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1924 - 2011

March 10, 2017

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

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

Dear Mayor and Councilpersons:

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

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

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

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

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

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

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

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

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

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


Donald A. Rolader

DAR/ddf

CONSTITUTIONAL OBJECTIONS

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

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

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

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


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

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

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

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

ROLADER & ROLADER, P.C.

By: 
Donald A. Rolader
Attorney for Owner

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

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

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

Fee Paid Initial: _____

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

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

Contact Information:

Contact Name: 1699 Land Company, LLC
Alex Tetterton

Telephone: 678-252-2500

Address: 1424 N. Brown Road

Suite: 100

City: Lawrenceville

State: GA

Zip: 30043

Fax: _____

Mobile Tel: _____

Email: _____

Subject Property Information:

Address: North Point Parkway at Kimball Bridge Road

Current Zoning: O-1

District: 1

Section: 2

Land Lot: 849 & 850

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

Proposed Zoning: CUP

Current Use: Vacant

This Application For (Check All That Apply):

Conditional Use

Master Plan Amendment

Rezoning

Master Plan Review

Variance

Public Hearing

Comprehensive Plan Amendment

Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

Single family homes.

Applicant's Request (Please itemize the proposal):

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

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

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

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

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

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

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

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

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

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

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

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

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

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

It is inconsistent with the current plan.

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

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

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

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

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

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

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

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

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

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

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

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

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

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

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

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

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

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

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

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

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

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

Applicant requests Variance to lot setback requirements, as follows:

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

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

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

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

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

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

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

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

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

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

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

Telephone: 404 364-0022

Address: 3520 Piedmont Road, N.E.

Suite: 400 125

City Atlanta

State: GA

Zip: 30305

- 1516

Authorization:

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

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

Annexation

Special Use

Rezoning

Conditional Use

Variance

Master Plan

Land Use Application

Other _____

Identify Authorized Applicant:

Name of Authorized Applicant: _____

Telephone: _____

Address: _____

Suite: _____

City _____

State: _____

Zip: _____

So Sworn and Attested:

Owner Signature: 

Date: 12-29-14

Notary:

Notary Signature: Deborah Kay Alexander

Date: 12/29/14



PROPERTY OWNER AUTHORIZATION

Property Owner Information:

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

Telephone: 404-364-0022

Address: 3520 Piedmont Road

Suite: 125

City Atlanta

State: GA

Zip: 30305

- 1516

Authorization:

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

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

- | | |
|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Special Use |
| <input checked="" type="checkbox"/> Rezoning | <input type="checkbox"/> Conditional Use |
| <input checked="" type="checkbox"/> Variance | <input checked="" type="checkbox"/> Master Plan |
| <input type="checkbox"/> Land Use Application | <input checked="" type="checkbox"/> Other <u>Comprehensive Plan Amendment</u> |

Identify Authorized Applicant:

Name of Authorized Applicant: 1699 Land Company, LLC

Telephone: 678-252-2500

Address: 1424 N. Brown Road

Suite: 100

City Lawrenceville

State: GA

Zip: 30043

So Sworn and Attested:

Owner Signature: _____

Date: _____

Notary: _____

Notary Signature: _____

Date: _____

DISCLOSURE FORM

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

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

Name of Applicant or Opponent: 1699 Land Company, LLC

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

Alex Tetterton

Date: 1/5/2015

CITIZEN PARTICIPATION FORM - PART A

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

Public Hearing or Project Name: _____

Contact Name: Don Rólader _____

Telephone: 770-442-0330 _____

The following people will be notified of this application and provided information describing the subject proposal. Please note that ALL adjoining property owners MUST be notified. Use additional pages as needed.

All those property owners listed on Exhibit A attached hereto

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

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Letter | <input type="checkbox"/> Personal Visits |
| <input type="checkbox"/> Telephone | <input type="checkbox"/> Group Meeting |
| <input type="checkbox"/> Email | <input type="checkbox"/> Other (Please Specify) _____ |

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

Property Owners within 500 feet of subject property:

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

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

Paul and Karen Duffley
905 Gunter Court
Alpharetta, GA 30022

Jayantha and Irandathy Rodgico
900 Gunter Court
Alpharetta, GA 30022

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

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

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

Wim Desmet
1010 Seale Drive
Alpharetta, GA 30022

Terrence and Morgan Moraczewski
910 Gunter Court
Alpharetta, GA 30022

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

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

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

City of Alpharetta
2 Park Plaza
Alpharetta, GA 30009

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

Royal Forest Partners LLC
PO Box 93809
Atlanta, GA 30359

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

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

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

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

Existing Zoning

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

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

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

Proposed Use (CUP)

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

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

Comparison Summary

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

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

Kimley»Horn

January 5, 2015

EXHIBIT "A"

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

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

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