

05.15.2017 FINAL CONDITIONS

Approve MP-16-13/Z-16-11/CU-16-19/V-16-26 TPA Fuqua/360 Tech Village subject to the following conditions:

Conditions that end with (GRTA) are conditions recommended by the Georgia Regional Transportation Authority. All GRTA recommendations are incorporated in a document dated July 13, 2015, RE: DRI 2499 – Innovation. **RED = Conditions or objections by TPA/Fuqua.**

1. The 62.47-acre property shall be zoned MU. Except as provided in paragraph 1.b. below, the site shall be developed substantially similar to plans by Wakefield Beasley & Associates, dated 5/10/17 (SP-11), subject to the approved conditions. Architectural style of all buildings shall be Post-Industrial Mercantile style similar to the renderings and architecture in the 2016 application (attached as Exhibit A) with non-residential buildings approved by the Design Review Board and residential buildings approved by Staff. Townhomes shall be substantially as depicted in Exhibit A.
2. Development regulations shall be as follows:
 - a. Office – 664,400 square foot maximum. Building height shall be limited as depicted on site plan dated 4/17/2017 with 1 building up to 12 stories, remaining office limited to a maximum 6 stories. Mixed use buildings shall be limited to a maximum of 5 stories or 60’, whichever is less.
 - b. No more than **470** residential dwelling units shall be allowed on site. No more than **276** “for rent” units are included in this number. There shall be a minimum of **48** stacked townhome for sale units. The remaining **146** for sale units may be developed for townhomes, stacked flat condominiums, stacked townhome condominiums or single family zero lot line detached dwelling units. Depicted open space shall not be reduced if the use mix changes from what is shown on the site plan. For sale product may exist in up to 4-story buildings with a maximum height of 50’. Zero lot line ‘For Sale’ detached lots shall contain a minimum of square footage, as approved by Staff. A minimum 40% of all residential units shall be ‘For-Sale’ units. No more than 10% of the ‘For-Sale’ residential units shall be permitted to be rented, as recorded in the development covenants. Provided all other requirements of these conditions are satisfied, the ultimate developer of the “for rent” units may reconfigure the building shape provided it remains within the multifamily parcel shown on the site plan, subject to approval by Staff, and compliance with these conditions and the Zoning Code, unless a variance has been granted.
 - c. Retail – Maximum of 27,700 square feet. Permitted retail square footage shall include a 9,600 square foot food hall/market. Mixed use buildings shall be limited to a maximum of 5 stories or 60’, whichever is less. Retail buildings must include an architectural element (such as a parapet wall or tower) which is at least 24’ in height. The balance of the restaurant space shall be no less than 18’ in height. No more than 3 free standing retail buildings shall be permitted. No more than one free-standing ‘Bank or Savings and Loan’ building shall be permitted, **and it shall be two stories in height.** Standalone retail buildings shall have a minimum height of 18’. A minimum 3,000 square foot neighborhood grocery shall be required.

- d. Hotel – One boutique or full-service hotel as approved by staff with a maximum of 200 rooms and 8 stories shall be permitted. Hotel may not be an extended stay facility.
- e. Restaurant – Maximum of 26,300 square feet. Each restaurant must have an architectural feature (such as a parapet wall or tower) which is a minimum of 24' in height. The balance of the restaurant may be a minimum of 18' in height. A maximum of 5 (but 2 on the lake, as depicted on the site plan) free-standing restaurants with a combined square footage of not less than 3,500 square feet and not more than 10,000 square feet with no drive-thru or pick up windows. Individual restaurants may be attached via architectural features such as metal arches, outdoor seating areas, patios and similar amenities as approved by Staff. **In addition to the allowed restaurant space, one special event/entertainment use (Pinstripes) at no more than 28,000 square feet shall be allowed where reflected on the Site Plan.** One jewel box building shall be permitted in the central park as depicted on the site plan.
- f. 'For-Rent' Residential – After May 27, 2018, up to ~~276~~ ~~220~~ 'For-Rent' attached units shall be permitted a Certificate of Occupancy in accordance with UDC 'For-Rent' requirements. 'For-Rent' residential shall be permitted above office or retail uses on at least 1 side of the building. At-grade 'For-Rent' units shall have walkouts with sidewalk connections where allowed by grade. Building maximum height shall be 5 stories or 60 feet, whichever is less. Units shall be restricted to studios, 1 and 2-bedroom units only. No more than 40% of the units may be 2-bedroom units. 'For-Rent' units shall be constructed concurrently with a portion of the retail, the for sale units across the main boulevard from the 'For Rent' units and a minimum 60,000 square feet of office use. Building permits for this initial retail space, at least ten of the residential for sale units and the 60,000 square foot office shall be secured concurrently with the building permit for the for rent units. If construction does not continue on the office, for sale residential or retail space, then it may not continue on the multifamily units. A Certificate of Occupancy shall not be issued for rental units until 60,000 square feet of office has been constructed or is substantially under construction as determined by Staff. Additionally, a Certificate of Occupancy shall not be issued for rental units until building permits have been secured for the initial for sale units along the boulevard, and construction has commenced and active construction ongoing for the for sale product across the boulevard from the 'For Rent' units. The units shall be part of a mixed-use project containing a minimum of 50 acres and incorporating retail, 'For-Sale' residential units, hotel, neighborhood grocery, restaurant, and the 60,000 square foot office. 'For-Rent' units shall have first class amenities, which shall include a private pool, fitness center, secure gated parking, resident's lounge, business center, on-site management office, concierge services and secure elevator access. Unit finishes and ceiling height shall be built to facilitate conversion to a condominium, should the market dictate. If a building permit is not issued by May 27, 2019 residential units shall revert to 'For-Sale' only.
- g. Parking Decks – Maximum of 6 levels, except parking deck along Haynes Bridge Road shall be a maximum of 2-1/2 levels. With the exception of the 2 parking decks serving office buildings, all parking decks shall be wrapped with residential or non-residential uses where visible from the public right-of-way. Parking decks visible from Haynes Bridge Road, Lakeview Parkway and Morrison Parkway shall be treated with comparable materials and finishes as the buildings they serve or screened from view

- with evergreen landscaping as approved by Staff. Parking decks visible from Georgia 400 and the interchange shall be screened from view with evergreen landscaping. The deck for the 12-story office building shall be substantially similar to the elevations, as shown in Exhibit A, subject to DRB approval. Suitability of parking deck elevation, visibility and landscape screening shall be approved by the Design Review Board.
- h. It is acknowledged that the approved site plan is to be subdivided into separately platted parcels with individual tax numbers, that the separate development parcels are to be developed by separate owners/developers, and that the public amenities are to be platted and owned by a property owner's association comprised of the individual development parcel owners. Zoning compliance for conditions uniquely applicable to an individual owner's parcel will be the responsibility of that owner and that non-compliance by such an owner does not render, by itself, the remaining parcels "non-conforming" uses under the Zoning Code.
3. The Master Plan area shall be limited to the following uses and further restricted by conditions of zoning:
 - a. office
 - b. retail
 - c. restaurant (no drive thru)
 - d. hotel
 - e. residential
 4. Retail uses shall be those uses customarily accessory to or amenities for office uses, restricted to the following uses:
 - a. Art Gallery
 - b. Bakery
 - c. Barber Shop
 - d. Beauty Shop
 - e. Book Store
 - f. Bowling Entertainment Venue (a/k/a Pinstripes)
 - g. Computer Supply Store
 - h. Copy Center/Print Shop
 - i. Drug Store (not to exceed 2,000 SF)
 - j. Dry Cleaning Pick-up Station
 - k. Fitness Studio
 - l. Florist, Retail without Greenhouse
 - m. Gourmet Food Store
 - n. Office Supply Store (not to exceed 2,000 SF)
 - o. Package Shipping/Mail Box Store
 - p. Restaurant (no drive-thru)
 - q. Retail Sales and Services Establishment
 - r. Shop or Studio, Craftsman/Artist
 - s. School, Commercial
 - t. Spa Services (with approval of a conditional use permit)
 5. Building Setbacks along Haynes Bridge Road and Morrison Parkway shall be 30' building setback with a 20' landscape strip. Building setbacks along Lakeview Parkway shall be 25' with a 20' landscape strip.

6. Building setbacks along internal streets shall be 0' for the first 60' of building height. Above 60' in height, a 10' setback shall be provided from back of curb. Sidewalks and street trees shall be incorporated throughout the development. Pedestrian bridges, stairs, elevators and escalators may encroach over and into public spaces provided that they don't impede pedestrian circulation or safety.
7. A building permit shall not be issued for any free-standing retail building before a building permit is issued for the 60,000 square foot office use.
8. Specimen trees on the site shall be given special consideration and every attempt to incorporate them into the applicant's site plan shall be made as stipulated in the Tree Protection Ordinance. In addition, specimen trees #473, 477, 512, 563, 821, 591, 593 and 596 shall be saved. The developer will work with the arborist to move the trees or substitute appropriate new plantings in lieu of saving trees 566, 568 and 600. Tree replacement of removed specimen trees (566, 568 and 600) shall be a minimum 12" – 15" caliper tree, as approved by Staff.
9. Park land, passive parks, public space and open space is required substantially in the amounts and locations reflected in the Site Plan dated 5/10/17. The greenspace to the east of the lake shall remain undisturbed, except for the trail and related improvements around the lake. A bocce ball court, or an alternative outdoor recreational feature approved by Staff, shall be required within an area designated as public space as approved by Staff.

Design Conditions:

10. At-grade pedestrian and bicycle connections shall be provided throughout the site, including between buildings and recreational facilities within the development and across Lakeview Parkway to the existing office development. Pedestrian crossings throughout development shall be ramped and the surface materials shall be brick pavers, cobblestones or architecturally treated concrete products as approved by Staff. Bicycle facilities shall be provided throughout the development.
11. Detention facilities shall not be visible from a public right-of-way, except a decorative water feature approved by Staff.
12. Parking decks and retaining walls shall receive architectural façade treatment or be heavily landscaped, as described in paragraph 2.g. Retaining walls visible from developed areas exceeding 16' in height shall be terraced. In areas where the parking decks are visible to the public, the decks will be screened by landscaping or materials approved by DRB or other materials as approved by Staff, as described in paragraph 2.g.
13. Except for the 'For-Sale' product, priority parking spaces shall be provided for alternative fuel vehicles along with accommodation for a vehicle charging station.
14. The developer shall provide bicycle racks, benches, trash receptacles, decorative crosswalks, planters, kiosks and other street furniture, where appropriate, throughout the development. A bus drop-off area with shelter and dedicated lane shall be incorporated into the plan design and constructed along Haynes Bridge Road or at an alternative location acceptable to MARTA. Developer shall work in good faith with MARTA to add the development to city bus routes in order to assist with transportation service for employees, residents and guests. The public shall be permitted to park in the office parking lots on evenings and weekends.
15. Prior to LDP for development, the applicant shall submit for approval a document to be entitled '360 TechVillage'. This document shall include elevations or architectural themes

of buildings, specifications for street furniture including benches, trash receptacles, lighting, fountains, bicycle racks, bus shelter, signage landscaping themes and focal point features and shall be substantially similar to the renderings filed with the 2016 application, as amended. Design standards will be presented to Staff and the Design Review Board for review and approval. This document also shall detail entrance treatment for the Haynes Bridge Road/Lakeview Parkway intersection, which shall compliment any existing or changed entrance feature across Lakeview Parkway. Retaining walls also shall be complementary.

16. Plans for buildings, landscaping and signage (in the form of a 'sign package') shall be subject to review and approval by the Design Review Board.
17. Awnings shall be provided on buildings at street level in commercial areas where reasonably appropriate in order to protect pedestrians from inclement weather.
18. Surface parking areas other than on-street parking shall be screened from the public right-of-way in compliance with the current UDC. A decorative, short wall shall be located along Lakeview Parkway where needed in order to obscure views of surface parking from Lakeview Parkway.
19. All buildings along Haynes Bridge Road, Morrison Parkway and Lakeview Parkway must face those streets or appear to face those streets. Backside of buildings or 'back of house' functions (such as loading or dumpster area) shall not be visible from those streets. Parapet walls shall be used as needed to screen roof-top mechanical equipment and views.
20. Measurement of building heights shall not include spires or other decorative architectural features.
21. Streets within the development shall be private and shall include a planted median with sufficient space for tree plantings, as shown on the site plan and as approved by Staff. However, planting of trees along that portion of the internal road to the east of the roundabout may be planted with shade trees instead of having a planted median.
22. A view corridor shall be created from Haynes Bridge Road to the lake, along the main boulevard, as depicted on the plan. A structure for seating or gathering, such as a gazebo or similar structure, shall be provided at the end of the boulevard near the lake as approved by Staff.
23. The corner of Haynes Bridge Road and Lakeview Parkway shall be designed with a minimum 5,000 square foot green space and shall incorporate existing wall and landscaping with a focal point feature (sculpture) added with final approval by the local arts committee. Applicant shall provide a minimum of 6 original sculptures, by different artists, located at prominent locations throughout the development as approved by Staff and the local arts committee. Locations shall include the corner of Lakeview Parkway and Haynes Bridge Road. Approval and construction of 1 sculpture shall be required concurrent with the first CO. A minimum of 1 additional sculpture shall be required concurrent with the first CO of each subsequent phase of development. All sculptures shall be required prior to final CO issued for the last building constructed.
24. In order to further 2035 Comprehensive Plan strategy LU 6.2, no stand-alone retail development shall be located within 500' of the GA 400 interchange.
25. Prior to the first LDP for development, applicant shall submit a construction phasing plan that shall demonstrate how construction will be staged and implemented in a manner that screens construction views from adjacent roadways.

26. Prior to the first LDP for development, applicant shall submit a revised master plan for the entire parcel to the City, which shall incorporate the approved conditions, as well as the following:
 - Approved specifications and standards identified for each use within the total development.
 - Pedestrian network.
 - Overall planned green space areas.
27. Every plan submitted for a land disturbance permit shall include an on-going density and acreage tabulation.
28. Alcohol license distance requirements from residential development shall be waived.
29. Rooftop signs shall be permitted as approved by the Design Review Board.
30. All site plans and civil design plans hereafter submitted to the City of Alpharetta shall state as the first note: “This plan reflects conditions stipulated through public hearing regarding case MP-16-13/Z-16-11/CU-16-19/V-16-25 TPA/Fuqua”

Landscape Conditions:

31. A 20’ landscape strip with trees and shrubs shall be provided along Haynes Bridge Road, Lakeview Parkway and Morrison Parkway. Along Lakeview Parkway, the existing sidewalk shall be widened with brick or similar pavers an additional 2’ in the beauty strip to the back of curb. An 8-foot wide sidewalk and 4’ planting strip shall be installed along Morrison Parkway from Haynes Bridge Road to the west property line adjacent to Honda, as approved by Staff. Road impact fee credits shall be provided to the applicant for any section of sidewalk which is constructed offsite. All new utilities shall be located underground. Existing landscape strips adjacent to the development along Morrison Parkway, Haynes Bridge Road and Lakeview Parkway shall be replanted where needed, as approved by Staff. Parking areas adjacent to Lakeview Parkway shall be heavily screened with landscape material as approved by Staff.
32. Landscaping areas shall not contain any parking, water detention area or buildings, or portion thereof, except that a detention pond or ponds may be located within the landscaping area if decorative and will provide an amenity. However, there shall be no encroachment into the Georgia 400 tree buffer, except for multi-use path as approved by Staff.
33. At least 1 roof-top amenity shall be required within the development. In addition, at least 25% of the space occupied by restaurant uses shall be located in open air dining areas. Outdoor dining areas will not count against the min. 29,400 SF of restaurant space.
34. Provide detailed street planting for Haynes Bridge Road, Morrison Parkway and Lakeview Parkway. Landscape plan shall be approved prior to issuance of a Land Disturbance Permit and shall include retaining the current mature shrubbery and street trees, except at curb cuts and in accordance with an approved stream piping plan along Lakeview Parkway, Morrison Parkway and Haynes Bridge Road with final approval by Staff.
35. The developer and/or property owner shall be responsible for the planting and maintenance of medians within the development site and for the medians located on Lakeview Parkway which are contiguous to the development site. The planting and maintenance shall be in accordance with a plan approved by Staff.
36. Parking lot islands shall be planted with trees, shrubs and ground covers (not with mulch only). Provide sufficient green space to provide screening for parking decks. Investigate,

as directed by Staff, the possibility of adding shade structures on the top floor of parking decks to cover a minimum 15% of this surface.

37. The developer shall dedicate a permanent easement to the City and construct a 12' multi-use trail with continuous connection from the adjacent Honda property, through the site around the lake and through the Georgia 400 buffer to Haynes Bridge Road and to the west property line, substantially in compliance with the site plan, with final alignment/design approved by Staff and construction completed prior to the first Certificate of Occupancy for residential units. A trail crossing shall be provided across Morrison Parkway at the existing signalized intersection at Lakeview Parkway and shall be constructed of paver material or architecturally treated concrete as approved by Staff. Trail entrance gateways/arches shall be provided on Morrison Parkway and Haynes Bridge Road. The applicant shall hand clear undergrowth, invasive species and dead materials within the Georgia 400 buffer for the installation of the trail; maintain such condition to the City's satisfaction until accepted by the City for maintenance; and promote use of the area to the public by providing parking, access and trails for public enjoyment. A bike share station shall be provided at a location(s) along the trail as approved by Staff. Way finding signage shall be placed at key locations along the trail. Impact fee credits will be allowed for these improvements.
38. The 50' perimeter around the lake shall include a minimum 12' wide multi-use trail and gathering areas (gazebo, grilling stations, fire pits, benches, etc.) and exercise stations around the lake, as approved by Staff. The width of the multi-use trail may be reduced to save trees, as approved by Staff. The condition of the existing pedestrian bridges across the lake shall be assessed, repairs and widening shall be made by the developer/property owner as approved by Staff. Impact fee credits will be allowed for these improvements.
39. The 32,960 square foot park space near the corner of Haynes Bridge Road and Lakeview Parkway, and the 95,470 square foot lakeside park shall include landscape and hardscape for public space for recreation, entertainment, and/or civic purposes, as described in paragraph 38.
40. The lake shall be designed for active recreation, including stocking the lake with fish and constructing a dock.
41. Wetlands shall be counted as park space, if applicant improves the area with boardwalks, walkways, or educational amenities.
42. Site access off Lakeview Parkway shall be ~~un~~signalized. The right-in/right-out only drive on Lakeview Parkway shall be channelized to prevent unlawful turning movements. The median break across from the right-in/right-out drive shall be closed. ~~A roundabout is recommended at site driveway 2. Design of roundabout or other intersection improvement shall meet City LOS standards as approved by Staff. Design of all intersections, including roundabouts, shall be approved by Staff and meet City LOS standards.~~
43. Master Plan approval shall revert to 2015 approval, uses and site plan, if a building permit is not issued for office use by 5/27/2019.

General Conditions of Approval to GRTA Notice of Decision:

44. Development Intensity and Use
Provide a mix of residential, office and retail uses.
45. Access Management

- Signalized intersections along Lakeview Parkway shall be a minimum of 750' from the existing signal at the intersection of Haynes Bridge Road and Lakeview Parkway, as shown on the site plan.
 - Provide a maximum of 4 site driveways on Lakeview Parkway.
 - Align driveways on Lakeview Parkway with opposing existing driveways or offset by a minimum of 150'.
 - Any full movement site driveway on Lakeview Parkway must be a minimum of 450' from Haynes Bridge Road.
 - Any right-in/right-out site driveways on Lakeview Parkway must be a minimum of 200' from Haynes Bridge Road.
 - No direct site access is allowed onto Haynes Bridge Road.
 - No outparcels are allowed direct access on Haynes Bridge Road or Lakeview Parkway.
 - Provide shared driveway between adjacent property (shown as "MetLife") and the proposed development, as shown on plan.
 - All internal intersections shall be a minimum of 100' from Lakeview Parkway.
46. Pedestrian Facilities
- Provide a system of sidewalks throughout the development providing pedestrian access to all uses, building entrances and site driveways.
 - Provide safe pedestrian crossings at all site driveway intersections (four-legged intersections) on Lakeview Parkway, ~~including roundabouts.~~
47. Road Improvements to GRTA Notice of Decision:
- Haynes Bridge Road at Lakeview Parkway/Northwinds Parkway
- Construct 1 additional northbound left-turn lane along Haynes Bridge Road onto Lakeview Parkway creating dual northbound left-turn lanes.
 - Construct 1 additional eastbound right-turn lane along Lakeview Parkway onto Haynes Bridge Road creating dual eastbound right-turn lanes.
 - All intersections with Haynes Bridge Road and Lakeview Parkway shall be designed as directed by staff.
48. Grading for the overall master infrastructure shall be permitted as approved by Staff. Land associated with the restaurant sites and office near the lake shall not be graded until construction is eminent. Grading for roads, utilities, drainage and similar infrastructure is not prohibited by this condition. Any parcels graded, but not considered to be under active development (future phase), shall be grassed and landscaped, as approved by the Director of Community Development, before the first Certificate of Occupancy is issued.