A minimum 20' undisturbed buffer along Waters Road and a minimum 10' undisturbed buffer along the north and east property lines, replanted where sparse, shall be provided and maintained outside of any utility easements, as approved by Staff. Building setbacks may be included within the required buffers.

14. If a building permit is not issued by 07/24/2019, the property shall revert back to AG and R-15 zoning.
15. An LDP shall be required and include a storm water management study. If stormwater management is determined to be required, it shall be located on a separate lot as approved by Staff.

III. REPORT IN BRIEF:

The applicant, Mohammad Javanmard, is requesting a rezoning of 1.16 acres from AG (Agriculture) and R-15 (Dwelling 'For-Sale', Residential) to R-12 (Dwelling 'For-Sale', Residential) for the purpose of subdividing two (2) lots into three (3) single-family detached lots. Variances are requested to reduce the front and rear setbacks. The properties are located at 10715 and 10745 Waters Road.

DISCUSSION

The submitted request, if approved, will allow for two (2) lots to be subdivided into three (3) single-family detached lots on 1.16 acres with a proposed density of 2.59 dwelling units per acre. One parcel is currently developed with a 1-story single-family detached home, which is approximately 1,300 square feet in size. The applicant intends to keep the existing home. The second parcel is zoned AG and is vacant. The property was annexed as part of the Waters Road annexation. The subject property is located on the east side of Waters Road, just north of Waters Run Drive.

Properties surrounding the subject parcel are zoned AG to the north, R-12 to the east and west, and R-15 and CUP to the south. The property to the north is just under one (1) acre and is developed with one (1) single-family detached unit. There are four (4) established subdivisions surrounding the subject property. The table below identifies each of the surrounding subdivisions, including minimum lot size, maximum density and setbacks.

Subdivision	Location:	Min. Lot Size	Density	Setbacks (F/S/R)	Min. Heated Floor
Waters Run	S	12,000 SF	1.17 du/ac	20'/5'/20'	2,200 SF
Waters Mill	S	18,000 SF	1.46 du/ac	50'/10'/35'	1,500 SF
Waters Landing	W	12,000 SF	2.40 du/ac	35'/7'/30'	2,200 SF
Warrenton	E	12,000 SF	2.15 du/ac	35'/7'/25'	2,200 SF

The applicant's proposed lot size is similar to surrounding properties and the proposed lots meet the R-12 requirements. Except that the applicant requests a variance to reduce the rear setback for the existing home on Lot 1, which encroaches into the existing rear setback.

The City's Comprehensive Plan reflects a Low Density Residential future land use designation for the property. The land use was adopted from Fulton County Future Land Use with the annexation. Within this land use designation, the R-15 (minimum 15,000 square feet) and R-12 (minimum 12,000 square feet) zoning districts are shown as the appropriate zoning districts. The surrounding area is predominately zoned R-12. The applicant's request is in keeping with the Future Land Use Map.

The subject properties were rezoned in 2009 to R-12. However, the zoning reverted on 9/24/2009 due to a finding by the Code Enforcement Board that the property owner was guilty of violating City Code Sec. 5-22. City Council established requirements that the property owner was to comply with in order to maintain the rezoning to R-12, including the following condition of zoning:

18. The site shall be monitored by Code Enforcement to ensure that the debris and all of the construction and City codes are being met as it progresses. Issuance of a building permit shall be contingent upon full compliance with Code Enforcement. A determination by the City's Code Enforcement Board that the property is not being maintained in compliance with all City codes shall cause the zoning on the property to revert to the R-15 and AG zoning in effect prior to the case.

The applicant previously received approval to grade the lot and rear slope and install a drain pipe. Staff conducted a field visit and has determined that the site is in compliance with the previous conditions of zoning requiring stabilization and removal of construction materials and debris.

SITE PLAN

The submitted site plan depicts three (3) single-family detached lots, with the following square footages: Lot 1 – 20,870 square feet, Lot 2 – 13,030 square feet and Lot 3 – 16,726 square feet. All lots are oriented to Waters Road, with lot widths ranging from 81' to 258'. The existing ranch-style home on Lot 1 is depicted to remain. Building setbacks are generally consistent with surrounding subdivisions and are proposed as follows:

- Front (Waters Road) – 50'
- Side – 10'
- Rear – 30', except that Lot 1 is proposed to have a 16' rear setback

Curb cuts are not depicted on the site plan, except for the existing curb cut for the home to remain on Lot 1. The City's Transportation Engineer has stated that if approved, the subdivision will be permitted only one (1) curb cut on Waters Road due to the location of the property in a curve and the amount of trips currently on Waters Road.

The property currently has a natural tree buffer along Waters Road. If approved, staff recommends a minimum 20' undisturbed buffer be provided and maintained along Waters Road. The buffer should be enhanced with evergreen plantings where sparse. There are several trees along the east property line, which provide a buffer between the applicant's property and the neighboring established subdivisions. Staff also recommends a 10' undisturbed buffer along the east and north property lines.

The property consists of a mixture of hardwoods and pines, with trees identified primarily along the perimeter of the property. Specimen trees were identified along the eastern property line and these trees can be maintained. A specimen Poplar and Dogwood were identified on Lot 2. If approved, staff recommends conditions to protect specimen trees and perimeter trees within required buffers. Stormwater management facilities are not depicted on the applicant's site plan.

TRAFFIC

Three (3) single-family detached homes will generate three (3) PM Peak Hour trips. A condition is recommended permitting only one (1) curb-cut to serve all three (3) lots.

SCHOOLS

Fulton County calculated the potential maximum number of children who may live on the property by using the Fulton County schools standard calculation to determine the number of children that a residential development will generate. Based on the total figure for all three-school levels, it can be assumed that the proposed development could house approximately three (3) school age children. If approved, only one (1) additional lot would be created.

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 applicant's zoning proposal would allow three (3) 'For-Sale' single-family detached homes on lots ranging in size from 13,000 to 20,000 square feet, which is consistent with the use and size of adjacent and nearby residential properties.

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

Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties, if conditions are included limiting the subdivision of the property into three (3) single-family detached lots with homes of similar size, massing and style to that of Warrenton Subdivision.

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

Response: The proposed development would not have significant impacts on the natural environment. Staff recommends conditions to protect specimen trees and the tree canopy.

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

Response: The property is currently zoned AG and R-15 and is developed with one (1) single-family detached home. The applicant's proposal, if approved, would result in one (1) additional single-family detached lot, with lot sizes that are consistent with surrounding subdivisions.

- 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: One (1) additional single-family detached lot would not create significant impacts on public facilities or services.

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 was previously rezoned, but reverted back to the original zoning due to a Code Enforcement violation. The applicant is seeking the same rezoning as was approved in 2009.

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

Response: The request to rezone from AG and R-15 to R-12 reflects a reasonable balance as the Comprehensive Land Use Plan designation of the subject property is Low Density Residential and the surrounding development pattern in the area is primarily R-12 zoning.

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

Response: The applicant's request is consistent with the development of surrounding properties.

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

Response: The zoning proposal meets the Comprehensive Land Use Plan designation, which is Low Density Residential.

VARIANCE REVIEW CRITERIA

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

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

Response: The subject property has a triangular shape and is located within the curve of Waters Road. The front setback variance will allow for tree saves at the rear of lots. In addition, the rear setback variance would only apply to Lot 1 and the variance is being requested to correct a non-conformity.

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

Response: The rear setback variance only applies to Lot 1 and the variance is being requested to correct a non-conformity. The applicant could meet the required front setbacks; however, the front setback reduction is appropriate in order to save trees at the rear of the lots for the purpose of screening adjacent properties.

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

Response: The subject property has a triangular shape and is located within the curve of Waters Road. The front setback variance will allow for tree saves at the rear of lots. In addition, the rear setback variance would only apply to Lot 1 and the variance is being requested to correct a non-conformity.

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

Response: Approval would not cause substantial detriment to the public good, if conditions are in place requiring buffers, as well as new homes to be consistent with the Warrenton Subdivision.

CONCURRENCES

City Staff has reviewed the applicant's proposal and finds that it is generally consistent with the future land use and surrounding zoning and development. Due to the proximity of the subject property to the Warrenton subdivision, the new homes on the applicant's property should be developed with similar size, massing and style as the Warrenton subdivision. If the existing home is ever redeveloped, it should also be developed consistent with homes in the Warrenton subdivision. The new development would also benefit from reduced front setbacks in order to accommodate tree save areas at the rear of the lots.

The development should also ensure continuity along Waters Road with no separate subdivision name or gates permitted for the development. The development will be adjacent to established subdivisions and therefore careful consideration should be given to saving remaining perimeter trees, where possible. In addition, an undisturbed buffer should be provided along Waters Road and along the north and east property lines in order to screen the new homes from existing homes.

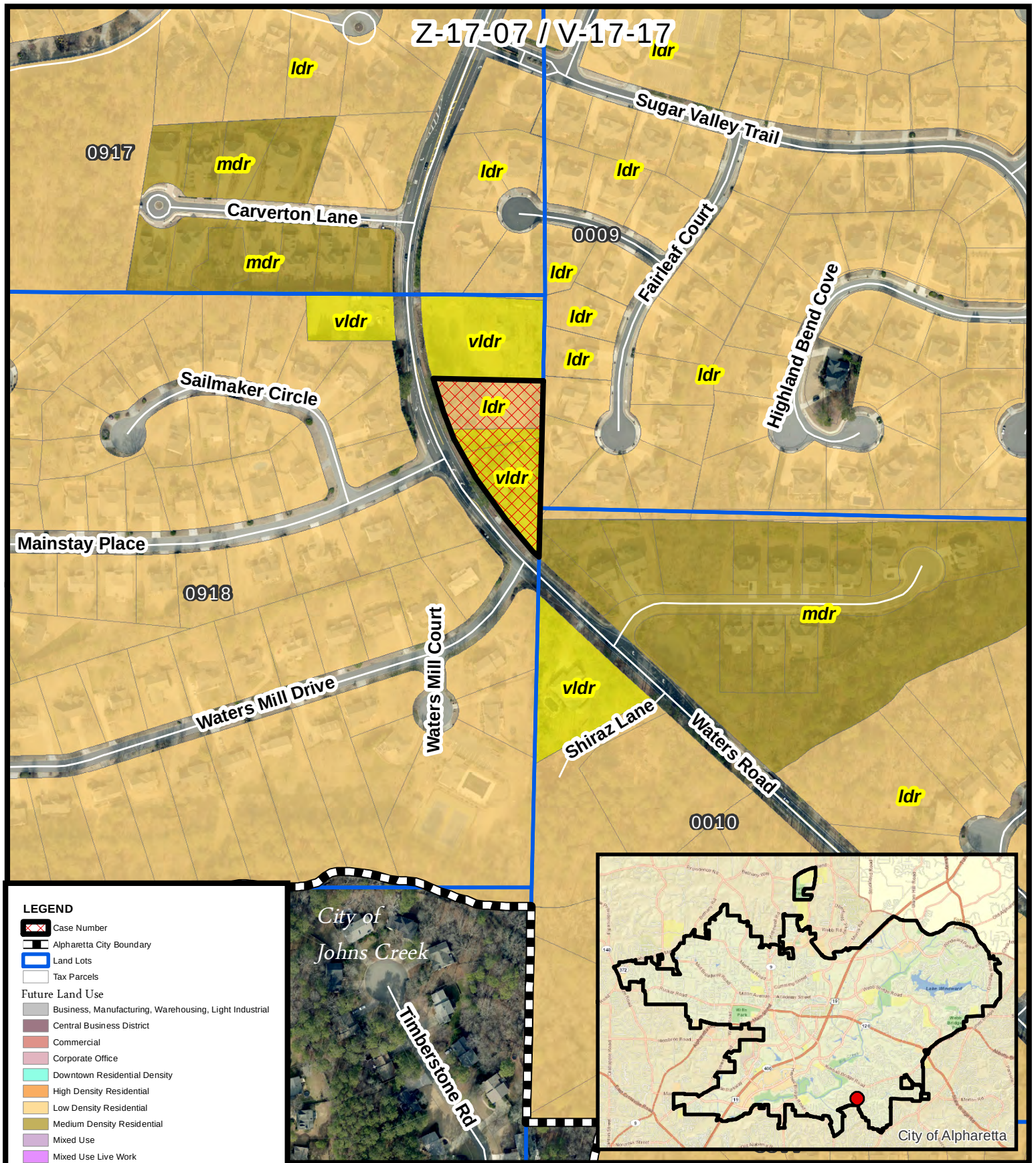
CITIZEN PARTICIPATION PLAN

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

Staff received correspondence from an adjacent property owner asking that previous zoning conditions be imposed on the subject property, if approved.

IV. ATTACHMENTS:

- Site Plan
- Photos – Warrenton Subdivision



LEGEND

Case Number

Alpharetta City Boundary

Land Lots

Tax Parcels

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

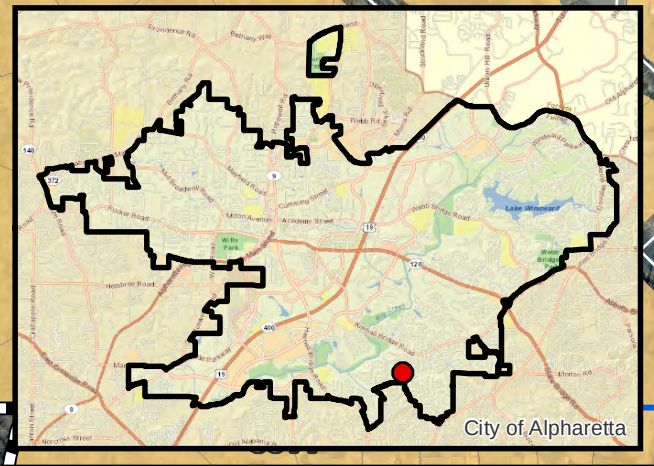
Parks, Recreation, Open Space

Professional Business Office

Public, Institutional, Education

Residential Estate

Very Low Density Residential



**Future Land Use
Waters Road Rezoning
10715 & 10745 Waters Rd**

Z-17-07 / V-17-17

D/LL: 1/2/918

PC: 07/12/17

CC: 07/24/17

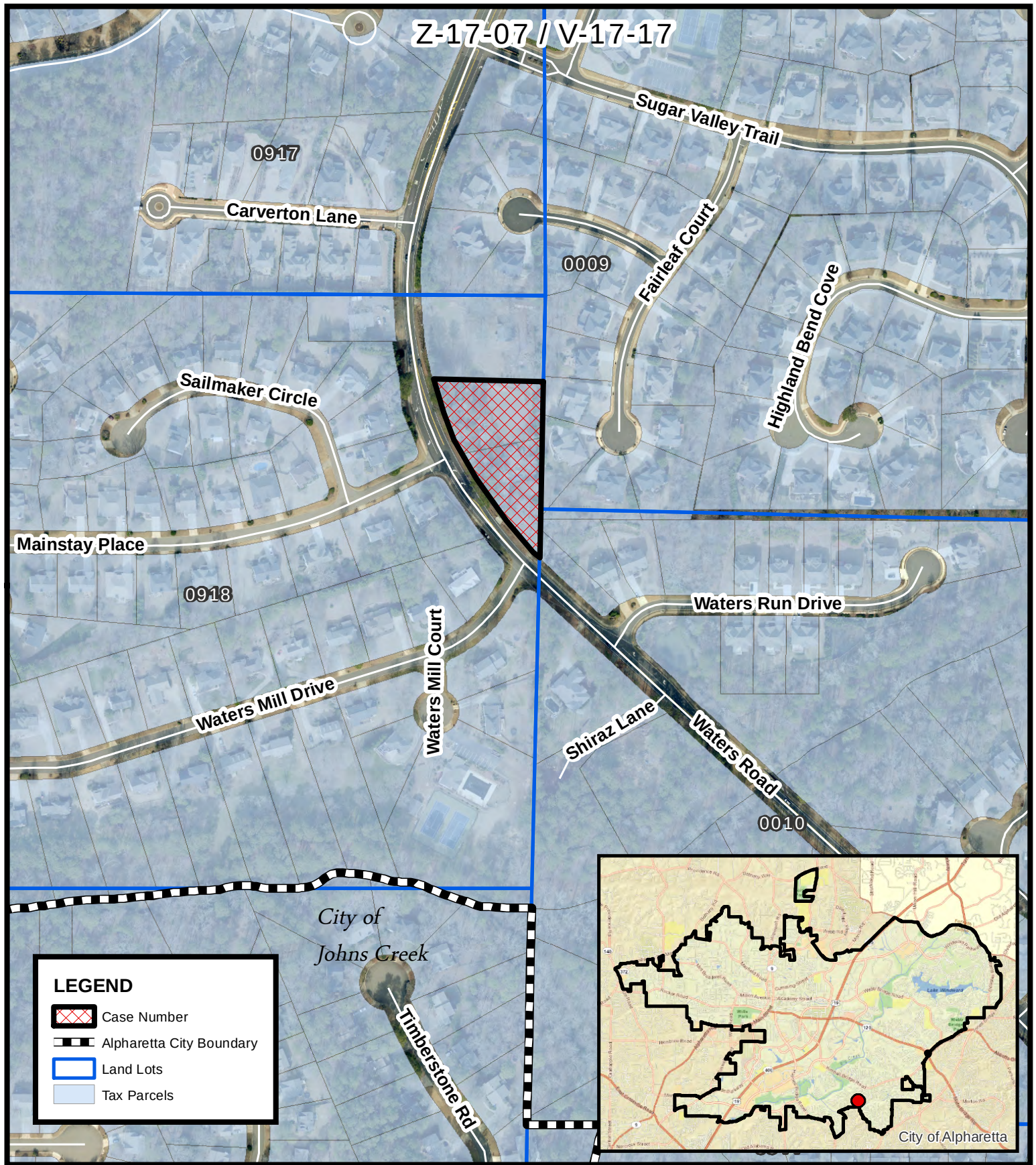


Location Map Provided by:
Community Development - GIS



Aerial Map
Waters Road Rezoning
10715 & 10745 Waters Rd

Z-17-07 / V-17-17
D/LL: 1/2/918
PC: 07/12/17
CC: 07/24/17



Location Map
Waters Road Rezoning
10715 & 10745 Waters Rd

Z-17-07 / V-17-17
D/LL: 1/2/918
PC: 07/12/17
CC: 07/24/17

Location Map Provided by:
Community Development - GIS

MOHAMMAD JAVANMARD
10745 WATERS ROAD
ALPHARETTA, GA 30022
(678) 860-5563

ACR ENGINEERING, INC.
3060 HOLCOMB BRIDGE ROAD, SUITE C
NORCROSS, GEORGIA 30071
(678) 291-0000
ABBAS HEIDARI

1. TOTAL AREA = 1.16 ACRES
EXISTING ZONING = AG-1/R-1R-5
PROPOSED ZONING = R-12
MINIMUM FRONT YARD SETBACK = 65'
MINIMUM REAR YARD SETBACK = 30'
MINIMUM LOT WIDTH = 80'
MINIMUM SIDE YARD = 10'

MINIMUM LOT SIZE = 12,000 S.F.
2. TOTAL PROPOSED LOTS = 3
3. DENSITY CALCULATIONS= 2.58 LOTS PER ACRE
4. BOUNDARY TOPOGRAPHY INFORMATION OBTAINED FROM SURVEY
PREPARED BY DANIEL A. MILLER PROFESSIONAL LAND SURVEYORS, INC. DATED 06/23/06
5. EXISTING CONDITIONS OF THIS SITE IS PASTURE LAND
WITH A HOUSE.
6. WATER AND SANITARY SEWER ARE TO BE TIED IN ON
WATERS ROAD.
7. PROPERTY IS NOT LOCATED WITHIN THE FAR PART 150
AIRPORT NOISE CONTOUR MAP.
8. THERE IS NO FLOOD PLAIN LOCATED ON THE PROPERTY
ACCORDING TO FIRM PANEL 13121C0067E DATED 6/22/98.
9. ALL EXISTING STRUCTURES ON SITE ARE TO BE REMOVED

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 918 OF THE 1ST DISTRICT 1ST SECTION, FULTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

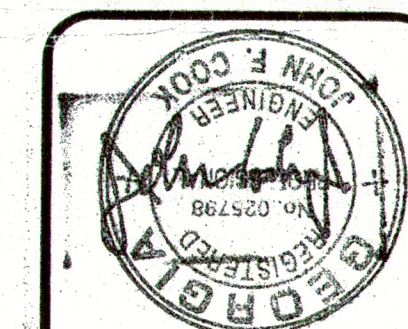
BEGINNING AT THE EASTERN RIGHT OF WAY OF WATERS ROAD AT THE NORTHERLY BOUNDARY BEING THE TRUE POINT OF BEGINNING, THENCE PROCEEDING S 0° 46' 18" E A DISTANCE OF 222.08 FEET TO A POINT; THENCE PROCEEDING S00° 07' 50" E A DISTANCE OF 99.99 FEET TO A POINT; THENCE PROCEEDING S00° 13' 43" W A DISTANCE OF 204.48 FEET TO A POINT; THENCE S00° 18' 27" E A DISTANCE OF 69.77 FEET TO A POINT; THENCE PROCEEDING ON AN ARC N41° 25' 47" W A DISTANCE OF 129.90 FEET WITH A CHORD OF 129.85 FEET AND A RADIUS OF 1434.70 FEET TO A POINT; THENCE PROCEEDING ON AN ARC N33° 20' 51" W A DISTANCE OF 102.96 FEET WITH A CHORD OF 106.84 FEET AND A RADIUS OF 608.83 FEET TO A POINT; THENCE PROCEEDING ON AN ARC N25° 29' 13" W A DISTANCE OF 102.96 FEET WITH A CHORD OF 102.91 FEET AND A RADIUS OF 917.54 FEET TO A POINT; THENCE PROCEEDING ON AN ARC N21° 29' 43" W A DISTANCE OF 24.89 FEET WITH A CHORD OF 24.89 FEET AND A RADIUS OF 917.54 FEET TO A POINT; THENCE PROCEEDING ON AN ARC N40° 02' 18" E A DISTANCE OF 81.31 FEET WITH A CHORD OF 81.16 FEET AND A RADIUS OF 383.57 FEET TO A POINT BEING THE TRUE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINING 1.16 ACRES OR 50,627 S.F.



HBACR Engineering, Inc.
33060 HOLCOMB BRIDGE ROAD
SUITE C
NORCROSS, GA 30071
(678) 291-0000

**ZONING PLAN
FOR
WATERS ROAD
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA**



No.	Revision/Issue	By	Date
A.	COUNTY SUBMITTAL	CR	02/16/09

LAND LOT(S):	918
DISTRICT:	1ST
SECTION:	2ND
TAX PARCEL NO:	
COUNTY:	FULTON
STATE:	GEORGIA
DESIGNED:	CR
DRAWN:	

DRAWING: 09004E.DWG	Sheet 1
SNAPSHOT: N/A	
DATE: FEB 15, 2009	of 1
SCALE: H: 1" = 30' V: N/A	

From: [Woodman, Michael](#)
To: [Joyce Hatcher](#)
Cc: [D. Hatcher](#); [Taylor, Elicia](#)
Subject: RE: Rezoning 10715 and 10745 Waters Rd
Date: Monday, June 26, 2017 8:18:02 AM

Mrs. Hatch,

Thank you for reaching out regarding this public hearing application. I am aware and have copies of the 2009 conditions related to this property. While the staff report has not been finalized at this point, I can assure you that the 2009 conditions were the starting point for staff. Those previous conditions that are still relevant will be maintained and I assume additional conditions will likely come forward. I will be sure to include your email with the file. If I can be of further assistance, please let me know.

Best regards,

Michael A. Woodman, AICP
Senior Planner

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

From: Joyce Hatcher [mailto:jd.h.hatcher@gmail.com]
Sent: Friday, June 23, 2017 5:35 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Cc: D. Hatcher <dahatcher@gmail.com>
Subject: Rezoning 10715 and 10745 Waters Rd

COA City Planner,

Hi Mr Woodman,

I just wanted to followup on Brian Borden's email and make sure you received copies of the prior 2009 COA 17 conditions for rezoning and approval by council regarding this parcel. (see attached)

We would like to discuss the process and make sure these recommendations remain intact regarding these parcels. We have had many issues with this applicant and had to work with many city officials, including code enforcement.

Thanks for your assistance,

Joyce Hatcher
365 Fairleaf Court
Warrenton
678-608-9258 (C) 678-879-8788 (H)

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: 10715 & 10745 Waters Road

Contact Name: Mohammad Javanmard Telephone: (678) 860-5561

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.

I have not received any call or
concerns on this subject. 1:15 PM

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: 6/22/17

Print Form

April 24, 2017

NOTIFICATION TO PROPERTY OWNERS WITHIN 500 FEET
OF THE REZONING REQUEST FIELED BY
MOHAMMAD A. JAVANMARD

Mohammad Javanmard
160 Stanford Ridge
Johns Creek, GA 30097
E-mail: ajavanmard67@yahoo.com

RE: Application for rezoning two pieces of properties; parcel # 10715 & 10745, on Waters Road from AG-1 & R-15 to R-12

Dear property Owners:

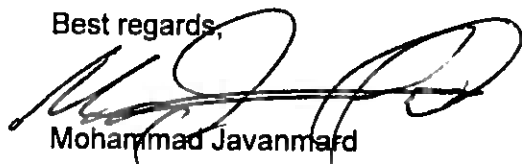
The Applicant has filed an application with the City of Alpharetta for re-zoning the above mentioned Properties from the existing Zoning AG-1 and R-15 to R-12, which is single detached residential. The request would allow three (3) lots in lieu of the existing two (2) lots that would be a minimum of 12,000 square feet. You have received this letter because the City of Alpharetta requires that every property owner located within 500 feet of the subject property be notified of the application. The purpose of this notification is to hear your concerns and answer questions you may have.

*This request has been approved on June 2009 for the same rezoning since it has not been built back then, so it is just a re-processing.

The Alpharetta planning Commission will hear this application at their regularly scheduled July 12th, 2017 public hearing, and Mayor and City Council will vote on this application at their July 22nd, 2017 public meeting. Both meetings begin at 6:30 PM and will be conducted at City Hall (2 Park Plaza), Alpharetta, GA.

Please contact the undersigned with any inquiries regarding this application; Cell: (678)860-5563.

Best regards,



Mohammad Javanmard

AJIRNIAR AMIR
Or Current Property Owner
10620 WATERS RD
ALPHARETTA GA 30022-5798

BAPTISTE DENNIS & SHARON R
Or Current Property Owner
320 FAIRLEAF CT
ALPHARETTA GA 30022

BERTOLANI JILL K & MICHAEL II
Or Current Property Owner
465 SAILMAKER CIR
ALPHARETTA GA 30022

BORTON JAMES H & SUSAN C
Or Current Property Owner
230 REDMOND RIDGE CIR
ALPHARETTA GA 30022-4786

CAPITAL DESIGN GROUP INC
Or Current Property Owner
1235 HIGHTOWER TRL STE 300
ATLANTA GA 30350-2975

CHAPMAN STEPHEN RAYMOND & STACEY ALLEN
Or Current Property Owner
10640 WATERS RD
ALPHARETTA GA 30022

CHEN LEI & SUN XIAOLI
Or Current Property Owner
455 SAILMAKER CIR
ALPHARETTA GA 30022

CHENG NORMAN & FUNG HIN TING
Or Current Property Owner
3552 WATERS RUN DR
ALPHARETTA GA 30022

COBB MICHAEL COBB ALLISON H
Or Current Property Owner
855 HIGHLAND BEND CV
ALPHARETTA GA 30022

DAVIS KURT & DAVIS HONG
Or Current Property Owner
3406 CALVERTON LANE
ALPHARETTA GA 30022

DAY PATRICK T & KATHLEEN L
Or Current Property Owner
110 WATERS MILL CT
ALPHARETTA GA 30022

DROEGE ANDREAS & DAGMAR
Or Current Property Owner
115 WATERS MILL CT
ALPHARETTA GA 30022-4482

FAN CHENG H & SHARON K
Or Current Property Owner
215 REDMOND RIDGE CIR
ALPHARETTA GA 30022-4786

FANDO L L C
Or Current Property Owner
405 SAILMAKER CIR
ALPHARETTA GA 30022

FERGUSON SHARON L
Or Current Property Owner
3455 WATERS MILL DR
ALPHARETTA GA 30022-4481

FLAX JACK & TOBY
Or Current Property Owner
415 SAILMAKER CIR
ALPHARETTA GA 30022

FORNELL RUTH A FORNELL BRYAN L
Or Current Property Owner
3373 CARVERTON LANE
ALPHARETTA GA 30022

FOUNTAIN CAREY MILTON & MELISSA THERSIA
Or Current Property Owner
245 REDMOND RIDGE CIR
ALPHARETTA GA 30022-4786

FRUITTRELL ROLANDO E & LORNA A
Or Current Property Owner
375 FAIRLEAF CT
ALPHARETTA GA 30022-4785

GARRIGUS CARL E & MELISSA M
Or Current Property Owner
445 SAILMAKER CIR
ALPHARETTA GA 30022

GOLDSTEIN SIGALIT
Or Current Property Owner
310 FAIRLEAF CT
ALPHARETTA GA 30022

GUNETA VIJAY & GUNETA MONIKA
Or Current Property Owner
3430 WATERS MILL DR
ALPHARETTA GA 30022

GURRAM GOUTHAMI & MANYAM NAGAVARDHAN
Or Current Property Owner
3549 WATERS RUN DR
ALPHARETTA GA 30022

GUVEN SABRI & GUVEN KERIMAN
Or Current Property Owner
3396 CARVERTON LANE
ALPHARETTA GA 30022

HATCHER DAVID E JR & JOYCE D
Or Current Property Owner
365 FAIRLEAF CT
ALPHARETTA GA 30022

HEIGL RALPH & PAXTON ELIZABETH
Or Current Property Owner
225 REDMOND RIDGE CIR
ATLANTA GA 30022-4786

HOU QINGSHUN & JOANNE
Or Current Property Owner
3365 MAINSTAY PL
ALPHARETTA GA 30022

JAVANMARD MOHAMMAD
Or Current Property Owner
160 STANFORD RDG
DULUTH GA 30097

JENG PETER W & YU JEN JIUAN
Or Current Property Owner
355 FAIRLEAF CT
ALPHARETTA GA 30022-4785

KAPOOR SUDHIR K & MADHU
Or Current Property Owner
380 FAIRLEAF CT
ALPHARETTA GA 30022-4783

KELLY TOMMY T KELLY JAMMIE L
Or Current Property Owner
P.O. BOX 4206
DEERFIELD BEACH FL 33442-4206

KIM SUNG HWAN
Or Current Property Owner
11 PERIMETER CTR E #2306
ATLANTA GA 30346

KIM WOO JOONG & SUK SANG KANG
Or Current Property Owner
425 SAILMAKER CIR
ALPHARETTA GA 30022

KLEIN MICHAEL D & KLEIN JULY L
Or Current Property Owner
435 SAILMAKER CIR
ALPHARETTA GA 30022

KURUP VEENOD & RAJAN RASHMI
Or Current Property Owner
220 REDMOND RIDGE CIR
ALPHARETTA GA 30022

KWON JAMES
Or Current Property Owner
865 HIGHLAND BEND CV
ALPHARETTA GA 30022-4794

LATTA ROGER E JR
Or Current Property Owner
3450 WATERS MILL DR
ALPHARETTA GA 30022

MAHAFFEY DANIEL T & GLENNA L
Or Current Property Owner
875 HIGHLAND BEND COVE
ALPHARETTA GA 30202

MALENKY ALEXANDER & MALENKY LESIA
Or Current Property Owner
895 HIGHLAND BEND CV
ALPHARETTA GA 30022

MARKIN LYUDMILA & GOLDENBERG MICHAEL
Or Current Property Owner
410 SAILMAKER CIR
ALPHARETTA GA 30022

MASHINCHI HAMID & ROBAB
Or Current Property Owner
4400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

MC DANIEL RUPERT H JR & DARLENE
Or Current Property Owner
3375 MAINSTAY PL
ALPHARETTA GA 30022

MC FARLAND BRYAN P & MC FARLAND JESSICA
Or Current Property Owner
350 FAIRLEAF CT
ALPHARETTA GA 30022

MILLER HYACINTH HYLTON
Or Current Property Owner
400 SAILMAKER CIR
ALPHARETTA GA 30022

MORAMPUDI GAYATHRI
Or Current Property Owner
3582 WATERS RUN DR
ALPHARETTA GA 30022

MUSCIOTTO JOSEPH & NORMA
Or Current Property Owner
235 REDMOND RIDGE CIR
ALPHARETTA GA 30022-4786

NIU XIAOYUAN & ZENG BING
Or Current Property Owner
3512 WATERS RUN DR
ALPHARETTA GA 30022

OAK MILLS HOMEOWNERS ASSOCIATION INC
Or Current Property Owner
4400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

OH SUSAN K & SANGSOO
Or Current Property Owner
330 FAIRLEAF CT
ALPHARETTA GA 30022-4783

PISCIOTTA ANTHONY J JR PISCIOTTA KELLEY M
Or Current Property Owner
905 HIGHALND BEND CV
ALPHARETTA GA 30022

POOLE JACK D & JUDITH R
Or Current Property Owner
345 FAIRLEAF CT
ALPHARETTA GA 30022

RICHER WILLIAM & LUCIA C
Or Current Property Owner
885 HIGHLAND BEND COVE
ALPHARETTA GA 30022

RITCHIE BRYAN J & GAIL P
Or Current Property Owner
370 FAIRLEAF CT
ALPHARETTA GA 30022

ROY SEBASTIEN C & ROY AMY PRIESTLY
Or Current Property Owner
3380 MAINSTAY PL
ALPHARETTA GA 30022

SHELL WILLIAM R & LAUREN A
Or Current Property Owner
3420 WATERS MILL RD
ALPHARETTA GA 30022-4479

SCHULTZ KENNETH S & TRACY
Or Current Property Owner
3435 WATERS MILL DR
ALPHARETTA GA 30022

SEARFOSS MATTHEW T & LYNNE M
Or Current Property Owner
205 REDMOND RIDGE CIR
ALPHARETTA GA 30022

SHAPIRO GARY M
Or Current Property Owner
3410 WATERS MILL DR
ALPHARETTA GA 30022-4479

SHOJAAT BEHNAZ
Or Current Property Owner
3572 WATERS RUN DR
ALPHARETTA GA 30022

SILVERS EARVIN CECIL
Or Current Property Owner
10795 WATERS RD
ALPHARETTA GA 30022-5707

SOLLOT MICHAEL P & JEAN T
Or Current Property Owner
3440 WATERS MILL DR
ALPHARETTA GA 30022

TURNER DENNIS C
Or Current Property Owner
10790 WATERS RD
ALPHARETTA GA 30022-5706

WOLFE MATTHEW D & WOLFE CHRISTINE C
Or Current Property Owner
340 FAIRLEAF CT
ALPHARETTA GA 30022

XU TAO & SHI RUIHUA
Or Current Property Owner
210 REDMOND RIDGE CIR
ALPHARETTA GA 30022

ZAVULUNOV YASHA & ZENAEDA
Or Current Property Owner
420 SAILMAKER CIR
ALPHARETTA GA 30022

SPETNAGEL STEVEN E
Or Current Property Owner
360 FAIRLEAF CT
ALPHARETTA GA 30022

WATERS MILL HOMEOWNERS ASSN INC
Or Current Property Owner
P.O. BOX 4404
ALPHARETTA GA 30023

WRIGHT KAHRMA WAGNER & DANIEL R
Or Current Property Owner
3370 MAINSTAY PL
ALPHARETTA GA 30022

YOURICK GEORGE D & KIM CHAMPINE
Or Current Property Owner
3400 MAINSTAY PL
ALPHARETTA GA 30022

ZHONG YING WANG WENJIANG
Or Current Property Owner
3383 CARVERTON LANE
ALPHARETTA GA 30022

SUN LINLIN ZHAO NAN
Or Current Property Owner
3559 WATERS RUN
ALPHARETTA GA 30022

WILLIAMS IRA M & SHEREE S
Or Current Property Owner
335 FAIRLEAF CT
ALPHARETTA GA 30022-4785

XIE QINGHUA & HUO DAN
Or Current Property Owner
3390 MAINSTAY PL
ALPHARETTA GA 30022

YUN AMANDA & CHUL J
Or Current Property Owner
3602 WATERS RUN DR
ALPHARETTA GA 30022

ZOHAR AUDREY
Or Current Property Owner
3562 WATERS RUN DR
ALPHARETTA GA 30022-5702

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

WATERS RD
FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:Contact Name: Mohammad Javanmard Telephone: (678) 860-5563Address: 160 Stanford Ridge Suite: _____City: Johns Creek State: GA Zip: 30097 Fax: _____Mobile Tel: (678) 860-5563 Email: ajavanmard67@yahoo.comSubject Property Information:Address: 16715 & 16745 Waters Road Current Zoning: AG-2 ☒ R-45District: 1st Section: 2nd Land Lot: 918 Parcel ID: 12-3150-0918-013-1
12-3150-0918-018-0Proposed Zoning: R-12 ☒ Current Use: ResidentialThis Application For (Check All That Apply):☐ Conditional Use☒ Rezoning☒ Variance☐ Comprehensive Plan Amendment☐ Master Plan Amendment☐ Master Plan Review☐ Public Hearing☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

Build two detached residential homes
and the existing house stay in place.

Applicant's Request (Please itemize the proposal):

Please, I am requesting a 50.0 feet ~~out~~
front setback for all three lots and
16.0 feet rear setback for the third lot
in order the existing house remains.

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

To build two detached residential
homes and ^{the} existing house will stay
in place.

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Mohammad Javanmard Telephone: (678) 860-5563
Address: 160 Stanford Ridge Suite: -
City: Johns Creek State: GA Zip: 30097

Authorization:

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

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

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

Identify Authorized Applicant:

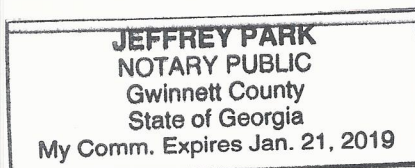
Name of Authorized Applicant: Mohammad Javanmard Telephone: (678) 860-5563
Address: 160 Stanford Ridge Suite: -
City: Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: [Signature] Date: 4/24/17

Notary:

Notary Signature: [Signature] Date: 4/24/17



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: Mohammad Javanmard

Subject Public Hearing Case: 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: 1/24/17

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

No difference, it will create more tax income (money) for City of Alpharetta.

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

No changes, it matches the surrounding ^{Area} perfectly.

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

No, it is best for residential homes.

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

Certainly not, 4-8 persons would not increase the population or traffic.

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

Really not, would ^{not} have any impact at all.

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

It well consisting with the Alpharetta comprehensive planning or future land use.

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

No, other than adding two homes.

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

NO, all the conditions and appearance would be the same as the surrounding homes in the area.

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

NO, would not create any hardship at all.

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

NO, there are no unusual conditions.

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

NO, it would ^{not} have ^{any} negative effect or impair on this purpose.

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:

(AG) + (R15) → TO R-12
10719 & 10745 Waters Road

Contact Name:

Mohammad Javanmard

Telephone:

(678) 860-5563

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 (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.

Tel: (678) 860-5563

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 918 OF THE 1ST DISTRICT, 2ND SECTION OF FULTON COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE INTERSECTION OF THE EAST LINE OF LAND LOT 918 AND THE NORTHEAST RIGHT-OF-WAY LINE OF WATERS ROAD (60 FOOT RIGHT-OF-WAY); THENCE ALONG THE NORTHEAST RIGHT-OF-WAY OF WATERS ROAD (60 FOOT RIGHT-OF-WAY) THE FOLLOWING COURSES AND DISTANCES: NORTH 42 DEGREES 35 MINUTES 23 SECONDS WEST 58.54 FEET TO A POINT; THENCE NORTH 32 DEGREES 48 MINUTES 36 SECONDS WEST 277.78 FEET TO A POINT; THENCE LEAVING SAID RIGHT-OF-WAY SOUTH 88 DEGREES, 43 MINUTES, 55 SECONDS EAST, 188.58 FEET TO A POINT; THENCE SOUTH 00 DEGREES, 11 MINUTES, 00 SECONDS EAST 271.26 FEET ALONG THE EASTERN LINE OF LAND LOT 918 TO AN IRON PIN SET AND THE POINT OF BEGINNING, AS SHOWN ON PLAT OF SURVEY PREPARED BY SOLAR LAND SURVEYING COMPANY FOR CHADWICK PRATER CHRISTIANSEN, DATED 3-1-95.

LETTER OF INTENT

April 24, 2017

From: Mohammad A. Javanmard

160 Stanford ridge, Johns Creek GA 30097

To: City of Alpharetta, Community Development

2 Park Plaza, Alpharetta, GA 30009

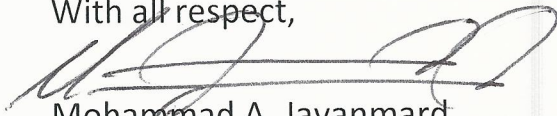
Telephone: (678)297-6070

RE: Rezoning the **parcel #: 10715 (R15) and 10745 (AG) to Residential "R12"**, which is located on Waters road, Alpharetta.

This property previously has been approved for three single detached homes; at the same time, we are requesting for a front setback variance of 50.0 feet for all three lots and a rear setback variance of 16.0 feet for the third lot in order the existing house stay in place. **This property is located in 1st District, Land Lot 918, and 2nd section on North Fulton County in City of Alpharetta.**

I appreciate very much if I may have this opportunity which has the perfect harmony with the neighborhood.

With all respect,



Mohammad A. Javanmard,

Property owner

Cell: (678)860-5563

E-mail: ajavanmard67@yahoo.com

MOHAMMAD SAHABAD
10745 WATERS ROAD
ALPHARETTA, GA 30022
(678) 550-5563

ACR ENGINEERING, INC.
3060 HOLCOMB BRIDGE ROAD, SUITE C
MARIETTA, GEORGIA 30071
(678) 291-6000
ABRAS HEDAR

1. TOTAL AREA = 1.15 ACRES
EXISTING ZONING = A-1-R-15
PROPOSED ZONING = R-12
MINIMUM FRONT YARD SETBACK = 65'
MINIMUM REAR YARD SETBACK = 30'
MINIMUM LFT. WIDTH = 80'
MINIMUM SIDE YARDS = 10'
MINIMUM LOT SIZE = 12,000 S.F.
2. TOTAL PROPOSED LOTS = 3
3. DENSITY CALCULATION = 2.58 LOTS PER ACRE
4. DRAINAGE DRAINAGE INFORMATION FROM SETBACK FROM LAKE
PREPARED BY JAMAL A. WELLS PROFESSIONAL LAND SURVEYOR
5. EXISTING CONDITIONS OF THIS SITE IS PASTURE LAND WITH A HOUSE.
6. WATER AND SANITARY SEWER ARE TO BE TIED IN ON WATERS REND.
7. PROPERTY IS NOT LOCATED WITHIN THE FIRM PART 150 AIRPORT NOISE CONTOUR MAP.
8. THERE IS NO FLOOD PLAIN LOCATED ON THE PROPERTY ACCORDING TO FIRM PANEL 12120C000S DATED 4/22/98.
9. ALL EXISTING STRUCTURES ON SITE ARE TO BE REMOVED

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT
SIX OF THE 1ST DISTRICT 1ST SECTION, FULTON COUNTY, GEORGIA
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERN RIGHT OF WAY OF WATERS ROAD AS THE
NORTHWEST CORNER BEING THE TRUE POINT OF BEGINNING;
THENCE PROCEEDING S89°14'41"E A DISTANCE OF 122.38 FEET
TO A POINT; THENCE PROCEEDING S01°07'50"E A DISTANCE OF 12.99 FEET
TO A POINT; THENCE PROCEEDING S00°13'47"E A DISTANCE OF 10.00
FEET TO A POINT; THENCE S00°10'27"E A DISTANCE OF 9.87 FEET
TO A POINT; THENCE PROCEEDING ON AN ARC AND RADIUS OF 10.00 FEET
OF 129.00 FEET TO A POINT; THENCE PROCEEDING S04°04'00"E A
DISTANCE OF 70.00 FEET TO A POINT; THENCE PROCEEDING
ON AN ARC AND RADIUS OF 70.00 FEET TO A POINT; THENCE
PROCEEDING S01°07'50"E A DISTANCE OF 12.99 FEET TO A POINT;
THENCE PROCEEDING S89°14'41"E A DISTANCE OF 122.38 FEET
TO A POINT; THENCE PROCEEDING S01°07'50"E A DISTANCE OF 12.99
FEET TO A POINT; THENCE PROCEEDING S00°13'47"E A DISTANCE OF 10.00
FEET TO A POINT; THENCE S00°10'27"E A DISTANCE OF 9.87 FEET
TO A POINT; THENCE PROCEEDING ON AN ARC AND RADIUS OF 10.00 FEET
OF 129.00 FEET TO A POINT; THENCE PROCEEDING S04°04'00"E A
DISTANCE OF 70.00 FEET TO A POINT; THENCE PROCEEDING
ON AN ARC AND RADIUS OF 70.00 FEET TO A POINT; THENCE
PROCEEDING S01°07'50"E A DISTANCE OF 12.99 FEET TO A POINT;
THENCE PROCEEDING S89°14'41"E A DISTANCE OF 122.38 FEET
TO A POINT; BEING THE TRUE POINT OF BEGINNING.

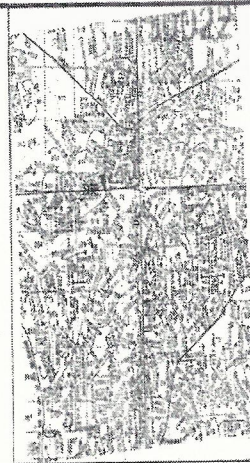
SUB TRAIT OR PARCEL OF LAND CONTAINING THE HOUSE OF SUBJECTS

BBACR Engineering, Inc.
3080 HOLCOMBE BRIDGE ROAD
SUITE C
NORCROSS, GA 30071
(404) 291-0000

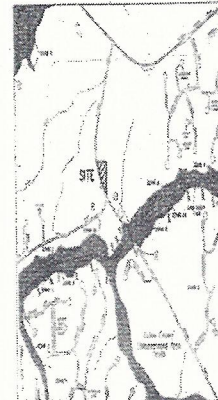
ZONING PLAN
FOR
WATERS ROAD
CITY OF ALPHARETTA
FULTON COUNTY, GEORGIA

[illegible]

DATE	12/15/2010	TIME	10:00 AM
NAME	JAMES H. HARRIS		
ADDRESS	1000 10TH AVE S		
CITY	TAMPA FL 33604		
STATE	FL		
COUNTY	HILLSBOROUGH		
ZIP	33604		
PHONE	813 288 1000		
FAX	813 288 1000		
EMAIL	JHARRIS@TAMPAFLA.GOV		
WEBSITE	WWW.TAMPAFLA.GOV		
TELETYPE	813 288 1000		
TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		
WIRELESS	813 288 1000		
WIRELINE	813 288 1000		
TELEPHONE	813 288 1000		
TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		
WIRELESS	813 288 1000		
WIRELINE	813 288 1000		
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TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
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RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		
WIRELESS	813 288 1000		
WIRELINE	813 288 1000		
TELEPHONE	813 288 1000		
TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		
WIRELESS	813 288 1000		
WIRELINE	813 288 1000		
TELEPHONE	813 288 1000		
TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		
WIRELESS	813 288 1000		
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TELEFAX	813 288 1000		
TELEVISION	813 288 1000		
RADIO	813 288 1000		
INTERNET	813 288 1000		
MOBILE	813 288 1000		



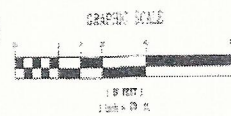
WORTHY MAP



FORM 9402 15-210000-7C DATED 6/22/08
F-1500



- [illegible]



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Mehdi Javanmard Telephone: (678) 643-0196
Address: 160 Stanford Ridge Suite: —
City: Johns Creek State: GA Zip: 30097

Authorization:

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

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

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

Identify Authorized Applicant:

Name of Authorized Applicant: Mehdi Javanmard Telephone: (678) 643-0196
Address: 160 Stanford Ridge Suite: —
City: Johns Creek State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: _____ Date: _____

Notary:

Notary Signature: _____ Date: _____

DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Mehdi Javanmard

Subject Public Hearing Case: ReZoning

Campaign Contribution Information:

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

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

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

Description of Contribution:	<u></u>	Value:	<u></u>
Description of Contribution:	<u></u>	Value:	<u></u>
Description of Contribution:	<u></u>	Value:	<u></u>
Description of Contribution:	<u></u>	Value:	<u></u>
Description of Contribution:	<u></u>	Value:	<u></u>

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: _____

WATERS RD

AFTER RECORDING RETURN TO:
REPUBLIC TITLE INSURANCE AGENCY, INC.
2781 WINDY RIDGE PARKWAY
ATLANTA, GA 30339

3410072J

State of GEORGIA
County of FULTON

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, MEDHI JAVANMARD, a resident of FULTON County, GEORGIA, being desirous of arranging for the transaction of my business through an attorney in fact, have named, appointed and constituted, and by these presents do name, constitute and appoint MOHAMMED JAVANMARD, a resident of FULTON County, GEORGIA, as my true and lawful attorney in fact, and do authorize said attorney in fact, for me, and in my name, place and stead to close a real estate transaction for the PURCHASE of that certain real property known as 10715 WATERS ROAD, ALPHARETTA, GEORGIA 30022, and to execute, seal and deliver any and all documents including but not limited to Security Deed Note, Security Deed, Closing Statements, Truth-In-Lending Statements and affidavits required by INTERFIRST to close a loan in the amount of _____. Said Security Deed shall constitute a first lien on the following property:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE FOR A MORE COMPLETE DESCRIPTION.

Said Note provides for a loan at an interest rate of _____% for a term of _____ years.

This Power of Attorney shall remain in effect until the same is revoked by written instrument recorded in the Office of the Clerk of the Superior Court of FULTON County, Georgia.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, this the 3rd day of

March 2004

Signed, sealed and delivered in the
presence of:

Thapana Pantelopoulos (L.S.)
Unofficial Witness

MEDHI JAVANMARD

Notary Public

(Notary Seal)

My commission expires:



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: 10715 & 10745 Waters Road

Contact Name: Mohammad Javanmard Telephone: (678) 860-5563

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: _____

Print Form



CITY COUNCIL MEETING STAFF REPORT

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

I. AGENDA ITEM TITLE: Z-17-08/V-17-19 STATE BRIDGE ROAD/MASHINCHI

PLANNING COMMISSION: JULY 12, 2017

CITY COUNCIL: JULY 24, 2017

II. RECOMMENDATION:

Approve Z-17-08/V-17-19 State Bridge Road/Mashinchi subject to the following conditions:

1. Property shall be developed substantially in accordance with the submitted plan prepare by Donald Ayers, dated 5/17/2017, except as modified by these conditions. Lot yield depicted is not guaranteed and subject to meeting all City Code requirements and conditions of zoning.
2. There shall be no parking between the principal building and Kimball Bridge Road and State Bridge Road.
3. Permitted uses on the property shall be restricted to non-medical office and general retail.
4. Setbacks shall be:
 - Front Setback (State Bridge Road) – 35'
 - Front Setback (Kimball Bridge Road) – 35'
 - Side Setback – 5'
 - Rear Setback – 5'
5. Building shall be double-sided with storefronts, sidewalks and doors on both sides of the building.
6. Building shall include 4-sided architecture and shall be primarily brick and/or stone with pitched roof similar to recent developments across Kimball Bridge Road. Building shall have a minimum height of 18'. Side of building facing the corner shall have windows and other architectural details consistent with the front of a building. Architecture and building design as approved by the DRB.
7. The proposed curb cut shall be right-in/right-out, as approved by GDOT.
8. 20' landscape strips along State Bridge Road and Kimball Bridge Road shall include minimum 2' high berm and/or decorative knee wall, with trees and shrubs, as approved by Staff. Landscape strips shall exclude any utility easements. Berms, walls and shrubs shall screen parking from the road. If shared parking is used on the applicant's other 2 properties, the landscape requirements at 4398 and 4400 Kimball Bridge Road shall be evaluated and missing, dead or dying landscaping shall be replaced.
9. Along internal property line adjacent to 4398 Kimball Bridge Road, 5' landscape strip requirement shall be provided between the parking and the building as approved by Staff.
10. Foundation plantings shall be provided on all sides of the building, as approved by Staff.
11. Developer shall construct a 4' planting strip and 8' sidewalk along State Bridge Road and a 10' sidewalk along Kimball Bridge Road. Pedestrian street lights shall be continued along State Bridge Road and Kimball Bridge Road, as approved by Staff. Developer shall extend the sidewalk along State Bridge Road to the Shell Station. The off-site sidewalk improvement shall be eligible for road impact fee credits.
12. Provide for interparcel access, as depicted on the zoning plan. An easement shall be recorded providing for the subject properties' use of a dumpster on the adjacent self-storage property.
13. Prior to issuance of an LDP, the developer shall provide a shared parking agreement reflecting the shared use of parking between the subject property and 4398/4400 Kimball Bridge Road, as approved by Staff.

14. Developer shall install decorative landscaping within the right-of-way at the corner of State Bridge Road and Kimball Bridge Road, consisting of trees, shrubs, grasses and ground cover, similar to the corner to the south, as approved by GDOT and Staff.

III. REPORT IN BRIEF:

The applicant, Richard Wernick, is requesting a rezoning of a 1.15-acre property from AG (Agriculture) to C-1 (Neighborhood Commercial) in order to construct a 1-story, 9,420 square foot retail center. A variance is requested to reduce the front setback requirement along Kimball Bridge Road. The subject property is located at the northwest corner of State Bridge Road and Kimball Bridge Road.

DISCUSSION

The submitted request, if approved, will allow for the construction of a 9,420 square foot retail center building on a 1.15-acre property. A rezoning is requested from AG to C-1, as well as a variance to reduce the front setback along Kimball Bridge Road. The subject property is located at the northwest corner of State Bridge Road and Kimball Bridge Road.

The subject property is zoned AG and is currently undeveloped. The property was annexed into the City in 2007. Fulton County previously owned the property, which is a remnant from a road widening project along State Bridge Road. The property is surrounded by C-1 parcels to the north and west and City of Johns Creek to the east and south. U-Store is located to the north, Alpharetta Commons shopping center and Honda Service Center to the west and a clinic and small retail center to the north and east. The property has a Commercial comprehensive land use plan designation, which allows a retail center.

A variance is requested from UDC Section 2.2.13 (D) to reduce the front setback along Kimball Bridge Road from 65' to 56'. If relief is granted, the corner of the building would encroach approximately 10' into the front building setback.

SITE PLAN

The submitted site plan depicts a 1-story, 9,420 square foot retail building on 1.15 acres. The building is oriented to State Bridge Road and access is depicted through a curb cut on State Bridge Road. Interparcel access is depicted through the two (2) properties to the north and east (4398 & 4400 Kimball Bridge Road), which are under common ownership. The applicant proposes the following minimum building setbacks:

- Front Setback (State Bridge Road) – 65'
- Front Setback (Kimball Bridge Road) – 56'
- Side Setback – 5'
- Rear Setback – 5'

Staff recommends a reduction in the front setback from 65' to 35' in order to bring the building up to the road with parking behind.

46 parking spaces are depicted on the site. The proposed parking spaces are located between the road and the proposed building. The Unified Development Code requires one (1) parking space per 200 square feet for retail shopping centers under 40,000 square feet. Based on the proposed use and square footage,

the site would require 47 parking spaces. 46 parking spaces are depicted on the site plan. However, the property owner owns two (2) adjacent properties, a small retail center and a climate controlled storage facility, and would like to share parking among the three (3) properties. A shared parking agreement is recommended to minimize the overall impervious area.

There are no trees on the subject property. Although not depicted on the site plan, the applicant has indicated that detention will be provided underground.

TRAFFIC

As shown in the table below, the proposed project would generate 108 PM Peak Hour Trips.

ITE LAND USE CODE	QUANTITY	DAILY	AM PEAK			PM PEAK		
		TWO-WAY	ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
OFFICE (710)	4,710 S.F	129	15	2	17	14	69	83
SPECIALTY RETAIL (826)	4,710 S.F	239	67	72	139	14	18	32
GROSS TRIPS		368	82	74	156	28	87	115
RETAIL PASS-BY TRIPS - 34% PM		-54	0	0	0	-3	-4	-7
NET TRIPS WITH PASS-BY REDUCTIONS		314	82	74	156	25	83	108

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 development proposal is consistent with the comprehensive land use plan designation of the property, which is 'Commercial'. In addition, the proposed use is compatible with surrounding properties that are developed or being developed with residential uses. If approved, staff recommends that the building be brought up to the road and that there be no parking between the road and the building.

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

Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties, as the proposed use is compatible with surrounding properties.

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

Response: The proposed development would not have significant impacts on the natural environment. The site lacks any sensitive natural resources and there are no trees.

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

Response: The property could be developed under the current zoning. However, the applicant's proposal is consistent with the Commercial comprehensive land use plan designation of the property and the existing zoning would not allow for a viable site layout given the shape of the property and setback requirements in the AG district.

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 result in an increased demand on public facilities and services. The applicant's proposal for a 9,420 square foot retail center would generate 108 PM Peak Hour trips.

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

Response: The subject property is located along the Old Milton Parkway corridor and at a commercial node, in an area designated 'Commercial'. Therefore, the proposed use is consistent with this designation.

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 rezoning request reflects a reasonable balance as the proposed use complements other approved developments along the Old Milton Parkway corridor.

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

Response: The property could be developed under the current zoning. However, the applicant's proposal is consistent with the 'Commercial' comprehensive land use plan designation of the property and the existing AG zoning would not allow for a viable site layout given the shape of the property and setback requirements.

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

Response: The zoning proposal meets the Comprehensive Land Use Plan designation of the property, which is 'Commercial'.

VARIANCE REVIEW CRITERIA

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

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

Response: The subject property has an unusual shape and is located at the intersection of two (2) arterial roads. Staff recommends that the front setback is reduced to 35' to allow for the building to be moved up to the road, with parking behind. However, all landscaping should be met outside of utility easements, which may reduce the size of the building.

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

Response: The applicant could develop the site in compliance with the required setbacks. However, staff recommends a further reduction to the front setback in order to bring the building up to the street with parking behind.

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

Response: The subject property has an unusual shape and is located at the intersection of two (2) arterial roads. Staff recommends that the front setback is reduced to 35' to allow for the building to be moved up to the road, with parking behind.

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

Response: Approval would not cause substantial detriment to the public good, if conditions are in place requiring parking behind the building and enhanced landscape strips along the road frontages.

CONCURRENCES

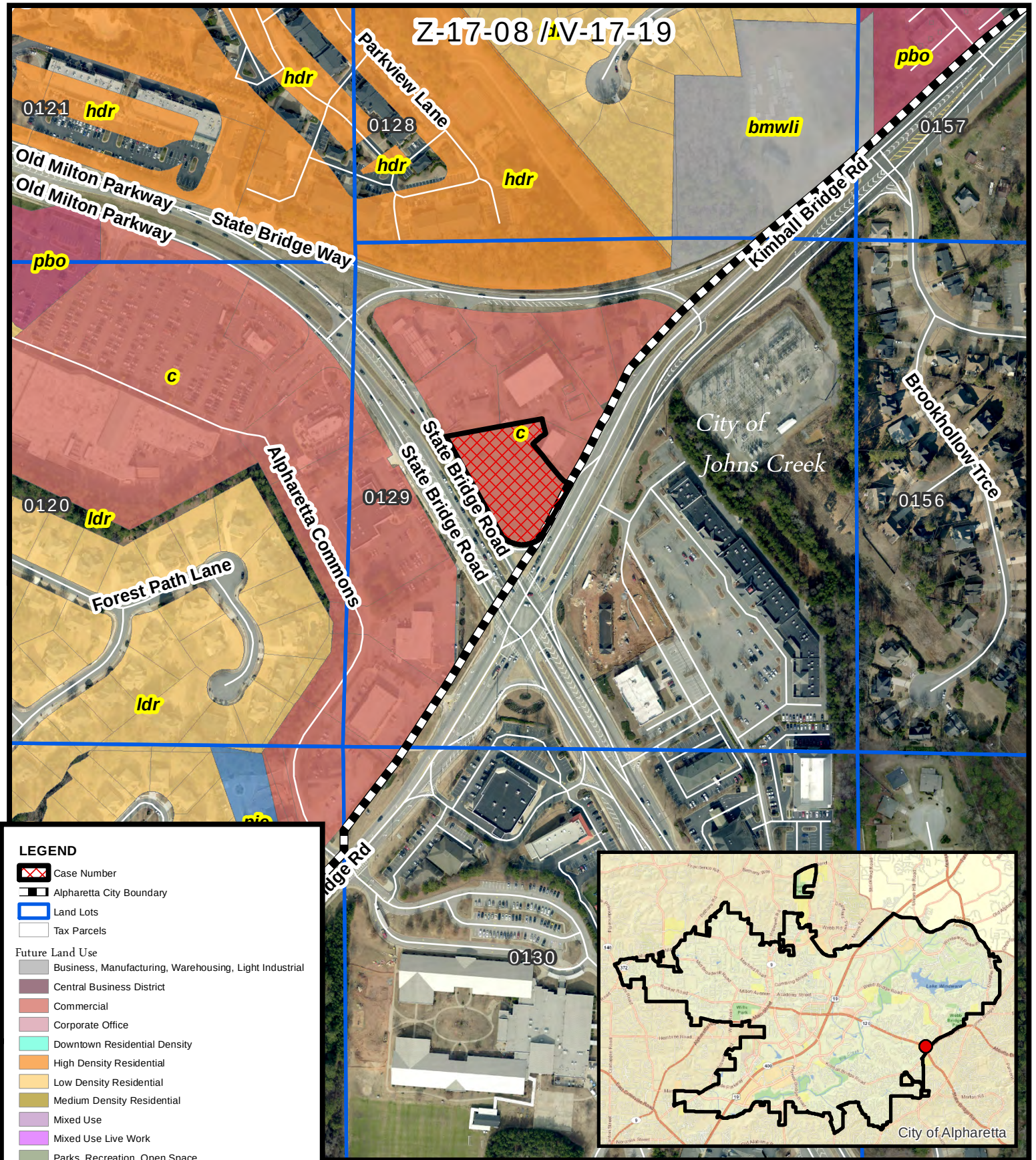
Staff has reviewed the application and is generally in agreement with the request for rezoning and variance. The proposed rezoning to C-1 is consistent with the zoning of surrounding properties. The variance request to reduce the front setback along Kimball Bridge Road is related to the unusual shape of the property, as well as the property having two (2) road frontages. If approved, staff recommends that the building be moved up to the road with parking behind, as well as architectural, building design and landscape requirements. The building size may be reduced in order to meet landscape requirements and plant overstory trees outside of utility easements. Further, uses should be restricted to non-medical office and general retail. Sufficient parking does not exist for restaurant use.

CITIZEN PARTICIPATION PLAN

The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no comments were received.

IV. ATTACHMENTS:

- Site Plan



Future Land Use Mashinchi State Bridge Road

Z-17-08 / V-17-19
D/LL: 1/1/129
PC: 07/12/17
CC: 07/24/17

Location Map Provided by:
Community Development - GIS

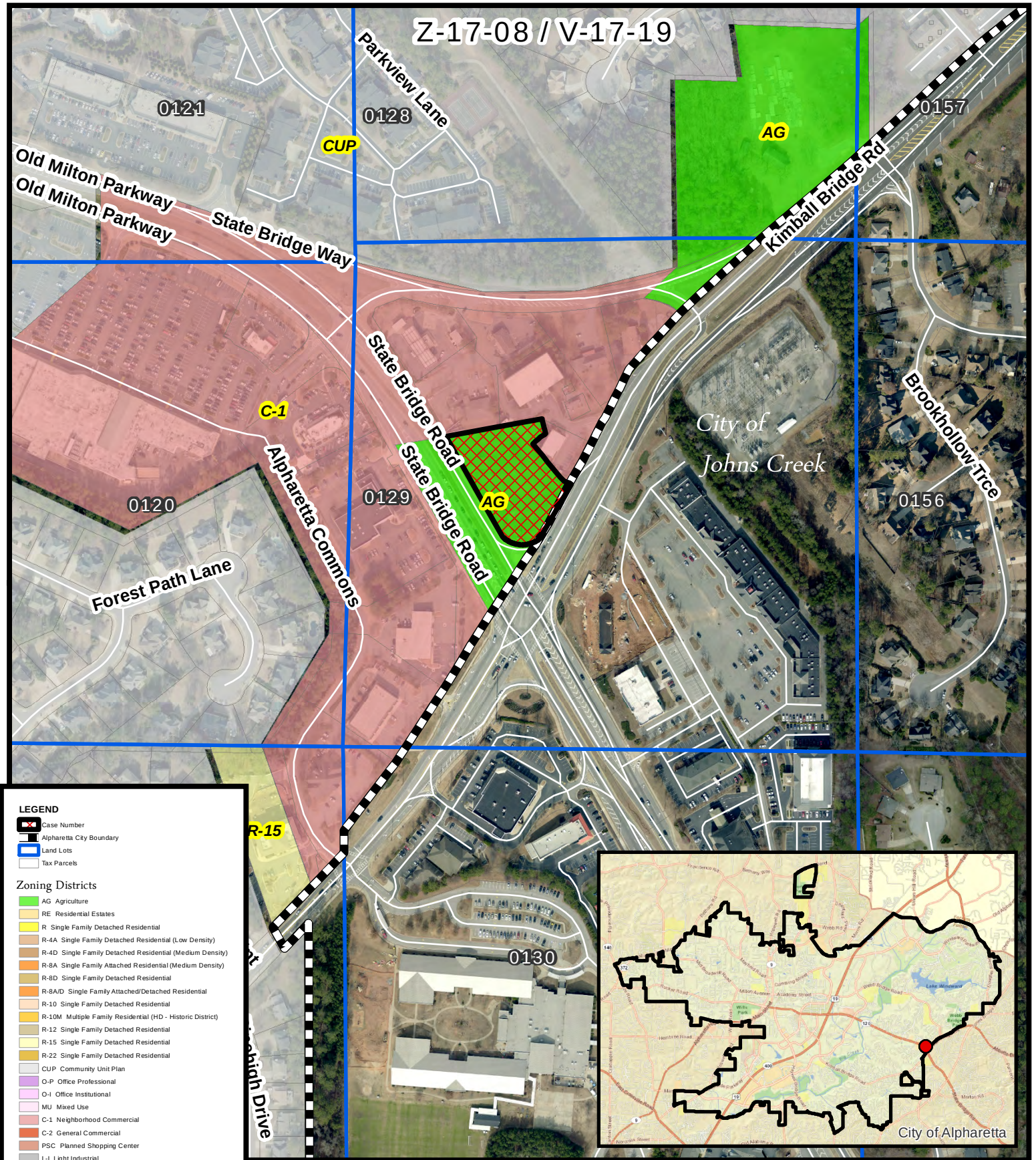


Aerial Map Mashinchi State Bridge Road

Z-17-08 / V-17-19
D/LL: 1/1/129
PC: 07/12/17
CC: 07/24/17

Location Map Provided by:
Community Development - GIS



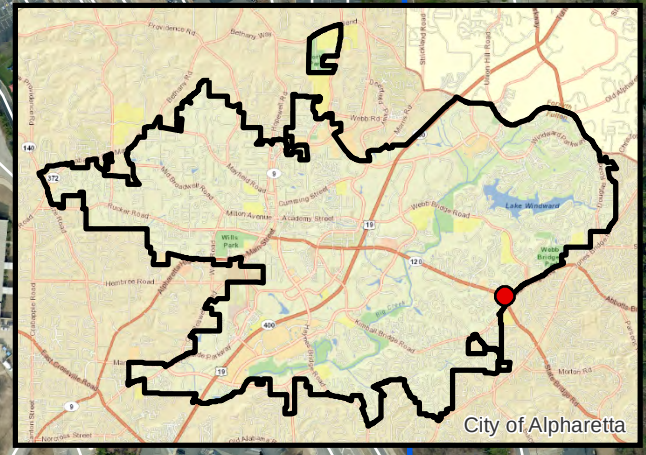


LEGEND

- Case Number
- Alpharetta City Boundary
- Land Lots
- Tax Parcels

Zoning Districts

- AG Agriculture
- RE Residential Estates
- R Single Family Detached Residential
- R-4A Single Family Detached Residential (Low Density)
- R-4D Single Family Detached Residential (Medium Density)
- R-8A Single Family Attached Residential (Medium Density)
- R-8D Single Family Detached Residential
- R-8A/D Single Family Attached/Detached Residential
- R-10 Single Family Detached Residential
- R-10M Multiple Family Residential (HD - Historic District)
- R-12 Single Family Detached Residential
- R-15 Single Family Detached Residential
- R-22 Single Family Detached Residential
- 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
- DT-C Downtown Core
- DT-MU Downtown Mixed-Use
- DT-LW Downtown Live-Work
- DT-R Downtown Residential

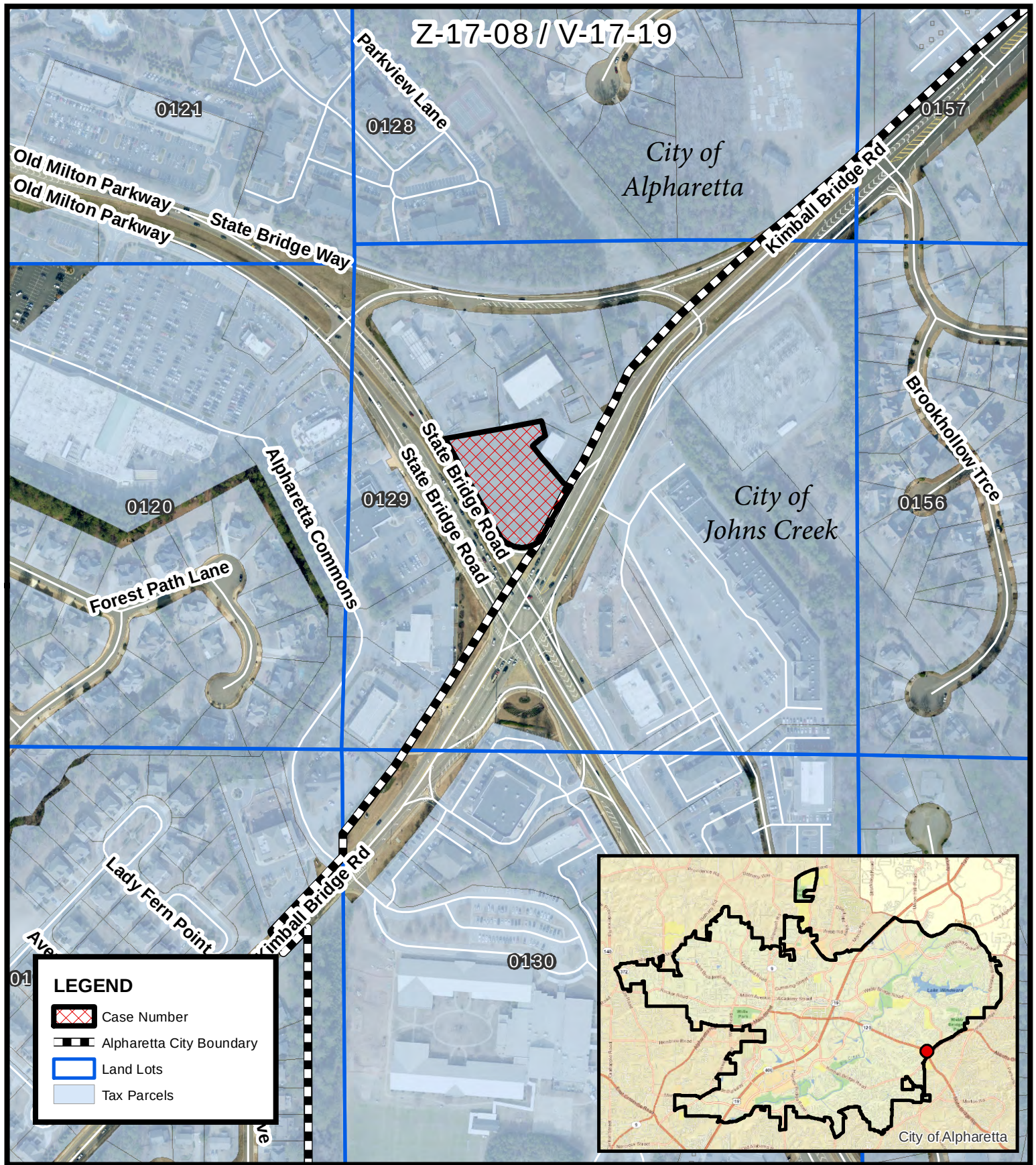


Zoning Map Mashinchi State Bridge Road

Z-17-08 / V-17-19
D/LL: 1/1/129
PC: 07/12/17
CC: 07/24/17

Location Map Provided by:
Community Development - GIS

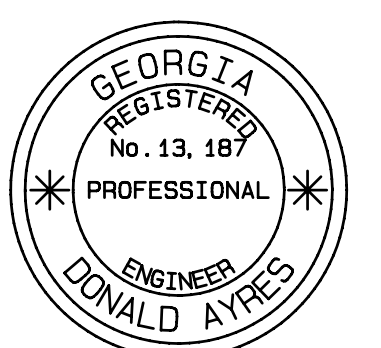
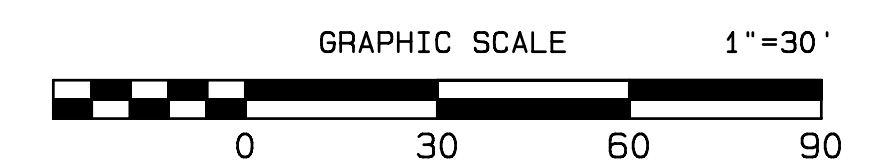




Location Map Mashinchi State Bridge Road

Z-17-08 / V-17-19
D/LL: 1/1/129
PC: 07/12/17
CC: 07/24/17

Location Map Provided by:
Community Development - GIS



DESIGN <u>D.A.</u>	HAMID MASHINCHI	BUILDING AND PARKING	SITE PLAN	5				JOB NO.	
DRAWN <u>K.L.</u>				4				F.B. NO.	
CHECKED <u>D.A.</u>				3				DATE	05/17/17
Q.C. _____				2					
				1					
				NO.	DATE	REVISION	APP'D. BY	SHT	1

Trip Generation Report

ITE LAND USE CODE	QUANTITY	DAILY	AM PEAK			PM PEAK		
		TWO-WAY	ENTER	EXIT	TOTAL	ENTER	EXIT	TOTAL
OFFICE (710)	4,710 S.F	129	15	2	17	14	69	83
SPECIALTY RETAIL (826)	4,710 S.F	239	67	72	139	14	18	32
GROSS TRIPS		368	82	74	156	28	87	115
RETAIL PASS-BY TRIPS - 34% PM		-54	0	0	0	-3	-4	-7
NET TRIPS WITH PASS-BY REDUCTIONS		314	82	74	156	25	83	108

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Richard C Wernick Telephone: 770 527 3286

Address: 3366 Carverton Lane Suite: _____

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

Mobile Tel: 770 527 3286 Email: rcwernick@gmail.com

Subject Property Information:

Address: 0 State Bridge Road, Alpharetta, GA 30005 Current Zoning: AG

District: 1st Section: 1st Land Lot: 129 Parcel ID: 11-0360-0129-028-8

Proposed Zoning: C-1 Current Use: vacant

This Application For (Check All That Apply):

☐ Conditional Use

☒ Rezoning

☒ Variance

☐ Comprehensive Plan Amendment

☐ Master Plan Amendment

☐ Master Plan Review

☐ Public Hearing

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

General retail shopping center

Applicant's Request (Please itemize the proposal):

The request is for a 9,420 square foot retail shopping center at the corner of Kimball Bridge Road and Old Milton Parkway. A variance ^{of 8.72'} to the setback from Kimball Bridge Road of 65' is requested.

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

The applicant owns two adjacent properties that will be interconnected with the proposed project. This project combined with the other two projects will give consistency to this very visible corner.

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

All surrounding properties are C-1

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

This proposal is consistent with surrounding properties & should have no adverse effects.

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

NO, AG zoning has no economic value in this suburban environment

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

Very nominal as State Hwy 120 fronts two sides of this property.

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

NO impact or very nominal

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

Consistent with Future Land Use Plan

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

No special conditions that would affect the development of the property.

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

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Hamid Mashinchi Telephone: 404 275 0896
Address: 4400 Kimball Bridge Road Suite: _____
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 _____ |

Identify Authorized Applicant:

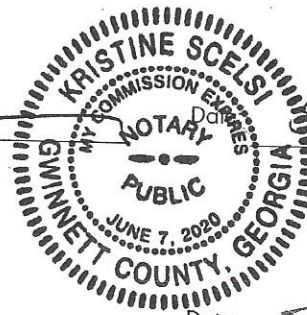
Name of Authorized Applicant: Richard C Wernick Telephone: 770 527 3286
Address: 3366 Carverton Lane Suite: _____
City: Alpharetta State: GA Zip: 30022

So Sworn and Attested:

Owner Signature: _____

Notary:

Notary Signature: _____



Date: 5-12-17

5-12-17

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:

Richard C Wernick

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:

NONE

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:

Richard Wernick

Date:

5/15/17

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: HAMID MASHINCHI

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: NONE 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: 5-15-17

EXHIBIT "A"

Legal Description

All that tract or parcel of land lying and being in Land Lot 129 of the 1st District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a right-of-way monument found marking the easternmost point of the miter between the northwestern right-of-way line of Kimball Bridge Road (R/W width varies) and the northeastern right-of-way line of State Bridge Road (R/W width varies); running thence S 87° 29' 01" W along said miter a distance of 117.90 feet to a ½" rebar set marking the westernmost point of said miter; thence N 31° 00' 00" W along the northeastern right-of-way line of State Bridge Road a distance of 257.87 feet to a ½" rebar set; thence leaving said right-of-way and proceeding N 77° 47' 13" E a distance of 143.92 feet to a point; thence continuing N 77° 47' 13" E a distance of 109.46 feet to a ½" rebar found; thence S 11° 27' 30" E a distance of 44.85 feet to a point; thence S 54° 19' 13" W a distance of 40.44 feet to a ½" rebar found; thence S 39° 58' 11" E a distance of 103.83 feet to a ½" rebar set on the northwestern right-of-way line of Kimball Bridge Road; thence S 18° 01' 19" W along the northwestern right-of-way line of Kimball Bridge Road a distance of 128.66 feet back to the POINT OF BEGINNING.

Said tract consisting of 1.15 acres (49,972 square feet) according a Boundary and Topographic Survey prepared for Hamid Mashinchi by Registered Land Surveyors, Inc., dated March 30, 2017, bearing the seal of Claude S. Brown, Georgia R.L.S. No. 2420.

Tax Parcel ID# 11-0360-0129-028-8

Letter of Intent

Hamid Mashinchi

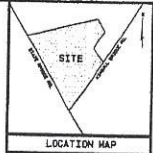
The subject property is 1.15 acres located in Land Lot 129 of the 1st District of Fulton County, Georgia ("Property"). This application contains two requests: (1) A request to rezone the property from AG-1 to C-1 and (2) A request for a variance to reduce the building setback from Kimball Bridge Road by 8.22 feet.

Together, the zoning requests will allow the construction of a 9,420-square foot retail center at the intersection of Kimball Bridge Road and Old Milton Parkway. The construction of the center will be at road level which will necessitate fill dirt. This will cause the existing exposed concrete wall at the northeast boundary to disappear. This will greatly improve the appearance of the corner.

In addition, Mr. Mashinchi also controls two adjacent properties and requests shared parking with these properties. Both properties will have inter parcel vehicle access to this new retail center. There is a total of 24 parking spaces on the adjacent properties. One parcel is a climate controlled storage facility that has very limited parking needs. The second parcel is a small two tenant retail facility. One tenant is a hair salon and the other is a fireworks store. The fireworks store has very limited parking needs except around the 4th of July and the New Year. Therefore, even though the new retail center is short one parking space from the required 47, the shared parking with adjoining properties will clearly accommodate all parking needs.

There are no trees on this site.

The C-1 zoning request is consistent with all surrounding properties.



1. OWNER/DEVELOPER: HAMID MASHINCHI
3363 CAVERTON LANE
ALPHARETTA, GA.
2. THE SITE IS 1.15 ACRES LOCATED IN L.L. 129
OF THE 1ST DIST. 1ST SECTION CITY OF ALPHARETTA,
FULTON COUNTY, GA.
3. EXISTING ZONING IS A6. PROPOSED ZONING IS C-1.
4. STORMWATER DETENTION TO BE PROVIDED UNDERGROUND.
5. OPEN AREA REQUIRED= .23 AC. (20%). .32 AC. (28%) PROVIDED.
6. 46 PARKING SPACES PROVIDED.
(20% COMPACT CARS).
7. THE 100 YR. FLOOD PLAIN DOES NOT IMPACT THIS SITE.
8. REQUIRED DRIVEWAY SIGHT DISTANCE TO BE MET.

1. OWNER/DEVELOPER: HAMID MASHINCHI
3363 CAVERTON LANE
ALPHARETTA, GA.
2. THE SITE IS 1.15 ACRES LOCATED IN L.L. 129
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8. REQUIRED DRIVEWAY SIGHT DISTANCE TO BE MET.

LEGEND

SPS --- IRON PIN SET (1/2" ACBUB)
P (1/2" P) --- IRON PIN FOUND (TYPE
P) --- POWER POLE
H --- CROCKED HOLE
F --- FENCE
L.L. --- LAND LOT
CWP --- COMPACTED METAL PIPE
RCP --- REINFORCED CONCRETE PIPE
CB --- GATCH BURN
B --- BURNED AREA
SAAH --- SANITARY SEWER MANHOLE
B/L --- BURNING LINE
G/L --- GROUND LINE OF TRANSPORTATION
PL --- FIRE HYDRANT
G/O --- GLEET
ON --- GAS METER
HW --- WATER METER
U.E. --- UTILITY EASEMENT
D.E. --- DRAINAGE EASEMENT

24 HOUR CONTACT IS HAMID MASHINCHI AT 404-275-0896.

5				JCP NO.	
4				F.B. NO.	
3				DATE	05/17/17
2					
1					
	NO. DATE	REVISION	APPRO. BY		

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.

The shape of the property is unusual in that two sides of the property are contiguous to State Route 120

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

Yes, in that the property essentially has two frontages on a State Highway requiring a 65 foot setback from both frontages.

We have complied with the 65 foot setback for approximately 90% of the building frontage but there is only a small triangular corner that cannot apply

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

The shape of the property creates a triangle where a corner of building encroaches in the building setback.

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

The approval would not cause any detriment to the public good because from the view of the State Highway the difference in the setback will not be noticeable and it does not affect the landscape or parking areas.

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: Hamid Mashinchi

Contact Name: Richard Wernick Telephone: 770-527-3286

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 (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.

Z-17-08/V-17-19
MASHINCHI/STATE BRIDGE RD

KER CAR LLC
Or Current Property Owner
5430 NEW NORTHSIDE DR STE 200
ATLANTA GA 30339

CHICK FIL A INC
Or Current Property Owner
5200 BUFFINGTON RD
ATLANTA GA 30349

LEE & PARK REAL ESTATE LLC
Or Current Property Owner
3719 NASHVILLE AVE
NEW ORLEANS LA 70125

D & T REALTY ASSOCIATIES LLLP
Or Current Property Owner
4030 JOHNS CREEK PKWY
SUWANEE GA 30024

HMB FOOD INC
Or Current Property Owner
4239 BLUEHOUSE LN
ALPHARETTA GA 30022

U STORE L L C
Or Current Property Owner
4400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

U STORE L L C
Or Current Property Owner
4400 KIMBALL BRIDGE RD
ALPHARETTA GA 30005

GEORGIA TRANSMISSION CORP
Or Current Property Owner
2100 EAST EXCHANGE PL
TUCKER GA 30085

WF JOHNS CREEK LLC
Or Current Property Owner
8505 ROSWELL RD
SANDY SPRINGS GA 30350

AMREIT ALPHARETTA COMMONS LP
Or Current Property Owner
P O BOX 528
COLUMBIA SC 29202-0528

DITMORE VINCENT G & PEGGY S
Or Current Property Owner
824 FOREST PATH LN
ALPHARETTA GA 30022-6468

KNOLL MICHAEL C & CYNTHIA A
Or Current Property Owner
828 FOREST PATH LN
ALPHARETTA GA 30022-6468

INDIGO DEV INC
Or Current Property Owner
4025 WOODLAND PARK BLVD STE 310
ARLINGTON TX 76013

FULTON COUNTY
Or Current Property Owner
141 PRYOR ST SW SUITE 7000
ATLANTA GA 30303

MEMPHIS INTERIORS L L C
Or Current Property Owner
4465 STATE BRIDGE WAY
ALPHARETTA GA 30005

PARIKH & PARIKH LLC
Or Current Property Owner
9210 PRESTWICK CLUB DR
DULUTH GA 30097

BOCA BARGOONS OF ALPHARETTA INC
Or Current Property Owner
1055 LEADENHALL ST
ALPHARETTA GA 30022

DIEHL LEON A & GLENDA S
Or Current Property Owner
822 FOREST PATH LN
ALPHARETTA GA 30022-6468

KATES RANDY L & RHONDA K
Or Current Property Owner
826 FOREST PATH LN
ALPHARETTA GA 30022-6468

DRP COMPANY
Or Current Property Owner
4308 CAYUGA ST
TAMPA FL 33614

SVF PARK BRIDGE LLC
Or Current Property Owner
3520 PIEDMONT RD NE STE 410
ATLANTA GA 30305

PIEDMONT CAPITAL HOLDINGS LLC
Or Current Property Owner
1380 W PACES FERRY RD STE 2275
ATLANTA GA 30327

STATE AND STATE LLC
Or Current Property Owner
3366 CAVERTON LN
ALPHARETTA GA 30022

LANE RICHARD A
Or Current Property Owner
6130 HERITAGE MANOR DR
CUMMING GA 30040-6287

BROTHERS PROPERTIES JOHNS CREEK LLC
Or Current Property Owner
3127 MAPLE DR NE
ATLANTA GA 30305



CITY COUNCIL MEETING STAFF REPORT

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

I. **AGENDA ITEM TITLE:** PH-17-13 DESIGN REVIEW BOARD ORDINANCE AND DESIGN GUIDELINES AMENDMENTS

DESIGN REVIEW BOARD: JUNE 16, 2017

PLANNING COMMISSION: JULY 12, 2017

CITY COUNCIL: JULY 24, 2017

This item was heard at the May 10, 2017 Planning Commission meeting. No one spoke in favor or in opposition to the request. Planning Commission generally felt that the DRB does a great job of regulating signs and the regulation requiring DRB approval of signs should not be changed. After discussion, the Planning Commission recommended to deny this item. Vote (5-1)

The proposed amendments were presented to the Design Review Board (DRB) at their June 16, 2017 meeting. The DRB endorsed the proposed amendments.

II. **RECOMMENDATION:**

Approval of various amendments to the Alpharetta Design Review Board Ordinance and Design Guidelines.

III. **REPORT IN BRIEF:**

Consideration of amendments to the Alpharetta Design Review Board Ordinance and Design Guidelines. Staff proposes amendments requiring Design Review Board (DRB) approval of signs within the Downtown Overlay only. Currently, signs in the Central Business District, the Corridors of Influence and Interchange Districts require approval by the DRB. Appeals to administrative decisions on sign permits are proposed to be heard by the DRB and staff has the discretion to send any sign permit to the DRB. Also, master sign plans shall be required for all multi-building or multi-tenant commercial developments and shall require approval from the DRB. All references to the Central Business District and Historic Business District are proposed to be deleted and replaced by the Downtown Overlay, which is the area covered by the Downtown Master Plan update approved in 2015. A variety of amendments to the Design Guidelines are proposed in order to maintain consistency with UDC Section 2.6 Sign Code.

IV. **ATTACHMENTS:**

- Strike Through and Underline Edits



ALPHARETTA

DESIGN REVIEW BOARD

ORDINANCE

AND

DESIGN GUIDELINES

Adopted: May 1994

Revised:

December 94, January 95, March 95, May 95, April 2001, December 2009, December 2014, April 2016

ALPHARETTA DESIGN REVIEW BOARD ORDINANCE AND DESIGN GUIDELINES

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The Mayor and City Council ordain as follows:

1. Finding of Fact and Determination of City Council.

The historical, cultural and aesthetic heritage of the City are among the City's most valued and important assets, and the preservation of this heritage is essential to the promotion of the health, safety, education, prosperity and general welfare of the people.

2. Purpose and Declaration of Public Policy

- (A) Purpose. The City Council finds that many places, districts, sites, buildings, structures, objects, landscape features and works of art, having a special character or a special historic or aesthetic interest or value, or representing the finest architectural products of distinct periods in the history of the City have been destroyed or uprooted, notwithstanding the feasibility or preserving and continuing the use of such places, districts, sites, buildings, structures, objects, landscape features and works of art, and without adequate consideration of the irreplaceable loss to the people of the City of the aesthetic, educational, economic and historic values represented by such places, districts, sites, buildings, structures, objects, landscape features and works of art. In addition, distinct areas may be similarly uprooted or may have their distinctiveness destroyed, although the preservation thereof may be both feasible and desirable. It is the finding of the Council that the standing of this City must be maintained and enhanced by preserving the historical and architectural heritage of the City and preventing the destruction of such cultural assets. The Council further finds that certain aspects of development, such as the spatial relationships of structures and open spaces to each other and the appearance of buildings and open spaces as they contribute to the attractiveness, function, and character of a district or the City as a whole, require the timely exercise of judgment in the public interest by a public body qualified to evaluate the design of proposed new developments or redevelopments within the City.
- (B) Declaration of Public Policy. It is hereby declared as a matter of public policy that the identification, protection, enhancement, perpetuation and use of places, districts, sites, buildings, structures, objects, landscape features and works of art of special character of a special historic or aesthetic interest or value is a public necessity and is required in the interest of health, prosperity, safety, education and general welfare of the people. It is further declared as a matter of public policy that the promotion of sound design principals in order to provide a built environment which is attractive and functional is a public necessity and is required in the interest of health, prosperity, safety, education and general welfare of the people. Accordingly, the public policy objectives of this article are as follows:
- (1) To effect and accomplish the protection, enhancement and perpetuation of such places, districts, sites, buildings, structures, objects, landscape features and works of art which represent or reflect special elements of the City's cultural, social and economic and architectural history;
 - (2) To safeguard the City's historic, aesthetic and cultural heritage, as embodied and reflected in such places, districts, sites, buildings, structures, objects, landscape features and work of art;

- (3) To simulate historic neighborhoods and to protect and enhance local historical and aesthetic attractions to residents, tourists and others and thereby promote and stimulate business;
- (4) To enhance the opportunities for federal or state tax benefits under relevant provisions of federal or state law;
- (5) To promote traffic safety and the general welfare of the public through the protection of the community property values, character and vistas of various City entrance corridors and the prevention of unnecessary clutter, congestion and poor definition of properties and development edges along routes of primary access leading into areas and sites of significant historical, cultural, educational, social and/or aesthetic value, and to ensure that any development or redevelopment is consistent with the goals of the comprehensive plan;
- (6) To improve the environment of the City and quality of life for the general welfare of all citizens of the City;
- (7) To protect and enhance the attractiveness of the City to home buyers, tourists, visitors and shoppers, and thereby support and promote business, commerce, industry and provide economic benefit to the City;
- (8) To foster and encourage preservation, restoration and rehabilitation of structures, areas, and neighborhoods and thereby prevent urban blight;
- (9) To encourage the concept of sustainability, use of energy efficient design and promote conservation of natural resources.

3. Interpretation

In addition to any restrictions imposed by the Ordinance, all buildings, structures, sites and areas and the property on which they are located shall remain and continue to be subject to all building, sign, zoning and other ordinances of the City. If any conflict arises between this Ordinance and regulations promulgated thereunder, the more restrictive shall control.

4. Definitions

The following definitions shall apply to this Ordinance unless specifically stated otherwise. Any words or phrases not defined below shall be given their common ordinary meaning unless the context clearly indicates otherwise.

Accessory Structure. A structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or structure.

Action. Any decision made by the Board including approval, deferral or tabling.

Adaptive Use. The process of converting a building to a use other than that for which it was designed (i.e. changing a factory into housing). Such conversions are accomplished with varying alterations to the building.

Alpharetta Highway (State Route 9) Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Alpharetta Highway or State Route 9, extending from Upper Hembree Road to the south, to Windward Parkway to the north.

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 the building; any change in use; or any relocation of a building from one location or position to another.

Board. The City of Alpharetta Design Review Board as established by the Unified Development Code and appointed by the Mayor and Council.

Building. A structure created to shelter any form of human activity, such as a house, barn, church, hotel, accessory building or similar structure.

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

~~*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 North Main Street to the east and Roswell and Canton Streets to the west. (See Map ‘A’)~~

Certificate of Design Approval. A document issued by the Design Review Board allowing an applicant to proceed with a proposed alteration, demolition, removal or new construction based upon a design review process and determination of the submitted proposal’s suitability according to adopted criteria.

City. The City of Alpharetta, Georgia.

Community Development Director. The Director of the Community Development Department for the City of Alpharetta or their designee.

Construction. The act of erecting a new principal building or structure, and/or adding an accessory building or structure. The act of adding to an existing building, structure or other improvement.

Corridors of Influence. The roadways and transportation routes having the greatest visual impact within the City of Alpharetta and those roads which are considered to be “Gateways” into the City. The Corridors of Influence include: Alpharetta Highway or State Route 9 or Main Street (except those portions which are considered to be in the ~~Central Business District and the Historic Business District~~ Downtown Overlay), Haynes Bridge Road, Mansell Road, North Point Parkway, Old Milton Parkway, Westside Parkway and Windward Parkway (from State Route 9 to Georgia 400).

Demolition. Any act or process that destroys in part or in whole any existing condition.

Demolition by Neglect. Neglect in any maintenance of any building or structure which results in its deterioration.

Design Review. The process of ascertaining whether modifications to a particular building, structure, site, area, district, landscape feature or any part thereof meets the standards of appropriateness (design guidelines) established by the Design Review Board.

Design Standards, Guidelines or Criteria. Adopted and written standard of appropriate activity that will preserve or enhance the historical, cultural, architectural, archeological, educational, social, aesthetic character, function and value of a particular resource, district or area of the City as a whole.

Development Activity. All new construction, modification, addition, alteration, moving, destruction or demolition which would affect the exterior appearance of any structure, building, land, site or other object, including, but not limited to the following:

- a) The demolition of any building, structure or object.
- b) The moving or relocation of any building, structure or object.
- c) Except housecleaning, any material work on the exterior appearance of existing buildings by additions, reconstruction, rehabilitation, alteration or any maintenance (including exterior color), or any exterior material changes.
- d) Any new construction of a principal building or accessory building or structure subject to view from a street or public way.
- e) Changes in existing walls, fences, steps, sidewalks, streets and paving or construction of new walls, fences, steps, sidewalks, streets and paving, if along street rights-of-way, public lanes or public alleys.
- f) The erection or display on any lot, building or structure of any sign, light, art work, mural, sculpture or other appurtenant feature.

Director. The Director of Community Development Department for the City of Alpharetta.

District. A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of buildings, structures, sites, spaces, or objects united by past events or aesthetically by plan or physical development.

Downtown Overlay. That portion of the City generally bounded by Canton Street to the north, Westside Parkway to the east, South Main Street to the south and Wills Road to the west. (See Map "A")

Exterior Features. The architectural style, design, general arrangement and components of all or any of the outer surfaces of an improvement, as distinguished from the interior surfaces enclosed by said exterior surfaces, including, but not limited to, the type, color and texture of the building materials and the type and style of all windows, doors, lights, signs and all other features appurtenant to such improvements.

Facades. The exterior face(s) of a building or structure exposed to public view.

Foot Candles. A unit of illuminance on a surface that is one foot from a uniform point source of light of one candle and equal to one lumen per square foot.

Garden District. That portion of Canton Street bounded by Church Street to the south and Hopewell Road to the north.

Gazebo. An accessory, open air structure not exceeding 300 square feet in size.

Haynes Bridge Road Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Haynes Bridge Road, extending from Academy Street to the north to Mansell Road to the south.

~~*Historic Business District (HBD).* That portion of the Central Business District bounded by Church Street to the north, North Main Street to the east, Marietta Street to the south and Milton Center site to the west. (See Map “A”)~~

Improvement. Any building, structure, parking facility, fence, gate, wall, landscape feature, work of art or other object constituting a physical change of real property, or any part of such change.

Interchange Districts. All properties within 1000 feet of each interchange along Georgia 400. These districts include: Mansell Road Interchange District, Haynes Bridge Road Interchange District, Old Milton Parkway Interchange District and the Windward Parkway Interchange District.

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, signage or lighting.

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.

Mansell Road Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Mansell Road, extending from Haynes Bridge Road to the east to Warsaw Road to the west.

Master Sign Plan. A Master Sign Plan is a Plan that includes all types of signage on a specific property. It shall include colors, design, placement and mounting styles for each sign type.

Mural. Any piece of artwork painted directly on a wall, ceiling, or other permanent surface. If the artwork conveys a message about a product or service it shall be considered a sign.

North Point Parkway Corridor of Influence. Any and all properties contiguous with or within the portion of the City along North Point Parkway, extending from Kimball Bridge Road to the north to Mansell Road to the south.

Object. A material item of functional, aesthetic, cultural, historic or scientific value that may be, by nature or design, movable yet related to a specific setting or environment.

Old Milton Parkway Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Old Milton Parkway, extending from Wills Road to the west, and to the eastern City Limits.

Ordinary Repairs or Maintenance. Work done to prevent deterioration of a building or any part thereof by restoring the building as nearly as practical to its condition prior to its deterioration, decay or damage.

Owner. The title owner and its agents or assignees.

Parapet. That portion of a wall which extends above the roof line.

Preservation. The act or process of applying measures to sustain, in the existing form, the integrity and material of a building or structure, and the existing form and vegetative cover of a site (i.e. saving from demolition or deterioration buildings, sites, structures and objects and providing for their continued use by means of restoration, rehabilitation or adaptive use).

Principal Building. The building or other structure within which is conducted for (or intended to be conducted) the principal use of the lot on which said building is situated.

Reconstruction. The act or process of reproducing by new construction the exact form and detail of a vanished building, structure or object or part thereof, as it appeared at a specific period of time.

Rehabilitation. The act or process of returning property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions of features of the property which are significant to the historical and architectural values.

Restoration. The act or process of accurately recovering the form and details of a property and its settings as it appeared at a particular period of time by means of the removal of the later work or by the replacement of earlier work.

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

~~*Sign.* Any identification, description, illustration, symbol, statue or device, illuminated or non-illuminated, which is visible from any public place each designed to advertise, identify or convey information, including any landscaping where letters or numbers are used for the purpose of directing the public's attention to a product or location, with the exception of window displays and state or national flags. For the purpose of removal, sign shall also include all sign structures.~~

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

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

Site. The location of a significant event or activity, or a building or a structure, whether standing, ruined, or vanished, where the location itself maintains special or unique value regardless of the value of the existing structure.

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.

Solar Panel. Two types of devices that collect energy from the sun: Solar photovoltaic modules use solar cells to convert light from the sun into electricity and Solar thermal collectors use the sun's energy to heat water or another fluid such as oil or antifreeze.

Structure. A combination of materials to form a construction for use, occupancy or ornamentation which is fastened or attached to the ground.

Style. A type of architecture distinguished by special characters or features of a structure and ornament and often related in time; also a general quality of distinctive character.

Westside Parkway Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Westside Parkway, extending from Sanctuary Parkway to the southwest to Windward Parkway to the north.

Windward Parkway Corridor of Influence. Any and all properties contiguous with or within the portion of the City along Windward Parkway, extending from State Route 9 to the west, to Georgia 400 to the east.

5. Scope of Ordinance

The restrictions imposed by this Ordinance shall apply to all non-single family detached buildings, structures, sites and areas and the property on which they are located. Sites within the ~~Central Business District and Historic District~~ Downtown Overlay (as defined and depicted on Map “A” attached hereto and incorporated by reference); Corridors of Influence (as defined and depicted on Map “B” attached hereto and incorporated by reference), Interchange Districts (as defined and depicted on Map “B” attached hereto and incorporated by reference), and to all projects which otherwise expressly include, as a condition of development, review by the Design Review Board.

6. Design Review Board

(A) Establishment. A Design Review Board is hereby established. The Board shall consist of seven members and two alternate members. Members shall be appointed and shall serve in accordance with the City Boards and Commissions Ordinance. No member shall be employed by the City, hold public office in the City or be a member of another City board or commission. At least one member of the Board shall be a registered architect in the State of Georgia, in good standing.

(B) Proceedings.

- (1) The Board shall elect a chairman and a vice chairman from its members during its first meeting in January of every year who shall serve for one year or until their successors are elected. A staff member of the Community Development Department shall serve as a non-voting secretary to the Board. Meetings of the Board shall be held at the call of the chairman and at such times as the Board may determine. All meetings of the Board shall be open to the public. A minimum of four (4) members of the Board shall constitute a quorum. Any act of the Board shall require a majority vote of the members at a meeting at which a quorum is present. The Board shall maintain minutes of its proceeding, including the results of all votes taken, and shall maintain records of its examinations and other official actions, all of which shall be filed in the office of Community Development Department as public record.
- (2) Only Design Review Board Members present during the initial review of an item may participate in any subsequent reviews of the same items. An exception to this provision can be made in order to maintain a quorum.
- (3) If no action is taken by the Design Review Board within three (3) consecutive hearings, the applicant may request to be placed on the next available Board of Appeals agenda for further consideration and action.

(C) Powers and Duties. The Board shall:

- (1) Review applications for Certificate of Design Approval required in Section 7 for:
 - a) All exterior features of new construction.
 - b) All exterior features of construction, alteration, restoration, moving, demolition, or repair of an existing building(s) or improvements involving or resulting in a change in the existing structural composition or architectural design or character of such building(s) or improvement;
 - c) All proposed changes, improvements or proposals regarding site plan features such as landscaping, walls, walks, terraces, fences, signs, lights and shopping cart corrals.
 - d) All proposed screening of dumpsters, satellite antennas and dishes, solar panels, parking lots, roof top equipment and other mechanical and /or electrical equipment.
 - e) All proposed outdoor play yards and/or equipment, and outdoor patios with or without seating.
 - f) All demolition of building(s) or portions of building(s) that are over 50 years old and may be of significance.
- (2) Review all applications for signs within the ~~Central Business District, the Historic Business District, the Corridors of Influence and the Interchange Districts~~ Downtown Overlay, as well as all master sign plans throughout the City. Staff will review sign applications in all areas of the City, except for the Downtown Overlay. The Design Review Board shall review appeals to administrative decisions on sign applications. Sign applications may be referred to the Design Review Board for review, at staff's discretion.
- (3) Grant or deny applications for Certificates of Design Approval based upon a design review of the proposed development activity for compliance with design standards.
- (4) The following shall not be subject to review by the Board:

- a) Repainting of a structure to the same color that was previously approved by the Board.
 - b) The ordinary maintenance or repair of any exterior elements of any building or structure.
 - c) The construction, reconstruction, alteration or demolition of any such elements which the authorized City officers shall certify as required for public safety.
 - d) Single family detached residential structures.
 - e) Signs outside the Downtown Overlay, unless as an appeal to Staff decision or as referred to the Board by Staff.
- (5) Act in an advisory role to other City departments, boards and commissions.
 - (6) Develop from time to time further design standards consistent with the purposes, intents and standards established in this Ordinance, and in accordance with Section 8.
 - (7) Notwithstanding any other provisions of this Ordinance, the Design Review Board may delegate review responsibility for all non-residential areas not included within the ~~Central Business District~~ Downtown Overlay, Corridors of Influence and the Interchange Districts to the Director. If the Director finds the plans in compliance, the Director's decision shall be final and a development or building permit shall be issued.

7. Application

- (A) When required: No person shall undertake development activity within any area of the City of Alpharetta subject to this Ordinance without first obtaining a Certificate of Design Approval from the Design Review Board in accordance with the provisions of this Ordinance. Such Certificate of Design Approval shall be a pre-condition to the issuance of any land disturbance, building or other permit.
- (B) Application for Certificate of Design Approval. Application for Certificate of Design Approval shall be made to the Community Development Department and shall be accompanied by site plans, detailed development plans, including relevant sketches, perspective or isometric drawings, written descriptions, affirmatively setting forth provisions for compliance with design standards. No application shall be deemed to be accepted by the Community Development Department unless and until all fees are paid and all information reasonably required by the Community Development Department is provided by the applicant.

No application will be heard until all items have been submitted. Submittal shall include, but not be limited to the following:

- (1) Site Plan Requirements:
 - a) The location of all proposed buildings and structures, accessory and main, indicating the number of stories and height.
 - b) The location and dimensions of proposed recreation areas, open spaces, outdoor seating areas and similar improvements.
 - c) Parking areas with parking spaces drawn, tabulated, and dimensioned. Designated number of parking spaces (including handicap) required by ordinance and provided by proposal.

- d) Parking islands and/or raised landscape islands and cart corral locations.
- e) The location of all drives. Minimum drive aisle width and direction of vehicular travel.
- f) Curb cuts and adjacent and connecting roadways off premises.
- g) Security gates showing swing path.
- h) Sidewalks (both public and private).
- i) Loading docks.
- j) Detention ponds (underground/above ground). Screening to be depicted on landscape plan and/or site plan.
- k) Sites for solid waste/trash containers with screening per City of Alpharetta design standards.
- l) Show all easements clearly designating as proposed and type (utility, access, etc.).
- m) The location, height, type and material of all fences, walls, retaining walls and guardrails.
- n) Show diameter, location, drip lines and protection areas of all specimen trees whether retained or removed.
- o) Show all required buffers and setbacks, streams, water and flood plain areas.
- p) Such other information as is reasonably necessary to represent the character, nature and exactness of the proposed project being review by the Board.
- q) Such other information as is reasonably requested by the Community Development Department and/or the Board.

(2) Site Lighting:

A photometric site lighting study certified by a professional to indicate all foot-candle levels extending to all property lines from the project.

(3) Site Line Study:

A site line drawing depicting several views from the public roadways to ensure all roof mounted equipment is concealed from public view.

(4) Landscape Submittal Requirements:

Provide landscape drawings prepared by a Landscape Architect (drawn to scale) indicating the locations of all landscape features including but not limited to size and type of all plant materials (including ground covers) and location of seasonal beds. An existing tree and landscape survey and assessment of the existing landscaping should be included in the submittal.

(5) Exterior Elevation Submittal Requirements:

- a) Provide photographs of the subject property in its current condition and photographs of all contiguous properties.
- b) Provide dimensioned and colored exterior elevations (drawn to scale) of all facades of the building identifying and representing the locations and color of all proposed exterior materials. Include locations of all proposed building mounted light fixtures, equipment

or other accessories. Enlarged details of portions of the building to help better understand the interaction of materials and colors are highly recommended.

- c) Provide actual material and color samples of all proposed exterior materials. A color copy of such samples shall be included with the submittal (actual materials and color samples shall be brought to the design review meeting). Include cut sheets or other written and pictorial descriptions of all building mounted lighting or equipment.
- d) Indicate the locations of all roof top mounted equipment.
- e) The use of perspective drawings, three-dimensional digital models or renderings to assist in depicting the exterior architecture of the building(s) is highly recommended.

(6) Building and Monument Signage Requirements:

- a) Provide dimensioned and colored exterior elevations (drawn to scale) indicating the locations and dimensions of all building mounted signs. Include actual color samples, lighting/illumination methods, materials and construction for each sign. Provide a calculation indicating the total area (square footage) of each building sign.
- b) Provide a site plan (drawn to scale) indicating locations of ground mounted monument signs. Indicate required setbacks, adjacent ground cover and landscaping materials.
- c) Provide dimensioned and colored elevations of ground mounted signs. Identify all proposed materials, provide actual material and color samples. Indicate lighting and illumination methods.

(C) Action on Application.

- (1) The application shall be delivered with the supporting information and materials to the Community Development Department and the Board for review and consideration.
- (2) The Board shall act upon the application within thirty (30) days after the filing of an application with the Community Development Department containing all the information required in Section 7. The Board may extend the period for action fifteen (15) additional days for reasonable cause. The Community Development Department or the Board shall notify the applicant in advance of any decision to extend the period for action. The Community Development Department, Design Review Board and the applicant may also mutually extend the period for action.
- (3) Unless extended, no action after forty-five (45) days shall deem the application as approved, and a Certificate of Design Approval shall be issued by the Community Development Department.
- (4) If the application is approved, a Certificate of Design Approval shall be issued. In the event an application is not approved, denied or deferred for additional information by the Board, the Board shall provide the applicant a written denial, indicating the reason(s) for denial.

- (D) (1) Appeal to Design Review Board Decision. Appeal from the decision of the Board is by Writ of Certiorari to the Fulton County Superior Court and must be filed within thirty (30) days from the date of the decision by the Board.

8. Design Standards

- (A) Visual Compatibility Factors. New construction and existing buildings, structures and appurtenances attached thereto which are moved, reconstructed, materially altered, repaired or repainted, including repainting the same color, should reflect the visual character of the surrounding areas and shall be visually compatible with buildings, and places to which they are visually related generally, in terms of the following factors:
- (1) *Height.* The height of the proposed building shall be visually compatible with and complement the adjacent buildings and structures.
 - (2) *Scale.* The size of a building should be similar in height, width and depth to buildings, squares and places to which it is visually related, except in areas of redevelopment.
 - (3) *Facades.* Buildings should follow an established solid-to-void ratio and are visually compatible with adjacent buildings. Windows and door openings (height and width) are to be visually compatible with adjacent buildings. Avoid openings exceeding the dimensions of adjacent buildings by more than 10%. Buildings must have finished front, side and rear elevations where there is visibility to those elevations. Respect and preserve the existing vernacular architecture and its elements.
 - (4) *Rhythm of Spacing of Buildings on Streets.* The relationship of buildings to open spaces between the building and the adjoining buildings shall be visually compatible with buildings, and places to which it is visually related.
 - (5) *Rhythm of Entrance and/or Porch Projections.* The relationship of entrances and porch projections to the sidewalks of a building shall be visually compatible with buildings, and places to which it is visually related.
 - (6) *Materials, Texture and Color.* The compatibility of the materials, texture and colors for each facade of a building shall be visually compatible with buildings, and places to which it is visually related. Buildings and structures shall be visually compatible with adjacent buildings. Buildings adjacent to each other of conflicting architectural styles shall be separated by such means as screens and site breaks. The use of brick and stone for exterior facades of buildings is strongly recommended.
 - (7) *Roof Configuration and Shape.* The roof configuration and shape of a building shall be visually compatible with the building(s) to which it is visually related.
 - (8) *Continuity.* Appurtenances of a building such as walls, wrought iron, fences, evergreen landscape masses and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the buildings, and places to which they are visually related.
 - (9) *Signs.* Signs shall be compatible with the buildings, and places to which it is visually related. Signs shall reflect the scale and character of its surroundings in size, type, face, graphics, lighting, square footage, style, material, color and related qualities to the building. Ground mounted signs in all Districts are to be monument style with materials and color(s) to match the parent building's materials. Unless otherwise specified in a Master Sign Plan, the sign structure, foundation shall be of brick, stone or of materials to match the principal material found in the principal structure(s) on the site. The Board encourages seasonal and evergreen plants be installed in planting beds surrounding the monument sign. All signs must be weatherproof and must be made of enduring materials so as not to become a hazard due to disrepair, damage or inclement weather. All letters or numbers shall be permanently affixed. Neon, fiber optics, and non-traditional illumination techniques are discouraged in lieu of LED or more environmentally friendly styles. Use of neon tubing, fiber optics or other non-

traditional illumination techniques which are visible are prohibited, unless covered by a translucent material. All signs shall provide vertical relief with the use of characters, letters or numbers. Lighting should be limited and shall not be distracting to motorists or pedestrians, not distract from the architecture of the site and not spill onto adjacent property.

In General:

- a) Individual signs should not use more than three (3) colors, plus a background color.
 - b) Signage may also utilize white and/or black as predominant colors.
 - c) Signage should not utilize more than one (1) color for the primary message copy, unless a second color is used to create a shadowing or outlining effect.
 - d) For panel signs, the background color shall mean the panel itself.
 - e) For channel letters, the background color shall mean the returns.
 - f) If a portion of the building behind a wall sign is painted a different color than the remainder of the wall, then such portion of the wall shall be counted as background color.
 - g) Trim colors shall be counted as background colors.
- (10) *Master Sign Plan.* For new construction or exterior remodel, of more than 50% of a building, a Master Sign Plan is ~~strongly suggested~~ required for all multi-building or multi-occupant commercial developments before any permanent signs for such development may be erected. All owners, tenants, subtenants and purchasers of individual units within the development shall comply with the approved Master Sign Plan ~~or submit to the Design Review Board for approval.~~ A Master Sign Plan should show the allocation of permitted wall sign space among proposed tenants and any general building sign or signs.

The Master Sign Plan shall consist of four (4) elements that shall govern all signs within the development:

- a) Location of wall and ground mounted signage
- b) Materials consisting of colors and materials to be used
- c) Size to indicate dimensions of the sign(s) and overall location and proportion to the building(s) elevation
- d) Illumination to include all lighting methods

A Master Sign Plan may be amended by filing a new master sign plan through the ~~DRB~~-Sign application process.

The Master Sign Plan application may be filed only by the owner of the land affected by the proposed change, or an agent, lessee or contract purchaser specifically authorized by the owner. If a governing board for the property affected exists, then the governing board may provide written authorization for all landowners affected.

- (11) *Murals* Murals shall be appropriately scaled and visually compatible with the buildings on which they are placed. Not all buildings are appropriate for mural display and careful consideration shall be given to any mural proposed within the downtown historic district.

- (12) *Awnings* Awning signs shall be allowed provided that:

The maximum area of an awning sign shall not exceed ten percent (10%) of the total awning face front and side areas.

Awning signs may be illuminated only with direct surface lighting and not with any form of back lighting.

- (13) *Logos and Trademarks* Logos and trademarks may be included on signs without separate restriction, provided that such logos and trademarks are consistent with the approved color scheme shown on the Master Sign Plan.

~~Logos for single-occupancy projects also shall be limited to the three (3) color requirement.~~

- (14) Display of Registered Trademarks

A federally registered trademark or service mark that is registered as a stylized/design mark in colors inconsistent with the applicable Master Sign Plan or the color limitations applicable to a single-occupancy property may nevertheless be displayed on a sign in its registered form and color(s), ~~provided that it may only occupy up to twenty (20) percent of the permitted area of any sign,~~ without regard to the color limitations otherwise applicable to the sign.

Placement on the sign shall be in accordance with any applicable provisions of the Master Sign Plan. This Ordinance does not specify where a logo must be placed on a sign;

~~Holders of multi-colored federally registered trademarks or of federally registered trademarks that do not conform to the colors shown in the applicable Master Sign Plan or with the three (3) color limitation on single-occupancy properties may, at the holder's choice, elect to display the mark in a color pattern consistent with the applicable Master Sign Plan; or, the holder may display the mark in its registered colors, provided that it shall not occupy more than ten percent (10%) of the permitted area of the sign on which it appears.~~

~~The holder of a federally registered trademark that conforms to the colors shown in the applicable Master Sign Plan may display that logo as part of the permitted signage without further restriction.~~

- (15) *Solar Panels* Solar panels should be designed to be visually compatible with the architectural design of the primary structure.

- (16) *Landscaping.* Where existing topographic patterns contribute to beauty and utility of a development, they shall be preserved and developed. Landscape treatment shall be provided to enhance and complement architectural features, strengthen vistas and lines of site and provide shade. Vehicular areas shall be protected by appropriate curbs, tree guards, or other devices wherever possible. Where building sites limit planting, the placement of trees and shrubs in the parkways or paved areas is encouraged. Screening of service yards, exterior utilities (includes generators, cooling towers and condensers, etc.) refuse collection areas and other places which tend to be unsightly shall be accomplished by the use of walls, fencing, landscaping or any approved combination of these. Screening shall be effective in winter and summer seasons. Every effort shall be made to respect and preserve existing landforms, trees and other landscape elements. Shield vehicular parking areas, service areas and driveways

from adjacent properties and public rights-of-ways through the use of effective screening mechanisms such as: Landscaped earthen berms; lowering the parking level grade below sight lines from public right-of-ways and by the use of evergreen screen landscaping. Plant materials are encouraged to be indigenous or naturalizing but not of exotic origin to this region and climate. Care should be taken in selection of plant materials that do not require excessive irrigation or maintenance. Scale and proportion of the building should be considered.. Landscaping should be utilized to complement and soften the architecture of buildings, structures and monument signs and soften or screen views of parking areas from public rights-of-ways. Equal attention shall be given to landscaping along the sides and rear of buildings as well as the front elevation.

The following minimum requirements must be met:

- a) Provide decorative landscaping near building entrances or patios (planting beds, large pots, etc.) Large (scale appropriate) stained concrete, Glass Fiber Reinforced Concrete (GFRC) or durable pottery pots (no plastic) should be used that complement the building architecture.
- b) Monument signs should not displace required landscaping.
- c) Screen dumpster and recycling bins with masonry wall to match the building and opaque metal gates and evergreen plantings. See Standard Plan 700.
- d) Parking areas should be demarcated from pedestrian connections with pavers, stamped concrete or other material that differentiates the pedestrian walkway.
- e) Provide paved pedestrian connection from public sidewalk(s) to the site interior (may not lessen required planting square footage within a required tree island).
- f) All sites should include a minimum of one bicycle rack, one pedestrian bench and one trash receptacle (of approved color and style)
- g) All landscaped areas should be maintained by the use of automatic irrigation systems or as approved by the Community Development Department. Automatic irrigation systems shall comply with the Water Conservation Ordinance.
- h) Seasonal annual beds shall be maintained and watered as needed during the growing season. This includes weeding, fertilization, dead-heading and removal/replacement of dead plants.

(17) Streetscape Guidelines

Old Milton Parkway

‘Brookside Area’ tree placement: Shade trees such as Willow Oak, Nuttall Oak, American Elm, etc. spaced 50 feet on center. Alternate with groupings of understory trees and accent shrubs. Flowering or variegated leaf color is encouraged.

Granville lights to be located 80 feet on center – color to meet City Standard

Benches to be placed at the rate of one unit every 100 linear feet.

Medians: Groupings of understory flowering trees and accent shrubs with ends of beds to be planted with dwarf lemon yellow daylilies or similar. Alternate with blocks of evergreen trees such as Holly (Savannah, Foster, or Nellie Stevens) staggered at eight (8) feet on center and ends of bed to be planted with Knockout roses or similar. Planting shall allow for a minimum visual clearance of 24 feet at the end of each median which shall be

planted with dwarf daylilies or other ground cover. Median widths of less than 2 feet shall be brick pavers (no plants).

North Main Street

Shade trees such as Hybrid Red Maple, Asian Elm, American or European Hornbeam, etc. spaced 50 feet on center. Alternate with groupings of understory trees and accent shrubs. Flowering or variegated leaf color is encouraged.-Granville lights to be located 50 feet on center – color to meet City Standard.
Benches to be placed at the rate of one unit every 150 linear feet.

Medians: Groupings of understory trees under planted with Knockout Roses or similar. Flowering or variegated leaf color is encouraged. Alternate with blocks of evergreen tree such as Nellie Stevens Holly staggered at eight (8) feet on center and ends of bed to be planted with low ornamental shrubs. Plantings shall allow for a minimum visual clearance of 24 feet at the end of each median which shall be planted with dwarf daylilies or other ground cover. Median widths of less than 2 feet shall consist of brick pavers (no plants).

~~Central Business District—Comply with the Downtown Incentive Zoning Guidelines.~~

~~Downtown Overlay – Comply with the Alpharetta Downtown Code and Alpharetta Downtown Design Guidelines.~~

(18) Building, Structure and Sign Material Colors.

- a) Building Color Palettes: The use of muted, subdued or earth tone colors are encouraged while the use of novelty and primary colors are strongly discouraged and are to be avoided. It is the intent of these Guidelines to establish timelessness in the color schemes incorporated in the building design and project design. Colors are intended to enhance the architecture of the project, not to attract attention to specific features or elements such as roof or parapet lines and signs. Building colors for the ~~Central Business and Historic Business Districts~~ Downtown Overlay are to be derived from the “Historic” or “Williamsburg” collections or palette by Benjamin Moore or equivalent. Equivalent colors matching the above named manufacturers are acceptable.
- b) Deviation from the approved colors may be considered by the Board where appropriate or as part of accented design elements. In general, a project should use no more than three (3) of the approved colors.

(19) The following elements are strongly discouraged in all Districts, Overlays and Corridors of Influence:

- a) Visually obtrusive Storm Water Detention or Retention areas. Care should be taken to locate storm water detention or retention areas in the least conspicuous areas of the project site or design them as a water feature. Additional care should be taken to mitigate the visual intrusion of detention or retention through the use of heavy landscaping or concealing these areas underground. Utilization of the retention or detention pond as an attractive site feature is the preferred alternative.

- b) Visible Roof mounted equipment on Buildings. Roof mounted heating and air cooling units, exhaust hoods and fans, vent piping, satellite dishes, antennae and other roof appurtenances on the roof of a building are prohibited from being viewed from the ground by the general public and must be permanently screened. Any exterior ventilated HVAC units shall be internally drained (i.e. condensate lines).
- c) Visible Dumpsters and Recycling bins or Containers. Dumpsters, Refuse containers and recycling bins are required to be screened from public view with building materials that match the parent building and their location on the project site is to be as inconspicuous as possible. Enclosure doors are to be constructed of steel or other durable materials that can be easily maintained and their color coordinated with the parent building.
- d) Excessive Site and Building Lighting. Site and building lighting should be minimal with lighting standards and levels being at the discretion of the Board. Site lighting should not distract motorists or pedestrians traversing on or near the project site. Building lighting should not distract from the overall architecture of the building but should complement the building. Site or building lighting should not “spill over” onto adjacent properties and should be directed specifically at the building in order to limit lighting of the night sky. However, site and building lighting is encouraged to provide a sense of security.
- e) Improper Landscape design and lack of creativity. Attractive, complimentary landscape is encouraged throughout the site using a mix of evergreen foundation plants, colorful accent plants and groundcovers. Untested non-naturalizing or non-indigenous species of plants are strongly discouraged. Trees should be of larger caliper and size to create a pleasant and immediate impact upon installation. Shrubs should be of the largest container size possible
- f) Removal of existing trees important to the character of the site. Large and significant trees should be protected where possible through the use of creative design solutions and man-made protection devices, such as tree wells, aeration systems, etc.
- g) Discouraged architectural elements. Mansard roofs; wooden shakes and shingles; drive-through windows that become a primary visual focus; plastic elements; inappropriate ornate architectural elements (such as elements depicting animals); metal buildings; and mobile units.
- h) Use of neon, fiber optic, and non-traditional illumination techniques is strongly discouraged. Use of neon tubing or other non-traditional illumination techniques which are visible are prohibited, unless covered by translucent material.
- i) Excessive use of building materials. In general, building materials should be limited to three types. Buildings incorporating too many different material types look busy and disjointed. Visual continuity should be considered by balancing building materials within the architectural elevations.
- j) Thematic architecture. Building styles that are overly theatrical in character or are designed to represent specific objects are strongly discouraged. Materials used to create theatrical design such as driftwood, netting, corrugated metal and mirrors are strongly discouraged.
- k) Excessive use of retaining walls. Use of retaining walls is discouraged. However, where required due to site conditions and grading considerations, care should be taken to mitigate their visual obtrusiveness. Finished materials must match the parent building or structure. Modular block walls are only allowed in non-visible areas of the site.
- l) Visually obtrusive parking structures or other accessory buildings. Parking structures must provide architectural details and materials to mitigate their visual obtrusiveness on all exterior elevations. Materials and colors must match those of the parent building.

Should no parent building be adjacent, then the parking structure should be visually compatible with other adjacent structures. All surface and storm water shall be internally drained. Evergreen landscape trees and shrubs shall be incorporated to aid in screening the structure or building.

- m) Use of plastic materials and primary colored accessory structures. Accessory structures such as playgrounds must not be visible from public right-of-ways. Plastic materials and primary colors are to be avoided.
- n) Murals. Murals shall be appropriately scaled and visually compatible with the buildings on which they are placed. Not all buildings are appropriate for mural display and careful consideration shall be given to any mural proposed within the downtown historic district. Murals shall not include advertising or be commercial in nature.

(B) General Design Standards. The Board will also consider the following general design standards when reviewing applications for Certificate of Design Approval:

(1) For new buildings and additions to existing buildings:

- a) The height of the rooflines or parapets along the street or public right-of-way.
- b) Scale and mass of the building on the site.
- c) Placement of the building on the site.
- d) Materials, color and texture of the buildings.
- e) Architectural style where there is a predominant style on surrounding and adjacent buildings; and
- f) Architectural details, including signs, subject to public view from any public street or public way.
- g) Incorporate pedestrian-friendly features and amenities wherever possible. Pedestrian paths (i.e. sidewalks, mulched paths) should encourage pedestrian travel throughout an entire project. Pedestrian paths connecting adjacent properties and projects are also strongly encouraged.

(2) For modifications to existing buildings:

- a) The degree to which the distinguishing original qualities or character of a building, structure or site including historic materials are retained.
- b) The historic appropriateness of any new features; and
- c) The compatibility of proposed alterations with other buildings within the street block face or block face across the street, giving consideration to building size, shape, roofline, colors, materials, textures, nature of openings and architectural details.
- d) The extent to which the buildings or structures will promote the general welfare of the city and all citizens by the preservation and protection of the neighborhood.

(3) Bridges and bridge encroachments

- a) Bridges and bridge encroachments in all areas of the City are to be treated with enhanced architectural details. This would include all vehicular and pedestrian bridges and combinations thereof. Enhancements should include the use of brick and/or stone for the exterior and interior (roadway side) of the facades of bridges and all wing walls,

abutments, beams, and piers. Horizontal and vertical relief should be provided along the sides to completely cover the substructure with a center point feature. All vehicular bridges shall include a separated (by a decorative barrier) sidewalk of 10 feet. Barriers are encouraged to include plantings. All fencing proposed shall be of a decorative nature and should include a planting to create a “green” or “live” wall. The bridge should include decorative lighting of both vehicular and pedestrian heights. Each bridge center piece shall have an official City Seal incorporated.

(C) Specific Design Standards. The Board will consider the following specific design standards when reviewing applications for certificate of appropriateness.

- a) It is the intent of the City to maintain and enhance the “Traditional Main Street” character within the ~~Central Business District and the Historic Districts~~ Downtown Overlay. The Alpharetta Downtown Design Guidelines provide standards for the desired design of this area. Outside ~~these~~ this areas the Board will evaluate each project proposal based on the quality of its design and relationship to the architectural character and style of the surrounding buildings, structures and streetscape.
- b) ~~Building Scale, Proportion and Massing will be considered as follows. Within the Central Business District and the Historic Districts, no single building design element shall exceed one hundred (100) feet in length; and no continuous, uninterrupted storefront elevation(elevation in the same plane) shall exceed fifty (50) feet in length.~~
- c) The Board shall seek to minimize and discourage the use of the following architectural features within the City:
 - 1. Mansard roofs
 - 2. Wooden shakes or shingles
 - 3. Drive through windows that become a primary visual focus
 - 4. Plastic elements
 - 5. Inappropriate ornate architectural elements (such as elements depicting animals)
 - 6. Metal buildings
 - 7. Mobile buildings

(D) Additional Standards. Subject to the approval of the City Council, the Board shall have the authority from time to time to promulgate additional design standards. Such additional design standards shall be effective upon approval by the City Council.

9. Conformance with Certificate.

All work performed pursuant to an issued Certificate of Design Approval shall conform to the requirements of such certificate. If work is performed not in accordance with such certificate, the Community Development Department shall be authorized to issue a cease and desist order and all work shall cease.

Appeal from such cease and desist order shall be the same as that set forth in Section 7 (D) for appeal of an application denial by the Board.

10. Remedies.

In case any activity covered by this Ordinance is or is proposed to be initiated in violation of any provision of this Ordinance, the Community Development Department may, in addition to other remedies, and after due notice to the appropriate person(s), issue a citation for violation of this Ordinance requiring the presence of the violator in the Municipal Court of the City of Alpharetta or the City Code Enforcement Board, or institute an injunction or other appropriate action of proceedings to prevent such unlawful activity or to correct or abate such violation.

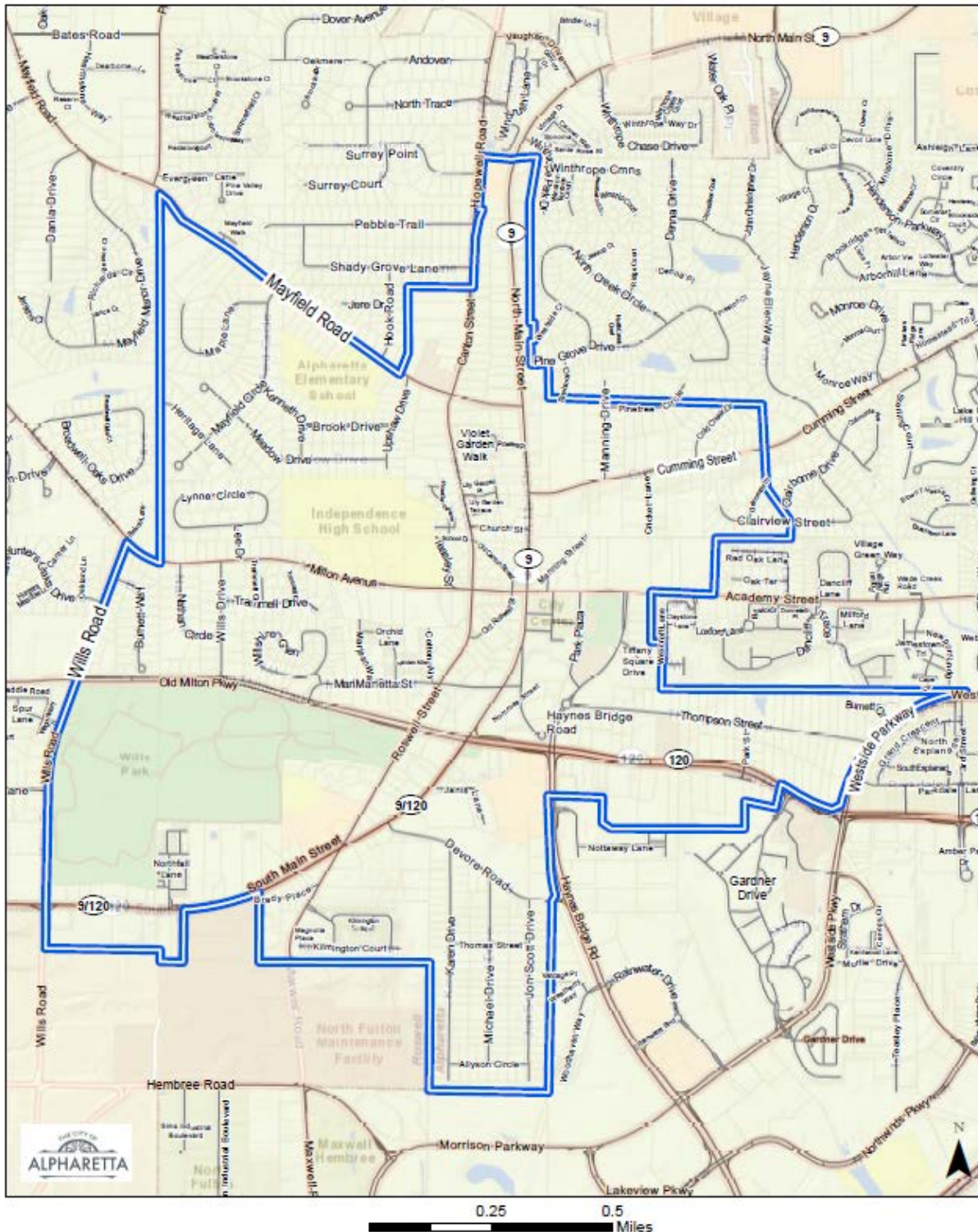
11. Severability.

Should any section or provision of the Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any section thereof other than the section or provision specifically declared to be invalid.

Downtown Overlay District

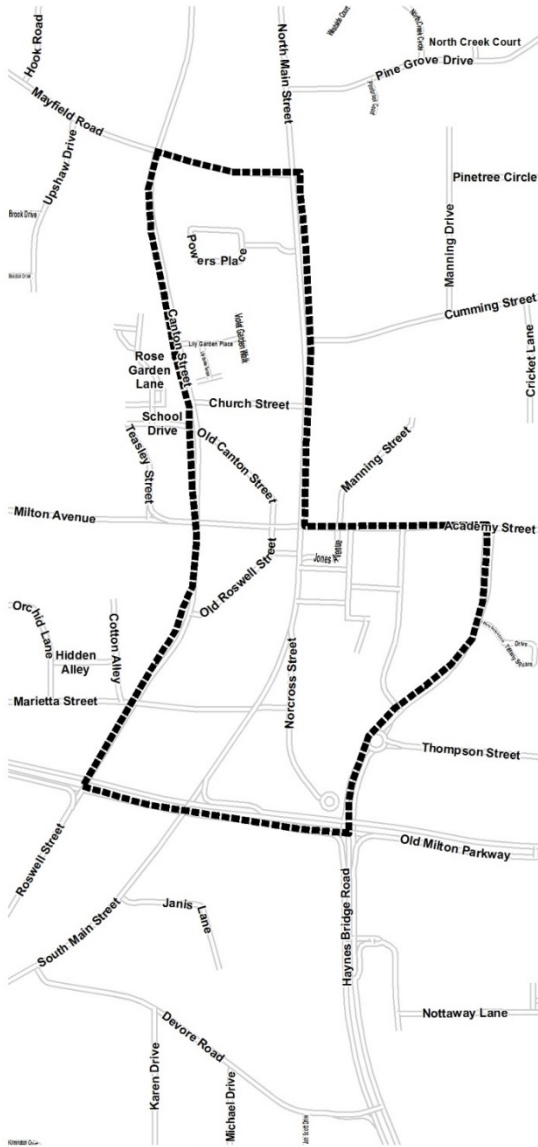
Map "A"

Downtown Overlay District -- This portion of the City was defined by the 2015 Downtown Master Plan and recognized on July 15, 2015 as a distinct district by the Alpharetta City Council



DELETE BELOW MAP

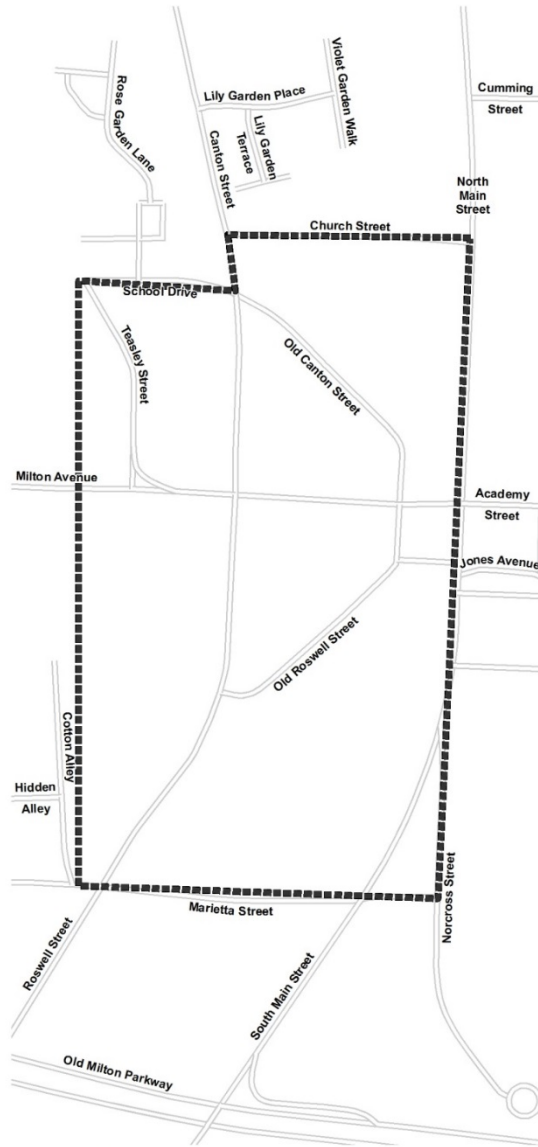
Central Business District



Central Business District (CBD)

The portion of the City bound by Mayfield Road to the north, Old Milton Parkway to the south, Haynes Bridge Road and North Main St to the east, and Roswell and Canton Streets to the west.

Historic Business District



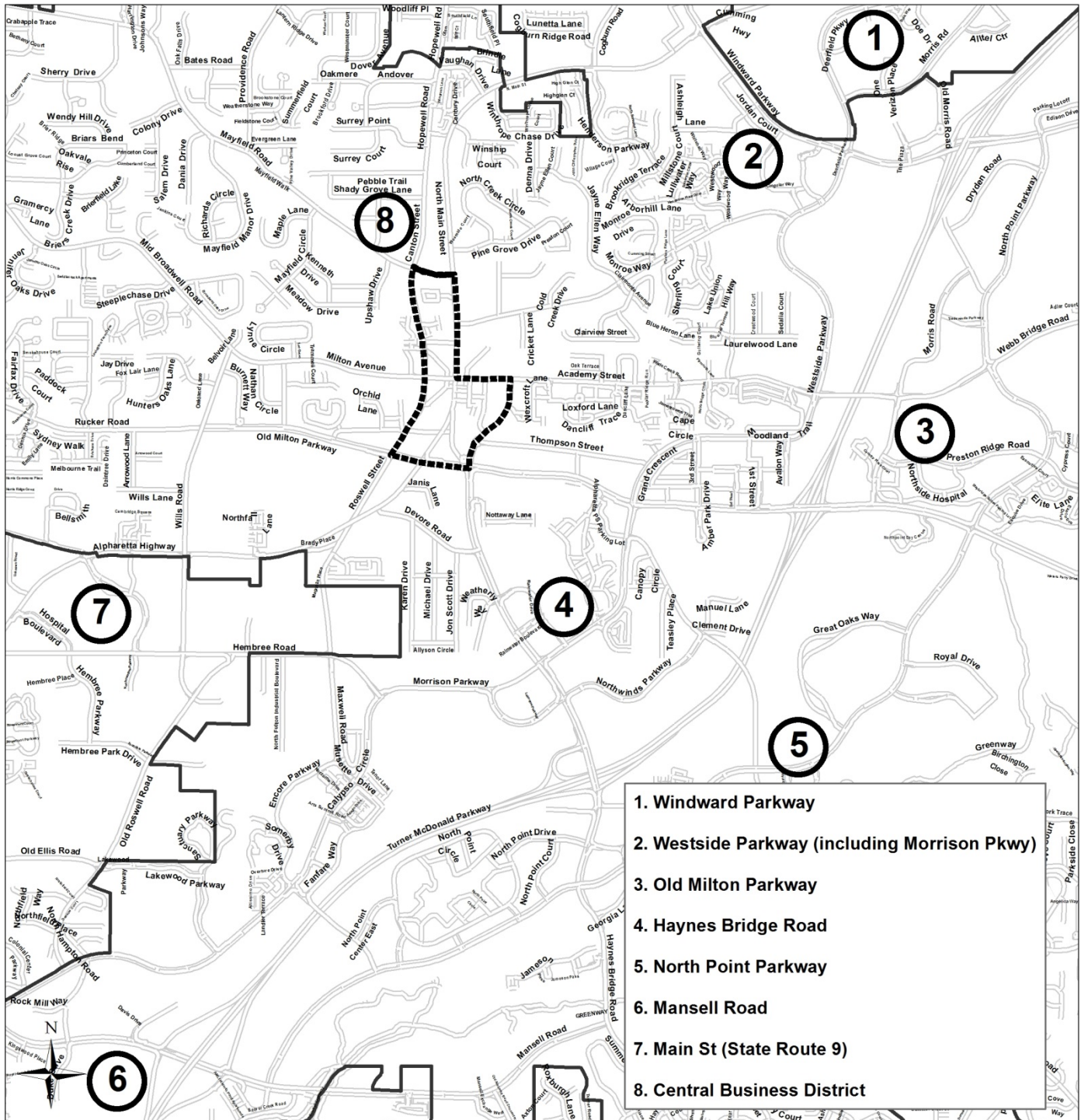
Historic Business District (CBD)

The portion of the Central Business District bounded by Church Street to the north, Hwy 9 to the east, Marietta Street to the South and the Milton Center site to the west.

Map "A"

(Taken From Article II, Page 2-115 of the Unified Development Code)

City of Alpharetta Corridors of Influence



Map "B"

The roadways having the greatest visual impact within the City and those roads which are considered to be the "gateways" into the City.

SECTION 5.4 - DESIGN REVIEW BOARD

5.4.1 Establishment.

A Design Review Board is hereby established. The Board shall consist of seven (7) members. Members shall be appointed and shall serve in accordance with the City Boards and Commissions Ordinance. No members shall be employed by the City, hold public office in the City, or be a member of another City Board or Commission. At least one member of the board shall be a professional architect.

5.4.2 Proceedings of the design review board.

- A. The Board shall elect a Chairman and a Vice Chairman from its members who shall serve for one year or until their successors are elected. Meetings of the Board shall be held at the call of the chairperson and at such other times as the Board may determine. All meetings of the Board shall be open to the public.
- B. A minimum of four (4) members of the Board shall constitute a quorum. Any act of the Board shall require a majority vote of the Board members at a meeting at which a quorum is present.
- C. A Staff member of the Community Development Department. shall serve as a non-voting secretary to the Design Review Board. The Board shall maintain minutes of its proceedings, including the results of all votes taken and shall maintain records of its examinations and other official actions, all of which shall be filed in the office of the Community Development Department as public record.

5.4.3 Powers and duties of the design review board.

- A. The Board shall review applications for:
 - 1. All exterior features of new construction;
 - 2. All exterior features of construction, alteration, restoration, moving, demolition or repair of existing buildings or improvements involving or resulting in a change in the existing structural composition or architectural design or character of such building or improvement;
 - 3. All proposed changes to existing plot plans, site layout, off-street parking areas and other features such as walls, walks, terraces, fences, signs and lights;
 - 4. All proposed screening of dumpsters, satellite antennas, parking lots, and rooftop and other mechanical equipment;
 - 5. All proposed outdoor play yards and/or equipment, and outdoor patios with or without seating.
- B. Review all applications for signs within the ~~Central Business District Downtown Overlay, the Corridors of Influence and the Interchange District~~, as well as all master sign plans throughout the City. Staff will review sign applications in all areas of the City, except for the Downtown Overlay. The Design Review Board shall review appeals to administrative decisions on sign applications. Sign applications may be referred to the Design Review Board for review, at staff's discretion.
- C. Grant or deny applications based upon a design review of the proposed development activity for compliance with design standards.
- D. The following shall not be subject to review by the Board:
 - 1. Repainting of a structure to the same color if that color has received previous Board approval;
 - 2. The ordinary maintenance or repair of any exterior elements of any building or structure;
 - 3. The construction, reconstruction, alteration or demolition of any such elements which the authorized City officers shall certify as required for public safety.
- E. Act in an advisory role to other City departments, boards and commissions.

- F. Develop from time to time further design standards consistent with the purposes, intents, and standards established in the Design Review Board Ordinance.

5.4.4 Appeals from decisions.

Decisions of the Design Review Board with respect to applications for design approval are final.