

Memo

To: Mayor and Council
Cc: Bob Regus, City Administrator
From: Diana Wheeler, Community Development Director
Date: February 6, 2012
Re: Mixed Use Zoning Regulations – proposed amendments

Alpharetta's Mixed Use zoning regulations have been in place since 2005 and were originally designed to facilitate the Prospect Park project. While the purpose of the MU district – to accommodate developments with multiple uses – is still viable and the regulations, themselves, are necessary, the technical requirements within the existing regulations have proven to be somewhat inflexible. As a result, modifications are proposed which maintain the underlying objectives of the regulations while offering greater flexibility for project design.

As part of these modifications, it is also proposed that consideration be given to reducing the size of properties that would be eligible for MU zoning from 25 acres to 10 acres. The land size reduction is intended to accommodate redevelopment of older properties. The current 25 acre requirement is better suited to the development of larger tracts of raw land. Such tracts are becoming scarcer in Alpharetta, while redevelopment opportunities for smaller parcels continue to increase as existing developments age.

Also attached at the end of this document are two, separate pages. The first page is a comparison of the Avalon project to the proposed MU regulations. It demonstrates that Avalon would meet the modified MU regulations without variances. The final page attached is a proposed amendment to the Comprehensive Plan's housing goal of maintaining an 85%-15% 'For Sale'- 'For Rent' housing ratio. This amendment would make the housing ratio only applicable to 'single-use' developments and, therefore, inapplicable to mixed use projects. Since every mixed use project requires City Council approval, housing controls could then be established through the public hearing process. Although such a Comprehensive Plan amendment is not technically required, it may prove beneficial if the 'For-Rent' components of the MU zoning are retained.

2.2.20 MU MIXED USE DISTRICT

This district is intended to allow for the development of a mix of uses within the framework of a master plan. The district regulations are intended to allow greater design flexibility in order to accommodate a pedestrian focused environment that provides opportunities for living, working, shopping, recreation and entertainment.

A. Applicability

This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta.

B. Permitted Principal Uses.

A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and ~~as further limited below, and shall include at least twenty percent (20%), each, of at least three of only the following use categories:~~

1. Dwelling, 'For-Sale', attached or detached and Dwelling, 'For-Rent' (above ground floor only)
2. Commercial
3. Office
4. Education
5. Civic
6. Institutional

~~(The 20% requirement shall be measured by the square feet attributed to each use category in relation to the square feet of the total development.)~~

~~7. Single Family Attached Residential: At least 25% but no more than 40% of the land area of the MU development shall be utilized as attached single family dwellings.~~

~~8. Multiple Family Residential: Multi-family units shall not exceed 1/3 of the number of single family units.~~

~~9. Commercial: At least 25% but no more than 40% of the land area of the MU development shall be utilized as commercial uses (as listed below under Conditional Uses and approved in the MU masterplan).~~

~~10. Public Space: A minimum of ten percent (10%) of the gross land area must be designed for public use as recreation, entertainment and/or civic space.~~

~~11. Office: At least 25% but not more than 40% of the land area of the MU development shall be utilized for office buildings.~~

C. Conditional Uses

A property in the MU district may be used for those uses listed below and in Table 2.1, as well as, any additional uses included in the conditions of approval for the MU zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. Residential Uses

- a. Dwelling, Group (assisted living facility, progressive care facility)
- b. Dwelling, 'For-Sale', attached or detached (townhouse, condominium)
- c. Dwelling, 'For-Rent' (above ground floor only)
- d. Bed and Breakfast

2. Business Uses

- a. Art Gallery
- b. Athletic Facilities
- c. Bakery
- d. Barber Shop
- e. Bank, Savings & Loan
- f. Beauty Shop

- g. Billiards
- h. Book Store
- i. Clinic
- j. Contractor's Office (no on site storage)
- k. Convenience Market without gas pumps
- l. Dance Studio
- m. Day Care Center
- n. Drug Store
- o. Dry Cleaning Pick-up Station
- p. Equestrian Center
- q. Entertainment Venue (jazz club, comedy club, dinner theater, etc.)
- r. Florist, Retail without Greenhouse
- s. Gourmet Food Store
- t. Health Club
- u. Heliport
- v. Library
- w. Liquor Store
- x. Museum
- y. Office Building or Office Park
- z. Outdoor / Indoor Recreation Facilities
- aa. Park, playground
- bb. Pet Grooming
- cc. Print Shop
- dd. Public Building
- ee. Religious Institution
- ff. Restaurant

- gg. Retail Sales and Services Establishments
- hh. School, Commercial
- ii. School, Academic
- jj. Theater, Cinema

D. District Regulations

Minimum Lot Size: The minimum area permitted to be zoned for an MU development is ~~25~~ 10 acres.

~~Lot Sizes in Use Areas: Each area within an MU master plan shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the minimum lot size required by such designated zoning district or, if more restrictive, the conditions of approval of the MU zoning on the property.~~

Maximum Density of Dwelling Units and Minimum Unit Size: ~~Each area within an MU master plan shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the density limitations and minimum unit size of such designated zoning district or, if more restrictive, the conditions of approval of the MU zoning on the property.~~ 'For-Sale' residential units shall be a minimum of 1200 sq. ft. in size; 'For-Rent' residential units shall be a minimum of 800 sq. ft. in size and shall be located above the ground floor within a mixed use building. Density for all residential units combined shall not exceed the following:

- 10 units/ac. for developments ≤ 20 acres in size
- 9 units/ac. for developments ≤ 30 acres in size
- 8 units/ac. for developments ≤ 40 acres in size
- 7 units/ac. for developments ≤ 50 acres in size
- 6 units/ac. for developments ≤ 60 acres in size
- 5 units/ac. for developments >60 acres in size

Minimum Lot Width, Minimum Setbacks, Maximum Building Coverage, Maximum Building Height: Regulations governing width, setbacks, coverage and height shall be established for each area within the MU master plan and approved through the public hearing process.

Maximum Impervious Area: 80% for the entire MU development.

Public Space: Each MU development shall have a minimum of 10% of the gross land area designed for public use. Public space may be used for recreation, entertainment or civic purposes and may include plazas, outdoor theaters, sculpture gardens, parks, playground, community gardens or any other spaces where people can gather. Residential amenities not accessible to the general public may not be included within the public space requirement.

E. Review Criteria

The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU masterplan:

1. retail at ground level
2. pedestrian connectivity to all uses
3. large parking areas below grade, in decks or screened
4. accommodations for public transportation
5. buildings that face or appear to face public roadways
6. appearance standards for buildings and structured parking
7. limitations on uninterrupted building elevations
8. creation of vistas and view corridors within development
9. focal point features at prominent locations and ends of vistas
10. incorporation of natural site features

F. Time Linkage

In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project. When reviewing the phasing strategy or timeline, the City Council may link the issuance of permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.