



CITY COUNCIL MEETING & PUBLIC HEARING NOVEMBER 18, 2024

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

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE TO THE FLAG**
4. **PRESENTATIONS & PROCLAMATIONS**
 - A. **Proclamation: National Native American Heritage Month**
5. **CONSENT AGENDA**
 - A. **City Council Meeting Minutes (Meeting of 11/4/2024)**
Consideration of approval of the City Council meeting minutes from the meeting of November 4, 2024.
 - B. **Financial Management Report (Month Ending September 30, 2024)**
Consideration of approval of the Financial Management Report for the month ending September 30, 2024.
 - C. **Sewer and Temporary Construction Easements: 242 Milton Avenue**
Consideration of a Sewer Easement and a Temporary Construction Easement to allow the construction of a sanitary sewer utility at 242 Milton Avenue between the City of Alpharetta, Walter I. Geer III, and Sarah Blackman, and with authorization for the Mayor to execute all necessary documents.
 - D. **Global Settlement Agreement: Casey Bennett and City of Alpharetta**
Consideration of approval of a Global Settlement Agreement between Casey Bennett and the City of Alpharetta.
6. **PUBLIC HEARING**
 - A. **Announcement of Public Hearing Procedures**
 - B. **Z-24-14/V-24-22 Pinnacle Pg LLC/Karen Drive**
WITHDRAWN: The applicant for this item has withdrawn their application and this will not be considered during tonight's meeting.
Consideration of a rezoning and variances to allow for the construction of 14 'For-Sale' single-family detached homes on 2.68 acres in the Downtown. A rezoning is requested from O-I (Office-Institutional) and C-2 (General Commercial) to DT-MU (Downtown Mixed-Use). Variances are requested from Unified Development Code (UDC) Appendix A: Alpharetta Downtown Code Subsection 2.3.3(G) to modify local street residential streetscape standards, UDC Appendix A: Alpharetta Downtown Code Subsection 2.4.6(C) to allow a street-facing garage without the required 20' setback from the front façade of the home, and UDC Subsection 3.2.8(D) to reduce the landscape strip requirement along a new local street. The property is located at 0, 297 & 315 Karen Drive and is legally described as being located in Land Lots 693 & 696, 1st District, 2nd Section, Fulton County, Georgia.
 - C. **CLUP-24-03/MP-24-06/Z-24-11/V-24-18 TPG/Brookside Master Plan Pod B**
Consideration of a comprehensive land use plan amendment, master plan amendment, rezoning and variance to allow 160 'Dwelling, 'For-Sale', Attached' units on 9.89 acres. A master plan amendment is requested to the Brookside Master Plan Pod B to add 'Dwelling, 'For-Sale', Attached' as a permitted use. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M

(Dwelling, 'For-Rent' or 'For-Sale', Residential). Variances are requested to Unified Development Code (UDC) Subsection 2.2.10(D) R-10M, District Regulations to reduce the setback along Old Milton Parkway, UDC Section 2.5 Parking and Loading to reduce parking and allow uncovered/unenclosed parking, UDC Subsection 3.2.8 Tree Replanting, Buffer, and Landscape standards to reduce the undisturbed buffer requirements, and UDC Subsection 2.2.10(D) to increase building height and reduce setbacks. The property is located at 3750 Brookside Parkway and is legally described as being located in Land Lots 43, 44, 49 & 50, 1st District, 1st Section, Fulton County, Georgia.

D. MP-24-10/CU-24-14 Lava Island/Regency Park Master Plan Pod 3

Consideration of a master plan amendment and conditional use to allow a 'Recreation Facilities, Indoor' business within an existing shopping center in the North Point Overlay. A master plan amendment is request to the Regency Park Master Plan Pod 3 to add 'Recreation Facilities, Indoor' and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Lava Island. The property is located at 7121 North Point Parkway and is legally described as being located in Land Lots 687 & 688, 1st District, 2nd Section, Fulton County, Georgia.

E. MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Consideration of a master plan amendment and conditional use to allow 'Hotel, Hybrid' on 9.89 acres in the Preston Ridge Master Plan. A master plan amendment is requested to the Preston Ridge Master Plan Pod H to add 'Hotel, Hybrid' as a conditional use and a conditional use is requested to allow a 'Hotel, Hybrid' for a dual brand Marriott hotel. The property is located at 12140 Morris Road and is legally described as being located in Land Lot 1262, 2nd District, 2nd Section, Fulton County, Georgia.

7. NEW BUSINESS

A. Resolution to Condemn: Parcel 3 of Pedestrian Improvements for Roswell Street / Alpha Loop (Parcel # 22 482312690427)

Consideration and adoption of a Resolution to condemn property interest in Tax Parcel # 22 482312690427 (Parcel Owners: James G. & Edith E. Duane) as relating to the Pedestrian Improvements Roswell Street/Alpha Loop (estimated just and adequate compensation is \$16,700.00), and with authorization for the Mayor to execute all necessary documents.

B. Invitation to Bid 25-006: Construction of Roswell Street Pedestrian Safety Improvements

Consideration of approval of the award of a contract for ITB 25-006 to Azimuth Contractors, LLC for the construction of Roswell Street Pedestrian Safety Improvements for an amount not to exceed \$712,940.06 and authorize the Mayor to execute all necessary documents.

C. Invitation To Bid 25-002: Fiscal Year 2025 Pavement Preservation

Consideration of approval to award invitation to bid to Holbrook Asphalt, LLC. for an amount totaling \$106,652.57 for the fiscal year 2025 pavement preservation project with approval of the associated contract and with the authorization for the Mayor to execute all necessary documents.

D. iCan Shine & City of Alpharetta 2025 iCan Bike Host Agreement

Consideration and approval of the iCan Bike Host Agreement between the City of Alpharetta and iCan Shine for the June 23rd through June 27th, iCan Bike Program.

E. Resolution: Amicus Brief for Chang v. City of Milton Appeal

Consideration of adoption of a resolution authorizing the City of Alpharetta to participate in an Amicus Brief in the Chang v. City of Milton appeal and with authorization for the Mayor to execute all necessary documents.

8. PUBLIC COMMENT

9. REPORTS

10. EXECUTIVE SESSION (IF NECESSARY)

11. ADJOURNMENT



**A PROCLAMATION
BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA
“National Native American Heritage Month”**

- WHEREAS:** Across the nation, the month of November is recognized as National Native American Heritage Month and is a time to celebrate the rich culture, traditions, and stories of Native American communities; and
- WHEREAS:** Our history and culture were significantly influenced by the contributions that Native Americans made toward establishing and growing the United States. This month we should honor the achievements, sacrifices, and cultural legacy of the original inhabitants of what is now the United States, and their descendants; and
- WHEREAS:** The U.S. Department of Indian Affairs selected the theme of “Weaving together our past, present, and future” for the 2024 National Native American Heritage Month; and
- WHEREAS:** In 2009, Congress passed a joint resolution declaring the Friday immediately following Thanksgiving Day each year as “Native American Heritage Day.” This year, Native American Heritage Day will be observed nationally on Friday, November 29, 2024
- WHEREAS:** Within the 2009 Congressional resolution, Congress resolved that Native American Indians have made essential contributions to the world, such as cultivating and harvesting corn and sweet potatoes. Congress further reiterated that Native American Indians provided assistance to early European visitors and aided George Washington and his troops during the winter of 1777 and 1778. Further, some of this nation’s constitutional liberties, like freedom of speech and governmental powers, were founded upon principles found within the political systems of Native American Indian nations.
- NOW THEREFORE:** We, the Mayor and City Council of the City of Alpharetta, Georgia, do hereby recognize the month of November as “National Native American Heritage Month” in the City of Alpharetta.
- SO PROCLAIMED:** This 18th day of November 2024, by the Mayor and City Council of the City of Alpharetta, Georgia.

Jim Gilvin
Mayor of the City of Alpharetta

Lauren Shapiro
City Clerk for the City of Alpharetta



STAFF REPORT

Department: City Clerk
Submitted By: Lauren Shapiro
Meeting Date: November 18, 2024

AGENDA ITEM:

City Council Meeting Minutes (Meeting of 11/4/2024)

Consideration of approval of the City Council meeting minutes from the meeting of November 4, 2024.

STAFF RECOMMENDATION:

Approve, as part of the consent agenda, the minutes from the November 4, 2024 City Council Meeting at 6:30 p.m.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

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

City Clerk, Lauren Shapiro, prepared a synopsis of the pertinent information that occurred during the City Council meeting on November 4, 2024 at 6:30 pm.

ALTERNATIVES:

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

ATTACHMENTS:

1. CC Minutes 11.4.2024



City Council Meeting & Public Hearing

NOVEMBER 4, 2024

UNOFFICIAL MINUTES

Office of the City Clerk

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

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

1. CALL TO ORDER

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

2. ROLL CALL

• Council Members

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

• Staff

- Chris Lagerbloom, City Administrator
- Molly Esswein, City Attorney
- Lauren Shapiro, City Clerk
- Adam Montgomery, Director of Information Technology
- Charlie Jewell, Director of Economic Development
- John Robison, Director of Public Safety
- Kathi Cook, Director of Community Development
- Morgan Rodgers, Director of Recreation, Parks & Cultural Arts Services
- Pete Sewczwicz, Director of Public Works
- Tom Harris, Director of Finance

- Deanna McKay, Public Communication & Engagement Coordinator
- Suzanne Swain, Project Manager

3. PLEDGE TO THE FLAG

4. PRESENTATIONS & PROCLAMATIONS

A. Proclamation: Veteran's Day

- Mayor Gilvin presented the Proclamation to members of the local American Legion Post 201 to recognize Veteran's Day on November 11, 2024.

5. CONSENT AGENDA

A. City Council Meeting Minutes (Meeting of 10/28/2024)

Consideration of approval of the City Council meeting minutes from the meeting of October 28, 2024.

B. Contingent Fee Agreement: Neville Law, LLC

Consideration of approval of a contingent fee agreement between the City of Alpharetta and Neville Law, LLC for pursuit of recovery of amounts due to the City as a result of a motor vehicle accident that occurred on December 7, 2023, which resulted in damage to City property, and with authorization for the Mayor to execute all necessary documents.

PUBLIC COMMENTS:

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

6. PUBLIC HEARING

- City Attorney, Molly Esswein, announced the Public Hearing Procedures.

A. PH-24-22 Chiswick Alpha Loop – Change of Condition

Consideration of a request to change previous conditions of zoning to allow for a re-alignment of the Alpha Loop within the Chiswick subdivision in order to facilitate a better connection with the future Alpha Loop on the property to the west. The property is located at 600 Chiswick Circle and is legally described as being located in Land Lot 802, 1st District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Empire Communities, is requesting a change to previous conditions of zoning related to the Chiswick subdivision in the Downtown. The applicant requests a

change to the site plan condition to allow for a shift in the Alpha Loop alignment on the north end of the property. The proposed re-alignment will allow for a better connection with the future Alpha Loop to the west. The subject property is located at 600 Chiswick Circle at the northwest corner of Thompson Street and Westside Parkway in the Chiswick subdivision.

- Staff is recommending that Mayor and Council approve PH-24-22 Chiswick Alpha Loop – Change of Condition, subject to the following conditions:

Related to file #Z-17-03 Thompson Street/Burnett Circle:

1. The site, consisting of approximately 5.722 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by PEC, dated 9/19/2024, 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.

New Condition:

1. Alpha Loop boardwalk section shall be constructed with materials substantially similar to Exhibit A, with final approval by Staff.
- Chris Ryan (3637 Maddox Lane, Marietta, GA 30062) came forward to speak on behalf of this application.
 - The submitted request, if approved, would allow for a shift in the Alpha Loop in order to better align with the future Alpha Loop to the west. Although the section of the Alpha Loop that could connect to the stormwater park has not been designed, the relocation of the Alpha Loop in Chiswick will permit a better future connection to adjacent properties. The subject property is located at 600 Chiswick Circle at the northwest corner of Thompson Street and Westside Parkway in the Chiswick subdivision.
 - The property, which is currently under construction, was rezoned to DT-LW (Downtown Live-Work) in 2017 to allow 43 'For-Sale' townhomes. Surrounding properties are zoned R-4A (Dwelling, 'For-Sale', Attached) to the north, MU (Mixed Use) to the east and south, R-15 (Dwelling, 'For-Sale', Residential) to the east, and R-12 (Dwelling, 'For-Sale', Residential) to the west. Academy Park is located to the north, Avalon and the Westside Fitness Park to the east, Liberty Village to the south, and an unplatted residential lot to the west. The comprehensive land use plan designation of the property is 'Mixed Use Live Work'.
 - The applicant's updated site plan is generally the same as previously approved, with a re-alignment of the west side of the Alpha Loop running along the north end of the property. The Alpha Loop has been shifted approximately 25' to the north, which allows for a better connection to the west. The proposed shift moves the Alpha Loop from the 75' impervious setback to the City's 50' stream buffer associated with the

adjacent non-perennial stream. This section of Alpha Loop will remain elevated due to the topography of the area with the presence of a stream.

- The Citizen Participation Plan 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 public comments were received at the CZIM, including questions about the walking surface material and construction method, elevation of the boardwalk, tree removal, and future route of trail on neighboring properties.
- The Community Zoning Information Meeting was held on October 9, 2024. Two (2) people signed in, but no comments were provided.
- Staff has reviewed the applicant's proposal and finds that it can generally support the applicant's request for changes to conditions of zoning. The request would result in a better connection to the future Alpha Loop to the west.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve PH-24-22 Chiswick Alpha Loop – Change of Condition, subject to the following conditions:

Related to file #Z-17-03 Thompson Street/Burnett Circle:

1. The site, consisting of approximately 5.722 acres, shall be zoned DT-LW and developed substantially similar to site plan submitted by PEC, dated 9/19/2024, 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.

New Condition:

1. Alpha Loop boardwalk section shall be constructed with materials substantially similar to Exhibit A, with final approval by Staff.
 - Council Member Hipes seconded the motion.
 - The motion was approved unanimously (7-0).

B. E-24-07 1175 Mid Broadwell Road Gravel Driveway

Consideration of an exception to allow 2 gravel driveways on a 5.28 acre single-family lot. Exceptions are requested from Unified Development Code (UDC) Subsection 2.5.4 Locational Criteria for Parking to allow a gravel driveway and from UDC Subsection 2.5.6(B) Public Street Access, Driveways and Curb Cuts to allow 2 curb cuts on the same lot less than 300' from each other. The property is located at 1175 Mid Broadwell Road and is legally described as being located in Land Lots 1173 & 1174, 2nd District, 2nd Section, Fulton County, Georgia.

- Planning and Development Services Manager, Michael Woodman, came forward to present this item.
- The applicant, Jeff Glover, is requesting consideration of an exception to allow a circular gravel driveway and to allow two (2) driveway curb cuts less than 300' from each other and from an intersection on a 5.28-acre single-family detached lot. Exceptions are requested to Unified Development Code (UDC) Subsection 2.5.4 Locational Criteria for Parking to allow a gravel driveway and UDC Subsection 2.5.6(B) Public Street Access, Driveways and Curb Cuts to allow a 2nd curb cut on the same lot less than 300' from each other and from an intersection. The subject property is located at 1175 Mid Broadwell Road near the southeast corner of Mid Broadwell Road and Bethany Road.
- Staff is recommending that Mayor and Council approve E-24-07 1175 Mid Broadwell Road Gravel Driveway, subject to the following conditions:
 1. Gravel driveways shall be permitted as depicted on the plat prepared by Gerald Bernhard, revised 8/8/2024.
 2. The easternmost gravel driveway shall include a 6' concrete apron and 44' concrete throat in compliance with minimum design standards per City Standard Detail 951, as approved by Staff.
 3. Property owner shall remove westernmost curb cut on Mid Broadwell Road if significant safety-related concerns are identified warranting its removal, such as vehicular and/or non-vehicular related collisions, as determined by Staff.
 4. Any future curb cut removal shall be done at the expense of the property owner, who acknowledges after coordination with City Staff that the curb cut is located within the functional area of the Mid Broadwell Road at Bethany Road roundabout and may pose future safety-related and crash-related concerns.
 5. Applicant shall provide calculations to the City verifying that the new gravel driveway is included in the treatment volume. If the new gravel driveway is not accounted for in the treatment volume, additional treatment volume shall be required.
- The submitted request, if approved, would allow a circular gravel driveway with a reduced separation distance between two (2) driveway curb cuts and a street intersection on a 5.28-acre single-family detached lot. Exceptions are requested to Unified Development Code (UDC) Subsection 2.5.4 Locational Criteria for Parking to allow a gravel driveway and UDC Subsection 2.5.6(B) Public Street Access, Driveways and Curb Cuts to allow a 2nd curb cut on the same lot less than 300' from each other and from an intersection. The subject property is located at 1175 Mid Broadwell Road near the southeast corner of Mid Broadwell Road and Bethany Road.

- The 5.28-acre property is zoned R-15 (Dwelling, 'For-Sale', Residential) and was recently redeveloped with a single-family home, pool house and pool. Surrounding properties are zoned R-15. Pindell Glen is located to the west and north, Charlotte Estates and Rumson Point to the south, an unplatted single-family detached lot to the east and Brierfield to the north.
- Exceptions are requested to UDC Subsection 2.5.4 Locational Criteria for Parking to allow a gravel driveway and UDC Subsection 2.5.6(B) Public Street Access, Driveways and Curb Cuts to allow two (2) curb cuts on the same lot less than 300' from each other and from an intersection. According to the applicant, the primary reason for the exception is safety. The applicant states that approval of the exception will allow for safer vehicular egress from the property, allowing the original driveway to serve as ingress and the new driveway to serve as egress. The original driveway is located in close proximity to the roundabout at Mid Broadwell Road and Bethany Road. The applicant contends that only utilizing the original driveway requires a vehicle to back out of the driveway onto Mid Broadwell Road, which is hazardous due to proximity to the roundabout, as well as site visibility.
- The site plan depicts a circular, gravel driveway with two (2) curb cuts on Mid Broadwell Road approximately 175' apart. The westernmost gravel driveway is existing and is legal nonconforming (grandfathered) with regard to material and distance to the Mid Broadwell Road and Bethany Road roundabout, which is approximately 150' away. The easternmost gravel driveway was recently installed without the required permits. The contractor responsible for the redevelopment of the property converted a temporary construction access to the easternmost gravel driveway. The western driveway is improved with a concrete apron at the street; however, the eastern driveway was improved without a concrete apron with gravel up to the edge of the street.
- The Citizen Participation Plan report submitted by the applicant states that property owners within 500' were contacted regarding the applicant's intent. The report states that two (2) emails were received from nearby property owners, with one (1) in support and the other not concerned with the request.
- The Citizen Zoning Information Meeting was held on October 9, 2024. There were no public comments.
- Staff has reviewed the applicant's request against the review criteria for an exception. The request to allow a circular gravel driveway with two (2) curb cuts less than 300' away from each other and from an intersection would not be a detriment to the public. The UDC allows gravel driveways in the Downtown as an incentive to save historic structures. In addition, gravel is more porous than concrete or asphalt and would provide added benefits to stormwater runoff. If approved, conditions are

recommended requiring a concrete apron be added to the easternmost driveway and removal of the westernmost driveway, if safety issues are observed.

- The applicant came forward to speak on behalf of this application.

PUBLIC COMMENTS:

- There were no public comments.
- ❖ Mayor Pro Tem Merkel offered a motion to approve E-24-07 1175 Mid Broadwell Road Gravel Driveway, subject to the following conditions:
 1. Gravel driveways shall be permitted as depicted on the plat prepared by Gerald Bernhard, revised 8/8/2024.
 2. The easternmost gravel driveway shall include a 6' concrete apron and 44' concrete throat in compliance with minimum design standards per City Standard Detail 951, as approved by Staff.
 3. Property owner shall remove westernmost curb cut on Mid Broadwell Road if significant safety-related concerns are identified warranting its removal, such as vehicular and/or non-vehicular related collisions, as determined by Staff.
 4. Any future curb cut removal shall be done at the expense of the property owner, who acknowledges after coordination with City Staff that the curb cut is located within the functional area of the Mid Broadwell Road at Bethany Road roundabout and may pose future safety-related and crash-related concerns.
 5. Applicant shall provide calculations to the City verifying that the new gravel driveway is included in the treatment volume. If the new gravel driveway is not accounted for in the treatment volume, additional treatment volume shall be required.
 - Council Member DeRito seconded the motion.
 - The motion was approved unanimously (7-0).

7. NEW BUSINESS

A. Purchase Approval: Novacoast Inc. Renewal

Consideration of approval of a renewal agreement with Novacoast Inc. under U.S. General Services Administration contract GS-35F-246BA for managed services with asset management and cybersecurity software in the amount of \$103,817.00, and with authorization for the Mayor to execute all necessary documents.

- Director of Information Technology, Adam Montgomery, came forward to present this item.

- In Fiscal Year 2024, the City Council approved an agreement with Novacoast as a managed service provider for asset management and cybersecurity. In December, we began the process of onboarding and working with Novacoast.
- Pursuant to Georgia code sections 50-18-72 and 50-14-3, the cybersecurity details of this renewal, including the agreement and quote, do not require public release or discussion.
- The Fiscal Year 2025 budget included funding for this renewal. The Novacoast proposal meets this initiative's parameters with a GSA contract cost of \$103,817.00. This is an increase over Fiscal Year 2024, which was \$98,523.24. This increase was expected because of additional licenses needed.

PUBLIC COMMENTS:

- There were no public comments.
 - ❖ Council Member Mitchell offered a motion to approve a renewal agreement with Novacoast Inc. under U.S. General Services Administration contract GS-35F-246BA for managed services with asset management and cybersecurity software in the amount of \$103,817.00, and with authorization for the Mayor to execute all necessary documents.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).

8. PUBLIC COMMENT

- There were no public comments.

9. REPORTS

- Council Member Mitchell encouraged the public to vote to during tomorrow's election.
- Mayor Gilvin gave thanks to those who sponsored and those in the Recreation and Parks Department for celebrating and honoring veteran employees during a luncheon earlier today.

10. EXECUTIVE SESSION (IF NECESSARY)

- ❖ Council Member Hipes offered a motion to adjourn to Executive Session for the purposes of personnel.
 - Council Member Will seconded the motion.
 - The motion was approved unanimously (7-0).
 - Mayor Gilvin recessed the meeting at 7:00 p.m.
- ❖ Council Member Hipes offered a motion to reconvene the meeting.
 - Council Member Will seconded the motion.

- The motion was approved unanimously (7-0).
- Mayor Gilvin reconvened the meeting at 7:27 p.m.

11. ADJOURNMENT

- ❖ Council Member Hipes offered a motion to adjourn the meeting.
 - Council Member Mitchell seconded the motion.
 - The motion was approved unanimously (7-0).
- With there being no further items to consider or discuss, Mayor Gilvin adjourned the meeting at 7:28 p.m.

Respectfully submitted,



Lauren Shapiro, City Clerk



STAFF REPORT

Department: City Clerk
Submitted By: Shawn Mitchell
Meeting Date: November 18, 2024

AGENDA ITEM:

Financial Management Report (Month Ending September 30, 2024)

Consideration of approval of the Financial Management Report for the month ending September 30, 2024.

STAFF RECOMMENDATION:

Approve the Financial Management Report for the month ending September 30, 2024

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

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

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

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

ALTERNATIVES:

ATTACHMENTS:

1. FY 2025 Financial Management Report (3-September)

Financial Management Reports



**for the month ending
September 30, 2024
(period 3 of 12 – unaudited)**

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

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

Financial Management Reports

Fiscal Year 2025

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

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



Please Note: Accounting entries are being made between fiscal years 2024 and 2025 as part of the accounting closing process. As such, the data below is tentative with some values labeled "TBD" while the accounting closing process is progressing.

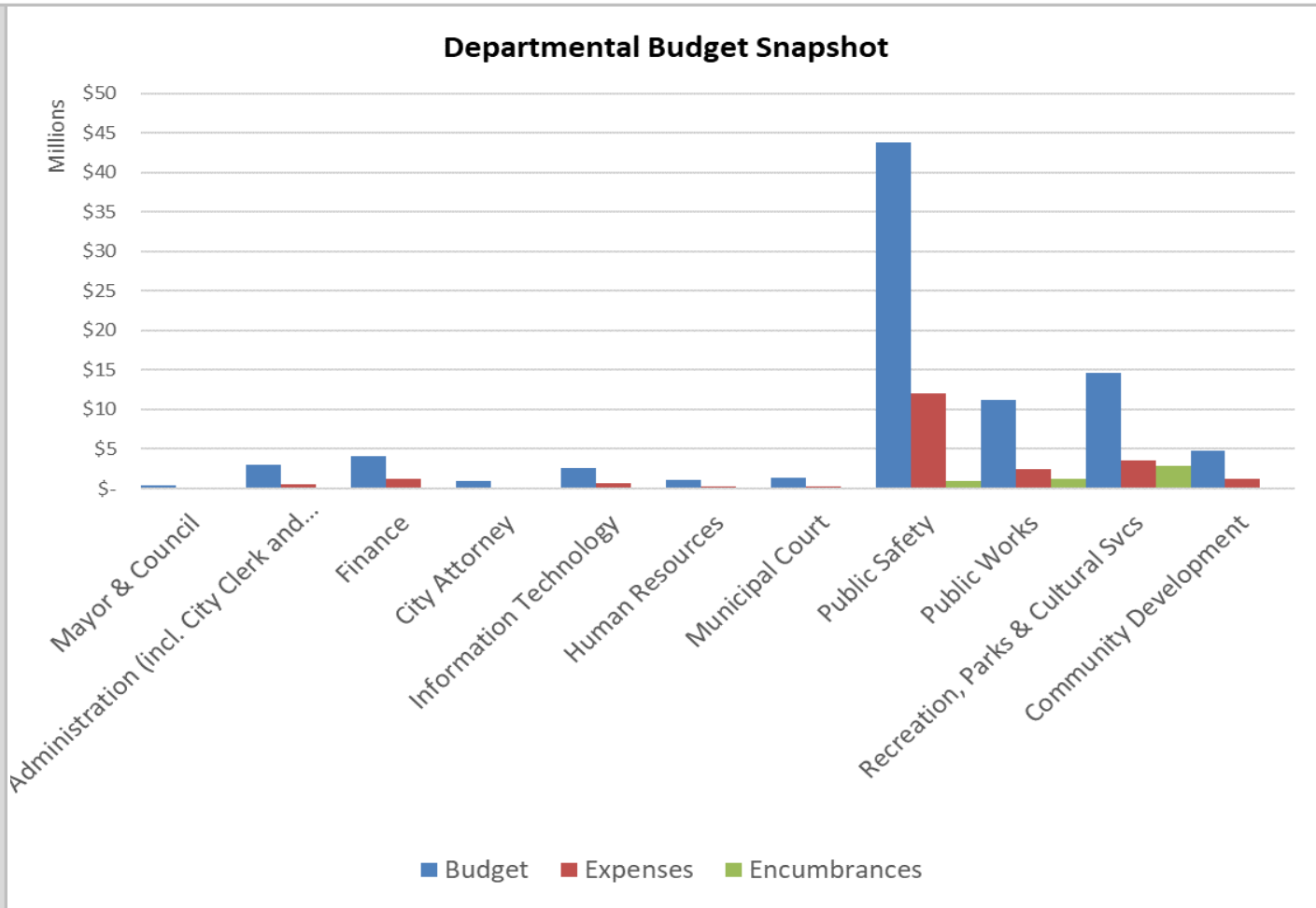
CITY OF ALPHARETTA

Financial Management Reports
Performance Dashboard
For the month ended September 30, 2024

LEGEND	
↑	Positive
↔	Neutral
↓	Negative

GENERAL FUND DETAIL

Revenues	Performance Status	Forecasted Gain/Loss
Top-10		
Property/Motor Vehicle Taxes	↔	(\$330,000)
Local Option Sales Tax	↔	\$0
Franchise Tax	↔	\$0
Insurance Premium Tax	↔	\$0
Alcohol Beverage Excise Tax	↔	\$0
Building Permit Fees	↔	\$0
Business and Occupational Tax	↔	\$0
Court/Traffic Fines	↔	\$0
Recreation/Special Event Fees	↔	\$5,085
Hotel/Motel Tax (City portion)	↔	\$0
Other Revenues	↔	(\$36,764)
Minimum Surplus Goal Needed to Fund Capital: (\$15M Annual Capital Need less \$4M allocated in the annual budget)		\$11M
Less: Forecasted Revenue Loss		TBD
Less: Forecasted Expenditure Savings		TBD



FUND SYNOPSIS

	Revenue	Expenses	Non-Allocated
General Fund (1)	↔	↔	\$989,350
Special Revenue Funds			
Confiscated Assets Fund (DEA)	↔	↔	\$265,054
Opioid Settlement Fund	↔	↔	\$52,635
Emergency 911 Fund (1)	↔	↔	\$0
Impact Fee Fund	↔	↔	\$1,682,501
Hotel/Motel Fund (1)	↔	↔	\$753,914
Debt Service Fund	↔	↔	\$946,455
Proprietary Funds			
Solid Waste Fund (2)	↔	↔	\$0
Risk Management Fund	↔	↔	\$1,841,046
Medical Insurance Fund	↔	↔	\$0

	Non-Allocated
Grant Funds	
Operating Grant Fund (3)	\$47,641
Capital Grant Fund (3)	\$85,392
Capital Project Funds	
Capital Project Fund (3)	\$2,432,315
Stormwater Capital Fund	\$107,582
Series 2022 Bond Fund (Parks) (3)	\$1,662,586
TSPLOST I Capital Fund	\$4,259,887
TSPLOST II Capital Fund	\$1,918,622
Blended Component Unit	
Development Authority Fund	\$147,887

BOND RATING

AAA

strongest rating available

EMERGENCY RESERVE

General Fund
TBD

Emergency 911 Fund
TBD

Sanitation Fund
TBD

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

- (1) General Fund value represents Contingency balance/Reserve for Operating Initiatives. Hotel/Motel Fund represents Debt Service Reserve (target is \$1.5 million). Other Funds represents amounts in excess of the 25% fund balance target.
- (2) Solid Waste Fund operational trends require further review and may necessitate an adjustment in rates or reallocation of expenses to other operating Funds of the City (i.e. General Fund).
- (3) Does not include amounts, if any, currently set aside for matches on active grant applications or arbitrage liability (Series 2022 Bond Fund).



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

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: THOMAS G. HARRIS, FINANCE DIRECTOR *TH*
DATE: NOVEMBER 18, 2024
RE: FINANCIAL MANAGEMENT REPORTS AS OF SEPTEMBER 30, 2024

The documents contained herein represent the financial management reports for the City of Alpharetta ("city") as of the period ending September 30, 2024.

The Finance Department is currently in the process of closing the accounting books for Fiscal Year 2024 (FY 2024). The figures represented herein are subject to change in accordance with accounting entries made during the closing process.

General Fund

Revenue: The following section pertains to information detailed in the attached Revenue Summary and Collection Comparison report. FY 2025 revenues are budgeted at \$94 million (net of Carryforward Fund Balance totaling \$9 million). As of September 30, 2024, actual revenue collections total 13% or \$12 million.

Revenue collection percentages are typically low for the first several months of the fiscal year due to various factors including: (a) property tax billings mailed in October that carry a December due date; and (b) accrual entries aimed at ensuring the city's revenues accurately reflect the period in which they were earned.

Early trends (property digest valuations and collection trends) indicate a net loss over budget of -\$361,679 with the detail as follows:

- Property Taxes (current year): (\$ 330,000)
 - Other: (31,679)
- Preliminary Loss: (\$ 361,679) (rounded)

The preliminary digest for FY 2025, as provided by the Fulton County Tax Commissioner, currently totals \$7 billion (net of all exemptions/motor vehicle values) and represents growth of 3.5%, or \$239 million, over the FY 2024 digest. New construction growth represents 2% of the 3.5% growth in the net taxable digest with the remaining 1.5% attributable to the reassessment of existing residential (growth) and commercial properties (decline).

MAYOR
JIM GILVIN

MAYOR PRO TEM
DAN MERKEL

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

CITY
ADMINISTRATOR
CHRIS LAGERBLOOM

Expenditures: The following section pertains to information detailed in the attached Expenditure Summary by Department (expenditure rollup by department) and Expenditure Summary by Category (expenditure rollup by account) reports. As of September 30, 2024, city departments (not including General Government¹) have encumbered and expensed 32%, or \$28 million, of their FY 2025 budget appropriations.

Contingency: The General Fund contingency balance totals \$989,350 (including the Operating Initiative Reserve). Please note: \$223,371 is being allocated from this contingency balance for Fire Station 85 remediation and will be reflected in the October monthly financial management reports.

Other Funds

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

Operating Grant Fund (Fund 220): Unspent/unencumbered project appropriations total \$101,102. Remaining appropriations are set aside for a non-allocated reserve (\$47,641).

Capital Grants Fund (Fund 340): Unspent/unencumbered project appropriations total \$2.2 million. Remaining appropriations are set aside for a non-allocated reserve (\$85,392).

General Capital Project Fund (Fund 301): Unspent/unencumbered project appropriations total \$18 million. Remaining appropriations are set aside for a non-allocated reserve (\$2.4 million for general non-allocated and \$276,000 constituting matching funds for grant applications).

Stormwater Capital Fund (Fund 302): Unspent/unencumbered project appropriations total \$4.7 million. Remaining appropriations are set aside for a non-allocated reserve (\$107,582).

Series 2022 Parks Bond Fund (Fund 318): Unspent/unencumbered project appropriations total \$24.5 million. Remaining appropriations are set aside for a non-allocated reserve (\$1.7 million) and a reserve for future arbitrage liability (\$1.3 million).

TSPLOST 1 Capital Project Fund (Fund 335): This fund accounts for collections under the Transportation Special Local Option Sales Tax (TSPLOST) that went into effect on April 1, 2017, and expired on March 31, 2022. Unspent/unencumbered project appropriations total \$9.5 million. Remaining appropriations are set aside for a non-allocated reserve (\$4.3 million).

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

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

Unspent/unencumbered project appropriations total \$24.5 million. Remaining appropriations are set aside for a non-allocated reserve (\$1.9 million).

¹ General Government is utilized to account for non-operating transactions such as transfers-out to other city funds, contingency, etc.

Hotel/Motel Fund: FY 2025 revenues are budgeted at \$9.3 million (net of carryforward fund balance totaling \$437,322) with budgeted disbursements as follows: Alpharetta Convention & Visitor’s Bureau (43.75% or \$4 million); Facilities (18.75% and a portion of the carryforward fund balance detailed above; \$1.4 million for debt service on the Series 2016 Convention Center Bonds; \$15,070 for eligible initiatives such as Wills Park Master Plan Improvements; with residual funding for bond/debt service reserve); and the city (37.5% or \$3.5 million).

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

Other Items

Council Member Stipend Activity Listing: The FY 2025 budget includes appropriations of \$9,200 for the Mayor and \$8,000 for each City Council Post and the available balances as of September 30, 2024 are as follows:

	Budget	Expenditures	Available Balance
Mayor: Jim Gilvin	\$ 9,200	\$ 3,532	\$ 5,668
Post #1: Donald Mitchell	\$ 8,000	\$ 1,000	\$ 7,000
Post #2: Brian Will	\$ 8,000	\$ 0	\$ 8,000
Post #3: Doug DeRito	\$ 8,000	\$ 60	\$ 7,940
Post #4: John Hipes	\$ 8,000	\$ 3,199	\$ 4,801
Post #5: Fergal Brady	\$ 8,000	\$ 0	\$ 8,000
Post #6: Dan Merkel	\$ 8,000	\$ 100	\$ 7,900

Development Authority² (Component Reporting Unit)

As of September 30, 2024, the Development Authority has \$147,887 in forecasted resources to support its main functions of promoting the public good and general welfare, trade, commerce, industry, general tax base and the employment opportunities available in the city.

² The Development Authority is a public corporation created and existing under the Constitution and laws of the State of Georgia and is governed by seven directors duly appointed by the Alpharetta City Council.



GENERAL FUND

Revenue Report



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (Unaudited)
Revenue Summary and Collection Comparison
 As of September 30, 2024

	Current Fiscal Year					Prior Fiscal Year		
	2025 Budget	2025 YTD	% Collected	2025 Estimated	Variance	2024 Actual	2024 YTD	% Collected
Top 10 Revenues:								
Property Taxes								
Current Year	\$ 33,180,000	\$ 196,087	0.6%	\$ 32,850,000	\$ (330,000)	\$ 30,900,241	\$ (15,340)	0.0%
Delinquent	249,000	(30,191)	-12.1%	249,000	-	346,478	26,066	7.5%
Motor Vehicle Tax	58,000	13,105	22.6%	58,000	-	54,962	9,725	17.7%
Motor Vehicle Title Fee	3,950,000	921,429	23.3%	3,950,000	-	3,290,701	639,223	19.4%
Local Option Sales Tax	22,250,000	5,645,737	25.4%	22,250,000	-	20,155,046	3,647,112	18.1%
Franchise Tax	6,785,000	383,877	5.7%	6,785,000	-	6,452,002	149,216	2.3%
Insurance Premium Tax	6,075,000	-	0.0%	6,075,000	-	5,837,570	-	0.0%
Alcohol Beverage Excise Tax	2,900,000	768,643	26.5%	2,900,000	-	2,634,114	559,830	21.3%
Building Permit Fees	1,825,000	626,392	34.3%	1,825,000	-	1,767,446	423,394	24.0%
Business and Occupational Tax	1,210,000	38,848	3.2%	1,210,000	-	1,266,618	27,894	2.2%
Court/Traffic Fines	2,600,000	598,321	23.0%	2,600,000	-	2,434,007	540,058	22.2%
Recreation/Special Event Fees	3,720,030	927,995	24.9%	3,725,115	5,085	3,330,531	778,817	23.4%
Hotel/Motel Tax (City portion)	3,468,750	296,918	8.6%	3,468,750	-	3,418,049	360,056	10.5%
subtotal	\$ 88,270,780	\$ 10,387,162	11.8%	\$ 87,945,865	\$ (324,915)	\$ 81,887,765	\$ 7,146,052	8.7%
Other Revenues	5,802,637	1,483,093	25.6%	5,765,873	(36,764)	6,303,605	889,383	14.1%
Total Revenues	\$ 94,073,417	\$ 11,870,256	12.6%	\$ 93,711,738	\$ (361,679)	\$ 88,191,370	\$ 8,035,436	9.1%
 Carryforward Fund Balance	 9,447,780							



GENERAL FUND

Expenditure Reports



CITY OF ALPHARETTA
 Financial Management Reports
 General Fund (unaudited)
Expenditure Summary by Department
 As of September 30, 2024

		Current Fiscal Year						Prior Fiscal Year		
		2025 Budget	2025 Encumbrances	2025 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.	2024 Exp. (Total)	2024 Exp. (YTD)	% Exp.
Expenditures by Department:										
	Mayor & Council	\$ 394,044	\$ 4,612	\$ 99,970	\$ 289,462	26.5%	25.4%	\$ 331,419	\$ 95,508	28.8%
(1)	City Administration (incl. City Clerk and Economic Development)	3,025,435	77,592	619,367	2,328,476	23.0%	20.5%	1,963,129	867,370	44.2%
	Finance	4,124,713	44,141	1,253,598	2,826,973	31.5%	30.4%	3,887,363	1,158,423	29.8%
	City Attorney	1,000,000	-	111,365	888,635	11.1%	11.1%	636,323	122,797	19.3%
	Information Technology	2,543,961	40,827	690,143	1,812,990	28.7%	27.1%	2,443,411	636,961	26.1%
	Human Resources	1,065,277	35,998	269,478	759,801	28.7%	25.3%	898,582	221,489	24.6%
	Municipal Court	1,362,008	40,349	331,601	990,058	27.3%	24.3%	1,141,342	298,852	26.2%
	Public Safety	43,735,476	1,029,970	12,108,364	30,597,142	30.0%	27.7%	38,539,701	10,814,784	28.1%
	Public Works	11,238,659	1,290,517	2,528,033	7,420,109	34.0%	22.5%	10,164,466	2,540,290	25.0%
	Recreation, Parks & Cultural Svcs	14,579,541	2,843,783	3,568,830	8,166,928	44.0%	24.5%	13,431,733	3,238,997	24.1%
(1)	Community Development	4,733,725	71,890	1,273,441	3,388,394	28.4%	26.9%	4,672,143	1,347,960	28.9%
	subtotal	\$ 87,802,839	\$ 5,479,679	\$ 22,854,191	\$ 59,468,969	32.3%	26.0%	\$ 78,109,612	\$ 21,343,431	27.3%
General Government:										
	Insurance Premiums (Risk)	\$ 966,800	\$ -	\$ 241,700	\$ 725,100	25.0%	25.0%	\$ 928,885	\$ 232,221	25.0%
	Gwinnett Tech Bond P&I	286,978	-	-	286,978	0.0%	0.0%	287,490	-	0.0%
	Transfer(s) to other Funds	13,447,780	-	-	13,447,780	0.0%	0.0%	16,457,920	5,431,955	33.0%
	Operating Initiatives (Reserve)	79,800	-	-	79,800	0.0%	0.0%	-	-	-
	Contingency	937,000	-	27,450	909,550	2.9%	2.9%	9,062	8,770	96.8%
	subtotal	\$ 15,718,358	\$ -	\$ 269,150	\$ 15,449,208	1.7%	1.7%	\$ 17,683,357	\$ 5,672,945	32.1%
Total Expenditures		\$ 103,521,197	\$ 5,479,679	\$ 23,123,341	\$ 74,918,177	27.6%	22.3%	\$ 95,792,969	\$ 27,016,376	28.2%

Notes:

- (1) The Economic Development function has been organized under City Administration for FY 2025. All prior year activity for the Economic Development function is reflected under the Community Development Department.



CITY OF ALPHARETTA
Financial Management Reports
General Fund (unaudited)
Expenditure Summary by Category
As of September 30, 2024

Current Fiscal Year								Prior Fiscal Year		
		2025 Budget	2025 Encumbrances	2025 Exp. (YTD)	Funds Available	% Enc./Exp.	% Exp.	2024 Exp. (Total)	2024 Exp. (YTD)	% Exp.
Expenditures by Category:										
Salaries & Benefits:										
(1) Regular Salaries	\$	37,959,672	\$ -	\$ 7,877,766	\$ 30,081,906	20.8%	20.8%	\$ 34,229,593	\$ 7,351,531	21.5%
Overtime		2,898,500	-	789,424	2,109,076	27.2%	27.2%	3,436,814	821,484	23.9%
Group Insurance		10,123,339	-	2,660,126	7,463,213	26.3%	26.3%	8,397,268	2,477,098	29.5%
FICA and Social Security		3,128,159	-	623,120	2,505,039	19.9%	19.9%	2,760,264	592,399	21.5%
Defined Benefit Pension		3,537,725	-	3,537,725	-	100.0%	100.0%	3,187,015	3,187,015	100.0%
401(A) Retirement/Match		4,007,115	-	859,201	3,147,914	21.4%	21.4%	3,269,287	784,094	24.0%
(2) Other		1,845,963	-	1,152,676	693,287	62.4%	62.4%	1,768,250	1,094,888	61.9%
subtotal	\$	63,500,473	\$ -	\$ 17,500,039	\$ 46,000,434	27.6%	27.6%	\$ 57,048,490	\$ 16,308,508	28.6%
Maintenance & Operations:										
Professional Services	\$	3,973,957	\$ 1,710,397	\$ 672,138	\$ 1,591,421	60.0%	16.9%	\$ 3,196,835	\$ 994,760	31.1%
Legal Services		1,000,000	-	111,365	888,635	11.1%	11.1%	636,323	122,797	19.3%
Vehicle Fuel/Maintenance		1,359,750	2,665	331,502	1,025,583	24.6%	24.4%	1,646,154	359,711	21.9%
Maintenance Contracts		3,843,234	2,359,343	674,273	809,618	78.9%	17.5%	3,179,338	523,542	16.5%
IT Professional Services		4,696,723	795,198	1,900,161	2,001,364	57.4%	40.5%	3,267,577	1,370,131	41.9%
General Supplies		1,301,492	128,820	312,099	860,573	33.9%	24.0%	1,120,732	229,720	20.5%
Utilities		3,277,825	-	634,873	2,642,952	19.4%	19.4%	3,257,645	573,228	17.6%
Insurance Premiums (Risk)		966,800	-	241,700	725,100	25.0%	25.0%	928,885	232,221	25.0%
Other		3,861,919	447,890	677,522	2,736,507	29.1%	17.5%	3,607,377	709,120	19.7%
subtotal	\$	24,281,700	\$ 5,444,314	\$ 5,555,633	\$ 13,281,753	45.3%	22.9%	\$ 20,840,866	\$ 5,115,230	24.5%
Capital/Leases/Other:										
Fire Vehicle/Equip. Leases	\$	779,066	\$ -	\$ -	\$ 779,066	0.0%	0.0%	\$ 779,059	\$ -	0.0%
City Hall HVAC		-	-	-	-	-	-	128,355	128,355	100.0%
Equipment/Capital		200,900	35,366	38,148	127,387	36.6%	19.0%	236,726	23,558	10.0%
Other		7,500	-	2,071	5,429	27.6%	27.6%	5,000	-	0.0%
subtotal	\$	987,466	\$ 35,366	\$ 40,219	\$ 911,882	7.7%	4.1%	\$ 1,149,141	\$ 151,914	13.2%
General Government:										
Gwinnett Tech Bond P&I	\$	286,978	\$ -	\$ -	\$ 286,978	0.0%	0.0%	\$ 287,490	\$ -	0.0%
Transfer(s) to other Funds		13,447,780	-	-	13,447,780	0.0%	0.0%	16,457,920	5,431,955	33.0%
Op. Initiatives (Reserve)		79,800	-	-	79,800	0.0%	0.0%	-	-	-
Contingency		937,000	-	27,450	909,550	2.9%	2.9%	9,062	8,770	96.8%
subtotal	\$	14,751,558	\$ -	\$ 27,450	\$ 14,724,108	0.2%	0.2%	\$ 16,754,472	\$ 5,440,724	32.5%
Total Expenditures	\$	103,521,197	\$ 5,479,679	\$ 23,123,341	\$ 74,918,177	27.6%	22.3%	\$ 95,792,969	\$ 27,016,376	28.2%

Notes:

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



GRANT AND CAPITAL FUNDS

Revenue & Expenditure Reports



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds
Operating Grant Fund Detail (Fund 220; life-to-date for active projects)
As of September 30, 2024

			Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenues										
Public Safety										
22031150-331110	C2243	2022 BULLETPROOF VEST (DOJ)	27,409	7,728	\$ -	\$ 19,681	\$ 19,681	\$ -		\$ 19,681
22031150-371000	C2310	ALPHA BUS. ASSOC. K-9	17,000	17,000	-	-	-	-		-
22031150-331110	C2317	2023 BULLETPROFF VEST (DOJ)	17,000	-	-	17,000	17,000	-		17,000
22031150-331110	G2509	2024 BULLETPROOF VEST (DOT)	13,334	-	-	13,334	13,334	-		13,334
subtotal					\$ -	\$ 50,015	\$ 50,015	\$ -		\$ 50,015
Recreation, Parks & Cultural Services										
22061150-347509	C2039	WIRE & WOOD (ACVB SPONSOR)	321,000	256,000	\$ -	\$ 65,000	\$ 65,000	\$ 65,000		\$ -
22061150-371000	C2234	ARTS CENTER (CERAMICS)	100	-	-	100	100	100		-
22061150-371000	C2308	MUSIC MATCH APPLICATIONS	4,066	3,926	-	140	140	255		(115)
subtotal					\$ -	\$ 65,240	\$ 65,240	\$ 65,355		\$ (115)
General Government										
22090200-361000	INTEREST EARNINGS				\$ -	\$ -	\$ -	\$ 927		\$ (927)
22090200-362000	REALIZED GAIN/LOSS				-	-	-	(5)		5
22090200-363000	UNREALIZED GAIN/LOSS				-	-	-	1,129		(1,129)
22090200-395000	CARRYFORWARD FUND BALANCE				-	105,337	105,337	-		105,337
subtotal					\$ -	\$ 105,337	\$ 105,337	\$ 2,051		\$ 103,286
Total					\$ -	\$ 220,592	\$ 220,592	\$ 67,407		\$ 153,185



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds
Operating Grant Fund Detail (Fund 220; life-to-date for active projects)
As of September 30, 2024

			Project Snapshot: FY2013 - FY2024		FY 2025						
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget	
Account #	Project										
Expenditures											
City Administration											
22013230-521200	C2100	MURAL ART PROJECT	17,215	2,800	\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415	
	subtotal				\$ -	\$ 14,415	\$ 14,415	\$ -	\$ -	\$ 14,415	
Public Safety											
22031150-542100	C2243	2022 BULLETPROOF VEST (DOJ)	49,433	38,376	\$ -	\$ 11,057	\$ 11,057	\$ 11,057	\$ -	\$ -	
22031150-521200	C2310	ALPHA BUS. ASSOC K-9	17,000	10,560	-	6,440	6,440	-	-	6,440	
22031150-542100	C2317	2023 BULLETPROOF VEST (DOJ)	17,000	-	-	17,000	17,000	7,813	-	9,187	
22031150-542100	G2509	2024 BULLETPROOF VEST (DOT)	26,668	-	-	26,668	26,668	-	-	26,668	
	subtotal				\$ -	\$ 61,165	\$ 61,165	\$ 18,870	\$ -	\$ 42,295	
Recreation, Parks & Cultural Services											
22061159-521200	C2039	WIRE & WOOD (ACVB SPONSOR)	269,000	181,454	\$ -	\$ 87,546	\$ 87,546	\$ -	\$ 50,000	\$ 37,546	
22061150-531100	C2101	SPECIAL NEEDS EXPO / EVENT	1,018	925	-	93	93	-	-	93	
22061150-531100	C2102	FULTON GOLDEN GAMES	3,630	-	-	3,630	3,630	-	-	3,630	
22061150-531100	C2212	PARKING PERMIT - FILM	4,000	3,750	-	250	250	-	-	250	
22061150-531100	C2234	ARTS CENTER (CERAMICS)	4,979	3,023	-	1,956	1,956	-	-	1,956	
22061150-531100	C2237	PARTNERED EVENTS	5,000	4,305	-	695	695	-	-	695	
22061150-521200	C2308	MUSIC MATCH APPLICATIONS	6,137	5,615	-	522	522	300	-	222	
22061150-531100	C2418	2023 CAMP HAPPY HEARTS	6,000	3,321	-	2,679	2,679	2,679	-	-	
	subtotal				\$ -	\$ 97,371	\$ 97,371	\$ 2,979	\$ 50,000	\$ 44,392	
Non-Allocated											
22090200-579000	CONTINGENCY				\$ -	\$ 47,641	\$ 47,641	\$ -	\$ -	\$ 47,641	
22090200-579011	MATCH (GRANTS UNDER REVIEW)				-	-	-	-	-	-	
	subtotal				\$ -	\$ 47,641	\$ 47,641	\$ -	\$ -	\$ 47,641	
	Total				\$ -	\$ 220,592	\$ 220,592	\$ 21,849	\$ 50,000	\$ 148,743	



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds
Capital Grant Fund Detail (Fund 340; life-to-date for active projects)
As of September 30, 2024

			Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenue										
Public Works										
34041100-331150	C2242	NORTHPOINT ALPHALINK (ARC/LCI)	1,000,001	287,689	\$ -	\$ 712,312	\$ 712,312	\$ 46,164		\$ 666,148
34041100-331350	C2305	ALPHALOOP (LANDWATER)	500,000	-	-	500,000	500,000	-		500,000
34041100-334310	G2500	FY 2025 LMIG GRANT (MILLING/RESURFACING)	693,744	-	-	693,744	693,744	693,743		1
34041100-334310	G2501	FY 2025 LRA GRANT (MILLING/RESURFACING)	837,515	837,515	-	-	-	-		-
		subtotal			\$ -	\$ 1,906,056	\$ 1,906,056	\$ 739,907		\$ 1,166,149
Recreation, Parks & Cultural Services										
34061150-371000	C2248	CITY AGRICULTURE PLAN (FOOD WELL)	150,000	75,000	\$ -	\$ 75,000	\$ 75,000	\$ -		\$ 75,000
		subtotal			\$ -	\$ 75,000	\$ 75,000	\$ -		\$ 75,000
General Government										
34090200-361000		INTEREST EARNINGS			\$ -	\$ -	\$ -	\$ 5,216		\$ (5,216)
34090200-362000		REALIZED GAIN/LOSS			-	-	-	39		(39)
34090200-363000		UNREALIZED GAIN/LOSS			-	-	-	6,503		(6,503)
34090200-395000		CARRYFORWARD FUND BALANCE			-	293,280	293,280	-		293,280
		subtotal			\$ -	\$ 293,280	\$ 293,280	\$ 11,758		\$ 281,522
		Total			\$ -	\$ 2,274,336	\$ 2,274,336	\$ 751,665		\$ 1,522,671



CITY OF ALPHARETTA
Financial Management Reports
Grant Funds
Capital Grant Fund Detail (Fund 340; life-to-date for active projects)
As of September 30, 2024

			Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Expenditures										
Public Works										
34041100-521200	C2242	NORTHPOINT ALPHALINK (ARC/LCI)	1,000,000	417,316	\$ -	\$ 582,684	\$ 582,684	\$ 11,839	\$ 21,670	\$ 549,175
34041100-541420	C2305	ALPHALOOP (LANDWATER)	500,000	500,000	-	-	-	-	-	-
34041100-541410	G2500	FY 2025 LMIG GRANT (MILLING/RESURFACING)	693,744	-	-	693,744	693,744	-		693,744
34041100-541410	G2501	FY 2025 LRA GRANT (MILLING/RESURFACING)	837,516	-	-	837,516	837,516	-	-	837,516
		subtotal			\$ -	\$ 2,113,944	\$ 2,113,944	\$ 11,839	\$ 21,670	\$ 2,080,435
Recreation, Parks & Cultural Services										
34061150-541500	C2248	CITY AGRICULTURE PLAN (FOOD WELL)	75,000	-	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
		subtotal			\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -	\$ 75,000
Non-Allocated										
34090200-579000		CONTINGENCY			\$ -	\$ 85,392	\$ 85,392	\$ -	\$ -	\$ 85,392
		subtotal			\$ -	\$ 85,392	\$ 85,392	\$ -	\$ -	\$ 85,392
		Total			\$ -	\$ 2,274,336	\$ 2,274,336	\$ 11,839	\$ 21,670	\$ 2,240,827



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
As of September 30, 2024

Account #			Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue										
30131150-337051	C2421	CAD/RECORDS MGMT (MILTON)	241,538	-	\$ -	\$ 241,538	\$ 241,538	\$ -		\$ 241,538
30141100-336000	C2104	WBR PH 4 (NPP-GREENWAY)	333,925	-	-	333,925	333,925	-		333,925
30141100-371000	C2113	ENCORE GREENWAY GATEWAY	430,001	421,466	-	8,535	8,535	-		8,535
30161150-371000	C0922	SYNTHETIC TURF (AMBUSH)	14,100	-	-	14,100	14,100	-		14,100
30161150-371000	C1929	COMM AG PROGRAM	103,307	102,525	-	782	782	2,464		(1,682)
30161150-371000	C2309	WACKY WORLD 2.0 (DONATIONS)	214,723	194,874	-	19,849	19,849	21,098		(1,249)
30161150-337052	C2426	MAYFIELD PARK - MILTON IGA	65,000	-	-	65,000	65,000	-		65,000
30161150-371000	C2519	GREENHOUSE (RUCKER ROAD)	3,000	-	-	3,000	3,000	3,000		-
30174150-337000	C0910	TREE REPLACEMENT FUND	417,450	417,450	-	-	-	17,400		(17,400)
subtotal					\$ -	\$ 686,729	\$ 686,729	\$ 43,962		\$ 642,767
Non-Departmental										
30190200-395000		CARRYFORWARD FUND BALANCE			\$ 3,405,350	\$ 10,987,221	\$ 14,392,571	\$ -		\$ 14,392,571
30190200-391100		TRANSFER-IN FROM THE GENERAL FUND			11,843,416	-	11,843,416	-		11,843,416
30190200-362000		REALIZED GAIN/LOSS			-	-	-	(1,193)		1,193
30190200-363000		UNREALIZED GAIN/LOSS			-	-	-	114,321		(114,321)
30190200-361000		INTEREST EARNINGS			325,000	-	325,000	94,995		230,005
subtotal					\$ 15,573,766	\$ 10,987,221	\$ 26,560,987	\$ 208,123		\$ 26,352,864
Total					\$ 15,573,766	\$ 11,673,950	\$ 27,247,716	\$ 252,085		\$ 26,995,631
Expenditures										
Administration										
30113230-542400	C1404	WEBSITE UPGRADE	145,001	63,647	\$ -	\$ 81,354	\$ 81,354	\$ -	\$ 25,173	\$ 56,181
30113230-521200	C2524	PARKING MANAGEMENT PLAN	53,197	-	-	53,197	53,197		53,197	-
subtotal					\$ -	\$ 134,551	\$ 134,551	\$ -	\$ 78,370	\$ 56,181
Finance										
30115150-542400	C1141	TYLER ERP SYSTEM	362,163	358,550	\$ -	\$ 3,613	\$ 3,613	\$ -	\$ 350	\$ 3,263
subtotal					\$ -	\$ 3,613	\$ 3,613	\$ -	\$ 350	\$ 3,263



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
As of September 30, 2024

Account #		Project		Project Snapshot: FY2013 - FY2024		FY 2025					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Information Technology											
30117400-542400	C1103	NETWORK AND VOIP		717,679	401,067	\$ -	\$ 316,612	\$ 316,612	\$ (13,259)	\$ 146,065	\$ 183,806
30117400-542400	C1312	BACKUP DATA STORAGE MGMT.		510,003	488,947	-	21,056	21,056	14,706	-	6,350
30117400-542400	C1313	TECHNOLOGY REPLACEMENT		3,892,370	3,276,902	390,000	225,468	615,468	8,489	79,983	526,996
30117400-542400	C1519	WIRELESS ACCESS POINTS		100,000	-	50,000	50,000	100,000	-	-	100,000
30117400-542400	C1615	APP/DESKTOP VIRTUALIZATION		400,145	128,749	-	271,396	271,396	15,640	20,000	235,756
30117400-542400	C2201	CITY COUNCIL A/V REPLACEMENT		300,001	286,136	-	13,865	13,865	-	-	13,865
30117400-544200	C2300	BUSINESS CONTINUITY STUDY		50,000	-	-	50,000	50,000	-	35,500	14,500
		subtotal				\$ 440,000	\$ 948,397	\$ 1,388,397	\$ 25,576	\$ 281,548	\$ 1,081,273
Municipal Court											
30126550-542400	C1222	RECORDS MANAGEMENT		39,600	35,700	\$ -	\$ 3,900	\$ 3,900	\$ -	\$ 3,900	\$ -
		subtotal				\$ -	\$ 3,900	\$ 3,900	\$ -	\$ 3,900	\$ -
Public Safety											
30131150-542200	C1202	FLEET REPLACEMENT		9,890,847	8,818,650	\$ -	\$ 1,072,197	\$ 1,072,197	\$ 122,900	\$ 932,285	\$ 17,013
30131150-542100	C1401	PS EQUIPMENT REPLACEMENT		1,513,925	1,482,159	-	31,766	31,766	14,995	-	16,771
30131150-541300	C1706	RAPSTC IMPROVEMENTS		492,531	198,250	-	294,281	294,281	49,882	-	244,399
30131150-542400	C2052	SECURITY SYSTEM REFRESH		472,060	377,455	72,000	22,605	94,605	898	15,578	78,129
30131150-542100	C2235	CRABAPPLE TRAINING FACILITY		43,871	41,681	-	2,190	2,190	-	-	2,190
30131150-542400	C2301	CAD/RECORDS MANAGEMENT SOFTWARE		2,250,001	894,887	-	1,355,114	1,355,114	-	1,349,296	5,818
30131150-542100	C2303	2023 OP INITIATIVES EQUIPMENT		449,501	298,063	-	151,438	151,438	420	137,772	13,246
30131150-541300	C2314	FIRE STATION FACILITIES ASSESSMENT		300,001	98,413	-	201,588	201,588	-	2,438	199,151
30131150-542400	C2406	REAL TIME CRIME CENTER		128,901	8,776	-	120,125	120,125	-	-	120,125
30131150-542200	C2407	ASST FIRE MARSHAL EQUIPMENT		66,000	47,621	-	18,379	18,379	4,241	10,623	3,515
30131150-542400	C2421	CAD/RECORDS MGMT (MILTON)		241,538	-	-	241,538	241,538	-	241,537	1
30131150-541300	C2501	FS81 RENOVATIONS		2,830,000	-	2,830,000	-	2,830,000	-	-	2,830,000
30131150-541300	C2502	2972 WB RD RENOVATIONS		150,000	-	150,000	-	150,000	-	-	150,000
30131150-542200	C2504	FY2025 FLEET REPLACEMENT		1,875,000	-	1,875,000	-	1,875,000	35,469	-	1,839,531
30131150-542200	V2505	FY2025 FIRE LT VEHICLE		50,000	-	50,000	-	50,000	-	-	50,000
30131150-542100	C2506	FIRE TRUCK EQUIPMENT		75,000	-	75,000	-	75,000	75,000	-	-
30131150-542400	C2508	CLICK-2-ENTER SYSTEM		31,400	-	31,400	-	31,400	-	-	31,400
		subtotal				\$ 5,083,400	\$ 3,511,221	\$ 8,594,621	\$ 303,805	\$ 2,689,529	\$ 5,601,288



CITY OF ALPHARETTA

Financial Management Reports

Capital Project Funds

General Capital Project Fund Detail (Fund 301; life-to-date for active projects)

As of September 30, 2024

Account #			Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Public Works										
30141100-541200	C0910	TREE REPLACEMENT FUND	\$ 2,065,602	\$ 1,515,151	\$ -	\$ 550,451	\$ 550,451	\$ -	\$ 31,055	\$ 519,396
30141100-541200	C1008	CEMETERY AUTHORITY-MAINTENANCE	493,161	246,994	-	246,167	246,167	3,250	9,838	233,079
30141100-541410	C1207	BRIDGE MAINTENANCE	1,115,212	722,040	250,000	143,172	393,172	-	34,800	358,372
30141100-541410	C1208	MAST ARM MAINTENANCE	45,000	-	45,000	-	45,000	-	-	45,000
30141100-541410	C1215	STRIPING & SIGNAGE	2,434,665	2,181,836	170,000	82,829	252,829	58,620	15,152	179,057
30141100-541410	C1217	TRAFFIC CALMING & INTERSECTION IMP	613,584	553,584	60,000	-	60,000	-	-	60,000
30141100-541410	C1218	TRAFFIC SIGNAL SYSTEM MAINTENANCE	1,004,268	880,436	100,000	23,832	123,832	16,318	5,228	102,286
30141100-541410	C1219	MILLING AND RESURFACING	29,051,629	26,627,537	2,500,000	(75,908)	2,424,092	798	35,652	2,387,643
30141100-541410	G2500	FY 2025 LMIG GRANT (MILLING/RES.)	208,123	-	-	208,123	208,123	-	-	208,123
30141100-541410	C1220	TRAFFIC CONTROL EQUIPMENT	1,187,079	1,041,602	100,000	45,477	145,477	7,004	56,295	82,178
30141100-541410	C1221	DESIGN SERVICES	1,068,301	954,705	50,000	63,596	113,596	7,486	30,916	75,195
30141100-542200	C1223	FLEET REPLACEMENT	2,025,223	1,484,474	353,000	187,749	540,749	-	337,983	202,766
30141100-541300	C1229	FACILITY ROOF REPAIR/REPLACE	875,000	325,000	550,000	-	550,000	5,850	-	544,150
30141100-541200	C1302	TREE PLANTING & LANDSCAPING IMP	1,534,772	1,166,590	160,000	208,182	368,182	19,100	18,906	330,176
30141100-541420	C1801	SIDEWALK MAINTENANCE & REPAIR	240,161	25,841	140,000	74,320	214,320	48,526	56,386	109,408
30141100-542100	C1802	PW EQUIPMENT REPLACEMENT	277,374	203,793	60,000	13,581	73,581	-	49,990	23,591
30141100-541410	C1901	TRAFFIC RESPONSIVE SYSTEM MAINT	550,002	528,894	-	21,108	21,108	7,800	10,567	2,741
30141100-541300	C1902	FIRE STATION RENOVATIONS	435,003	422,819	-	12,184	12,184	5,401	-	6,783
30141100-541300	C1906	CITY HALL RENOVATIONS	65,000	25,000	40,000	-	40,000	4,200	-	35,800
30141100-541300	C2003	HVAC REPLACEMENTS	491,730	391,730	100,000	-	100,000	-	-	100,000
30141100-542400	C2026	TCC HARDWARE/SOFTWARE	170,002	107,770	-	62,232	62,232	-	-	62,232
30141100-541410	C2048	STREETLIGHT MAINTENANCE	434,080	270,126	85,000	78,954	163,954	-	-	163,954
30141100-541500	C2050	REC FACILITY MAINTENANCE	155,000	135,938	-	19,062	19,062	-	16,303	2,760
30141100-541300	C2053	PARKING GARAGE MAINTENANCE	331,308	159,118	150,000	22,190	172,190	4,870	-	167,320
30141100-541410	C2104	WEBB BR ROAD PH4 (NPP-GREENWAY)	333,925	24,570	-	309,355	309,355	7,700	301,655	-
30141100-541410	C2113	ENCORE GREENWAY GATEWAY	430,001	429,981	-	20	20	-	19	1
30141100-521200	C2242	NORTHPOINT ALPHALINK (ARC/LCI)	365,001	72,092	-	292,909	292,909	6,978	38,441	247,491
30141100-541420	C2305	ALPHALOOP (OMP - NORTHWINDS)	110,001	110,000	-	1	1	-	-	1
30141100-544200	C2408	WEBB BRIDGE PARK SEWER	491,157	399,325	-	91,832	91,832	-	14,531	77,301
30141100-541200	C2409	SR9 LANDSCAPING	925,000	-	575,000	350,000	925,000	-	-	925,000



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
General Capital Project Fund Detail (Fund 301; life-to-date for active projects)
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Account #		Project		Project Snapshot: FY2013 - FY2024		FY 2025					
				Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30141100-542100	C2410	WINTER WEATHER EQUIPMENT		65,000	-	-	65,000	65,000	-	-	65,000
30141100-541410	C2509	BRICK PAVER MAINTENANCE/REPAIR		50,000	-	50,000	-	50,000	4,898	-	45,102
30141100-544200	C2510	DOWNTOWN BUS SHELTERS		80,000	-	80,000	-	80,000	3,970	2,950	73,080
30141100-541300	C2511	FACILITY ASSESSMENT/RENOVATIONS		189,647	-	300,000	(110,353)	189,647	-	189,647	-
30141100-541300	C2512	PS FACILITY MAINTENANCE		75,000	-	75,000	-	75,000	935	22,118	51,946
30141100-542200	C2513	FY 2025 FORESTRY ASST VEHICLE		50,000	-	50,000	-	50,000	-	-	50,000
		subtotal				\$ 6,043,000	\$ 2,986,065	\$ 9,029,065	\$ 213,703	\$ 1,278,431	\$ 7,536,931
Recreation, Parks & Cultural Services											
30161150-541500	C0922	SYNTHETIC TURF REPLACEMENT		1,635,779	1,021,629	\$ -	\$ 614,150	\$ 614,150	\$ 473,000	\$ 127,050	\$ 14,100
30161150-541200	C1210	TREE MAINT-PLANTING-REMOVAL		585,001	434,219	125,000	25,782	150,782	70,979	36,594	43,209
30161150-541500	C1221	DESIGN SERVICES		235,424	212,646	21,200	1,578	22,778	585	5,335	16,858
30161150-541300	C1229	FACILITY ROOF REPAIR		680,412	674,895	-	5,517	5,517	-	-	5,517
30161150-542200	C1232	FLEET		534,009	434,009	100,000	-	100,000	-	-	100,000
30161150-542100	C1402	RP EQUIPMENT REPLACEMENT		1,145,788	885,567	177,000	83,221	260,221	-	40,044	220,177
30113230-544200	C1527	VETERANS MEMORIAL		105,667	75,806	-	29,861	29,861	-	-	29,861
30161150-541500	C1614	THE STORIES PROJECT		85,000	54,565	-	30,435	30,435	-	23,500	6,935
30161150-541510	C1636	GREENWAY REPAIR AND MAINTENANCE		1,114,751	402,166	275,000	437,585	712,585	5,000	1,956	705,629
30161150-541500	C1804	PARK REPAIRS/IMPROVEMENTS		1,006,212	809,095	160,000	37,117	197,117	290	44,628	152,199
30161150-541500	C1806	PARKS PLAYGROUND EQUIPMENT		738,640	288,640	50,000	400,000	450,000	450,000	-	-
30161150-544100	C1807	PUBLIC ARTS PROGRAM		341,000	262,340	55,000	23,660	78,660	-	10,250	68,410
30161150-541500	C1926	NORTHSIDE MOU (PARKS)		149,904	138,991	-	10,913	10,913	-	-	10,913
30161150-541500	C1929	COMMUNITY AGRICULTURE PROGRAM		103,311	69,990	-	33,321	33,321	2,632	-	30,689
30161150-541500	C2010	PARK ENHANCEMENTS		648,578	631,629	-	16,949	16,949	12,019	-	4,930
30161150-541500	C2030	TOWN GREEN IMPROVEMENTS		250,001	237,421	-	12,580	12,580	-	-	12,580
30161150-541500	C2035	NORTH PARK RESTROOM 1 - 4 (DESIGN)		16,180	-	16,180		16,180	-	-	16,180
30161150-541500	C2051	FOUNTAIN MAINTENANCE		86,306	76,156	-	10,150	10,150	-	4,650	5,500
30161150-541500	C2202	ATHLETIC COURTS RESURFACING		198,433	154,470	-	43,963	43,963	-	-	43,963
30161150-541500	C2217	MID-BROADWELL PARK		52,081	51,840	-	241	241	-	241	0
30161150-541500	C2248	CITY AGRICULTURE PLAN (FOOD WELL)		75,000	-	-	75,000	75,000	-	-	75,000
30161150-541500	C2309	WACKY WORLD 2.0 (DONATIONS)		214,724	6,673	-	208,051	208,051	96	-	207,955



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Account #		Project	Project Snapshot: FY2013 - FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
30161150-541500	C2316	GREENWAY BOARDWALK REPLACEMENT	75,001	1,158	-	73,843	73,843	-	-	73,843
30161150-541500	C2411	PARK TRAIL MAINTENANCE	200,000	-	-	200,000	200,000	31,510	-	168,490
30161150-541500	C2412	CULTURAL ARTS MASTER PLAN	30,001	11,693	-	18,308	18,308	-	18,307	1
30161150-544100	C2415	PUBLIC ART FUND (CITY LOCATIONS)	45,000	-	25,000	20,000	45,000	-	-	45,000
30161150-544100	C2416	PUBLIC ART DEV (CITY PROP)	10,000	-	10,000	-	10,000	-	-	10,000
30161150-544100	C2417	PUBLIC ART IN PARKS	20,000	-	20,000	-	20,000	-	-	20,000
30161150-541500	C2419	WEBB BRIDGE PARK DOG PARK	50,000	45,215	-	4,785	4,785	-	4,785	-
30161150-541500	C2426	MAYFIELD PARK - MILTON IGA	130,000	-	-	130,000	130,000	-	4,853	125,148
30161150-541500	C2514	INNOV ACADEMY SOCCER	40,000	-	40,000	-	40,000	-	-	40,000
30161150-541500	C2515	PARK SECURITY IMPROVEMENTS	80,000	-	80,000	-	80,000	-	-	80,000
30161150-541300	C2519	GREENHOUSE (RUCKER PARK)	3,000	-	-	3,000	3,000	-	-	3,000
30161150-541500	G2507	LWCF GRANT MATCH (NORTH PARK LIGHTING)	500,001	101,164	300,000	98,837	398,837	-	-	398,837
		subtotal			\$ 1,454,380	\$ 2,648,847	\$ 4,103,227	\$ 1,046,111	\$ 322,193	\$ 2,734,923
Community Development										
30174150-544100	C0019	DOWNTOWN PARKING FUND	523,552	315,748	\$ -	\$ 207,804	\$ 207,804	\$ -	\$ -	\$ 207,804
30174150-544200	C1300	CITY ECON DEVELOPMENT TOOLKIT	245,760	202,010	-	43,750	43,750	-	-	43,750
30174150-541410	C1603	DESIGN SERVICES	649,604	493,832	62,400	93,372	155,772	2,305	32,056	121,411
30174150-542400	C2111	COMMUNITY DEVELOPMENT EQUIPMENT	21,001	16,037	-	4,964	4,964	2,470	-	2,494
30174150-521200	C2307	WINDWARD-HWY9 MASTER PLAN MOU	60,000	700	-	59,300	59,300	-	-	59,300
30174150-521200	C2401	NORTH POINT FRAMEWORK PLAN	200,000	20,506	-	179,494	179,494	12,936	166,166	392
30174150-523400	C2402	GARDEN DISTRICT SIGNAGE	12,700	6,350	-	6,350	6,350	4,488	-	1,862
30174150-544100	C2403	SOUTH MAIN DISTRICT	200,000	27,407	150,000	22,593	172,593	3,100	22,493	147,000
30174150-544100	C2404	BROOKSIDE PARK GATEWAY	300,000	-	225,000	75,000	300,000	-	28,500	271,500
30174150-541410	C2414	BROOKSIDE PARKWAY LAND DIET	40,000	-	-	40,000	40,000	-	-	40,000
30174150-544100	C2500	DWTN WAYFINDING SIGNAGE	12,000	-	12,000	-	12,000	-	-	12,000
30174150-544200	C2516	MILTON AVE LIGHTING	50,000	-	50,000	-	50,000	-	-	50,000
30174150-541410	C2517	ENTRY MONUMENTS	50,000	-	50,000	-	50,000	-	-	50,000
		subtotal			\$ 549,400	\$ 732,627	\$ 1,282,027	\$ 25,300	\$ 249,215	\$ 1,007,513



CITY OF ALPHARETTA

Financial Management Reports

Capital Project Funds

General Capital Project Fund Detail (Fund 301; life-to-date for active projects)

As of September 30, 2024

		Project Snapshot: FY2013 - FY2024		FY 2025					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Non-Departmental									
30190200-579000	NON-ALLOCATED			\$ 2,003,586	\$ 428,729	\$ 2,432,315	\$ -	\$ -	\$ 2,432,315
30190200-579011	MATCH (GRANTS UNDER REVIEW)			-	276,000	276,000	-	-	276,000
	subtotal			\$ 2,003,586	\$ 704,729	\$ 2,708,315	\$ -	\$ -	\$ 2,708,315
	Total			\$ 15,573,766	\$ 11,673,950	\$ 27,247,716	\$ 1,614,494	\$ 4,903,535	20,729,687



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
Stormwater Capital Fund Detail (Fund 302; life-to-date for all projects)
As of September 30, 2024

		Project Snapshot: FY2017 - FY2024		FY 2025					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Revenue									
Non-Departmental									
30290200-361000	INTEREST EARNINGS	522,470	412,470	\$ 110,000	\$ -	\$ 110,000	\$ 41,967		\$ 68,033
30290200-362000	REALIZED GAIN/LOSS INV	-	-	-	-	-	(458)		458
30290200-363000	UNREALIZED GAIN/LOSS INV	-	-	-	-	-	50,654		(50,654)
30290200-391100	TRANSFER IN/GENERAL FUND MATCH	20,014,364	18,410,000	1,604,364	-	1,604,364	-		1,604,364
30290200-395000	CARRYFORWARD FUND BALANCE	6,307,938	-	285,636	6,022,302	6,307,938	-		6,307,938
	subtotal			\$ 2,000,000	\$ 6,022,302	\$ 8,022,302	\$ 92,163		\$ 7,930,139
	Total			\$ 2,000,000	\$ 6,022,302	\$ 8,022,302	\$ 92,163		\$ 7,930,139
Expenditures									
Public Works									
30241100-541430-C1308	SW PIPE & STRUCTURE R&M	16,664,010	9,779,619	\$ 2,000,000	\$ 4,884,391	\$ 6,884,391	\$ 599,132	\$ 1,975,439	\$ 4,309,819
30241100-541430-C2423	DOUGLAS ROAD DRAINAGE	417,113	11,700	-	405,413	405,413	-	-	405,413
30241100-541430-C2428	HARRIS ROAD DRAINAGE	122,595	-	-	122,595	122,595	115,345	7,250	-
30241100-541430-C2429	WINDWARD PKWY DRAINAGE	383,506	-	-	383,506	383,506	-	383,506	-
30241100-541430-C2518	MID-BORADWELL CULVERT	118,815	-	-	118,815	118,815	-	118,815	-
	subtotal			\$ 2,000,000	\$ 5,914,720	\$ 7,914,720	\$ 714,477	\$ 2,485,010	\$ 4,715,232
Non-Departmental									
30290200-579000	NON-ALLOCATED			\$ -	\$ 107,582	\$ 107,582	\$ -	\$ -	\$ 107,582
	subtotal			\$ -	\$ 107,582	\$ 107,582	\$ -	\$ -	\$ 107,582
	Total			\$ 2,000,000	\$ 6,022,302	\$ 8,022,302	\$ 714,477	\$ 2,485,010	\$ 4,822,814



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
2022 Parks Bond Fund Detail (Fund 318; life-to-date for all projects)
As of September 30, 2024

		Project Snapshot: FY2017 - FY2024		FY 2025					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
Non-Departmental									
31890200-361000	INTEREST EARNINGS			\$ 900,000	\$ -	\$ 900,000	\$ 254,033		\$ 645,967
31890200-395000	CARRYFORWARD FUND BALANCE			-	27,383,446	27,383,446	-		27,383,446
	subtotal			\$ 900,000	\$ 27,383,446	\$ 28,283,446	\$ 254,033		\$ 28,029,413
	Total			\$ 900,000	\$ 27,383,446	\$ 28,283,446	\$ 254,033		\$ 28,029,413
Expenditures									
31841100-541420 C1712	ALPHALOOP	7,335,240	-	\$ -	\$ 7,335,240	\$ 7,335,240	\$ 4,692	\$ -	\$ 7,330,548
31841100-541420 C2520	ALPHALOOP (ROSWELL ST)	43,675	-	-	43,675	43,675		43,675	-
31841100-541420 C2521	ALPHALOOP (DEVORE RD)	33,265	-	-	33,265	33,265	-	33,265	-
31841100-541420 C2522	ALPHALOOP (OMP TO THOMPSON)	52,725	-	-	52,725	52,725	-	52,725	-
31841100-541420 C2523	ALPHALOOP (HBR TO WESTSIDE)	35,095	-	-	35,095	35,095	-	35,095	-
31861150-541500 C0922	SYNTHETIC TURF	1,632,541	47,597	-	1,584,944	1,584,944	-	-	1,584,944
31861150-541500 C1911	EQUESTRIAN CENTER (CITY)	5,000,000	914,017	-	4,085,983	4,085,983	139,742	410,620	3,535,621
31861150-541500 C2011	WILLS PARK MASTER PLAN IMP	5,671,367	759,165	-	4,912,202	4,912,202	4,540	31,010	4,876,652
31861150-541500 C2216	UNION HILL PARK	3,250,002	581,769	-	2,668,233	2,668,233	17,940	82,698	2,567,596
31861150-541500 C2217	MID-BROADWELL PARK	500,001	494,463	-	5,538	5,538	-	499	5,039
31861150-541500 C2218	OLD RUCKER PARK	3,000,000	395,470	-	2,604,530	2,604,530	11,000	3,925	2,589,605
31861150-541500 C2219	FARMHOUSE PARK	2,000,000	30,570	-	1,969,430	1,969,430	-	-	1,969,430
31861150-541500 C2220	WATERS ROAD PARK	1,256,501	1,256,501	-	-	-	-	-	-
31861150-541500 C2245	WILLS PARK MAINTENANCE FACILITY	328,634	328,634	-	-	-	-	-	-
31890200-579000	PARKS RESERVE	1,662,586	-	900,000	762,586	1,662,586	-	-	1,662,586
31890200-579012	RESERVE FOR ARBITRAGE	1,290,000	-	-	1,290,000	1,290,000	-	-	1,290,000
31890200-584000	DEBT ISSUANCE COSTS	368,549	368,549	-	-	-	-	-	-
	Total			\$ 900,000	\$ 27,383,446	\$ 28,283,446	\$ 177,914	\$ 693,512	\$ 27,412,021



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
TSPLOST I Fund Detail (Fund 335; life-to-date for all projects)
As of September 30, 2024

		Project Snapshot: FY2017-FY2024		FY 2025					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Revenue									
Non-Departmental									
33590200-395000	CARRYFORWARD FUND BALANCE			\$ -	\$ 31,602,130	\$ 31,602,130	\$ -		\$ 31,602,130
33541100-361000	INTEREST EARNINGS			500,000	-	500,000	303,669		196,331
	Total			\$ 500,000	\$ 31,602,130	\$ 32,102,130	\$ 303,669		\$ 31,798,461
Expenditures									
33541100-541410	C1219 MILLING AND RESURFACING	2,000,000	2,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
33541100-541410	C1631 MCGINNIS FERRY IGA (FORSYTH)	5,026,414	1,228,787	-	3,797,627	3,797,627	2,675	-	3,794,953
33541100-541410	C1713 KIMBALL BR RD OP IMP.	1,359,742	1,297,487	-	62,255	62,255	-	61,170	1,085
33541100-541410	C1717 OLD MILTON PKWY CAPACITY IMP.	5,579,475	3,066,278	-	2,513,197	2,513,197	74,043	499,237	1,939,917
33541100-541410	C1800 HAYNES BRIDGE RD IMP	187,598	187,598	-	-	-	-	-	-
33541100-541410	C1934 WINDWARD PKWY EAST IMPROVEMENTS	1,427,989	1,427,989	-	-	-	-	-	-
33541100-541410	C2054 GA 400 BRIDGES (WEBB; KIMBALL)	4,886,000	2,811,714	-	2,074,286	2,074,286	-	2,074,286	0
33541100-541410	C1933 WEBB BRIDGE RD (DESIGN-PROJ. MGMT., ETC.)	876,389	876,389	-	-	-	-	-	-
33541100-541410	C2211 WEBB BRIDGE RD PHASE 1 (WESTWIND TO GREENWAY)	725,037	725,037	-	-	-	-	-	-
33541100-541410	C2229 WEBB BRIDGE RD PHASE 2 (ROUNDAABOUT-PARK)	6,000,001	3,666,445	-	2,333,556	2,333,556	293,015	700,763	1,339,777
33541100-541410	C2232 WEBB BRIDGE RD PHASE 3 (GREENWAY-ROUNDAABOUT)	17,000,001	2,217,194	-	14,782,807	14,782,807	655,803	13,471,997	655,007
33541100-541410	C2104 WEBB BR RD PHASE 4 (NPP TO GREENWAY)	692,472	692,472	-	-	-	-	-	-
33541100-541410	C2113 ENCORE GREENWAY GATEWAY	2,573,000	294,485	-	2,278,515	2,278,515	485,323	-	1,793,192
33541100-541420	C2305 ALPHALOOP (OMP-NORTHWINDS)	825,000	825,000	-	-	-	-	-	-
33590200-579000	CONTINGENCY			500,000	3,759,887	4,259,887	-	-	4,259,887
	Total			\$ 500,000	\$ 31,602,130	\$ 32,102,130	\$ 1,510,859	\$ 16,807,452	\$ 13,783,818



CITY OF ALPHARETTA
Financial Management Reports
Capital Project Funds
TSPLOST II Fund Detail (Fund 336; life-to-date for all projects)
As of September 30, 2024

			Project Snapshot: FY2017-FY2024		FY 2025					
			Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project									
Revenue										
Non-Departmental										
33690200-313400	TSPLOST II				\$ -	\$ 20,157,017	\$ 20,157,017	\$ 3,734,276		\$ 16,422,741
33641100-361000	INTEREST EARNINGS				300,000	-	300,000	144,168		155,832
33690200-395000	CARRYFORWARD FUND BALANCE				-	14,316,318	14,316,318	-		14,316,318
	Total				\$ 300,000	\$ 34,473,335	\$ 34,773,335	\$ 3,878,445		\$ 30,894,890
Expenditures										
33641100-541410	C1713	KIMBALL BR RD GAP	500,000	25,356	\$ -	\$ 474,644	\$ 474,644	\$ 1,566	\$ -	\$ 473,078
33641100-541410	C2040	TRADEWINDS PARKWAY	3,500,000	437,015	-	3,062,985	3,062,985	-	-	3,062,985
33641100-541410	C2104	WEBB BRIDGE ROAD (NPP- GREENWAY)	13,000,001	5,564,700	-	7,435,301	7,435,301	425,480	3,912,511	3,097,310
33641100-541410	C2107	NORTH POINT PARKWAY IMP	7,750,001	300,213	-	7,449,788	7,449,788	75,111	364,531	7,010,146
33641100-541410	G2505	NORTH POINT PARKWAY IMP (STBG CONST GRANT MATCH RESERVE)	1,250,000	-	-	1,250,000	1,250,000	-	-	1,250,000
33641100-541410	G2506	NORTH POINT PARKWAY IMP (TIP CONST GRANT MATCH RESERVE)	1,000,000	-	-	1,000,000	1,000,000	-	-	1,000,000
33641100-541410	C2221	CROSSWALK (ALPHARETTA ELEM)	107,670	107,670	-	-	-	-	-	-
33641100-541410	C2222	CROSSWALK (MANNING OAKS ELEM)	18,537	18,537	-	-	-	-	-	-
33641100-541410	C2223	CROSSING (92 MILTON GARAGE)	208,128	208,128	-	-	-	-	-	-
33641100-541410	C2224	RAISED INTSECTION (MARIETTA ST)	350,001	93,685	-	256,316	256,316	125,773	28,675	101,868
33641100-541410	C2225	CROSSINGS (CITY CTR/CHURCHES)	750,001	38,061	-	711,940	711,940	-	80,639	631,301
33641100-541410	C2226	PEDESTRIAN BRIDGES (WW PKWY)	4,000,002	611,349	-	3,388,653	3,388,653	39,397	3,077,588	271,668
33641100-541410	C2227	CROSSWALK (COGBURN PARK)	129,616	129,616	-	-	-	-	-	-
33641100-541410	C2228	CROSWALK (CHARLOTTE DR)	146,000	146,000	-	-	-	-	-	-
33641100-541410	C2230	CUMMING ST CORRIDOR	4,757,526	2,056	-	4,755,470	4,755,470	7,544	137,856	4,610,070
33641100-541420	C2305	ALPHALOOP (OMP - NORTHWINDS)	11,110,929	11,041,215	-	69,714	69,714	7,280	62,433	1
33641100-541410	C2427	DRYDEN RD EXTENSION	3,000,000	98	-	2,999,902	2,999,902	-	-	2,999,902
33690200-579000	CONTINGENCY		1,918,622	-	300,000	1,618,622	1,918,622	-	-	1,918,622
	Total				\$ 300,000	\$ 34,473,335	\$ 34,773,335	\$ 682,151	\$ 7,664,234	\$ 26,426,950



CITY OF ALPHARETTA
Financial Management Reports
Special Revenue Funds
Impact Fee Fund (Fund 270; life-to-date for active projects)
As of September 30, 2024

		Project Snapshot: FY2013 - FY2024		FY 2025					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
27074110-341321	IMPACT FEES STREETS & HIGHWAYS	3,691,936	3,691,936	\$ -	\$ -	\$ -	\$ 62,981		\$ (62,981)
27074110-341323	IMPACT FEES RECREATION & PARKS	8,506,029	8,506,029	-	-	-	26,341		(26,341)
27074110-341324	IMPACT FEES PUBLIC SAFETY	1,075,145	1,075,145	-	-	-	11,191		(11,191)
27074110-362000	REALIZED GAIN/LOSS			-	-	-	(368)		368
27074110-363000	UNREALIZED GAIN/LOSS			-	-	-	44,987		(44,987)
27074110-395000	CARRYFORWARD FUND BALANCE	5,603,670	-	353,820	5,249,850	5,603,670	-		5,603,670
27074110-361000	INTEREST EARNINGS	553,222	553,222	-	-	-	37,203		(37,203)
	Total			\$ 353,820	\$ 5,249,850	\$ 5,603,670	\$ 182,335		\$ 5,421,335
Expenditures									
Public Safety									
27031150-541300	C2501 FS 81 RENOVATIONS	170,000	-	\$ 170,000	\$ -	170,000	\$ -	\$ -	\$ 170,000
	subtotal			\$ 170,000	\$ -	\$ 170,000	\$ -	\$ -	\$ 170,000
Public Works									
27041100-541410	C1410 RUCKER RD CORRIDOR	1,002,447	1,001,847	\$ -	\$ 600	600	\$ -	\$ 600	\$ -
27041100-541410	G2502 NORTH POINT PARKWAY IMP (STBG ROW GRANT MATCH RESERVE)	1,250,000	-	-	1,250,000	1,250,000	-	-	1,250,000
	subtotal			\$ -	\$ 1,250,600	\$ 1,250,600	\$ -	\$ 600	\$ 1,250,000
Recreation, Parks & Cultural Services									
27061150-541500	C2011 WILLS PARK MASTER PLAN	328,634	21,930	\$ -	\$ 306,704	306,704	\$ -	\$ -	\$ 306,704
27061150-541500	C2035 NORTH PARK RESTROOM 1 - 4 (DESIGN)	183,820	-	183,820	-	183,820	-	-	183,820
27061150-541410	C2113 ENCORE GREENWAY GATEWAY	2,000,000	27,480	-	1,972,520	1,972,520	-	-	1,972,520
	subtotal			\$ 183,820	\$ 2,279,224	\$ 2,463,044	\$ -	\$ -	\$ 2,463,044



CITY OF ALPHARETTA
Financial Management Reports
Special Revenue Funds
Impact Fee Fund (Fund 270; life-to-date for active projects)
As of September 30, 2024

		Project Snapshot: FY2013 - FY2024		FY 2025					
		Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Account #	Project								
Non-Departmental									
27074110-521200	PROFESSIONAL SERVICES			\$ -	\$ 37,525	\$ 37,525	\$ -	\$ 37,525	\$ -
27074110-579001	NON-ALLOCATED STREETS & HIGHWAYS			-	712,937	712,937	-	-	712,937
27074110-579002	NON-ALLOCATED PARKS				919,038	919,038	-	-	919,038
27074110-579003	NON-ALLOCATED PUBLIC SAFETY			-	50,526	50,526	-	-	50,526
	subtotal			\$ -	\$ 1,720,026	\$ 1,720,026	\$ -	\$ 37,525	\$ 1,682,501
	Total			\$ 353,820	\$ 5,249,850	\$ 5,603,670	\$ -	\$ 38,125	\$ 5,565,545

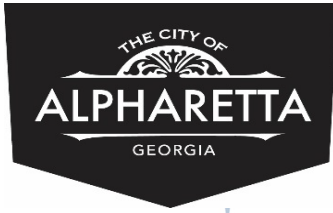


CITY OF ALPHARETTA
Financial Management Reports
Special Revenue Funds
Hotel/Motel Fund (Fund 275; life-to-date for active projects)
As of September 30, 2024

		Project Snapshot: FY2013 - FY2024		FY 2025					
Account #	Project	Total Project Authorization	Prior Year Actuals	Original Appropriation	Transfers / Adjustments	Revised Budget	Collections / Expenditures	Encumbrances	Available Budget
Revenue									
27590150-314100	HOTEL/MOTEL TAXES	88,934,129	79,684,129	\$ 9,250,000	\$ -	\$ 9,250,000	\$ 2,440,263		\$ 6,809,737
27590150-319201	PEALTY/INT HOTEL/MOTEL TAX	(3,413)	(3,413)	-	-	-	(374)		374
27590150-362000	REALIZED GAIN/LOSS	7,903	7,903	-	-	-	(73)		73
27590150-363000	UNREALIZED GAIN/LOSS	117,443	117,443	-	-	-	12,974		(12,974)
27590150-361000	INTEREST EARNINGS	122,977	102,977	20,000	-	20,000	10,670		9,330
	subtotal			\$ 9,270,000	\$ -	\$ 9,270,000	\$ 2,463,461		\$ 6,806,539
Non-Departmental									
27590150-395000	CARRYFORWARD FUND BALANCE	437,322	-	\$ -	\$ 437,322	\$ 437,322	\$ -		\$ 437,322
	subtotal			\$ -	\$ 437,322	\$ 437,322	\$ -		\$ 437,322
	Total			\$ 9,270,000	\$ 437,322	\$ 9,707,322	\$ 2,463,461		\$ 7,243,861
Expenditures									
Alpharetta Convention & Visitors Bureau									
27590150-572002	ALPHA CONV & VISITORS BUREAU DISTRIBUTION	39,834,935	35,788,060	\$ 4,046,875	\$ -	\$ 4,046,875	\$ 346,404	\$ -	\$ 3,700,471
	subtotal			\$ 4,046,875	\$ -	\$ 4,046,875	\$ 346,404	\$ -	\$ 3,700,471
City of Alpharetta									
27590150-611100	CITY OF ALPHARETTA DISTRIBUTION	33,618,657	30,149,907	3,468,750	-	3,468,750	296,918	-	3,171,832
	subtotal			\$ 3,468,750	\$ -	\$ 3,468,750	\$ 296,918	\$ -	\$ 3,171,832
Tourism Product Development									
27590150-521200	PROFESSIONAL SERVICES	47,635	42,135	\$ 5,500	\$ -	\$ 5,500	\$ -	\$ -	\$ 5,500
27590150-579006	DEBT SERVICE RESERVE	1,490,736	736,822	331,662	422,252	753,914	-	-	753,914
27590450-541500	C2011 WILLS PARK MASTER PLAN	3,646,892	3,631,822	-	15,070	15,070	-	-	15,070
27590151-581100	D1600 PRINCIPAL (2016 CONF CTR BOND)	9,691,367	8,921,367	770,000	-	770,000	-	-	770,000
27590151-582100	D1600 INTEREST PAYMENT (2016 CONF CTR BOND)	6,673,580	6,026,367	647,213	-	647,213	-	-	647,213
	subtotal			\$ 1,754,375	\$ 437,322	\$ 2,191,697	\$ -	\$ -	\$ 2,191,697
	Total			\$ 9,270,000	\$ 437,322	\$ 9,707,322	\$ 643,322	\$ -	\$ 9,064,000

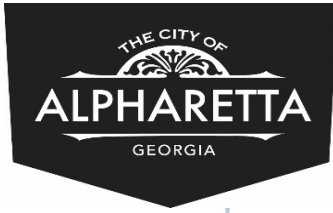


OTHER REPORTS



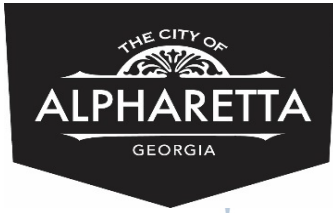
CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended September 30, 2024

Vendor	Description	Department	\$ Amount
A. B. GYMNASTICS LLC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 5,985.94
A. B. GYMNASTICS LLC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 6,499.13
ABLE ASPHALT PAVING	PARK AREA CONSTRUCTION/RENOVATION	Rec., Parks & Cultural Services	\$ 31,510.00
AIMS COMPANIES	SW PIPE & STRUCTURE R&M	Public Works	\$ 17,040.00
ALCALDE & FAY LTD	LOBBY SERVICES	City Administration	\$ 5,000.00
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Various Departments	\$ 462,115.72
ALLIED WASTE SERVICE	WASTE MANAGEMENT SERVICES	Finance	\$ 10,759.06
ALPHARETTA CHAMBER OF COMMERCE	ALPHARETTA BUSINESS SUMMIT SPONSORSHIP	City Administration	\$ 20,000.00
AMERICAN FACILITY	JANITORIAL/CUSTODIAL SERVICES	Various Departments	\$ 35,606.25
AT&T/BELLSOUTH @ 85	TELEPHONE SERVICES, LONG DISTANCE AND LOCAL	Public Safety	\$ 17,187.06
ATKINS NORTH AMERICA	CONSULTING SERVICES (NOT OTHERWISE CLASSIFIED)	Public Works	\$ 9,844.92
ATKINS NORTH AMERICA	PROJECT MANAGEMENT SERVICES (OLD MILTON PKWY CAPACITY IMP)	Public Works	\$ 17,757.99
ATLANTA BASEMENT SYSTEMS	CONSTRUCTION, SIDEWALK AND DRIVEWAY	Public Works	\$ 14,748.00
BARGE DESIGN SOLUTIONS	DESIGNING SERVICES: WILLS PARK MASTER PLAN IMP	Rec., Parks & Cultural Services	\$ 144,282.25
BENNETT FIRE PRODUCT	FIRE PROTECTION CLOTHING (TURNOUT COATS, BUNKER PANTS)	Public Safety	\$ 7,612.00
BUILDING MANAGEMENT	STRUCTURAL ENGINEERING: ROOF REPAIR/REPLACEMENT	Public Works	\$ 5,850.00
CARL BLACK BUICK GMC	VEHICLE REPAIR & MAINTENANCE	Public Works	\$ 7,015.13
CLEARGOV INC	SOFTWARE MAINTENANCE/SUPPORT	Finance	\$ 46,350.00
COLLINS COMPANY	FACILITY REPAIR & MAINTENANCE	Rec., Parks & Cultural Services	\$ 7,745.00
COLUMBIA ENGINEERING	DESIGNING SERVICES PI# 0017814 (NORTH POINT PKWY IMP)	Public Works	\$ 26,800.00
COLUMBIA ENGINEERING	DESIGNING SERVICES (NORTH POINT PKWY IMP)	Rec., Parks & Cultural Services	\$ 11,000.00
CORPORATE BILLING	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 87,095.77
CRABAPPLE TURF	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 14,921.89
CRABAPPLE TURF	MAINTENANCE CONTRACTS	Rec., Parks & Cultural Services	\$ 20,751.10
DATA MEDIA ASSOCIATE	STATEMENTS AND POSTAGE	Finance	\$ 13,084.24
DC POOL SERVICE LLC.	SWIMMING POOL MANAGEMENT AND OPERATION	Rec., Parks & Cultural Services	\$ 8,276.04



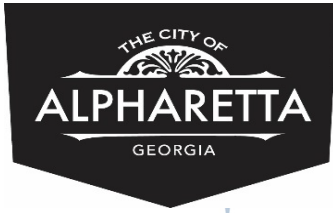
CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended September 30, 2024

Vendor	Description	Department	\$ Amount
DIX.HITE + PARTNERS	DESIGNING SERVICES (UNION HILL PARK)	Rec., Parks & Cultural Services	\$ 17,940.00
FIVE OAKS FENCE CO	FENCING, METAL SLAT AND TUBULAR	Rec., Parks & Cultural Services	\$ 11,862.00
FULTON COUNTY BOARD OF EDUCATION	FUEL PAYMENTS	Various Departments	\$ 48,453.42
FULTON COUNTY SUPERIOR COURT	WINDWARD PKWY PED BRIDGE-TAX ID 21-5610-1105-028-0	Public Works	\$ 24,605.00
FULTON COUNTY-DEPT OF FINANCE	WATER AND SEWER UTILITIES	Various Departments	\$ 7,262.21
GALLS INC	EMPLOYEE UNIFORMS	Public Safety	\$ 10,787.12
GALLS INC	EMPLOYEE UNIFORMS	Public Safety	\$ 13,998.30
GEORGIA BRIDGE AND CONCRETE	CONSTRUCTION, STREET (WBR PH4 (NPP-GREENWAY))	Public Works	\$ 290,478.27
GEORGIA GREEN	GROUNDS MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 17,142.80
GEORGIA HYDRANT SERVICES, INC	FIRE PROTECTION EQUIPMENT AND SYSTEMS	Rec., Parks & Cultural Services	\$ 6,600.00
GEORGIA POWER CO	ELECTRICITY UTILITIES	Various Departments	\$ 219,758.91
GEORGIA POWER CO	ELECTRICITY UTILITIES	Various Departments	\$ 10,741.98
GESSNER	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 11,487.47
GIS WEBTECH LLC	Public Real Estate Database Software for Website	City Administration	\$ 12,954.24
GREGORY SCOTT JENNINGS	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 7,068.40
GULF STATES	AMMUNITION	Public Safety	\$ 7,697.00
INLINER SOLUTIONS, LLC	PIPE AND PIPE FITTINGS MAINTENANCE AND REPAIR	Public Works	\$ 72,163.72
JARRARD & DAVIS	LAWYER FEES AUGUST 24	Legal Services	\$ 77,587.64
KECK & WOOD INC	SW PIPE & STRUCTURE R&M	Public Works	\$ 12,190.00
KIMBROUGH INDUSTRIAL	FACILITY REPAIR & MAINTENANCE	Public Works	\$ 11,318.45
KIMBROUGH INDUSTRIAL	FACILITY REPAIR & MAINTENANCE	Public Works	\$ 6,786.34
LAZY GRASS LLC	RAPSTC IMPROVEMENTS	Public Safety	\$ 42,432.00
LD GYMNASTICS INC	INSTRUCTORS, CLASSES FOR THE PUBLIC	Rec., Parks & Cultural Services	\$ 13,843.89
MEER ELECTRIC	WIRING AND OTHER ELECTRICAL MAINTENANCE AND REPAIR	Various Departments	\$ 6,083.45
MGT IMPACT SOLUTIONS	SOFTWARE MAINTENANCE/SUPPORT	Various Departments	\$ 98,523.24
MOFFATT & NICHOL	DESIGNING SERVICES (T-SPLOST 2 PROJECTS PW)	Public Works	\$ 36,544.00



CITY OF ALPHARETTA
 Financial Management Reports
Listing of Payments \$5,000 and greater
 for the month ended September 30, 2024

Vendor	Description	Department	\$ Amount
MUNICIPAL EMERGENCY	FIRE PROTECTION EQUIPMENT AND SUPPLIES	Public Safety	\$ 33,923.42
MUNICIPAL EMERGENCY	FIRE PROTECTION EQUIPMENT AND SUPPLIES	Public Safety	\$ 75,930.60
NORTH CENTRAL GA	EDUCATIONAL/TRAINING SERVICES	Public Safety	\$ 7,350.00
OHMSHIV	WBR PH3 (GREENWAY-ROUNDAABOUT) CONSTRUCTION	Public Works	\$ 329,490.28
R&B DEVELOPER INC	HARRIS RD DRAINAGE CONSTRUCTION	Public Works	\$ 64,843.25
R&B DEVELOPER INC	Contract Withholding: 24-016	General Government	\$ 5,767.25
RAM ENTERPRISES, INC	TURF, ARTIFICIAL, INDOOR AND OUTDOOR	Rec., Parks & Cultural Services	\$ 473,000.00
READY MIX USA	SIDEWALK MAINT/REPAIR	Public Works	\$ 6,704.90
REEP RTL NPM GA LLC	DELINQUENT PROPERTY TAXES	Various Departments	\$ 32,526.66
RUMMEL, KLEPPER & KA	SW PIPE & STRUCTURE R&M	Public Works	\$ 9,180.00
RURAL METRO	EMERGENCY MEDICAL SERVICES (INCL. EMERGENCY AMBULANCE)	Public Safety	\$ 31,317.99
RUSSELL LANDSCAPE	GROUNDS MAINTENANCE: MOWING, EDGING, PLANT	Public Works	\$ 57,343.66
RUSSELL LANDSCAPE	LANDSCAPING (INCLUDING DESIGN, FERTILIZING, PLANTING)	Public Works	\$ 30,040.00
SAVATREE LLC	TREE MAINT-PLANTING-REMOVAL	Rec., Parks & Cultural Services	\$ 34,591.00
SAVATREE LLC	TREE MAINT-PLANTING-REMOVAL	Rec., Parks & Cultural Services	\$ 19,075.00
SAWNEE ELECTRIC MEMBERSHIP	ELECTRICITY UTILITIES	Various Departments	\$ 32,515.56
SHI INTERNATIONAL CO	SOFTWARE MAINTENANCE/SUPPORT JULY24	Various Departments	\$ 23,781.04
SIGNARAMA	SIGNS, MISCELLANEOUS (NOT OTHERWISE CLASSIFIED)	Rec., Parks & Cultural Services	\$ 15,601.64
SLAM MECHANICAL LLC	FACILITY REPAIR & MAINTENANCE	Various Departments	\$ 7,304.55
SOL CONSTRUCTION LLC	WBR PH2 (ROUNDAABOUT-PARK) CONSTRUCTION	Public Works	\$ 49,387.12
TECH ALPHARETTA	ATC OPERATIONAL FUNDS	Development Authority	\$ 7,916.67
TECH ALPHARETTA	ATC OPERATIONAL FUNDS	Development Authority	\$ 7,916.67
TEN 8 FIRE & SAFETY	VEHICLE REPAIR & MAINTENANCE	Public Safety	\$ 5,996.32
TERRAMARK LAND	SURVEYOR SERVICES, LAND	Public Works	\$ 14,940.85
THE DUMPSTER CO	CLEANING OF AMUSEMENT AREAS, EXPOSITION CENTERS	Rec., Parks & Cultural Services	\$ 21,507.87
THE F. A. BARTLETT T	TREE AND SHRUB REMOVAL SERVICES	Public Works	\$ 5,550.00



CITY OF ALPHARETTA
Financial Management Reports
Listing of Payments \$5,000 and greater
for the month ended September 30, 2024

Vendor	Description	Department	\$ Amount
THE F. A. BARTLETT T	TREE MAINT-PLANTING-REMOVAL	Various Departments	\$ 12,579.00
THE WEEKLY GROUP OF	CURRENT YEAR PROPERTY TAXES	General Government	\$ 11,127.17
TOKIO MARINE HCC	CLAIMS (LAW ENF. LIABILITY)	Risk Management	\$ 22,714.72
TOKIO MARINE HCC	CLAIMS (GENERAL LIABILITY)	Risk Management	\$ 10,000.00
TOUCHMARK NATIONAL	OLD MILTON PKWY - PARCEL 10	Public Works	\$ 36,900.00
TRI SCAPES	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVIVES	Rec., Parks & Cultural Services	\$ 43,693.19
TRI SCAPES	GROUNDS REPAIR & MAINTENANCE	Rec., Parks & Cultural Services	\$ 17,298.60
TRI SCAPES	ROADSIDE, GROUNDS, RECREATIONAL AND PARK AREA SERVICES	Rec., Parks & Cultural Services	\$ 45,579.38
TRUIST BANK	PCARD LIABILITY	General Government	\$ 158,414.16
TYLER TECHNOLOGIES	PLUS CREDIT MEMO 045-300444 SOFTWARE MAIN/SUPPORT	Various Departments	\$ 113,216.42
VERIZON WIRELESS SERVICES	TELEPHONE SERVICES, CELLULAR	Various Departments	\$ 14,600.86
WELLSTAR NORTH FULTON	MEDICAL SERVICES(PS CUSTODY)	Risk Management	\$ 7,110.80



CITY OF ALPHARETTA
 Financial Management Reports
Listing of PO's between \$5,000.01 and \$50,000.00
 for the month ended September 30, 2024

Purchase Order #	Vendor	Department	Purchase Order Amt.	Description
25000308	COBB COUNTY BOARD OF COMMISSIONERS	PUBLIC SAFETY	\$ 7,350.00	NORTH CENTRAL GEORGIA LAW ENFORCEMENT ACADEMY FOR (98) OFFICERS
25000313	LAZY GRASS LLC	PUBLIC SAFETY	\$ 42,432.00	INSTALLATION OF ARTIFICIAL TURF AROUND OBSTACLE COURSE AT RAPSTC
25000314	TRI SCAPES LLC	REC., PARKS & CULTURAL SVCS	\$ 18,634.24	LANDSCAPE IMPROVEMENTS AT WILLS PARK RECREATION CENTER
25000315	SUMMIT ENTERPRISES INC.	REC., PARKS & CULTURAL SVCS	\$ 10,000.00	REPAIRS TO THE LABORER SCULPTURE
25000318	POND & COMPANY	PUBLIC WORKS	\$ 34,800.00	PREPARATION OF MAINTENANCE PLANS, PER GDOT INSPECTION REPORTS, FOR (10) BRIDGES
25000321	SAVATREE LLC	REC., PARKS & CULTURAL SVCS	\$ 6,514.00	ENCORE PARK TREE REMOVAL SERVICES
25000323	THE F. A. BARTLETT TREE EXPERT COMPANY	REC., PARKS & CULTURAL SVCS	\$ 13,256.10	TREE REMOVAL SERVICES AT VACANT LOT NEXT TO 252 MILTON AVE
25000327	GIS WEBTECH LLC	CITY ADMINISTRATION	\$ 12,954.24	ANNUAL SUBSCRIPTION TO PUBLIC COMMERCIAL REAL ESTATE SOFTWARE
25000328	ALPHARETTA CHAMBER OF COMMERCE	CITY ADMINISTRATION	\$ 10,000.00	ALPHARETTA BUSINESS SUMMIT SPONSORSHIP
25000329	ALPHARETTA CHAMBER OF COMMERCE	CITY ADMINISTRATION	\$ 10,000.00	ANNUAL CITY MEMBERSHIP DUES
25000335	SOUTHEAST ELITE ENTERTAINMENT, LLC	REC., PARKS & CULTURAL SVCS	\$ 11,000.00	RENTAL OF STAGE AND PRODUCTION SERVICES/EQUIPMENT FOR TREE LIGHTING
25000336	REFOREST ATL, LLC	REC., PARKS & CULTURAL SVCS	\$ 10,100.00	INVASIVE PLANT REMOVAL AND MONITORING AT OLD RUCKER PARK
25000337	DATAPRISE LLC	INFORMATION TECHNOLOGY	\$ 7,140.00	DATAPRISE PROFESSIONAL SERVICES
25000338	ARBON EQUIPMENT CORPORTATION	PUBLIC WORKS	\$ 12,200.62	REPLACEMENT OF FAILING SALLYPORT DOOR AT JAIL
25000342	TEN 8 FIRE & SAFETY EQUIPMENT OF GEORGIA	PUBLIC SAFETY	\$ 5,996.32	REPAIRS TO TILLER TRUCK
25000344	NATIONAL DATA & SURVEYING SERVICES	PUBLIC WORKS	\$ 6,282.00	TRAFFIC COUNTING SERVICES AT (37) LOCATIONS
25000346	CLEARGOV INC	FINANCE	\$ 46,350.00	CLEARGOV BUDGETING SUITE SUBSCRIPTION RENEWAL
25000347	SOUTHEAST RESTORATION GROUP OF GEORGIA, II	PUBLIC WORKS	\$ 22,118.33	EXTERIOR PAINTING, MAINTENANCE, AND REPAIR SERVICES AT CRABAPPLE GOVERNMENT CTR
25000348	GOVERNMENTJOBS.COM, INC.	HUMAN RESOURCES	\$ 26,802.60	NEOGOV LEARN MODULE SETUP AND SUBSCRIPTION FOR (1) YEAR
25000349	ALCALDE & FAY LTD	CITY ADMINISTRATION	\$ 50,000.00	FY25 LOBBYING SERVICES
25000352	DEERE & COMPANY	REC., PARKS & CULTURAL SVCS	\$ 40,044.40	(2) JOHN DEERE BUNKER AND FIELD RAKES
25000354	VANGUARD COMMERCIAL FLOORING, LLC	PUBLIC WORKS	\$ 13,302.50	REPAIR CONCRETE SLAB AND REPLACE DAMAGED LVT FLOORING AT ADULT ACTIVITY CTR
25000356	GALVAO PAVERS, LLC	PUBLIC WORKS	\$ 16,786.35	STONE REPAIRS ON RUCKER RD BRIDGE
25000357	TRI SCAPES LLC	REC., PARKS & CULTURAL SVCS	\$ 12,725.00	CONCRETE REPAIRS AT WEBB BRIDGE PARK
25000358	MASON TRACTOR COMPANY INC	REC., PARKS & CULTURAL SVCS	\$ 7,427.83	KUBOTA RTV REPAIRS
25000360	STEELCASE	CITY ADMINISTRATION	\$ 11,414.94	CUBICLE INSTALLATION FOR ECONOMIC DEVELOPMENT TEAM
25000366	MXI ENVIRONMENTAL SERVICES LLC	PUBLIC WORKS	\$ 28,670.00	COMMUNITY HOUSEHOLD HAZARDOUS WASTE COLLECTION EVENT IN NOV 2024
25000367	CARAHSOFT TECHNOLOGY CORPORATION	REC., PARKS & CULTURAL SVCS	\$ 7,863.00	SPECIAL EVENT PERMITTING SOFTWARE

**City of Alpharetta
Balance Sheet
Governmental Funds
September 30, 2024**

	Major Governmental Funds						Non-Major	Total
	General Fund	Capital Project Fund	Capital Grant Fund	2022 Bond Fund	T-SPLOST Capital Fund	T-SPLOST II Capital Fund	Governmental Funds	Governmental Funds
ASSETS								
Cash / Cash Equivalents / Investments	\$ 25,158,980	\$ 12,913,139	\$ 1,265,900	\$ 27,753,365	\$ 30,796,235	\$ 17,914,103	\$ 16,315,493	\$ 132,117,214
Receivables (net of allowance for uncollectibles)								
Taxes Receivable								
Property Taxes	33,818,741	-	-	-	-	-	901,749	34,720,490
Other Taxes	2,665,460	-	-	-	-	-	-	2,665,460
Interest	-	-	-	-	-	-	513,678	513,678
Accounts	880,895	-	-	-	-	-	6,284,852	7,165,747
Due from Other Funds	297,960	-	-	-	-	-	311,360	609,320
Intergovernmental Receivable	-	60,657	509,471	-	-	1,273,509	-	1,843,637
Cash - Restricted	242,330	258,064	-	-	-	-	-	500,395
Total Assets	63,064,367	13,231,860	1,775,371	27,753,365	30,796,235	19,187,611	24,327,132	180,135,941
LIABILITIES AND FUND BALANCES								
Liabilities								
Current								
Accounts Payable	410,509	87,930	-	174,752	22,376	29,444	145,787	870,799
Retainage Payable	-	25,264	-	-	244,210	262,943	66,273	598,689
Intergovernmental Payable	-	-	-	-	-	-	-	-
Claims Payable	-	-	-	-	-	-	-	-
Payroll Payable	149,811	-	-	-	-	-	-	149,811
Due to Other Funds	-	-	186,699	-	-	-	10,927	197,626
Deferred Revenue	34,535,655	50,657	483,387	-	-	-	6,331,845	41,401,543
Unearned Revenue	1,144,793	-	912,515	-	-	-	582	2,057,891
Non-Current								
Unclaimed Property	105,106	-	-	-	-	-	-	105,106
Claims Payable	-	-	-	-	-	-	-	-
Total Liabilities	36,345,875	163,851	1,582,601	174,752	266,586	292,387	6,555,414	45,381,466
Fund Balances:								
Restricted for:								
Capital Projects	-	5,456,160	85,709	23,932,515	9,462,309	9,312,369	7,197,062	55,446,124
Law Enforcement	-	-	-	-	-	-	134,095	134,095
Emergency Telephone Activities	-	-	-	-	-	-	228,350	228,350
Debt Service	-	-	-	-	-	-	514,334	514,334
Promotion of Tourism	-	-	-	-	-	-	2,415,741	2,415,741
Assigned for:								
Grant Projects	-	276,000	-	-	-	-	54,197	330,197
Arbitrage	-	-	-	1,290,000	-	-	-	1,290,000
Encumbrances	5,479,679	4,903,535	21,670	693,512	16,807,452	7,664,234	3,372,156	38,942,238
Unallocated	21,238,812	2,432,315	85,392	1,662,586	4,259,887	1,918,622	3,855,782	35,453,396
Total Fund Balances	26,718,492	13,068,010	192,770	27,578,613	30,529,649	18,895,224	17,771,718	134,754,475
Total Liabilities and Fund Balances	\$ 63,064,367	\$ 13,231,860	\$ 1,775,371	\$ 27,753,365	\$ 30,796,235	\$ 19,187,611	\$ 24,327,132	\$ 180,135,941

City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balances
Governmental Funds
For the Period Ended September 30, 2024

	Major Governmental Funds						Non-Major	Total
	General	Capital	Capital	S2022 Const	T-SPLOST	T-SPLOST II	Governmental	Governmental
	Fund	Project Fund	Grant Fund	Bond Fund	Capital Fund	Capital Fund	Funds	Funds
REVENUES								
Taxes:								
Property Tax	\$ 1,251,282	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 37,013	\$ 1,288,294
Local Option Sales Tax	5,645,737	-	-	-	-	-	-	5,645,737
Transportation SPLOST	-	-	-	-	-	3,734,276	-	3,734,276
Other Taxes	1,296,070	-	-	-	-	-	2,439,889	3,735,959
Licenses and permits	850,826	-	-	-	-	-	-	850,826
Intergovernmental	55,093	17,400	739,907	-	-	-	1,192,696	2,005,095
Charges for services	1,359,665	-	-	-	-	-	65,000	1,424,665
Impact Fees	-	-	-	-	-	-	100,514	100,514
Fines/Forfeitures	602,921	-	-	-	-	-	10,756	613,677
Investment earnings (Loss)	573,786	287,856	19,266	373,080	438,378	217,365	314,906	2,224,637
Contributions and Donations	23,277	26,562	-	-	-	-	355	50,194
Misc Revenue	41,177	-	-	-	-	-	-	41,177
Other	-	-	-	-	-	-	-	-
Total revenues	11,699,833	331,818	759,173	373,080	438,378	3,951,642	4,161,128	21,715,052
EXPENDITURES								
Current:								
Unallocated	-	-	-	-	-	-	-	-
General government	3,644,672	25,576	-	-	-	-	348,754	4,019,002
Public safety	12,139,028	303,805	-	-	-	-	1,574,111	14,016,944
Public works	2,533,693	213,703	11,839	4,692	1,510,859	682,151	714,477	5,671,415
Economic and community development	1,274,819	25,300	-	-	-	-	-	1,300,118
Alpharetta Business Community	-	-	-	-	-	-	-	-
Culture and recreation	3,572,333	1,046,111	-	173,222	-	-	2,979	4,794,645
Contingency	-	-	-	-	-	-	-	-
Professional Services	-	-	-	-	-	-	-	-
Debt service:								
Principal	-	-	-	-	-	-	226,006	226,006
Interest	-	-	-	-	-	-	-	-
Other Costs	-	-	-	-	-	-	-	-
Bond issuance costs	-	-	-	-	-	-	-	-
Capital outlay	-	-	-	-	-	-	-	-
Total expenditures	23,164,546	1,614,494	11,839	177,914	1,510,859	682,151	2,866,328	30,028,131
Excess (deficiency) of revenues over (under) expenditures	(11,464,712)	(1,282,676)	747,334	195,166	(1,072,481)	3,269,491	1,294,800	(8,313,080)
OTHER FINANCING SOURCES (USES)								
Transfers in	296,918	-	-	-	-	-	-	296,918
Transfers out	-	-	-	-	-	-	(296,918)	(296,918)
Loan Proceeds	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-
Sale of capital assets	17,068	-	-	-	-	-	-	17,068
Sale of non-capital assets	4,114	-	-	-	-	-	-	4,114
Land Sale	-	-	-	-	-	-	-	-
Insurance Proceeds	-	-	-	-	-	-	-	-
Bond Proceeds	-	-	-	-	-	-	-	-
Total other financing sources and (uses)	318,100	-	-	-	-	-	(296,918)	21,182
Net change in fund balances	(11,146,613)	(1,282,676)	747,334	195,166	(1,072,481)	3,269,491	997,883	(8,291,898)
Fund balances - beginning	37,865,104	14,350,686	(554,563)	27,383,447	31,602,130	15,625,733	16,773,835	143,046,372
Fund balances - ending	\$ 26,718,492	\$ 13,068,010	\$ 192,770	\$ 27,578,613	\$ 30,529,649	\$ 18,895,224	\$ 17,771,718	\$ 134,754,475

City of Alpharetta
Combining Balance Sheet
Non-Major Governmental Funds
September 30, 2024

	Special Revenue							Total Non-major		
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911	Opioid Settlement Fund	Debt Service Fund	Stormwater Capital Fund	Governmental Funds
ASSETS										
Cash / Cash Equivalents / Investments	\$ 2,267,906	\$ 5,820,606	\$ 359,611	\$ 19,487	\$ 151,838	\$ 294,895	\$ 72,686	\$ 1,453,953	\$ 5,874,510	\$ 16,315,493
Taxes Receivable	901,749	-	-	-	-	-	-	-	-	901,749
Pre-Paid Expenditures	-	-	-	-	-	-	-	-	-	-
Accounts Receivable	-	-	-	-	-	513,678	-	-	-	513,678
Property Taxes	-	-	-	-	-	-	-	6,284,852	-	6,284,852
Intergovernmental Receivable	-	-	-	-	54,412	256,948	-	-	-	311,360
Due From Other Funds	-	-	-	-	-	-	-	-	-	-
Restricted	-	-	-	-	-	-	-	-	-	-
Total Assets	3,169,655	5,820,606	359,611	19,487	206,249	1,065,522	72,686	7,738,805	5,874,510	24,327,132
LIABILITIES										
Accounts Payable	-	-	-	-	-	27,224	-	-	118,563	145,787
Retainage Payable	-	-	-	-	-	-	-	-	66,273	66,273
Intergovernmental Payable	-	-	-	-	-	-	-	-	-	-
Arbitrage Payable	-	-	-	-	-	-	-	-	-	-
Compensated Absences	-	-	-	-	-	-	-	-	-	-
Payroll Liabilities	-	-	-	-	-	10,927	-	-	-	10,927
Due to Other Fund	-	-	-	-	-	-	-	-	-	-
Deferred Revenue	-	-	-	-	54,412	-	-	6,277,434	-	6,331,845
Unearned Revenue	-	-	-	-	-	-	-	582	-	582
Total Liabilities	-	-	-	-	54,412	38,151	-	6,278,016	184,836	6,555,414
FUND BALANCES										
Restricted:										
Capital Projects	-	4,099,980	-	-	-	-	-	-	3,097,082	7,197,062
Law Enforcement	-	-	94,557	19,487	-	-	20,051	-	-	134,095
Promotion of Tourism	2,415,741	-	-	-	-	-	-	-	-	2,415,741
Emergency Telephone Activities	-	-	-	-	-	228,350	-	-	-	228,350
Debt Service	-	-	-	-	-	-	-	514,334	-	514,334
Assigned for: Grant Projects	-	-	-	-	-	-	-	-	-	-
Grant Projects	-	-	-	-	54,197	-	-	-	-	54,197
Encumbrances	-	38,125	-	-	50,000	799,021	-	-	2,485,010	3,372,156
Unallocated	753,914	1,682,501	265,054	-	47,641	-	52,635	946,455	107,582	3,855,782
Total Fund Balances	3,169,655	5,820,606	359,611	19,487	151,838	1,027,371	72,686	1,460,789	5,689,674	17,771,718
Total Liabilities and Fund Balances	\$ 3,169,655	\$ 5,820,606	\$ 359,611	\$ 19,487	\$ 206,249	\$ 1,065,522	\$ 72,686	\$ 7,738,805	\$ 5,874,510	\$ 24,327,132

City of Alpharetta
Combining Statement of Revenues, Expenditures, and Changes in Fund Balances
Non-major Governmental Funds
For the Period Ended September 30, 2024

	Special Revenue									Total Non-major
	Hotel Motel	Impact Fee	Federal Confiscated Assets	State Confiscated Assets	Grant Operating	E911 Fund	Opiod Settlement Fund	Debt Service Fund	Stormwater Service Fund	Governmental Funds
REVENUES:										
Hotel Motel Tax	\$ 2,439,889	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,439,889
Property tax	-	-	-	-	-	-	-	37,013	-	37,013
Charges for Service	-	-	-	-	65,000	-	-	-	-	65,000
Impact Fees	-	100,514	-	-	-	-	-	-	-	100,514
Forfeiture Income	-	-	-	-	-	-	10,756	-	-	10,756
Intergovernmental	-	-	12,759	-	-	1,179,937	-	-	-	1,192,696
Contributions & Donations	-	-	-	-	355	-	-	-	-	355
Investment Earnings (Loss)	34,016	116,421	-	-	2,994	4,597	-	29,152	127,725	314,906
Other	-	-	-	-	-	-	-	-	-	-
Total revenues	2,473,905	216,935	12,759	-	68,350	1,184,533	10,756	66,165	127,725	4,161,128
EXPENDITURES:										
Tourism	346,404	-	-	-	-	-	-	-	-	346,404
Community Development	-	-	-	-	-	-	-	-	-	-
Culture/Recreation	-	-	-	-	2,979	-	-	-	-	2,979
Public Safety	-	-	-	12,614	18,870	1,542,627	-	-	-	1,574,111
Public Works	-	-	-	-	-	-	-	-	714,477	714,477
General Government	-	-	-	-	-	-	-	2,350	-	2,350
Debt Service:	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	226,006	-	-	-	226,006
Interest	-	-	-	-	-	-	-	-	-	-
Bond Issuance Costs	-	-	-	-	-	-	-	-	-	-
Total expenditures	346,404	-	-	12,614	21,849	1,768,634	-	2,350	714,477	2,866,328
Excess (deficiency) of revenues over expenditures	2,127,501	216,935	12,759	(12,614)	46,501	(584,100)	10,756	63,815	(586,752)	1,294,800
OTHER FINANCING SOURCES (USES):										
Transfers in / out:										
General fund	(296,918)	-	-	-	-	-	-	-	-	(296,918)
Budgeted Fund Balance:	-	-	-	-	-	-	-	-	-	-
Capital Leases	-	-	-	-	-	-	-	-	-	-
Total other financing sources	(296,918)	-	-	-	-	-	-	-	-	(296,918)
Net change in fund balances	1,830,583	216,935	12,759	(12,614)	46,501	(584,100)	10,756	63,815	(586,752)	997,883
Fund balances - beginning	1,339,072	5,603,671	346,852	32,101	105,337	1,611,471	61,930	1,396,974	6,276,427	16,773,835
Fund balances - ending	\$ 3,169,655	\$ 5,820,606	\$ 359,611	\$ 19,487	\$ 151,838	\$ 1,027,371	\$ 72,686	\$ 1,460,789	\$ 5,689,674	\$ 17,771,718

City of Alpharetta
Enterprise Fund -Solid Waste
Statement of Net Position
September 30, 2024

	<u>Solid Waste</u>
ASSETS	
Current Assets:	
Cash and Cash Equivalents & Investments	\$ 1,826,852
Inventories, at cost	-
Accounts Receivables (net of allowance for uncollectibles)	304,799
Prepaid Insurance Expenses	-
Total Current Assets	<u>2,131,651</u>
Noncurrent Assets:	
Restricted Cash, Cash Equivalents, and Investments	-
Total Restricted Assets	<u>-</u>
Other	-
Capital Assets	
Buildings and System	-
Machinery and Equipment	-
Less Accumulated Depreciation	-
Total Capital Assets (net of accumulated depreciation)	<u>-</u>
Total Noncurrent Assets	<u>-</u>
Total Assets	<u>2,131,651</u>
LIABILITIES	
Current Liabilities:	
Accounts Payable	10,796
Accounts Payable/ Customer Credit Balances	7,290
Accounts Payable/ Customer Pre-Paid Service	1,577,727
Payroll Liabilities	150
Accrued Salaries	-
Accrued Interest Payable	-
Compensated Absences Payable	-
Notes Payable - Revenue Bonds	-
Due to Other Funds	-
Total Current Liabilities	<u>1,595,964</u>
Current Liabilities Payable from Restricted Assets:	
Revenue Bonds Payable	-
Total Current Liabilities Payable from Restricted Assets	<u>-</u>
Noncurrent Liabilities:	
Customer Deposits	-
Compensated Absences less Current Portion	-
Revenue Bonds Payable	-
Total Noncurrent Liabilities	<u>-</u>
Total Liabilities	<u>1,595,964</u>
NET ASSETS	
Invested in Capital Assets, net of related debt	-
Reserved for Debt Service	-
Reserved for Encumbrances	-
Unreserved	535,687
Total Net Assets	<u>535,687</u>
Total Liabilities & Net Assets	<u>\$ 2,131,651</u>

City of Alpharetta
Enterprise Fund - Solid Waste
Statement of Revenues, Expenses, and Changes in Net Position
For the Period Ended September 30, 2024

Operating revenues:	
Charges for sales and services:	
Refuse Collection charges	\$ 1,419,586
Misc Revenue	-
Total operating revenues	<u>1,419,586</u>
Operating expenses:	
Administration	5,648,273
Non-departmental	-
Total operating expenses	<u>5,648,273</u>
Operating Gain (loss)	(4,228,687)
Non-operating revenues (expenses):	
Investment earnings (Loss)	<u>30,522</u>
Total non-operating revenue (expenses)	<u>30,522</u>
Income (loss) before transfers	(4,198,165)
Transfers In	-
Transfers Out	<u>-</u>
Change In Net Assets	(4,198,165)
Total net assets-beginning	<u>51,795</u>
Total net assets-ending (net of encumbrances)	<u>(4,146,370)</u>
Adjustments to GAAP basis:	
Encumbrances	4,682,057
Misc adj-Encumbrances Resv/Prior Year	
Total net assets-ending	<u>\$ 535,687</u>

DEVELOPMENT AUTHORITY



Revenue & Expenditure Report GAAP Financial Statements



ALPHARETTA DEVELOPMENT AUTHORITY

Financial Management Report - As of September 30, 2024 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Revenues					
99575100-346900	Bond Application Fee	\$ -	\$ 500		\$ (500)
99575100-361000	Investment Earnings	-	4,272		(4,272)
99575100-371000-C1532	Tech Alpharetta Operational Funding (IGA with COA)	95,000	23,750		71,250
(2) 99575100-381000-C1535	Tech Alpharetta Incubator Operations	23,700	1,587		22,113
	subtotal	\$ 118,700	\$ 30,108		\$ 88,592
(1) 99575100-395000	Carryforward Fund Balance	\$ 284,881	\$ -		\$ 284,881
	subtotal	\$ 284,881	\$ -		\$ 284,881
	Total	\$ 403,581	\$ 30,108		\$ 373,473
Expenditures					
99575100-571000	Local Job Creation Grant Program	\$ 32,500	\$ -	\$ -	\$ 32,500
99575100-544100-C1532	Tech Alpharetta Operational Funding	95,000	31,667	1	63,332
99575100-544100-C2525	Tech Alpharetta Relocation MOU	30,000	-	-	30,000
99575100-544100-C1601	High Impact Permitting Grant Program (IGA with COA)	20,948	-	-	20,948
99575100-544100-C2210	Downtown Economic Development Initiative	10,000	-	-	10,000
99575100-544100-C2422	Connect Forward Grant Program	50,000	-	-	50,000
	subtotal	\$ 238,448	\$ 31,667	\$ 1	\$ 206,780
(2) 99575100-523860-C1535	Tech Alpharetta Incubator Operation (Maint. Contracts)	\$ 12,000	\$ 1,841	\$ 1,661	\$ 8,498
(2) 99575100-531200-C1535	Tech Alpharetta Incubator Operation (Misc. Utilities)	1,100	189	-	911
(2) 99575100-531210-C1535	Tech Alpharetta Incubator Operation (Water/Sewer)	1,200	17	-	1,184
(2) 99575100-531220-C1535	Tech Alpharetta Incubator Operation (Natural Gas)	5,000	481	-	4,519
(2) 99575100-531230-C1535	Tech Alpharetta Incubator Operation (Electricity)	4,400	1,002	-	3,398
	subtotal	\$ 23,700	\$ 3,529	\$ 1,661	\$ 18,509
99575100-579000	Reserve	\$ 141,433	\$ -	\$ -	\$ 141,433
	Total	\$ 403,581	\$ 35,196	\$ 1,663	\$ 366,722

- (1) Carryforward Fund Balance represents cash available at the end of the prior fiscal year that is programmed into the current fiscal year budget. As this account represents cash already received, there will not be actual collections.
- (2) Tech Alpharetta Incubator utilities are being funded by Tech Alpharetta on a reimbursement basis. As such, revenues and/or expenses will outpace budget at month end due to the billing/reimbursement delay. Additionally, collections totaling \$1,587 are related to prior year utility billings.



ALPHARETTA DEVELOPMENT AUTHORITY
Financial Management Report - As of September 30, 2024 (unaudited)

Account #	Project	Total Budget	Actuals (Collections/ Expenditures)	Encumbrances	Remaining
Fund Balance Reconciliation					
Fund Balance (beginning of Fiscal Year)			\$ 284,976		
Revenues collected to date			30,108		
Expenditures incurred to date			(35,196)		
Fund Balance (current)			\$ 279,889		
Forecasted revenue collections (Tech Alpharetta Operational Funding from the City)			71,250		
(2) Forecasted revenue collections (Tech Alpharetta Operations reimbursement)			3,529		
Fund Balance*			\$ 354,668		
Fund Balance Allocation (forecasted):					
Non-Spendable (unspent/remaining project allocations)			\$ 206,781		
Spendable (available for investment by the Board)			147,887		
			\$ 354,668		

* May differ from the Fund Balance figures in the attached Balance Sheet due to forecasted revenue collections that are anticipated, but not yet collected.

City of Alpharetta
Balance Sheet
COMPONENT UNIT-DEVELOPMENT AUTHORITY
September 30, 2024

ASSETS

Current Assets:

Cash and Cash Equivalents	\$ 288,578
Investments	-
Receivables	1,928
Restricted Cash for Bond Issuance Costs	-

Total Assets 290,506

LIABILITIES

Current Liabilities:

Accounts Payable	8,689
Deferred Revenue	1,928
Due to Other Funds	-
Total Current Liabilities	<u>10,618</u>

Current Liabilities Payable from Restricted Assets:

Total Current Liabilities Payable from Restricted Assets -

Noncurrent Liabilities:

Total Noncurrent Liabilities -

Total Liabilities 10,618

Fund Balance

Restricted	222,615
Unallocated	57,274
Total Fund Balance	<u>279,889</u>

Total Liabilities & Fund Balance \$ 290,506

City of Alpharetta
Statement of Revenues, Expenditures, and Changes in Fund Balance
COMPONENT UNIT-DEVELOPMENT AUTHORITY
For the Period Ended September 30, 2024

	<u>Actual Amounts</u>
Revenues	
Rent/Royalties	\$ 500
State Grant	-
Fees	-
Contributions & Donations	23,750
Miscellaneous Income-Interest	4,272
Miscellaneous Revenue	<u>1,587</u>
Total Revenues	<u>30,108</u>
Expenditures	
Economic Development	31,668
Maintenance Contracts	3,502
Donation to private source	-
Utilities - Miscellaneous	1,688
Debt Service:	
Principal	-
Interest	<u>-</u>
Total Expenditures	<u>36,859</u>
Excess (deficiency) of revenues over (under) expenditures	(6,750)
Other Financing Sources (Uses)	
Sale of capital assets	<u>-</u>
Net Change in Fund Balances	(6,750)
Fund Balance, Beginning of Year	<u>284,976</u>
Encumbrances	1,663
Fund Balance, End of Year	<u>279,889</u>





STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: November 18, 2024

AGENDA ITEM:

Sewer and Temporary Construction Easements: 242 Milton Avenue

Consideration of a Sewer Easement and a Temporary Construction Easement to allow the construction of a sanitary sewer utility at 242 Milton Avenue between the City of Alpharetta, Walter I. Geer III, and Sarah Blackman, and with authorization for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve a Sewer Easement and a Temporary Construction Easement to allow the construction of a sanitary sewer utility at 242 Milton Avenue and authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

This item is for the consideration of approval of a Sewer Easement and Temporary Construction Easement between the City of Alpharetta, Walter I. Geer III, and Sarah Blackman, for the purposes of constructing a sanitary sewer utility at 242 Milton Avenue, Alpharetta, GA 30009. Both easements declare specific terms and conditions in the attached, if the easements are approved.

ALTERNATIVES:

Do not approve the easements, which would impact the possibility of constructing the sewer utility at 242 Milton Avenue.

ATTACHMENTS:

1. Sewer Easement - Signed
2. Temporary Construction Easement - Signed

After recording, please return to:

Jeff Strickland, Esq.
Jarrard & Davis, LLP
222 Webb Street
Cumming, Georgia 30040

**STATE OF GEORGIA
COUNTY OF FULTON**

Cross Reference:
Deed Book 58682 Page 632
Deed Book 57546 Page 39

SEWER EASEMENT

THIS INDENTURE is made this _____ day of _____ 2024, between the **CITY OF ALPHARETTA**, a Georgia municipal corporation (hereinafter referred to as “Grantor”), and **WALTER I. GEER III and SARAH BLACKMAN** (hereinafter referred to as “Grantee”) (collectively, the “Parties”). “Grantor” and “Grantee” include their respective heirs, successors, executors, administrators, legal representatives, and assigns where the context requires.

WHEREAS, Grantee desires to construct a sanitary sewer utility within and abutting Grantor’s property located in Land Lot 1270, 2nd District, 2nd Section of Fulton County, Georgia, assigned Fulton County tax parcel number 22 482412700589 and more accurately described in that legal description in the conveyance document located in the Fulton County records at Deed Book 57546 Page 39 (“Grantor’s Property”);

WITNESSETH, that for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, and the mutual covenants expressed herein, the receipt and sufficiency of which are hereby acknowledged by the Parties, Grantor does hereby grant to Grantee, a non-exclusive, perpetual easement, in, on, over, upon, across, under and through that property more particularly described in **Exhibit “A”** and incorporated herein.

The rights, benefits, privileges, and easements granted herein are for the purpose, use, replacement, reconstruction, maintenance, and repair, and the exclusive use and enjoyment of an underground sanitary sewer line and all appurtenant facility to transport liquid and solid waste from the Grantee Property (defined below) with the right to perform such inspections, maintenance, repair, or replace the same as may from time to time be necessary.

Grantee’s rights, privileges, and easements shall be exercised on the following terms and conditions:

1. Grantee shall, at Grantee’s sole expense, replace the existing 4’ wide sidewalk with a 4’ wide planting strip and an 8’ wide sidewalk as indicated in the attached plat marked as **Exhibit “A”**;
2. Grantee shall, at Grantee’s sole expense, maintain the new 8’ sidewalk and resolve any repairs within ninety (90) days of being notified by Grantor of a need for repair;
3. Grantee shall fulfill any obligations, conditions, and covenants, as required under that Temporary Construction Easement executed contemporaneously herewith;

4. In the event that Grantee may need to conduct any future maintenance, repairs, servicing, and the like (excepting emergency repairs) that is reasonably foreseeable to cause disturbance to Grantor or other parcels, Grantee shall notify Grantor of the need to conduct such servicing and submit any requisite documentation (including but not limited to any temporary construction easement) as may be required by Grantor to conduct such maintenance, repairs, servicing, and the like (excepting emergency repairs);
5. In the event Grantee may need to conduct emergency repairs, i.e., repairs being necessary and immediate to prevent or mitigate imminent damage to person or property, Grantee or Grantee's agent, employee, contractor, subcontractor, individual, or entity within the employ of Grantee, shall submit an emergency locate ticket through 811, also known as "Call Before you Dig," which will notify Grantor of such repairs. The Grantee will be responsible for repairing and restoring any disturbance or damage to the right-of-way or other utility, which may be affected by such repairs, to its original condition prior to completion of the repairs;
6. After the completion of any maintenance, repairs, servicing, and the like, it shall be a condition of the Sewer Easement granted herein that Grantee shall leave any land disturbed by such an operation in a clean and good condition, with all debris removed therefrom and with trenches and cuts properly filled so that all grades, paved areas, and seeded grass which may have been disturbed by such work are restored to their former condition as nearly as practicable;
7. Grantee shall comply and operate in accordance with the Unified Development Code of the City of Alpharetta (version current as of June 29, 2023) Section 3.6 – Installation of Utilities;
8. Prior to initiating any construction, Grantee or Grantee's agent, employee, contractor, subcontractor, individual, or entity within the employ of Grantee shall register the construction through 811, also known as "Call Before you Dig";
9. It shall ultimately be the responsibility of Grantee that in the event that Grantee may need to conduct any future maintenance, repairs, servicing, and the like, that any party, authority, agency, or government required to be notified of such operations and from whom any permit, license, grant, or other legal obligation may be required, are indeed properly notified, and any permits, licenses, or permissions are properly acquired; and
10. Grantor shall not have the right to relocate this Sewer Easement without the prior written consent of Grantee, which approval shall not be unreasonably withheld, conditioned, or delayed. Any future relocation of this Sewer Easement by Grantor shall neither (i) unreasonably interrupt any utility service to the improvements on Grantee Property (defined *infra*) nor (ii) reduce or unreasonably impair the usefulness or function of the Sewer Easement. All costs of relocating this Sewer Easement shall be borne by the party relocating the Sewer Easement.

The terms and conditions hereof shall be binding upon and inure to the benefit of the successors and assigns of Grantee and Grantor.

Grantor does hereby covenant that it is lawfully seized and possessed of the land above described and holds title in the name of Grantors shown below. Grantee also does hereby covenant that it is lawfully

seized and possessed of the land more particularly described in the legal description provided in the Warranty Deed recorded in Fulton County Deed Book 58682 Page 632 (the "Grantee Property").

TO HAVE AND TO HOLD said Sewer Easement perpetually unto Grantee, its successors, and assigns, the right, powers, and interests herein granted, which shall be a covenant running with the Grantee Property, but subject always to the covenants herein set forth.

IN WITNESS WHEREOF, Grantor and Grantee have signed and sealed this Sewer Easement the day and year above written.

GRANTOR:

Signed, sealed, and delivered
in the presence of:

CITY OF ALPHARETTA, a municipal
corporation of the State of Georgia

Witness

By: _____
Jim Gilvin, Mayor

Notary Public
My Commission expires:

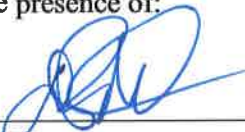
(notary seal)

Authorized per City UDC Sec 3.6:

City Engineer

(Signatures continued on the following page)

Signed, sealed, and delivered
in the presence of:



Witness

GRANTEE:

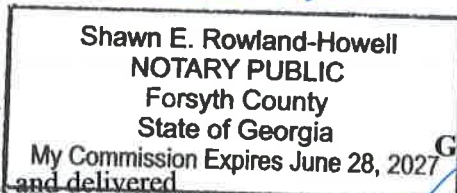


WALTER I GEER III (seal)



Notary Public
My Commission expires: June 28, 2027

(notary seal)



Signed, sealed, and delivered
in the presence of:



Witness

GRANTEE:



SARAH BLACKMAN (seal)



Notary Public
My Commission expires: June 28, 2027

(notary seal)

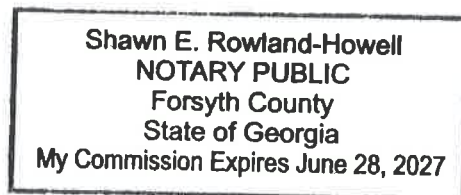
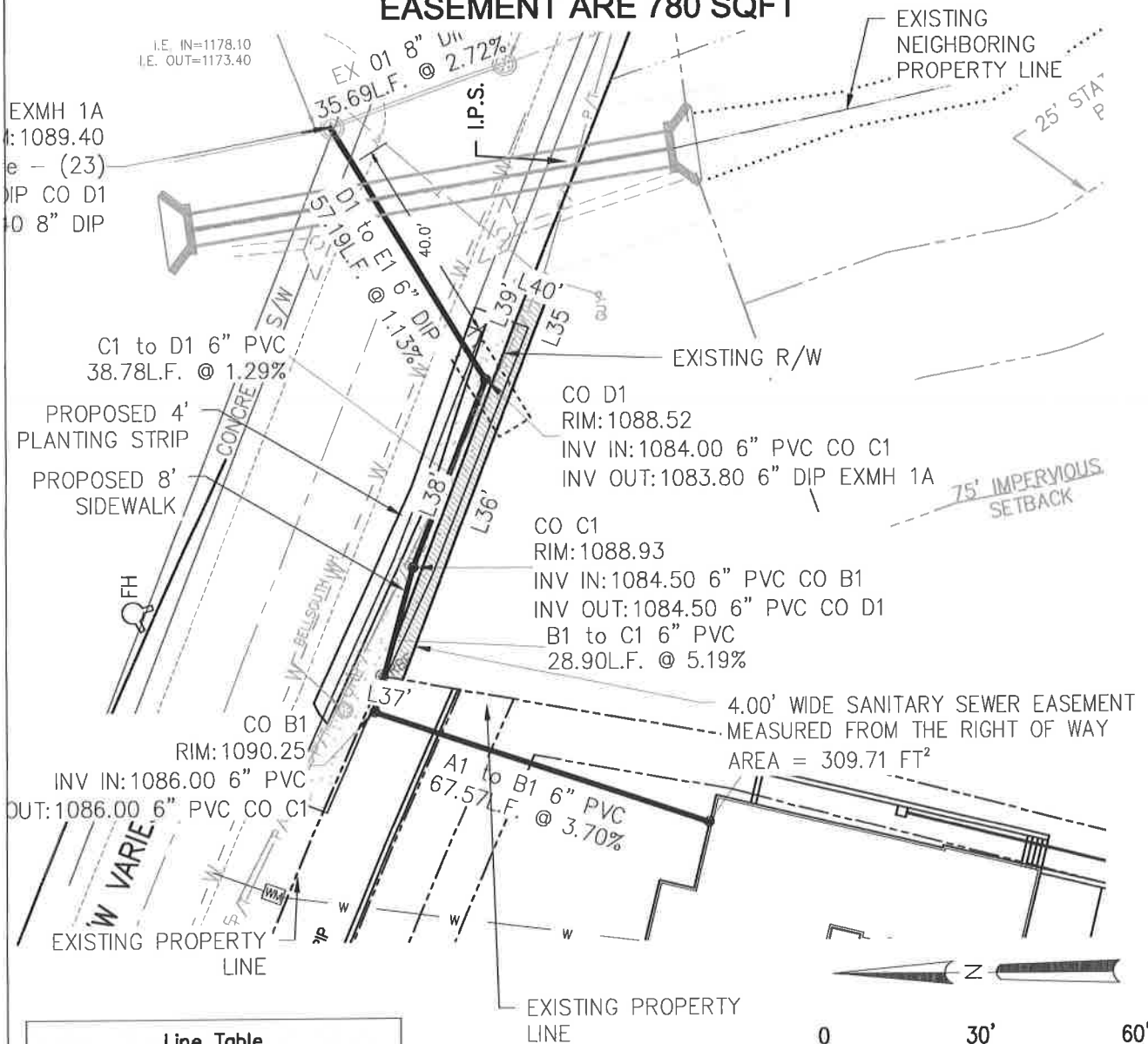


Exhibit A

SEWER EXHIBIT

CONTOURS AND NEIGHBORING PROPERTY LINES FROM FULTON COUNTY GIS EASEMENT ARE 780 SQFT



Line Table		
Line #	Length	Direction
L40'	4.000	S20° 48' 25.34"W
L39'	5.145	S68° 27' 42.83"E
L38'	72.655	S69° 11' 34.66"E
L37'	4.068	N10° 16' 58.00"E
L36'	71.886	N69° 11' 34.66"W
L35'	5.171	N68° 27' 42.83"W

**SEWER EXHIBIT -
242 MILTON AVE**

**LAND LOT 1270 2ND DISTRICT
CITY OF ALPHARETTA, FULTON
COUNTY, GEORGIA**

After recording, please return to:

Jeff Strickland, Esq.
Jarrard & Davis, LLP
222 Webb Street
Cumming, Georgia 30040

**STATE OF GEORGIA
COUNTY OF FULTON**

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE is made this _____ day of _____ 2024, between the **CITY OF ALPHARETTA**, a Georgia municipal corporation (hereinafter referred to as “Grantor”), and **WALTER I. GEER III and SARAH BLACKMAN** (hereinafter referred to as “Grantee”) (collectively, the “Parties”). “Grantor” and “Grantee” include their respective heirs, successors, executors, administrators, legal representatives, and assigns where the context requires.

WHEREAS, Grantee desires to construct a sanitary sewer utility within and abutting Grantor’s property located in Land Lot 1270, 2nd District, 2nd Section of Fulton County, Georgia, assigned Fulton County tax parcel number 22 482412700589 and more accurately described in that legal description in the conveyance document located in Fulton County records at Deed Book 57546 Page 39 (“Grantor’s Property”);

WITNESSETH, that for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, and the mutual covenants expressed herein, the receipt and sufficiency of which are hereby acknowledged by the Parties, Grantor does hereby grant to Grantee, the right enter onto Grantor’s Property within the temporary construction easement area shown and described in the attached exhibit, marked as Exhibit “A” and incorporated herein, to execute certain construction over, through and upon certain portions of Grantor’s right-of-way.

Grantee’s rights, privileges, and easements shall be exercised on the following terms and conditions:

1. Prior to initiating any construction, Grantee or Grantee’s agent, employee, contractor, subcontractor, individual, or entity within the employ of Grantee shall register the construction through 811, also known as “Call Before you Dig”;
2. Grantee shall comply and operate in accordance with the Unified Development Code of the City of Alpharetta (version current as of June 29, 2023) Section 3.6 – Installation of Utilities;
3. Grantee shall comply and operate in accordance with any applicable sewer connection requirements, or other requirements as the case may be, imposed by Fulton County; and
4. Grantee shall indemnify and hold harmless Grantor from all claims, demands, losses, attorneys’ fees, and liabilities of any type or nature arising out of or related to Grantee, or Grantee’s agents, employees, contractors, or subcontractors, performance or non-performance of any work done through the term of this Temporary Construction Easement. This indemnification and hold harmless agreement shall include, but not be limited to claims for injury to person or property; provided, however, that this indemnification and hold harmless obligation shall not apply to

claims arising from the sole negligence of Grantor or Grantor's employees. Nothing in this paragraph or Temporary Construction Easement shall be deemed to constitute a waiver of Grantor's sovereign immunity, create rights in any third party, or create any third party beneficiaries.

By accepting this Temporary Construction Easement and undertaking work within the Temporary Construction Easement area, Grantee agrees to perform all work in a good and workmanlike manner and to promptly complete its work within the Temporary Construction Easement area.

This easement will expire upon the completion of said project by the Grantee.

IN WITNESS WHEREOF, the Grantor and Grantee have signed and sealed this Temporary Construction Easement the day and year above written.

GRANTOR:

Signed, sealed, and delivered
in the presence of:

CITY OF ALPHARETTA, a municipal
corporation of the State of Georgia

Witness

By: _____
Jim Gilvin, Mayor

Notary Public
My Commission expires:

(notary seal)

Authorized per City UDC Sec. 3.6:

City Engineer

(Signatures continued on the following page)

GRANTEE:

Signed, sealed, and delivered
in the presence of:



Witness



(seal)

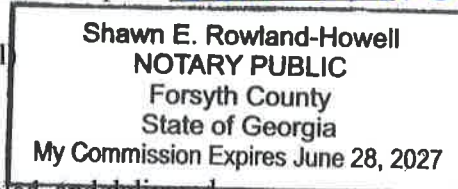
WALTER I GEER III



Notary Public

My Commission expires: June 28, 2027

(notary seal)



Signed, sealed, and delivered
in the presence of:



Witness

GRANTEE:



(seal)

SARAH BLACKMAN



Notary Public

My Commission expires: June 28, 2027

(notary seal)

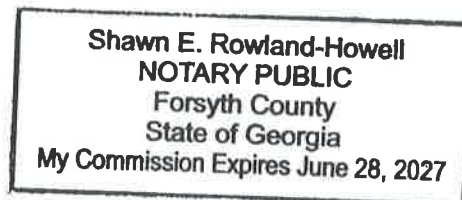
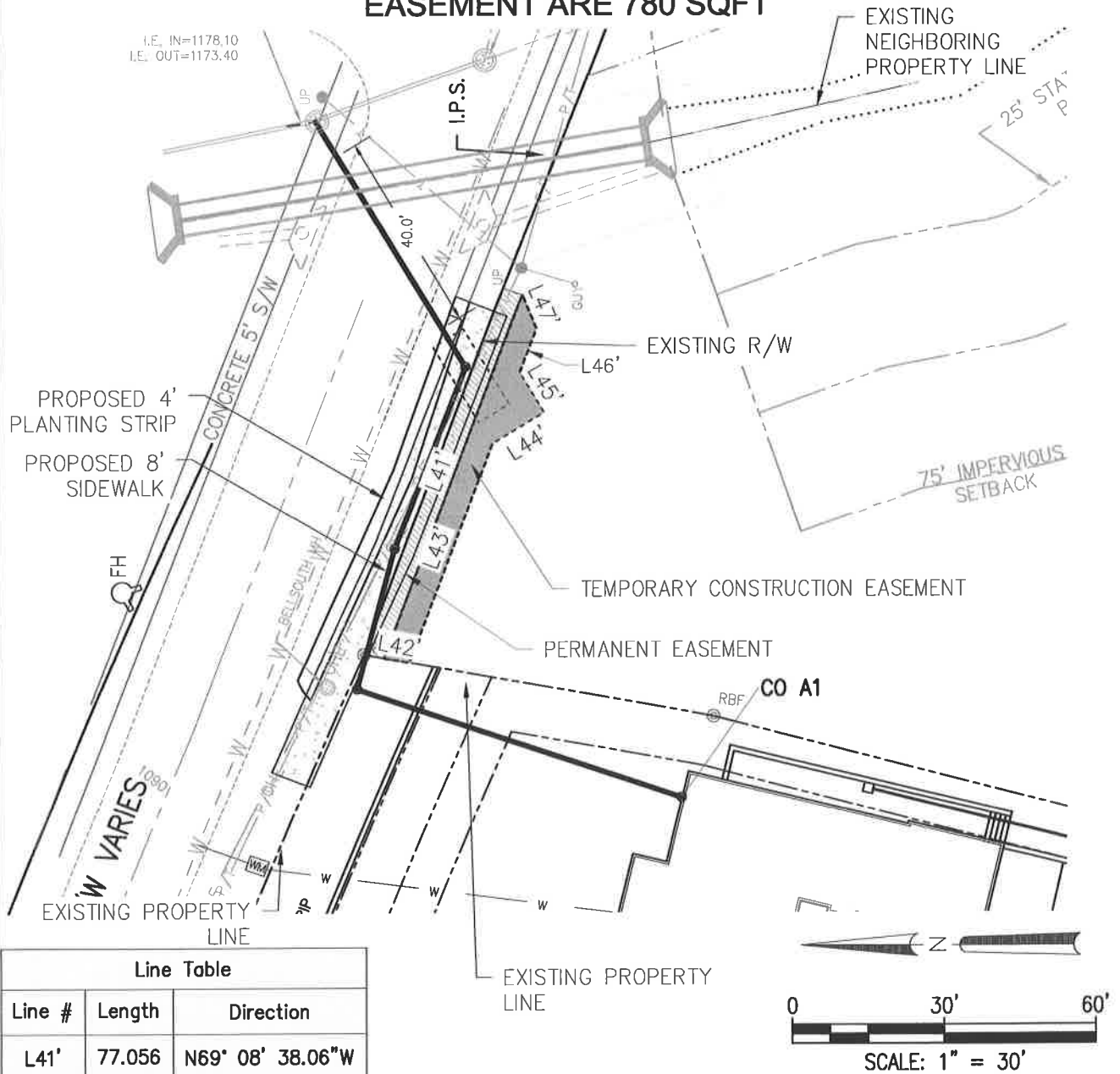


Exhibit A

SEWER EXHIBIT

CONTOURS AND NEIGHBORING PROPERTY LINES FROM FULTON COUNTY GIS EASEMENT ARE 780 SQFT





STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: November 18, 2024

AGENDA ITEM:

Global Settlement Agreement: Casey Bennett and City of Alpharetta

Consideration of approval of a Global Settlement Agreement between Casey Bennett and the City of Alpharetta.

STAFF RECOMMENDATION:

Approve, as part of the Consent Agenda, the Settlement Agreement, Release of All Claims, and Indemnity Agreement between Casey Bennett and the City of Alpharetta.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

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

Plaintiff, Defendants, and Insurer in this claim desire to enter into this Global Settlement Agreement to provide, among other things, for consideration for the full, final, and complete settlement and discharge of all claims and causes of action against Defendants and Insurer.

This agenda item will be updated to include the global settlement agreement once the executed version has been received by the city.

ALTERNATIVES:

ATTACHMENTS:



STAFF REPORT

Department: City Clerk

Submitted By:

Meeting Date: November 18, 2024

AGENDA ITEM:

Announcement of Public Hearing Procedures

STAFF RECOMMENDATION:

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

ALTERNATIVES:

ATTACHMENTS:



CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: November 18, 2024

AGENDA ITEM: MP-24-06/CLUP-24-03/Z-24-11/V-24-18 THE PROVIDENCE GROUP/3750 BROOKSIDE PARKWAY

The applicant, The Providence Group, is requesting a master plan amendment, comprehensive land use plan amendment, rezoning, and variance to allow for the redevelopment of a two (2) story, 105,236 square foot Class B office building with 160 'For-Sale' townhouse-style condominium units on approximately 9.9 acres in Brookside. A master plan amendment is requested to add 'Dwelling, 'For-Sale', Attached' to the Brookside Master Plan Pod B. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M (Dwelling, 'For-Rent' and 'For-Sale', Residential). Variances are requested to increase building height, reduce setbacks, reduce undisturbed buffers, and allow uncovered parking. The property is located at 3750 Brookside Parkway on the south side of Old Milton Parkway between the two (2) intersections with Brookside Parkway.

This item was considered at the November 7, 2024 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended approval of the applicant's request and denial of the parking variance to reduce parking, subject to Staff's recommended conditions. Vote 7-0

After Planning Commission, the applicant updated the site plan to include four (4) additional parking spaces. The variance request to reduce parking is no longer needed.

STAFF RECOMMENDATION:

Approve MP-24-06/CLUP-24-03/Z-24-11/V-24-18 The Providence Group/3750 Brookside Parkway, subject to the following conditions:

1. The 9.89-acre property shall be zoned R-10M and the site shall be developed substantially similar to the site plan prepared by Travis Pruitt & Associates, Inc., dated 11/8/24, except for modifications required to comply with the conditions below. However, lot yield depicted is not guaranteed and subject to meeting all City code requirements and conditions of zoning.
2. Architecture and materials shall be substantially similar to the submitted renderings prepared by Niles Bolton Associates, dated 11/8/24, and Lessard Design, dated 11/11/24, with final approval by Staff. Where the side of a building faces Brookside Parkway, side elevation shall include a front entrance or have the appearance of a front entrance, as approved by Staff.
3. Up to 160 'Dwelling, 'For-Sale', Attached' units shall be permitted with a maximum building height of 3 stories over a basement and 47'. Residential entitlement shall be deducted from the Brookside Master Plan Pod B non-residential max. density at an exchange rate of 800 square feet of non-residential density for each residential unit.
4. 'Dwelling, 'For-Sale' Attached shall be added as a conditional use in Brookside Master Plan Pod B.
5. Development shall comply with the City's UDC parking rates. Uncovered and unenclosed parking shall be permitted as depicted on the site plan.
6. Building setbacks shall be 50' along Old Milton Parkway, except that a 45' section shall have a 14' setback. Building setback shall be 25' along Brookside Parkway.
7. New internal streets and alleys shall be substantially similar to the site plan prepared by Travis Pruitt & Associates, Inc., dated 11/8/24. New internal street shall be private and maintained by the HOA.

8. Open space shall be substantially similar to the open space depicted on the site plan prepared by Travis Pruitt & Associates, Inc., dated 11/8/24.
9. Retaining walls shall receive architectural façade treatment and/or be heavily landscaped, as approved by Staff. Retaining walls visible from developed areas exceeding 16' in height shall be terraced with landscaped areas between terraces.
10. Minimum 15' planted buffer shall be provided along the east property line and minimum 25' planted buffer shall be provided along the west property line, as shown on the site plan prepared by Travis Pruitt & Associates, Inc. dated 11/8/24.
11. The proposed development shall not be gated.
12. Developer shall provide stairway access from the site to the sidewalk along Old Milton Parkway at the northeastern corner of the site, as approved by Staff.
13. Developer shall provide a traffic calming/enhanced pedestrian crosswalk on Brookside Parkway, as depicted on the site plan prepared by Travis Pruitt & Associates, Inc., dated 11/8/24.
14. Developer shall improve a green pedestrian connection along the west side of the property, as depicted on the site plan prepared by Travis Pruitt & Associates, Inc., dated 11/8/24. A public access easement shall be provided for the green pedestrian connection. Pedestrian connection shall include an 8' concrete multi-use trail, park-like landscaping, wayfinding signage, seating and outdoor workspace or alternative placemaking improvement, as approved by Staff. Seating shall be similar to Exhibit A, including 2 sections of 3 benches. String lighting shall be installed over entrance along Brookside Parkway. Improvements for the green pedestrian connection, as well as the land value of the public access easement, shall be eligible for impact fee credits.
15. Developer shall identify a project in the Brookside Small Area Plan and implement the project in exchange for impact fee credits, as approved by Staff.
16. No more than 10% of the units shall be rented as stated in the HOA covenants.
17. No unfinished wood shall be visible from Brookside Parkway.

ITEM DESCRIPTION:

The submitted request, if approved, would allow for the redevelopment of a two (2) story, 105,236 square foot Class B office building with 160 'For-Sale' townhouse-style condominium units on approximately 9.9 acres in the Brookside Master Plan. The proposed density in Pod B is 5.33 dwelling units per acre. A master plan amendment is requested to add 'Dwelling, 'For-Sale', Attached' to Brookside Master Plan Pod B. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M (Dwelling, 'For-Rent' and 'For-Sale', Residential). Variances are requested to increase building height, reduce setbacks, reduce undisturbed buffers, and allow uncovered parking. The property is located at 3750 Brookside Parkway on the south side of Old Milton Parkway between the two (2) intersections with Brookside Parkway.

The property is zoned O-I subject to the Brookside Master Plan Pod B and was developed in 2001 with a two (2) story, 105,236 square foot office building and surface parking lot. Surrounding properties are zoned O-I to the west and south, C-2 (General Commercial) to the east, and CUP (Community Unit Plan) and R-8A (Dwelling, 'For-Sale', Attached Residential) to the north. The Mansions at Alpharetta is located to the west, an office building and an undeveloped property owned by Georgia State University is located to the south, Zyka and Bruster's Real Ice Cream are located to the east, and Folia and Camden Pond are located to the north. The property has a comprehensive land use plan designation of 'Corporate Office', which requires an amendment to allow a residential development.

Brookside Master Plan was approved in 1997 as an office park with retail nodes along Old Milton Parkway. Pod B, which is approximately 30 acres, was approved for office use with a maximum density of 18,000 square feet per acre, or 540,000 square feet and a maximum building height of six (6) stories.

The Horizon 2040 Comprehensive Plan identifies Old Milton Parkway east of Georgia 400 as a priority area in need of redevelopment and promotes retrofitting, repurposing, and mixed-use patterns to create activity nodes near or within existing suburban office parks. In response, the Brookside Small Area Plan was created and adopted in 2022. The plan's vision is to re-imagine the area as a walkable, connected environment in an effort to re-position the suburban office park which currently has one of the highest office vacancy rates in the City. The Plan does not include land use recommendations and the future land use designation of Brookside remains 'Corporate Office'.

As shown in the table below, the applicant requests variances to the Unified Development Code (UDC) related to development regulations in the R-10M zoning district, undisturbed buffer requirements, and parking requirements.

Applicant's Variance Requests

Code Reference	Applicant's Request
UDC Subsection 2.2.10(D) R-10M Dwelling, 'For-Rent' or 'For-Sale', Residential, District Regulations	Increase max. building height from 35' to 3 stories and 47'. Reduce the setback along Old Milton Parkway from 65' to 50', except for a 45' section where the setback will be 14'. Reduce the setback along Brookside Parkway from 65' to 25'.
UDC Subsections 3.2.8(B)(1)(a) Tree Replanting, Buffer, and Landscape Standards, Buffer Requirements	Reduce/modify the 50' undisturbed buffer to a 15' planted buffer.
UDC Section 2.5 Parking and Loading	Allow 1 required parking space per unit to be uncovered and unenclosed.

SITE PLAN

The submitted site plan depicts the existing 105,236 square foot office building to be demolished and redeveloped with 160 'For-Sale' townhouse-style condominium units in fourteen (14), three (3) story buildings. Units are twenty-foot (20') wide and are rear entry. Access to the site will continue from an existing shared driveway on Old Milton Parkway and a relocated driveway on Brookside Parkway. A 25' setback and ten-foot (10') landscape strip are depicted along Brookside Parkway and a 50' setback and twenty-foot (20') planted buffer are depicted along Old Milton Parkway. A fifteen-foot (15') setback and planted buffer are depicted along the east property line and a 25' setback and planted buffer are depicted along the west property line.

A green pedestrian connection is proposed along the west side of the property, which is consistent with the framework plan identified in the Brookside Small Area Plan. The area includes a stream and existing stormwater pond, which is proposed to be placed underground. Additional open space is depicted throughout the development, including an amenity area with clubhouse and pool on the east side of the development, a mail kiosk with parking near the Brookside Parkway project entrance, and several linear green spaces between buildings. The existing five-foot (5') sidewalks and street trees along Old Milton Parkway will remain with GDOT's roadway project. The site plan depicts a six-foot (6') planter and eight-foot (8') sidewalk along Brookside Parkway, which is consistent with the streetscape identified in the Small Area Plan. Five-foot (5') sidewalks are depicted throughout the development.

Unified Development Code (UDC) parking regulations require one (1) parking space for each bedroom in a townhome unit, as well as a minimum ten-foot (10') by eighteen-foot (18') driveway. The applicant indicated that there will be 106 two (2) bedroom units and 54 three (3)

bedroom units for a total of 374 parking spaces. The site plan depicts 160 spaces in garages, 160 spaces on driveways, and 54 guest spaces for a total of 374 spaces.

The applicant has stated that street trees along Old Milton Parkway and Brookside Parkway will be saved. The remaining trees on the site are parking lot landscape trees, of which none were identified to be saved. The property is served by a master detention pond which provides stormwater management for properties in the Brookside Master Plan. An above-ground treatment pond exists in the southwest corner of the subject property, which is part of the master stormwater system. The applicant proposes to place the pond underground in order to improve the area as a green pedestrian connection.

RENDERINGS

The applicant submitted renderings of the townhouse-style condominium buildings, which depict brick, board and batten, and siding as the primary exterior materials. Six (6) buildings will be three (3) stories on slab and eight (8) buildings will be three (3) stories over partially buried basement. Four (4) buildings have a side elevation facing Brookside Parkway, with those elevations including a porch and balcony on the first two (2) floors and a front entrance facing the street.

TRAFFIC

The applicant submitted a trip generation report. The proposed townhome development is expected to generate 70 AM Peak Hour trips and 83 PM Peak Hour trips, which represents a 57% decrease in AM Peak Hour trips and 47% decrease in PM Peak Hour trips compared to the existing office development on the property.

SCHOOLS

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

FULTON COUNTY SCHOOLS – 160 ‘For-Sale’ Townhome Units

School	Estimated # New FCS Students Generated
New Prospect Elementary School	3 – 32
Webb Bridge Middle School	1 – 11
Alpharetta High School	5 – 26
Total	9 – 69

Based on the total figure for all school levels, it can be assumed that the proposed development could house approximately 9 – 69 school age children. New Prospect Elementary School and Alpharetta High School have available enrollment capacity; however, Webb Bridge Middle School is over capacity.

STANDARDS FOR COMPREHENSIVE LAND USE PLAN AMENDMENTS

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

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

Response: The Horizon 2040 Comprehensive Plan identifies Old Milton Parkway east of Georgia 400 as a priority area in need of redevelopment and promotes retrofitting and mixed-use patterns to create activity nodes near or within existing suburban office parks. While the Brookside Small Area Plan does not include land use recommendations, the plan envisions creating a walkable, connected environment in an effort to re-position the suburban office park. Adding residential development is a means to re-position office parks by bringing residences closer to where people work.

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

Response: The Horizon 2040 Comprehensive Plan includes policies to allow mixed use patterns that will create activity nodes in appropriate areas near or within existing suburban office developments.

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

Response: The proposed future land use change would result in less impact on roads as evidenced by the 57% decrease in AM Peak Hour trips and 47% decrease in PM Peak Hour trips compared to the existing office development on the property. The change to allow a residential development would increase demand on parks and recreation. However, the applicant proposes on-site amenities, as well as off-site improvements connecting the property to the existing trail system and Brookside Park.

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

Response: The proposal would not negatively impact public health, safety, and welfare. The intent of the proposal is to re-position the Brookside office park by adding residential to create activity nodes.

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

Response: The current office market provides an opportunity to re-position the Brookside office park while addressing the City's housing needs. The addition of housing in the Brookside office park is a means of re-positioning office by bringing residences closer to where people work.

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

Response: Not applicable.

STANDARDS FOR ZONING AND MASTER PLAN 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: While the Brookside Small Area Plan does not include land use recommendations, the plan envisions creating a walkable, connected environment in an effort to re-position the suburban office park. Adding residential development is a means to re-position office parks by bringing people closer to where they work.

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 of adjacent or nearby properties. The intent of the proposal is to re-position the Brookside office park by adding a residential use that will bring people closer to where they work.

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

Response: The applicant's proposal represents redevelopment of an existing office building and parking lot and would not adversely affect the natural environment. The proposal respects the stream and buffers on the west side of the property.

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

Response: The property is zoned O-I and subject to the Brookside Master Plan Pod B, which is approved for 18,000 square feet/acre, or 540,000 square feet, of non-residential use. A variety of non-residential uses are permitted on the property including athletic facility, bank, clinic, church, congregational housing, day care center, research laboratory, office, and school (academic and commercial). The applicant's request to add residential development within the Brookside would help re-position the office park by bringing residences closer to goods and services and where people work.

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

Response: The proposal would not have significant impacts on public facilities and services. The applicant's proposal would increase the demand on recreation and parks. However, the proposed development includes amenities and open space for the residents and the developer proposes an enhanced crosswalk trail connection linking to the existing trail system in the Brookside office park.

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 Horizon 2040 Comprehensive Plan identifies Old Milton Parkway east of Georgia 400 as a priority area in need of redevelopment and promotes retrofitting and mixed-use patterns to create activity nodes near or within existing suburban office parks. While the Brookside Small Area Plan does not include land use recommendations, the plan envisions creating a walkable, connected environment in an effort to re-position the suburban office

park. Adding residential development is a means to re-position office parks by bringing residences closer to goods and services and where people work.

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

Response: The proposal reflects a reasonable balance. While the Brookside Small Area Plan does not include land use recommendations, the plan envisions creating a walkable, connected environment in an effort to re-position the suburban office park. Adding residential development is a means to re-position office parks by bringing residences closer to goods and services and where people work.

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

Response: The property is zoned O-I and subject to the Brookside Master Plan Pod B, which is approved for 18,000 square feet/acre, or 540,000 square feet, of non-residential use. A variety of non-residential uses are permitted on the property including athletic facility, bank, clinic, church, congregate housing, day care center, research laboratory, office, and school (academic and commercial). The applicant's request to add residential development within the Brookside would help re-position the office park by bringing residences closer to goods and services and where people work.

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

Response: The comprehensive land use plan designation of the subject property is 'Corporate Office', which requires an amendment to 'High Density Residential' to allow the applicant's proposal.

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 extraordinary and exceptional conditions due to its topography. The property sits approximately twenty feet (20') lower than the elevation of Old Milton Parkway. Reducing the setback along Old Milton will allow for buildings to be partially buried, limiting the height of those buildings nearest to Old Milton Parkway. The Brookside Small Area Plan recommends that buildings be pulled up to the sidewalk along Brookside Parkway, which is consistent with the requested setback variance along that street. The Brookside Master Plan allows commercial building heights up to six (6) stories, of which the applicant requests a variance to allow a three (3) story product with a partially buried basement. A variance to allow uncovered parking was approved at Ecco Park on North Point Drive, which was directly tied to the applicant's unique product type (townhouse-style condominium units).

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

Response: Application of the ordinance would create an unnecessary hardship. The requested variances relate to re-positioning the Brookside office park by introducing residential use and seeking compliance with the vision in the Brookside Small Area Plan.

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

Response: The property has peculiar conditions that adversely affect its reasonable use as currently zoned. The requested variances relate to re-positioning the Brookside office park by introducing residential use and seeking compliance with the vision in the Brookside Small Area Plan.

CONCURRENCES

Staff has reviewed the applicant's proposal against the established review criteria for a master plan amendment, comprehensive land use plan amendment, rezoning, and variance. The 2040 Comprehensive Plan identifies Old Milton Parkway east of Georgia 400 as a priority area in need of redevelopment and promotes retrofitting and mixed-use patterns to create activity nodes near or within existing suburban office parks. While the Brookside Small Area Plan does not include land use recommendations, the plan envisions creating a walkable, connected environment in an effort to re-position the suburban office park. If approved, the proposal would bring residences closer to goods, services, and jobs.

The property has exceptional and peculiar conditions due to its topography and location within the Brookside Small Area Plan. Setback variances are supported by the Small Area Plan and the height variance would allow a building height less than the maximum height allowed in the Brookside Master Plan. A variance to allow uncovered parking was approved at Ecco Park on North Point Drive, which was directly tied to the applicant's unique product type (townhouse-style condominium units).

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 correspondence was received.

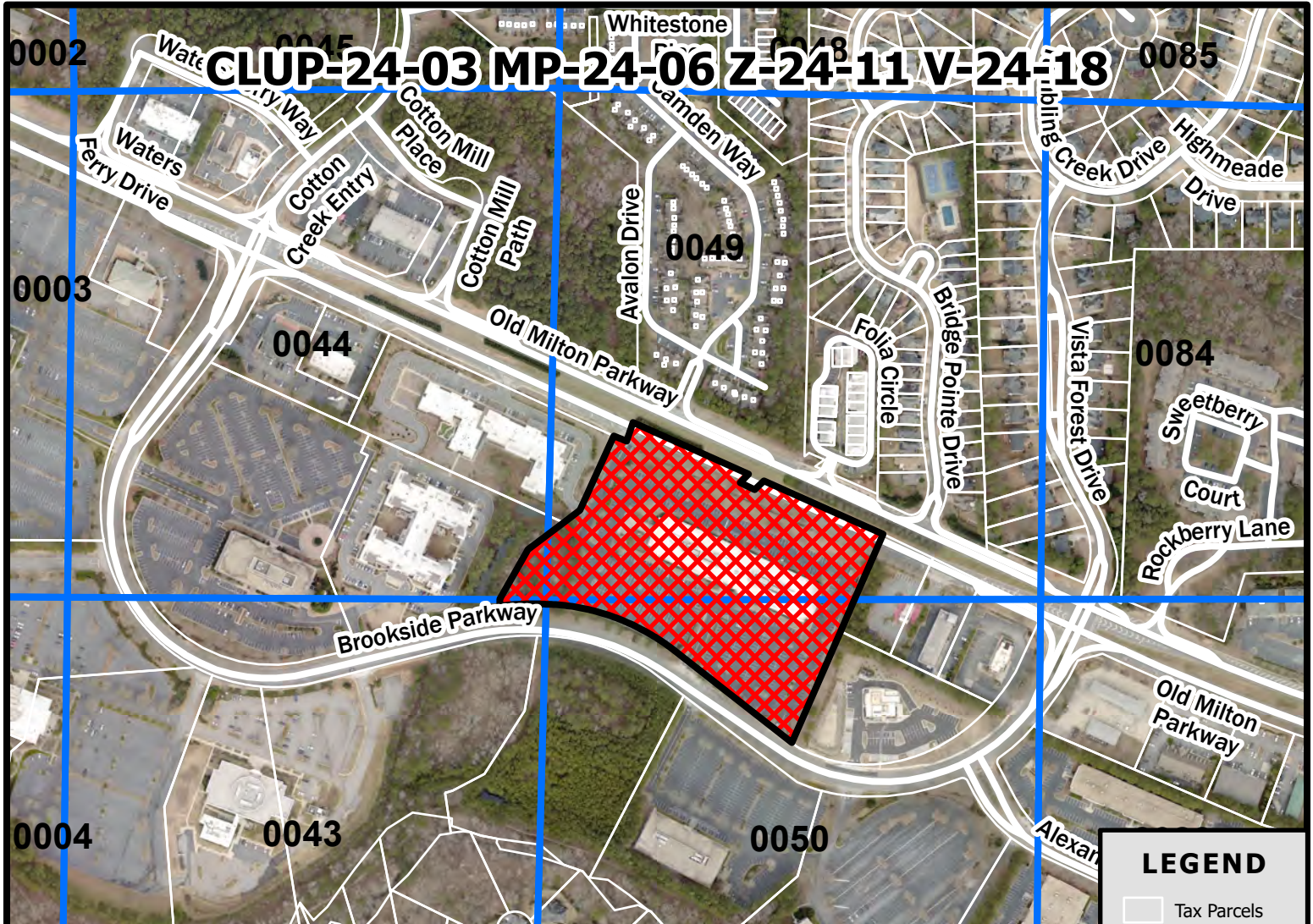
COMMUNITY ZONING INFORMATION MEETING

CZIM was held on October 9, 2024. There were no public comments.

ATTACHMENTS:
• Aerial Map • Zoning Map • Future Land Use Map • Location Map • Latest Site Plan • Rendering

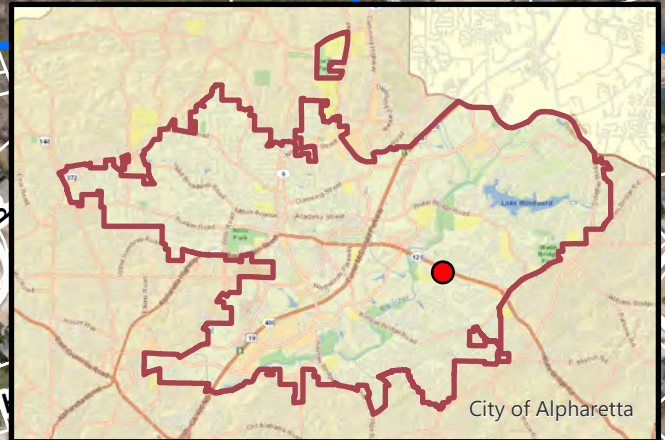
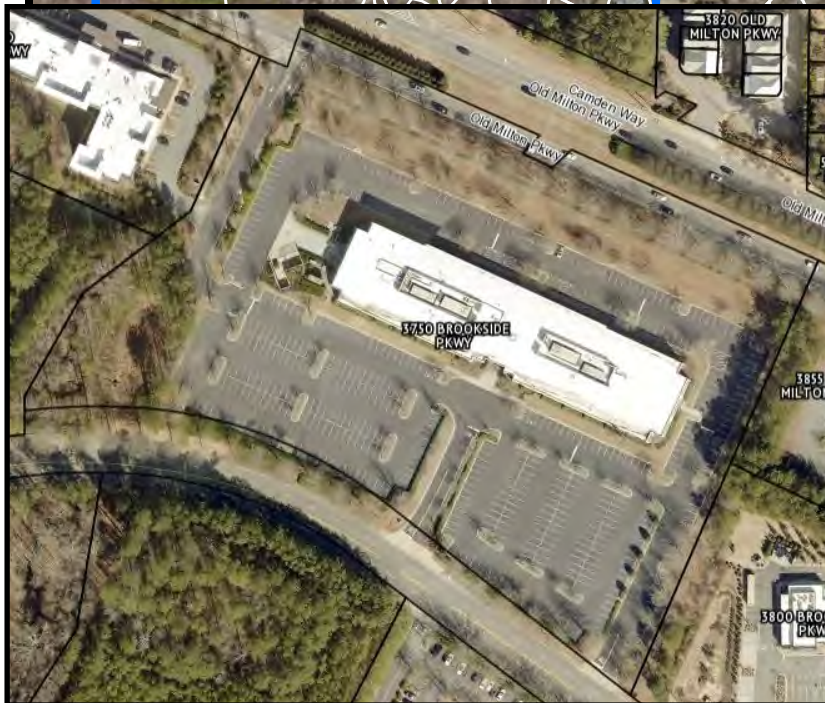
- Exhibit A
- CZIM
- Citizen Part B
- Application

CLUP-24-03 MP-24-06 Z-24-11 V-24-18



LEGEND

-  Tax Parcels
-  Land Lots
-  CLUP-24-03



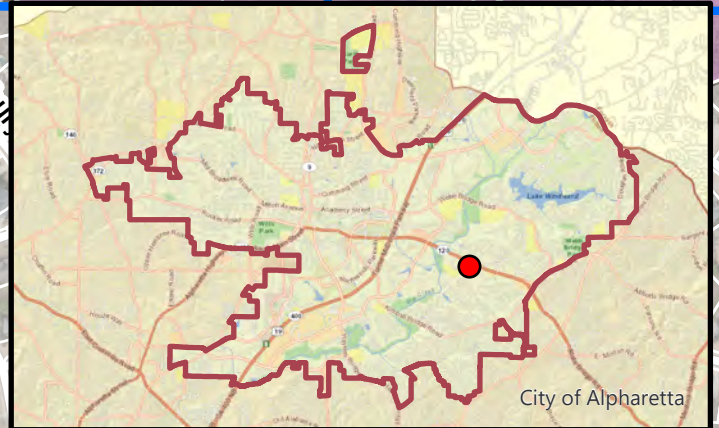
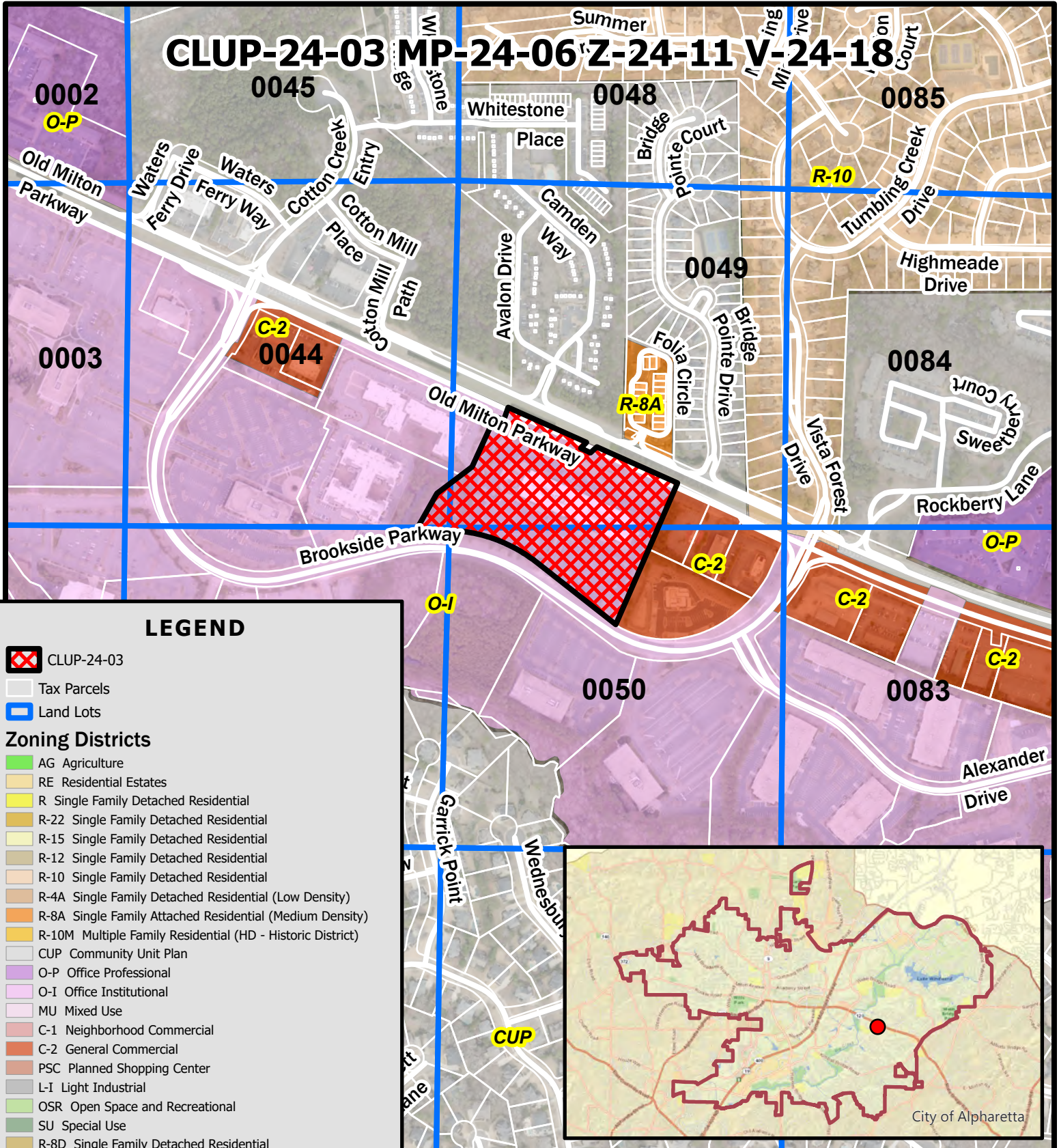
CLUP-24-03 MP-24-06 Z-24-11 V-24-18

D/LL: 1/1/43, 44, 49, 50

PC: 7/11/24

CC: 7/29/24

CLUP-24-03 MP-24-06 Z-24-11 V-24-18



CLUP-24-03 MP-24-06 Z-24-11 V-24-18

D/LL: 1/1/43, 44, 49, 50

PC: 7/11/24

CC: 7/29/24

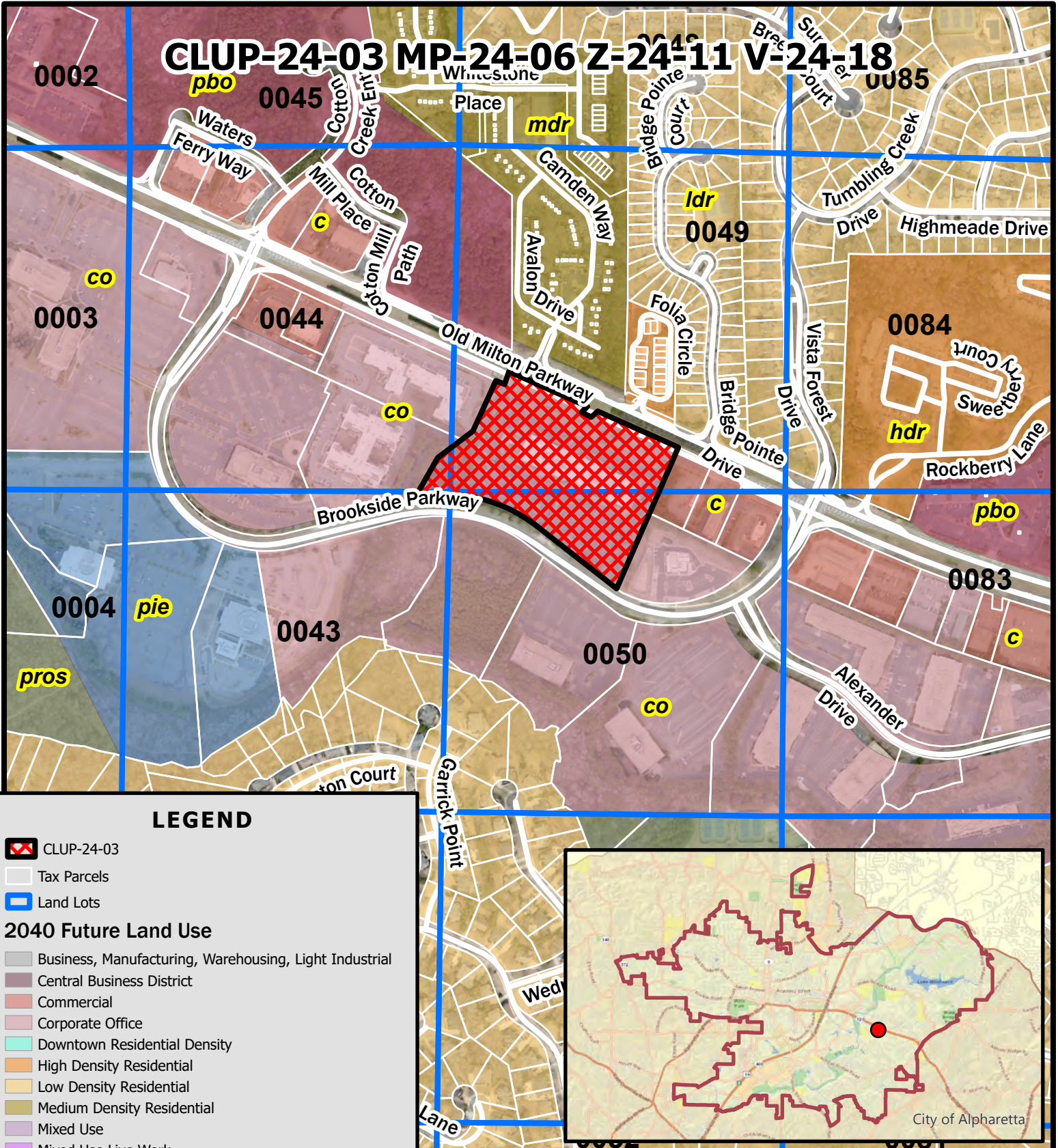
Zoning Map

The Providence Group
3750 Brookside Parkway



Location Map Provided by:
Community Development - GIS

CLUP-24-03 MP-24-06 Z-24-11 V-24-18



LEGEND

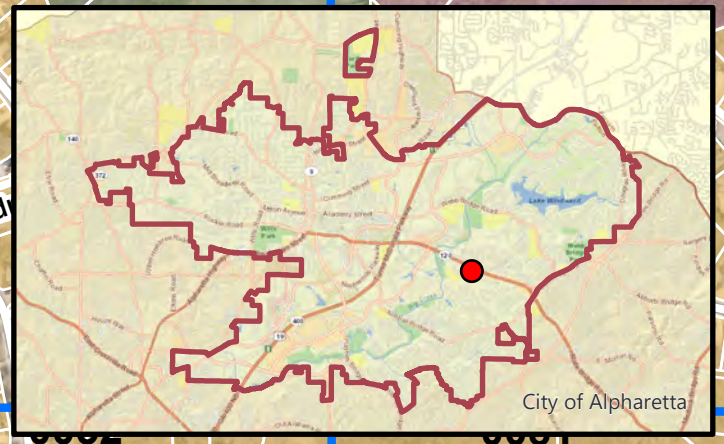
CLUP-24-03

Tax Parcels

Land Lots

2040 Future Land Use

- Business, Manufacturing, Warehousing, Light Industrial
- Central Business District
- Commercial
- Corporate Office
- Downtown Residential Density
- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Mixed Use Live Work
- Parks, Recreation, Open Space
- Professional Business Office
- Public, Institutional, Education
- Residential Estate
- Very Low Density Residential

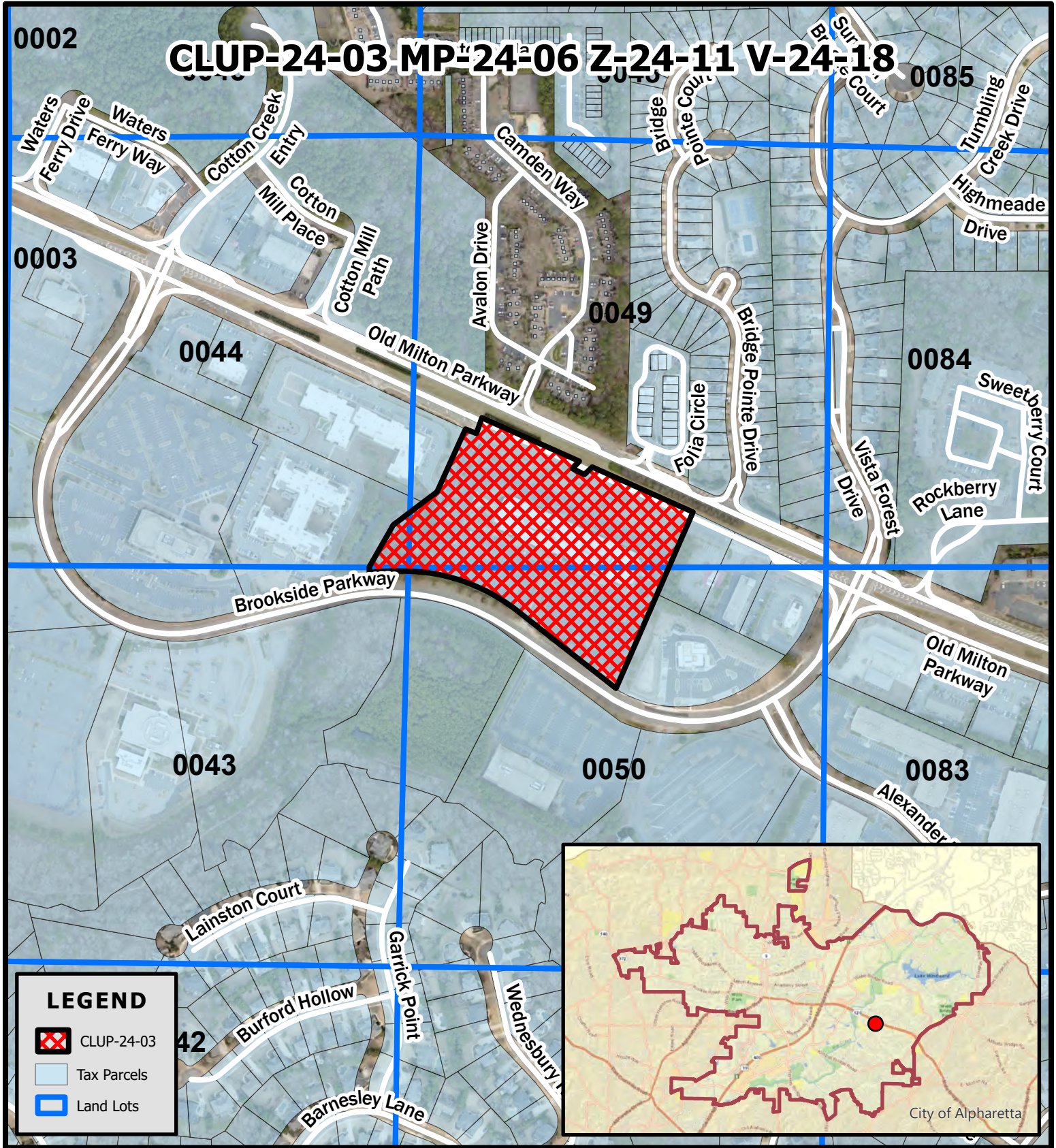


CLUP-24-03 MP-24-06 Z-24-11 V-24-18

D/LL: 1/1/43, 44, 49, 50

PC: 7/11/24

CC: 7/29/24



CLUP-24-03 MP-24-06 Z-24-11 V-24-18

CLUP-24-03 MP-24-06 Z-24-11 V-24-18

D/LL: 1/1/43, 44, 49, 50

PC: 7/11/24

CC: 7/29/24

Location Map
The Providence Group
3750 Brookside Parkway

Location Map Provided by:
 Community Development - GIS
 Page 86 of 482



OWNER/DEVELOPER

thePROVIDENCEgroup

11340 Lakefield Drive
Building II, Suite 200
Johns Creek, Georgia 30097

Clint Walters

CONTACT
ph. 404-274-4492
E-MAIL: c.walters@theprovidencegroup.com

4317 Park Drive, Suite 400
Norcross, Georgia 30093
Phone: (770)416-7511
Fax: (770)416-6759
www.travispruitt.com

TRAVIS PRUITT & ASSOCIATES, INC.

REGISTERED PROFESSIONAL SURVEYOR

TRAVERSING THE FRONTIER

REFERENCE DOCUMENTS:

1. ALTA/ACSM Land Title Survey for Brookside 300 Tract L-1-K prepared by J.D. Grace Land Surveying, LLC dated 08/06/2015.

2. Minor Plat for Old Milton Assisted Living prepared by Planners and Engineers Collaborative dated 03/12/2014.

3. ALTA/ACSM Land Title Survey for Alter Group, LTD Chicago Title Insurance Company prepared by Post, Buckley, Schuh & Jernigan, Inc. / PBS&J dated 10/26/1996, revised 01/29/1999.

SURVEY NOTES:

NOTE: Information regarding the reputed presence, size, character and location of existing underground utilities and structures is shown hereon. There is no certainty of the accuracy of this information and it shall be considered in that light by those using this drawing. The location and arrangement of underground utilities and structures shown hereon may be inaccurate and utilities and structures not shown may be encountered. The owner, his/her employees, his/her consultants and his/her contractors shall hereby distinctly understand that the engineer / surveyor is not responsible for the correctness or sufficiency of this information.

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Travis Pruitt & Associates, Inc.

THESE DRAWINGS AND THEIR REPRODUCTIONS ARE THE PROPERTY OF THE SURVEYOR AND MAY NOT BE REPRODUCED, PUBLISHED, OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSION OF THIS SURVEYOR.

LEGAL DESCRIPTION TRACT I

All that tract or parcel of land lying and being in Land Lots 43, 44, 49, and 50 of the 1st District, 1st Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at the Northeasterly miter of the intersection of the Southerly right of line of Old Milton Parkway (R/W varies) and the Easterly right of way line of Brookside Parkway; THENCE proceeding along the Southerly right of way line of Old Milton Parkway the following courses and distances: South 65 degrees 29 minutes 27 seconds East a distance of 998.54 feet to a point; THENCE South 24 degrees 34 minutes 32 seconds West a distance of 54.48 feet to an iron pin set, said point being the TRUE POINT OF BEGINNING.

THENCE from said TRUE POINT OF BEGINNING continuing along the Southerly right of way line of Old Milton Parkway the following courses and distances: South 65 degrees 48 minutes 38 seconds East a distance of 39.87 feet to a nail set; THENCE North 24 degrees 33 minutes 57 seconds East a distance of 54.30 feet to a nail set; THENCE North 24 degrees 33 minutes 52 seconds East a distance of 374.71 feet to an iron pin set; THENCE South 49 degrees 31 minutes 53 seconds West a distance of 40.03 feet to an iron pin set; THENCE South 66 degrees 05 minutes 34 seconds East a distance of 45.16 feet to an iron pin set; THENCE North 49 degrees 40 minutes 25 seconds East a distance of 39.85 feet to an iron pin set; THENCE South 65 degrees 30 minutes 03 seconds East a distance of 351.25 feet to a 1/2 inch rebar found; THENCE departing said Southerly right of way line of Old Milton Parkway South 24 degrees 30 minutes 43 seconds West a distance of 555.45 feet to a 1/2 inch rebar found on the northerly right of way line of Brookside Parkway (right of way varies); THENCE proceeding along said right of way line the following courses and distances: along a curve to the left with a radius of 526.11 feet and an arc length of 60.04 feet, said curve having a chord bearing of North 58 degrees 24 minutes 02 seconds West and a chord distance of 60.01 feet to a nail found; THENCE North 55 degrees 47 minutes 52 seconds West a distance of 328.96 feet to a nail set; THENCE along a curve to the left with a radius of 743.31 feet and an arc length of 521.06 feet, said curve having a chord bearing of North 74 degrees 34 minutes 44 seconds West and a chord distance of 510.46 feet to a 1/2 inch rebar found; THENCE leaving said right of way line North 00 degrees 08 minutes 14 seconds East a distance of 49.69 feet to an iron pin set; THENCE North 29 degrees 41 minutes 19 seconds East a distance of 153.74 feet to a nail set; THENCE North 24 degrees 35 minutes 05 seconds East a distance of 165.79 feet to a point, said point being the TRUE POINT OF BEGINNING.

Said tract contains 430,952 square feet or 9.893 acres.

SURVEY NOTES:

This plat was prepared for the exclusive use of the person, persons, or entity named in the title block. Said use does not extend to any unnamed person without express permission by the surveyor naming said person.

1. Unless otherwise specified, all distances shown are horizontal ground distances measured in U.S. survey feet (39.37 inches = 1 meter).

2. The project horizontal datum is relative to the North American Datum 1983 (NAD83), 2011 adjustment, projected to the Georgia State Plane Coordinate System, West Zone. The vertical datum is relative to the North American Vertical Datum of 1988 (NAVD88) using the National Geodetic Survey (NGS) Geoid 12A.

3. By graphic plotting only this property Does Not lie within a 100 year flood hazard zone and is depicted as Zone X as defined by the F.E.M.A Flood Insurance Rate Map of Fulton County, Georgia and incorporated areas Map Number 13121C0086F, effective date 9/18/2013 and Map Number 13121C0078F, effective date 9/18/2013.

4. Exterior footprint of all buildings at ground level.

5. No common observable evidence of cemeteries, burial grounds or isolated gravesites were found during the course of the survey.

6. No observable evidence that the site was used as a solid waste dump, sump or sanitary landfill.

7. The Property has direct vehicular and pedestrian access to Old Milton Parkway and Brookside Parkway, dedicated public right of ways, as shown on the survey.

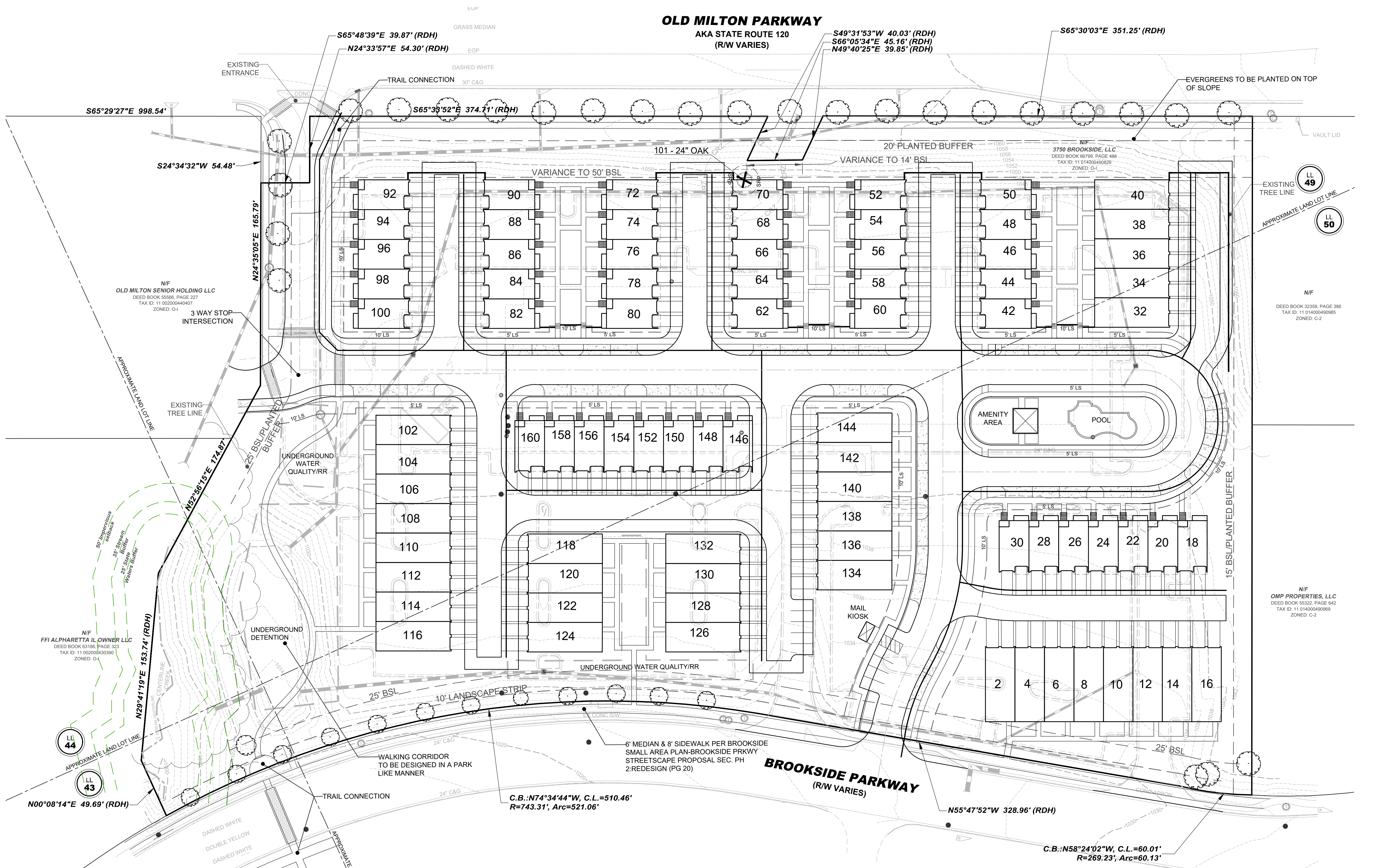
8. No observable evidence of earth moving work, building construction or building additions at the time of the survey.

9. No observable evidence or proposed changes in right of way made available to the surveyor.

10. No observable evidence of recent street or sidewalk construction or repairs.

11. There may be underground utilities not shown on this survey.

12. Wetlands identification and flagging provided by Gala Environmental Consulting dated 9/20/2023.



SITE DATA:

TOTAL SITE AREA	9.893 ACRES
POD "B" AREA	30 ACRES
FLOODPLAIN (APPROXIMATE)	0

ZONING

EXISTING ZONING	O-1
PROPOSED ZONING	R-10M
ZONING JURISDICTION	CITY OF ALPHARETTA

DEVELOPMENT TYPE

REAR ENTRY DUPLEX CONDOMINIUMS	160 UNITS
TOTAL SITE DENSITY	16.1 U/A
TOTAL DENSITY (POD "B")	5.33 U/A

DEVELOPMENT STANDARDS

FRONT YARD	25' TO BROOKSIDE PKWY / 50' OLD MILTON PKWY
MINIMUM BUILDING SEPARATION	20 FEET
MAXIMUM BUILDING HEIGHT (TOWNHOMES)	4 STORIES
MINIMUM LOT WIDTH	20 FEET
MINIMUM LOT SIZE	NONE
MAXIMUM DENSITY	10 U/A

PARKING

GARAGE	160
DRIVEWAY	160
GUEST	54
TOTAL	374

NOTES

1. SPEED LIMIT OF OLD MILTON PARKWAY IS 45 MPH. SPEED LIMIT OF OLD BROOKSIDE PARKWAY IS 35 MPH.

2. ACCORDING TO THE U.S. FISH AND WILDLIFE SERVICE NATIONAL WETLANDS INVENTORY - WETLANDS ARE NOT LOCATED ON THIS SITE.

3. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP FOR FULTON COUNTY 13121C0078F and 13121C0086F, EFFECTIVE DATE 9/18/2013. THE PROPERTY DOES NOT FALL WITHIN A DESIGNATED FLOOD ZONE "A" (AREAS OF 100 YEAR FLOOD).

4. WATERS OF THE STATE ARE WITHIN 200' OF THIS PROPERTY.

5. THE CHATTAHOOCHEE RIVER IS NOT WITHIN 2000' OF THIS PROPERTY.

6. ALPHARETTA FIRE DEPARTMENT SHALL APPROVE ROAD LAYOUT AND ENTRANCES.

7. WATER SERVICE SHALL BE PROVIDED BY FULTON COUNTY. EXISTING WATER SERVICE WILL BE USED.

8. SANITARY SEWER SERVICE WILL BE PROVIDED BY FULTON COUNTY. EXISTING SEWER WILL BE TAPPED ON SITE.

9. SPECIMEN TREE LOCATIONS TAKEN FROM TREE STUDY PERFORMED BY ONEBARK ON 09-28-2023.

VARIANCES

1. ALPHARETTA UDC § 2.2.10.D TO ALLOW A 4-STORY BUILDING HEIGHT.

2. ALPHARETTA UDC § 2.2.10.D TO REDUCE THE FRONT YARD SETBACK ALONG OLD MILTON PARKWAY FROM 65-FEET TO 50-FEET EXCEPT ALONG A 45-FOOT SECTION WHERE SETBACK SHALL BE 14-FEET.

3. ALPHARETTA UDC § 2.2.10.D TO ALLOW A 25-FOOT SETBACK ALONG BROOKSIDE PARKWAY PURSUANT TO THE SMALL AREA PLAN.

4. ALPHARETTA UDC § 3.2.8.B.1.A TO REDUCE THE 50-FOOT UNDISTURBED BUFFER TO A 15-FOOT PLANTED BUFFER.

5. ALPHARETTA UDC § 2.5.4 TO PROVIDE A MINIMUM OF TWO SPACES FOR EACH CONDOMINIUM UNIT TO BE LOCATED IN THE ASSOCIATED GARAGE AND DRIVEWAY.

ZONING PLAN

Brookside Parkway Tract

City of Alpharetta

Land Lot 43 44 49 50, 1st District

Fulton County, Georgia

GEORGIA REGISTERED PROFESSIONAL SURVEYOR

TRAVIS PRUITT & ASSOCIATES, INC.

EDWARD J. ANDERSON

DATE: 11-12-2024

SCALE: 1" = 40'

CN:23D456CP15

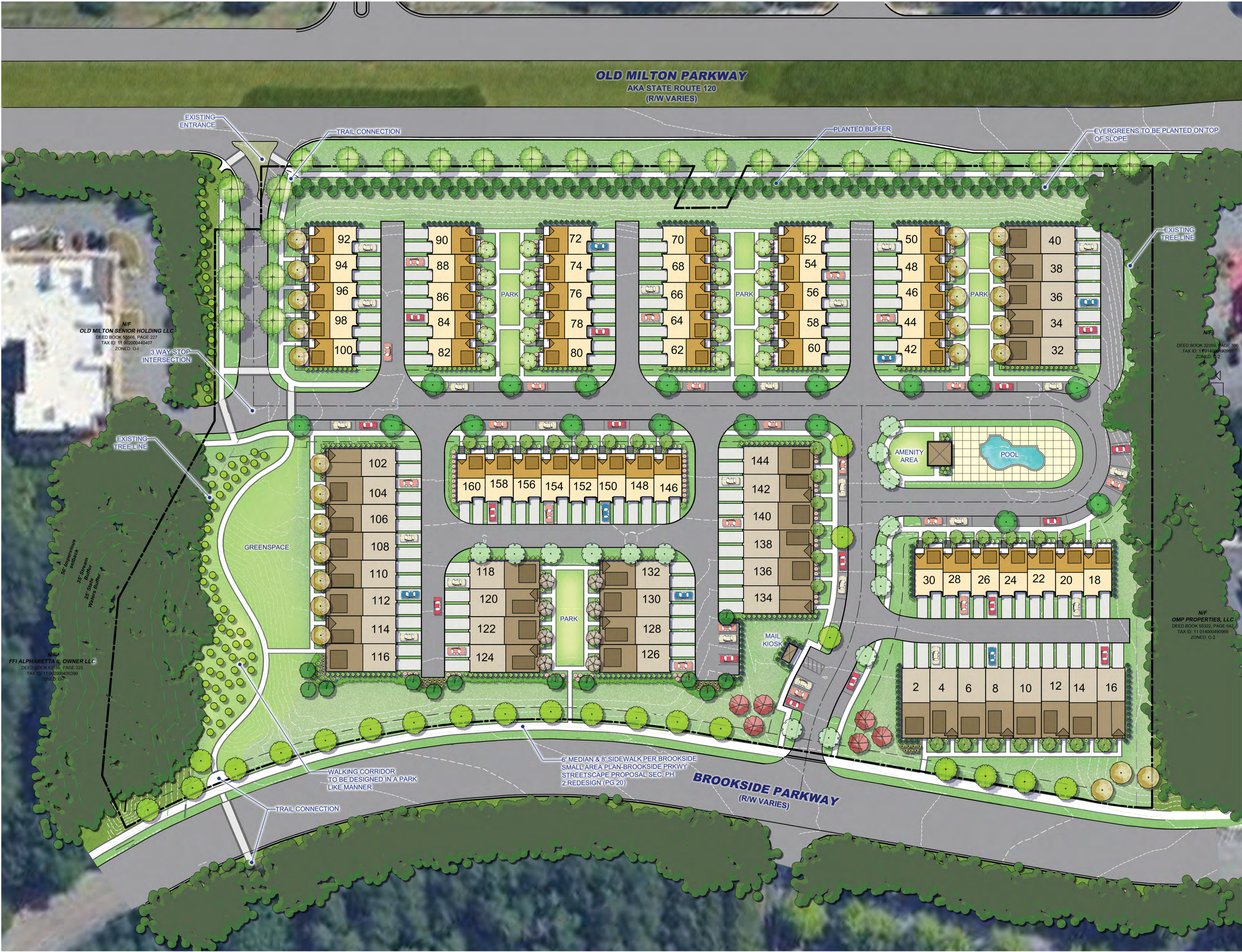
LSV:

JN:

FN:

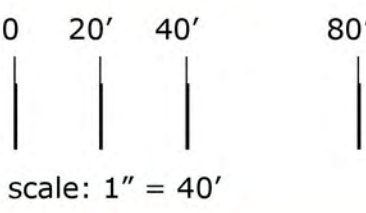
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BROOKSIDE RESIDENTIAL COMMUNITY

CITY OF ALPHARETTA



11.11.2024





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EXTERIOR ELEVATION- STACKED TH- FRONT

TH PLANS

MATERIAL COLOR LEGEND	
1. FC BOARD & BATTEN/ SHUTTER- SW 9710 ACIER	
2. FC BOARD & BATTEN- SW 7020 BLACK FOX	
3. FC LAP SIDING- SW 7064 PASSIVE GRAY	
4. FC 'NICHIA' VERTIAL SIDING- 'CEDAR'	
5. FC TRIM- SW 7020 BLACK FOX	
6. DOORS/ RAILING- SW 6258 TRICORN BLACK	
7. ASPHALT SHINGLE ROOF- 'PEWTER'	
8. METAL ROOF AND CANOPIES-URBAN BRONZE	
9. BRICK 1- COLUMBUS BRICK- BASTILLE/ DARK GRAY MORTAR	
10. BRICK 2- COLUMBUS BRICK- OLD BAILEY W/ WHITE MORTAR	



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LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION



FRONT STREETScape

TYP. STRIP ELEVATIONS

Exhibit A – Green Pedestrian Connection Seating



Community Zoning Information Meeting (CZIM)

October 9, 2024

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

CLUP-24-03/MP-24-06/Z-24-11/V-24-18 / TPG 3750 Brookside Pkwy/Brookside MP Pod B

NAME	ADDRESS	COMMENTS
	No Comment	

CITIZEN PARTICIPATION FORM - PART B

This form must be completed and submitted to the City of Alpharetta Community Development Department a minimum of twenty (20) working days prior to the scheduled Public Hearing. Failure to do so will result in cancellation of the scheduled hearing.

Public Hearing or Project Name: CLUP-24-03/MP-24-06/Z-24-11/V-24-18 TPG/Brookside Master Plan Pod B

Contact Name: Alex Brock (Smith, Gambrell, and Russell, LLP) Telephone: 404-815-3603

Please describe comments and concerns provided by any and all individuals contacted as part of the the Citizen Participation Program. If any individuals provided written correspondence, please attach copies of same to this report.

Letters were sent to the property owners noted on the attached list. No feedback has been received to-date. The Applicant also attended the Community Zoning Information Meeting (CZIM) on October 9, 2024.

There were three members of the public (all in the same group) that reviewed our presentation at the CZIM, none of whom signed-in (they noted that they were attending for another application). They asked generally about the project and had no comments or concerns.

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: _____

10/16/2024

Print Form

Letter to 500 Foot Property Owners

8/30/2024

Clint Walters
The Providence Group of Georgia, LLC
11340 Lakefield Drive, Suite 140
Johns Creek, GA 30097
cwalters@theprovidencegroup.com

MEETING NOTICE
CLUP-24-03/MP-24-06/Z-24-11/V-24-18 TPG/Brookside Master Plan Pod B

Dear Property Owner:

Please allow this letter to serve as public notice for the meeting dates listed below.

Consideration of a comprehensive land use plan amendment, master plan amendment, rezoning and variance to allow 160 'Dwelling, 'For-Sale', Attached' units on 9.89 acres in Brookside. A master plan amendment is requested to the Brookside Master Plan Pod B to add 'Dwelling, 'For-Sale', Attached' as a permitted use. A comprehensive land use plan amendment is requested from 'Corporate Office' to 'High Density Residential' and a rezoning is requested from O-I (Office-Institutional) to R-10M (Dwelling, 'For-Sale', Residential). Variances are requested to Unified Development Code (UDC) Section 2.5 Parking and Loading, to reduce parking and allow parking in the driveway, to UDC Subsection 2.2.10.D Minimum Setbacks standards to reduce the front yard setback, to UDC Subsection 2.2.10.D Maximum Building Height to allow a four-story building height, and UDC Subsection 3.2.8.B.1.a Buffer Requirements to allow a 25-foot planted buffer. The property is located at 3750 Brookside Parkway and is legally described as being located in Land Lots 43, 44, 49 & 50, 1st District, 1st Section, Fulton County, Georgia.

The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, October 9, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by **the Planning Commission on Thursday, November 13, 2024, and City Council on Monday, November 18, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

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

Sincerely,

Clint Walters
The Providence Group of Georgia, LLC

500 Foot Property Owner List

CPI AHP ALPHARETTA MOB OWNER LLC
425 SEVENTH ST NE
CHARLOTTESVILLE VA 22902

ARORA PARVINDER SINGH & ARORA VIJA
YA
11570 VISTA FOREST DR
ALPHARETTA GA 30005

PORTER DOUGLAS J
5548 BRIDGE POINTE DR
ALPHARETTA GA 30005-2656

MARFAM ENTERPRISES INC
115 VIEW HILL CT
ATLANTA GA 30350

NASIRUDDIN NURUDDIN & CHARANIA TAS
NEEM
11650 FOLIA CIR UNIT 15
ALPHARETTA GA 30005

HILAIRE FORTUNA L
5470 BRIDGE POINT DR
ALPHARETTA GA 30005

ONE ZERO TWO ONE ZERO FOUR GREENWI
CH STREET MANHAT
535 MARRIOTT DR
NASHVILLE TN 37214

VAZIRNEZAMI ZOHREH
5460 BRIDGE POINTE DR
ALPHARETTA GA 30005

MONTEIRO FABIO OLIVEIRA & CELIA SO
USA
5459 BRIDGE POINTE DR
ALPHARETTA GA 30005

SFD 3900 BROOKSIDE PKWY LLC
2405 BELMONT BLVD
NASHVILLE TN 37212

GAWEL JOSEPH & CROFF JENNIFER LYNN
5409 BRIDGE POINTE DR
ALPHARETTA GA 30005

SUMNER CHRISTINA C & CHARLES T JR
5449 BRIDGE POINTE DR
ALPHARETTA GA 30005

OMP PROPERTIES LLC
1677 SCOTT BLVD
DECATUR GA 30033

HIGGINBOTHAM KAREN L
5490 BRIDGE POINTE DR
ALPHARETTA GA 30005-4470

DALTON MARK
5419 BRIDGE POINT DR
ALPHARETTA GA 30005

BOARD OF REGENTS OF THE UNIVERSITY
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270 WASHINGTON ST SW STE 6122
ATLANTA GA 30334

HARANDI LYDA
2145 NORTHWICK PASS
ALPHARETTA GA 30022

SARIKONDA VENKATRAVI & WUPENDRAM S
USHMA
5558 BRIDGE POINTE DR
ALPHARETTA GA 30005

GOETHE JANET
P O BOX 813068
SMYRNA GA 30081

SHABANIBAGHERABAD MORTEZA
5440 BRIDGE POINTE DR
ALPHARETTA GA 30005

PATEL KUNAL & PATEL JALPA
11610 VISTA FOREST DR
ALPHARETTA GA 30005

MARGIE B CARGILE DECLARATION OF TR
UST THE
160 S FALCON BLF
ALPHARETTA GA 30022

COX COURTNEY & DASTA THOMAS
5439 BRIDGE POINTE DR
ALPHARETTA GA 30005

EUSTICE MARY M
5429 BRIDGE POINTE DR
ALPHARETTA GA 30005-4471

GEBRESILASIE FISSEHA B
11590 VISTA FOREST DR
ALPHARETTA GA 30005

BIRUTIS KESTUTIS & BIRUTIENE DANUTE
5538 BRIDGE POINTE DR
ALPHARETTA GA 30005

ALMAHDI LUAY & ALQUBAITI ZAHRA
5528 BRIDGE POINT DR
ALPHARETTA GA 30005

LEE SHAYNE M
11600 VISTA FORREST DR
ALPHARETTA GA 30005

HASER JACOB T
5450 BRIDGE POINT DR
ALPHARETTA GA 30005

SMITHERS LYLE O & HATTIE C
87 GRANDWATER DR
SUWANEE GA 30024

NOLAN WILLIAM HARRISON & MOSES MIS
HAUNDRA CHANTRIC
5480 BRIDGE POINTE DR
ALPHARETTA GA 30005

3925 BROOKSIDE PARKWAY LLC
800 SUPERIOR AVE FLOOR 21ST
CLEVELAND OH 44114

GOGATE RAVINDRA T & MANJIRI
11580 FOLIA CIR
ALPHARETTA GA 30005

KATIS JEFFREY RONALD & GOBEA ROSAR
IO D
11580 VISTA FOREST DR
ALPHARETTA GA 30005

FFI ALPHARETTA IL OWNER LLC
200 W MADISON STE 2650
CHICAGO IL 60606

UGUR MEHMET T
11590 FOLIA CIR
ALPHARETTA GA 30005

KELLEHER JOSEPH F & THOMAS J
5479 BRIDGE POINTE DR
ALPHARETTA GA 30005

JD LD ATLANTA LLC
P.O. BOX 7555
REDLANDS CA 92375-0555

MDZ TRUST
11530 FOLIA CIR # 6
ALPHARETTA GA 30005

JONES JAMES R
5489 BRIDGE POINTE DR
ALPHARETTA GA 30005

HWY 120 SENIOR HOLDINGS LLC
171 STONEBRIDGE BLVD
EDMOND OK 73013

MDZ TRUST
11560 GREAT OAKS WAY STE 200
ALPHARETTA GA 30022

SALTER LINDA O & GARY V
5500 BRIDGE POINTE DR
ALPHARETTA GA 30202

BROOKSIDE PARKWAY PARTNERS LLC
3440 PRESTAN RIDGE RD STE 675
ALPHARETTA GA 30005

XU TIANWEI
11540 FOLIA CIR
ALPHARETTA GA 30005

BUCKLEY ROBIN G
5578 BRIDGE POINTE DR
ALPHARETTA GA 30005

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ATLANTA GA 30334

BRYANT ALYSSA
11630 FOLIA CIR
ALPHARETTA GA 30005

MILLER JEFFREY MARSHALL
5410 BRIDGE POINTE DR
ALPHARETTA GA 30005

COSTELLO ERIN M
11640 FOLIA CIR
ALPHARETTA GA 30005

WHITLOW PAMELA J
15560 FOLIA CIR # 3
ALPHARETTA GA 30005

DEBORAH JEAN BAUMGARTNER TRUST THE
5430 BRIDGE POINTE DR
ALPHARETTA GA 30005

ZAKERS KIRTHNEY & SHAWN S
11510 FOLIA CIR
ALPHARETTA GA 30005

TOROSS STEPHEN ANDREW & LINDA MICH
ELLE
11610 FOLIA CIR
ALPHARETTA GA 30005

KHAN MOHAMMAD IRFAN
11560 VISTA FOREST DR
ALPHARETTA GA 30005

VINH HIEP J
11550 FOLIA CIR
ALPHARETTA GA 30005

NGUYEN BRENNY & CAO ANH
11570 FOLIA CIR UNIT 2
ALPHARETTA GA 30005

WILLIAMS JOELLE F WILLIAMS ANTHONY
ALPHONSO
11550 VISTA FOREST DR
ALPHARETTA GA 30005

YIN CHIA CHANG & JACQUELINE
11520 FOLIA CIR UNIT 7
ALPHARETTA GA 30005

XU TIANWEI
11600 FOLIA CIR
ALPHARETTA GA 30005

FOLIA AT OLD MILTON HOMEOWNERS ASS
OCIATION INC
101 PILGRIM VILLAGE DR STE 200
CUMMING GA 30040

CHIZIK RITA K
3011 CAMDEN WAY
ALPHARETTA GA 30005-4449

PRUUL KULLI
5049 AVALON DR UNIT 5049
ALPHARETTA GA 30005

COHEN RICHARD BENJAMIN & KUNCHANA
3009 CAMDEN WAY
ALPHARETTA GA 30005

FEENEY SUZANNE
5061 AVALON DR
ALPHARETTA GA 30005

CHI YI JEN
5295 TWILLINGATE PL
DULUTH GA 30097

DE MARTINO CAROLYN & PARISH CHRIST
INA M
3080 CAMDEN WAY
ALPHARETTA GA 30005

TAYLOR MICHAEL S& HAROLD T
3086 CAMDEN WAY
ALPHARETTA GA 30201

DIPRIZITO ANNE
3021 CAMDEN WAY
ALPHARETTA GA 30005

BEHPOUR HELEN & MOSALEHEH MAHYAR
3015 CAMDEN WAY
ALPHARETTA GA 30005

MC KELVEY MELINDA
4004 CAMDEN WAY
ALPHARETTA GA 30005

NUDELMAN SARAH H
3082 CAMDEN WAY
ALPHARETTA GA 30005

HASKIC EMINA
5043 AVALON DR
ALPHARETTA GA 30005

SALABARRIA FAMILY TRUST THE
716 HIDEAWAY BAY LN
LONGBOAT KEY FL 34228

KOLLER MATTHEW
3084 CAMDEN WAY
ALPHARETTA GA 30005

FENTON CHRISTINA
3068 CAMDEN WAY
ALPHARETTA GA 30005

POSTOLACHI GLOVER LILIA
8114 WOODLAND LANE
ALPHARETTA GA 30009

GRIFFITH SARAH
4008 CAMDEN WAY
ALPHARETTA GA 30005

STEWART PRISCILLA D STEWART KENNET
H SLADE
3007 CAMDEN WAY
ALPHARETTA GA 30005

WYANT JANE REED
5004 AVALON DR
ALPHARETTA GA 30005

JONES JACQUELYN ANNE
3065 CAMDEN WAY
ALPHARETTA GA 30005

SANTI JORDAN C
3070 CAMDEN WAY
ALPHARETTA GA 30005

MORENO FRANCOISE H & FREEMAN SYLVI
A M
5065 AVALON DR
ALPHARETTA GA 30005

STRONG JOELLA
3048 CAMDEN WAY
ALPHARETTA GA 30005

SALEKI MASOOD & NOORANI NAGHMEH
3087 CAMDEN WAY
ALPHARETTA GA 30005

MAHAN RYAN
5063 AVALON DR
ALPHARETTA GA 30005

SIMON NOELLE MARIA
2656 PASS CIR
ALPHARETTA GA 30022

BOWERS MATTHEW R
5028 AVALON DR
ALPHARETTA GA 30005

YEN SHAW F & LEE CHANG JUNG
13400 NEW PROVIDENCE RD
MILTON GA 30004-3759

MC COLLUM MERIN
3027 CAMDEN WAY
ALPHARETTA GA 30005

LARSEN MARK H & RAYANN L
3046 CAMDEN WAY
ALPHARETTA GA 30005

MARIN ANA MARIA & SROUR CHARLES A
3066 CAMDEN WAY
ALPHARETTA GA 30004

GIBSON LIZANN
5069 AVALON DR
ALPHARETTA GA 30005

HALL HOPE H & O D
3071 CAMDEN WAY
ALPHARETTA GA 30005-3476

SOH ROBIN C
1758 MOUNTAIN OAK RD
KENNESAW GA 30152-4278

BANDARU LOHITHA
3024 CAMDEN WAY
ALPHARETTA GA 30005

OSHINSKI JOSHUA
5010 AVALON DR
ALPHARETTA GA 30005

KORNEGAY LYNN A
3061 CAMDEN WAY
ALPHARETTA GA 30005

YAYA FAMILY PROPERTIES LLC
1198 DOVE POINT CT
MABLETON GA 30126

MC CLOUD PAMELA H & HAMLIN DAREN G
5051 AVALON DR
ALPHARETTA GA 30005

UCINSKI RICHARD & SHARON
3005 CAMDEN WAY
ALPHARETTA GA 30005

ROBERTS PATRICIA A
5024 AVALON DR
ALPHARETTA GA 30005-4453

**COMMUNITY ZONING
INFORMATION MEETING (CZIM)
SIGN-IN SHEET
10/9/2024**

Community Zoning Information Meeting (CZIM)

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

October 9, 2024

CLUP-24-03/MP-24-06/Z-24-11/V-24-18 / TPG 3750 Brookside Pkwy/Brookside MP Pod B

NAME	ADDRESS	COMMENTS
	No Comment	

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: _____

PH #: _____

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: The Providence Group of Georgia, LLC, Clint Walters

Telephone: 404-274-4492

Address: 11340 Lakefield Drive

Suite: Suite 140

City: Johns Creek

State: GA

Zip: 30097

Fax: _____

Mobile Tel: 404-274-4492

Email: cwalters@theprovidencegroup.com

Subject Property Information:

Address: 3750 Brookside Pky

Current Zoning: O-I

District: 1

Section: _____

Land Lot: 43, 44, 49,50

Parcel ID: 11 014000490829

Proposed Zoning: R-10M

Current Use: vacant office building

This Application For (Check All That Apply):

☐ Conditional Use

☒ Master Plan Amendment

☐ Comprehensive Plan Amendment

☒ Rezoning

☐ Master Plan Review

☒ Variance

☒ Public Hearing

☐ Exception

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

See attached Statment of Intent

Applicant's Request (Please itemize the proposal):

See attached Statement of Intent

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

See attached Statement of Intent

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Shirin Banjee (3750 Brookside Capital, LLC) Telephone: 404-786-0786
Address: 6400 Powers Ferry Road Suite: 150
City: Atlanta State: GA Zip: 30339

Authorization:

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

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

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

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: The Providence Group of Georgia, LLC Telephone: 678.475.1800
Address: 11340 Lakefield Dr., Johns Creek, GA 30097 Suite: _____
City: Johns Creek, GA 30097 State: GA Zip: 30097

So Sworn and Attested:

Owner Signature: [Signature] Date: 4/29/2024

Notary:

Notary Signature: [Signature] Date: 4/29/24



DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: The Providence Group of Georgia - 3750 Brookside Parkway

Campaign Contribution Information:

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

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

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

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

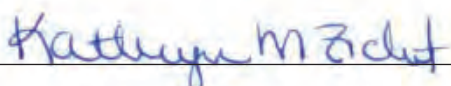
Description of Contribution: _____ Value: _____

Description of Contribution: _____ Value: _____

Campaign Contribution Information:

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

Signature: _____



Kathryn M. Zickert (Smith, Gambrell, and Russell, LLP)

Date: 08.26.2024

DISCLOSURE FORM

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Name of Applicant or Opponent: **J. Alexander Brock (Smith, Gambrell, and Russell, LLP)**

Subject Public Hearing Case: **The Providence Group of Georgia - 3750 Brookside Parkway**

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: _____

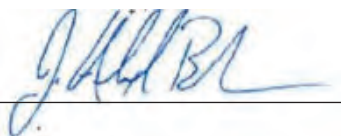
Description of Contribution: _____ Value: _____

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: **08.26.2024**

DISCLOSURE FORM

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Name of Applicant or Opponent: **Dennis J. Webb, Jr. (Smith, Gambrell, and Russell, LLP)**

Subject Public Hearing Case: **The Providence Group of Georgia - 3750 Brookside Parkway**

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: _____

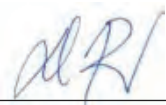
Description of Contribution: _____ Value: _____

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: _____



Dennis J. Webb, Jr. (Smith, Gambrell, and Russell, LLP)

Date: **08.26.2024**

DISCLOSURE FORM

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Name of Applicant or Opponent: Kirk R. Fjelstul (Smith, Gambrell, and Russell, LLP)

Subject Public Hearing Case: The Providence Group of Georgia - 3750 Brookside Parkway

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: 08.26.2024

Kirk R. Fjelstul (Smith, Gambrell, and Russell, LLP)

DISCLOSURE FORM

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

Name of Applicant or Opponent: Clint Walters (The Providence Group of Georgia, LLC)

Subject Public Hearing Case: 3750 Brookside Parkway

Campaign Contribution Information:

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

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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: 5/1/24

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

BOARD OF ZONING APPEALS REVIEW CRITERIA

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

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

See attached Statement of Intent

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

DESCRIPTION OF PROPERTY

3750 Brookside Parkway

All that tract or parcel of land lying and being in Land Lots 43, 44, 49, and 50 of the 1st District, 1st Section, City of Alpharetta, Fulton County, Georgia, and being more particularly described as follows:

COMMENCING at the Northeasterly miter of the intersection of the Southerly right of line of Old Milton Parkway (R/W varies) and the Easterly right of way line of Brookside Parkway; **THENCE** proceeding along the Southerly right of way line of Old Milton Parkway the following courses and distances: South 65 degrees 29 minutes 27 seconds East a distance of 998.54 feet to a point; **THENCE** South 24 degrees 34 minutes 32 seconds West a distance of 54.48 feet to an iron pin set, said point being the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** continuing along the Southerly right of way line of Old Milton Parkway the following courses and distances: South 65 degrees 48 minutes 38 seconds East a distance of 39.87 feet to a nail set; **THENCE** North 24 degrees 33 minutes 57 seconds East a distance of 54.30 feet to a nail set; **THENCE** South 65 degrees 33 minutes 52 seconds East a distance of 374.71 feet to an iron pin set; **THENCE** South 49 degrees 31 minutes 53 seconds West a distance of 40.03 feet to an iron pin set; **THENCE** South 66 degrees 05 minutes 34 seconds East a distance of 45.16 feet to an iron pin set; **THENCE** North 49 degrees 40 minutes 25 seconds East a distance of 39.85 feet to an iron pin set; **THENCE** South 65 degrees 30 minutes 03 seconds East a distance of 351.25 feet to a 1/2 inch rebar found; **THENCE** departing said Southerly right of way line of Old Milton Parkway South 24 degrees 30 minutes 43 seconds West a distance of 555.45 feet to a 1/2 inch rebar found on the northerly right of way line of Brookside Parkway (right of way varies); **THENCE** proceeding along said right of way line the following courses and distances: along a curve to the left with a radius of 526.11 feet and an arc length of 60.04 feet, said curve having a chord bearing of North 58 degrees 24 minutes 02 seconds West and a chord distance of 60.01 feet to a nail found; **THENCE** North 55 degrees 47 minutes 52 seconds West a distance of 328.96 feet to a nail set; **THENCE** along a curve to the left with a radius of 743.31 feet and an arc length of 521.06 feet, said curve having a chord bearing of North 74 degrees 34 minutes 44 seconds West and a chord distance of 510.46 feet to a 1/2 inch rebar found; **THENCE** leaving said right of way line North 00 degrees 08 minutes 14 seconds East a distance of 49.69 feet to an iron pin set; **THENCE** North 29 degrees 41 minutes 19 seconds East a distance of 153.74 feet to an iron pin set; **THENCE** North 52 degrees 56 minutes 15 seconds East a distance of 174.87 feet to a nail set; **THENCE** North 24 degrees 35 minutes 05 seconds East a distance of 165.79 feet to a point, said point being the **TRUE POINT OF BEGINNING**.

Said tract contains 430,952 square feet or 9.893 acres.

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: 3750 Brookside Parkway Rezoning

Contact Name: Clint Walters (The Providence Group of Georgia, LLC) Telephone: 404-274-4492

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

See attached Property Owner Mailing List

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

☒

Letter

☐

Personal Visits

☐

Telephone

☐

Group Meeting

☐

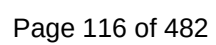
Email

☐

Other *(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.

The Applicant will provide its contact information in the notification letters.



CPI AHP ALPHARETTA MOB OWNER LLC
425 SEVENTH ST NE
CHARLOTTESVILLE VA 22902

ARORA PARVINDER SINGH & ARORA VIJA
YA
11570 VISTA FOREST DR
ALPHARETTA GA 30005

PORTER DOUGLAS J
5548 BRIDGE POINTE DR
ALPHARETTA GA 30005-2656

MARFAM ENTERPRISES INC
115 VIEW HILL CT
ATLANTA GA 30350

NASIRUDDIN NURUDDIN & CHARANIA TAS
NEEM
11650 FOLIA CIR UNIT 15
ALPHARETTA GA 30005

HILAIRE FORTUNA L
5470 BRIDGE POINT DR
ALPHARETTA GA 30005

ONE ZERO TWO ONE ZERO FOUR GREENWI
CH STREET MANHAT
535 MARRIOTT DR
NASHVILLE TN 37214

VAZIRNEZAMI ZOHREH
5460 BRIDGE POINTE DR
ALPHARETTA GA 30005

MONTEIRO FABIO OLIVEIRA & CELIA SO
USA
5459 BRIDGE POINTE DR
ALPHARETTA GA 30005

SFD 3900 BROOKSIDE PKWY LLC
2405 BELMONT BLVD
NASHVILLE TN 37212

GAWEL JOSEPH & CROFF JENNIFER LYNN
5409 BRIDGE POINTE DR
ALPHARETTA GA 30005

SUMNER CHRISTINA C & CHARLES T JR
5449 BRIDGE POINTE DR
ALPHARETTA GA 30005

OMP PROPERTIES LLC
1677 SCOTT BLVD
DECATUR GA 30033

HIGGINBOTHAM KAREN L
5490 BRIDGE POINTE DR
ALPHARETTA GA 30005-4470

DALTON MARK
5419 BRIDGE POINT DR
ALPHARETTA GA 30005

BOARD OF REGENTS OF THE UNIVERSITY
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270 WASHINGTON ST SW STE 6122
ATLANTA GA 30334

HARANDI LYDA
2145 NORTHWICK PASS
ALPHARETTA GA 30022

SARIKONDA VENKATRAVI & WUPENDRAM S
USHMA
5558 BRIDGE POINTE DR
ALPHARETTA GA 30005

GOETHE JANET
P O BOX 813068
SMYRNA GA 30081

SHABANIBAGHERABAD MORTEZA
5440 BRIDGE POINTE DR
ALPHARETTA GA 30005

PATEL KUNAL & PATEL JALPA
11610 VISTA FOREST DR
ALPHARETTA GA 30005

MARGIE B CARGILE DECLARATION OF TR
UST THE
160 S FALCON BLF
ALPHARETTA GA 30022

COX COURTNEY & DASTA THOMAS
5439 BRIDGE POINTE DR
ALPHARETTA GA 30005

EUSTICE MARY M
5429 BRIDGE POINTE DR
ALPHARETTA GA 30005-4471

GEBRESILASIE FISSEHA B
11590 VISTA FOREST DR
ALPHARETTA GA 30005

BIRUTIS KESTUTIS & BIRUTIENE DANUTE
5538 BRIDGE POINTE DR
ALPHARETTA GA 30005

ALMAHDI LUAY & ALQUBAITI ZAHRA
5528 BRIDGE POINT DR
ALPHARETTA GA 30005

LEE SHAYNE M
11600 VISTA FORREST DR
ALPHARETTA GA 30005

HASER JACOB T
5450 BRIDGE POINT DR
ALPHARETTA GA 30005

SMITHERS LYLE O & HATTIE C
87 GRANDWATER DR
SUWANEE GA 30024

NOLAN WILLIAM HARRISON & MOSES MIS
HAUNDRA CHANTRIC
5480 BRIDGE POINTE DR
ALPHARETTA GA 30005

3925 BROOKSIDE PARKWAY LLC
800 SUPERIOR AVE FLOOR 21ST
CLEVELAND OH 44114

GOGATE RAVINDRA T & MANJIRI
11580 FOLIA CIR
ALPHARETTA GA 30005

KATIS JEFFREY RONALD & GOBEA ROSAR
IO D
11580 VISTA FOREST DR
ALPHARETTA GA 30005

FFI ALPHARETTA IL OWNER LLC
200 W MADISON STE 2650
CHICAGO IL 60606

UGUR MEHMET T
11590 FOLIA CIR
ALPHARETTA GA 30005

KELLEHER JOSEPH F & THOMAS J
5479 BRIDGE POINTE DR
ALPHARETTA GA 30005

JD LD ATLANTA LLC
P.O. BOX 7555
REDLANDS CA 92375-0555

MDZ TRUST
11530 FOLIA CIR # 6
ALPHARETTA GA 30005

JONES JAMES R
5489 BRIDGE POINTE DR
ALPHARETTA GA 30005

HWY 120 SENIOR HOLDINGS LLC
171 STONEBRIDGE BLVD
EDMOND OK 73013

MDZ TRUST
11560 GREAT OAKS WAY STE 200
ALPHARETTA GA 30022

SALTER LINDA O & GARY V
5500 BRIDGE POINTE DR
ALPHARETTA GA 30202

BROOKSIDE PARKWAY PARTNERS LLC
3440 PRESTAN RIDGE RD STE 675
ALPHARETTA GA 30005

XU TIANWEI
11540 FOLIA CIR
ALPHARETTA GA 30005

BUCKLEY ROBIN G
5578 BRIDGE POINTE DR
ALPHARETTA GA 30005

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BRYANT ALYSSA
11630 FOLIA CIR
ALPHARETTA GA 30005

MILLER JEFFREY MARSHALL
5410 BRIDGE POINTE DR
ALPHARETTA GA 30005

COSTELLO ERIN M
11640 FOLIA CIR
ALPHARETTA GA 30005

WHITLOW PAMELA J
15560 FOLIA CIR # 3
ALPHARETTA GA 30005

DEBORAH JEAN BAUMGARTNER TRUST THE
5430 BRIDGE POINTE DR
ALPHARETTA GA 30005

ZAKERS KIRTHNEY & SHAWN S
11510 FOLIA CIR
ALPHARETTA GA 30005

TOROSS STEPHEN ANDREW & LINDA MICH
ELLE
11610 FOLIA CIR
ALPHARETTA GA 30005

KHAN MOHAMMAD IRFAN
11560 VISTA FOREST DR
ALPHARETTA GA 30005

VINH HIEP J
11550 FOLIA CIR
ALPHARETTA GA 30005

NGUYEN BRENNY & CAO ANH
11570 FOLIA CIR UNIT 2
ALPHARETTA GA 30005

WILLIAMS JOELLE F WILLIAMS ANTHONY
ALPHONSO
11550 VISTA FOREST DR
ALPHARETTA GA 30005

YIN CHIA CHANG & JACQUELINE
11520 FOLIA CIR UNIT 7
ALPHARETTA GA 30005

XU TIANWEI
11600 FOLIA CIR
ALPHARETTA GA 30005

FOLIA AT OLD MILTON HOMEOWNERS ASS
OCIATION INC
101 PILGRIM VILLAGE DR STE 200
CUMMING GA 30040

CHIZIK RITA K
3011 CAMDEN WAY
ALPHARETTA GA 30005-4449

PRUUL KULLI
5049 AVALON DR UNIT 5049
ALPHARETTA GA 30005

COHEN RICHARD BENJAMIN & KUNCHANA
3009 CAMDEN WAY
ALPHARETTA GA 30005

FEENEY SUZANNE
5061 AVALON DR
ALPHARETTA GA 30005

CHI YI JEN
5295 TWILLINGATE PL
DULUTH GA 30097

DE MARTINO CAROLYN & PARISH CHRIST
INA M
3080 CAMDEN WAY
ALPHARETTA GA 30005

TAYLOR MICHAEL S& HAROLD T
3086 CAMDEN WAY
ALPHARETTA GA 30201

DIPRIZITO ANNE
3021 CAMDEN WAY
ALPHARETTA GA 30005

BEHPOUR HELEN & MOSALEHEH MAHYAR
3015 CAMDEN WAY
ALPHARETTA GA 30005

MC KELVEY MELINDA
4004 CAMDEN WAY
ALPHARETTA GA 30005

NUDELMAN SARAH H
3082 CAMDEN WAY
ALPHARETTA GA 30005

HASKIC EMINA
5043 AVALON DR
ALPHARETTA GA 30005

SALABARRIA FAMILY TRUST THE
716 HIDEAWAY BAY LN
LONGBOAT KEY FL 34228

KOLLER MATTHEW
3084 CAMDEN WAY
ALPHARETTA GA 30005

FENTON CHRISTINA
3068 CAMDEN WAY
ALPHARETTA GA 30005

POSTOLACHI GLOVER LILIA
8114 WOODLAND LANE
ALPHARETTA GA 30009

GRIFFITH SARAH
4008 CAMDEN WAY
ALPHARETTA GA 30005

STEWART PRISCILLA D STEWART KENNET
H SLADE
3007 CAMDEN WAY
ALPHARETTA GA 30005

WYANT JANE REED
5004 AVALON DR
ALPHARETTA GA 30005

JONES JACQUELYN ANNE
3065 CAMDEN WAY
ALPHARETTA GA 30005

SANTI JORDAN C
3070 CAMDEN WAY
ALPHARETTA GA 30005

MORENO FRANCOISE H & FREEMAN SYLVI
A M
5065 AVALON DR
ALPHARETTA GA 30005

STRONG JOELLA
3048 CAMDEN WAY
ALPHARETTA GA 30005

SALEKI MASOOD & NOORANI NAGHMEH
3087 CAMDEN WAY
ALPHARETTA GA 30005

MAHAN RYAN
5063 AVALON DR
ALPHARETTA GA 30005

SIMON NOELLE MARIA
2656 PASS CIR
ALPHARETTA GA 30022

BOWERS MATTHEW R
5028 AVALON DR
ALPHARETTA GA 30005

YEN SHAW F & LEE CHANG JUNG
13400 NEW PROVIDENCE RD
MILTON GA 30004-3759

MC COLLUM MERIN
3027 CAMDEN WAY
ALPHARETTA GA 30005

LARSEN MARK H & RAYANN L
3046 CAMDEN WAY
ALPHARETTA GA 30005

MARIN ANA MARIA & SROUR CHARLES A
3066 CAMDEN WAY
ALPHARETTA GA 30004

GIBSON LIZANN
5069 AVALON DR
ALPHARETTA GA 30005

HALL HOPE H & O D
3071 CAMDEN WAY
ALPHARETTA GA 30005-3476

SOH ROBIN C
1758 MOUNTAIN OAK RD
KENNESAW GA 30152-4278

BANDARU LOHITHA
3024 CAMDEN WAY
ALPHARETTA GA 30005

OSHINSKI JOSHUA
5010 AVALON DR
ALPHARETTA GA 30005

KORNEGAY LYNN A
3061 CAMDEN WAY
ALPHARETTA GA 30005

YAYA FAMILY PROPERTIES LLC
1198 DOVE POINT CT
MABLETON GA 30126

MC CLOUD PAMELA H & HAMLIN DAREN G
5051 AVALON DR
ALPHARETTA GA 30005

UCINSKI RICHARD & SHARON
3005 CAMDEN WAY
ALPHARETTA GA 30005

ROBERTS PATRICIA A
5024 AVALON DR
ALPHARETTA GA 30005-4453

Letter of Intent

Proposed Redevelopment of 3750 Brookside Pkwy
August 26, 2024

Applicant:	Mr. Warren Jolly The Providence Group of Georgia, LLC 11340 Lakefield Drive Johns Creek, GA 30097
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Subject Property:	Address	3750 Brookside Pkwy Alpharetta, GA 3022
	Parcel Data	Parcel ID: 11 014000490829 Land Lots 43, 44, 49 & 50 1st District, 1st Section, City of Alpharetta)
	Acreage	9.893

Current Zoning:	Zoning District	Office-Institutional
	Master Plan Ordinance	MP-97-06-Brookside / Pod "B"
	Future Land Use Designation	Corporate Office

Current Use:	The Subject Property is located within the 30-acre Pod "B" of the Brookside Master Plan. The Subject Property is improved with a 2-story, Class "B", 105,236 SF multi-tenant office building with 500 surface parking spaces built in 2001. The Subject Property is 100% vacant. Current ownership acquired title to the Subject Property via a deed-in-lieu of foreclosure.
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The Subject Property has access to and from Old Milton Pkwy, to the north, via a right-in/right-out curb cut (shared via recorded access easement with the adjacent Mansions Senior Living residential community), and access to Brookside Pkwy, to the south, via two, full-service, curb cuts.

Intended Project:

A 160-unit residential development consisting of for-sale townhouse style condominiums. Residents of the development will enjoy the following amenities: pool with cabana, access to local retail and restaurants along the Old Milton Parkway corridor, and access to greenspaces in the Brookside area including the Brookside Park trail system. Parking will be provided with a 1 car garage per condominium unit with 1 car parking in the driveway. Additionally, there will be 36 guest parking spaces in the community.

The Intended Project is to be developed generally in accordance with the attached Concept Plan. The Applicant will maintain the existing curb cut access on Old Milton Parkway and replace the two existing curb cuts on Brookside Parkway with one proposed access point. Applicant intends to work with the City in effectuating improvements to Brookside Pkwy as contemplated by the Brookside Small Area Plan.

Applicant's Request:

- Amend the Brookside master plan ordinance, MP-97-06, to permit residential uses within Pod "B" in accordance with the provisions Unified Development Code Sec. 2.2.10 "R-10M dwelling, 'for rent' or 'for sale', residential";

- Rezone the Subject Property from OI to R-10M with a permissible density of up to 10 units per acre within Pod “B”;
- Amend the Horizon 2040 Comprehensive Plan Future Land Use Map designation for the Subject Property from CO to HDR; and
- Approve concurrent variances and waivers as requested herein.

Supporting Narrative:

Applicant seeks to acquire the Subject Property and demolish the current office building and surface parking lot in order to develop the Intended Project. There is very little demand for the Subject Property in its current use as a Class “B”, poorly-amenitized, surface-parked, suburban office building. In contrast, municipalities such as Alpharetta are finding it difficult to balance the demand for additional housing in their communities, and the need for more varied and diverse housing options sought by households today, against their own planning goals and objectives.

The Intended Project uniquely “threads the needle” in this case by replacing a broken use with much needed additional housing on the east side of Old Milton in a location which already includes denser housing options, and which will not impact existing, more “traditional”, less dense housing whose stakeholders often seek “protected” status. In doing so, the Intended Project achieves many of the goals already expressed by the City in its 2040 Horizon Comprehensive Plan and the Brookside Small Area Plan. In addition, it is Applicant’s belief – again, consistent with the City’s own vision statements – that the Intended Project will

~ provide the type of housing within walking or biking distance that is often in demand by office users today, thereby supporting, in part, the remaining office space and future redevelopment within Brookside;

~ locate households (not just Senior Living households) within Brookside which will actively support the existing, well-occupied, retail and restaurants in proximity on Old Milton Pkwy; and

~ provide impetus for bicycle and pedestrian improvements on Brookside Pkwy which will in turn improve the overall long-term viability of the Brookside Small Area, increase utilization of the City’s green assets in the vicinity, and promote further capital investment / redevelopment on the east side of Old Milton Pkwy.

Background

The Subject Property is located within the 155-acre “Brookside” master plan adopted in 1997 and developed primarily in the 2000’s, ultimately reaching 909,000 SF of office space in 14 office buildings. Brookside is in many ways a typical suburban office campus of this vintage – stand-alone buildings with little or no connectivity to

one another with little or no campus amenities. In fact, the very design of these types of office campuses ensures this lack of connectivity and walkability. Office buildings are placed “deep” on their respective sites, with surface parking lots “intervening” between the actual human use and the connecting streetscapes. In the case of Brookside, fully 1/3rd of the developed land, 57.3 acres, is dedicated to asphalt, surface parking lots, and those lots, in turn, result upwards of 200’ setbacks for buildings from streetscapes, completely disconnecting human use and scale within the campus.

Suburban office campuses such as Brookside are among the hardest hit by the changes affecting office utilization in our nation since the COVID pandemic of 2020 – 22. Today, the office vacancy within Brookside is 50% with the Subject Property sitting at 100% vacant. These vacancy levels certainly raise the specter of a “doom loop” occurring within Brookside, potentially negatively affecting the built environment experiences not only for the remaining office space within Brookside, but also the Georgia State Alpharetta campus, Northpoint church, and the retail / restaurant establishments along Old Milton Parkway.

This Application will not attempt to delineate the many, and complex, cultural and demographic trends which have affected commercial real estate, household formation and housing choices post-pandemic other than to note that those changes are now commonly accepted as secular, not cyclical. Some of these paradigm shifts were evident even before the the pandemic: the advent of e-commerce, the efficiencies of “paperless” and “virtual” business activity, the delay in marriage and childbearing, the increasing prevalence of “single person” households, the advent of town center nodes, the desire for walkable, connected, small-scale environments.

Horizon 2040 Comp. Plan

The City was early in recognizing these changes and in adopting planning principles in response as vision statements and guidance to the development community. The first and most comprehensive of those vision statements is the Horizon 2040 Comprehensive Plan (the “Comp. Plan”).

The Comp. Plan specifically identifies the East Side of Old Milton Parkway as a “Priority Area” for redevelopment with a focus on creating a mix of uses, including new residential housing and improved streetscapes / pedestrian environments (pg. 59). Of particular note is the following:

Housing (pg. 34)

- Redevelop large surface parking lots in North Point and suburban office areas with residential uses;
- Diversify housing opportunities;
- Address missing housing types / price points; and
- Create walkable neighborhoods.

Needs & Opportunities – Office & Retail Vacancies (pg. 35)

- Develop a plan to deal with office and retail vacancies; and
- Vacancies provide an opportunity for re-use or redevelopment;

Needs & Opportunities – Growth Management (pg. 35)

- Limit expansion of retail uses;
- Decline of suburban office provides opportunity to retrofit or redevelop; and
- Improve walkability and connectivity along the Old Milton Parkway corridor east of Georgia 400.

Brookside Small Area Plan

Adopted within the Comp. Plan is the Brookside Small Area Plan, a specific planning statement issued by City Council in November of 2022 (the “Brookside Plan”). The Brookside Plan notes many of the issues raised above and seeks to promote change through many of the strategies expressed in the Comp. Plan.

Interestingly, the Subject Property was not included by the Brookside Plan planners in either of three “Concepts & Themes” districts: Corporate Conglomerate, Gaming & Innovation District, or Collegiate District. As such, the Subject Property is a blank canvas available to advance the goals of the Small Area and the Comp. Plan. The Intended Project has been designed to achieve these goals by introducing new dense housing adjacent to the existing dense, Senior Living housing provided at The Mansions, improve streetscapes and pedestrian experiences, replace asphalt parking lots with desirable development and greenspaces.

Standard of Review

The Unified Development Code (the “UDC”) establishes the following criteria for use in evaluating and taking action on a Rezoning request (see generally Sec. 4.2.3). For the reasons stated herein, the Intended Project satisfies each criteria.

- Will the Intended Project be compatible with surrounding properties?

Applicant’s Response – Yes.

Although the Subject Property is located within Brookside office campus, the reality is that the Subject Property is already surrounded by a mix of diverse, but complementary, uses . . . including both for-sale and for-rent housing. The Intended Project will integrate well into this existing development fabric.

West: The Mansions at Alpharetta, a 124-unit Senior Living housing community constructed in 2016.

North: The Subject Property is bounded to the north by Old Milton Pkwy. Located on Old Milton Pkwy, immediately opposite the Subject Property are two apartment communities (Camden Pond and Belmont), two single-family subdivisions (Bridge Pointe and

Pennbrooke), and a new, 15-unit townhome community, Folia Old Milton.

East: Located to the east along Old Milton Pkwy are three commercial outparcels: a Brewsters, a Chipotle, and a TiresPlus. Located to the east along Brookside Pkwy is Zyka, a free-standing, full-service restaurant constructed in 2018.

South: The Subject Property is bounded to the south by Brookside Pkwy. Located across Brookside Pkwy, opposite the Subject Property to the southwest is a 6-acre vacant tract owned by the The University System of Georgia (immediately adjacent to the Georgia State Alpharetta campus buildings); to the southeast is 3905 Brookside, a 3-story, 80,000 SF medical/office building constructed in 2000.

- Will the Intended Project adversely affect the use or usability of surrounding properties?

Applicant's Response – No.

The Intended Project will have a positive effect on the value of surrounding properties. The Intended Project represents a significant investment within a suburban office campus which is currently 50% occupied and facing continuing financial failure and the potential for entering a "doom loop". The Intended Project will ultimately locate 160 new households in the very center of the Brookside and its surrounding uses. In doing so, the Intended Project will introduce much needed "24-hour" human presence along Brookside Pkwy, supporting the office, commercial, and retail uses and reinvigorating pedestrian presence and activity.

- Will the Intended Project adversely affect the natural environment?

Applicant's Response – No.

The Intended Project will, consistent with the goals of the Brookside Small Area Plan, replace 6+ acres of impervious asphalt parking with planned development providing current, code-compliant practices for stormwater management and tree cover.

- Are there substantial reasons the Subject Property cannot or should not be used as currently zoned? Are there new or changing conditions (not anticipated or reflected in the current zoning) which support the Applicant's Request.

Applicant's Response – Yes.

The Subject Property is, itself, a failed office use (as evidenced by its recent title transfer via deed in-lieu-of foreclosure), and office vacancy within Brookside as a

whole is 50%. The Subject Property must be redeveloped with a new use which will meet the needs of households seeking higher density / "infill" housing options within Alpharetta. In doing so Applicant believes households seeking to live in the Intended Project will, in turn, provide support for other current commercial, office and retail uses along Milton Pkwy without negatively impacting existing stakeholders.

- Would the Intended Project be an excessive or burdensome use of public facilities or services?

Applicant's Response – No.

Utilities and other City services exist in sufficient capacity to serve the Intended Project. In addition, while the Intended Project is not designed for or targeted at households with school-age children (SF's, amenities, etc.), it appears that Fulton County public school capacity is well below full utilization for this location:

- ES: GADOE capacity for New Prospect Elementary is 825 students; enrollment is currently 447 students and projected to fall further over the next two years.
- MS: GADOE capacity for Webb Bridge Middle School is 1,150 students; enrollment is currently 1,188 students. It is likely that Fulton County will redraw this school district since the next closest middle school, Taylor Road, is significantly under its GADOE capacity (1,400 capacity / 1,192 enrollment).
- HS: GADOE capacity for Alpharetta High School is 2,200 students; enrollment is currently 1,915 and projected to fall further.

Capacity data from Fulton County Historical and Projected Enrollment:

[https://go.boarddocs.com/ga/fcss/Board.nsf/files/BYPM6459A7B8/\\$file/Historical%20and%20Projected%20Enrollment.pdf](https://go.boarddocs.com/ga/fcss/Board.nsf/files/BYPM6459A7B8/$file/Historical%20and%20Projected%20Enrollment.pdf)

- Does the Applicant's Request reflect a reasonable balance between the promotion of public health, safety, morality or general welfare against the right to unrestricted use of the property?

Applicant's Response – Yes.

The Intended Project has been conceived in response to changing economic and cultural conditions affecting the Subject Property's current use and has been designed with the goals of the Brookside Small Area Plan in mind.

- Is the Intended Project consistent with Alpharetta's Comprehensive Plan?

Applicant's Response – Yes, but a FLUM amendment is required.

The Intended Project is consistent with explicit, on-point policies and strategies of the 2040 Horizon Comprehensive Plan, including

~ the provisions of the Brookside Small Area Plan, which are incorporated into the Comprehensive Plan (pg. 62).

~ "Promote and encourage residential densities and designs that ensure varied living areas and housing types." (Community Housing Vision Policy, pg. 40).

~ "Promote redevelopment of highway corridors, with an emphasis on North Point Pkwy, Old Milton Pkwy and South Main Street, into pedestrian-friendly, mixed-use environments to create viable, growing and attractive areas" (Community Land Use Vision Policy, pg. 46).

~ "Allow mixed use patterns that will create activity nodes . . . within exiting suburban office; "[a]llow mixed use patterns that will create activity nodes in appropriate areas . . . that provide jobs and services with walking distance of residences, preserve open spaces and make public transportation more effective" and and "[e]ncourage creative urban design solutions that improve physical character" (Community Land Use Policies 2.3, 8.2, and 10, pgs. 46-47).

However, to effectuate these goals Applicant is requesting a FLUM amendment to change the Subject Property's use designation from CO to HDR. The Applicant's request is also compatible with other land use designations in the area. As an example, the Folia at Old Milton Parkway development, located across from the Subject Property at 3820 Old Milton Parkway, is designated as HDR

Small Area Plan Priority

Applicant requests that the following design guidelines contained within the Brookside Small Area Plan be given precedence and priority over the conflicting guidelines contained within in the UDC.

- Front Yard Minimum Setback: 20' along Brookside Pkwy as provided in the Brookside Small Area Plan instead of 35' as set forth in UDC Sec.2.2.10D.
- Maximum Building Height: 6-stories as provided in the Brookside Small Area Plan instead of 35' as set forth in UDC Sec.2.2.10D.

Variances & Waivers

Applicant requests the following variances and waivers. Each requested variance or waiver meets the following approval criteria for the reasons stated below:

- (1) There are extraordinary and exceptional conditions pertaining to the Subject Property resulting from its size, shape, and topography;
- (2) The Application of the Zoning Code without the requested variance or waiver would create an unnecessary hardship;
- (3) There are conditions relevant to the Subject Property which are peculiar to it;
- (4) And those conditions are not the result of any actions of the Applicant or current property owner; and
- (5) Relief, if granted, will not cause substantial detriment to the public good nor impair the purposes or intent of applicable Zoning Code or other code provisions.

- **Building Height (R-10M)/ UDC Sec. 2.2.10.D**

The Applicant is proposing a stacked unit concept in which one two-story unit is located above another two-story unit. The height of the proposed building is anticipated to exceed the 35-foot maximum building height allowed in the R-10M district and the Applicant requests a variance to allow a four-story building. The requested four-story height is commensurate with the existing, nearby buildings in the area. For example, the adjacent The Mansions at Alpharetta senior living building (3700 Brookside Parkway) is four stories in height and the office building located at 3650 Brookside Parkway is five stories in height.

- **Front Yard Setback (R-10M)/ UDC Sec. 2.2.10.D**

The frontage along Old Milton Parkway has a peculiar jog into the property which significantly affects the setback from the property line to the proposed buildings. The Applicant is requesting a reduction in the front yard setback to 20-feet along this jog. This reduction will constitute ± 46 feet section, or 5.5%, of the overall ± 810.98 -foot Old Milton Parkway frontage. The remaining 94.5% of the frontage will remain at the required 65-foot setback. In addition, the Applicant is requesting that the setback along Brookside Parkway, a local street, be reduced from 35-feet to 25-feet. It is important to note that the setbacks in the Brookside Small Area Plan call for a 20-foot setback along Brookside Parkway which the proposed setback exceeds.

- **Buffer/ UDC Sec. 3.2.8.B.1.a**

The Applicant seeks to provide a 25-foot vegetated buffer in lieu of the 50-foot undisturbed buffer along the property lines bordering O-I districts to allow grading and construction of the units. The parcels to the east and west of the Subject Property are currently developed with a mix of restaurant (east) and senior residential (west). In addition, a portion of the buffer area along the western property line contains the existing entrance drive from Old Milton

Parkway, which is to remain. To mitigate any impacts from the disturbance and reduction in width the Applicant will be providing additional landscaping to screen and buffer the proposed residences against the adjacent property.

- **Parking – Dwelling, For-Sale Residential / UDC Sec. 2.5.1A**

The Applicant requests a variance to reduce the number of off-street vehicle parking for “Dwelling, ‘For-Sale’, residential two or more bedroom units” from one (1) space per bedroom, to two (2) spaces per unit. One (1) space shall be in the garage and one (1) space shall be in the driveway. In addition, the Applicant will be providing two parking spaces per unit for both the two and three-bedroom units. To mitigate any potential impacts from the reduced parking, the Applicant will be providing additional guest parking places throughout the development.

Preservation of Rights:

The Applicant respectfully submits that the existing zoning and land use designation on the Subject Property and any intervening designation except for that requested, are unconstitutional and that a refusal to approve the proposed - rezoning, comprehensive land use amendment, master plan amendment and concurrent variances or any attempt to rezone or change the comprehensive land use designation of the Subject Property to an intervening classification, would be unlawful, arbitrary, capricious, irrational and a manifest abuse of discretion; all in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed rezoning, comprehensive land use amendment, master plan amendment and concurrent variances or any attempt to rezone or change the comprehensive land use designation of the Subject Property to an intervening classification, would discriminate unfairly between the owner of the Subject Property and other property owners similarly situated, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph II of the Constitution of the State of Georgia.

A refusal to approve the proposed rezoning, comprehensive land use amendment, master plan amendment and concurrent variances or any attempt to rezone or change the comprehensive land use designation of the Subject Property to an intervening classification, would amount to a taking of property, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United

States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia.

A refusal to approve the proposed rezoning, comprehensive land use amendment, master plan amendment and concurrent variances or any attempt to rezone or change the comprehensive land use designation of the Subject Property to an intervening classification, would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Constitution of the State of Georgia.

A refusal to approve the proposed rezoning, comprehensive land use amendment, master plan amendment and concurrent variances, or any attempt to rezone or change the comprehensive land use designation of the Subject Property to an intervening classification, would be invalid inasmuch as the City of Alpharetta Zoning Ordinance is unlawful, null and void because its adoption and map adoption/maintenance did not and does not comply with the requirements of its predecessor ordinance and/or the Zoning Procedures Law, O.C.G.A. § 36-66-1, et seq. and the Georgia Planning Act, §§ 45-12-200, et seq., and 50-8-1, et seq. The City of Alpharetta Zoning Ordinance lacks adequate standards for the City Council to exercise their powers to review this Application. Specifically, the “criteria” are not sufficient to contain the discretion of the City Council and to provide the Courts with a reasonable basis for judicial review. Because the stated standards (individually and collectively) are too vague and uncertain to provide reasonable guidance, the Zoning Ordinance is unlawful and violates, among other things, the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraphs I and II of the Constitution of the State of Georgia.

Any limitation on the time for presentation of the issues before the City Council, which has the power to zone and rezone property, is a violation of the guarantees of free speech under the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph V of the Constitution of the State of Georgia. Further, said limitations are in violation of the right to petition and assemble, in violation of the First Amendment of the Constitution of the United States and Article I, Section I, Paragraph IX of the Constitution of Georgia, as well as the due process clauses of the United States and Georgia Constitutions.

Opponents to this request lack standing, have failed to exhaust administrative remedies, and have waived their rights to appeal by failing to assert legal and constitutional objections.



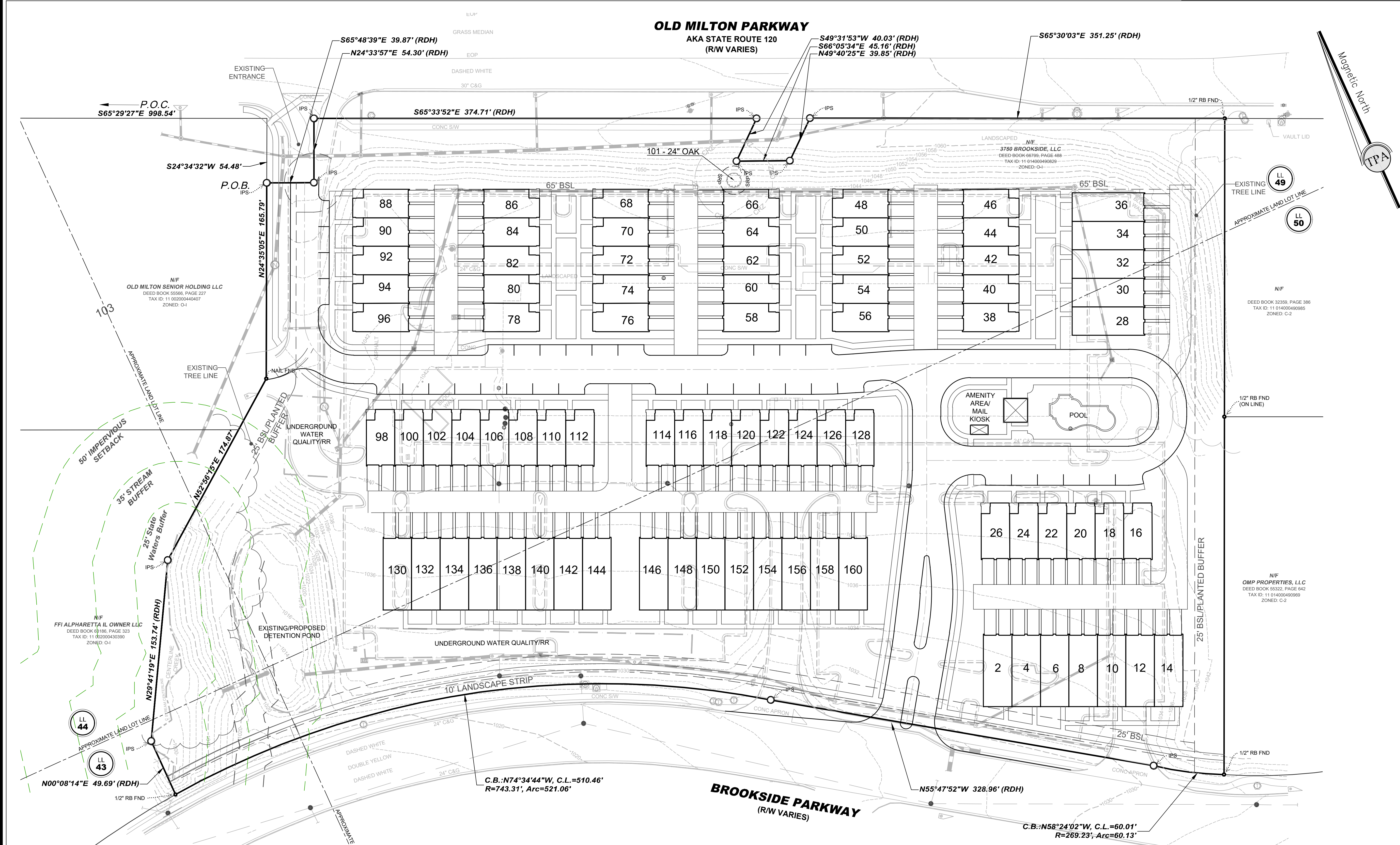
MEMORANDUM

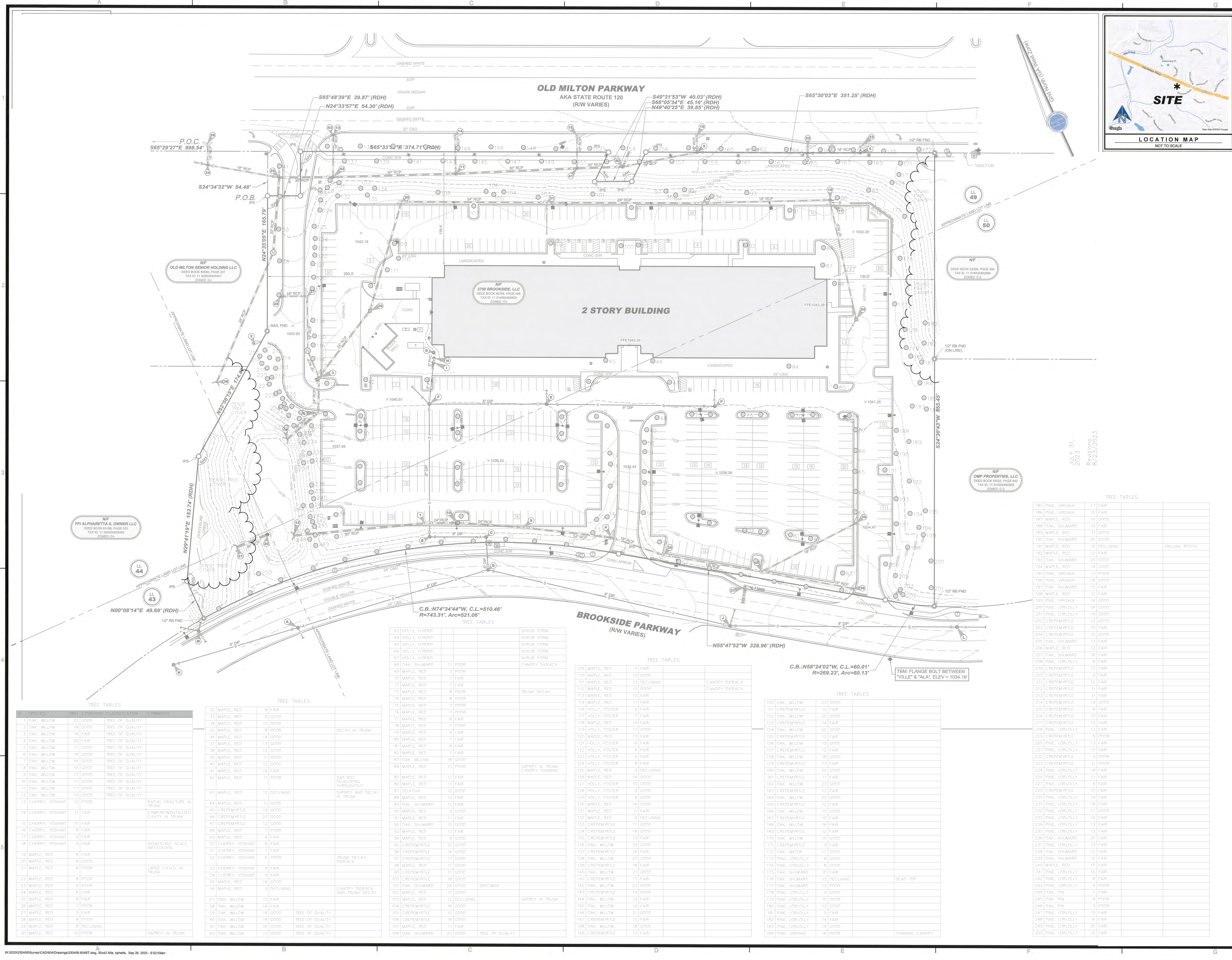
TO: City of Alpharetta
FROM: Alex Brock - Smith, Gambrell & Russell, LLP
DATE: August 26, 2024
RE: Trip Generation Report – The Providence Group of Georgia – Brookfield Parkway

The Subject Property is located between the southern right-of-way of Old Milton Parkway and the northern right-of-way of Brookfield Parkway (Parcel ID 12 249006070310). The proposed is currently developed with a 105,236 square foot office building. The Providence Group of Georgia is proposing the removal of the existing office building and development of 160 attached, owner-occupied single family townhome units.

The proposed development will not overly burden existing streets or transportation facilities. The Applicant used the Institute of Traffic Engineers (ITE) Trip Generation Manual (Ninth Edition), to calculate vehicle trips for the proposed development. The 160 townhomes are expected to generate 70.4 trips during the AM weekday peak hour, 83.2 trips during the PM weekday peak hour, and 929.6 total trips on a weekday. The proposed townhomes, however, will be a far below the amount of trips generated by the current office use. The proposed townhomes will result in a net reduction of 93.77 trips during the AM weekday peak hour, a reduction of 73.6 trips during the PM weekday peak hour, and a reduction of 232.15 total trips on a weekday below what the existing office use generates. As a result, the proposed development will be an improvement over the existing office development.

N:\2023\330404\Engineering\GA\Drawings\330404000.dwg Aug 26, 2024 2:21pm





REVISIONS

NO	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		

ONEBARK CONSULTING ASSOCIATES

ONEBARK, LLC
10000 BUCKLEBOURNE DRIVE
CHAMBLEE, GA 30341
P. 678.344.0546

3750 BROOKSIDE PARKWAY

AUTHORIZED BY: THE PROVIDENCE GROUP
LAND LOT 43, 44, 45 & 50, 1ST SECTION, CITY OF ALPHARETTA, FULTON COUNTY, GEORGIA

GRAPHIC SCALE - IN FEET
0 20 40 60 80 100 120 140 160

CERTIFICATION

Certification applies to Arborist marking only. Base layers prepared by others.

Jesse Milton
ISA #50-11708,
exp 12/31/2024

All tree data compiled with City of Alpharetta Best Management Practices. No architectural, engineering, or land disturbance specifications are contained within this sheet.

TREE INFORMATION SHEET

1 of 1

SHEET DATE: 10/2/2023
FIELD DATE: 9/28/2023

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
1	OAK, WILLOW	22	GOOD	TREE OF QUALITY	
2	OAK, WILLOW	18	GOOD	TREE OF QUALITY	
3	OAK, WILLOW	16	FAIR	TREE OF QUALITY	
4	OAK, WILLOW	20	FAIR	TREE OF QUALITY	
5	OAK, WILLOW	17	GOOD	TREE OF QUALITY	
6	OAK, WILLOW	18	GOOD	TREE OF QUALITY	
7	OAK, WILLOW	16	GOOD	TREE OF QUALITY	
8	OAK, WILLOW	16	GOOD	TREE OF QUALITY	
9	OAK, WILLOW	17	GOOD	TREE OF QUALITY	
10	OAK, WILLOW	17	GOOD	TREE OF QUALITY	
11	OAK, WILLOW	17	GOOD	TREE OF QUALITY	
12	OAK, WILLOW	19	GOOD	TREE OF QUALITY	
13	CHERRY, YOSHINO	13	POOR		RADIAL FRACTURE IN TRUNK
14	CHERRY, YOSHINO	11	FAIR		COMPARTMENTALIZED CAVITY IN TRUNK
15	CHERRY, YOSHINO	10	FAIR		
16	CHERRY, YOSHINO	8	FAIR		
17	CHERRY, YOSHINO	9	FAIR		
18	CHERRY, YOSHINO	9	FAIR		SIGNIFICANT SCALE INFESTATION
19	MAPLE, RED	8	FAIR		
20	MAPLE, RED	8	GOOD		
21	MAPLE, RED	8	POOR		LARGE CAVITY IN TRUNK
22	MAPLE, RED	8	POOR		
23	MAPLE, RED	8	POOR		
24	MAPLE, RED	8	FAIR		
25	MAPLE, RED	7	POOR		
26	MAPLE, RED	7	POOR		
27	MAPLE, RED	9	FAIR		
28	MAPLE, RED	8	POOR		
29	MAPLE, RED	8	DECLINING		
30	MAPLE, RED	10	POOR		SAPROT IN TRUNK

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
32	MAPLE, RED	8	FAIR		
33	MAPLE, RED	8	GOOD		
34	MAPLE, RED	10	GOOD		
35	MAPLE, RED	8	POOR		DECAY IN TRUNK
36	MAPLE, RED	14	GOOD		
37	MAPLE, RED	13	GOOD		
38	MAPLE, RED	12	GOOD		
39	MAPLE, RED	11	GOOD		
40	MAPLE, RED	12	GOOD		
41	MAPLE, RED	14	FAIR		
42	MAPLE, RED	11	POOR		SAP ROT DEVELOPING THROUGHOUT
43	MAPLE, RED	12	DECLINING		SAPROT AND DECAY IN TRUNK
44	MAPLE, RED	11	GOOD		
45	CREPEMYRTLE	19	GOOD		
46	CREPEMYRTLE	20	GOOD		
47	CREPEMYRTLE	12	GOOD		
48	MAPLE, RED	7	POOR		
49	MAPLE, RED	8	FAIR		
50	CHERRY, YOSHINO	8	FAIR		
51	CHERRY, YOSHINO	7	FAIR		
52	CHERRY, YOSHINO	6	POOR		TRUNK DECAY, DIEBACK
53	CHERRY, YOSHINO	8	FAIR		
54	CHERRY, YOSHINO	9	FAIR		
55	MAPLE, RED	14	GOOD		
56	MAPLE, RED	9	DECLINING		CANOPY DIEBACK AND TRUNK DECAY
57	OAK, WILLOW	13	FAIR		
58	OAK, WILLOW	14	FAIR		
59	OAK, WILLOW	18	GOOD	TREE OF QUALITY	
60	OAK, WILLOW	18	GOOD	TREE OF QUALITY	
61	OAK, WILLOW	16	GOOD	TREE OF QUALITY	
62	OAK, WILLOW	17	GOOD	TREE OF QUALITY	

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
63	HOLLY, HYBRID				
64	HOLLY, HYBRID				
65	HOLLY, HYBRID				
66	HOLLY, HYBRID				
67	HOLLY, HYBRID				
68	OAK, SHUMARD	11	POOR		
69	MAPLE, RED	7	POOR		
70	MAPLE, RED	7	FAIR		
71	MAPLE, RED	7	FAIR		
72	MAPLE, RED	8	POOR		TRUNK DECAY
73	MAPLE, RED	8	POOR		
74	MAPLE, RED	11	FAIR		
75	MAPLE, RED	7	POOR		
76	MAPLE, RED	7	POOR		
77	MAPLE, RED	8	FAIR		
78	MAPLE, RED	7	POOR		
79	MAPLE, RED	9	FAIR		
80	MAPLE, RED	7	FAIR		
81	MAPLE, RED	8	FAIR		
82	MAPLE, RED	7	FAIR		
83	OAK, WILLOW	18	GOOD		
84	MAPLE, RED	15	POOR		SAPROT IN TRUNK, CANOPY THINNING
85	MAPLE, RED	12	FAIR		
86	MAPLE, RED	11	FAIR		
87	ZELKOVA	12	GOOD		
88	MAPLE, RED	13	FAIR		
89	OAK, SHUMARD	12	FAIR		
90	MAPLE, RED	9	GOOD		
91	MAPLE, RED	11	FAIR		
92	OAK, SHUMARD	15	GOOD		
93	MAPLE, RED	13	FAIR		
94	MAPLE, RED	9	GOOD		
95	CREPEMYRTLE	15	GOOD		
96	CREPEMYRTLE	14	GOOD		
97	CREPEMYRTLE	17	GOOD		
98	MAPLE, RED	11	GOOD		
99	CREPEMYRTLE	17	GOOD		
100	CREPEMYRTLE	18	GOOD		
101	OAK, SHUMARD	24	GOOD	SPECIMEN	
102	MAPLE, RED	11	GOOD		
103	MAPLE, RED	12	DECLINING		SAPROT IN TRUNK
104	CREPEMYRTLE	18	GOOD		
105	CREPEMYRTLE	15	GOOD		
106	CREPEMYRTLE	16	GOOD		
107	MAPLE, RED	11	FAIR		
108	OAK, SHUMARD	20	GOOD	TREE OF QUALITY	

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
109	MAPLE, RED	9	FAIR		
110	MAPLE, RED	10	GOOD		
111	MAPLE, RED	13	DECLINING		CANOPY DIEBACK
112	MAPLE, RED	10	POOR		CANOPY DIEBACK
113	MAPLE, RED	13	FAIR		
114	MAPLE, RED	11	FAIR		
116	HOLLY, FOSTER	6	FAIR		
117	HOLLY, FOSTER	7	FAIR		
118	MAPLE, RED	14	FAIR		
119	HOLLY, FOSTER	11	GOOD		
120	MAPLE, RED	13	FAIR		
121	HOLLY, FOSTER	6	FAIR		
122	HOLLY, FOSTER	6	FAIR		
123	HOLLY, FOSTER	6	FAIR		
124	HOLLY, FOSTER	8	FAIR		
125	MAPLE, RED	9	DECLINING		
126	MAPLE, RED	14	GOOD		
127	HOLLY, FOSTER	10	GOOD		
128	HOLLY, FOSTER	9	GOOD		
129	HOLLY, FOSTER	6	GOOD		
130	MAPLE, RED	16	GOOD		
131	MAPLE, RED	11	FAIR		
132	MAPLE, RED	9	DECLINING		
133	CREPEMYRTLE	17	GOOD		
134	CREPEMYRTLE	18	GOOD		
135	CREPEMYRTLE	13	FAIR		
136	OAK, WILLOW	19	GOOD		
137	CREPEMYRTLE	16	FAIR		
138	OAK, WILLOW	20	GOOD		
139	CREPEMYRTLE	16	FAIR		
140	OAK, WILLOW	21	GOOD		
141	CREPEMYRTLE	17	FAIR		
142	OAK, WILLOW	23	GOOD		
143	CREPEMYRTLE	14	GOOD		
144	OAK, WILLOW	19	FAIR		
145	OAK, WILLOW	14	FAIR		
146	OAK, WILLOW	21	GOOD		
147	CREPEMYRTLE	15	FAIR		
148	OAK, WILLOW	18	GOOD		
149	CREPEMYRTLE	12	FAIR		THINNING CANOPY

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
150	OAK, WILLOW	23	GOOD		
151	CREPEMYRTLE	12	FAIR		
152	OAK, WILLOW	20	GOOD		
153	CREPEMYRTLE	14	FAIR		
154	OAK, WILLOW	22	GOOD		
155	CREPEMYRTLE	12	FAIR		
156	OAK, WILLOW	19	GOOD		
157	CREPEMYRTLE	12	FAIR		
158	OAK, WILLOW	18	GOOD		
159	CREPEMYRTLE	13	FAIR		
160	OAK, WILLOW	20	GOOD		
161	CREPEMYRTLE	11	FAIR		
162	OAK, WILLOW	23	GOOD		
163	CREPEMYRTLE	12	FAIR		
164	OAK, WILLOW	23	GOOD		
165	CREPEMYRTLE	12	FAIR		
166	OAK, WILLOW	19	GOOD		
167	CREPEMYRTLE	10	FAIR		
168	OAK, WILLOW	16	FAIR		
169	CREPEMYRTLE	12	FAIR		
170	OAK, WILLOW	19	GOOD		
171	CREPEMYRTLE	9	FAIR		
172	OAK, WILLOW	17	GOOD		
173	PINE, LOBLOLLY	8	GOOD		
174	PINE, LOBLOLLY	8	GOOD		
175	OAK, SHUMARD	10	FAIR		
176	OAK, SHUMARD	13	DECLINING		DEAD TOP
177	OAK, SHUMARD	13	POOR		
178	PINE, LOBLOLLY	9	GOOD		
179	PINE, LOBLOLLY	10	POOR		
180	PINE, LOBLOLLY	13	GOOD		
181	PINE, LOBLOLLY	9	FAIR		
182	PINE, LOBLOLLY	14	FAIR		
183	PINE, LOBLOLLY	14	GOOD		
184	PINE, VIRGINIA	16	POOR		THINNING CANOPY

ID	SPECIES	DBH	CONDITION	CLASSIFICATION	COMMENTS
185	PINE, VIRGINIA	17	FAIR		
186	PINE, VIRGINIA	15	FAIR		
187	MAPLE, RED	10	GOOD		
188	OAK, SHUMARD	19	FAIR		
189	MAPLE, RED	11	GOOD		
190	OAK, SHUMARD	20	GOOD		
191	MAPLE, RED	10	DECLINING		GRILLING ROOTS
192	MAPLE, RED	12	FAIR		
193	OAK, SHUMARD	20	GOOD		
194	MAPLE, RED	14	GOOD		
195	PINE, VIRGINIA	13	POOR		
196	PINE, VIRGINIA	18	GOOD		
197	OAK, SHUMARD	15	FAIR		
198	MAPLE, RED	12	FAIR		
199	PINE, VIRGINIA	14	GOOD		
200	PINE, LOBLOLLY	16	GOOD		
201	PINE, LOBLOLLY	14	GOOD		
202	CREPEMYRTLE	13	GOOD		
203	CREPEMYRTLE	10	FAIR		
204	CREPEMYRTLE	12	GOOD		
205	OAK, SHUMARD	13	FAIR		
206	MAPLE, RED	12	FAIR		
207	OAK, SHUMARD	18	FAIR		
208	PINE, LOBLOLLY	8	FAIR		
209	CREPEMYRTLE	13	FAIR		
210	CREPEMYRTLE	9	FAIR		
211	CREPEMYRTLE	12	FAIR		
212	CREPEMYRTLE	11	FAIR		
213	CREPEMYRTLE	11	FAIR		
214	CREPEMYRTLE	14	GOOD		
215	CREPEMYRTLE	8	FAIR		
216	CREPEMYRTLE	10	FAIR		
217	CREPEMYRTLE	13	FAIR		
218	PINE, LOBLOLLY	13	FAIR		
219	CREPEMYRTLE	9	POOR		
220	PINE, LOBLOLLY	13	FAIR		
221	PINE, LOBLOLLY	13	FAIR		
222	CREPEMYRTLE	9	POOR		
223	CREPEMYRTLE	11	POOR		
224	PINE, LOBLOLLY	14	FAIR		
225	PINE, LOBLOLLY	11	FAIR		
227	PINE, LOBLOLLY	6	FAIR		
229	CREPEMYRTLE	10	FAIR		
230	PINE, LOBLOLLY	14	FAIR		
231	PINE, LOBLOLLY	18	FAIR		
232	PINE, LOBLOLLY	17	GOOD		
233	PINE, LOBLOLLY	14	FAIR		
234	PINE, LOBLOLLY	13	FAIR		
235	PINE, LOBLOLLY	13	FAIR		
236	OAK, SHUMARD	20	FAIR		
237	PINE, LOBLOLLY	13	FAIR		
238	OAK, SHUMARD	12	FAIR		
239	OAK, SHUMARD	12	FAIR		
240	MAPLE, RED	10	FAIR		
241	PINE, LOBLOLLY	15	FAIR		
242	PINE, LOBLOLLY	8	FAIR		
243	PINE, LOBLOLLY	6	POOR		
244	OAK, PIN	7	FAIR		
245	OAK, PIN	8	POOR		
246	OAK, PIN	9	POOR		
247	PINE, LOBLOLLY	19	FAIR		
248	PINE, LOBLOLLY	16	FAIR		
249	PINE, LOBLOLLY	20	FAIR		
250	PINE, LOBLOLLY	15	FAIR		



Fulton County Taxes

[Property Taxes](#) / Summary / 11 014000490829

Arthur E. Ferdinand
Tax Commissioner
Fulton County, Georgia

Tax Bill

141 Pryor Street
Atlanta, Georgia 30303
[404.613.6100](tel:404.613.6100)

Property Owner	BROOKSIDE PARKWAY PARTNERS LLC
Parcel Identification	11 014000490829
Description	Real Estate
User ID	IWR
Tax District	10A - ALPHARETTA / NORTH FULTON CID
Property Address	3750 BROOKSIDE PARKWAY
Account Number	5588033
Current Fair Market Value	13,608,500.00
Current Assessed Value	5,443,400.00
City Exemption	
County Exemption	
City Sales Tax Credit	\$0.00
County Sales Tax Credit	\$1,099.57
Tax Year / Cycle	2023 / County
Principal Amount	158,892.85
Interest	0.00
Penalties/Fees	0.00
Paid	158,892.85
Total	0.00

Tax Year / Cycle	2022 / County
Principal Amount	159,546.06
Interest	0.00
Penalties/Fees	0.00
Paid	159,546.06
Total	0.00

Tax Year / Cycle	2021 / County
Principal Amount	116,160.80
Interest	0.00
Penalties/Fees	0.00
Paid	116,160.80
Total	0.00

Tax Year / Cycle	2020 / County
Principal Amount	118,713.01
Interest	0.00
Penalties/Fees	0.00
Paid	118,713.01
Total	0.00

Tax Year / Cycle	2019 / County
Principal Amount	119,187.21
Interest	0.00
Penalties/Fees	0.00
Paid	119,187.21
Total	0.00

Tax Year / Cycle	2018 / County
Principal Amount	175,942.28
Interest	0.00

Penalties/Fees	0.00
Paid	175,942.28
Total	0.00

Tax Year / Cycle [2017 / County](#)

Principal Amount	164,391.59
Interest	0.00
Penalties/Fees	0.00
Paid	164,391.59
Total	0.00

Grand Total Due \$0.00

Mailing Address

3750 BROOKSIDE LLC
6400 POWERS FERRY RD SUITE 150
ATLANTA GA 30339

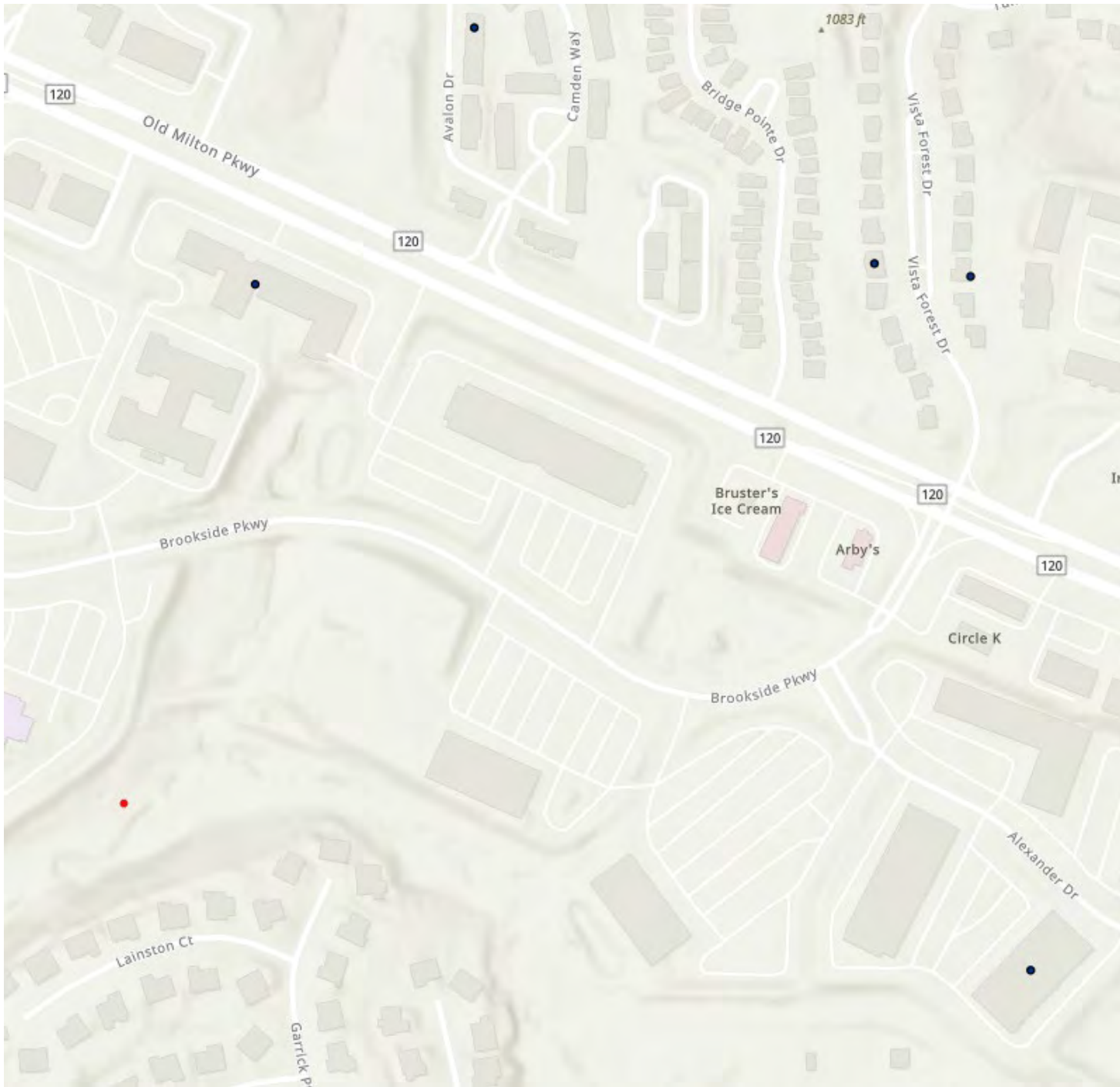
Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at [404.613.6100](tel:404.613.6100) for the official balance due on their parcel(s).

[Sign up for E-Billing](#)

[Fulton County Board of Tax Assessors](#)
[Georgia Department of Revenue](#)

[City of Atlanta Solid Waste](#)
[Fulton County Government](#)

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141 Pryor St. Atlanta, GA 30303 | 404.613.6100





ONEBARK LLC
5456 PEACHTREE BOULEVARD
ATLANTA GA 30341
p: 678-344-6948 www.onebark.com

Tree Study Report

3750 Brookside Parkway, Alpharetta GA

Date of Inspection 9/23/2023

Inspector

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

Developer

Clint Walters
11340 Lakefield Drive, Suite 140
Johns Creek GA 30097
cwalters@theprovidencegroup.com

INTRODUCTION

This inspection was made to verify trees that meet Specimen tree criteria and/or meet the criteria for an Arborist Report as outlined in the Alpharetta municipal code.

METHODOLOGY

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

The project site was traversed to identify trees that meet the minimum size criteria for Specimen trees, including boundary trees within 30 feet outside of the parcel limits and potential 'Trees of Quality.' (Pine, Tuliptree, and Sweetgum cannot be considered Quality trees). Boundary trees can only be inspected from the subject parcel, unless written permission is given by the neighboring parcel owner. This inspection uses Level I and Level II assessment standards. Level III standards can be applied at the customers request.

Any tree which qualifies for special consideration for preservation due to its size, type, condition, location or historical significance and which also meets the minimum size criteria set forth below:

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

DEFINITIONS OF TREE HEALTH

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

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

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

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

Tree 1

Cataloged : 9/23/2023

Species 22" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 2

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 3

Cataloged : 9/23/2023

Species 16" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 4

Cataloged : 9/23/2023

Species 20" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 5

Cataloged : 9/23/2023

Species 17" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 6

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 7

Cataloged : 9/23/2023

Species 16" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 8

Cataloged : 9/23/2025

Species 16" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 9

Cataloged : 9/23/2023

Species 17" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 10

Cataloged : 9/23/2023

Species 17" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 11

Cataloged : 9/23/2023

Species 17" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 12

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 13

Cataloged : 9/23/2023

Species 13" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Poor health.

Other notes: Radial fracture in trunk

Tree 14

Cataloged : 9/23/2023

Species 11" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes: Compartmentalized Cavity in trunk

Tree 15

Cataloged : 9/23/2023

Species 10" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 16

Cataloged : 9/23/2023

Species 8" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 17

Cataloged : 9/23/2023

Species 9" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 18

Cataloged : 9/23/2023

Species 9" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes: Significant scale, infestation

Tree 19

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 20

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 21

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Large cavity in trunk

Tree 22

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 23

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 24

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 25

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 26

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 27

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 28

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 29

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes:

Tree 30

Cataloged : 9/23/2025

Species 10" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Saprot in trunk

Tree 32

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 33

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 34

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 35

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Decay in trunk

Tree 36

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 37

Cataloged : 9/23/2023

Species 13" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 38

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 39

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 40

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 41

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 42

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Sap rot developing throughout

Tree 43

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes: Saprot and decay in trunk

Tree 44

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 45

Cataloged : 9/23/2023

Species 19" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 46

Cataloged : 9/23/2023

Species 20" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 47

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 48

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 49

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 50

Cataloged : 9/23/2023

Species 8" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 51

Cataloged : 9/23/2023

Species 7" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 52

Cataloged : 9/23/2023

Species 6" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Poor health.

Other notes: Trunk decay, dieback

Tree 53

Cataloged : 9/23/2025

Species 8" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 54

Cataloged : 9/23/2023

Species 9" Cherry 'Yoshino', *Prunus × yedoensis*

Condition: Fair health.

Other notes:

Tree 55

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 56

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes: Canopy dieback and trunk decay

Tree 57

Cataloged : 9/23/2023

Species 13" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 58

Cataloged : 9/23/2023

Species 14" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 59

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 60

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 61

Cataloged : 9/23/2023

Species 16" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 62

Cataloged : 9/23/2023

Species 17" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 63

Cataloged : 9/23/2023

Species " Holly hybrid (chinese), *Ilex X spp.*

Condition:

Other notes: Shrub form

Tree 64

Cataloged : 9/23/2023

Species " Holly hybrid (chinese), *Ilex X spp.*

Condition:

Other notes: Shrub form

Tree 65

Cataloged : 9/23/2023

Species " Holly hybrid (chinese), *Ilex X spp.*

Condition:

Other notes: Shrub form

Tree 66

Cataloged : 9/23/2023

Species " Holly hybrid (chinese), *Ilex X spp.*

Condition:

Other notes: Shrub form

Tree 67

Cataloged : 9/23/2023

Species " Holly hybrid (chinese), *Ilex X spp.*

Condition:

Other notes: Shrub form

Tree 68

Cataloged : 9/23/2023

Species 11" oak, shumard, *Quercus shumardii*

Condition: Poor health.

Other notes: Canopy dieback

Tree 69

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 70

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 71

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 73

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Trunk decay

Tree 74

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 75

Cataloged : 9/23/2025

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 76

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 77

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 78

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes:

Tree 79

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 80

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 81

Cataloged : 9/23/2023

Species 8" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 82

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 83

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 84

Cataloged : 9/23/2023

Species 15" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Saprot in trunk, canopy thinning

Tree 85

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 86

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 87

Cataloged : 9/23/2023

Species 12" zelkova, *Zelkova serrata*

Condition: Good health.

Other notes:

Tree 88

Cataloged : 9/23/2023

Species 13" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 89

Cataloged : 9/23/2023

Species 12" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 90

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 91

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 92

Cataloged : 9/23/2023

Species 15" oak, shumard, *Quercus shumardii*

Condition: Good health.

Other notes:

Tree 93

Cataloged : 9/23/2023

Species 13" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 94

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 95

Cataloged : 9/23/2023

Species 15" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 96

Cataloged : 9/23/2023

Species 14" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 97

Cataloged : 9/23/2025

Species 17" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 98

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 99

Cataloged : 9/23/2023

Species 17" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 100

Cataloged : 9/23/2023

Species 18" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 101

Status: **SPECIMEN**

Cataloged : 9/23/2023

Species 24" oak, shumard, *Quercus shumardii*

Condition: Good health. No significant problems identified; Structure is single, No significant problems identified
Other notes:



Tree 102

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 103

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes: Saprot in trunk

Tree 104

Cataloged : 9/23/2023

Species 18" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 105

Cataloged : 9/23/2023

Species 15" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 106

Cataloged : 9/23/2023

Species 16" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 107

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 108

Status: **TREE OF QUALITY**

Cataloged : 9/23/2023

Species 20" oak, shumard, *Quercus shumardii*

Condition: Good health.

Other notes:

Tree 109

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 110

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 111

Cataloged : 9/23/2023

Species 13" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes: Canopy dieback

Tree 112

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Poor health.

Other notes: Canopy dieback

Tree 113

Cataloged : 9/23/2023

Species 13" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 114

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 116

Cataloged : 9/23/2023

Species 6" holly, foster, *Ilex × attenuata*

Condition: Fair health.

Other notes:

Tree 117

Cataloged : 9/23/2023

Species 7" holly, foster, *Ilex × attenuata*

Condition: Fair health.

Other notes:

Tree 118

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 119

Cataloged : 9/23/2023

Species 11" holly, foster, *Ilex × attenuata*

Condition: Good health.

Other notes:

Tree 120

Cataloged : 9/23/2025

Species 13" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 121

Cataloged : 9/23/2023

Species 6" holly, foster, *Ilex* × *attenuata*

Condition: Fair health.

Other notes:

Tree 122

Cataloged : 9/23/2023

Species 6" holly, foster, *Ilex* × *attenuata*

Condition: Fair health.

Other notes:

Tree 123

Cataloged : 9/23/2023

Species 6" holly, foster, *Ilex* × *attenuata*

Condition: Fair health.

Other notes:

Tree 124

Cataloged : 9/23/2023

Species 8" holly, foster, *Ilex* × *attenuata*

Condition: Fair health.

Other notes:

Tree 125

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes:

Tree 126

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 127

Cataloged : 9/23/2023

Species 10" holly, foster, *Ilex* × *attenuata*

Condition: Good health.

Other notes:

Tree 128

Cataloged : 9/23/2023

Species 9" holly, foster, *Ilex* × *attenuata*

Condition: Good health.

Other notes:

Tree 129

Cataloged : 9/23/2023

Species 6" holly, foster, *Ilex* × *attenuata*

Condition: Good health.

Other notes:

Tree 130

Cataloged : 9/23/2023

Species 16" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 131

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 132

Cataloged : 9/23/2023

Species 9" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes:

Tree 133

Cataloged : 9/23/2023

Species 17" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 134

Cataloged : 9/23/2023

Species 18" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 135

Cataloged : 9/23/2023

Species 13" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 136

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 137

Cataloged : 9/23/2023

Species 16" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 138

Cataloged : 9/23/2023

Species 20" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 139

Cataloged : 9/23/2023

Species 16" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 140

Cataloged : 9/23/2023

Species 21" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 141

Cataloged : 9/23/2023

Species 17" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 142

Cataloged : 9/23/2025

Species 23" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 143

Cataloged : 9/23/2023

Species 14" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 144

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 145

Cataloged : 9/23/2023

Species 14" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 146

Cataloged : 9/23/2023

Species 21" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 147

Cataloged : 9/23/2023

Species 15" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 148

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 149

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 150

Cataloged : 9/23/2023

Species 23" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 151

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 152

Cataloged : 9/23/2023

Species 20" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 153

Cataloged : 9/23/2023

Species 14" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 154

Cataloged : 9/23/2023

Species 22" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 155

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 156

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 157

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 158

Cataloged : 9/23/2023

Species 18" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 159

Cataloged : 9/23/2023

Species 13" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 160

Cataloged : 9/23/2023

Species 20" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 161

Cataloged : 9/23/2023

Species 11" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 162

Cataloged : 9/23/2023

Species 23" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 163

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 164

Cataloged : 9/23/2025

Species 23" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 165

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 166

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 167

Cataloged : 9/23/2023

Species 10" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 168

Cataloged : 9/23/2023

Species 16" oak, willow, *Quercus phellos*

Condition: Fair health.

Other notes:

Tree 169

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 170

Cataloged : 9/23/2023

Species 19" oak, willow, *Quercus phellos*

Condition: Good health.

Other notes:

Tree 171

Cataloged : 9/23/2023

Species 9" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 172

Cataloged : 9/23/2023

Species 17" oak, water, *Quercus nigra*

Condition: Good health.

Other notes:

Tree 173

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 174

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 175

Cataloged : 9/23/2023

Species 10" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 176

Cataloged : 9/23/2023

Species 13" oak, shumard, *Quercus shumardii*

Condition: Declining health.

Other notes: Dead top

Tree 177

Cataloged : 9/23/2023

Species 13" oak, shumard, *Quercus shumardii*

Condition: Poor health.

Other notes:

Tree 178

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 179

Cataloged : 9/23/2023

Species " pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 180

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 181

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 182

Cataloged : 9/23/2023

Species 14" pine, virginia, *Pinus virginiana*

Condition: Fair health.

Other notes:

Tree 183

Cataloged : 9/23/2023

Species 14" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 184

Cataloged : 9/23/2023

Species 16" pine, virginia, *Pinus virginiana*

Condition: Poor health.

Other notes: Thinning canopy

Tree 185

Cataloged : 9/23/2023

Species 17" pine, virginia, *Pinus virginiana*

Condition: Fair health.

Other notes:

Tree 186

Cataloged : 9/23/2025

Species 15" pine, virginia, *Pinus virginiana*

Condition: Fair health.

Other notes:

Tree 187

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 188

Cataloged : 9/23/2023

Species 19" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 189

Cataloged : 9/23/2023

Species 11" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 190

Cataloged : 9/23/2023

Species 20" oak, shumard, *Quercus shumardii*

Condition: Good health.

Other notes:

Tree 191

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Declining health.

Other notes: Girdling roots

Tree 192

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 193

Cataloged : 9/23/2023

Species 20" oak, shumard, *Quercus shumardii*

Condition: Good health.

Other notes:

Tree 194

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 195

Cataloged : 9/23/2023

Species 13" pine, virginia, *Pinus virginiana*

Condition: Poor health.

Other notes:

Tree 196

Cataloged : 9/23/2023

Species 18" pine, virginia, *Pinus virginiana*

Condition: Good health.

Other notes:

Tree 197

Cataloged : 9/23/2023

Species 15" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 198

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 199

Cataloged : 9/23/2023

Species 14" pine, virginia, *Pinus virginiana*

Condition: Good health.

Other notes:

Tree 200

Cataloged : 9/23/2023

Species 16" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 201

Cataloged : 9/23/2023

Species 14" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 202

Cataloged : 9/23/2023

Species 13" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 203

Cataloged : 9/23/2023

Species 10" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 204

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 205

Cataloged : 9/23/2023

Species 13" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 206

Cataloged : 9/23/2023

Species 12" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 207

Cataloged : 9/23/2023

Species 18" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 208

Cataloged : 9/23/2025

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 209

Cataloged : 9/23/2023

Species 13" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 210

Cataloged : 9/23/2023

Species 9" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 211

Cataloged : 9/23/2023

Species 12" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 212

Cataloged : 9/23/2023

Species 11" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 213

Cataloged : 9/23/2023

Species 11" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 214

Cataloged : 9/23/2023

Species 14" Crepemyrtle, *Lagerstromia indica*

Condition: Good health.

Other notes:

Tree 215

Cataloged : 9/23/2023

Species 8" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 216

Cataloged : 9/23/2023

Species 10" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 217

Cataloged : 9/23/2023

Species 13" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 218

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 219

Cataloged : 9/23/2023

Species 9" Crepemyrtle, *Lagerstromia indica*

Condition: Poor health.

Other notes:

Tree 220

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 222

Cataloged : 9/23/2023

Species 9" Crepemyrtle, *Lagerstromia indica*

Condition: Poor health.

Other notes:

Tree 223

Cataloged : 9/23/2023

Species 11" Crepemyrtle, *Lagerstromia indica*

Condition: Poor health.

Other notes:

Tree 224

Cataloged : 9/23/2023

Species 14" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 225

Cataloged : 9/23/2023

Species 11" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 227

Cataloged : 9/23/2023

Species 6" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 229

Cataloged : 9/23/2023

Species 10" Crepemyrtle, *Lagerstromia indica*

Condition: Fair health.

Other notes:

Tree 230

Cataloged : 9/23/2023

Species 14" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 231

Cataloged : 9/23/2023

Species 18" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 232

Cataloged : 9/23/2023

Species 17" pine, loblolly, *Pinus taeda*

Condition: Good health.

Other notes:

Tree 233

Cataloged : 9/23/2025

Species 14" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 234

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 235

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 236

Cataloged : 9/23/2023

Species 20" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 237

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 238

Cataloged : 9/23/2023

Species 12" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 239

Cataloged : 9/23/2023

Species 12" oak, shumard, *Quercus shumardii*

Condition: Fair health.

Other notes:

Tree 240

Cataloged : 9/23/2023

Species 10" Maple, red, *Acer rubrum*

Condition: Fair health.

Other notes:

Tree 241

Cataloged : 9/23/2023

Species 15" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 242

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 243

Cataloged : 9/23/2023

Species 6" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 244

Cataloged : 9/23/2023

Species 7" oak, pin, *Quercus palustris*

Condition: Fair health.

Other notes:

Tree 245

Cataloged : 9/23/2023

Species 8" oak, pin, *Quercus palustris*

Condition: Poor health.

Other notes:

Tree 246

Cataloged : 9/23/2023

Species 9" oak, pin, *Quercus palustris*

Condition: Poor health.

Other notes:

Tree 247

Cataloged : 9/23/2023

Species 19" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 248

Cataloged : 9/23/2023

Species 16" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 249

Cataloged : 9/23/2023

Species 20" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 250

Cataloged : 9/23/2023

Species 15" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 252

Cataloged : 9/23/2023

Species 6" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 257

Cataloged : 9/23/2023

Species 12" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 258

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 259

Cataloged : 9/23/2023

Species 11" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 260

Cataloged : 9/23/2025

Species 11" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 261

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes: Canker

Tree 262

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 263

Cataloged : 9/23/2023

Species 10" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 264

Cataloged : 9/23/2023

Species 16" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 265

Cataloged : 9/23/2023

Species 11" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 266

Cataloged : 9/23/2023

Species 14" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 267

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 268

Cataloged : 9/23/2023

Species 7" sweetgum, *Liquidambar styraciflua*

Condition: Fair health.

Other notes:

Tree 269

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 271

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 272

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 273

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 274

Cataloged : 9/23/2023

Species 8" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 275

Cataloged : 9/23/2023

Species 6" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 277

Cataloged : 9/23/2023

Species 15" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 278

Cataloged : 9/23/2023

Species 10" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 279

Cataloged : 9/23/2023

Species 15" pine, loblolly, *Pinus taeda*

Condition:

Other notes:

Tree 280

Cataloged : 9/23/2023

Species 10" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 281

Cataloged : 9/23/2023

Species 14" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 282

Cataloged : 9/23/2023

Species 11" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 283

Cataloged : 9/23/2023

Species 12" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 284

Cataloged : 9/23/2025

Species 12" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 285

Cataloged : 9/23/2023

Species 18" tuliptree, *Liriodendron tulipifera*

Condition: Good health.

Other notes:

Tree 286

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 287

Cataloged : 9/23/2023

Species 10" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 288

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 290

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 291

Cataloged : 9/23/2023

Species 6" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 292

Cataloged : 9/23/2023

Species 11" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 293

Cataloged : 9/23/2023

Species 13" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 294

Cataloged : 9/23/2023

Species 9" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 295

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 296

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 297

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 298

Cataloged : 9/23/2023

Species 10" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 299

Cataloged : 9/23/2023

Species 15" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 300

Cataloged : 9/23/2023

Species 23" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 301

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Poor health.

Other notes:

Tree 302

Cataloged : 9/23/2023

Species 15" Blackgum, *Nyssa sylvatica*

Condition: Good health.

Other notes:

Tree 303

Cataloged : 9/23/2023

Species 18" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 304

Cataloged : 9/23/2023

Species 35" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 305

Cataloged : 9/23/2023

Species 14" Maple, red, *Acer rubrum*

Condition: Good health.

Other notes:

Tree 306

Cataloged : 9/23/2023

Species 8" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 307

Cataloged : 9/23/2025

Species 11" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 308

Cataloged : 9/23/2023

Species 17" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 309

Cataloged : 9/23/2023

Species 12" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 310

Cataloged : 9/23/2023

Species 7" Cherry, Black, *Prunus serotina*

Condition: Poor health.

Other notes:

Tree 311

Cataloged : 9/23/2023

Species 9" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 312

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 313

Cataloged : 9/23/2023

Species 12" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 314

Cataloged : 9/23/2023

Species 10" tuliptree, *Liriodendron tulipifera*

Condition: Poor health.

Other notes:

Tree 315

Cataloged : 9/23/2023

Species 6" tuliptree, *Liriodendron tulipifera*

Condition: Good health.

Other notes:

Tree 316

Cataloged : 9/23/2023

Species 18" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 317

Cataloged : 9/23/2023

Species 10" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 318

Cataloged : 9/23/2023

Species 6" Blackgum, *Nyssa sylvatica*

Condition: Fair health.

Other notes:

Tree 319

Cataloged : 9/23/2023

Species 25" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 320

Cataloged : 9/23/2023

Species 12" oak, water, *Quercus nigra*

Condition: Fair health.

Other notes:

Tree 321

Cataloged : 9/23/2023

Species 7" Maple, red, *Acer rubrum*

Condition: Fair health.
Other notes:

Tree 322

Cataloged : 9/23/2023

Species 16" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.
Other notes:

Tree 323

Cataloged : 9/23/2023

Species 7" Cherry, Black, *Prunus serotina*

Condition: Poor health.
Other notes:

Tree 324

Cataloged : 9/23/2023

Species 17" tuliptree, *Liriodendron tulipifera*

Condition: Poor health.
Other notes:

Tree 325

Status: **SPECIMEN**

Cataloged : 9/23/2023

Species 30" oak, water, *Quercus nigra*

Condition: Fair health. No significant problems identified; Structure is asymmetric, No significant problems identified
Other notes:



Tree 326

Cataloged : 9/23/2023

Species 13" tuliptree, *Liriodendron tulipifera*

Condition: Fair health.

Other notes:

Tree 327

Cataloged : 9/23/2023

Species 7" pine, loblolly, *Pinus taeda*

Condition: Fair health.

Other notes:

Tree 328

Cataloged : 9/23/2023

Species 9" tuliptree, *Liriodendron tulipifera*

Condition: Poor health.

Other notes:

Tree 329

Cataloged : 9/23/2025

Species 29" tuliptree, *Liriodendron tulipifera*

Condition: Poor health.

Other notes:

Summary

Total Specimen trees identified within study area: 2

Additional Notes

LIMITATIONS

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

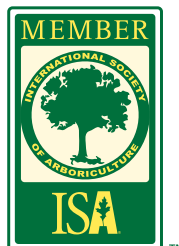
Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under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

Certification

Date Certified: 9/23/2023

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

Jesse Milton
ISA #SO-1170B
Tree Risk Assessment Qualified (TRAQ)





CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: November 18, 2024

AGENDA ITEM: MP-24-10/CU-24-14 LAVA ISLAND/REGENCY PARK MASTER PLAN POD 3

The applicant, Dallin Barker, is requesting a master plan amendment and conditional use to allow Lava Island to re-use a 40,000 square foot space in an existing strip shopping center in the North Point Overlay. According to the application, Lava Island is a family entertainment venue with indoor play structures, trampolines, party rooms and café. The space was previously occupied by Buy Buy Baby. A master plan amendment is requested to add 'Recreation Facilities, Indoor' as a conditional use to the Regency Park Master Plan Pod 3 and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Lava Island. The subject property is located at 7121 North Point Parkway on the southwest side of Encore Parkway at the intersection with North Point Center East.

This item was considered at the November 7, 2024 Planning Commission meeting. There were no public comments. After discussion, the Planning Commission recommended approval subject to Staff's recommended conditions. Vote 7-0

STAFF RECOMMENDATION:

Approve MP-24-10/CU-24-14 Lava Island/Regency Park Master Plan Pod 3, subject to the following conditions:

1. 'Recreation Facilities, Indoor' shall be listed as a conditional use in the Regency Park Master Plan Pod 3.
2. 'Recreation Facilities, Indoor' shall be added as a conditional use at 7121 North Point Parkway and limited to no more than 40,000 square feet.
3. Conditional use approval shall be limited to Lava Island; no additional 'Recreation Facilities, Indoor' use or subleasing shall be permitted within the approved space.
4. 'Recreation Facilities, Indoor' shall be limited to a family entertainment venue with indoor play structures, trampolines, party rooms, and café.
5. Hours of operation shall be Sunday – Thursday 9:00 AM – 9:00 PM and Friday – Saturday 9:00 AM – 10:00 PM.
6. Any exterior changes shall be similar to type, style, and colors depicted in the North Point Overlay District Design Guidelines, with final approval by DRB.
7. Native and drought-tolerant shrubs and grasses shall be added to the foundation area along the front façade of the building, with final approval by DRB.

ITEM DESCRIPTION:

The submitted request, if approved, would allow the applicant to operate a 'Recreation Facilities, Indoor' use in a 40,000 square foot space formerly occupied by Buy Buy Baby. A master plan amendment is requested to Regency Park Master Plan Pod 3 to add 'Recreation Facilities, Indoor' as a conditional use and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Lava Island. The subject property is located at 7121 North Point Parkway on the southwest side of Encore Parkway at the intersection with North Point Center East.

The property is zoned PSC (Planned Shopping Center) and is subject to the Regency Park Master Plan. The property is developed with a one (1) story, 81,000 square foot strip shopping center. Surrounding properties are also zoned PSC. Ross Dress For Less is located to the east, Party City to the south, Mattress Firm to the west, and Georgia 400 to the north. The comprehensive land use plan designation of the property is 'Mixed Use', which allows the applicant's proposed use.

The Regency Park Master Plan was approved in 1992 and allows a mix of shopping center, entertainment, and office uses over six (6) pods along North Point Parkway between Encore Parkway and Mansell Road. Pod 3 was amended in 1994 to change the primary use from office to shopping center.

According to the application, Lava Island is a family entertainment venue including play structures, trampolines, party rooms and small café. Food and beverage items will consist of pizza, wings, French fries, coffee, milkshakes, smoothies, and soft drinks. No alcohol will be served. Lava Island has one (1) existing location in Aurora, Colorado with four (4) sites under construction. Hours of operation are Sunday – Thursday 9:00 AM – 9:00 PM and Friday – Saturday 9:00 AM – 10:00 PM. The applicant anticipates approximately 35 – 45 employees.

SITE PLAN

Lava Island proposes to re-use the 40,000 square foot space formerly occupied by Buy Buy Baby. No exterior changes to the building or site are proposed. There are approximately 513 parking spaces existing on the property. Unified Development Code (UDC) parking requirements are calculated in the table below, which includes a required 20% parking reduction for properties located in the North Point Overlay. The applicant's proposal is supported by a sufficient amount of parking.

Required Parking

Use	Area (SF)	Parking Rate	Required Parking
Recreation Facilities, Indoor Courts	30,000 SF	1/500 SF	60
Recreation Facilities, Indoor Support Areas	10,000 SF	1/200 SF	50
Existing shopping center uses	62,500 SF	1/250 SF	250
TOTAL	North Point Overlay	20% reduction Required	288 spaces

The applicant's proposal does not trigger compliance with North Point open space or EcoDistrict measures.

TRAFFIC

As shown in the table below, Staff estimates that the proposed use will generate approximately 35 AM Peak Hour trips and 60 PM Peak Hour trips.

Land Use	Code	Density (SF)	Period	TOTAL	IN	OUT
Trampoline Park	436	40,000	Daily	500	250	250
			AM Peak Hour	35	23	12
			PM Peak Hour	60	28	32
Total Net New Trips			Daily	500	250	250
			AM Peak Hour	35	23	12
			PM Peak Hour	60	28	32

Based upon methodologies from ITE's Trip Generation, 11th Edition (2021)

Daily & AM Peak Hour Trip Generation Results for LUC 436 are not provided by ITE; after evaluating like-uses:

Total Daily Trip Generation Results are calculated assuming PM Peak Hour Trips are 12% of total daily trips

Total AM Peak Hour Trip Generation Results are calculated as 7% of Total Daily Trip Generation Results

STANDARDS FOR MASTER PLAN AMENDMENT

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

- 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: Regency Park Master Plan Pod 3 allows shopping center uses on the subject property, which is consistent with the development pattern along North Point Parkway. The addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: Regency Park Master Plan Pod 3 allows shopping center uses on the subject property, which is consistent with the development pattern along North Point Parkway. The addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: The proposed use would not adversely impact the natural environment. The applicant's request is to re-use an existing, vacant building with no site changes proposed.

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

Response: The subject property could be re-used for shopping center uses. However, the addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: The proposal to allow 'Recreation Facility, Indoor' would add an entertainment use to North Point that will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: Regency Park Master Plan Pod 3 allows shopping center uses on the subject property, which is consistent with the development pattern along North Point Parkway. The addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: The proposal to allow 'Recreation Facility, Indoor' reflects a reasonable balance. Adding an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

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

Response: The subject property could be re-used for shopping center uses. However, the addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

- 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 'Mixed Use'.

CONDITIONAL USE REVIEW CRITERIA

City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Sec. 4.2.3 (B) which are as follows:

A conditional use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria at a public hearing and satisfactory provisions or arrangements are made for:

1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access;

Response: The property has several points of access from Encore Parkway and North Point Parkway, including interparcel access with adjacent properties. The proposed use would not impact vehicular and pedestrian safety.

2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;

Response: The above-referenced improvements are provided on the subject property.

3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are developed with a variety of retail and restaurant uses. In addition, the property has several points of access from Encore Parkway and North Point Parkway.

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;

Response: Not applicable.

5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area;

Response: The proposal would not impede the normal and orderly development of surrounding properties, which are developed with a variety of retail, restaurant, office, and entertainment uses.

6. Ensuring that the location and character of the conditional use is consistent with a desirable pattern of development for the city, in general; and

Response: The location and character of the proposed use is appropriate as it relates to the use and development of adjacent or nearby properties. Properties in the immediate vicinity are developed with a variety of retail, restaurant, office, and entertainment uses. Adding an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches, or schools.

Response: There are other entertainment uses existing or approved in the area, including AMC, Dave & Buster's, Studio Movie Grill, Cosmic Mini Golf & Play, Hi-Five Sports Zone, and Pickle and Social. There are no conflicting uses in the area.

CONCURRENCES

Staff has reviewed the applicant's proposal against the review criteria for a master plan amendment and conditional use. The property is located in the North Point Overlay where walkability, mix of uses, site design and EcoDistrict measures are key components to a successful development. The location and character of the proposed use is appropriate as it relates to the use and development of adjacent or nearby properties. Properties in the immediate vicinity are developed with a variety of retail, restaurant, office, and entertainment uses. The addition of an entertainment use to North Point will aid the continued innovation and reinvention of the area by providing more than just a shopping experience.

CITIZEN PARTICIPATION PLAN

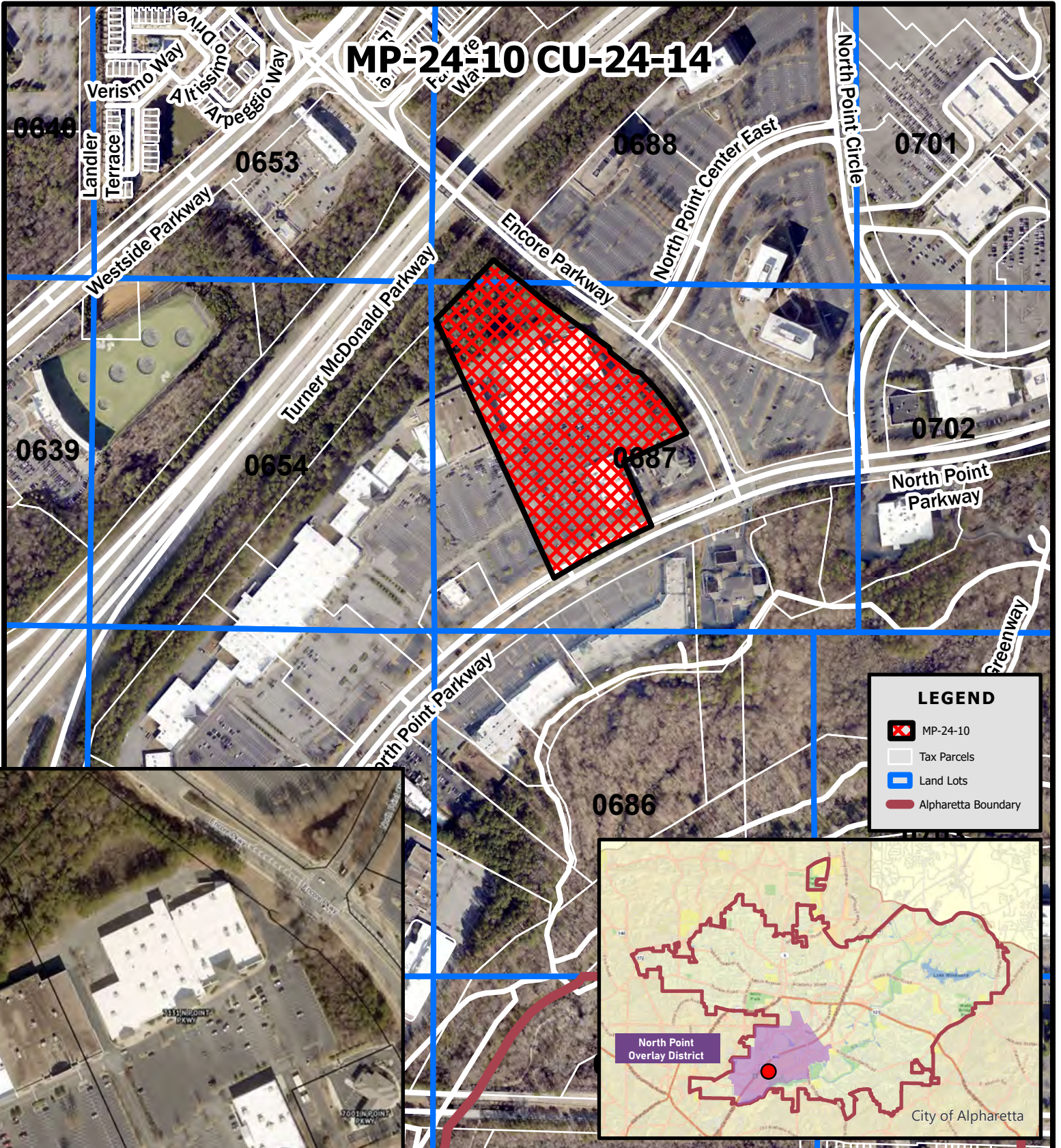
The report submitted by the applicant states that letters were mailed to each property owner within 500' of the subject property stating the applicant's intent. The report states that no public comments were received.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on October 9, 2024. There were no public comments.

ATTACHMENTS:
• Aerial Map • Zoning Map • Future Land Use Map • Location Map • CZIM • Citizen Part B • Application

MP-24-10 CU-24-14

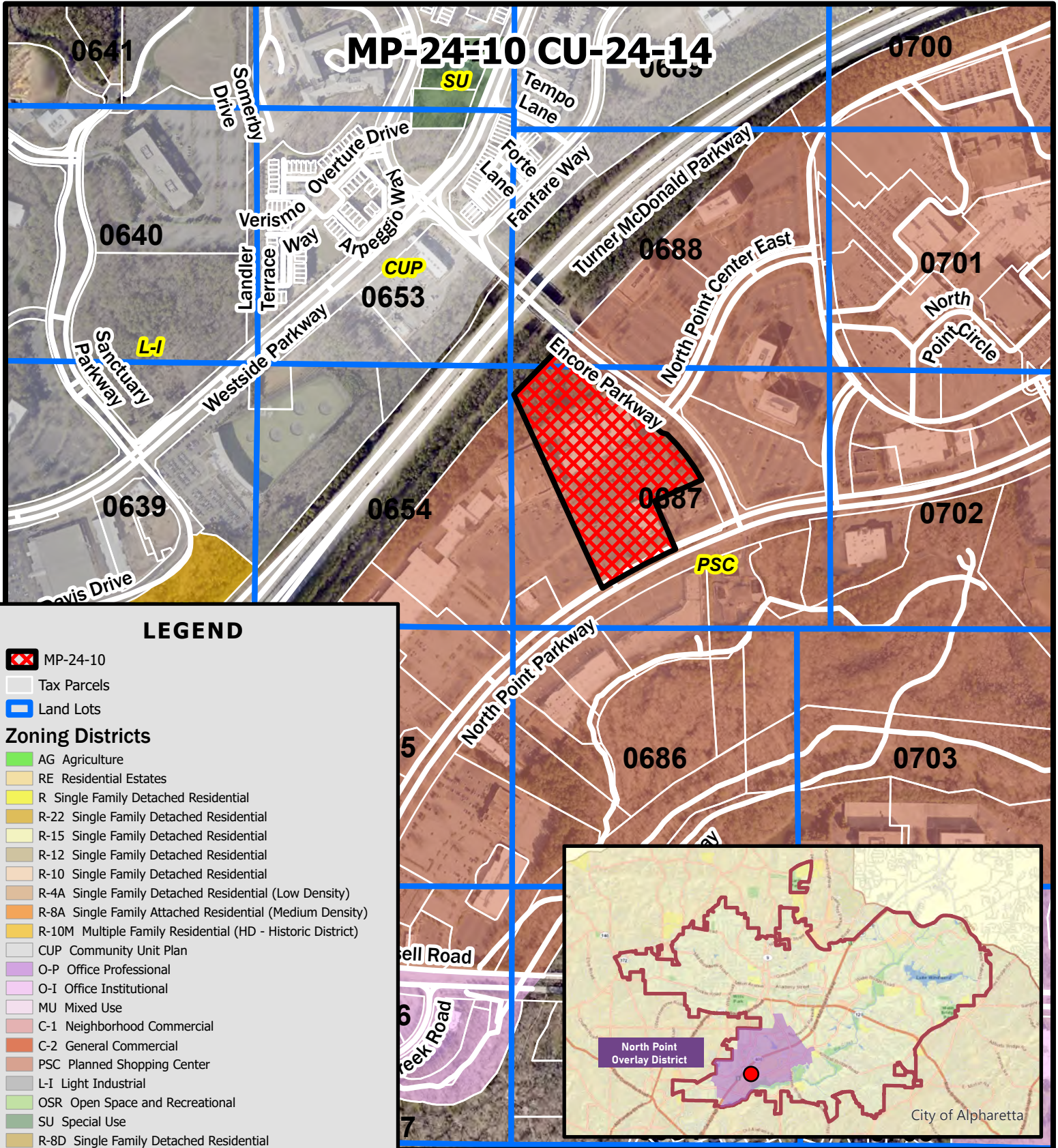


MP-24-10 CU-24-14

D/LL: 1/2/687

PC: 11/07/24

CC: 11/18/24



LEGEND

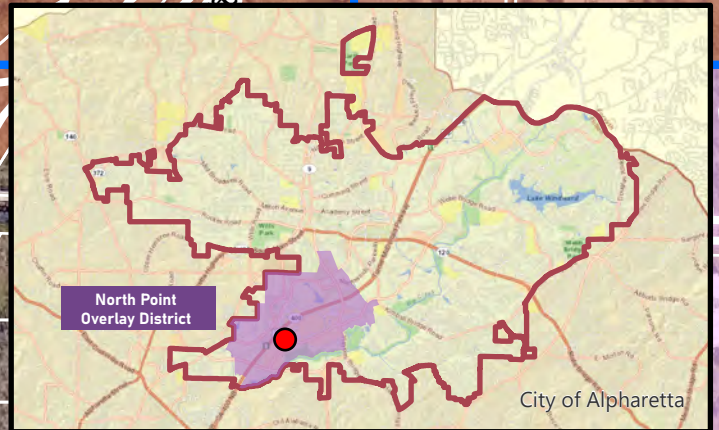
MP-24-10

Tax Parcels

Land Lots

Zoning Districts

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

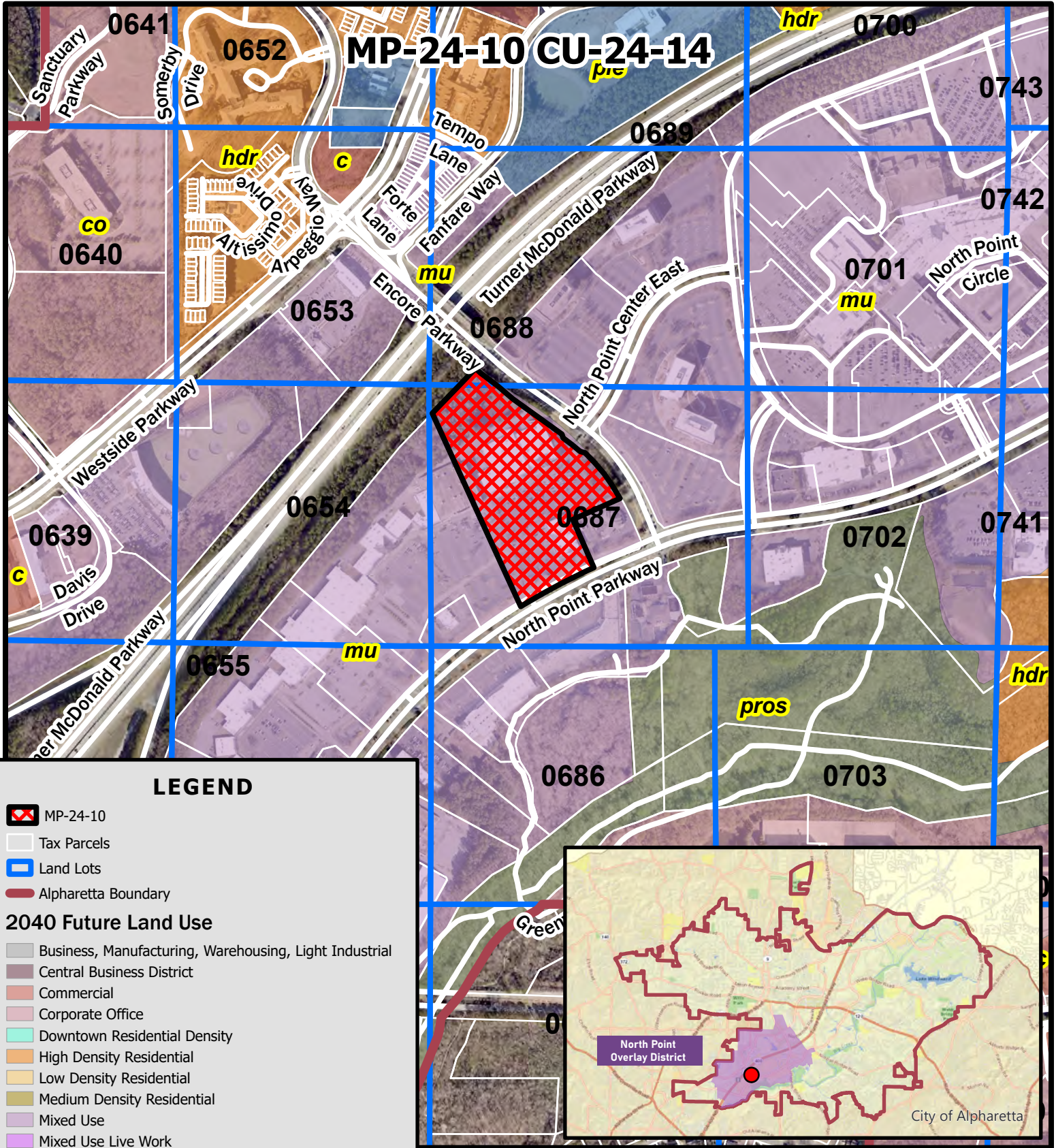


MP-24-10 CU-24-14

D/LL: 1/2/687

PC: 11/07/24

CC: 11/18/24

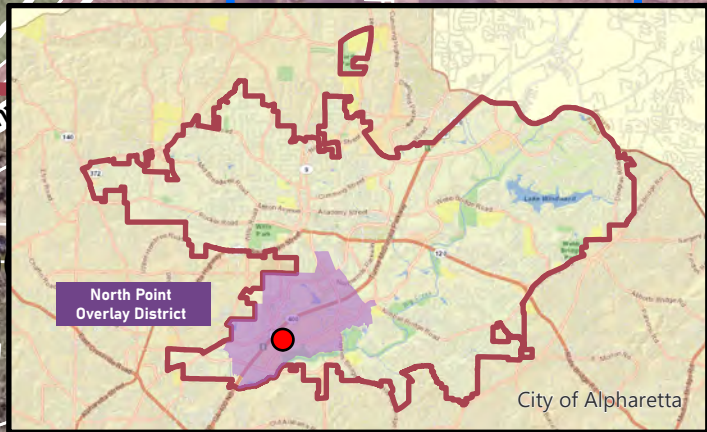


LEGEND

- MP-24-10
- Tax Parcels
- Land Lots
- Alpharetta Boundary

2040 Future Land Use

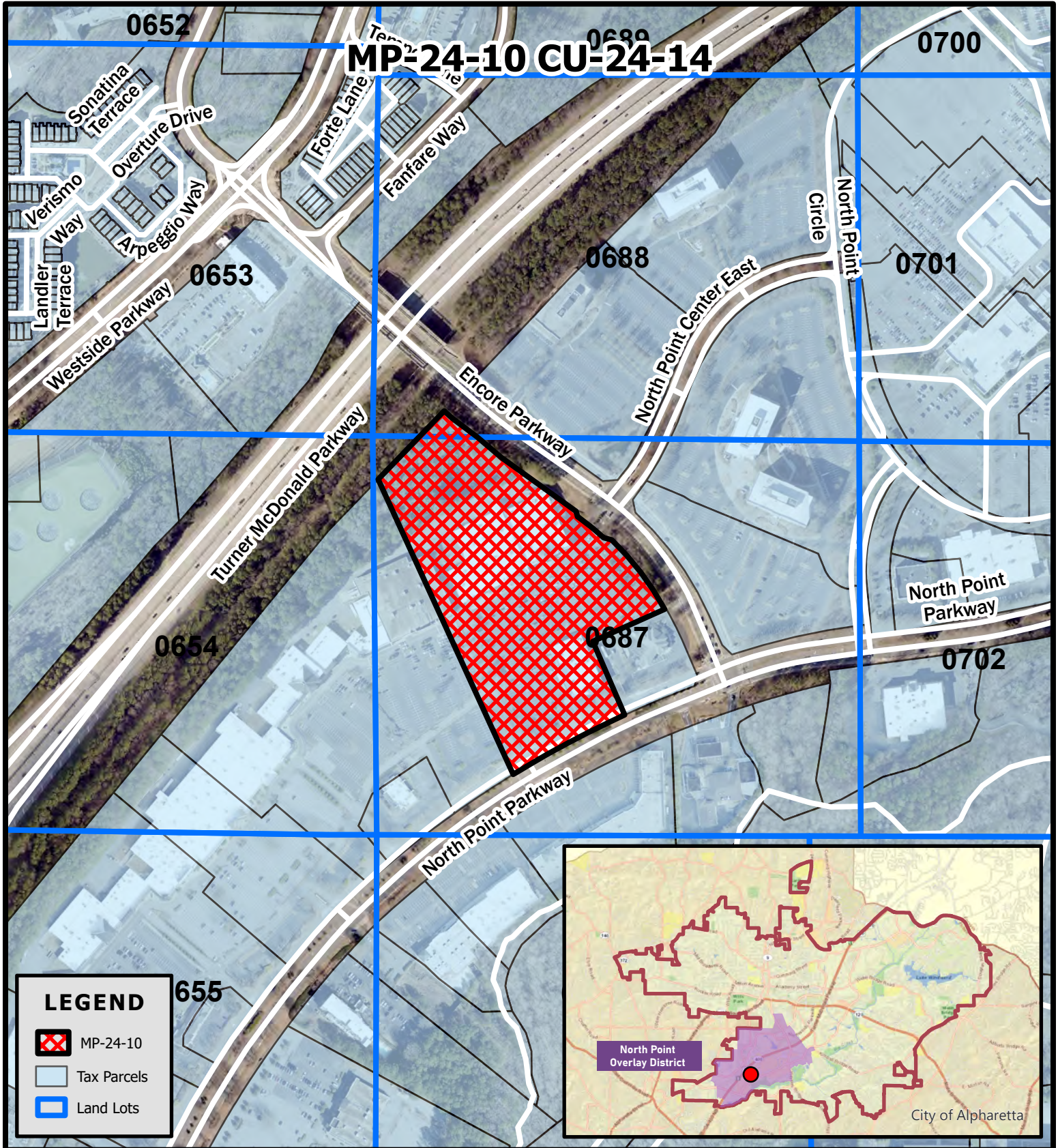
- Business, Manufacturing, Warehousing, Light Industrial
- Central Business District
- Commercial
- Corporate Office
- Downtown Residential Density
- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Mixed Use Live Work
- Parks, Recreation, Open Space
- Professional Business Office
- Public, Institutional, Education
- Residential Estate
- Very Low Density Residential



MP-24-10 CU-24-14
D/LL: 1/2/687
PC: 11/07/24
CC: 11/18/24

Future Land Use Map
Lava Island
7121 North Point Parkway





MP-24-10 CU-24-14

D/LL: 1/2/687

PC: 11/07/24

CC: 11/18/24

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

October 9, 2024

MP-24-10/CU-24-14 / Lava Island/Regency Park Master Plan Pod 3

NAME	ADDRESS	COMMENTS
	No	Comments

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: Lava Island

Contact Name: Dallin Barker

Telephone: 8018371496

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.

The CZIM meeting fielded zero comments or concerns. We have received no comments.

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: 10/15/2024

Print Form

10/15/2024

Boyd Henderson
2149 S Holly ST,
Denver, CO 80222

RE: MP-24-10/CU-24-14 Lava Island/Regency Park Master Plan Pod 3

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of a master plan amendment and conditional use to allow a 'Recreation Facilities, Indoor' business within an existing shopping center in the North Point Overlay. A master plan amendment is request to the Regency Park Master Plan Pod 3 to add 'Recreation Facilities, Indoor' and a conditional use is requested to allow 'Recreation Facilities, Indoor' for Lava Island. The property is located at 7121 North Point Parkway and is legally described as being located in Land Lots 654, 655, 687, and 688 1st District, 2nd Section, Fulton County, Georgia.

This item will be considered by **the Planning Commission on Thursday, November 7, 2024, and City Council on Monday, November 18, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at boyd@epicparks.com or (303)818-6650.

Sincerely,

Boyd Henderson

CURRENT OCCUPANT
7121 NORTH POINT PKWY
ALPHARETTA GA 30022

BRI 1870 NORTH POINT LLC
100 N FEDERAL HWY #400
HALLANDALE FL 33009

TRUST ESTABLISHED UNDER ITEM V &
THE TRUSTEE APPOINTED UNDER ITEM VII B I OF
100 NE THIRD AVE SUITE 100
FORT LAUDERDALE FL 33301

MANSELL CROSSING LLC ET AL
1109 RUSSELL PKWY
WARNER ROBINS GA 31088

BLUE VENTURES LLC
12274 CRABAPPLE RD
ALPHARETTA GA 30004

CITY OF ALPHARETTA
2 S SOUTH MAIN ST
ALPHARETTA GA 30004

WIGGINS W B JR
2964 PEACHTREE RD NW STE 380
ATLANTA GA 30305-4928

SG ECHO LLC
3490 PIEDMONT RD NW #550
ATLANTA GA 30305

CORO NORTH POINT LLC
3715 NORTHSIDE PKWY STE 100
ATLANTA GA 30327

BRI 1870 NORTH POINT LLC
P O BOX 1368
CARLSBAD CA 92018

CWOP TWO MANSELL VERIZON LLC
P. O. BOX 4900 DEPT 124
SCOTTSDALE AZ 85261-4900

WACHOVIA BANK OF GEORGIA
P.O. BOX 2609
CARLSBAD CA 92018-2609

CENTRO WATT OPERATING PTNRSHIP TWO LLC
P.O. BOX 4900 DEPT 124
SCOTTSDALE AZ 85261-4900

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: MP-24-10/PH #: CU-24-14☐ Property Taxes & Code Violations Verified☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Dallin BarkerTelephone: 801-837-1496Address: 3347 N 500 E

Suite: _____

City: OgdenState: UTZip: 84414

Fax: _____

Mobile Tel: 801-837-1496Email: dallin.barker@spiamerica.com

Subject Property Information:

Address: 7121 North Point PkwyCurrent Zoning: PSCDistrict: PSC

Section: _____

Land Lot: _____

Parcel ID: 12 261006870334Proposed Zoning: PSCCurrent Use: Retail

This Application For *(Check All That Apply):*

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

Add indoor recreation to approved use to master plan pod 2

APPLICANT REQUEST AND INTENT

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

Lava Island is a family entertainment venue which includes play structures, trampolines, party rooms, and a small cafe

Applicant's Request (Please itemize the proposal):

We are looking for approval for a CUP and to open this business for the community to enjoy. It is also understood that the Regency Park Master Plan (Pod 2) will need to be modified to include indoor recreation.

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

Lava Island is looking to open and operate this location into a family entertainment venue.

Property Owner Information:

Contact Name: Bill Livingston / Mansell Crossing LLC Telephone: 478-923-4669
Address: 1109 Russell Parkway/P.O. Box 7078 Suite: _____
City: Warner Robins State: GA Zip: 31088

Authorization:

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

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

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

Property Owner's Authorized Applicant (if applicable):

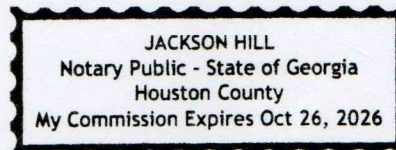
Name of Authorized Applicant: ~~Same as above~~ Dallin Barker Telephone: 801-837-1496
Address: 3347 N 500 E Suite: _____
City: Ogden State: UT Zip: 84414

So Sworn and Attested:

Owner Signature: _____ Date: 9/11/24

Notary:

Notary Signature: _____ Date: 9/11/24



DISCLOSURE FORM

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

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

Name of Applicant or Opponent: **Dallin Barker**

Subject Public Hearing Case: _____

Campaign Contribution Information:

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

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

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

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

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

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

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

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

Campaign Contribution Information:

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

Signature



Date: 09/26/2024

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The space will be compatible with the surrounding properties because we are still a commercial venue. We encourage families to come and enjoy time together, which will bring additional traffic that isn't currently there as the building is vacant, to the shopping center.

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

We believe that this proposal will increase the value of surrounding properties as it will be a stable business for years to come. Along with give families additional recreational activities to do.

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

We believe that it probably could but this amendment would add to the potential businesses that could go into the district. Indoor recreation has become more and more popular with indoor pickleball, indoor rock climbing, indoor playgrounds which is what we are.

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

It would give families moving to the area a positive business that encourages family time. We don't believe it would neither increase or decrease to the population or traffic. We do believe that it would be a business with consistent visitors to our establishment.

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

This would have a positive impact on schools as it gives families and kids another good avenue to release that energy. Utilities should be impacted much we do add a kitchen with a grease interceptor.

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

This would stay in line with the current future land use map. It would only add to the possibilities of what types of businesses could come into this special district.

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

There aren't any additional items 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.

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: Lava Island - Alpharetta

Contact Name: Dallin Barker Telephone: 801-837-1496

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

See attached	

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

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

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

CURRENT OCCUPANT
7121 NORTH POINT PKWY
ALPHARETTA GA 30022

BRI 1870 NORTH POINT LLC
100 N FEDERAL HWY #400
HALLANDALE FL 33009

TRUST ESTABLISHED UNDER ITEM V &
THE TRUSTEE APPOINTED UNDER ITEM VII B I OF
100 NE THIRD AVE SUITE 100
FORT LAUDERDALE FL 33301

MANSELL CROSSING LLC ET AL
1109 RUSSELL PKWY
WARNER ROBINS GA 31088

BLUE VENTURES LLC
12274 CRABAPPLE RD
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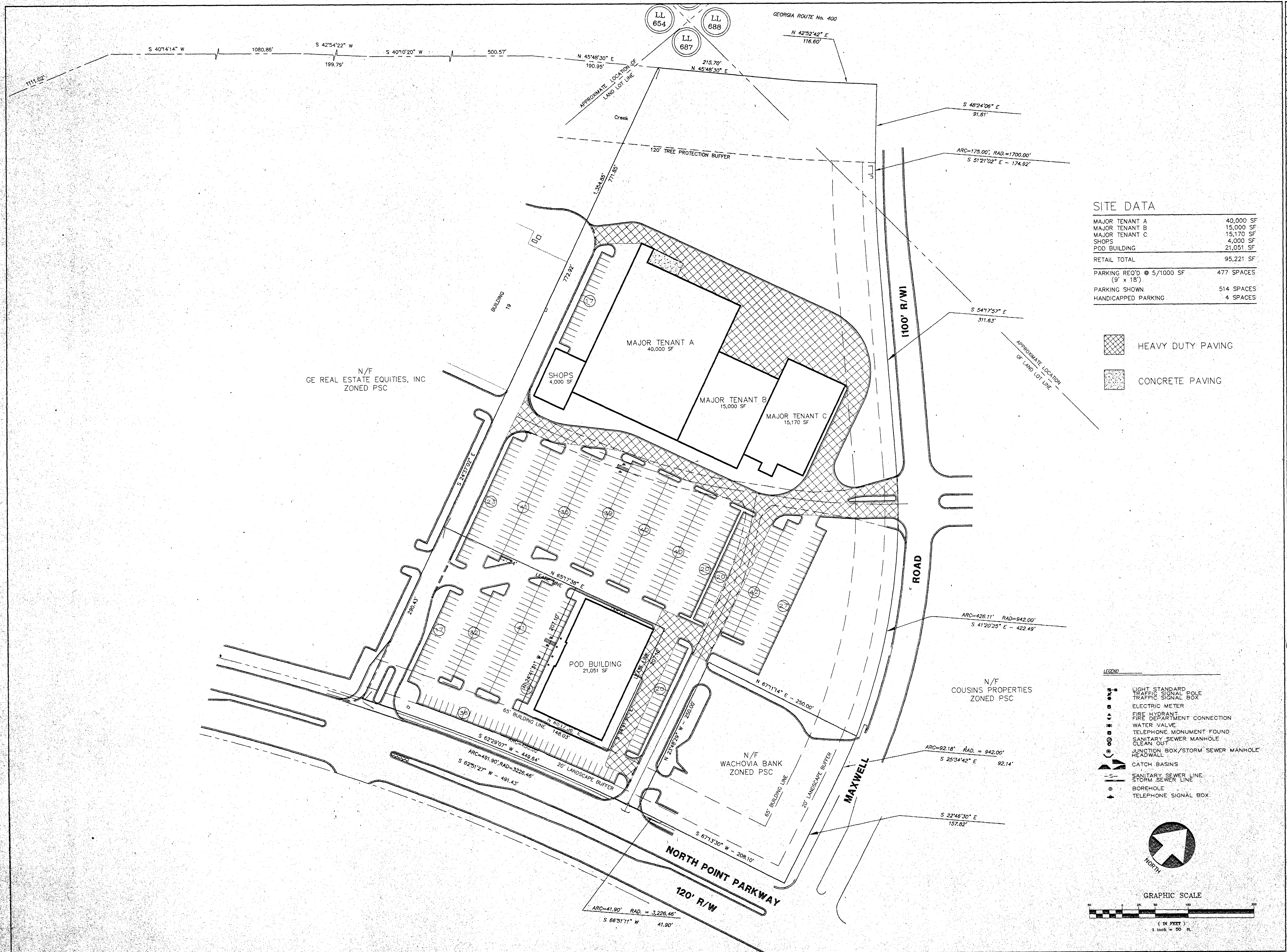
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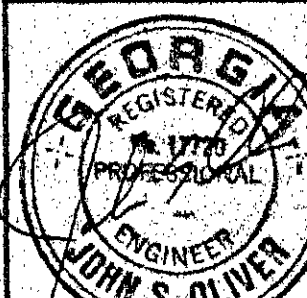
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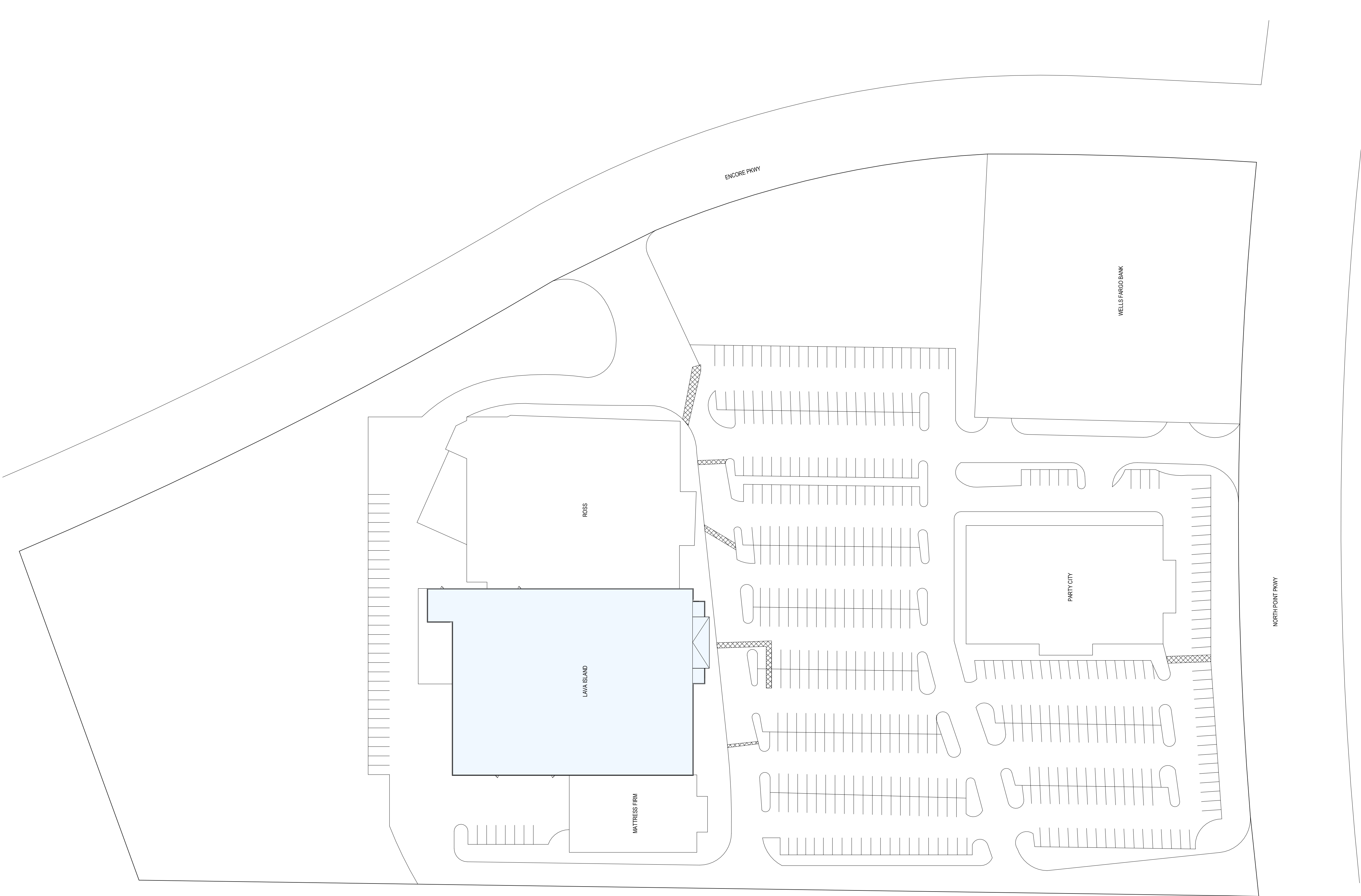
MANSELL CROSSING PHASE II

PREPARED FOR
COUSINS / NEW MARKET DEVELOPMENT COMPANY, INC.
2500 WINDY RIDGE PARKWAY, SUITE 1600
ATLANTA, GEORGIA 30339-5683

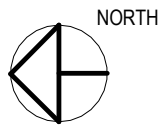


SITE PLAN
ALFRE ENGINEERING, INC.
Civil Engineering
14175 Peachtree St. NE, Suite 400
Atlanta, Georgia 30309
Tel. (404) 888-8900
Transportation Planning

 UNIVERSITY OF THE PHILIPPINES	 DEPARTMENT OF EDUCATION
 OFFICE OF THE PRESIDENT	 OFFICE OF THE VICE PRESIDENT



1 SITE PLAN
1" = 50'-0"



- GENERAL NOTES**
1. SITE TO REMAIN AS IS NO CHANGES
 2. PARKING TO REMAIN

SHEET NO.
C101

SHEET NAME
SITE PLAN

DATE
SEPTEMBER 2, 2024

PROJECT NUMBER
461

REVISIONS		
REV.	DESCRIPTION	DATE

STAMP

LAVA ISLAND
7121 North Point Pkwy
Alpharetta, GA





CITY COUNCIL STAFF REPORT

Department: Community Development

Submitted By: Kathi Cook

Prepared By: Michael Woodman

Meeting Date: November 18, 2024

AGENDA ITEM: MP-24-09/CU-24-12 ALPHARETTA HOTEL HOLDINGS HYBRID HOTEL – PRESTON RIDGE MP POD H

The applicant, Alpharetta Hotel Holdings, is requesting a master plan amendment and conditional use to allow for the construction of a five (5) story, 148-room dual-brand hotel on an outparcel in the 13.4-acre Mayfair at Webb Bridge development. A master plan amendment is requested to add 'Hotel, Hybrid' to Pod H of the Preston Ridge Master Plan and a conditional use is requested to allow 'Hotel, Hybrid' for a Marriott dual-brand hotel. The subject property is located at 12140 Morris Road at the southwest corner of Webb Bridge Road and Morris Road.

This item was considered at the November 7, 2024 Planning Commission meeting. There was one (1) public comment representing Futures Church with concerns over parking, change in use from 'Hotel' to 'Hotel Hybrid', 'Hotel Hybrid' core uses are different, and parking should be increased to offset the change in use. The applicant agreed to limit long term stay rooms to no more than 2 bedrooms. After discussion, the Planning Commission recommended approval subject to Staff's recommended conditions. Vote 6-1

STAFF RECOMMENDATION:

Approve MP-24-09/CU-24-12 Alpharetta Hotel Holdings Hybrid Hotel – Preston Ridge Master Plan Pod H, subject to the following conditions:

1. Property shall be developed substantially in accordance with the submitted site plan prepared by Paradigm, revised 4/20/20, except for modifications required to comply with the conditions below.
2. Architecture and materials shall be developed substantially similar to the submitted renderings prepared by Matt Mitchell Design, dated 7/17/23, subject to final approval by DRB. Building shall be constructed with architectural detail and ornamental features on all 4 sides, with final approval by DRB.
3. Foundation plantings shall be required around the perimeter of the building. Parking lot tree islands shall be planted with shade trees, shrubs, and ground cover. Landscape plan shall require DRB approval.
4. 'Hotel, Hybrid' shall be listed as a conditional use in Preston Ridge Master Plan Pod H.
5. 'Hotel, Hybrid' shall be added as a conditional use at 12140 Morris Road and limited to no more than 148 rooms in one freestanding building no greater than 5 stories. No more than 44 rooms shall be used for stays up to one (1) year and rooms shall be limited to no more than 2 bedrooms. Hotel shall be a Tribute Portfolio and Apartments by Marriott Bonvoy dual-brand hotel.
6. Conditional use approval shall be limited to Tribute Portfolio and Apartments by Marriott Bonvoy dual brand hotel; no additional 'Hotel, Hybrid' use or subleasing shall be permitted within the approved space.
7. A Certificate of Occupancy for the hotel shall not be issued until the Webb Bridge Road streetscape improvements have been constructed, including a minimum 6' planter planted with street trees, minimum 8' sidewalk, and decorative pedestrian lighting, as approved by Staff.
8. Generator and dumpster shall be maintained within an enclosure and screened with landscaping, with final approval by DRB. Enclosure shall have a metal gate and materials that match the building, as approved by DRB.

ITEM DESCRIPTION:

The submitted request, if approved, would allow for the construction of a 5-story, 148-room dual-brand hotel on an outparcel in the 13.4-acre Mayfair at Webb Bridge development. A master plan amendment is requested to add 'Hotel, Hybrid' to Pod H of the Preston Ridge Master Plan and a conditional use is requested to allow 'Hotel, Hybrid' for a Marriott dual-brand hotel. The subject property is located at 12140 Morris Road at the southwest corner of Webb Bridge Road and Morris Road.

The property is zoned O-I (Office-Institutional) and subject to the Preston Ridge Master Plan Pod H. A hotel, as defined in the City's Unified Development Code (UDC), is a permitted use in Pod H of the master plan. The property is situated in the Mayfair at Webb Bridge development, which is home to Phase Family Learning Center. Phase is a concept integrating a day care facility, conference/event center, and coworking space. Two (2) undeveloped outparcels within the development were approved for a hotel and office building. Surrounding properties are zoned O-I. Village Park is located to the north, Home2Suites to the east, undeveloped outparcel to the south and Phase Family Learning Center to the west. The comprehensive land use plan designation of the property is 'Corporate Office'.

The UDC defines 'Hotel, Hybrid' as, "A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid

hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquet rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours."

The applicant proposes a dual-brand hotel to include Tribute Portfolio and Apartments by Marriott Bonvoy. Information submitted by the applicant states that Marriott's Tribute Portfolio is a full-service, upscale hotel for corporate and leisure travelers defined by attractive aesthetics and a focus on connecting guests to the surrounding community. Tribute Portfolio properties are defined by memorable design elements and art installations. Some examples of Tribute Portfolio hotels in the Atlanta metro area include the Ellis Hotel, Bellyard, and The Burgess Hotel which are all 4-star hotels.

According to information provided by the applicant, the Apartments by Marriott Bonvoy brand is a new concept announced in late 2022 offering premium and luxury stays with larger units and residential amenities. In a November 2022 article by *Business Traveller*, Marriott International stated that they are, "seizing upon the growing consumer interest among families and friends seeking more space for stays, propelled by the blending of work and leisure travel, and the desire among younger travelers for wider accommodations options." The brand will be positioned in the upper-upscale and luxury segments. Units will include a separate living room and bedroom, full kitchen, and in-unit washer and dryer. The design approach to this brand is on par with Autograph Collection and Tribute Portfolio, which offer consumers independent, uniquely distinguished hotel experiences. The product offering will include a mix of 1-, 2-, and 3-bedroom units with full kitchen, in-unit washer and dryer, public space (lounge, gym, concierge), and housekeeping. According to the applicant, Casa Costera is an existing Apartments by Marriott Bonvoy hotel in Isla Verde Puerto Rico, as well as two (2) planned locations in St. Louis and Detroit.

SITE PLAN

The submitted site plan depicts a five (5) story, 148-room hotel on a 0.62-acre outparcel located in the 13.4-acre Mayfair at Webb Bridge development. The hotel outparcel is located at the corner of Webb Bridge Road and Morris Road with the front entrance of the hotel oriented to Webb Bridge Road. A port-e-cochere is proposed at the front entrance pick-up and drop-off area. A five-foot (5') sidewalk and surface parking surrounds the hotel outparcel. A full-service restaurant with separate entrance is depicted to the east of the hotel's main entrance and an outdoor plaza for hotel guests is depicted on the east side of the hotel.

The Mayfair at Webb Bridge development was approved for shared parking with Phase Family Learning Center and the hotel and office outparcels sharing 420 parking spaces. 355 surface spaces have been developed on the property with another 65 deck spaces approved under the future office building. Sufficient parking exists to support the approved uses in the development.

RENDERINGS

The applicant submitted renderings of the proposed five (5) story, L-shaped hotel. The building is depicted with a brick exterior and large expanse of glass block on the façade facing Webb Bridge Road. According to the applicant's architect, the use of brick is meant to speak to Alpharetta's aesthetics and the glass block is a modern reference to technology. The City's Downtown Consultant reviewed the applicant's proposed renderings and believes that the design is representative of early 20th century Modern design. He felt that the design was "understated, but edgy, and an appropriate design for a hotel".

HYBRID HOTEL CONDITIONAL USE PERMIT REVIEW CRITERIA

The location, construction and use of a property or building for a hybrid hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for a hybrid hotel is subject to the City Council finding that the proposed use meets the following requirements:

1. The minimum lot or development size for hybrid hotels is three (3) acres.

Response: The applicant's request is located on an outparcel situated within the 13.4-acre Mayfair at Webb Bridge development.

2. The building shall contain no more than thirty percent (30%) of guest rooms for long-term stays.

Response: The applicant proposes a total of 148 rooms, of which no more than 30%, or 44 rooms, would be utilized for long-term stays.

3. Building shall be rated by Forbes or AAA as 4 stars or better.

Response: According to the submitted application, Tribute Portfolio and Apartments by Marriott Bonvoy are both considered premium, upscale brands. Local examples of Tribute Portfolio hotels include Ellis Hotel, Bellyard, and The Burgess Hotel, which are all 4 stars or better.

4. Building or development shall have a minimum 60,000 square foot conference room or minimum 60,000 square foot event space, or minimum 60,000 square foot group meeting space with banquet facilities.

Response: The proposed hybrid hotel is situated on an outparcel in the Mayfair at Webb Bridge development. The master development includes Phase Family Learning Center, consisting of a 62,500 square foot conference/event center.

5. Building shall have a minimum 3,000 square foot sit-down restaurant with table service.

Response: The proposed building includes a 3,500 square foot restaurant with separate entrance. According to the submitted application, the restaurant will provide table service managed either by hotel staff or a third party.

6. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area.

Response: According to the submitted application, rooms designated for long-term stays will have full sized kitchens and appliances and will comply with the minimum floor area referenced above.

7. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

Response: The Mayfair at Webb Bridge development has 25%, or 1.51 acres, of open space. In addition, the site plan for the hotel outparcel depicts an approximately 3,000 square foot outdoor plaza on the east side of the building.

8. All such buildings shall provide a minimum fifty-foot (50') buffer from any property zoned for a 'For-Sale' or 'For-Rent' dwelling use.

Response: The proposed hybrid hotel is situated on an outparcel in the Mayfair at Webb Bridge development, which has a 100' buffer adjacent to Country Place located to the south.

9. Access to each guest room shall be through an inside lobby which is supervised at all hours the building is open.

Response: According to the submitted application, all guest rooms will have access through a supervised lobby.

10. Number of Vehicle Parking Spaces Required: One (1) space for each short-term guest room and two (2) spaces for each long-term guest room, plus 1 employee space for each 20 guest rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

Response: The Mayfair at Webb Bridge development was approved for shared parking with a total of 420 spaces shared by the hotel, future office, and Phase Family Learning Center. The UDC parking rate for a hybrid hotel would require approximately 200 spaces for the proposed hotel. Corporate travelers typically do not have vehicles, instead utilizing Uber/Lift for local travel. Staff looked at parking utilization at three (3) full-service hotels and one (1) extended stay hotel in the City and found that parking utilization typically does not exceed approximately 50% (see table below). The hotels listed below, as well as The Hotel at Avalon were contacted and confirmed the parking utilization observed by Staff in the aerial imagery. The Hotel at Avalon indicated that less than half of their designated parking is utilized on a typical day and Home2 Suites indicated that approximately 50% of parking is utilized on their busiest days. Hotel personnel confirmed that these hotels primarily cater to corporate business travelers with their busiest days being Monday – Wednesday (and Saturdays at Hotel Avalon) and the slowest day being Sunday. It is anticipated that the proposed hotel will utilize less than the City's minimum parking requirement.

Hotel Parking Utilization Observations

Hotel	# of Rooms	# of Parking Spaces	Observed Utilized Parking*	% Utilization
The Hotel at Avalon – 9000 Avalon Blvd	330	Unknown	Unknown	~50%

Hilton Windward – 5775 Windward Pkwy	249	234	75	32%
Mariott Alpharetta Windward – 5750 Windward Pkwy	316	341	85	33%
Home2 Suites – 12075 Morris Road	107	107	24	22%

*Observed utilized parking is based on 2024 aerial imagery flown between 1/15/2024 and 3/29/2024.

STANDARDS FOR MASTER PLAN AMENDMENT

The Planning Commission and the City Council shall consider the following standards in considering a master plan amendment 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 proposal would permit a use that is suitable in view of the zoning and development of adjacent or nearby properties, which are primarily developed with a variety of non-residential uses. A 'Hotel' is a permitted use on the subject property. Approval of the applicant's proposal would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel. Prior to Covid, a 3-star Cambria Hotel was issued permits on the subject property.

- 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 of adjacent and nearby properties, which are primarily developed with a variety of non-residential uses. A 'Hotel' is a permitted use on the subject property. Approval of the applicant's proposal would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel. Prior to Covid, a 3-star Cambria Hotel was issued permits on the subject property.

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

Response: The proposed use would not adversely impact the natural environment. The subject property has been graded and trees will not be impacted by the proposed development.

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

Response: Preston Ridge Master Plan Pod H allows a 'Hotel' as a permitted use. Approval of the applicant's request for 'Hotel, Hybrid' would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel.

- 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: Preston Ridge Master Plan Pod H allows a 'Hotel' as a permitted use. The proposal to allow 'Hotel, Hybrid' would not result in a significant change in demand on public facilities and 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: Not applicable.

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

Response: The proposal to allow 'Hotel, Hybrid' reflects a reasonable balance. Approval of the applicant's request for 'Hotel, Hybrid' would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel.

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

Response: Preston Ridge Master Plan Pod H allows a 'Hotel' as a permitted use. Approval of the applicant's request for 'Hotel, Hybrid' would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel.

- 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 'Corporate Office'.

CONDITIONAL USE REVIEW CRITERIA

City staff has reviewed the applicant's request and compared it to the conditional use standards established in UDC Sec. 4.2.3 (B) which are as follows:

A conditional use otherwise permitted within a zoning district shall be considered to be compatible with other uses permitted in the district, provided that due consideration is given to the following objective criteria at a public hearing and satisfactory provisions or arrangements are made for:

1. Access into and out of the property with regard to traffic and pedestrian safety, volume of traffic flow, and emergency vehicles, as well as the type of street providing access;

Response: The property has two (2) points of access from Webb Bridge Road and Morris Road. The proposed use would not negatively impact vehicular or pedestrian safety.

2. The extent to which refuse areas, loading and service areas, off street parking, and buffers and screening are provided on the property;

Response: The above-referenced site improvements are provided on the subject property. Off-street parking within the Mayfair at Webb Bridge development is shared amongst the approved uses (hotel, office, and Phase Family Learning Center). Alpharetta hotels mostly cater to corporate travelers who typically do not have vehicles, instead utilizing Uber/Lift for local travel. In addition, Staff surveyed parking utilization at three (3) full-service hotels and one (1) extended stay hotel in the City and found that parking utilization typically does not exceed 50%. It is anticipated that the proposed hotel will utilize less than the City's minimum parking requirement.

3. Ensuring that the conditional use will not be injurious to the use and enjoyment of the environment or of other property in the immediate vicinity or diminish and impair property values within the surrounding neighborhood;

Response: The proposal would not adversely affect the existing use or usability of adjacent or nearby properties, which are developed with a variety of uses, including an extended stay hotel, data center, assisted living facility, day care facility, conference/event center, coworking space, and dwelling 'for-rent'.

4. Ensuring that the conditional use will not increase local or state expenditures in relation to the cost of servicing or maintaining neighboring properties;

Response: Not applicable.

5. Ensuring that the conditional use will not impede the normal and orderly development of surrounding property for uses predominant in the area;

Response: The proposal would not impede the normal and orderly development of surrounding properties, which are developed with a variety of uses, including an extended stay hotel, data center, assisted living facility, day care facility, conference/event center, coworking space, and dwelling 'for-rent'.

6. Ensuring that the location and character of the conditional use is consistent with a desirable pattern of development for the city, in general; and

Response: The location and character of the proposed use is appropriate as it relates to the use and development of adjacent or nearby properties, which are developed primarily with a variety of non-residential uses. A 'Hotel' is a permitted use on the subject property. Approval of the applicant's proposal would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel. Prior to Covid, a 3-star Cambria Hotel was issued permits on the subject property.

7. Ensuring that the conditional use is appropriately separated from similar uses and conflicting uses, such as residences, government buildings, parks, churches, or schools.

Response: There are no 'Hotel, Hybrid' uses operating in the City. Home2 Suites is located directly across Morris Road from the applicant's proposed site, as well as a Fairfield Inn & Suites located a short distance to the east on Webb Bridge Road. There are no conflicting uses in the area.

CONCURRENCES

Staff has reviewed the applicant's proposal against the review criteria for a master plan amendment and conditional use. The subject property is one of several sites in the City that could be developed with a hotel without a public hearing. The proposed dual-brand hotel would bring a hotel product that does not currently exist in the City and would be a good alternative on this site. In addition, the proposed dual-brand hotel will be supported by the existing 62,500 square foot conference center which is located within the same development. Additionally, there are approximately 33 hotels operating or under construction in the City. Most are limited-service hotels and only four (4) are full service. Approval of the applicant's proposal would provide certainty on the hotel brand and ensure, at a minimum, a 4-star hotel. Prior to Covid, a 3-star Cambria Hotel was issued permits on the subject property.

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 spoke to three (3) citizens at the CZIM meeting who had concerns over parking, traffic, and safety of children. There was concern that the long term stay component could impact parking availability for the Phase Family Learning Center and Futures Church. As a solution, it was proposed that the applicant construct a level of parking below the hotel. Traffic concerns were also voiced as it relates to traffic congestion during drop off and pick up hours for the day care facility.

COMMUNITY ZONING INFORMATION MEETING

The CZIM was held on October 9, 2024. There were public comments with concerns over parking and traffic.

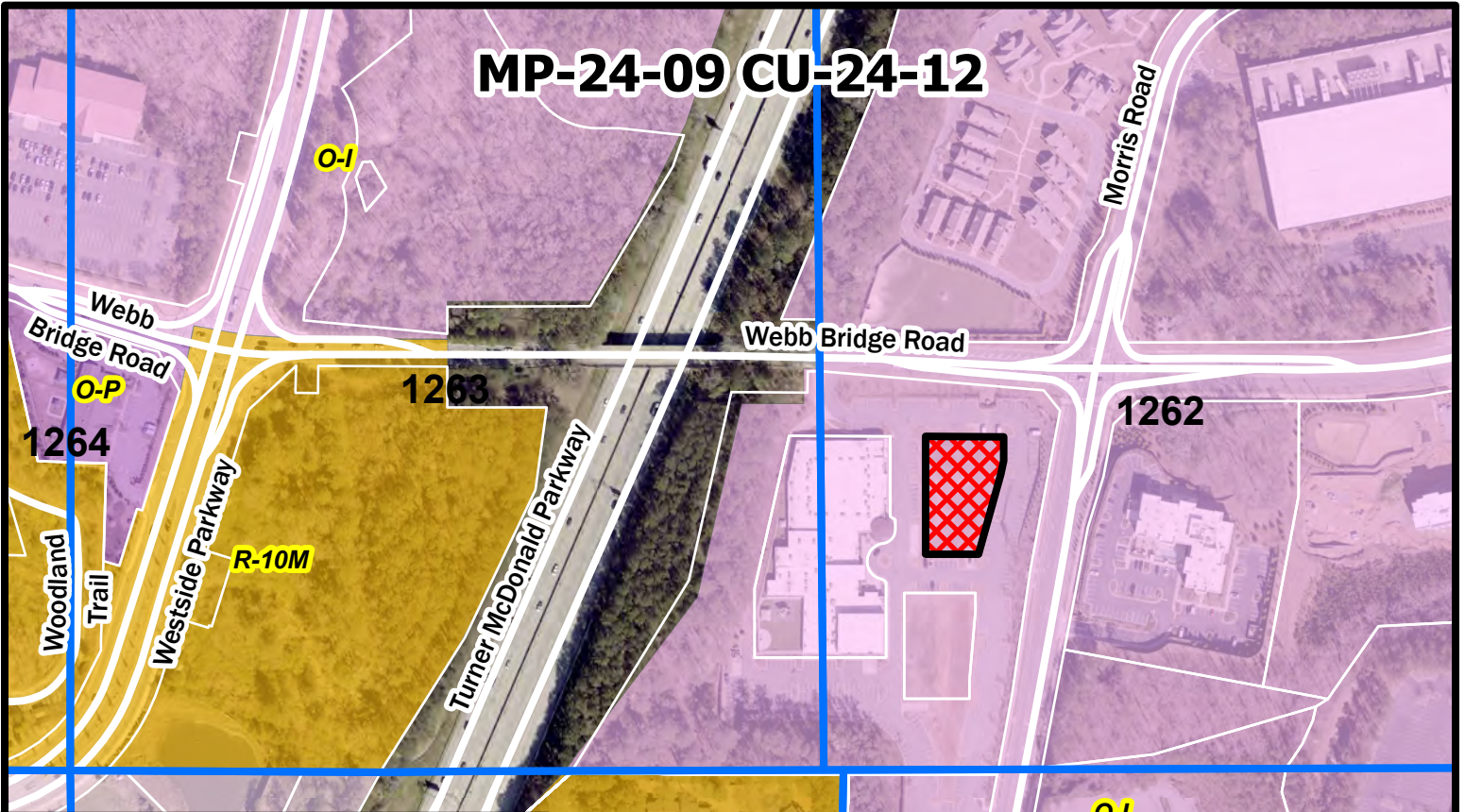
ATTACHMENTS:
• Aerial Map • Zoning Map • Future Land Use Map • Location Map • CZIM • Citizen Part B • Public Comments • Application

MP-24-09 CU-24-12



Aerial Map
Alpharetta Hotel Holdings LLC
Hybrid Hotel
12140 Morris Road

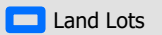
MP-24-09 CU-24-12



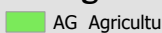
LEGEND



MP-24-09



Tax Parcels



Land Lots

Zoning Districts

AG Agriculture

RE Residential Estates

R Single Family Detached Residential

R-22 Single Family Detached Residential

R-15 Single Family Detached Residential

R-12 Single Family Detached Residential

R-10 Single Family Detached Residential

R-4A Single Family Detached Residential (Low Density)

R-8A Single Family Attached Residential (Medium Density)

R-10M Multiple Family Residential (HD - Historic District)

CUP Community Unit Plan

O-P Office Professional

O-I Office Institutional

MU Mixed Use

C-1 Neighborhood Commercial

C-2 General Commercial

PSC Planned Shopping Center

L-I Light Industrial

OSR Open Space and Recreational

SU Special Use

R-8D Single Family Detached Residential

R-4D Single Family Detached Residential (Medium Density)

R-8A/D Single Family Attached/Detached Residential

DT-C Downtown Core

DT-MU Downtown Mixed-Use

DT-LW Downtown Live-Work

DT-R Downtown Residential



MP-24-09 CU-24-12

D/LL: 1/2/1262

PC: 11/07/24

CC: 11/18/24

Zoning Map

Alpharetta Hotel Holdings LLC

Hybrid Hotel

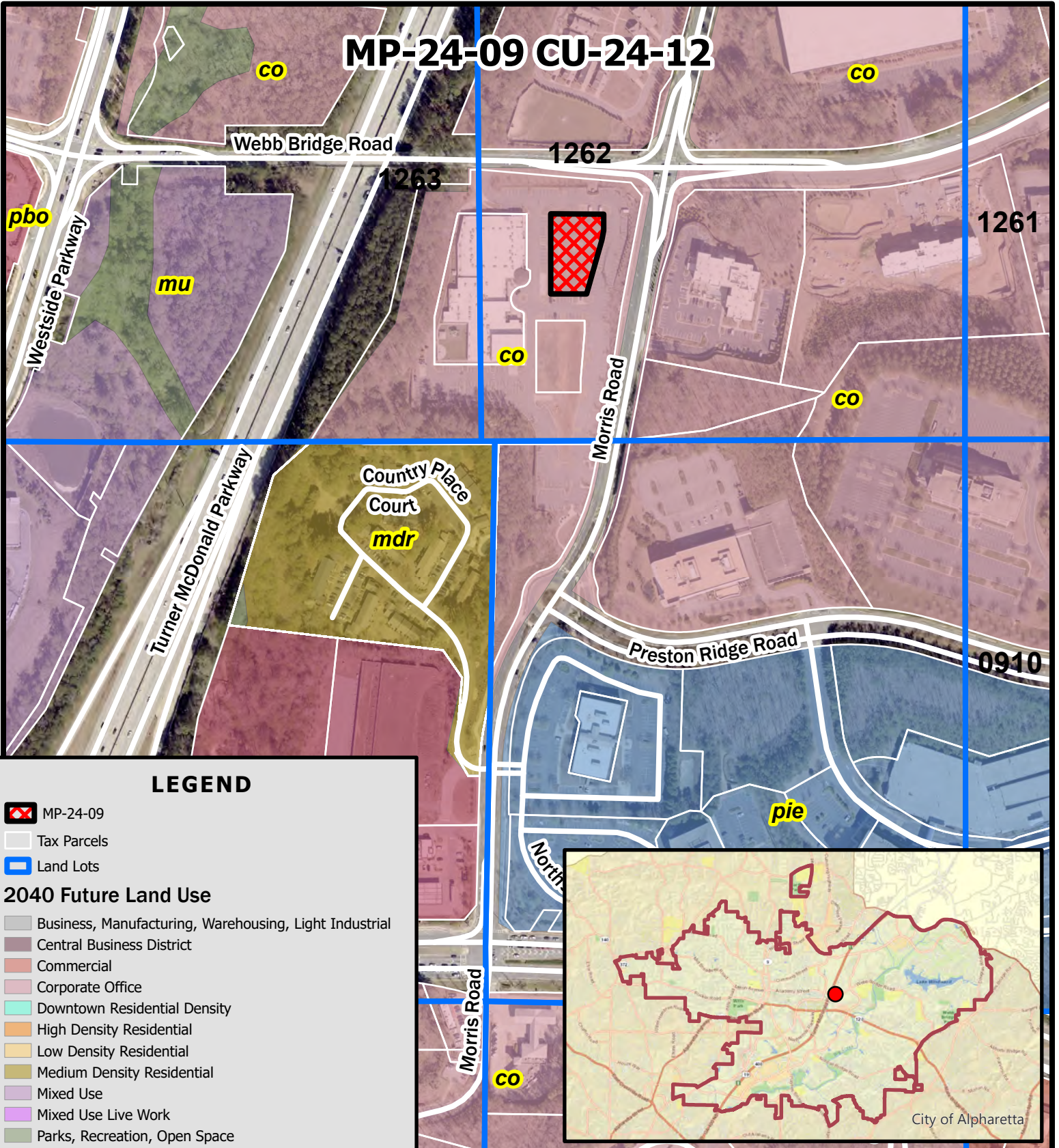
12140 Morris Road



Location Map Provided by:
Community Development - GIS

Page 216 of 482

MP-24-09 CU-24-12



LEGEND

- MP-24-09
- Tax Parcels
- Land Lots

2040 Future Land Use

- Business, Manufacturing, Warehousing, Light Industrial
- Central Business District
- Commercial
- Corporate Office
- Downtown Residential Density
- High Density Residential
- Low Density Residential
- Medium Density Residential
- Mixed Use
- Mixed Use Live Work
- Parks, Recreation, Open Space
- Professional Business Office
- Public, Institutional, Education
- Residential Estate
- Very Low Density Residential

MP-24-09 CU-24-12

D/LL: 1/2/1262

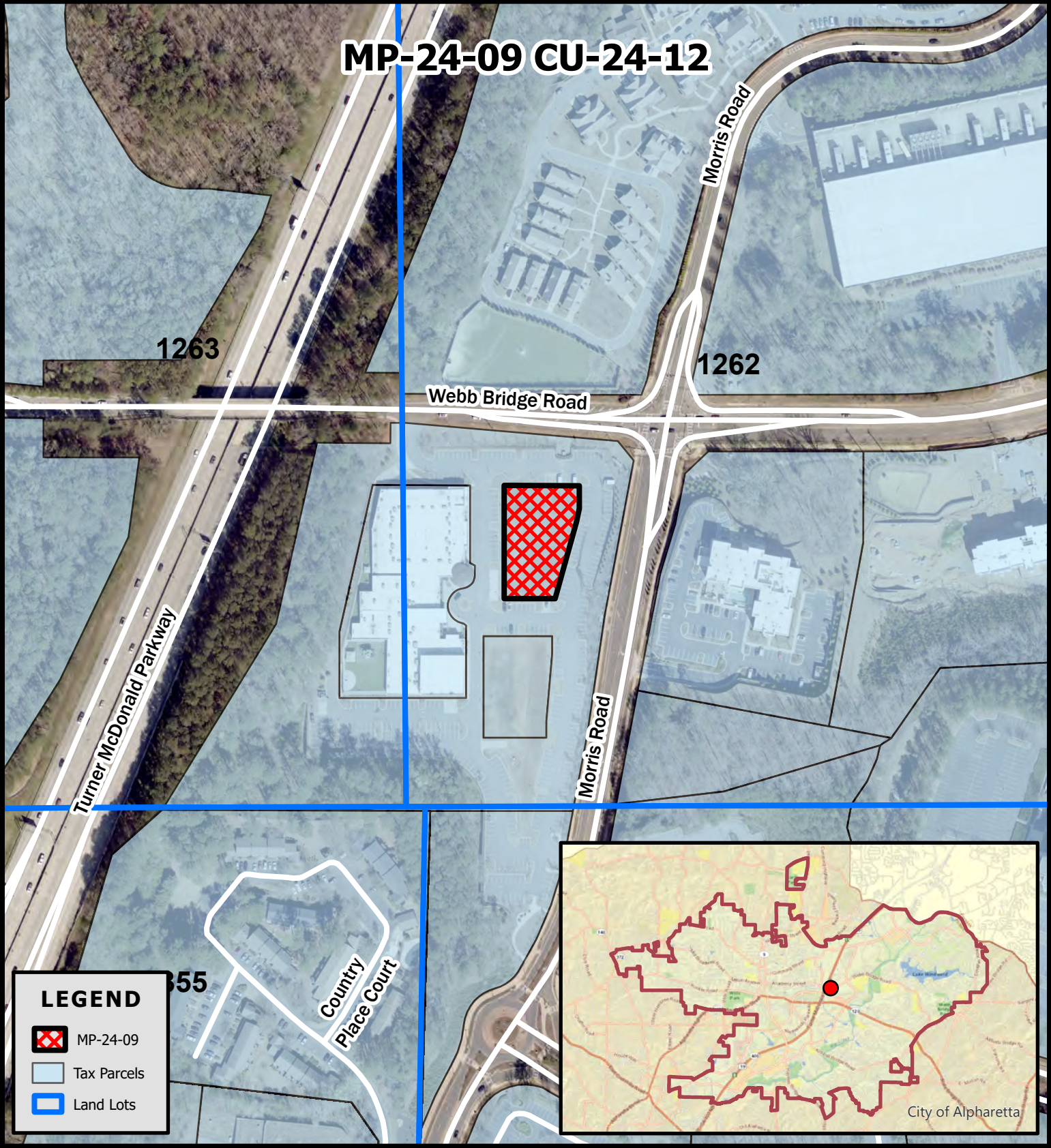
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Future Land Use Map
Alpharetta Hotel Holdings LLC
Hybrid Hotel
12140 Morris Road



MP-24-09 CU-24-12



LEGEND

-  MP-24-09
-  Tax Parcels
-  Land Lots

MP-24-09 CU-24-12

D/LL: 1/2/1262

PC: 11/07/24

CC: 11/18/24

Location Map

Alpharetta Hotel Holdings LLC

Hybrid Hotel

12140 Morris Road



Community Zoning Information Meeting (CZIM)

October 9, 2024

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

MP-24-09/CU-24-12 / Alpharetta Hotel Holdings Hybrid Hotel/Preston Ridge MP Pod H

NAME	ADDRESS	COMMENTS
Phil FARMAN	12150 Morris Rd.	VERY CONCERNED ABOUT PARKING AND TIME OF USE BECAUSE OF THE RESIDENCE'S
Tate Halcombe	353 Lynne circle	Parking, traffic, especially during daycare pickup/drop-off

Via Email-mwoodman@alpharetta.ga.us

October 15, 2024

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

RE: Alpharetta Hotel Holdings, LLC (Hybrid Hotel MP 24-09/CU-24-12)

Dear Mr. Woodman,

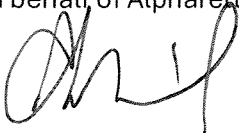
Please find attached the following items connected with Alpharetta Hotel Holdings, LLC public hearing application.

1. Citizen Participation Form (Part B)
2. Narrative reporting citizen feedback received at the Community Zoning Information (CZIM) meeting held on October 9, 2024
3. Sign-in sheet collected at CZIM meeting
4. A list of addresses used for public notice letters
5. Copies of the public notice letters sent to adjacent property owners in September 2024

Please let me know if you have any questions or need additional information.

Sincerely,

(on behalf of Alpharetta Hotel Holdings, LLC)

A handwritten signature in black ink, appearing to read 'Gloria Fernandez', written over the typed name.

Gloria Fernandez

HB Capital

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: MP-24-09/CU-24-12 Alpharetta Hotel Holdings, LLC/Hybrid Hotel

Contact Name: Gloria Fernandez Telephone: 305.602.3064

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.

See attached narrative and list of public notice addresses, along with copies of public notice letter

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) | <u>CZIM meeting October 9, 2024</u> |

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: 10/15/2024
Steven Harowitz

Print Form

Alpharetta Hotel Holdings, LLC

MP-24-09/CU-24-12

Alpharetta Hotel Holdings, LLC is seeking a master plan amendment and conditional use to allow a “Hybrid Hotel” on its property located at 12140 Morris Road, Alpharetta, GA. The Applicant presented a public hearing application and provided the required public notice letters to surrounding property owners. Additionally, representatives of the Applicant attended the Community Zoning Information Meeting (“CZIM”) on October 9, 2024. These representatives included Mr. Mathew Mitchell of Matt Mitchell Design and Mr. Jason Joseph.

Mr. Mitchell spoke with three citizens that attended the CZIM meeting. He reports the summary of his conversations below.

Mr. Rick Onorato and Mr. Phil Farlam

These individuals, who are associated with the building that currently houses the Phase Family Learning Center and Futures Church, mentioned that they had previously spoken to Gloria Fernandez and Jason Joseph about the proposed project. They expressed concern about the impact of the residences portion of the hotel on the parking. Specifically, they noted that if the project were just a standard hotel, they would not be as concerned. Mr. Farlam proposed as a solution adding basement parking level under the hotel. Mr. Farlam and Mr. Onorato also noted how the grading on the hotel pad is not as amenable to basement parking as the grading on the adjacent vacant land parcel that is known as the office parcel.

Tate Holcombe

This individual has two young children who currently attend the daycare center at the Phase Learning Center. He said that 200 families (approximately 300 children) attend the daycare center. His concern is parking and traffic, particularly during the drop off (8-9 am) and pick up (4-6 pm) hours. Because of the age of the children, many parents must park and take their children into the building, instead of just dropping them off. He said there is a lot of traffic and congestion during those hours, and he is concerned the hotel will make it worse. He also expressed concern for the children’s safety with a hotel adjacent to the daycare.

Mr. Mitchell responded that the safety of children is very important, and it appeared that the current drop-off situation needed to be addressed by the daycare operator, either way and independently of the hotel. In response to the concern about daycare being adjacent to a hotel, Mr. Mitchell explained that the proposed development was an upscale hotel and referenced the Atlanta Bellyard Hotel as an example of the level of service that could be expected. Further, Mr. Mitchell noted that in many mixed-use developments that contain office and hotel uses, a daycare is included near or in the development.

Community Zoning Information Meeting (CZIM)

October 9, 2024

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

MP-24-09/CU-24-12 / Alpharetta Hotel Holdings Hybrid Hotel/Preston Ridge MP Pod H

NAME	ADDRESS	COMMENTS
Phil FARMAN	12150 MURKIN RD.	VERY CONCERNED ABOUT PARKING AND TIME OF USE BECAUSE OF THE RESIDENCE'S
Tate Halcombe	353 Lynne circle	Parking, traffic, especially during daycare pickup/drop-off

Alpharetta Hotel Holdings, LLC

Hybrid Hotel – List of Addresses for Public Notice Letters

(pg. 1 of 2)

SIGNET CLINICAL LLC
1100 JOHNSON FERRY RD SUITE 400
ATLANTA GA 30342

MAYFAIR AT WEBB BRIDGE
ASSOCIATION INC
26 MILTON AVE
ALPHARETTA GA 30009

HSH ALPHARETTA OWNER GA LLC
3424 PEACHTREE RD NE STE 1780
ATLANTA GA 30326

RAM ALPHARETTA HOSPITALITY LLC
233 12TH ST STE 301
COLUMBUS GA 31901

PRRP II LLC
3330 PRESTON RIDGE RD STE 300
ALPHARETTA GA 30005

WEBB BRIDGE INVESTMENTS LLC
11175 CICERO DR
ALPHARETTA GA 30022

CAIN DOROTHY P
7 COUNTRY PLACE CT
ALPHARETTA GA 30005-4410

DEVELOPMENT AUTHORITY
OF FULTON COUNTY
300 N LASALLE ST STE 1875
CHICAGO IL 60654

Alpharetta Hotel Holdings, LLC

Hybrid Hotel – List of Addresses for Public Notice Letters

(pg. 2 of 2)

Webb Bridge Investments II, LLC
c/o Mr. Jason Joseph and Mr. A. J. Belt
6260 Avalon Blvd.
Alpharetta, GA 30009

Mayfair at Webb Bridge Association Inc
c/o Marine Peclet
Controller, HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

Signet Clinical LLC
1100 Johnson Ferry Rd. Suite 400
Atlanta, GA 30342

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Dear Property Owner:

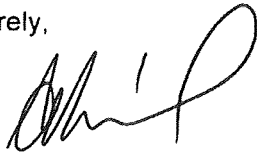
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The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, October 9, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by the **Planning Commission on Thursday, November 7, 2024, and City Council on Monday, November 18, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at gfernandez@hbcapital.com or at 305.602.3064.

Sincerely,



Gloria Fernandez
HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

HSB ALPHARETTA OWNER GA LLC
3424 PEACHTREE RD NE STE 1780
ATLANTA GA 30326

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of a master plan amendment and conditional use to allow 'Hotel, Hybrid' on 9.89 acres in the Preston Ridge Master Plan. A master plan amendment is requested to the Preston Ridge Master Plan Pod H to add 'Hotel, Hybrid' as a conditional use and a conditional use is requested to allow a 'Hotel, Hybrid' for a dual brand Marriott hotel. The property is located at 12140 Morris Road and is legally described as being located in Land Lot 1262, 2nd District, 2nd Section, Fulton County, Georgia.

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Sincerely,



Gloria Fernandez
HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

RAM ALPHARETTA HOSPITALITY LLC
233 12TH ST STE 301
COLUMBUS GA 31901

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Dear Property Owner:

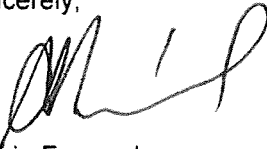
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16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

WEBB BRIDGE INVESTMENTS LLC
11175 CICERO DR
ALPHARETTA GA 30022

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Dear Property Owner:

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HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

PRRP II LLC
3330 PRESTON RIDGE RD STE 300
ALPHARETTA GA 30005

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

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16701 Collins Avenue
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Via Overnight Delivery

September 18, 2024

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ALPHARETTA GA 30005-4410

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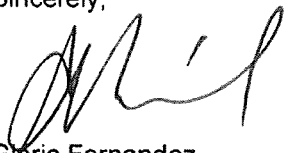
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Sunny Isles Beach, FL 33160

Via Overnight Delivery

September 18, 2024

DEVELOPMENT AUTHORITY OF FULTON COUNTY
300 N LASALLE ST STE 1875
CHICAGO IL 60654

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Gloria Fernandez
HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery, and via email aj@reviveliving.com and jj@trilogyc.com

September 18, 2024

WEBB BRIDGE INVESTMENTS II, LLC

c/o Mr. A. J. Belt III and Mr. Jason Joseph
6260 Avalon Blvd.
Alpharetta, GA 30009

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

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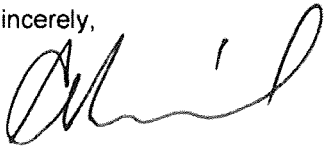
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If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at gfernandez@hbcapital.com or at 305.602.3064.

Sincerely,



Gloria Fernandez
HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

Via Overnight Delivery

Via Overnight Delivery and Email to mpeclet@hbcapital.com

September 18, 2024

MAYFAIR AT WEBB BRIDGE ASSOCIATION INC
26 MILTON AVE
ALPHARETTA GA 30009

MAYFAIR AT WEBB BRIDGE ASSOCIATION INC.
C/O Marine Peclet
Controller HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

RE: MP-24-09/CU-24-12 Alpharetta Hotel Holdings LLC/Hybrid Hotel

Dear Property Owner:

Please allow this letter to serve as public notice for consideration of a master plan amendment and conditional use to allow 'Hotel, Hybrid' on 9.89 acres in the Preston Ridge Master Plan. A master plan amendment is requested to the Preston Ridge Master Plan Pod H to add 'Hotel, Hybrid' as a conditional use and a conditional use is requested to allow a 'Hotel, Hybrid' for a dual brand Marriott hotel. The property is located at 12140 Morris Road and is legally described as being located in Land Lot 1262, 2nd District, 2nd Section, Fulton County, Georgia.

The Community Zoning Information Meeting (CZIM) for this request will be held on **Wednesday, October 9, 2024, at 6:00 PM** in the Community Room in Alpharetta City Hall across from the Council Chambers. Alpharetta City Hall is Located at 2 Park Plaza, Alpharetta, GA 30009. This is an informal meeting to allow the public to view public hearing requests, ask questions, and provide feedback.

This item will be considered by **the Planning Commission on Thursday, November 7, 2024, and City Council on Monday, November 18, 2024, at 6:30 PM**. The meetings will be held in the Council Chambers at City Hall, 2 Park Plaza, Alpharetta, GA 30009.

If you have any questions regarding the request, please feel free to contact me at your convenience. I can be reached at gfernandez@hbcapital.com or at 305.602.3064.

Sincerely,



Gloria Fernandez
HB Capital
16701 Collins Avenue
Sunny Isles Beach, FL 33160

SUMMARY HIGHLIGHTS

- In June of 2023, Alpharetta Hotel Holdings, LLC (the “Applicant”) presented a variance application to permit a dual Marriott brand hotel on a vacant 0.6-acre land parcel located at 12140 Morris Road, Alpharetta, GA. The Applicant eventually withdrew its variance application and is currently pursuing a Master Plan Amendment and Conditional Use approval to allow the development of a “hybrid hotel”. The Applicant’s land was originally intended for a Cambria hotel (a Choice hotels brand), a project that was entitled by the City of Alpharetta but which did not move forward in 2020 as planned.
- As the land parcel is zoned for hotel use, the Applicant is now proposing a dual brand building, housing two upscale Marriott brands. One is a Tribute hotel and the other is Apartments by Marriott Bonvoy (“AMB”), which when combined provide flexibility and a broader range of accommodation choices. AMB units, which will be limited to no more than 30% of the total unit count in the proposed hotel building, are a hospitality product and are not “for lease” multi-family apartments. Both of Marriott brands are considered upper scale premium concepts.
- The hotel parcel is part of a mixed-use development (Mayfair at Webb Bridge) that shares a common parking lot with two other parcels (the Community Center Parcel and the Office Parcel). Parcel owners have non-exclusive rights to use the parking.
- The Community Center Parcel has used the existing parking lot exclusively since opening for business, as the Office and Hotel parcels are vacant land. Each parcel owner pays a pro-rata share of the common expenses (Hotel 44.08%, Community Center 28.59% and Office 27.33%). The hotel owner/Applicant is currently being assessed over \$27,000 annually towards common expenses, notwithstanding that the Hotel Parcel is vacant land and does not use the parking lot.
- Certain users of the Community Center Parcel (notably Futures Church) perceived the AMB units as a rental product, which would take the most convenient parking that is currently available for Sunday morning worship services. The expressed concern has been more about “convenient” parking and less about sufficient parking.
- The Applicant has made numerous outreach attempts to the pastor of Futures Church and other individuals associated with the Community Center Parcel and has proposed operational solutions to address the parking concerns raised by the pastor. The conversations between the parties have been cordial and respectful but have not yet yielded an acceptable resolution for both parties.

- Specific solutions proposed by the Applicant include designating convenient “church-only” parking on Sunday mornings during services, using and having the hotel enforce towing if necessary, using a valet service, obtaining an off-site parking license agreement for overflow parking needs, restricting AMB guests to only park in designated spaces during weekends (in an area parallel to Morris Road and away from the entrance of the Community Center Parcel).
- The position of Futures Church and the Community Center Parcel has consistently been to request that the Applicant construct, at its own expense, parking underneath the hotel building or in a parking garage structure, so that the hotel is self-parked.
- This position is contrary to the original intent of the Mayfair at Webb Bridge mixed-use development, and it proposes a solution that is not economically viable for the Applicant.
- Comments were also received concerning “safety.” Specifically, comments about a childcare facility being near a hotel and one that could serve alcohol. At the time the Community Center Parcel was developed, it was known that the subject land was intended to be a hotel. Additionally, when the Cambria hotel (which included a lobby bar and restaurant) was approved, the Community Center Parcel did not express concerns about safety or liquor (to our best knowledge). The Cambria hotel met the required distance requirements (and the future Marriott hotel, which is using a similar footprint, will comply as well). The Applicant viewed these comments as an attempt to place further roadblocks on its’ development, beyond the initially expressed concern over parking on Sunday mornings.
- To better understand the utilization of the parking lot, the Applicant hired two aerial drone photography companies to photograph the parking lot during four Sunday mornings, during the period spanning from August through October 2024 and while services would have been occurring. The photographs indicate that there is available parking and convenient spaces that are not being utilized. Please see Exhibit “A.”
- The Applicant is proposing an upscale project in the City of Alpharetta and sincerely hopes to remain on good terms with the local community and its neighbors. We hope that the reasonable operational ideas that we have proposed will be considered, so all parties can peacefully co-exist and mutually benefit.

TIMELINE

During the latter part of 2023 and in 2024, representatives of the Applicant had several conversations and meetings with members of a neighboring property (the Community Center Parcel which contains a building that houses several uses, including Futures Church). The timeline section that follows below provides highlights of various conversations and written communication that occurred among the parties concerning the Applicant's proposed hotel development. While this timeline may not be all-inclusive and spans an extended time period, it does capture the majority and most notable communication.

November 10, 2022

Email is received from Pastor Ashley Evans (concerning an off-site parking agreement that was in place to provide overflow parking) confirming that there is no issue with terminating such agreement ("*ok, let's get rid of it*"). This parking agreement was an expense of the Mayfair at Webb Bridge Association (a commercial property association that requires the three property owners to pay a proportionate share of common area expenses). The parking agreement was terminated on January 16, 2023, as the offsite parking was not needed, and the cost was an unnecessary expense for the Association.

June 15, 2023

Gloria Fernandez (with the Applicant) emails a letter to Mike Kendrick (the representative for the Community Center parcel) advising that Applicant is seeking a variance request to develop a dual branded Marriott hotel.

Mr. Kendrick subsequently reaches out to Mr. Jason Joseph (Applicant's local development partner) via email (copying Pastor Ashley Evans), noting that 50 "permanent residence units" * would occupy 50-100 parking spots and that this, along with any other hotel traffic, would make the church parking on the weekends and during large event activity during the week untenable. Mr. Joseph provides clarification that what is being proposed is not permanent residences and, it is a Marriott hospitality product that can accommodate corporate and workforce short-term stays.

*Note-48 spaces relates to the AMB unit count (up to 1/3 of the total number of keys for AMB) in the Applicant's 2023 Variance Application. The current application for a master plan amendment and conditional use permit reduces the AMB units to up to 30% of the total number of keys. The remainder and majority of the building unit count is intended for Tribute Portfolio standard hotel rooms.

September 13, 2023

Community Zoning Information Meeting (CZIM) takes place and is attended by Gloria Fernandez, Matt Mitchell (project architect), and Jason Joseph. One individual (Ryan Rolls of 12150 Morris Road, Alpharetta GA 30009) leaves a comment on the Sign-In sheet (*"I am with the church that owns the Phase Building that is on the same property. Our concern is over the 48 residential rooms that stand to occupy 96 parking spaces, that the church cannot afford to lose"*)

September 17, 2023

Pastor Ashley Evans sends an email to Jason Joseph, copying Gloria Fernandez, stating that *"we have no desire to oppose the building of a hotel"* but expressing concern that longer stay hotel guests could park in the lot used by the church on weekends (thereby reducing the capacity of the parking lot to meet the needs of the church and that their business model relies on convenient and adequate parking). Pastor Evans suggests that solution is for the hotel to build *"at least 2 underground parking decks so that the parking of the development is able to sustain all the activities originally intended and agreed on or that you do not seek to locate a hotel with long stay options, up to a year, for 49 rooms on the property and instead return to the original vision and promise of that pad being a business hotel with guests who use it Monday to Friday"*

October 4, 2023

Gloria Fernandez calls Pastor Ashley Evans to introduce herself and to speak about the proposed hybrid hotel project. A focus for Gloria during this meeting was establishing a relationship and brainstorming to find operational solutions to address the perceived problems identified by the church. Gloria discussed using offsite parking and valet service.

October 13, 2023

Gloria Fernandez sends email notification to Mr. Michael Woodman of the City of Alpharetta that the Applicant wished to withdraw the variance request from the October 16, 2023 City Council public hearing and to defer the request to the next monthly meeting.

October 16, 2023

Gloria Fernandez has an in-person meeting with Pastor Ashley Evans and Mr. Richard Onorato at the Phase Learning Center. The purpose of the meeting was to address church concerns about parking. Pastor Evans stated that it was important to have parking close to the entrance of the building, to make it easy for parishioners and to minimize the distance they have to walk to the entrance. Gloria proposed memorializing parking controls in the Declaration of Covenants, Conditions and Easements for Mayfair at Webb Bridge

Association (which governs the Hotel Parcel, the Community Center Parcel, and the Office Parcel) and using valet service during Sunday mornings or offsite parking for peak times. Pastor Evans and Mr. Onorato proposed building just a Tribute Hotel (as opposed to the proposed dual brand) or constructing parking underneath the hotel building.

November 15, 2023

At Richard Onorato's request, a follow-up call is scheduled that includes Mr. Richard Onorato, Pastor Ashley Evans, and Gloria Fernandez. Highlights of that call are as follows:

Gloria stated that it was her opinion that parties had to work with the existing surface parking and adding new parking was not economically feasible (either as development cost for the hotel owner or as a Property Owner's special assessment). Further, a proposed solution to address the church's concern was to designate over 60 proximate parking spaces on Sundays for "church only," or to limit Apartments by Marriott Bonvoy ("AMB") weekend guests to park in certain designated parking spaces. Additionally, using a portion of the parking lot as a valet area would allow cars to be stacked behind each other (in the event the parking lot was full).

Mr. Onorato and Pastor Evans noted that there had recently been a special event at the building and the parking lot was entirely full. Gloria replied that this was a situation that could exist with a Cambria or any other hotel and could potentially create an inconvenience for everyone including the future office building. This point led the parties to discuss using off-site parking for special events, or valet for AMB guests. Pastor Evans and Mr. Onorato mentioned that there are several medical buildings nearby that have available weekend parking. Gloria reminded the parties that the Association previously had an offsite parking agreement (that was terminated) and she agreed to investigate an off-site parking solution.

January 22, 2024

Gloria Fernandez notifies Mr. Richard Onorato and Pastor Ashley Evans that she was able to connect with a leasing agent for a nearby property owner of a medical building that has available weekend parking and who previously provided offsite parking to the Association). The leasing agent advised that his client was amenable to resuming the arrangement.

Further, Gloria stated that a good solution to Pastor Evans's concern about having convenient parking for Sunday morning services was a combination of the offsite parking agreement (giving all parcels owners the option to park vehicles offsite), and designating on-site AMB parking spaces for Sunday mornings (so AMB vehicle owners could park away from the main entrance of the Church). In the event the offsite parking (with is controlled by another property owner) were not available in the future, the church would have the comfort of having guardrails on the use of the on-site parking during Sunday morning services.

March 19, 2024

Richard Onorato emails Gloria Fernandez explaining that their group had internal discussions and given thought to the idea of controlled and off-site parking for the weekends, but they believed those solutions would not work. They were only willing to support the proposed project if the Applicant can put *“even one layer of parking underneath the hotel”*

March 20, 2024

Gloria Fernandez speaks with Richard Onorato and Philip Farlam, who voiced their objection to having to police parking and having to be the “bad guys”. Further, they believe that towing (which was previously proposed by Gloria Fernandez as an operational solution) would be ineffective as hotel guests typically have rental cars (therefore implying that these guests would not be concerned about towing). He proposed that the hotel owner build one level of underground parking, suggesting that this would be a good investment for the hotel. He also stated that if hotel owner just builds a *“regular”* hotel then they would just have to *“live with it.”*

Gloria reiterated that the hotel would have the operational burden of policing the designated parking. She stated that the hotel owner had acted in good faith and desired to be good neighbors but, was disappointed with their response. As a further offer, Gloria suggested requiring AMB guests to use offsite parking but mentioned that getting this matter resolved was time sensitive as it involved an agreement with another property owner.

September 12/18, 2024

Mr. Onorato questions if the hotel was coming back up before zoning for October 9th and if there was anything different from the last plan. Gloria Fernandez responds to Richard Onorato’s email letting him know that the Applicant was scheduled for a Community Zoning Information Meeting on October 9, 2024, and that conditional use approval was being pursued (further noting that the Applicant remained committed to being good neighbors and providing designated/reserved parking for Sunday morning services).

September 18, 2024

Mr. Jason Joseph sends an email to Gloria Fernandez stating that *“the office pad owner is agreeable to changing the Declaration that governs the three parcels so we can designate some reserved parking on Sundays”*

October 28, 2024

Gloria Fernandez is in Alpharetta and meets with Mr. Richard Onorato. The parties restated their prior positions. Gloria reiterated the Applicant's desire to be good neighbors and noted that any parking arrangements would likely be addressed in the Declaration of Covenants, Conditions, Restrictions and Easements (a recorded document that binds the three property owners), thereby ensuring that any understanding reached today would still bind future owners of the three parcels (who could be different parties than exist today). Gloria asks Richard to speak to the church again for feedback on any ideas that haven't been considered yet and could work for the parties.

October 29, 2024

Mr. Jason Joseph sends email advising that if the Office Parcel is not under construction (or eminently under construction), the Hotel Parcel would be authorized to use the Office Parcel for construction staging. Further noting that a temporary construction easement could be worked out and provided if it is needed.

EXHIBIT “A “
Aerial Photographs

[https://www.dropbox.com/scl/fo/4jj6dfzaq1atgeng3at9j/AK6HW99ZlO9lDyH4llcwmw
g?rlkey=mb277cin36aitwtggktw1j30w&st=zvenajyx&dl=0](https://www.dropbox.com/scl/fo/4jj6dfzaq1atgeng3at9j/AK6HW99ZlO9lDyH4llcwmw
g?rlkey=mb277cin36aitwtggktw1j30w&st=zvenajyx&dl=0)

Exhibit A-1

August 11, 2024 (9:00-9:15 AM and 11:00-11:15 AM time slots)





Source: Dronegenuity

Exhibit A-2

August 18, 2024 (9:00-9:15 AM and 11:00-11:15 AM time slots)





Source: Dronegenuity

Exhibit A-3

September 15, 2024 (9:00-9:15 AM and 11:00-11:15 AM time slots)





Source: Aerial Photography of Atlanta

Exhibit A-4

October 20, 2024 (Time Slot 11:30-11:45 AM)







Source: Aerial Photography of Atlanta



R. KYLE WILLIAMS
ATTORNEY AT LAW

404.373.935 | DIRECT DIAL
KWILLIAMS@WILLIAMSTEUSINK.COM

October 31, 2024

via Electronic Delivery

The Honorable Mayor and City Councilmembers
City of Alpharetta, Georgia
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009
Email: CityCouncilandMayor@alpharetta.ga.us

Brian Borden, Zoning Administrator
City of Alpharetta, Georgia
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009
Email: borden@alpharetta.ga.us

Michael Woodman, Planning and Development Services Manager
City of Alpharetta, Georgia
Alpharetta City Hall
2 Park Plaza
Alpharetta, Georgia 30009
Email: mwoodman@alpharetta.ga.us

RE: Case MP-24-09/CU-24-12 (the “Conditional Use Application”)

12140 Morris Road, Alpharetta, Fulton County, Georgia 30009 (the “Subject Property”)

**NOTICE OF OPPOSITION AND PRESERVATION OF
CONSTITUTIONAL RIGHTS**

Dear Honorable Mayor, Honorable Councilmembers, Administrator Borden, and Manager Woodman:

Along with Jon Gallant of the law firm Knowles Gallant Timmons, this firm represents Futures Church International USA, Inc. (formerly “Paradise Evangelistic Association, Inc.”). and Influencers Media Holdings, Inc (collectively, “Futures Alpharetta”).

Futures Alpharetta is a multicultural, multi-generational, non-denominational church led by Pastors Ashley and Jane Evans. Futures Alpharetta is located behind Avalon in the 62,500 square foot building located at 12150 Morris Road, Alpharetta, Fulton County, Georgia 30009

(“12150 Morris”). This Alpharetta-campus is one of fifteen (15) successful church campuses led by Pastors Ashley and Jane Evans and their family.

In addition to church worship services, Futures Alpharetta leases 12150 Morris to The ReThink Group, Inc. (“ReThink”) for a nursery to 5th grade preschool and day school program during the week, and operates a Church, Children’s Church, youth programs, and community events on Sundays and weekday evenings. To be clear, in addition to Futures Alpharetta’s use of 12150 Morris for church services and gatherings, ReThink uses the property’s auditorium event center (rated for 600 people) for seminars, conferences, and large gatherings on weekdays during business hours and in the evenings, even occasionally hosting weekend events when Futures Alpharetta is not using the space.

12150 Morris is immediately adjacent to the Subject Property and a part of the Mayfair at Webb Bridge Association, Inc. (“Mayfair at Webb Bridge”) all of which is zoned Office-Institutional (“O-I”) under the Development Code of the City of Alpharetta, Georgia (the “Code”). 12150 Morris and the Subject Property shares use of a surface parking of the Mayfair at Webb Bridge which contains 355 parking spaces (collectively, the “Parking Lot”). Futures Alpharetta purchased 12150 Morris based upon explicit promises and representations from seller Jason Joseph as to the future hotel-limited use to be constructed on the adjacent and adjoining Subject Property, with no contemplation or discussion concerning hotel uses for longer stays. The use rights afforded to Futures Alpharetta and the availability of the shared parking were key considerations to Futures Alpharetta in these transactions and its location to Alpharetta.

Under the O-I zoning designation, the Subject Property is zoned for office developments with exceptions for Conditional Principal and Subordinate Uses. On June 22, 2023, Mr. Joseph, submitted a Variance Application to the City of Alpharetta for the Subject Property to allow for the construction of a 148-room full-service hotel with a corporate services residence component. The Variance Application requested to amend the definition of “hotel” in the Code to allow up to 48 hotel rooms to be corporate serviced residences with stays of up to 1 year. In response, Futures Alpharetta opposed the construction of the “hotel” on the basis that the effect of the hotel would be a drastic change to the shared use and availability of the Parking Lot and will be a substantial hardship and detriment to Futures Alpharetta. The Variance Application was subsequently set aside.

On May 20, 2024, the Mayor and City Council of the City of Alpharetta approved Ordinance Number 871 amending Article I, Sections 1.4.2, Article II, Section 2.2, and Article II, Section 2.7 of the Code to define and establish certain regulations for “Hybrid Hotels” (the “Ordinance”). The Ordinance defines Hybrid Hotels as follows:

“A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year.”

See, Ordinance, Sec. 1.4.2. Enclosed is a true and correct copy of the Ordinance. Under the O-I zoning designation, the Ordinance permits Hybrid Hotels as a Conditional Subordinate Use “provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.” See, Sec. 2.2.13.C.

On July 26, 2024, Mr. Joseph’s associate, Gloria Fernandez, resubmitted a revised application to the City of Alpharetta to construct a Hybrid Hotel on the Subject Property under the Ordinance’s Conditional Subordinate Use provision (the “Conditional Use Application”). The Conditional Use Application proposes a Hybrid Hotel similar in all aspects to the Variance Application proposal, except that the application is presented under the Conditional Subordinate Use provision of the Ordinance. Unlike the Variance Application proposal, neither Mr. Joseph, Ms. Fernandez, or anyone from the Applicant has reached out to Futures Alpharetta to discuss the Conditional Use Application or has attempted to negotiate conditional support. Instead, it appears that the fix is in to sneak the Conditional Use Application through without taking into account the concerns and objections of Futures Alpharetta.

Based on the details provided herein, the Conditional Use Application fails to meet the requirement provided in the Ordinance and is not justified under the facts or applicable law. Therefore, the Conditional Use Application should be rejected and denied.

I. The Proposed Hybrid Hotel Exceeds the Requirements for Conditional Uses

The Conditional Use Application contravenes the conditional use requirements that mandate that Hybrid Hotels not exceed more than 25% of the total project within O-I zoning districts. The Ordinance provides a clear distinction between permitted Conditional Principal Uses and Subordinate Conditional Uses. Permitted Conditional Principal Uses include Churches, Day Care Centers, Schools, and Special Event Facilities such as those uses found at Futures Alpharetta at 12150 Morris, but the Ordinance does not include Hybrid Hotels as a Conditional Principal Use. See, Ordinance, Sec. 2.2.13.A.1-3. The distinction is critical because Hybrid Hotels are permitted only as Conditional Subordinate Uses and are subject to Sec. 2.2.13.C., that provides:

A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.

See, Ordinance, Sec. 2.2.13.C. Here, Section 2.2.13.C of the Ordinance calls for Hybrid Hotels to constitute no more than 25% of the total project, however, the proposed use for the Subject Property is solely for a Hybrid Hotel representing 100% of the total project. Accordingly, the proposed Hybrid Hotel contravenes a fundamental requirement in the Ordinance, and the Conditional Use Application should be rejected and denied.

Even if the proposed Hybrid Hotel does not exceed 25% of the total project, which the Conditional Use Application fails to mention, the development still violates Section 2.2.13.C of

the Ordinance which contemplates that uses such as Hybrid Hotels “cannot be segregated so as to create a retail strip center.” Here, the proposed Hybrid Hotel will be segregated from other developments. Specifically, the proposed Hybrid Hotel will exist separately among other different uses adjacent to the Subject Property including Futures Alpharetta and Mayfair at Webb Bridge development. This type of segregated development pattern is exactly what the Ordinance expressly prohibits. Accordingly, because the Hybrid Hotel would exceed more than 25% of the total project and create a segregated development pattern, the Conditional Use Application should be rejected and denied.

II. The Proposed Hybrid Hotel Exceeds the Lot Size Requirement

The proposed Hybrid Hotel fails to meet the lot size requirement as required under the Ordinance. Specifically, under Section 2.7.8.C.1 of the Ordinance, the approval of a Conditional Subordinate Use for a Hybrid Hotel is subject to the City Council finding that the proposed use meets the minimum lot or development size of three (3) acres. See, Ordinance, Sec. 2.7.8.C.1.

Here, the Subject Property is well below the required 3-acre requirement and contains only 0.623 acres. Although the Conditional Use Application claims that the Subject Property is part of the Mayfair at Webb Bridge development, which encompasses approximately 13 acres, in all other instances the Hybrid Hotel is described in the application as a segregated development that stands alone from other properties. Therefore, combining the Webb Bridge development with the proposed Hybrid Hotel development is misleading and attempts to subvert the Ordinance requirement. Accordingly, the Conditional Use Application should be rejected and denied.

III. The Proposed Hybrid Hotel Exceeds the Maximum Building Height

Development of the Subject Property as a Hybrid Hotel exceeds the maximum building height under the Ordinance. Pursuant to Section 2.2.13.D of the Ordinance, the maximum building height is 40 feet for any structure. See, Ordinance, Sec. 2.2.13.D. Here, the Conditional Use Application provides that the Hybrid Hotel height will be 5 stories which under common construction standards and regulations reaches between 55-75 feet. Therefore, the height of the proposed Hybrid Hotel seemingly violates the maximum building height limit established in the Ordinance. Moreover, the Conditional Use Application fails to provide any elevation plans to determine the true height of the proposed Hybrid Hotel. Accordingly, approval of the Conditional Use Application would be premature without a clear understanding of the elevation of the proposed Hybrid Hotel and the application should be rejected and denied.

IV. The Proposed Hybrid Hotel Is Not Rated by Forbes nor AAA

The Hybrid Hotel as described in the Conditional Use Application will not be rated by Forbes or AAA as 4 stars or better as required under Section 2.7.8.C.3 of the Ordinance. The Conditional Use Application fails to provide any rating for the Hybrid Hotel but merely indicates that the Marriott brands is “considered premium.” The Conditional Use Application’s explanation of the Hybrid Hotel rating is insufficient to meet the clearly defined rating criteria in the Ordinance. Accordingly, the Conditional Use Application should be rejected and denied.

V. The Proposed Hybrid Hotel Is Incompatible with the Surrounding Developments

The proposed Hybrid Hotel is incompatible with Futures Alpharetta and the surrounding uses and properties. Under Section 2.7.8.B. of the Ordinance, Hybrid Hotels, “may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods.” See, Ordinance, Sec. 2.7.8.B.

Here, when Futures Alpharetta purchased 12150 Morris, Mr. Joseph agreed to build a limited use hotel on the Subject Property where guests would have a low intensity use of the Parking Lot. The Applicant represented to Futures Alpharetta that hotel guests would not compete with Futures Alpharetta for parking within the Parking Lot during Sunday morning peak use times of 12150 Morris.

The proposed Hybrid Hotel seeks to expand the hotel use to include forty-four (44) apartments equipped with full kitchens and self-serve laundry that would be available for residential rentals of up to 365 days per year. The Conditional Use Application proposes an increase of the unit sizes from the traditional hotel room to a mix of:

450-700 square foot studio apartments for one (1) to two (2) residents;

700-1,000 square foot one-bedroom apartments for one (1) to four (4) residents;

1,000-1,400 square foot two-bedroom apartments for two (2) to six (6) residents; and,

1,400-1,600 square foot three-bedroom apartments for three (3) to eight (8) residents.

These apartments range from a minimum of one (1) to two and one-half (2.5) bathrooms with no maximum number of bathrooms.

This is a change from the typical individual hotel guest being a short-term business or pleasure traveler to yearly residents consisting of up to a family of eight (8) members. This will drastically change the demands upon and availability of parking within Mayfair at Webb Bridge. Unlike hotel guests, these residents will overwhelmingly possess at least one motor vehicle per bedroom. More concerning, these residents will compete with Futures Alpharetta for parking within the Parking Lot during Sunday morning peak use times of 12150 Morris during its worship services.

As provided in Section 2.7.8 (C)(10) of the Ordinance, the parking requirements for the Hybrid Hotel will be “One (1) parking space for each short-term guest room and two (2) parking spaces for each long-term guest room, plus 1 employee parking space for each 20 guest rooms, plus one parking space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.” Although the Conditional Use Application claims that the Parking Lot is sufficient to serve the Hybrid Hotel, Futures Alpharetta, and a future office complex, this is nearly impossible to conclude without a detailed analysis of parking. Pursuant to

the Ordinance, the Hybrid Hotel will require at least 104 hotel parking spaces and 88 apartment parking spaces, taking a total of 192 parking spaces or 54% of the 355 of parking spaces at Mayfair at Webb Bridge. This figure does not take into consideration the high likelihood that rooms with guests of up to 4, 6, and 8 could likely have more than two cars nor does this figure consider the parking demands of a future office building at Mayfair at Webb Bridge. Therefore, it is misleading to claim that the Parking Lot will be sufficient given that the Hybrid Hotel will take more than half of the available spaces and there has been no impact analysis of parking use for the Hybrid Hotel, Futures Alpharetta, and the future office complex at Mayfair at Webb Bridge.

Even today, the Parking Lot is occasionally used to capacity for services and functions hosted by Futures Alpharetta. For example, on October 25, 2024, Futures Alpharetta hosted an event where 400 people attended and all but two vacant parking spaces were available in the Parking Lot. On the following day, Futures Alpharetta hosted another function that again consisted of 400 participants and only 24 vacant parking spaces were available. See, enclosed pictures of the Parking Lot during these recent functions. These functions hosted by Futures Alpharetta are not isolated events as the church plays host to various gatherings with robust participation throughout the year.

Moreover, the day care center at Futures Alpharetta that is leased to ReThink is frequently used as an event center with a main auditorium that is rated for 600 people. It is reasonable to foresee that the Parking Lot will continuously be used to capacity given ReThink's use of the facility as an event center. Futures Alpharetta is therefore deeply concerned about the adverse impact the Hybrid Hotel will have on the business of its tenant ReThink, the success of which is critical to Futures Alpharetta's operations.

It also appears that this change in use of the Subject Property would violate and impermissibly expands the easements for shared use of the Parking Lot benefiting Futures Alpharetta and 12150 Morris under the *Declaration of Covenants, Conditions, Restrictions and Easements for Mayfair at Webb Bridge Association* filed and recorded in the Real Estate Records of Fulton County, Georgia in Deed Book 60974, Page 345 (the "Declaration").

The proposed Hybrid Hotel limits the available parking spaces in the Parking Lot and will make it difficult for church members and regular worshippers to attend church services at 12150 Morris. Additionally, this change in parking use and availability jeopardizes the growing community of Futures Alpharetta at 12150 Morris and in Alpharetta as it will limit parking spaces for functions hosted by Futures Alpharetta and its tenant ReThink. Accordingly, the proposed Hybrid Hotel is incompatible with the surrounding uses and properties, and the Conditional Use Application should be rejected and denied.

VI. Parking and Traffic Study Demand

Due to the outstanding questions concerning the Hybrid Hotel's impact to the surrounding developments at Mayfair at Webb Bridge, please consider this correspondence as demand that the City of Alpharetta conduct a traffic and parking study to assess the demands upon and availability

of parking at Mayfair at Webb Bridge. The analysis should also focus on the Hybrid Hotel's impact on the day care students and staff arriving and leaving 12150 Morris.

VII. Preservation of Constitutional Objections

Out of abundance of caution and in keeping with applicable statutory and case law, Futures Alpharetta respectfully asserts its constitutional objections to the Conditional Use Application.

To the extent the Association is prohibited and/or limited from presenting evidence and/or being heard by the Mayor and City Council during its consideration of the Conditional Use Application, Futures Alpharetta objects that such prohibition would be unconstitutional and illegal, constituting a violation of the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States.

A grant of the Conditional Use Application would be unconstitutional in that it would unreasonably impair and destroy Futures Alpharetta'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.

A grant of the Conditional Use Application would also be unconstitutional, illegal, null and void, constituting a taking of Futures Alpharetta'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 the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States, by denying Futures Alpharetta an economically viable use of its land while not substantially advancing legitimate state interests.

A grant of the Conditional Use Application would constitute an unreasonable hardship upon Futures Alpharetta, without advancing the public health, safety and welfare and would constitute an arbitrary and capricious act without any rational basis therefore, 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 grant of the Conditional Use Application would unconstitutionally discriminate, in an arbitrary, capricious and unreasonable manner against Futures Alpharetta and owners of other similarly situated properties in the County 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.

For the reasons set forth herein, Futures Alpharetta respectfully requests that the Mayor and City Council reject and deny the Conditional Use Application as it is not justified by fact or law.

Please add this correspondence and its enclosures to the file of the Conditional Use Application in order to preserve the rights of Futures Alpharetta in further support of this objection and opposition to the Conditional Use Application.

Sincerely,

/s/ R. Kyle Williams

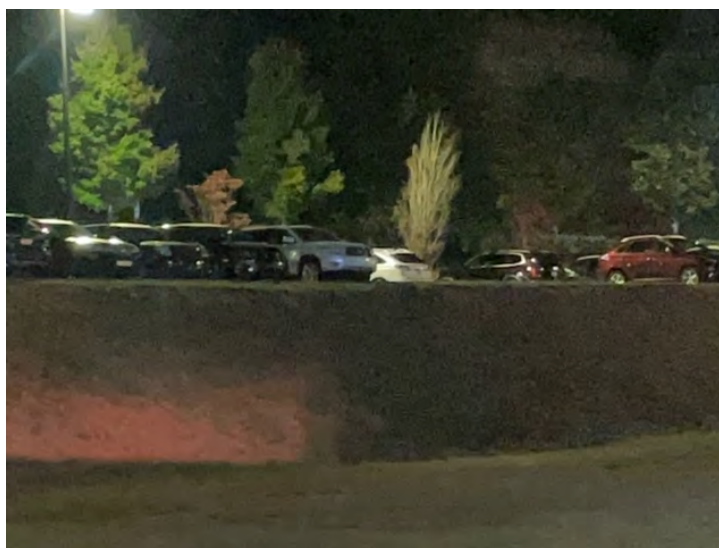
R. Kyle Williams

RKW/saa

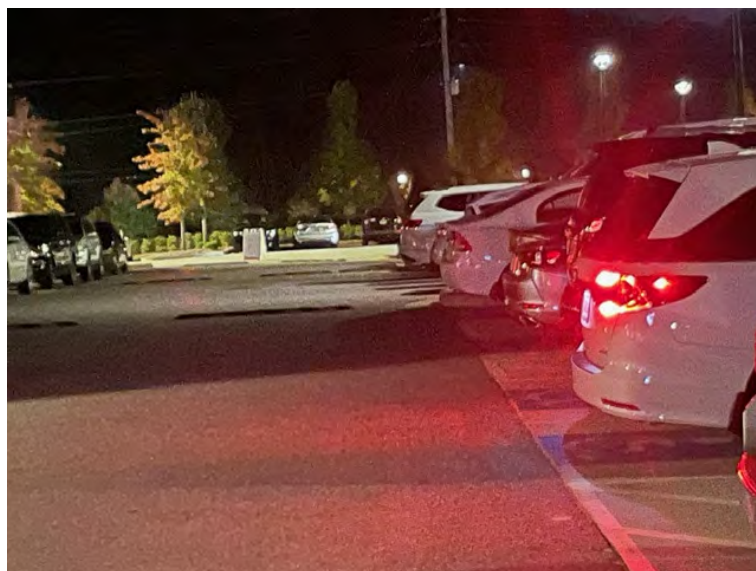
Encl.

cc: Futures Church International USA, Inc.
Jon Gallant, Esq.
Jason Joseph
Gloria Fernandez

PARKING LOT PICTURES FOR
OCTOBER 25, 2024
EVENING



**PARKING LOT PICTURES FOR
OCTOBER 25, 2024
EVENING**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
MORNING**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
MORNING**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
MORNING**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
AFTERNOON**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
AFTERNOON**



**PARKING LOT PICTURES FOR
OCTOBER 26, 2024
AFTERNOON**





AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, GEORGIA TO AMEND ARTICLES I AND II OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ALPHARETTA, GEORGIA; TO ADD AND AMEND DEFINITIONS, USE OF LAND AND STRUCTURES, AND MISCELLANEOUS REGULATIONS PERTAINING TO EXTENDED STAY HOTELS AND HYBRID HOTELS; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

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

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

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

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

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

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

Section 1: Article I, Subsection 1.4.2 titled "Defined Terms" of the Unified Development Code is hereby amended by amending same as set forth in Exhibit "A" attached hereto as if fully set forth herein.

Section 2: Article II, Section 2.2 titled "Permitted Use Districts and Regulations" of the Unified Development Code is hereby amended by amending same as set forth in Exhibit "B" attached hereto as if fully set forth herein.

Section 3: Article II, Section 2.7 titled "Miscellaneous Regulations" of the Unified Development Code is hereby amended by amending same as set forth in Exhibit "C" attached hereto as if fully set forth herein.

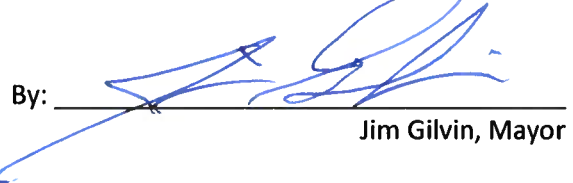
Section 4: If any section, subsection, provisions, or clause of any part of this Ordinance shall be declared invalid or unconstitutional or, if the provisions of any part of this Ordinance as applied to any particular situation or set of circumstances shall be declared invalid or unconstitutional, such invalidity shall not be construed to affect the portions of this Ordinance not so held to be invalid, or the application of this Ordinance to other circumstances not so held to be invalid. It is hereby declared as the intent of the City Council that this Ordinance would have

been adopted in its current form without the invalid or unconstitutional provision contained therein.

Section 5: This Ordinance shall be effective immediately upon its adoption by the City Council and the amendments made herein shall be incorporated into the Unified Development Code of the City of Alpharetta, Georgia, as applicable. This Ordinance hereby repeals any and all conflicting ordinances and amendments.

SO ORDAINED, this 20th day of May, 2024.

CITY OF ALPHARETTA

By: 
Jim Gilvin, Mayor

COUNCIL MEMBERS


Mayor Pro Tem Dan Merkel


Council Member Donald F. Mitchell


Council Member Brian Will


Council Member Douglas J. DeRito


Council Member John Hipes


Council Member Fergal M. Brady



Attest:


Lauren Shapiro, City Clerk

Approved as to form and legal sufficiency:

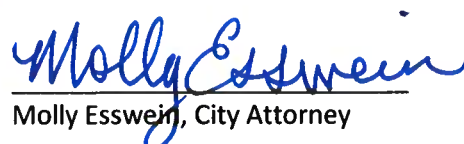

Molly Esswein, City Attorney

Exhibit “A”

1.4.2 Defined Terms.

Extended Stay Hotel. A building in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and A building containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels, **hybrid hotels**, and hotels (or motels) are separate and distinct uses. See Section 2.7.3, **and Section 2.7.8.**

Hotel, Hybrid. A building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquets rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

Exhibit “B”

2.2.11 CUP community unit plan.

This district is intended to allow for the development of a mix of uses within the framework of a masterplan. The district regulations are intended to allow greater design flexibility without increasing overall density.

- A. *Permitted Principal Uses.* A property in the CUP district may be used only for those uses approved as part of the conditions of approval of the CUP zoning on the property and for related accessory uses, as further limited under "Accessory Uses" and "Conditional Uses" below. The use of land within an overall CUP development is further limited by the following requirements:

Dwelling, 'For-Sale', Detached Residential: A minimum of 25% of the gross land area of the CUP shall be utilized for 'For-Sale' detached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Sale', Attached Residential: No more than 20% of the gross land area of the CUP may be used for 'For-Sale' attached dwellings and related accessory uses, streets and other facilities.

Dwelling, 'For-Rent', Residential: Rental units and related accessory uses, streets and other facilities shall not exceed 20% of the gross land area of the CUP.

Commercial: Uses permitted in the C-1 category shall not exceed (in aggregate) 10% of the gross land area of the CUP.

Open Space: A minimum of 15% of the gross land area must be set aside as open space.

Office and Light Industrial: The following uses shall not exceed (in aggregate) 25% of the gross land area of the CUP:

Office buildings, office parks, research and development and related accessory uses, streets and other facilities.

Wholesale, storage or industrial uses and related accessory uses, streets and other facilities.

- B. *Accessory Uses.* A property in the CUP district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted under the conditions of approval for the CUP zoning on the property.

Permitted accessory structures and uses include but are not limited to the following:

1. Privacy and decorative fences and walls.
2. Home Occupation in a residence.
3. Family Day Care Home in a residence.
4. Special Care Home in a 'For-Sale' detached dwelling.
5. Swimming pool, tennis court, play house, storage shed, patio and other private recreation facilities.
6. Clubhouse, swimming pool, or community recreation facilities serving a development.
7. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
8. Signs, subject to all of the requirements regulating signage herein.
9. Retaining walls and other site improvement structures approved as part of the development permit.

- C. *Conditional Uses.* A property in the CUP district may be used for those uses listed in Table 2.2, including any of the following uses if the uses have been included in the conditions of approval for the CUP zoning on the property; or if the uses are designated on the CUP's Concept Plan; or if the

CUP's concepts plan identifies district categories (i.e. commercial, office) wherein the use would otherwise be permitted by right or as a conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (congregate housing, assisted living facility, home-elderly, nursing).
 - b. Dwelling, 'For-Sale' Attached.
 - c. Dwelling, 'For-Sale' Detached.
 - d. Dwelling, 'For-Rent'.
 - e. Bed and Breakfast.
2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Art Galleries.
 - c. Athletic Facility.
 - d. Automobile Sales and Leasing.
 - e. Automobile Service and Service Station.
 - f. Automotive Parts.
 - g. Bakery.
 - h. Barber Shop.
 - i. Bank, Savings and Loan.
 - j. Beauty Shop.
 - k. Book Store or Stationery.
 - l. Boutique Hotel.
 - m. Bowling Alley.
 - n. Brewery.
 - o. Broadcasting Studio (radio or TV).
 - p. Building Equipment/Material.
 - q. Clinic.
 - r. Contractor's Office with and without outside storage.
 - s. Convenience Market with or without gas pumps.
 - t. Dance Studio.
 - u. Day Care Center.
 - v. Distillery.
 - w. Drug Store.
 - x. Dry Cleaning Pick-up Station.
 - y. Equestrian Center.

- z. Extended stay hotel (see Section 2.7).
- aa. Fitness Studio.
- bb. Florist, Retail without Greenhouse.
- cc. Funeral Home with cemetery or mausoleum.
- dd. Golf, Miniature.
- ee. Grocery Store.
- ff. Hardware and Garden Supply Store.
- gg. Hotel or Motel.
- hh. Hotel, Hybrid.
- ii. Laboratory, Research or Commercial.
- jj. Laundry, Self-Serve, Pick-up.
- kk. Liquor Store.
- ll. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
- mm. Park, playground.
- nn. Pet Day Care.
- oo. Pet Grooming.
- pp. Print Shop.
- qq. Public Building.
- rr. Recreation Facilities, Indoor and Outdoor.
- ss. Rental Services Establishment without outside storage.
- tt. Research and Development.
- uu. Restaurant.
- vv. Restaurant, with Drive-thru window.
- ww. Retail Sales and Services Establishments not otherwise listed for this zoning district.
- xx. Retail Establishment, Mixed Sales.
- yy. School, Commercial.
- zz. Shop or Studio, Craftsman/Artist.
- aaa. Spa Services.
- bbb. Special Event Facility.
- ccc. Theater, Cinema.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Laundry, Industrial.
 - b. Locker, Frozen Food or Cold Storage.

- c. Manufacturing, Light.
- d. Wholesale Establishment.
- 4. Semipublic Uses, Utilities.
 - a. Airport, public or private.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Church, Synagogue.
 - e. Club, association or lodge.
 - f. Country Club.
 - g. Fire Station.
 - h. Golf Course, Driving Range.
 - i. Heliport, public or private.
 - j. Hospital.
 - k. Library.
 - l. Museum.
 - m. Parle or Playground.
 - n. Power Station.
 - o. School, Academic.
 - p. Switching Station (Telecom).
 - q. Utility Substation, including gas. electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - r. Wireless Tower.

D. *District Regulations.* Minimum Lot Size; the minimum area permitted to be zoned for a CUP is 100 acres.

Lot sizes in use areas: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the minimum lot size required by such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Maximum Density of Dwelling Units: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the lot size or, when applicable, density limitations of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Minimum Lot Width, Minimum Setbacks, Maximum Coverage by Principal Buildings, Maximum Building Height, Minimum Floor Area of a Dwelling Unit, Screening and Buffers: Each area within the CUP shall be designated for use in accordance with one of the various zoning districts in this Ordinance, and shall comply with the requirements of such designated zoning district or, if more restrictive, the conditions of approval of the CUP zoning on the property.

Open space: Each CUP shall have a minimum of 15% of the gross acres of the CUP dedicated or set aside as open space. Amenities may be included within the 15% open space requirement. However, open

space shall not include any other required open areas such as required building set backs, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.

(Ord. No. 718 , §§ 2, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.13 O-I office-institutional.

This district is intended for the development of planned office areas which allow for design flexibility through a master plan. Commercial activities are permitted as subordinate uses to the office development.

A. *Conditional Principal Uses.* A property in the O-1 district may be used for the uses listed below and shown in Table 2.2 in accordance with an approved masterplan, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use. Lots of less than five (5) acres in size may be developed for bank, office or research and development use without public hearing subject to Design Review Board Approval.

1. Residential Uses.

- a. Dwelling, Group (nursing home, children's home, congregate housing, assisted living facility).

2. Business Uses.

- a. Bank, Savings and Loan.
- b. Broadcasting Studio (radio or TV).
- c. Clinic.
- d. Congregate Housing.
- e. Day Care Center.
- f. Drug Store.
- g. Manufacturing, Heavy.
- h. Office Building or Office Park (Research and Development shall be a permitted use within an existing Office Building or Office Park or where office is a permitted use within an existing master plan).
- i. Recreational Facilities (Indoor or Outdoor).
- j. Research and Development.
- k. Special Event Facility.
- l. Theater, Cinema.

3. Semipublic Uses, Utilities.

- a. Church, Synagogue.
- b. Club, association or lodge.
- c. Golf Course, Driving Range.
- d. Heliport.
- e. Hospital.

- f. Library.
- g. Museum.
- h. Public Building.
- i. School, Academic.

- B. *Accessory Uses.* A property in the O-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

1. Dwelling, 'For-Sale', Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is an accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.
5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
6. Signs, subject to all of the requirements regulating signage herein.
7. Retaining walls and other site improvement structures approved as part of the development permit.
8. Retail service uses up to 25% of the floor area of an office building for services incidental to the associated office use.

- C. *Conditional Subordinate Uses.* A property in the O-I district may be used for any of the following listed uses upon approval as a conditional use by the City Council provided that the uses in aggregate do not constitute more than 25% of the total project and are not segregated so as to create a retail strip center.

1. Residential Uses.
 - a. Reserved.
2. Business Uses.
 - a. Animal Hospital, Small Animal.

- b. Art Galleries.
- c. Athletic Facility.
- d. Automobile Service and Service Station.
- e. Bakery.
- f. Barber Shop.
- g. Beauty Shop.
- h. Book Store.
- i. Boutique Hotel.
- j. Bowling Alley.
- k. Brewery.
- l. Car Wash.
- m. Contractor's Office without outside storage.
- n. Convenience Market with or without gas pumps.
- o. Dance Studio.
- p. Distillery.
- q. Dry Cleaning Pick-up Station.
- r. Extended Stay Hotel (see Sec. 2. 7).
- s. Fitness Studio.
- t. Florist, Retail without Greenhouse.
- u. Funeral Home w/out cemetery or mausoleum.
- v. Golf, Miniature, or Golf Driving Range.
- w. Hotel/motel.
- x. Hotel, Hybrid.
- y. Laboratory, Research or Commercial.
- z. Liquor Store.
- aa. Parking Lot, Commercial.
- bb. Print Shop.
- cc. Restaurant.
- dd. Restaurant, with Drive-thru window.
- ee. Retail Sales & Services Establishments subject to the limitation of [subsection] 2.2.13 B 8.
- ff. School, Commercial.
- gg. Spa Services.

3. Wholesale, Storage and Industrial Uses.

- a. Manufacturing, Light.
- 4. Semipublic Uses, Utilities.
 - a. Airport.
 - b. Amphitheater.
 - c. Auditorium.
 - d. Country Club.
 - e. Fire Station.
 - f. Park or Playground.
 - g. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - h. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the development shall occupy a total of not less than 25 acres. No minimum lot size is required for each building within the development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5.).*

F. *Open space.* All areas zoned O-I shall have a minimum of 10% of the gross acres dedicated or set aside as open space for developments up to 100 acres, and shall have a minimum of 15% of the gross acres dedicated or set aside as open space for developments containing 100 acres or more. Amenities may be included and are encouraged within the open space requirement. However, open space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this ordinance.

(Ord. No. 718 , §§ 3, 6, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 813 , § 1(Exh. A), 10-26-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.15 C-2 general commercial.

A. *Permitted Principal Uses.* A property in the C-2 district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Residential Uses.
 - a. Dwelling, 'For-Sale'—in an existing or historic structure only.
 - b. Bed and Breakfast.
2. Business Uses.
 - a. Art Gallery.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bakery.
 - f. Bank, Savings and loan.
 - g. Barber Shop.
 - h. Beauty Shop.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Broadcasting Studio (radio or TV).
 - l. Carpet and Rug Sales.
 - m. Clinic.
 - n. Contractor's Office without outside storage.
 - o. Convenience Market with or without gas pumps.
 - p. Dance Studio.
 - q. Day Care Center.
 - r. Drug Store.
 - s. Dry Cleaning Pick-up Station.
 - t. Fitness Studio.
 - u. Florist, Retail Without Greenhouse.
 - v. Grocery Store.
 - w. Hardware and Garden Supply Store.
 - x. Home Improvement Store.
 - y. Laundry, Self-Serve, Pick-up.
 - z. Liquor Store.
 - aa. Nail Salon.
 - bb. Office Building or Park.
 - cc. Parking lot, Commercial.
 - dd. Pet Day Care.

- ee. Pet Grooming.
- ff. Print Shop.
- gg. Rental Services Establishment without outside storage.
- hh. Restaurant.
- ii. Restaurant w/ Drive-thru Window.
- jj. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- kk. Retail Establishment, Mixed Sales.
- ll. School, Commercial.
- mm. Shop or Studio, Craftsman/Artist.

3. Semipublic Uses, Utilities.

- a. Hospital.
- b. Library.
- c. Museum.
- d. Park or Playground.
- e. School, Academic.

- B. *Accessory Uses.* A property in the C-2 district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following: (See also Supplementary Regulations in this Article.)

1. Dwelling, 'For-Sale' Accessory: A 'For-Sale' accessory dwelling shall be permitted under the following conditions:

The dwelling shall be located above or to the rear of the commercial or office structure to which it is accessory.

The dwelling shall be attached by a common wall with the commercial or office structure to which it is accessory.

The dwelling shall be occupied by a single family, a member of whom is the owner or tenant of the commercial or office structure to which it is accessory.

The square footage of the dwelling shall not exceed 40% of the combined square footage of the commercial or office structure and the dwelling.

The dwelling and the commercial or office structure to which it is accessory shall be in compliance with all applicable provisions of the life safety code, the building code, and other standard codes of the City.

2. Privacy and decorative fences and walls.
3. Swimming pool, tennis court, patio and other private recreation facilities.
4. Clubhouse, swimming pool, or community recreation facilities serving a development.

5. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
 6. Signs, subject to all of the requirements regulating signage herein.
 7. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Uses.* A property in the C-2 district may be used for any of the following only upon approval as a conditional use by the City Council:
1. Residential Uses.
 - a. Dwelling, Group (congregate housing, nursing home, etc.).
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Assisted Living, Congregate housing.
 - c. Automobile Sales and Leasing.
 - d. Boutique Hotel.
 - e. Brewery.
 - f. Builder's Equipment/Material.
 - g. Car Wash.
 - h. Check Cashing.
 - i. Church, Synagogue.
 - j. Club, fraternity, association or lodge.
 - k. Contractor's Office with outside storage.
 - l. Distillery.
 - m. Extended Stay Hotel (see Sec. 2.7).
 - n. Funeral Homes.
 - o. Golf, Miniature.
 - p. Greenhouse with nursery.
 - q. Hotel or Motel.
 - r. Hotel, Hybrid.
 - s. Limousine Service and Taxi.
 - t. Massage Therapy (see Sec. 2.7).
 - u. Pest Control Business.
 - v. Spa Services.
 - w. Recreation Facilities, Indoor.
 - x. Recreation Facilities, Outdoor.
 - y. Small Appliance Repair Shop.

- z. Smoke Shop and Tobacco Store.
- aa. Spa Services.
- bb. Special Event Facility.
- cc. Theater, Cinema.
- 3. Semipublic Uses, Utilities.
 - a. Auditorium.
 - b. Public Building.
 - c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
 - d. Wireless Tower.

D. District Regulations.

Minimum Lot Area—none.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—Conditional (based on prevailing development patterns).

Side yard—Conditional (based on prevailing development patterns).

Rear yard—10 feet.

Maximum Coverage By Principal Buildings—70% (for development within Downtown Overlay—90%).

Maximum Building Height—40 feet.

E. Screening and buffers (See Sec. 2.3.5).

(Ord. No. 703 , § 1, 6-1-2015; Ord. No. 704 , § 2, 6-1-2015; Ord. No. 718 , §§ 5—7, 9, 12-14-2015; Ord. No. 730 , §§ 3, 4, 12-5-2016; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 6, 7-10-2017; Ord. No. 772 , § 3, 2-4-2019; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.16 PSC planned shopping center.

All uses in the PSC zoning district shall be located within, or as part of a shopping center or specialty shopping center.

- A. *Conditional Principal Uses.* A property in the PSC district may be used for those uses listed in Table 2.2, only upon approval as a conditional use by the city council:

- 1. Residential Uses.
 - a. Dwelling, 'For-Sale', Attached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
 - b. Dwelling, 'For-Sale', Detached (only allowed in the North Point Overlay and not exceeding (8) dwelling units/acre unless additional density is authorized in accordance with said overlay).
- 2. Business Uses.

- a. Art Galleries.
- b. Bakery.
- c. Barber Shop.
- d. Bank, Savings and Loan.
- e. Beauty Shop.
- f. Brewery.
- g. Book Store.
- h. Car Wash.
- i. Carpet and Rug Sales.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).
- o. Florist, Retail without Greenhouse.
- p. Grocery Store (max. 50,000 SF in the North Point Overlay).
- q. Hardware Store (max. 50,000 SF in the North Point Overlay).
- r. Home Improvement Store.
- s. Laundry, Self-Serve, Pick-up.
- t. Liquor Store.
- u. Office Building or Park.
- v. Pest Control Business.
- w. Rental Services Establishment without outside storage.
- x. Restaurant.
- y. Restaurant w/Drive-thru window.
- z. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- aa. Retail Establishment, Mixed Sales.

- B. *Accessory Uses.* A property in the PSC district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.

3. Signs, subject to all of the requirements regulating signage herein.
 4. Retaining walls and other site improvement structures approved as part of the development permit.
- C. *Conditional Subordinate Uses.* A property in the PSC district may be used for any of the following only upon approval as a conditional use by the City Council and provided that these uses in aggregate do not constitute more than 50% of the site area:
1. Residential Uses.
 - a. Reserved.
 2. Business Uses.
 - a. Animal Hospital, small animals.
 - b. Athletic Facility.
 - c. Automobile Service and Service Station.
 - d. Automotive Parts.
 - e. Bowling Alley.
 - f. Boutique Hotel.
 - g. Broadcasting Studio (radio or TV).
 - h. Convenience Center with gas pumps.
 - i. Dry Cleaning Plant.
 - j. Dry Cleaning Plant with pick-up station.
 - k. Fitness Studio.
 - l. Funeral Home with no cemetery or mausoleum.
 - m. Greenhouse, Nursery.
 - n. Golf, Miniature.
 - o. Hotel or Motel.
 - p. Hotel, Hybrid.
 - q. Nail Salon.
 - r. Parking Lot, Commercial.
 - s. Pet Day Care.
 - t. Pet Grooming.
 - u. Print Shop.
 - v. Recreation Facilities, Indoor.
 - w. School, Commercial.
 - x. Shop or Studio, Craftsman/Artist.
 - y. Spa Services.
 - z. Special Event Facility.

aa. Theater, Cinema.

3. Semipublic Uses, Utilities.

a. Auditorium.

b. Church, Synagogue.

c. Club, fraternity, association or lodge.

d. Heliport, public or private.

e. Libraries.

f. Museum.

g. Park or Playground.

h. Public Building.

i. Recreational Facilities (Outdoor).

j. School, Academic.

k. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.

l. Wholesale Establishment.

m. Wireless Tower.

D. *District Regulations.*

Minimum Lot Area—the planned development shall occupy a total of at least 10 acres. No minimum lot size is required for each building or related development site within the overall development.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—40%.

Maximum Building Height—40 feet.

E. *Screening and buffers (See Sec. 2.3.5).*

F. *Review Criteria.* The PSC district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing a PSC master plan:

1. Pedestrian connectivity to all uses.

2. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.

3. Accommodations for public transportation.

4. Buildings that face or appear to face public roadways.
5. Appearance standards for buildings and structured parking.
6. Limitations on uninterrupted building elevations.
7. Creation of vistas and view corridors within development.
8. Focal point features at prominent locations and ends of vistas.
9. Incorporation of natural site features.
10. Block lengths conducive to pedestrian traffic.
11. Detention and retention facilities designed to be aesthetically pleasing.
12. Creative methods for stormwater management to provide additional open space.
13. Attractive and usable street furniture in public spaces.
14. Emphasis on a high quality landscape plan.

(Ord. No. 715 , § 2, 9-28-2015; Ord. No. 718 , §§ 3, 4, 12-14-2015; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , §§ 2, 4, 6, 7-10-2017; Ord. No. 767 , §§ 1—3, 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.17 L-I industrial.

A. *Permitted Principal Uses.* A property in the L-I district may be used for those uses listed in Table 2.2, including any of the following by right, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use:

1. Agricultural and Residential Uses.
 - a. Dwelling, Group (home-elderly, children, nursing).
2. Business Uses.
 - a. Animal Hospital, small and large animals.
 - b. Art Gallery.
 - c. Athletic Facility.
 - d. Automobile Service and Service Station.
 - e. Automotive Parts.
 - f. Automotive Sales and Leasing.
 - g. Bakery.
 - h. Bank, Savings and Loan.
 - i. Book Store.
 - j. Bowling Alley.
 - k. Brewery.
 - l. Broadcasting Studio (radio or TV).
 - m. Builder's Equipment/Material.
 - n. Car Wash.

- o. Carpenter Shop, Woodworking.
- p. Carpet and Rug Sales.
- q. Check Cashing.
- r. Church, Synagogue.
- s. Congregate Housing.
- t. Contractor's Office with and without outside storage.
- u. Convenience Market with or without gas pumps.
- v. Dance Studio.
- w. Day Care Center.
- x. Discount Store.
- y. Distillery.
- z. Drug Store.
- aa. Dry Cleaning Pick-up Station.
- bb. Fireworks Sales.
- cc. Fitness Studio.
- dd. Funeral Home.
- ee. Greenhouse, Nursery.
- ff. Grocery Store.
- gg. Hardware and Garden Center.
- hh. Home Improvement Store.
- ii. Kennel.
- jj. Laboratory, Research or Commercial.
- kk. Laundry, Self-Serve, Pick-up.
- ll. Limousine Service and Taxi.
- mm. Liquor Store.
- nn. Massage Therapy (see Sec. 2.7).
- oo. Nail Salon.
- pp. Office Building or Office Park.
- qq. Parking Lot, Commercial.
- rr. Pawn Shop.
- ss. Pest Control.
- tt. Pet Day Care.
- uu. Pet Grooming.
- vv. Print Shop.

- ww. Recreation Facilities, Indoor and Outdoor.
- xx. Rental Services Establishment with outside storage.
- yy. Rental Services Establishment without outside storage.
- zz. Research and Development.
- aaa. Restaurant.
- bbb. Restaurant w/ Drive-thru Window.
- ccc. Retail Sales and Services Establishments not otherwise listed for this zoning district as a permitted or conditional use.
- ddd. Retail Establishment, Mixed Sales.
- eee. Shop or Studio, Craftsman/Artist.
- fff. Small Appliance Repair Shop.
- ggg. Smoke Shop and Tobacco Store.
- hhh. Spa Services.
- iii. Special Event Facility.
- jjj. Tattoo Parlor, Body Piercing.
- kkk. Taxidermist.
- lll. Theater, Cinema.
- mmm. Tire Retreading.
- 3. Wholesale, Storage and Industrial Uses.
 - a. Bottled Gas, storage and distribution.
 - b. Locker, Frozen Food or Cold Storage.
 - c. Machine Shop.
 - d. Manufacturing, Light.
 - e. Mini-Warehouse.
 - f. Septic Tank Sales, Construction.
 - g. School, Commercial.
 - h. Storage, Inside and Outside.
 - i. Welding Shop.
 - j. Wholesale Trade Establishment.
- 4. Semipublic Uses, Utilities.
 - a. Amphitheater.
 - b. Auditorium.
 - c. Church, Synagogue.
 - d. Heliport.

- e. Hospital.
- f. Library.
- g. Museum.
- h. Park or Playground.
- i. Public Building.
- j. School, Academic.
- k. Switching Station, Telecom.

B. *Accessory Uses.* A property in the L-I district may contain any accessory structure or use customarily related to and clearly subordinate to any principal use that is permitted by right or through approval as a conditional use on the same property, unless superseded by applicable conditions of approval for rezoning, variance, or conditional use.

Permitted accessory structures and uses include but are not limited to the following:

- 1. Privacy and decorative fences and walls.
- 2. Vehicle access, parking and loading areas, subject to the requirements of the Parking and Loading regulations herein.
- 3. Signs, subject to all of the requirements regulating signage herein.
- 4. Retaining walls and other site improvement structures approved as part of the development permit.

C. *Conditional Uses.* When reviewing a conditional use, consideration shall be given to factors associated with the use including, but not limited to, the following:

- 1. Site design.
- 2. Property access.
- 3. Hours of operation of the business.
- 4. Vehicular trips generated by the use.
- 5. Impact of the use on surrounding properties.
- 6. Impact of the use on the natural features of the site.

A property in the L-I district may be used for any of the following only upon approval as a conditional use by the City Council:

1.0 *Business Uses.*

- a. Adult Entertainment Establishment (see Sec. 2.7).
- b. Boutique Hotel.
- c. Extended Stay Hotel.
- d. Golf Driving Range.
- e. Glass Fabrication.
- f. Hotel, Hybrid.
- g. Tire Retreading.

2.0 *Wholesale, Storage and Industrial Uses.*

- a. Asphalt Plant.
- b. Dry Cleaning Plant.
- c. Concrete Plant.
- d. Indoor Shooting Range (see Sec. 2.7).
- e. Junk or Salvage Yard.
- f. Laundry Industrial.
- g. Manufacturing, Heavy.
- h. Recycling Center.
- i. Sawmill.
- j. Sewage Disposal Plant.
- k. Transfer Station.

3.0 *Semipublic Uses, Utilities.*

- a. Airport, public or private.
- b. Power Station.
- c. Utility Substation, including gas, electric, telephone switching, and similar uses operated by companies regulated by the Georgia Public Service Commission.
- d. Wireless Tower.

4.0 *Transfer Station.* Any facility associated with waste or a facility used to transfer solid waste from one transportation vehicle to another for transportation to a disposal facility or processing operation.

4.1 *General Standards.*

- a. No access to transfer station facility shall be allowed from streets that primarily access residential developments;
- b. Access streets shall be paved and shall be able to withstand maximum load limits established by the State of Georgia as approved by the Engineering Director;
- c. No portion of a new transfer station shall be located within a three-mile radius of the property lines of an existing transfer station;
- d. A minimum 200 foot undisturbed buffer and ten-foot improvement setback shall be required along all property lines except public rights-of-way;
- e. A minimum 50 foot buffer and ten-foot improvement setback shall be required along all public rights-of-way;
- f. A minimum six foot high solid fence or wall shall be located on property lines or interior to the required buffers and improvement setback;
- g. Operation of the facility shall be limited to the hours between 7:00 a.m. and 7:00 p.m., Monday through Friday; 9:00 a.m. to 7:00 p.m., Saturday; 12:00 p.m. to 5:00 p.m., Sunday (for routine maintenance and other non-operational facility activities).
- h. Only municipal solid waste is accepted at the facility. No treated or untreated regulated medical waste, treated and destroyed medical waste or asbestos waste debris shall be accepted;

- i. All solid waste is removed from the transfer station within 24 hours of receipt;
- j. A transfer station with permanent operating mechanical equipment must have an attendant on duty whenever the facility is open;
- k. The facility shall be designed and constructed in a manner to ensure that odor will not be emitted from the site;
- l. The transfer facility must be cleaned at least once every 24 hours;
- m. The entrance and exit shall be cleaned at a frequency which prevents the tracking or off-site migration of waste materials;
- n. The operator shall take adequate measures to minimize the creation, emission, or accumulation of excessive dust and particulates;
- o. The operator shall take adequate steps to control or prevent the propagation, harborage and attraction of pests;
- p. All floors must be free from standing water. All drainage from cleaning areas must be discharged to sanitary sewers, authorized cleaning areas must be discharged to sanitary sewers, authorized sanitary waste treatment facilities, or a corrosion-resistant holding tank;
- q. The facility shall provide fire suppression equipment as directed by the City of Alpharetta Fire Department;
- r. All solid waste passing through the transfer station must be ultimately treated or disposed of at an authorized facility;
- s. The transfer station must have adequate storage space for incoming solid waste;
- t. Operational records must be maintained at facilities with permanent operating mechanical equipment. These records must include a daily log of the quantity of solid waste received and transported, specifying the origin by hauler and the destination of the solid waste transported daily;
- u. The facility shall not generate more than 150 total vehicle trips per day;
- v. An annual report must be submitted to the Community Development Department which summarized the information gathered in (t), above;
- w. The facility shall be developed, operated and maintained in a safe, nuisance-free manner; and
- x. The facility and its operation must be in compliance with GA EPD requirements.

4.2 *Additional Permit Application Requirements.*

- a. Application requirements. An application for a solid waste transfer station permit must confirm to the requirements set forth herein. Applications for initial permits to construct and operate a solid waste transfer station must include the following:
 - (1) Regional plan or map. The regional plan or map must delineate the service area of the proposed transfer station.
 - (2) Site plan. The site plan must include:
 - (a) Site conditions and projected site utilization, including all site structures (such as buildings, fences, gates, entrances and exits, parking areas);

- (b) Property boundaries, access roads, the locations of all surface water bodies, and 100-year floodplain boundaries;
 - (c) All proposed structures and areas designated for unloading, sorting, storage, and loading, including dimensions, elevations and floor plans of these structures and areas, and the general process flow; and
 - (d) Adjacent properties, including the location of public and private water supplies on these properties.
- (3) Engineering report. The engineering report must include:
- (a) A description of the general operating plan for the proposed facility, including the origin, composition, and expected weight or volume of all solid waste to be accepted, the maximum time any such waste will be stored, where all waste will be disposed of, and the proposed capacity operating hours, and the expected life of the facility;
 - (b) A description of all machinery and equipment, including the design capacity;
 - (c) A proposed transfer plan specifying the transfer route, the number and type of transfer vehicles to be used, and how often solid waste will be transferred to the disposal site;
 - (d) A description of the facility's drainage system and water supply system; and
 - (e) A contingency plan that details an alternative solid handling system for periods when not operating, or for delays in transporting solid waste due to undesirable conditions, such as delivery of unauthorized waste, fires, dust, odor, vectors, unusual traffic conditions, equipment breakdown or other emergencies.

4.3 Design Standards. All transfer stations must meet minimum design requirements as follows:

a. Unloading and loading areas.

- (1) The unloading area must be adequate in size and design to facilitate efficient unloading from the collection vehicles and the unobstructed movement of vehicles;
- (2) The unloading and loading pavement areas must be constructed of concrete or asphalt paving material and equipped with adequate drainage structures;
- (3) Processing, tipping, sorting, storage, and compaction areas must be located within an enclosed building;
- (4) Provisions must be made for weighing or measuring all solid waste transferred to the facility;
- (5) Sufficient internal storage areas must be provided for incoming solid waste;
- (6) Exhaust removal systems must be installed in enclosed areas; and
- (7) The facility must be designed to accommodate expected traffic flow in a safe and efficient manner.

4.4 Expansion or Modification of Existing Facilities. No transfer station facility existing as of 12/06/04 may make modifications which require a permit, make changes that require a permit modification from the GA EPD or increase the square footage of any buildings on site without City Council approval. When reviewing modification or expansion plans, the Council

may consider the extent to which the proposed modification or expansion meets the standards established in Sections 4.1 and 4.3, herein; however, any existing buildings which do not meet setback requirements shall be considered non-conforming and shall remain, but may not be expanded with regard to the setback non-conformity pursuant to UDC Sec. 2.4.2.

D. *District Regulations.*

Minimum lot size—one acre.

Minimum Lot Width—none.

Minimum Setbacks.

Front yard—from all street frontages:

From right-of-way of local street—50 feet.

From right-of-way of all other streets—65 feet.

Side yard—15 feet.

Rear yard—15 feet.

Maximum Coverage By Principal Buildings—35%.

Maximum Building Height—35 feet.

Development on property over 25 acres in size requires masterplan approval through a Public Hearing process.

E. *Screening and buffers (See Sec. 2.3.5).*

(Ord. No. 708 , § 1, 8-10-2015; Ord. No. 715 , § 3, 9-28-2015; Ord. No. 718 , §§ 7, 10—12, 12-14-2015; Ord. No. 741 , §§ 2, 3, 6-5-2017; Ord. No. 744 , §§ 2, 3, 5, 6, 7-10-2017; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 835 , § 1(Exh. B), 10-4-2021; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

2.2.20 MU mixed use district.

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

A. *Applicability.* This zoning district is applicable to properties located within:

1. Areas that are primarily non-residential in character; or
2. Along major roadways that are primarily commercial in character; or
3. Historic Downtown Alpharetta; or
4. As noted in the Comprehensive Land Use Plan.

B. *Permitted Principal Uses.* A property in the MU district may be used only for those uses approved as part of the conditions of approval of the MU zoning on the property and as further limited below.

1. *Dwelling, attached or detached:* At least 25% of the MU development shall be utilized as residential dwellings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.

Dwelling, 'For-Rent' and 'For-Sale' units shall require conditional use approval as set forth in Table 2.2.

2. *Commercial*: At least 10% of the MU development shall be utilized as commercial uses (as approved in the MU master plan). Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
3. *Open Space*: MU developments shall incorporate the following amounts and types of open space:
 - a. *All developments*: A minimum of 10% of the gross land area shall be designed for use as civic space in conformance with Sec. 2.10.10.C of the North Point Overlay.
 - b. *Developments with residential uses*: In addition to the requirements of "a" immediately above, each MU development containing residential uses shall provide a minimum of one acre of open space/100 population generated by residential uses. Household size shall be calculated using the most current US Census data for the City of Alpharetta. This requirement shall not apply in the North Point Overlay, where alternate standards apply.
4. *Office/Institutional*: At least 25% of the MU development shall be utilized for office buildings. Land use calculations shall utilize gross floor area for vertical mix of uses and land area for horizontal mix of uses.
5. Redevelopment projects that incorporate existing buildings and do not conform to the dwelling, commercial, or office/institutional percentages set forth in "1", "2" or "4" above (prior to redevelopment) are not subject to said requirements when all of the following are met:
 - a. At least 75% of the total existing floor area remains after redevelopment; and
 - b. The total floor area of new construction does not exceed the total floor area of existing buildings to remain; and
 - c. The redevelopment does not increase the degree of non-conformity with regards to the percentages set forth in "1", "2" or "4" above.

As determined by City staff, uses shall be calculated using one of the following methods:

Horizontal Mixed Use: $\text{Land Use Land Area (acres) / Total MU Land Area (acres)} = \% \text{ Land Use of MU Development}$

Example: 25 acres of Residential Land Use / 100 acres of MU Land Area = 25% Residential Land Use of MU Development

Vertical Mixed Use: $\text{Land Use Gross Floor Area (square feet) / Total Gross Floor Area of All MU Development (square feet)} = \% \text{ Land Use of MU Development}$

Example: 25,000 SF of Commercial Land Use / 100,000 SF for All Vertical Development = 25% Commercial Land Use of MU Development

Combination of Horizontal and Vertical Mixed Use:

$\text{Land Use Gross Floor Area (square feet) / Total Gross Floor Area of All MU Vertical and Horizontal Development (square feet)} = \% \text{ Land Use of MU Development}$

Example: [25,000 SF of Vertical Commercial Land Use + 25,000 SF of Horizontal Commercial Development] / 200,000 SF for All Vertical and Horizontal Development = 25% Commercial Land Use of MU Development

- C. *Conditional Uses*. A property in the MU district may be used for those uses listed below and in Table 2.2, as well as, any additional uses included in the conditions of approval for the MU

zoning on the property. Conditional uses not included in the master plan shall require a public hearing by the Planning Commission and approval by the City Council.

1. Residential Uses:

- a. Dwelling, Group (assisted living facility, congregate housing).
- b. Dwelling, 'For-Rent'.
- c. Dwelling, 'For-Sale', Attached and Detached.
- d. Bed and Breakfast.

2. Commercial Uses:

- a. Art Gallery.
- b. Athletic Facility.
- c. Bakery.
- d. Bank, Savings & Loan.
- e. Barber Shop.
- f. Beauty Shop.
- g. Book Store.
- h. Boutique Hotel.
- i. Brewery.
- j. Clinic.
- k. Dance Studio.
- l. Day Care Center.
- m. Distillery.
- n. Drug Store (Pharmacy).
- o. Dry cleaning, Pickup Station.
- p. Fitness Studio.
- q. Florist, Retail.
- r. Grocery Store (max. 50,000 SF in the North Point Overlay).
- s. Hardware and Garden Supply Store (max. 50,000 SF in the North Point Overlay).
- t. Hotel/Motel.
- u. Hotel, Hybrid.
- v. Liquor Store.
- w. Manufacturing. Heavy.
- x. Nail Salon.
- y. Office.
- z. Pet Grooming.

- aa. Print Shop.
- bb. Recreation Facilities, Indoor and Outdoor.
- cc. Restaurant.
- dd. Retail Establishment.
- ee. School, Commercial.
- ff. Spa Services.
- gg. Special Event Facility.
- hh. Theater, Cinema.

3. Semipublic Uses, Utilities:

- a. Church, Synagogue.
- b. Heliport.
- c. Library.
- d. Museum.
- e. Park or Playground.
- f. Public Building.
- g. School, Academic.

D. *District Regulations.*

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

Maximum Density of Dwelling Units: The MU master plan shall establish maximum density for each area within the development. Density for all residential units combined shall not exceed eight (8) dwelling units/acre, except when City Council approves greater density by conditional use in the North Point Overlay. Density shall be calculated based on the gross acreage of the entire MU master plan.

Development Standards: Regulations governing lot size, lot width, setbacks, principal building coverage, floor area of dwelling unit, and height shall be established for each area within the MU master plan and approved through the public hearing process.

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

Civic Space: See Sec. 2.20.B.3.

Open Space: Open space may include residential recreational amenities. However, at least 50% of the required open space shall be provided in passive land area(s).

E. *Review Criteria.* The MU district is intended to promote specific objectives. Therefore, the following shall be considered when reviewing an MU master plan:

- 1. Retail, restaurant, office, and personal service uses at ground level.
- 2. Pedestrian connectivity to all uses.
- 3. Large parking areas below grade, in decks or screened. Design efforts to provide shared parking will also be considered.
- 4. Accommodations for public transportation.

5. Buildings that face or appear to face public roadways.
6. Appearance standards for buildings and structured parking.
7. Limitations on uninterrupted building elevations.
8. Creation of vistas and view corridors within development.
9. Focal point features at prominent locations and ends of vistas.
10. Incorporation of natural site features.
11. Block lengths conducive to pedestrian traffic.
12. Detention and retention facilities designed to be aesthetically pleasing.
13. Creative methods for stormwater management to provide additional open space.
14. Attractive and usable street furniture in public spaces.
15. Emphasis on a high quality landscape plan.
16. Number of office jobs internally captured on-site.

F. *Time Linkage/Concurrency.* In order to ensure that the objectives of MU district are met and development occurs which incorporates a mix of uses, a development phasing strategy or time line shall be established for each MU project, subject to the following:

1. *Open Space and Civic Space.* No certificate of occupancy for any use shall be issued until a proportional amount of required open space and civic space has been installed.

Furthermore, when reviewing the phasing strategy or timeline, the City Council may link the issuance of other permits and/or certificates of occupancy for a portion of the development with the completion of other portions of the development.

(Ord. No. 702, § 1(Exh. A), 3-2-2015 ; Ord. No. 732 , § 1, 2-6-2017; Ord. No. 741 , § 4, 6-5-2017; Ord. No. 744 , § 2, 7-10-2017; Ord. No. 749 , §§ 2, 3, 9-18-2017; Ord. No. 767 , § 4(Exh. A), 10-22-2018; Ord. No. 808 , § 2(Exh. B), 9-8-2020; Ord. No. 836 , § 1(Exh. A), 10-4-2021; Ord. No. 843 , § 2(Exh. B), 4-18-2022)

Exhibit “C”

SECTION 2.7 MISCELLANEOUS REGULATIONS

2.7.3 Extended stay hotel.

- A. *Definition.* "Extended Stay Hotel" means a building in which lodging is provided for transient guests for an average stay of less than one (1) month and offered to the public for compensation and containing guest rooms for lodging, offered to the public for compensation, which are advertised, designed, intended or routinely utilized for weekly or monthly occupancy, or in which at least 30% of all guest rooms have facilities for the refrigeration and preparation of food by guests, such as a refrigerator and a cooktop/stove (or a refrigerator, a microwave, and a dishwasher or kitchenette sink), and a self-serve laundry facility is available for guests use. For the purposes of this Code, extended stay hotels, hybrid hotels, and hotels (or motels) are separate and distinct uses.
- B. *Findings and Purpose.* The City finds that extended stay hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Extended stay hotels, which are places of public accommodation providing longer-term temporary lodging (weekly or monthly occupancies), may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of said conditional use is consistent with a desirable pattern of development for the city; however, the City finds that if extended stay hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to "For-Rent" dwellings. Further, because extended stay hotels are designed for longer-term, temporary lodging (weekly or monthly occupancies), whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) and hybrid hotels are designed for short-term and long-term transient occupancies (less than seven (7) days and up to one (1) year, respectively), the City finds that tourism activities and other attendant activities of guests at extended stay hotels differ from those activities of guests at hotels or motels and hybrid hotels, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that extended stay hotels are separate and distinct land uses from hotels (or motels) and hybrid hotels and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) and hybrid hotels to implement important City interests, including the promotion of tourism within the City, while also providing the opportunity for the development of extended stay hotels to meet the demands of businesses and the community for lodging accommodations designed for longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.
- C. *Conditional Use Permit Approval.* The location, construction and use of a property or building for an extended stay hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for an extended stay hotel is subject to the City Council finding that the proposed use meets the following requirements:
1. The minimum lot size for extended stay hotels is three (3) acres.
 2. No facility may contain more than thirty-five (35) guestrooms per gross acre of development.

3. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area. For any such guestrooms designed for occupancy of more than two (2) guests, a minimum of five hundred and fifty square feet (550 sq. ft.) of floor area shall be required.
4. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
5. All such facilities shall provide a fifty-foot (50') buffer from any property zoned for a 'For-Rent' dwelling use and a one-hundred-foot (100') buffer from any property zoned for a 'For-Sale' dwelling use.
6. No building may be located within three hundred feet (300 ft.) of any residentially zoned property, inclusive of the required buffer.
7. Access to each guest room shall be through an inside lobby which is supervised at all hours the facility is open.
8. Number of Vehicle Parking Spaces Required: One (1) space for each guest room, plus 1 employee space for each 20 sleeping rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

D. *Additional Regulations.* Extended stay hotels shall comply with the following additional regulations:

1. The maximum occupancy for a guestroom with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code. Further, except to the extent the regulations of the Life Safety Code are applicable, the restrictions set forth in this subparagraph shall not apply to extended stay hotels built prior to the effective date of these regulations.
2. No more than ten percent (10%) of individual guests shall register, ~~reside~~ lodge in, or occupy a room or rooms within the same facility for more than a continuous ninety (90) day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
3. Each such facility shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.
4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
6. No permanent business license shall be issued for the conduct of any business from any guestroom of the facility.

7. No facility under this section may be converted to or used as an apartment or condominium.

8. Facilities under this section shall maintain parking lot and landscape strip shrubs along the properties' road frontage at a height not to exceed four (4) feet.

- E. The prior approval of a hotel (or motel) or hybrid hotel use shall not confer the right to locate, construct or use a property or building as an extended stay hotel. No hotel (or motel) or hybrid hotel may be converted to an extended stay hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.
- F. Extended stay hotels built prior to the effective date of these regulations, which conform to the standards in place at the time of their approval, shall be deemed non-conforming uses; provided, however, such uses shall comply with the regulations set forth in Paragraph D above, except to the extent expressly excepted therefrom as provided herein.

(Ord. No. 718 , § 18, 12-14-2015)

2.7.8 Hybrid hotel.

A. Definition. "Hybrid Hotel" means a building in which lodging along with customary lodging facilities and services, such as meeting rooms, restaurant, maid service and fitness center, are provided for transient guests for a mix of short- and long-term stays. The hybrid hotel primarily provides lodging for transient guests for an average stay of less than 7 days and offered to the public for compensation. No more than 30% of guest rooms may provide lodging for transient guests for long-term stays up to one year. Hotel services shall include the provision of food and beverage services suitable for both guests and groups, on-site restaurant, lounges, group meeting space with banquet facilities and selective amenities, such as but not limited to spas, banquet rooms, doormen, valet parking, concierge, and high-end restaurant and boutiques. Guest rooms within the building shall not contain equipment for food preparation other than a mini-fridge and/or microwave, except that rooms provided for longer stays may have equipment for food preparation. There shall be no self-laundry facilities (for guest's use) within the building, except that rooms provided for longer stays may have self-laundry facilities. Access to each guest room shall be through an inside lobby supervised at all hours.

B. Findings and Purpose. The City finds that hybrid hotels offer an alternative form of lodging from hotels (or motels) or corporate apartments (apartments with short-term leases) for longer-term, business travelers, families in the process of relocating or awaiting new construction or remodeling, long-term tourists and similar patrons. Hybrid hotels, which are places of public accommodation providing both short- and longer-term temporary lodging, may be an appropriate use in certain zoning districts as determined by the City Council after considering and finding that certain factors are met, including the use is compatible with surrounding uses, properties and neighborhoods, will not impede the normal and orderly development of surrounding property for uses predominant in the area, and the location and character of the hybrid hotel is consistent with a desirable pattern of development for the City; however, the City finds that if hybrid hotels are left unregulated, such uses can become transitional residences and in some cases permanent residential accommodations, akin to 'For-Rent' dwellings. Further, because hybrid hotels are designed for a mix of short- and long-term temporary lodging, whereas hotels or motels are designed for short-term transient occupancies (less than seven (7) days) and extended stay hotels are designed for long-term transient occupancies (weekly or monthly occupancies), the City finds that tourism activities and other attendant activities of guests at hybrid hotels differ from those activities of guests at hotels or motels, which may not be compatible with the City's comprehensive plan or economic development goals. Accordingly, the City finds that hybrid hotels are separate and distinct land uses from hotels (or motels) and extended stay hotels and that different considerations must be considered to ensure that such uses are consistent with the City's land use patterns and tourism and economic development goals. The City therefore finds that it is necessary to establish regulations that distinguish these types of uses in order to encourage the appropriate use of land for the development of hotels (motels) to implement important City interests, including the promotion of

tourism within the City, while also providing the opportunity for the development of hybrid hotels to meet the demands of businesses and the community for lodging accommodations designed for a mix of short- and longer-term business travelers, families in the process of locating a new residence, awaiting new construction or remodeling, and long-term tourists, while also preventing such uses from becoming permanent residential occupancies or dwellings.

C. Conditional Use Permit Approval. The location, construction and use of a property or building for a hybrid hotel use shall require the prior approval of a conditional use permit by the City Council. In addition to consideration of the conditional use standards otherwise provided for in this Code, the approval of a conditional use permit for a hybrid hotel is subject to the City Council finding that the proposed use meets the following requirements:

1. The minimum lot or development size for hybrid hotels is three (3) acres.
2. The building shall contain no more than thirty percent (30%) of guest rooms for long-term stays.
3. Building shall be rated by Forbes or AAA as 4 stars or better.
4. Building or development shall have a minimum 60,000 square foot conference room or minimum 60,000 square foot event space, or minimum 60,000 square foot group meeting space with banquet facilities.
5. Building shall have a minimum 3,000 square foot sit-down restaurant with table service.
6. All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area.
7. A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreation; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts, basketball courts and similar recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and may include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of this Ordinance or other applicable laws.
8. All such buildings shall provide a minimum fifty-foot (50') buffer from any property zoned for a 'For-Sale' or 'For-Rent' dwelling use.
9. Access to each guest room shall be through an inside lobby which is supervised at all hours the building is open.
10. Number of Vehicle Parking Spaces Required: One (1) space for each short-term guest room and two (2) spaces for each long-term guest room, plus 1 employee space for each 20 guest rooms, plus one space per 500 sq. ft. of space used for convention rooms, conference rooms, ballrooms, restaurant and/or retail shops.

D. Additional Regulations. Hybrid hotels shall comply with the following additional regulations:

1. The maximum occupancy for a guest room with facilities for the refrigerated storage and preparation of food by guests that is less than five hundred and fifty square feet (550 sq. ft.) in floor area shall be two (2) persons. For all guestrooms with facilities for the refrigerated storage and preparation of food by guests that exceed five hundred and fifty square feet (550 sq. ft.), the maximum occupancy shall be four (4) persons. The maximum occupancy shall be six (6) persons when an additional bedroom is provided. For the purposes of this provision, minor children related by blood or marriage to an adult occupant shall be excluded from this

computation; provided, however, that in no event shall the maximum occupancy of any room exceed the requirements of the Life Safety Code.

2. No more than 30% of individual guests shall register, lodge in, or occupy a room or rooms within the same facility for more than a continuous 365-day period, nor shall any guest move from one room to another without a three (3) day vacancy in between.
 3. Each such building shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.
 4. No outdoor storage or permanent parking of equipment or vehicles shall be permitted. Parking of inoperable vehicles and vehicles backed into parking spaces with the license plate not visible from the parking lot drive aisle shall be prohibited.
 5. Off-street parking lot lighting shall have an average footcandles of 3.0 and maximum footcandles of 6.0. Parking lot lighting shall be maintained in good working order.
 6. No permanent business license shall be issued for the conduct of any business from any guestroom of the building.
 7. No building under this section may be converted to or used as an apartment or condominium.
- E. The prior approval of a hotel or motel use shall not confer the right to locate, construct or use a property or building as a hybrid hotel. No hotel or motel may be converted to a hybrid hotel without the approval of a conditional use permit by the City Council in accordance with the foregoing standards.

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Concerns regarding proposed hotel variance
Date: Friday, November 1, 2024 8:42:32 AM
Attachments: [image001.png](#)

Good morning, Janet.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process. I do want to clarify that the applicant is not requesting a parking variance. Parking at the Mayfair on Webb Bridge development was approved to be shared among Phase Family Learning Center, the hotel, and the future office building. A 'Hotel' is already approved on the subject property. The applicant is requesting a master plan amendment and conditional use to allow a 'Hotel, Hybrid', which is a hotel product that allows up to 30% of the rooms for longer stays.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Janet Vallejo [REDACTED]
Sent: Friday, November 1, 2024 8:35 AM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Concerns regarding proposed hotel variance

This message needs your attention

- No employee in the City of Alpharetta has ever replied to this email address.
- This is a personal email address.

Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed parking lot variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this parking lot variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Sincerely,
Janet Vallejo

From: [Woodman, Michael](#)
To: [Taylor, Elicia](#)
Subject: FW: Concerns regarding proposed hotel variance
Date: Friday, November 1, 2024 8:37:10 AM

From: Janet Vallejo [REDACTED]
Sent: Friday, November 1, 2024 8:35 AM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Concerns regarding proposed hotel variance

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed parking lot variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this parking lot variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Sincerely,
Janet Vallejo

From: [REDACTED]
To: [Woodman, Michael](#)
Cc: [Taylor, Elcia](#)
Subject: Re: [E] RE: Concerns Regarding Proposed Hotel Variance
Date: Friday, November 1, 2024 10:41:17 AM
Attachments: [image001.png](#)

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Good morning Michael,

Thank you so much for the quick response and clarification! I believe the hybrid extended stay amendment is the main concern since that would potentially mean more parking spots utilized over the weekend.

Thanks again for your consideration.



Pam (Johansson) Johnson

Sr. Manager
Contract Management & Operations (Wireless)
Verizon Business Group

[REDACTED]
5055 North Point Parkway
Alpharetta, GA 30022

On Fri, Nov 1, 2024 at 10:13 AM Woodman, Michael <mwoodman@alpharetta.ga.us> wrote:

Good morning, Pam.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process. I do want to clarify that the applicant is not requesting a parking variance. Parking at the Mayfair on Webb Bridge development was approved to be shared among Phase Family Learning Center, the hotel, and

the future office building. A 'Hotel' is already approved on the subject property. The applicant is requesting a master plan amendment and conditional use to allow a 'Hotel, Hybrid', which is a hotel product that allows up to 30% of the rooms for longer stays.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Johnson, Pamela J [REDACTED]
Sent: Friday, November 1, 2024 10:11 AM
To: Borden, Brian <bborden@alpharetta.ga.us>; Brooker, James <jbrooker@alpharetta.ga.us>;
Schroeder, Bret <bschroeder@alpharetta.ga.us>; Shostak, David <dshostak@alpharetta.ga.us>;
Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Concerns Regarding Proposed Hotel Variance

Dear Alpharetta Planning Commission Members,

As a member of Futures Church in Alpharetta located at 12150 Morris Road, I'm writing to express my concerns about the proposed parking lot variance for the nearby hotel. With parking already limited, this could potentially deter people from attending a church that is committed to making a difference in our community.

My son and I recently began attending Futures Church after being inspired by two incredible families

that are part of this church. With all of the chaos, pain, and mental health issues in today's world, I think it's more important than ever before that we raise our children with good Christian beliefs and values. Futures Church is not just providing that foundation to its members, but is also doing work around our community to lift people up and to help those in need.

Just last Friday, they hosted a gala to raise money for a local women's shelter and raised thousands of dollars for the shelter. The parking lot was completely full and all for a beautiful cause for our community. If this parking lot variance is approved, it will have effects far beyond the congregation of the church.

I ask that you please take all of this into consideration before taking action and thank you for all that you do for our community every day.

Sincerely,

Pam Johnson



Pam (Johansson) Johnson

Sr. Manager
Contract Management & Operations (Wireless)
Verizon Business Group

[REDACTED]
5055 North Point Parkway
Alpharetta, GA 30022

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Concerns Regarding Proposed Hotel Variance
Date: Friday, November 1, 2024 10:43:21 AM
Attachments: [image001.png](#)

Good morning, Jermaine.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process. I do want to clarify that the applicant is not requesting a parking variance. Parking at the Mayfair on Webb Bridge development was approved to be shared among Phase Family Learning Center, the hotel, and the future office building. A 'Hotel' is already approved on the subject property. The applicant is requesting a master plan amendment and conditional use to allow a 'Hotel, Hybrid', which is a hotel product that allows up to 30% of the rooms for longer stays.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Jermaine Ellis [REDACTED]
Sent: Friday, November 1, 2024 10:38 AM
To: Gilvin, Jim <jgilvin@alpharetta.ga.us>; Mitchell, Donald <dmitchell@alpharetta.ga.us>; Will, Brian <BWill@alpharetta.ga.us>; DeRito, Doug <DDerito@alpharetta.ga.us>; Hipes, John <jhipes@alpharetta.ga.us>; jbinder@alpharetta.ga.us; Merkel, Dan <dmerkel@alpharetta.ga.us>; Borden, Brian <bborden@alpharetta.ga.us>; Brooker, James <jbrooker@alpharetta.ga.us>; Schroeder, Bret <bschroeder@alpharetta.ga.us>; Shostak, David <dshostak@alpharetta.ga.us>; Woodman,

Michael <mwoodman@alpharetta.ga.us>

Subject: Concerns Regarding Proposed Hotel Variance

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed parking lot variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this parking lot variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Sincerely,
Jermaine Ellis

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Subject: Concerns Regarding Proposed Hotel Variance
Date: Friday, November 1, 2024 12:33:27 PM
Attachments: [image001.png](#)

Good afternoon, Rowena.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process. I do want to clarify that the applicant is not requesting a parking variance. Parking at the Mayfair on Webb Bridge development was approved to be shared among Phase Family Learning Center, the hotel, and the future office building. A 'Hotel' is already approved on the subject property. The applicant is requesting a master plan amendment and conditional use to allow a 'Hotel, Hybrid', which is a hotel product that allows up to 30% of the rooms for longer stays.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Rowena Van Gelder [REDACTED]
Sent: Friday, November 1, 2024 9:00 AM
Subject: Subject: Concerns Regarding Proposed Hotel Variance

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed parking lot variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this parking lot variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Regards,

Rowena Van Gelder

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Request to Reconsider Extended Stay Hotel Near Futures Church
Date: Monday, November 4, 2024 5:21:51 PM
Attachments: [image001.png](#)

Good afternoon, Anita.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Anita Brewer [REDACTED]
Sent: Monday, November 4, 2024 2:41 PM
To: Gilvin, Jim <kgilvin@alpharetta.ga.us>; Mitchell, Donald <dmitchell@alpharetta.ga.us>; Will, Brian <BWill@alpharetta.ga.us>; DeRito, Doug <DDerito@alpharetta.ga.us>; Hipes, John <jhipes@alpharetta.ga.us>; Brady, Fergal <fbrady@alpharetta.ga.us>; Merkel, Dan <dmerkel@alpharetta.ga.us>; Borden, Brian <bborden@alpharetta.ga.us>; Brooker, James <jbrooker@alpharetta.ga.us>; Schroeder, Bret <bschroeder@alpharetta.ga.us>; Shostak, David <dshostak@alpharetta.ga.us>; Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Fwd: Request to Reconsider Extended Stay Hotel Near Futures Church

This message needs your attention

i

- This is a personal email address.
- This is their first email to the City of Alpharetta.

Dear City Council and Planning Commission Members,

I am reaching out as a devoted member of Futures Church Alpharetta and as someone with a physical disability that impacts my access to community spaces. Futures Church has been an incredible source of strength, connection, and faith for me and many others. However, I am deeply concerned about the potential approval of a variance to allow an extended stay hotel adjacent to our church.

This proposed development would mean the loss of over 100 parking spaces we rely on to access our church. For me, as someone who uses a wheelchair, finding accessible parking close to the church entrance is crucial. Any reduction in parking could severely affect my ability to attend, participate, and feel included in our community activities. The prospect of added traffic from hotel guests could further complicate access for those with mobility challenges, making it difficult to navigate safely to and from the church.

I know our City Council values inclusivity and accessibility, and I ask you to consider these concerns when reviewing this proposal. Futures Church has become a place where I, along with so many others, can freely engage and feel welcome. Losing access to this supportive environment would be a great loss, not only to me personally but to many families who depend on this space for connection and support.

Thank you for your time and understanding, and for considering how this decision impacts the accessibility of Futures Church for those with physical challenges. Your support would mean a great deal to us all.

Warm regards,

Anita Van Brewer

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elcia](#)
Subject: Re: Concerns Regarding Proposed Hotel Variance
Date: Monday, November 4, 2024 6:42:09 AM

Good morning, Ben.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions. Best regards.

Sent from my iPad

On Nov 1, 2024, at 6:05 PM, Ben Philip [REDACTED] wrote:

This message needs your attention

- This is a personal email address.
- This is their first email to mwoodman@alpharetta.ga.us.

Mark as Safe

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Dear Alpharetta Planning Commission Members,

I am reaching out to share my perspective on the proposed hotel variance for the local hotel, speaking as a dedicated community resident who treasures the carefully maintained balance of our neighborhood. The potential modifications to our current urban landscape raise significant concerns about preserving the peaceful and functional environment we have collectively cultivated.

My apprehension stems from a deep appreciation for the carefully structured character of our community. The proposed variance could potentially introduce unexpected disruptions that might compromise the accessibility and serenity we have worked diligently to maintain. Our neighborhood's unique character is built on thoughtful planning and a commitment to maintaining a harmonious living environment.

I respectfully request that the City Council thoroughly evaluate the broader implications of this variance. Our community's well-being depends on carefully considered decisions that protect the quality of life we all value. We

trust in the council's wisdom to make choices that reflect the best interests of our residents and maintain the distinctive character of our shared home.

Thank you for your continued service and careful attention to our community's needs.

Warm regards,

Benjamin Philip

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Concerns Regarding Proposed Hotel Variance
Date: Tuesday, November 5, 2024 9:07:52 AM
Attachments: [image001.png](#)

Good morning, Bruce.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Bruce Mlott [REDACTED]
Sent: Monday, November 4, 2024 8:28 PM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Concerns Regarding Proposed Hotel Variance

This message needs your attention



- This is a personal email address.
- This is their first email to you.

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed hotel variance for the nearby hotel. Our congregation of over

450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this hotel variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Sincerely,
Bruce Mlott

From: [Woodman, Michael](#)
To: [REDACTED]; [Taylor, Elicia](#)
Subject: Re: Concerns re: Proposed Hotel Variance
Date: Monday, November 4, 2024 6:43:34 AM

Good morning, Laura.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions. Best regards.

Sent from my iPad

On Nov 3, 2024, at 1:54 PM, Laura W [REDACTED] wrote:

This message needs your attention

- No employee in the City of Alpharetta has ever replied to this email address.
- This is a personal email address.

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed hotel variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

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Sincerely,
Laura Winn

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: Re: Concerns Regarding Proposed Hotel Variance
Date: Monday, November 4, 2024 6:42:53 AM

Good morning, Sheela.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions. Best regards.

Sent from my iPad

On Nov 1, 2024, at 6:06 PM, [REDACTED] wrote:

This message needs your attention

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Mark as Safe

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Dear Alpharetta Planning Commission Members,

I am reaching out to share my perspective on the proposed hotel variance for the local hotel, speaking as a dedicated community resident who treasures the carefully maintained balance of our neighborhood. The potential modifications to our current urban landscape raise significant concerns about preserving the peaceful and functional environment we have collectively cultivated.

My apprehension stems from a deep appreciation for the carefully structured character of our community. The proposed variance could potentially introduce unexpected disruptions that might compromise the accessibility and serenity we have worked diligently to maintain. Our neighborhood's unique character is built on thoughtful planning and a commitment to maintaining a harmonious living environment.

I respectfully request that the City Council thoroughly evaluate the broader implications of this variance. Our community's well-being depends on carefully considered decisions that protect the quality of life we all value. We

trust in the council's wisdom to make choices that reflect the best interests of our residents and maintain the distinctive character of our shared home.

Thank you for your continued service and careful attention to our community's needs.

Warm regards,

Sheela Philip

From: [Woodman, Michael](#)
To: [TAMARA PELLERIN](#)
Cc: [Taylor, Elicia](#)
Subject: RE: Concerns Regarding Proposed Hotel Variance
Date: Monday, November 4, 2024 11:17:13 AM
Attachments: [image001.png](#)

Good morning, Tamara.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: TAMARA PELLERIN [REDACTED]
Sent: Monday, November 4, 2024 11:11 AM
To: Woodman, Michael <mwoodman@alpharetta.ga.us>
Subject: Concerns Regarding Proposed Hotel Variance

This message needs your attention

- No employee in the City of Alpharetta has ever replied to this email address.
- This is a personal email address.

[Mark as Safe](#)

[Report this Email](#)

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Dear Alpharetta City Council Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed hotel variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this hotel variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Sincerely,
Tamara R. Pellerin

Tamara Rosemarie Pellerin
Georgia State University
Bachelor's of Arts



From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elia](#)
Subject: Re: Concerns Regarding Proposed Hotel Variance
Date: Monday, November 4, 2024 6:44:12 AM

Good morning, Tracy.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions. Best regards.

Sent from my iPad

On Nov 3, 2024, at 5:01 PM, Tray Herndon [REDACTED]:

This message needs your attention

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Dear Alpharetta Planning Commission Members,

As a long-standing member of our local church community, I am writing to express serious reservations about the proposed hotel variance for the nearby hotel. Our congregation of over 450 members represents a vibrant spiritual and social hub in Alpharetta, and we are deeply concerned about the potential negative impacts of this proposed change.

The current parking situation already poses significant challenges for our church. Limited parking spaces frequently create difficulties for our congregation and visitors, hindering full participation in our midweek activities and Sunday services. The proposed variance would only compound these existing parking constraints, creating substantial obstacles that could dramatically reduce accessibility for church members, compromise the safety of our congregants, and undermine the community-building aspects of our church gatherings.

We respectfully urge the City Council to carefully consider the broader implications of this variance. Our request is simple: protect the community spaces that foster spiritual growth and social connection by denying this hotel variance. We are hopeful that the Council will prioritize the collective well-being of our community and seek alternative solutions that balance local development with the needs of established community institutions.

Kind Regards,

Tray Herndon

From: [Woodman, Michael](#)
To: [REDACTED]
Cc: [Taylor, Elicia](#)
Subject: RE: Opposition to Proposed Extended Stay Hotel Near Futures Church Alpharetta
Date: Monday, November 4, 2024 2:46:21 PM
Attachments: [image001.png](#)

Good afternoon, Van.

Thank you for your comments on this public hearing request. We will be sure to include your comments with this request as it moves through the process.

Please let me know if you have any questions.

Best regards,



Michael Woodman, AICP
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza, Alpharetta, GA 30009
Ph. (678) 297-6072
mwoodman@alpharetta.ga.us

From: Van Brewer [REDACTED]
Sent: Monday, November 4, 2024 2:23 PM
To: alpharetta@futures.church
Subject: Opposition to Proposed Extended Stay Hotel Near Futures Church Alpharetta

This message needs your attention

- No employee in the City of Alpharetta has ever replied to this email address.
- This is a personal email address.

[Mark as Safe](#)

[Report this Email](#)

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Dear Alpharetta City Council/Planning Commission Members,

I am reaching out as a member of Futures Church Alpharetta, a vibrant community of faith that has

become a cornerstone for many families and individuals in the area. Our church, located near the Avalon Shopping Center, has brought together people from all walks of life, offering a safe, welcoming space for spiritual growth, family support, and community engagement.

I am writing to respectfully express my concern regarding the proposal to place an extended stay hotel adjacent to our church. This development would drastically alter the dynamics of our community space, specifically by impacting parking access for our congregation and reducing the availability of essential resources for our church programs.

When we chose Futures Church Alpharetta as our spiritual home, the assurances around parking and space availability were a significant part of our decision. However, the proposed variance threatens to remove over 100 parking spaces, creating an undue burden on our congregation and our ability to welcome newcomers. This change could hinder our church's ongoing efforts to support the community and serve as a haven for people seeking faith, guidance, and a place to connect with others.

Beyond practical considerations, placing an extended stay hotel in close proximity to our place of worship raises concerns about preserving the atmosphere and values that are integral to our church and surrounding community. Futures Church Alpharetta is a place where people of all ages come together in unity, purpose, and peace. The proposed development would disrupt the serenity and accessibility of this vital gathering place.

I urge you to consider the impact this variance could have on Futures Church Alpharetta and to stand with us in protecting our space for worship and community. We kindly ask you to vote against this variance and help us retain the environment our church family has worked to build.

Thank you for your attention and your commitment to preserving spaces that foster community and faith in Alpharetta. I appreciate your consideration and look forward to your support.

Blessings,

Grant, Anita, & Van Brewer

Via Overnight Delivery

July 26, 2024

Michael Woodman
Planning & Development Services Manager
Community Development
City of Alpharetta
2 Park Plaza
Alpharetta, GA 30009

RE: Proposed dual brand "hybrid hotel" at Property located at Webb Bridge Road and Morris Road-Conditional Use Permit Approval and Master Plan Amendment

Dear Mr. Woodman:

Please find enclosed the below listed items for the subject Property. The application and information are to support a Conditional Use Approval and Master Plan Amendment to permit the development of a dual-branded hybrid hotel at the subject Property.

- Public Hearing Application (pg 10-11)
- Property Owner Authorization Form (pg 12)
- Disclosure Form (pg 13)
- Alpharetta Planning Commission Review Criteria (pg 14)
- Citizen Participation Form Part A (pg 17)
- Addendum to Public Hearing Application
- Check for advertising fee (\$325.00)
- Check for Conditional Use (\$750.00)
- Check for Master Plan Amendment (\$750)

One original and one copy of the above noted items are included herewith. In addition, the above noted items are provided in PDF format (on a flash drive which is enclosed in this package). A hard copy (measuring 11" x 17") of the site plan, survey and plat are enclosed as well.

We appreciate your assistance with this request. Please feel free to contact me should you have any questions or require additional information.

Sincerely,

(On behalf of Alpharetta Hotel Holdings, LLC)



Gloria Fernandez

gfernandez@hbcapital.com

Copy:

Kathi Cook- Kcook@alpharetta.ga.us

Steven Hurowitz-steven@hbcapital.com

CITY OF ALPHARETTA

PUBLIC HEARING APPLICATION

FOR OFFICE USE ONLY

Case #: MP-24-09/CU-24-12

PH #: PHA240036

☐ Property Taxes & Code Violations Verified

☐ Fee Paid Initial: _____

COMMUNITY DEVELOPMENT DEPARTMENT

2 PARK PLAZA

ALPHARETTA, GA 30009

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

Contact Information:

Contact Name: Gloria Fernandez

Telephone: 305.602.3064

Address: 16701 Collins Avenue

Suite: n/a

City: Sunny Isles Beach

State: FL

Zip: 33160

Fax: n/a

Mobile Tel: 305.602.3064

Email: gfernandez@hbcapital.com

Subject Property Information:

Address: 12140 Morris Road, Alpharetta, GA 30009

Current Zoning: O-I

District: Pod H

Section: 2.2.13

Land Lot: 909 and 1262

Parcel ID: 22-5460-1262-149-2

Proposed Zoning: O-I

Current Use: vacant commercial land

This Application For (Check All That Apply):

☒ Conditional Use

☒ Master Plan Amendment

☐ Comprehensive Plan Amendment

☐ Rezoning

☐ Master Plan Review

☐ Variance

☐ Public Hearing

☐ Exception

☐ Other (Specify): _____

APPLICANT REQUEST AND INTENT

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

The proposed use for the Property is for a "hybrid hotel". This hybrid building is proposed for a Marriott brand full-service Tribute Portfolio brand hotel, incorporating a premium Marriott branded corporate residential component (Apartments by Marriott Bonvoy) in no more than 30% of the total unit count. This dual-brand concept will provide a product type that does not currently exist in the City of Alpharetta.

The proposed development retains a full-service hotel as a primary use, with the residential units as an accessory use. This development should bring an upscale brand to the area and convert currently vacant land into an attractive hotel with curated restaurant. The Property will benefit from association with Marriott's distribution and loyalty program, including the Marriott Bonvoy membership base.

The subject Property is part of the Mayfair at Webb Bridge Association, which includes three distinct parcels (the "Hotel Parcel", which is the subject property, the "Office Parcel", which is currently vacant land and the "Community Center Parcel", which is currently an operating property). The proposed Marriott branded development is consistent with the original intent of the Webb Bridge development, which contemplated a hotel on the Property.

Applicant's Request (Please itemize the proposal):

Owner (Alpharetta Hotel Holdings, LLC) is requesting a Master Plan Amendment and Conditional Use Approval of use of the Property as a hybrid hotel, all in accordance with the guidelines set forth in Ordinance #871, approved on May 20, 2024 by the City of Alpharetta.

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

The Owner's vision for the Property is to develop a Marriott dual-branded, upscale product and to provide the City of Alpharetta with an innovative product type that does not currently exist in the City (and which will be able to service longer stay corporate travelers and other guests with an elevated stay experience).

PROPERTY OWNER AUTHORIZATION

Property Owner Information:

Contact Name: Alpharetta Hotel Holdings, LLC c/o Gloria Fernandez/Steven Hurowitz

Telephone: 305.602.3064

Address: 16701 Collins Avenue

Suite: _____

City Sunny Isles Beach

State: FL

Zip: 33160

Authorization:

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

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

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

Property Owner's Authorized Applicant (if applicable):

Name of Authorized Applicant: Steven Hurowitz

Telephone: 305.602.3064

Address: 16701 Collins Avenue

Suite: _____

City Sunny Isles Beach

State: FL

Zip: 33160

So Sworn and Attested:

Owner Signature: _____

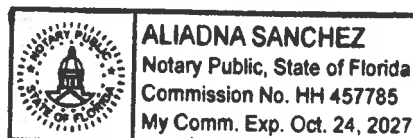
STEVEN HUROWITZ

Date: _____

7/25/24

Notary:

Notary Signature: _____



Date: _____

7/25/24

DISCLOSURE FORM

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

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

Name of Applicant or Opponent: Alpharetta Hotel Holdings, 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: None/Not applicable 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: _____

Steven Hurowitz

Date: _____

7/25/24

13

ALPHARETTA PLANNING COMMISSION REVIEW CRITERIA

How will this proposal be compatible with surrounding properties?

The subject Property is part of Mayfair at Webb Bridge Association, Inc. which includes three distinct parcels (hotel, community center and office parcels). The subject Property is not only compatible with surrounding properties but was previously entitled for hotel development

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

The Property is currently vacant land. The development of the property should positively affect surrounding properties by providing an upscale product that can serve Alpharetta businesses, residents, leisure and business travelers. The hotel use is compatible with the two other uses (community center and office) in the Mayfair at Webb Bridge Association.

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

Current capital markets have resulted in a challenging environment for hotel construction. The Owner is, therefore, pursuing a strategy of giving the Property a competitive advantage, which should facilitate obtaining capital and financing. As such, the Owner is requesting approval to develop the subject Property as "hybrid hotel" (to allow up to 30% of guest rooms for longer stay units, specifically Apartments by Marriott Bonvoy or "AMB"). The combination of the AMB component with standard Tribute Portfolio guestrooms should serve to differentiate the hotel with an upscale product that does not currently exist in the City of Alpharetta.

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

No population increase is anticipated. No additional impact to traffic is anticipated (proposed development is a hotel building, which was previously approved for the subject Property)

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

No impact to schools is anticipated. No additional impact to utilities is expected (proposed development is a hotel building, which was previously approved for the subject Property)

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

The hybrid hotel provides an opportunity to meet the demands of businesses and the community for lodging accommodations designed for a mix of short and longer-term business and leisure travelers. The Alpharetta Horizon 2040 Comprehensive Plan mentions guiding development "to areas where infrastructure is available concurrent with development". The subject hybrid hotel is part of a larger parcel, which is currently improved and has infrastructure (parking, lighting, drainage, etc) in place. Further, the Comprehensive Plan supports employment centers. The proposed Marriott dual branded hotel, will (once operating) generate permanent hospitality related jobs. The subject Property has O-I zoning and the proposed hotel is a commercial use that can serve area businesses by providing visiting corporate employees with an elevated stay experience and the consistency of the Marriott brand.

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

The proposed hybrid building is intended to capitalize on changing market conditions which have seen a blending of leisure and business travel and on travelers seeking experiential travel that connects with the local community when traveling. The blending of two Marriott brands in the same building should meet changing market needs. Tribute Portfolio is known as an upscale soft brand catering to travelers seeking an independent boutique experience. Apartments by Marriott Bonvoy is a newer brand intended to appeal to growing consumer interest for more space and the desire among younger travelers for wider accommodation options.

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: Marriott Hybrid Building

Contact Name: Jason Joseph and Gloria Fernandez Telephone: 678.521.6070/305.602.3064

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.

Mayfair at Webb Bridge Association, Inc

Webb Bridge Investments, LLC

Webb Bridge Investments II, LLC

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.

Notice Letter will provide Applicant contact information (which will include a phone number and email address)

ADDENDUM To PUBLIC HEARING APPLICATION

Master Plan Amendment /Conditional Use Approval of Hybrid Hotel

Proposed Dual-Brand Hotel at Parcel Located at the corner of Webb Bridge Rd. and Morris Rd.



Prepared 7/25/2024

HB Capital Group

16701 Collins Avenue, Sunny Isles Beach, FL 33160

ADDENDUM to APPLICATION

Table of Contents

Letter of Intent

- Overview and Q & A
- Preliminary Elevations and Renderings
- Examples of Area Marriott Tribute Hotels
- Highlights of Apartments by Marriott Bonvoy units and Interiors
- Contact Information

Supporting Documents

- Location Map
- Legal Description
- Survey
- Plat
- Site Plan
- Evidence of payment of taxes
- Evidence of no outstanding code violations

Fees

- Check for \$750.00 (Conditional Use fee)
- Check for \$750.00 (Master Plan Amendment)
- Check for \$325.00 (advertising fee)

LETTER OF INTENT

OVERVIEW

Introduction

Alpharetta Hotel Holdings, LLC is the Owner of a commercial property (tax folio: 22-5460-1262-149-2) consisting of +/- 0.6 acres (the "Property"), located at the corner of Webb Bridge Road and Morris Road, in Alpharetta, Georgia. This land is part of a master plan project known as Mayfair at Webb Bridge development. Originally, the intended development plan for this parcel was for a hotel. The City of Alpharetta approved a hotel project in 2018 and, in May 2020, approved an exterior facade material change.

Construction of this project was poised to begin in April of 2020. However, the arrival of the COVID-19 pandemic interrupted these plans. Capital markets have changed since the land was acquired and entitled, leading the ownership group to seek alternatives for the parcel. Currently, the desire is to bring a viable hotel flag and more upscale product to this prime land parcel in Alpharetta, to which we remain committed to develop.

The Vision

The search for alternatives led to interest from Marriott for a full-service Tribute Portfolio brand hotel (as the primary use), with a curated on-site restaurant for food and beverage. Additionally, a corporate residential component is envisioned to be incorporated into a portion of the building, as an accessory use. This component is a recently developed Marriott premium product called Apartments by Marriott Bonvoy or "AMB". It is anticipated that no more than 30% of the total units at the proposed hotel building would be dedicated to the AMB component. Marriott has issued applications for this dual concept and is expected to follow with a Franchise Agreement.

The Owner's vision is to differentiate the Property by a) developing a dual-branded or "hybrid" hotel with upscale brand concepts and b) providing Alpharetta with an innovative product type that does not currently exist in the City. This hybrid hotel product will be able to service longer stay corporate travelers and other guests, with an elevated stay experience. At this time, we respectfully request a Master Plan Amendment and Conditional Use Approval for development of a hybrid hotel on the subject Property (with Marriott brands or the equivalent).

The Brands

- **Marriott International** has the largest footprint of any hotel company and an extensive loyalty program. Marriott oversees multiple brands across the globe, ranging from classic, boutique hotels, luxury properties, all-inclusive resorts and longer stay properties.

- **Marriott Tribute Portfolio** is a distinctive full-service brand made up of hotels for independent and spirited business and leisure travelers. Tribute Portfolio brands are hotels with character. These properties are defined by striking design elements, bold use of color, and art installations. There's a focus on social spaces to bring people together and with experiences that connect guests to the surrounding community.
- Marriott recently introduced a **Marriott Bonvoy residential** brand that offers premium, and luxury stays. The brand's mission is to provide larger units, with residential amenities, furnished in a locally inspired aesthetic reflective of the surrounding neighborhood. Guests not only have more space but also access to hotel common areas and amenities. The brand experience is designed for travelers who enjoy unique, local experiences and don't require (but have available) all the services and amenities associated with a traditional premium hotel stay. This Marriott brand is not considered select-service or an extended stay hotel product.
- The premium branded residential units can take advantage of Marriott's distribution and loyalty program. Properties benefit from Marriott's powerful, global infrastructure and can reach the **Marriott Bonvoy** membership base (one of the world's most celebrated loyalty programs and most valuable guest database).
- The concept of providing elevated living spaces with a sense of home and independence is meant to appeal to families (*space for the family and separate bedrooms for the children*), friend groups (*space to be together or privacy when it's time to retreat*) and business travelers with longer stays (*space to get work done while feeling at home and extending the stay to include family*).

QUESTIONS and ANSWERS

Why a dual brand?

Dual-branded projects incorporate two or more brands that share a building envelope, driving operational efficiencies without compromising the brand experience. This type of property offers consumers options to choose different experiences at a single property, provides more capacity in high-demand locations and offers an elevated level of shared amenities. The proposed project will be dual-branded, incorporating both a full-service Tribute Portfolio Hotel and the AMB serviced residences brand developed by Marriott in 2022.

Incorporating upscale residences in the building provides an innovative product type that serves to differentiate the Property from traditional hotels and allows it to respond to growing consumer demand (as travelers increasingly look to blend work and leisure). A wider range of customers can be targeted with the dual brand.

Who is the target customer?

Both brands enjoy the power of Marriott's loyalty and reservations platforms. Both brands emphasize stylish design and independence.

Tribute-Customers who seek authentic experiences and value hotels that connect with the surrounding community and show off their individual identities. Brand targets the rise of experiential travel.

AMB-Brand mission is to provide elevated premium residences with a sense of home and independence. Space is as distinct as the destination. Brand targets travelers planning vacations and longer business trips today who are seeking more choice in accommodations. Target audiences include the longer stay business travelers, friend groups and families.

Where can I see similar properties?

The Tribute Portfolio is spread across North America, Europe, Asia and Africa. For additional information, see <https://tribute-portfolio.marriott.com>. Photographs of several Tribute Portfolio properties in Georgia are included in this narrative and depict the independent and unique character of each property.

Apartments by Marriott Bonvoy is a newer concept/brand, initially announced at the end of 2022. An example of an existing AMB property is Casa Costera, in Isla Verde Puerto Rico. Other examples include two planned AMB properties. One is by Midas Hospitality for a 50-unit AMB property (situated in a historic building) that will be co-located with a new Sheraton hotel in downtown St. Louis. Reportedly, this property will feature a dedicated hotel entry/check-in and guests will be able to use the hotel's services and amenities. The other is a conversion by The Roxbury Group of an existing 12 story building in midtown Detroit, anticipated to open in the latter part of 2024 as a +/- 92-unit AMB property. For further information, see [https://news.marriott.com/news/2024/01/24/Marriott International Announces Global Growth of Apartments by Marriott Bonvoy Portfolio](https://news.marriott.com/news/2024/01/24/Marriott_International_Announces_Global_Growth_of_Apartments_by_Marriott_Bonvoy_Portfolio).

What common area amenities will be offered?

Full-service restaurant with independent entrance, operated either by the hotel or a third-party

Meeting space

Exercise/gym area

Outdoor area

Lobby, staffed 24 hours

How large is the proposed Building?

Total of 148 rooms, spread over a 5-story building situated on a similar building footprint as the previously approved hotel (see enclosed site plan).

What is the proposed unit mix?

No more than 30% of the Building (or up to 44 rooms) is earmarked for AMB units. Building floor plans are not available at this time and, therefore, the exact unit mix has not yet been determined. It should be noted below that the brand standard offers a mix of unit sizes ranging from studios to larger 3-bedroom units.

Studio (1-2 guests)/1 bath min	450-700 sf
1 Bed (1-4 guests)/1 bath min	700-1,000 sf
2 Bed (2-6 guests)/1-2 bath min	1,000-1,400 sf
3 Bed (3-8 guests)-2-2.5 bath min	1,400-1,600 sf

AMB units to offer customers more space, a fully equipped kitchen with oven and full-size appliances, washer and dryer in unit, functional bedroom and upscale living space in what Marriott considers to be the premium lodging tier.

The remainder of Building will be Tribute Portfolio hotel rooms (Tribute’s standard room size is 240 square feet for a king and 270 square feet for a double queen)

The proposed dual brand property is designed as an “L” shaped building, potentially allowing the AMB units to be grouped on one side of the building (as opposed to having the units on multiple floors throughout the building).

As mentioned, floor plans are not available. The proposed building is expected to be a custom type of building due to the dual brand nature of the project. The floor plans can be prepared once the building design is further developed and once entitlements are obtained. It should be noted that the Applicant has already spent considerable sums for architectural plans for the previously approved hotel, which unfortunately were not used as that project did not move forward.

What design is being proposed?

The brand promise is for an upscale design with a locally inspired aesthetic. The final design and aesthetics of the Building will be subject to review by Marriott and will come before the City’s Design and Review Board for approval at a later date.

How does the proposed development comply with the hybrid hotel Conditional Use Permit approval requirements?

- 1) The minimum lot or development size for hybrid hotel is three (3) acres
The proposed hybrid hotel meets this requirement. The subject Property is a part of the Mayfair at Webb Bridge development, which encompasses approximately 13 acres.
- 2) The building shall contain no more than thirty percent (30%) of guest rooms for long-term stays.
The proposed hybrid hotel will comply with this requirement by limiting the Apartments by Marriott Bonvoy units to no more than 30% of the total unit count.
- 3) Building shall be rated by Forbes or AAA as 4 stars or better
The proposed hybrid hotel brings together two concepts from the Marriott brands (or the equivalent) that are both considered premium, upscale brands.
- 4) Building or development shall have a minimum 60,000 square foot conference room or minimum 60,000 square foot event space, or minimum 60,000 square foot group meeting space with banquet facilities.
The proposed hybrid hotel meets this requirement. It is part of the Mayfair at Webb Bridge development which includes a 62,500 square foot community and event center.
- 5) Building shall have a minimum 3,000 square foot sit-down restaurant with table service.
As evidenced by the enclosed building elevations, the building will include a restaurant with a separate entrance that meets the square footage threshold. This restaurant is intended to be a table service facility, managed either by hotel staff or a third party.
- 6) All guestrooms which have facilities for the refrigeration and preparation of food by guests shall have a minimum of four hundred square feet (400 sq. ft.) of floor area.
The brand standard for Apartments by Marriott Bonvoy (which includes full size kitchen and appliances) offers a variety of unit sizes, ranging from studios to larger 3 bedroom units. The proposed hybrid building will comply with the 400 square foot minimum requirement.
- 7) A minimum of 15% of the gross area of the lot must be designed and used as outdoor amenity space. Outdoor amenity spaces may only be used for the following types of active and/or passive recreational uses: yards or lawns available for unstructured recreations; gardens; hardscape areas or walkway paths for pedestrian enjoyment (but excluding any improvements serving parking areas), which may include pergolas, gazebos, benches and exercise or play equipment; pool areas; tennis courts; basketball courts and similar

recreational facilities; and playgrounds designed and equipped for the recreation of children, which must be fenced and include an open shelter. However, outdoor amenity space shall not include any other required open areas such as required building setbacks, buffers, landscape strips or other similar requirements of the Ordinance or other applicable laws.

The subject land parcel is approximately 0.623 acres, with 15% of the gross area of lot area equating to approximately 3,900 square feet. The hybrid hotel building will have sufficient outdoor amenity spaces to meet this threshold. Additionally and of noteworthy interest, is that the Mayfair at Webb Bridge development, of which the Property is a part, includes outdoor green space.

- 8) All such buildings shall provide a minimum fifty-foot (50') buffer from any property zoned for a "For Sale" or "For Rent" dwelling use.

The proposed hybrid building will comply with this requirement. The subject land parcel is surrounded by a parking lot a community center and a future office parcel, all of which are commercial uses that are a part of the Mayfair at Webb Bridge development.

- 9) Access to each guest room shall be through an inside lobby which is supervised at all hours the building is open.

All guest rooms (Apartments by Marriott Bonvoy and Tribute standard hotel rooms) will be accessed through a supervised lobby, as shown on the enclosed preliminary elevations.

- 10) Number of Vehicle Parking Spaces required: One (1) space for each short-term guest room and two (2) spaces for each long-term guest room, plus 1 employee space for each 20 guest room, plus one space per 500 sq. ft. of space used for convention rooms, ballrooms, restaurant and/or retail shops.

The proposed hybrid building is part of the Mayfair at Webb Bridge mixed-use development, a project that has three distinct uses (hotel, office, community center), each with different peak times, sharing one parking lot, This development was entitled with sufficient parking to serve all three uses and has a Property Owners Association which operates the common, non-exclusive parking lot.

Who We Are

The Ownership group is a partnership of various individuals with real estate development and hospitality experience. Local market knowledge and services are provided by an Alpharetta based developer. Mr. Steven Hurowitz (a Florida based principal of HB Capital Group or "HB") is, along with his associates, an active participant in the subject development. HB is a privately held real estate investment company headquartered in Miami, Florida. The company specializes in the acquisition and asset management of value-add hospitality, retail, residential, office, and industrial assets in primary and secondary markets throughout the United States. Notable properties owned by the principals of HB include the two properties shown in the section that follows.

Ann Arbor Marriott Ypsilanti at Eagle Crest-a luxury Marriott resort property located in Michigan, on Eagle Crest Golf 18-hole championship course and Ford Lake.



Newport Marriott Beachside Hotel & Resort- a privately owned full-service beachfront resort located in the City of Sunny Isles Beach, in the area of North Miami Beach in South Florida.



LETTER OF INTENT

PRELIMINARY ELEVATIONS

- Overall direction: Attractive building that is attuned to the surrounding area
- Materials: Use of brick (speaks to the Alpharetta aesthetic/history) and liberal use of glass on the building (a more modern reference to technology)
- Compatibility: Building materials that are compatible with neighboring property.
- Amenities: Patio area and a ground floor restaurant with a separate entrance.
- Footprint: Similar as the footprint of the former hotel that was approved for the Property
- Height: Same as the former hotel that was approved for the site (5 stories)



Please reference architectural presentation <https://www.dropbox.com/t/cbBkXKGe7hP6I7vt> from Matt Mitchell Design. Note that renderings are conceptual.

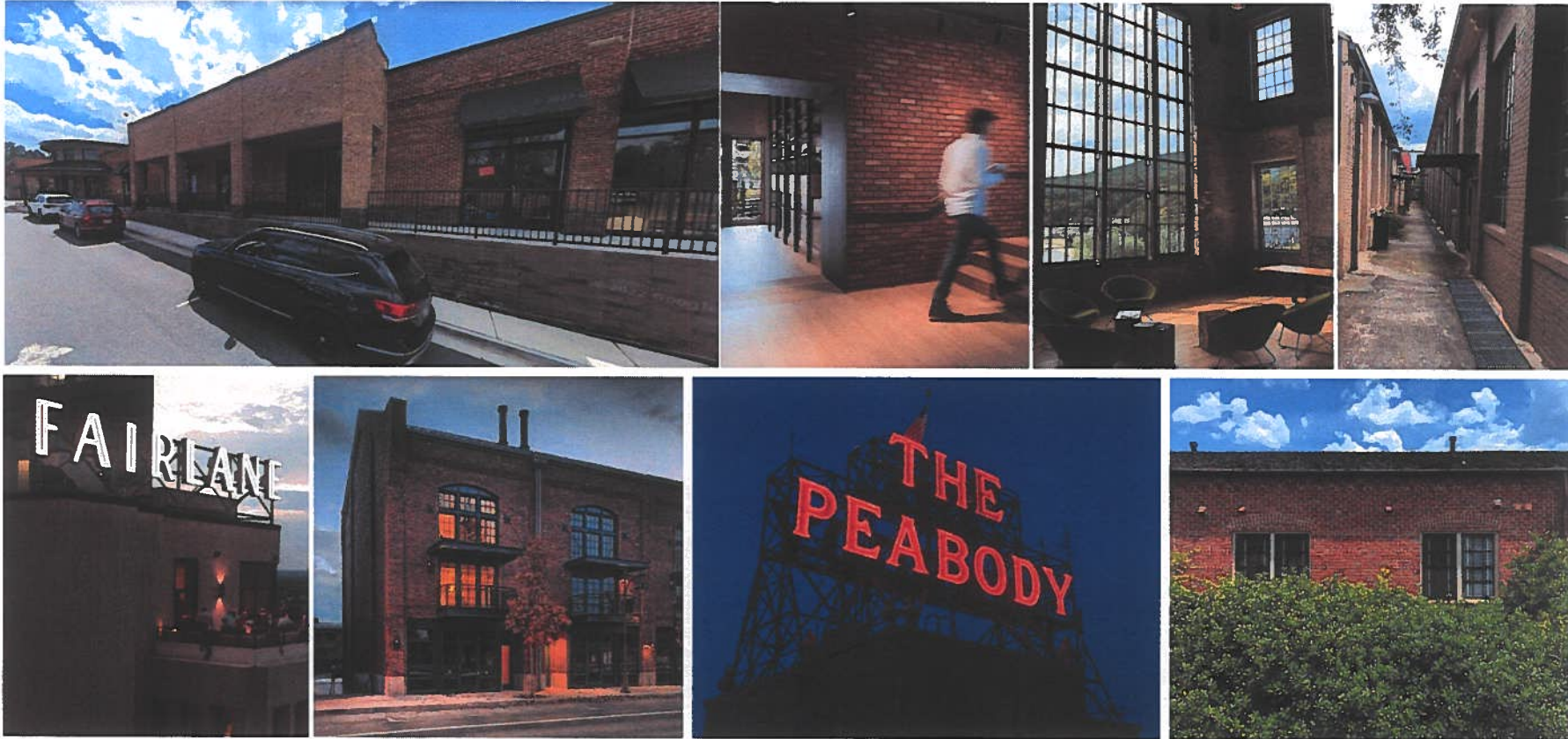


MORRIS ROAD
DUAL BRAND HOTEL
Alpharetta GA

CONCEPT PACKAGE
7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



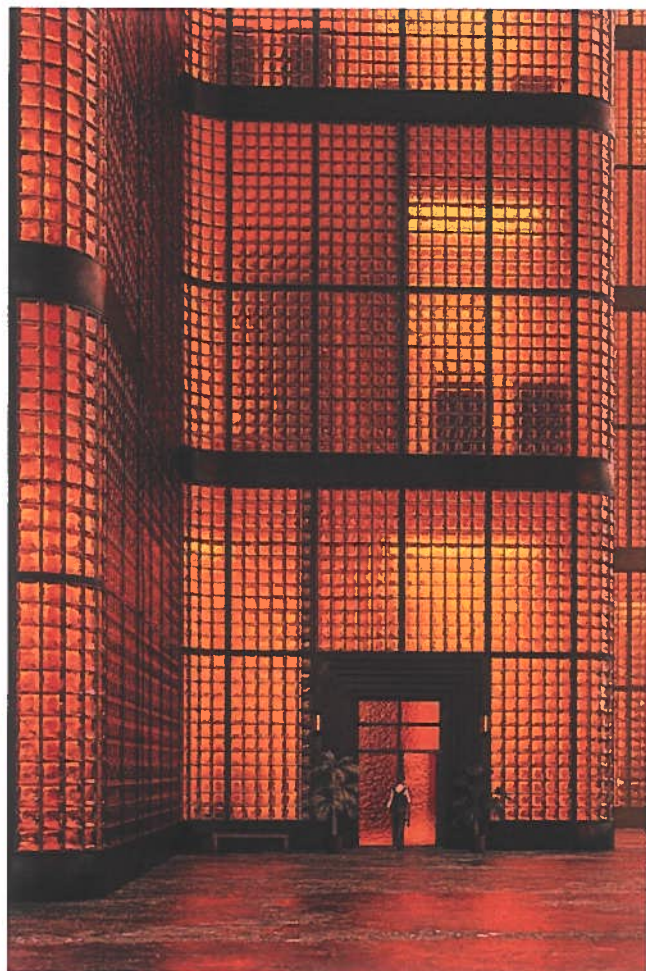
INSPIRATION IMAGES

SK1

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



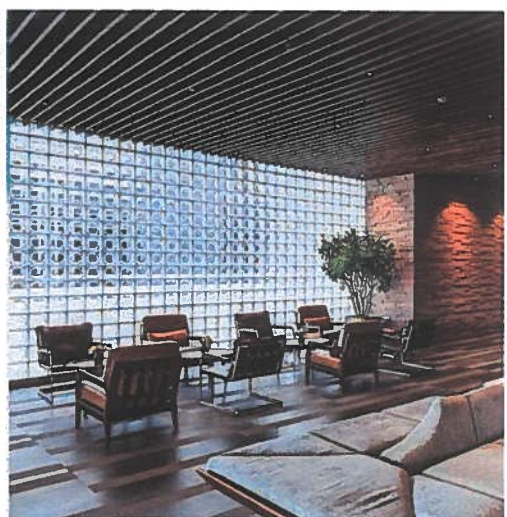
INSPIRATION IMAGES

SK2

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



INSPIRATION IMAGES

SK3

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA



INSPIRATION IMAGES

SK4

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA



1 North-West Aerial View
NOT TO SCALE

SK5

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA



1 North-East Aerial View
NOT TO SCALE

SK6

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



1 North-East Pedestrian View
NOT TO SCALE

SK7

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA



1 North-West Pedestrian View
NOT TO SCALE

SK8

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



1 Lawn Pedestrian View
NOT TO SCALE

SK9

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



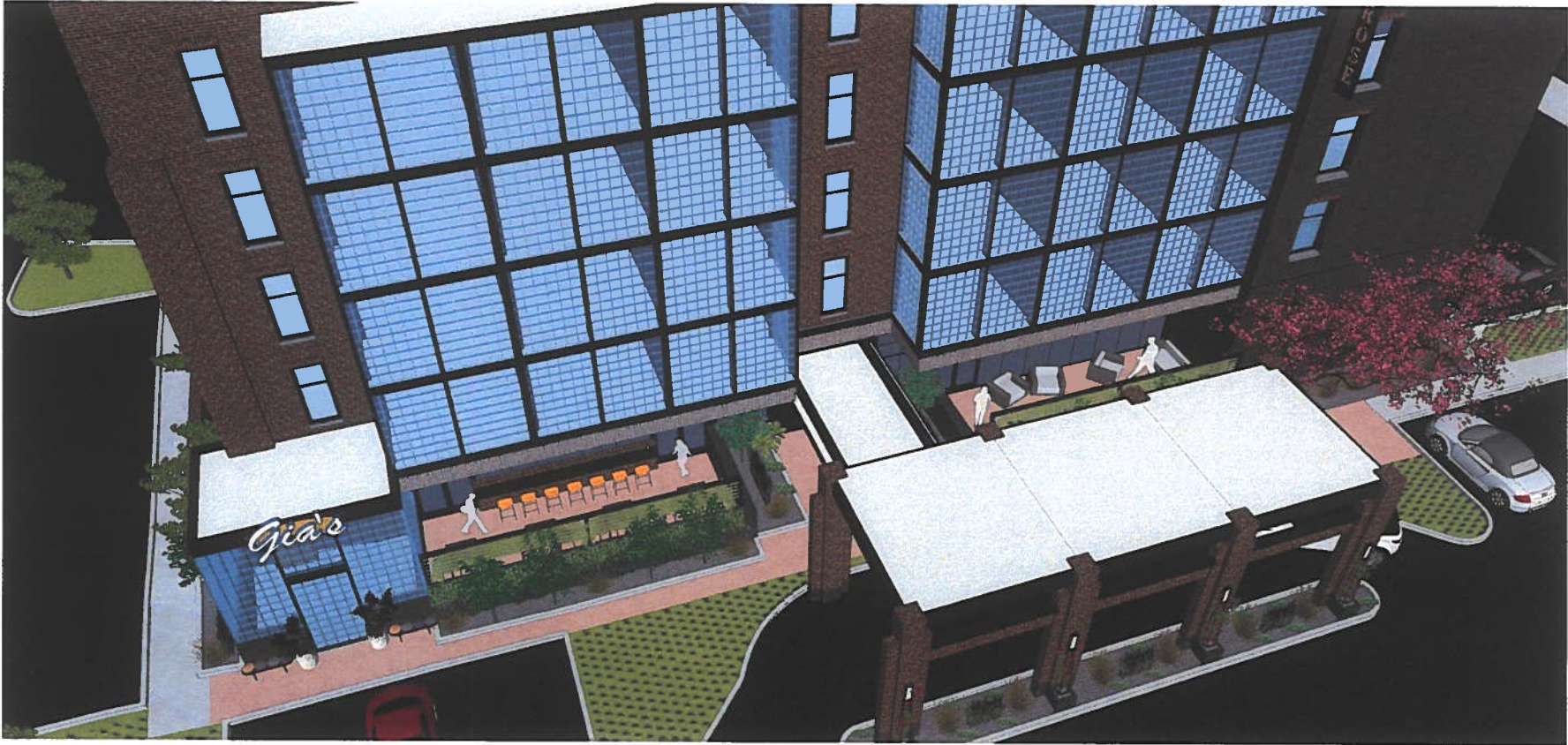
1 Lawn Pedestrian View
NOT TO SCALE

SK10

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



1 Entry Aerial View
NOT TO SCALE

SK11

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



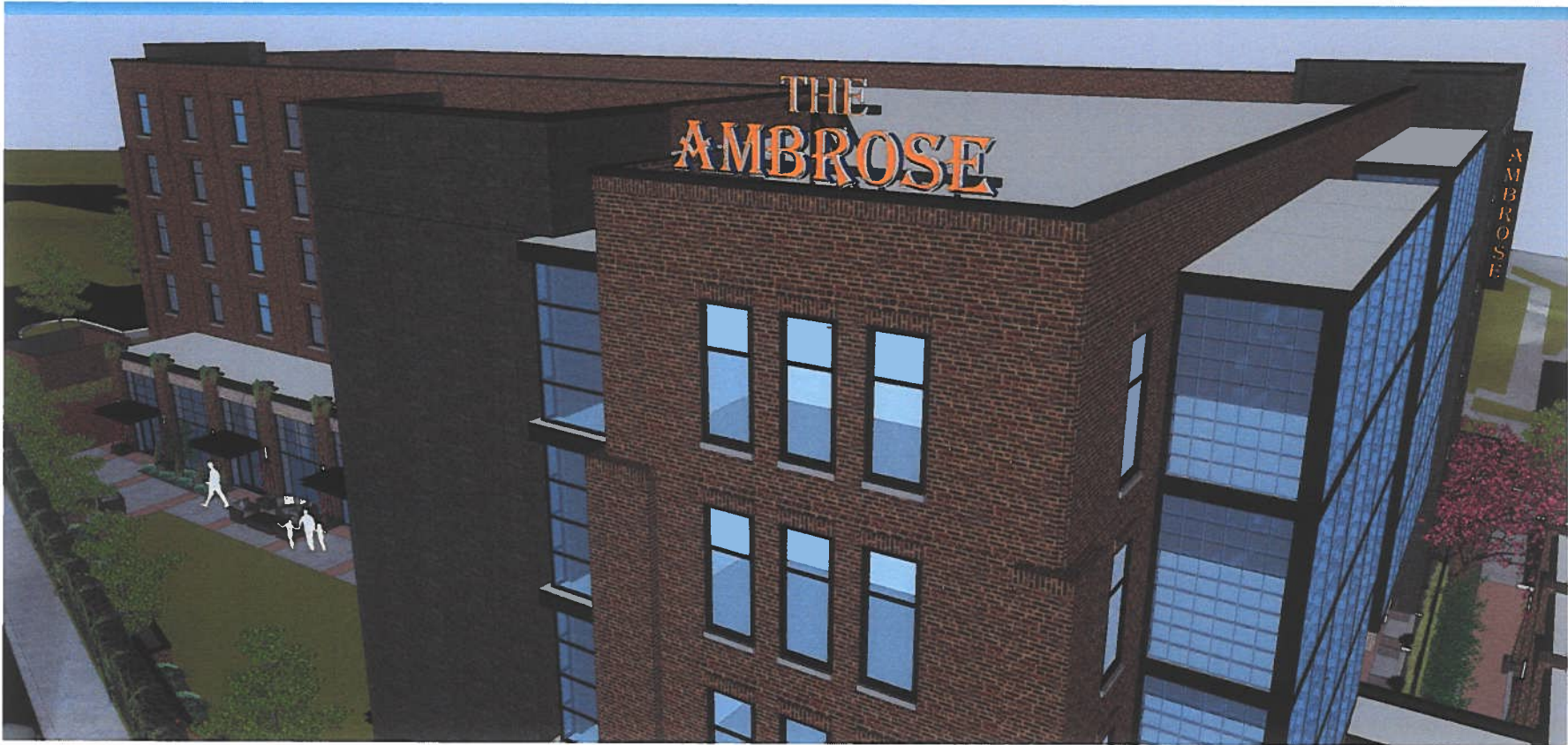
1 Front Entrance Perspective
NOT TO SCALE

SK12

7/17/2023

MORRIS ROAD
DUAL BRAND
HOTEL
ALPHARETTA, GA

Matt
Mitchell
Design



1 Roof Sign Perspective
NOT TO SCALE

SK13

7/17/2023

LETTER OF INTENT

EXAMPLES OF AREA MARRIOTT TRIBUTE HOTELS

(Source: Marriott.com)

Bellyard, West Midtown Atlanta



One of Atlanta's most unique hotels, set in one of the city's most fascinating neighborhoods. Bellyard, West Midtown Atlanta, a Tribute Portfolio Hotel is located in the heart of where Atlanta's old stockyards and railway used to be; this time period and its history is given recognition with thoughtfully designed elements throughout the hotel.

Ellis Hotel, Atlanta



Ellis Hotel is a chic, eco-friendly boutique hotel located in the heart of downtown Atlanta. With a coveted Peachtree Street address near Atlanta's top attractions and sights, this historic landmark hotel exudes southern sophistication blended with old fashioned hospitality.

Hotel Forty-Five, Macon



A 94-room historic boutique hotel in downtown Macon, Georgia is located on a unique 45-degree angle that is the result of Cotton Street's diagonal trajectory through Macon, an urban design ahead of its time that made transportation of cotton barges to and from the river possible. Hotel Forty-Five showcases two event venues and three dining outlets; Loom, a signature chef-driven restaurant; Hightales Rooftop Bar, a sixth-floor lounge; and Reckon Coffee & Wine Bar.

The Burgess



Nestled in the heart of Atlanta's Buckhead district, the Burgess provides a luxury experience with carefully curated interiors, furnishings, original artwork, and exquisite finds from Asia and beyond. The Burgess takes dining to new heights by offering some of the hottest fare in Buckhead. Fia Restaurant features an assortment of fresh, locally sourced ingredients masterfully prepared over a flickering wood burning fire.

The Alida, Savannah



At the Alida, Savannah, a Tribute Portfolio Hotel, timeless Southern charm seamlessly merges with modern luxury on the riverfront in downtown Savannah, GA. Step things up on the hotel rooftop at the Lost Square, an extraordinary bar experience with sweeping views of downtown Savannah, the riverfront and the Historic District.

LETTER OF INTENT

HIGHLIGHTS of APARTMENTS BY MARRIOTT BONVOY-TM

EXAMPLES of ROOM INTERIORS

(Source: Marriott.com)

Positioning

Space as distinct as the destination

Brand Mission

Provide space to live, with residential amenities and a neighborhood feel

Customer Target

Business travelers with longer stays, friend groups, extended families

Brand Promise

Marriott Bonvoy

Upper-upscale and luxury living space

Reflection of the neighborhood

Branding & Design Approach

Independently branded and designed

Furnished, locally inspired aesthetic, driven by independent brand

Brand Tier

Premium and Luxury





Marriott International Introduces Apartments by Marriott Bonvoy, Responding to Growing Consumer Demand As Travelers Increasingly Blend Work and Leisure

New offering expected to spur development opportunities globally

Marriott International, Inc., today announced its expansion into apartment-style accommodations with the launch of Apartments by Marriott Bonvoy™. The company is seizing upon growing consumer interest among families and friends seeking more space for stays, propelled by the blending of work and leisure travel, and the desire among younger travelers for wider accommodations options.

Marriott is building upon its 26 years of experience with Marriott Executive Apartments, its serviced-apartment brand in Asia, Europe, Middle East, Africa, and Latin America. With the introduction of Apartments by Marriott Bonvoy, the company expects it will enhance portfolio growth globally and bring the serviced-apartment concept to Marriott guests in the U.S. and Canada.

“Travelers planning vacations and long business trips today are seeking more choice in accommodations, and the introduction of Apartments by Marriott Bonvoy responds to those trends while offering developers a premium product backed by our trusted name and distribution platform,” said Stephanie Linnartz, President, Marriott International. “With Apartments by Marriott Bonvoy, guests will be able to shop a wider array of accommodation options within the Marriott Bonvoy portfolio, growing their loyalty to the portfolio and its range of brand offerings.”

Marriott plans to introduce Apartments by Marriott Bonvoy in the upper-upscale and luxury segments, distinguished from Marriott’s existing extended-stay brands, with distinctly designed products that reflect the local neighborhood for independent travelers seeking more space and residential amenities. Apartments by Marriott Bonvoy will feature a separate living room and bedroom, full kitchen, and in-unit washer and dryer, but will be differentiated from Marriott’s existing extended-stay brands by not providing certain traditional hotel services such as food and beverage, meeting spaces, and retail. Apartments by Marriott Bonvoy is anticipated to offer developers the flexibility to build new properties or convert existing properties, with a design

approach similar to the company's successful Autograph Collection and Tribute Portfolio lodging brands, which offer consumers independent, uniquely distinguished hotel experiences. Apartments by Marriott Bonvoy will be backed by Marriott's powerful reservations engine and Marriott Bonvoy, the company's award-winning travel program with 173 million members.

Among travel consumers and Marriott Bonvoy members, there is a growing desire for premium accommodations that provide home-like amenities as travelers combine work and leisure trips to reconnect with family and friends. According to Phocuswright research, three of the top five reasons for selecting an apartment-style rental are more room or space, access to a full kitchen and laundry, and home-like feel.¹

Prospective developers can learn more about Apartments by Marriott Bonvoy and all the company's brands on Marriott's development [website](#). Offer and sale by prospectus only.

[1] *Through the Roof: U.S. Short Term Rentals 2021*, Phocuswright, January 2022

(Source: news.marriott.com)

LETTER OF INTENT

CONTACT INFORMATION

We sincerely appreciate your consideration of this request for Conditional Use permit approval and a Master Plan Amendment. We are available to answer any questions you may have or to provide any additional information that may be required to evaluate this request.

Gloria Fernandez

HB CAPITAL GROUP

16701 Collins Avenue

Sunny Isles Beach, FL 33160

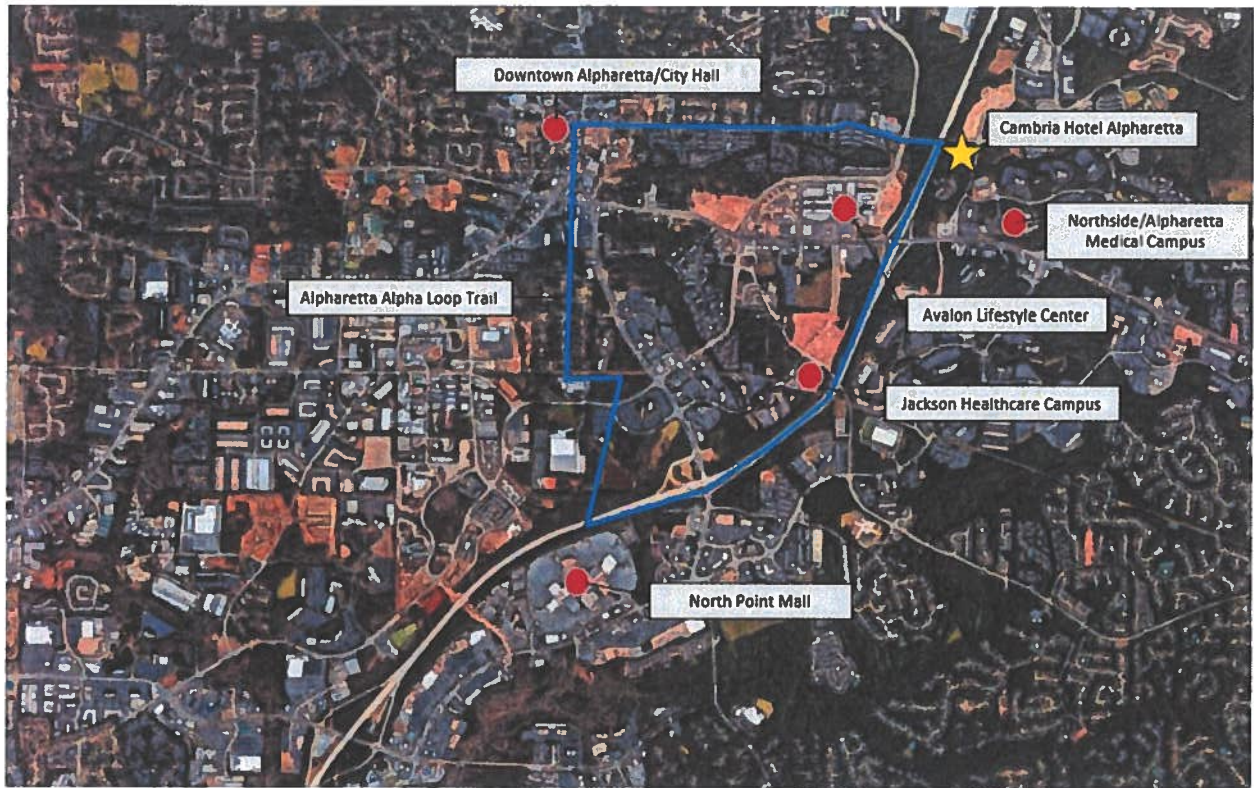
gfernandez@hbcapital.com

305.602.3064

SUPPORTING DOCUMENTS

- **Location Map**
- **Legal Description**
- **Survey**
- **Plat**
- **Site Plan**
- **Evidence of payment of taxes**
- **Evidence of no outstanding code violations**

LOCATION MAP



LEGAL DESCRIPTION

LEGAL DESCRIPTION HOTEL PARCEL

ALL THAT TRACT OR PARCEL OF LAND lying and being in part of Land Lot 909 of the 1st District, 2nd Section and Land Lots 1262 of the 2nd District, 2nd Section, City of Alpharetta, Fulton County, Georgia, and being particularly described as follows:

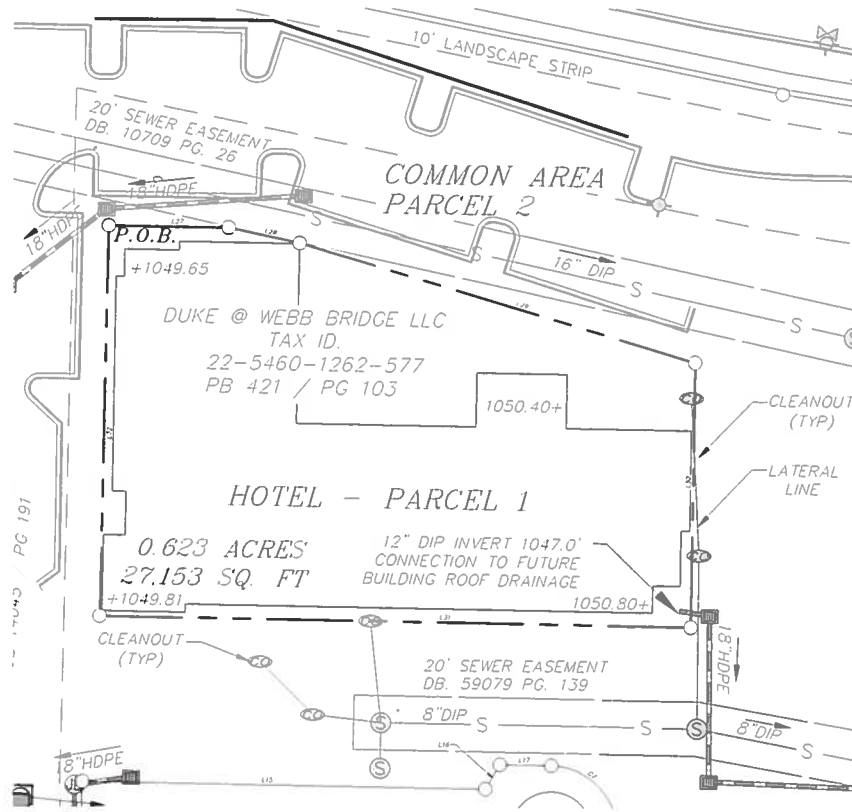
To find the TRUE POINT OF BEGINNING, commence at a concrete monument found located at the intersection of the easterly Right-of-Way (R/W) line of Georgia 400 (Public, R/W varies), and the southerly R/W line of Webb Bridge Road (Public, R/W varies), said concrete monument having Georgia State Plane Coordinates (NAD83) Northing-1482207.99 and Easting-2265798.71; thence along a direct tie, South 80 degrees 29 minutes 27 seconds East a distance of 503.42 feet to a point and the TRUE POINT OF BEGINNING, from the TRUE POINT OF BEGINNING as thus established; thence South a distance of 43.92 feet to a point; thence South 11 degrees 27 minutes 6 seconds West a distance of 26.55 feet to a point; thence South 15 degrees 41 minutes 3 seconds West a distance of 151.42 feet to a point; thence West a distance of 97.11 feet to a point; thence North a distance of 216.52 feet to a point; thence South 89 degrees 40 minutes 52 seconds East a distance of 143.32 feet to a point and the TRUE POINT OF BEGINNING.

Said tract containing 0.623 acres (27,153 square feet).

SURVEY

Hard copy on page that follows

Enclosed electronically in PDF format



- LEGEND**
- 1" 12" 18" 24" 36" 48" 60" 72" 84" 96" 108" 120" 132" 144" 156" 168" 180" 192" 204" 216" 228" 240" 252" 264" 276" 288" 300" 312" 324" 336" 348" 360" 372" 384" 396" 408" 420" 432" 444" 456" 468" 480" 492" 504" 516" 528" 540" 552" 564" 576" 588" 600" 612" 624" 636" 648" 660" 672" 684" 696" 708" 720" 732" 744" 756" 768" 780" 792" 804" 816" 828" 840" 852" 864" 876" 888" 900" 912" 924" 936" 948" 960" 972" 984" 996" 1008" 1020" 1032" 1044" 1056" 1068" 1080" 1092" 1104" 1116" 1128" 1140" 1152" 1164" 1176" 1188" 1200" 1212" 1224" 1236" 1248" 1260" 1272" 1284" 1296" 1308" 1320" 1332" 1344" 1356" 1368" 1380" 1392" 1404" 1416" 1428" 1440" 1452" 1464" 1476" 1488" 1500" 1512" 1524" 1536" 1548" 1560" 1572" 1584" 1596" 1608" 1620" 1632" 1644" 1656" 1668" 1680" 1692" 1704" 1716" 1728" 1740" 1752" 1764" 1776" 1788" 1800" 1812" 1824" 1836" 1848" 1860" 1872" 1884" 1896" 1908" 1920" 1932" 1944" 1956" 1968" 1980" 1992" 2004" 2016" 2028" 2040" 2052" 2064" 2076" 2088" 2100" 2112" 2124" 2136" 2148" 2160" 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PLAT

Hard copy on page that follows

Enclosed electronically in PDF format

[illegible]

Curve #	Length	Radius	Chord Direction	Chord Long
C10	102.63	633.00	S75° 13' 44"W	102.53
C12	141.61	633.00	S26° 18' 59"W	141.31
C14	38.01	80.00	S54° 40' 34"W	38.75

Curve #	Length	Radius	Chord Direction	Chord Length
G20	53.98	75.00	S34° 04' 24"W	54.69

L15	147.75	\$00-00-00-00
L16	18.39	\$40-00-00-00
L17	18.81	\$00-00-00-00
L18	138.64	\$00-00-00-00

Line #	Length	Direction
L23	503.42	S80°29'27"
L24	130.21	S34°24'40"
L25	580.38	S30°16'44"

[illegible]

MINOR PLAT

CRANK: B.C. 0725
CASE NO. 17-2534-208
FILE NO. 17-2534-208
DATE: 11-25-56
SCALE: 1"=25'
25 50 75 100

MAYFAIR AT WEBB BRIDGE

AND LOT(S) 909, 1262 AND 1263
DISTRICT 1st 2nd SECTION

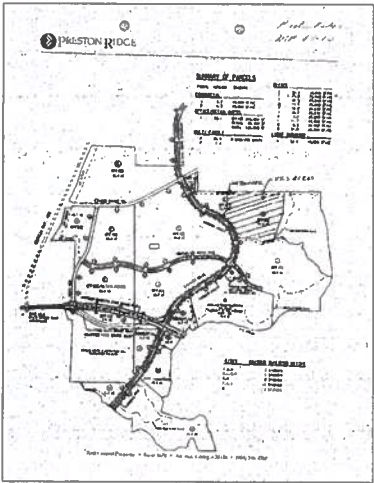
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 • CIVIL ENGINEERING • LAND SURVEYING

• WWW.HCH.COM • 11400 10TH CENTURY CIRCLE, SUITE 200
 1272453 2141 • WWW.HCH.COM

Plat Book 421 Page 105



CONTINUED

MINIMUM AIR POLLUTION ATTRIBUTES OF EACH FUEL - 2 (Page 2)

NOB POLLUTION:	0
LAND USE CLASSIFICATION:	0-1
SIZE IN ACRES:	13.7
UTILIZATION USED:	66 Schedule A
ANNUAL RAINFALL:	77,000 square feet per acre
RAINFALL:	4 cove per 1,000 square feet
RECEIVED RAINFALL:	
RECEIVED:	Chickadee Wood 11 feet Oregan Valley 600 - 130 feet Marble Head 10 feet Chickadee 11 feet
RECEIVED RAINFALL:	0 inches.
RECEIVED RAINFALL:	100 feet (contaminated) used to replenish contaminated water
OTHER FACTORS:	Refill will not be considered if adjacent property is contained before contamination begins
CHICKADEE WOOD FUEL	
CHICKADEE WOOD FUEL:	None

PAGE 1 OF 1

[illegible][illegible][illegible]

REV	DATE	DESCRIPTION	BY
1	05/31/19	SEE REMOVAL NOTE ON THE COVER	WCS

MINOR PLAT

DRAWN BY: U25
 CHECKED BY:
 FILE NO: 12502 OAB
 DATE: 12/20/87 10 20:14
 SCALE: 1"=50'

FULTON COUNTY
GEORGIA

of
MAYFAIR AT WEBB BRIDGE

QTY OF ALPHABETIC

LAND LOT(S) 909, 1262 AND 1263
DISTRICT 181, 2ND SECTION

PLANNERS AND ENGINEERS COLLABORATIVE
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TEL: 312.467.1100 • FAX: 312.467.1101 • WWW.PECSOLUTIONS.COM

LAND USE CLASSIFICATION:									
POD DESIGNATION:	COMMERCIAL		D.B.I.			LI		RSC	
	A	B	C	E	F, G, H, I, J, K, L, M, N, O	P	I (PSC)	Q	P
Specific Uses:									
Facilities (except livestock, poultry)									
Facilities (including livestock, poultry)									
Picnication									
Florist, Retail					X (Not in G)				
Florist, Retail w/Greenhouse		X							
Golf Course, Driving Range		X			X Only in G				
Golf, Maintenance					X Only in C				
Greenhouse, Nursery		X			X (Not F, F, T, J, G, G)				
Heliport Public/Private									
Home-Industry, Children, Nursing					X Only F, F, T, J, G, G				
Hospital		X							
Hotel		X							
Jump Vests		X							
Kennel									
Laboratory, Research Commercial									

Page 4 of 7

LAND USE CLASSIFICATION:									
POD DESIGNATION:	COMMERCIAL		D.B.I.			LI		RSC	
	A	B	C	E	F, G, H, I, J, K, L, M, N, O	P	I (PSC)	Q	P
Specific Uses:									
Laundry, Self-Serve, Pick-Up									
Laundry, Industrial		X							
Liquor Store									
Lochar, Frozen Food or Cold Storage		X							
Machine Shop									
Mobile Home									
Hotel		X							
Manufacturing, light, limited		X							
Manufacturing, heavy, general					X Only in C, E, I, F				
Office and when associated with office									
Outpatient Treatment Facility w/on-site housing		X							
Packing Lot									
Park & Playground		X							
Park Grounding		X							
Religious, Ethnic, Highway Patrol		X							
Power Station					X (Not in G)				

Page 4 of 7

LAND USE CLASSIFICATION:									
POD DESIGNATION:	COMMERCIAL		D.B.I.			LI		RSC	
	A	B	C	E	F, G, H, I, J, K, L, M, N, O	P	I (PSC)	Q	P
Specific Uses:									
Print Shop		X							
Prison		X							
Public Building									
RADIO, T.V., Transmitter Studio		X							
Reptile Services Establishment w/outside storage		X							
Reptile Services Establishment, no outside storage									
Restaurant		X							
Restaurant (w/drive-thru window)		X							
Retail Establishment		X			X (Not in F, F, G, G)				
Retail Establishment, Altered Sales		X							
Salvage Yard		X			X Only in G, H, J				
Sawmill									
School, Academic		X							
School, Commercial (Nursery, Nurseries)		X							

Page 4 of 7

LAND USE CLASSIFICATION:									
POD DESIGNATION:	COMMERCIAL		D.B.I.			LI		RSC	
	A	B	C	E	F, G, H, I, J, K, L, M, N, O	P	I (PSC)	Q	P
Specific Uses:									
Reptile Tank Sales, Construction									
Service Station, Automotive									
Sewage Disposal Plant		X			X (Not in J or G)				
Storage, Inside Incidental w/uses									
Storage, Outside		X							
Toxicologist									
Theater, Cinema									
Tire Retreading		X							
Tomb									
Tourist Home									
Utility Substation					X Only in G				
Vehicle For Hire Company					X Only in G				
Welding Shop									
Wholesale		X			X (Not in G, F, H, J)				

Page 4 of 7

1	15/2/15	SEE REVISION NOTE ON THE COVER	WCS
REV	DATE	DESCRIPTION	BY

MINOR PLAT
 DRAWN BY: WCS
 CHECKED BY: WCS
 DATE: 11/21/15
 SCALE: 1"=20'

PLAN COMB 4

MAYFAIR AT WEBB BRIDGE

CITY OF ALABAMA

LAND (10/13) 808 1325 AND 1353
 DISTRICT 11, 212 SECTION

PLANNERS AND ENGINEERS COLLABORATIVE

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 (205) 251-1100 www.ccl-collab.com

SITE PLAN

Hard copy on page that follows

Enclosed electronically in PDF format

EVIDENCE OF PAYMENT OF TAXES

Parcel 22-54601262-149-2

City of Alpharetta

Date of payment 12/1/2023

Amount paid \$403.19

Fulton County

Date of payment 9/1/2023

Amount paid \$1,836.44

See enclosed verification from county and city websites



0994



18598

PROPERTY TAX BILL
CITY OF ALPHARETTA, GEORGIA

ACCOUNT #: 202155
BILL #: 2321942
TAX DISTRICT: 10

TAX YEAR: 2023

ALT ID #: 7134343
REAL PROPERTY TAX

PROPERTY OWNER	PROPERTY ADDRESS	PARCEL IDENTIFICATION
ALPHARETTA HOTEL HOLDINGS LLC	12140 MORRIS RD	22 -5460-1262-149-2

FAIR MARKET VALUE	ASSESSED VALUE	EXEMPTION TYPE	ELIGIBLE	APPLIED
\$175,300	\$70,120			

LEVIES	ASSESSED VALUES	-	EXEMPTIONS	=	NET ASSESSMENT	X	MILLAGE RATE	=	NET TAX
2023-BND DEBT	70,120	-	0	=	70,120	X	0.000799	=	56.03
2023-L.O.S.T.	70,120	-	0	=	70,120	X	-0.003159	=	-221.51
2023-GEN GOVT	70,120	-	0	=	70,120	X	0.00811	=	568.67

IMPORTANT PROPERTY TAX MESSAGE

The due date indicated on your tax remittance stub is for CURRENT year taxes ONLY. If you have an amount shown in prior year, interest will continue to accrue monthly and collection efforts will persist. Thus, if your tax bill shows an amount due for the prior year, you will need to contact the City of Alpharetta Financial Services Division at 678-297-6060 (option 0) to confirm the total amount due. Please see reverse side for additional information.

CURRENT YEAR TAXES DUE \$403.19
PRIOR YEARS TAXES DUE \$0.00
PENALTIES & INTEREST: \$0.00
TOTAL DUE: \$403.19

CALPHA04-1040584-0000000-14445332-001-019538-#018803-0884

DETACH HERE AND RETURN THIS BOTTOM PORTION WITH YOUR PAYMENT USING THE RETURN ENVELOPE ENCLOSED

I GENR-24-NB 0030

City of Alpharetta
Finance Department-Tax
2 Park Plaza
Alpharetta GA 30009-3680

PROPERTY TAX BILL

Accepted payment methods include cash, check, money order, certified check, or credit card (Visa, MasterCard, or American Express). Payments can be made: (a) through the enclosed return envelope; (b) at the city's website www.alpharetta.ga.us (access through your smartphone via this QR-Code); (c) in person at City Hall, 2 Park Plaza, Alpharetta, GA 30009; or (d) by contacting the City's customer service team at 678-297-6060.



Account Number: 202155
Amount Due: \$403.19
Due Date: 12/01/2023

AMOUNT PAID

00002082023002321942100000403196

MAKE CHECK PAYABLE & REMIT TO:

City of Alpharetta
Finance Department-Tax
PO Box 117022
Atlanta GA 30368-7022

ALPHARETTA HOTEL HOLDINGS LLC
16701 Collins Ave # 102
Sunny Isles Beach FL 33160-4201



Alpharetta
GEORGIA

Real Estate

View Bill

As of 7/22/2024

Bill Year 2023

Bill 2321942

Owner ALPHARETTA HOTEL HOLDINGS LLC

Parcel ID 22 -5460-1262-149-2

Installment	Pay By	Amount	Payments/Credits	Balance	Interest	Due
1	12/1/2023	\$403.19	\$403.19	\$0.00	\$0.00	\$0.00
TOTAL		\$403.19	\$403.19	\$0.00	\$0.00	\$0.00

©2024 Tyler Technologies, Inc.



Alpharetta Hotel Holdings
42216125

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE AN ARTIFICIAL WATER MARK THAT APPEARS ON THE FRONT OF THE CHECK WHEN HELD AT AN ANGLE.

Alpharetta Hotel Holdings LLC
16701 Collins Avenue, Ste 102
Sunny Isles Beach, FL 33160

Valley National Bank
201 E. Las Olas Blvd
Fort Lauderdale FL 33301

150

021201383

PAY **** FOUR HUNDRED THREE AND 19/100 DOLLARS

10/10/2023 \$403.19*****

TO THE ORDER OF **City of Alpharetta**
Finance department Tax
PO Box 117022
Alpharetta, GA 30368-7022

St. V. L.

Label Secure™ Fraud Resistant Laser Checks
Rub Here
Ink Disappears

⑈000150⑈ ⑆021201383⑆ 000042216125⑈

098573 40 10132023 01 11:09:58

The color in this box is white.

Any other color is evidence of chemical washing.

Artificial watermark, thermochromatic ink, toner anchorage, 30-chemical sensitive paper, copy void pantograph, chemical wash detection field, microprint, laid lines, explicit warning banner, ultraviolet light-sensitive fibers.

This check contains 10 security features

FOR DEPOSITORY BANK USE ONLY

YOUR ENDORSEMENT IN THE ABOVE AREA ONLY
DO NOT SIGN, WRITE OR STAMP BELOW THIS LINE

CREDIT TO WITHIN NAMED PAYEE
LACK OF END CTD TRUIST BANK
LOCKBOX ID: 117022 SITE: ATL-STI
DEPOSIT DATE: 10-13-2023
1000099077470
BATCH #: 3 SEQ #: 0040

WARNING: DO NOT CASH CHECK WITHOUT
NOTING SECURITY FEATURES BELOW

Amount: \$-403.19
Statement Description: CHECK
Check Number: 150
Posted Date: 10/16/2023
Type: Debit
Status: Posted

Your Invoice

Click on Proceed to Payment when you are ready to pay.

Please wait 30 minutes before processing a second payment to ensure account balance is updated.

Type - Real Estate Taxes

Type	Parcel ID	Invoice #	Due Date	Balance Due
Real Estate Taxes	22 546012621492	22 546012621492 2023RE-CTY	11/15/2023	\$1,836.44

Subtotal (1 Items) \$1,836.44

Not including any applicable service fees.

[Proceed to Payment >](#)

 **I want to Register this Account** ([CustomerRegistration.aspx?iti=8&bg=eb54f933-aeac-4b8c-a416-e509f7e66e4d&cg=1d38a6f3-4bfd-41a4-8052-c51f951a84de&i=ea2b471b-f3c1-4e0d-bc4d-ee62271991cf](#))

Powered By  | [Privacy Policy \(http://www.invoicecloud.net/privacy-policy\)](#) |  **Trustwave** Secure Site
(<https://sealserver.trustwave.com/cert.php?customerId=e6fe5831b6ba46ef83d7c7330126e94d>)



Detailed Tax Summary
City of Atlanta / Fulton

Tax Year: 2023

Owner Name **Parcel Identification** **Account Number**
ALPHARETTA HOTEL HOLDINGS LLC 22 546012621492 7134343

Property Location **Tax District**
12140 MORRIS ROAD 10 - ALPHARETTA

Fair Market Value **Assessed Value** **Temporary Assessment**
175,300 70,120 None

City Exemption

County Exemption

Levies	Assessment	Exemptions	Net Assessment		Net Rate	State Credit	TAX
Fulton Cycle							
FULTON BONDS	70,120.00	0.00	70,120.00	X	.000180	\$0.00	\$12.62
FULTON OPER	70,120.00	0.00	70,120.00	X	.008870	\$0.00	\$621.96
FULTON SCHOOL GEN	70,120.00	0.00	70,120.00	X	.017140	\$0.00	\$1,201.86
INTEREST							\$0.00
PENALTIES/FEES							\$0.00
			Total Amount Billed				\$1,836.44
Last Payment: 9/21/2023			Less Amount Paid				\$1,836.44
			Total Due				\$0.00

Property owners with current legal matters, such as bankruptcy or foreclosure, must contact the Tax Commissioner's office at 404.613.6100 for the official balance due on their parcel(s).



Alpharetta Hotel Holdings
42216125

Amount: \$-1,836.44

Statement Description: FULTON CNTY TAX TAX PMT ID: 5961041 ALPHARETTA HOTEL HOLDI

Posted Date: 9/25/2023

Type: Debit

Status: Posted

EVIDENCE OF NO OUTSTANDING CODE VIOLATIONS

See enclosed letter from the City of Alpharetta, dated July 19, 2024.

Alpharetta Fire & Emergency Services
Fire Marshal's Office



2565 Old Milton Pkwy Alpharetta, GA 30009
Email: FireMarshalsOffice@alpharetta.ga.us
Phone: 678-297-6272

July 19th, 2024

Gloria Fernandez

HB Capital Group

16701 Collins Avenue

Sunny Isles Beach, FL 33160

Dear Gloria Fernandez:

This is in response to your open records request for the property located at 12140 Morris Road. This appears to be an open land area. There are no structures currently at this location. The FMO has not completed any inspections at this location. No open fire code violations have been recorded.

Respectfully,

A handwritten signature in black ink, appearing to read "Dennis Warner". The signature is stylized with a large loop at the beginning and a long, sweeping tail.

Dennis Warner

Deputy Fire Marshal



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

July 19, 2024

RE: Code Violations/12140 Morris Road

To Whom It May Concern:

This is in response to your open records request for the property located at 12140 Morris Road. While the City Building Department does not perform routine site inspections after a project has been issued a Certificate of Occupancy, there are no known building or zoning code violations at this time; nor do we have any open violations of this sort on file as of this date. If you have any questions, please feel free to contact us.

Respectfully,

Gail H. Burkhalter

Gail H. Burkhalter
Community Development
2 Park Plaza, Ground Floor
Alpharetta, GA 30009
678-297-6080

MAYOR
JIM GILVIN

MAYOR PRO TEM
DAN MERKEL

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

CITY ADMINISTRATOR
CHRIS LAGERBLOOM

FEES

Check Number 170	\$325.00 (Advertising)
Check Number 171	\$750.00 (Conditional Use Permit)
Check Number 173	\$750.00 (Master Plan Amendment)

DATE:07/22/2024 CK#:170 TOTAL:\$325.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	07/18/24 - 07/19/2024	Legal advertising Hybrid hotel appl	325.00
			325.00

DATE:07/22/2024 CK#:170 TOTAL:\$325.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	07/18/24 - 07/19/2024	Legal advertising Hybrid hotel appl	325.00
			325.00

Form #503

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE AN ARTIFICIAL WATERMARK THAT APPEARS ON BACK OF CHECK WHEN HELD AT ANGLE. VERIFY AUTHENTICITY BY RUBBING RED "LS" LOGO

Alpharetta Hotel Holdings LLC

16701 Collins Avenue, Ste 102
Sunny Isles Beach, FL 33160

Valley National Bank
201 E Las Olas Blvd
Fort Lauderdale FL 33301

021201383

170

PAY **** THREE HUNDRED TWENTY FIVE AND 00/100 DOLLARS

07/22/2024

\$325.00*****

TO THE
ORDER OF

City of Alpharetta
Finance department Tax
PO Box 117022
Alpharetta, GA 30368-7022

NON-NEGOTIABLE



Rub He
Ink Disappe

DATE:07/22/2024 CK#:171 TOTAL:\$750.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	07184 conditional use permit	Conditional use permit	750.00
			750.00

DATE:07/22/2024 CK#:171 TOTAL:\$750.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	07184 conditional use permit	Conditional use permit	750.00
			750.00

Form #503

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE AN ARTIFICIAL WATERMARK THAT APPEARS ON BACK OF CHECK WHEN HELD AT ANGLE. VERIFY AUTHENTICITY BY RUBBING RED "LS" LOGO

Alpharetta Hotel Holdings LLC

16701 Collins Avenue, Ste 102
Sunny Isles Beach, FL 33160

Valley National Bank
201 E Las Olas Blvd
Fort Lauderdale FL 33301

171

021201383

PAY ***** SEVEN HUNDRED FIFTY AND 00/100 DOLLARS

07/22/2024 \$750.00*****

TO THE
ORDER OF

City of Alpharetta
Finance department Tax
PO Box 117022
Alpharetta, GA 30368-7022


Rub Here to See if Disappears

DATE:07/25/2024 CK#:173 TOTAL:\$750.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	hybrid hotel application	Master plan review hybrid hotel appl	750.00
			750.00

DATE 07/25/2024 CK#:173 TOTAL:\$750.00***** BANK:Alpharetta Hotel Hol at Valley(alphhoho)
PAYEE:City of Alpharetta(cityofalpar)

Property Address - Code	Invoice - Date	Description	Amount
Alpharetta Hotel Holdings LLC - a	hybrid hotel application	Master plan review hybrid hotel appl	750.00
			750.00

Form #503

DO NOT ACCEPT THIS CHECK UNLESS YOU CAN SEE AN ARTIFICIAL WATERMARK THAT APPEARS ON BACK OF CHECK WHEN HELD AT ANGLE. VERIFY AUTHENTICITY BY RUBBING RED "LS" LOGO

Alpharetta Hotel Holdings LLC

16701 Collins Avenue, Ste 102
Sunny Isles Beach, FL 33160

Valley National Bank
201 E Las Olas Blvd
Fort Lauderdale FL 33301

021201383

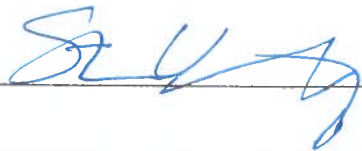
173

PAY ***** SEVEN HUNDRED FIFTY AND 00/100 DOLLARS

07/25/2024 \$750.00*****

TO THE
ORDER OF

City of Alpharetta
Finance department Tax
PO Box 117022
Alpharetta, GA 30368-7022


Rue He,
Int Disappo

⑈000173⑈ ⑆021201383⑆ 000042216125⑈



Miles Hansford, LLC

ATTORNEYS AT LAW

202 Tribble Gap Road · Suite 200 · Cumming, GA 30040
178 S Main Street · Suite 310 · Alpharetta, GA 30009
Phone 770.781.4100

MilesHansford.com

J. Ethan Underwood
eunderwood@MilesHansford.com

RESERVATION OF CONSTITUTIONAL AND OTHER LEGAL RIGHTS

Applicant:	Alpharetta Hotel Holdings, LLC
Subject Property:	Fulton County Tax Parcels(s): 22 546012621492
Current Zoning:	O-I (Office Institutional)
Proposed Zoning:	O-I (Office Institutional)
Proposed Use:	Hybrid Hotel
Application:	Master Plan Amendment with Conditional Use Permit MP-24-09/CU-24-12
ROW Access:	Webb Bridge Road & Morris Road
Governing Jurisdiction:	City of Alpharetta

This Reservation of Constitutional and Other Legal Rights ("the Reservation") is intended to supplement and form a part of the land use application (including any request for zoning, conditional use permit, site plan approval, and variances) (collectively, the "Application") of the Applicant and the owners of the Subject Property (collectively, the "Owner") and to put the Governing Jurisdiction on notice of the Applicant's assertion of its constitutional and legal rights.

The Applicant has filed a timely application, has provided all required information and has submitted the appropriate application fees. The Application meets all judicial and statutory requirements for approval.

The Applicant objects to the standing of any opponents who are not owners of land adjoining the Subject Property and to the consideration by the Governing Jurisdiction of testimony or evidence presented by any party without standing in making its decision regarding the Application. The Applicant also objects to the consideration of testimony or evidence that is hearsay, violates any applicable rules of procedure or evidence, or that is presented by any party who fails to comply with notice and campaign disclosure requirements.

The Current Zoning (and/or zoning conditions) of the Subject Property is unconstitutional and deprives the Subject Property and all viable economic use thereof. The Proposed Use is the only viable economic use of the Subject Property, and the Governing Jurisdiction has deemed this Application necessary to allow the Proposed Use. As such, the Applicant and Owner file this Application for the purpose of changing the Current Zoning (and/or zoning conditions and requesting variances) to facilitate the Proposed Use, and to exhaust administrative remedies in the event the Application is denied. As such, the filing of this application is not an admission of the need for any such approval of the Applicant's right to develop the property. The Applicant and Owner reserve the right to challenge the Current Zoning and any zoning conditions and other restrictions affecting the Subject Property.

Denial of the Application or approval of the Application in any form that is different than as requested by the Applicant will impose a disproportionate hardship on the Applicant and Owner of the Subject Property without benefiting any surrounding property owners. There is no reasonable use of the Subject Property

other than as proposed by the Application and no resulting benefit to the public from denial of or modification to the Application.

Any provisions in the applicable land use, subdivision, and /or zoning ordinances (collectively the "Zoning Ordinance") that classify, or may classify, the Subject Property into any of the non-requested zoning or use classifications, including the Proposed Zoning District and Proposed Use at a density or intensity less than that requested by the Applicant, are unconstitutional in that they constitute a taking of the Applicant's and Owner's property rights without first paying fair, adequate, and just compensation for such rights in violation of Article I, Section III, Paragraph I of the Georgia Constitution of 1983, as amended and the Fifth and Fourteenth Amendments to the Constitution of the United States.

The Subject Property is suitable for development as proposed in the Application and it is not suitable for development under any other zoning classification, use, or at a density or intensity less than that requested by the Applicant. Failure to approve the Application as requested by the Applicant would be an unreasonable application of local land use authority, which bears no relationship to the public health, safety, morality or general welfare of the public and would constitute an arbitrary and capricious abuse of discretion in violation of Article I, Section I, Paragraph I of the Georgia Constitution of 1983, as amended and the Due Process Clause of the Fifth and Fourteenth Amendments to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Applicant will prohibit the only viable economic use of the Subject Property, will be unconstitutional and will discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and Owner and the owners of similarly situated properties in violation of Article I, Section I, Paragraph II of the Georgia Constitution of 1983, as amended, and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Governing Jurisdiction to approve the Application as requested by the Applicant without the consent of persons elected to the governing body of the Governing Jurisdiction will amount to an unlawful delegation of the Governing Jurisdiction's authority, in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution of 1983, as amended.

Furthermore, the Governing Jurisdiction cannot lawfully impose more restrictive standards on the Subject Property's development than are presently set forth in the Zoning Ordinance. Any conditions or other restrictions imposed on the Subject Property without the consent of the Applicant and Owner that do not serve to reasonably ameliorate the negative impacts of the development are invalid and void. The imposition of improvements or design requirements unnecessary to facilitate the proposed development constitute an illegal impact fee, an unconstitutional condemnation, or both. As such, the Applicant and Owner reserve the right to challenge any such conditions, restrictions, or design requirements.

The Applicant and Owner assert that each has expended substantial sums and significantly changed its economic position in reliance upon versions of the Zoning Ordinance that allow the development of the Subject Property as proposed by the Applicant. As such, the Applicant has acquired vested rights to develop the property and the filing of this Application shall not constitute a waiver of those vested rights.

Finally, the Applicant and Owner assert that the current Zoning Ordinance, Character Area Map, Future Development Map and Comprehensive Plan were not adopted in compliance with the laws or constitutions of the State of Georgia or of the United States, and a denial of the Applicant's request based upon provisions illegally adopted will deprive the Applicant and Owner of due process under the law.

This Reservation constitutes an Ante Litem Notice pursuant to O.C.G.A. § 36-11-1, which places the Governing Jurisdiction and all other agents of the Governing Jurisdiction, in their official and individual capacities, on notice of the Applicant's and Owner's intent to seek monetary damages and attorney's fees against the Governing Jurisdiction for any rezoning action, zoning condition, illegal impact fee, and any other unlawful restrictions and exactions that are imposed upon the Subject Property, the Applicant, or the Owner.

By filing this Reservation, the Applicant reserves all rights and remedies available to it under the United States Constitution, the Georgia Constitution, all applicable federal, state, and local laws and ordinances, and in equity.

The Applicant and Owner respectfully request that the Application be approved as requested by the Applicant and in the manner shown on the Application, which is incorporated herein by reference. This Reservation forms an integral part of the Application, and we ask that this Reservation be included with the Applicant's other Application materials. The Applicant and Owner reserve the right to amend and supplement this Reservation at any time.

Sincerely,



Ethan Underwood
Attorney for Applicant



STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: November 18, 2024

AGENDA ITEM:

Resolution to Condemn: Parcel 3 of Pedestrian Improvements for Roswell Street / Alpha Loop (Parcel # 22 482312690427)

Consideration and adoption of a Resolution to condemn property interest in Tax Parcel # 22 482312690427 (Parcel Owners: James G. & Edith E. Duane) as relating to the Pedestrian Improvements Roswell Street/Alpha Loop (estimated just and adequate compensation is \$16,700.00), and with authorization for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Adopt a Resolution to condemn property interest in Tax Parcel # 22 482312690427 (Parcel Owners: James G. & Edith E. Duane) as relating to the Pedestrian Improvements Roswell Street/Alpha Loop with authorization for the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

EXTERNAL FUNDING SOURCES:

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

ITEM DESCRIPTION:

The City has determined that it is necessary to condemn property of Tax Parcel # 22 482312690427 in furtherance of the Pedestrian Improvements Project at Roswell Street and the Alpha Loop.

Approval of this resolution will authorize the City Attorney's Office to acquire, through the use of Eminent Domain, the necessary property rights to, in, over, under, through and across the property in order to ensure the timely completion of the Project. Further, the Mayor and the City Administrator are specifically authorized to execute, on behalf of and as if signed by every member of the governing authority of the City, the Mayor and Council, any and all documents necessary to further the filing of any Petition for Condemnation or Declaration of Taking related to the same and/or in furtherance of this Resolution.

The estimated just and adequate compensation for Parcel 3 of the project is \$16,700.00

ALTERNATIVES:

Do not resolve to condemn this parcel and redesign the project.

ATTACHMENTS:

1. Resolution Packet Ped Improvements P3

City of Alpharetta

Pedestrian Improvements Roswell Street/Alpha
Loop Parcel 3

Tax Parcel ID: 22 482312690427

Condemnees: James G. & Edith E. Duane

For City Council Review, Consideration,
and Execution:

1. Resolution
2. Declaration of Taking
3. Order to Condemn

RESOLUTION NUMBER:



A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF ALPHARETTA, AUTHORIZING THE CITY ATTORNEY TO EXERCISE THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN INTERESTS IN PROPERTY SITUATED IN THE CITY OF ALPHARETTA, GEORGIA, FOR PUBLIC PURPOSES INCLUDING PUBLIC TRANSPORTATION PURPOSES

WHEREAS, pursuant to the Georgia Constitution; the Official Code of Georgia Annotated § 32-3-1 et seq., and O.C.G.A. § 22-3-140, cities are authorized to acquire private property in fee simple or in any lesser interest by eminent domain for public purposes; and

WHEREAS, the City of Alpharetta, a political subdivision of the State of Georgia, desires to construct certain public road improvements to serve as a part of the transportation system for the City of Alpharetta, Georgia; and

WHEREAS, the project for the construction and improvement of Roswell Street being known and designated as the Pedestrian Safety Improvements Roswell Street/Alpha Loop and being more fully shown on a map and drawing on file in the governmental offices of the City of Alpharetta located at 2 Park Plaza, Alpharetta, GA 30009; and

WHEREAS, the governing authority of the City of Alpharetta has determined that the circumstances of this matter are such that it is necessary for the City to exercise its powers of eminent domain pursuant to O.C.G.A. § 32-3-1 et seq. to acquire certain interests in property for the construction of the project.

WHEREAS, the property, easements, and other interests and rights necessary for the construction of said project are more particularly described in the Legal Description set out on Exhibit "A" which is attached hereto and incorporated herein by reference;

WHEREAS, the owner(s) of record for the property, easements, and other interests and rights to be acquired by the City is/are hereby identified as KLD-Roswell Street, LLC;

WHEREAS, the City desires to acquire fee simple right of way; a non-exclusive, perpetual easement; and/or a temporary construction easement in favor the City, its heirs, successors, invitees and assigns for the purposes of locating, constructing, maintaining, repairing, replacing, extending, expanding, installing and use by the general public of Roswell Street and related appurtenances (the "Project") over, across, under and through the Property described on Exhibit "A" attached hereto and incorporated herein by this reference (hereinafter the "Property").

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Alpharetta as follows:

- that the City Attorney, or his designee, is ordered and directed to institute proceedings in rem pursuant to O.C.G.A. § 32-3-1 et seq. in the Fulton County Superior Court in order to condemn that Property and the interests therein as described above and on Exhibit "A" attached hereto and incorporated herein by reference, all to the use of the City, said property being now or formerly vested in KLD-Roswell Street, LLC, its successors or assigns.

- **IT IS HEREBY FURTHER RESOLVED**, that payment of just and adequate compensation therefore be made to the person or persons entitled to such payment.
- **IT IS HEREBY FURTHER RESOLVED**, that the Mayor of the City of Alpharetta may sign any documents and/or pleadings required for proper filing under the aforementioned code sections including a Declaration of Taking and an Order of the governing authority of the City.

SO RESOLVED this ____ day of _____.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[CONTINUED FROM THE PREVIOUS PAGE]

Council Member Fergal M. Brady

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

_____, City Attorney

PROPERTY DESCRIPTION

Being a strip or parcel of land running in, through, over and across the property now or formerly owned by **James G. Duane and Edith E. Duane**, as described in a deed recorded among the Land Records of Fulton County, Georgia in Deed Book 32381, Page 152 and as shown on Exhibit "B", prepared by TerraMark Land Surveying, Inc. and attached hereto, said strip or parcel of land lying in the City of Alpharetta, Georgia, being within Land Lot 1269, 2nd District, 2nd Section of Fulton County, Georgia and being more particularly described as follows:

To find the Point of Beginning, commence at the intersection of the Northeasterly Right of Way Line of Marietta Street (a variable width right of way) and the Southeasterly Right of Way Line of Roswell Street (a variable width right of way), as shown on Right of Way Plans for the City of Alpharetta Road Improvement Project No. PR8532-13(121), dated January 13, 1995 and last revised on August 31, 1996, said point being at State Plane Coordinate (Georgia West Zone) of North: 1,481,622.726; East 2,256,960.007; thence, leaving the said point and running adjacent to the said line of Roswell Street, North 30° 53' 49" East, 75.67 feet; thence, 73.19 feet along the arc of a curve deflecting to the right, having a radius of 540.96 feet and a chord bearing and distance of North 34° 46' 21" East, 73.13 feet; thence, North 38° 38' 54" East, 66.56 feet to a ½ inch rebar found at the True Point of Beginning of the herein described strip or parcel of land, said point being at State Plane Coordinate (Georgia West Zone) of North: 1,481,799.712; East 2,257,082.140; thence, leaving the said Point of Beginning and running with the said line of Roswell Street,

1. North 42° 19' 59" West, 27.71 feet; thence,
2. North 41° 48' 52" East, 100.00 feet; thence,
3. North 46° 06' 23" East, 84.20 feet; thence,
4. South 41° 56' 16" East, 4.99 feet to a 60D Nail found (disturbed); thence, leaving the aforesaid line of Roswell Street and running,
5. 85.22 feet along the arc of a curve deflecting to the right, having a radius of 604.96 feet and a chord bearing and distance of South 34° 36' 47" West, 85.15 feet; thence,
6. South 38° 38' 54" West, 101.93 feet to the Point of Beginning, containing 3,708 square feet or 0.0851 of an acre of land, more or less.



DECLARATION OF TAKING

WHEREAS, the City of Alpharetta, Georgia, a municipal corporation formed under the laws of the state of Georgia, by and through its Mayor and City Council, has made and passed a Resolution finding that the circumstances in connection with acquiring certain interests in property for public road or other transportation purposes are such that it is necessary to acquire title, estate, or interest in the lands fully described in the Order to Condemn contained in and/or relating to said Resolution, a certified copy/duplicate original of which is attached to this Declaration, as Exhibit "A," and made a part hereof, under O.C.G.A. §§ 32-3-1 et seq.; and

WHEREAS, said interests in the subject property are for public purposes upon, across, and over the tract of land in said city, as fully described in Exhibit "B" attached hereto and made a part hereof; and

WHEREAS, the City of Alpharetta, Georgia, has caused an investigation and report to be made by a competent land appraiser, upon which the City estimates the sum of money to be deposited into the Court as just and adequate compensation for the interests in the subject property referred above. A copy of the appraiser's sworn statement, is attached hereto, as Exhibit "C" and made a part hereof; and

WHEREAS, in consequence of the sworn statement the City of Alpharetta, Georgia estimates \$16,700.00 as the just and adequate compensation to be paid for said interests in the subject property as fully described in Exhibit "B" attached hereto and made a part hereof; and now deposits said sum in the Court to the use of the persons entitled thereto.

WHEREAS, the premises considered, the City of Alpharetta, Georgia, under authority of the Official Code of Georgia Annotated §§ 32-3-1 et seq. and O.C.G.A. § 22-3-140 hereby declares that the property and interests as described in Exhibit "B," which is attached hereto and made a part hereof of this Declaration, is taken for purposes of locating, constructing, maintaining, repairing, replacing, extending, expanding, and/or installing infrastructure for a public road or other transportation purposes.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[CONTINUED FROM THE PREVIOUS PAGE]

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

_____, City Attorney



ORDER OF THE CITY OF ALPHARETTA, GEORGIA TO CONDEMN PROPERTY

WHEREAS, The City of Alpharetta, Georgia, a municipal corporation formed under the laws of the State of Georgia ("The City"), has laid out and determined to construct and improve Roswell Street/Alpha Loop for The City; the project for being known and designated as Pedestrian Safety Improvements Roswell Street/Alpha Loop ; and being more fully shown on a map and drawing on file in the government office of The City located at 2 Park Plaza, Alpharetta, Georgia 30009; and

WHEREAS, in order to maintain the projected schedule of construction for The City, it is necessary that the tract of property, easements and other interests and rights for the construction of said project be acquired without delay; and

WHEREAS, the tract of property, easements and other rights as herein described and, as listed below, shown of record as owned by the persons named herein, all as described and shown in Exhibit "A"; attached and incorporated herein by reference and made a part of this Order, are essential for the construction of said project:

Property/Rights:

0.0851 acres of Fee Simple Right of Way and one (1) driveway easement

Legal Description and Sketch/Plat attached hereto as Exhibit "A"

Owner(s):

KLD-Roswell Street, LLC

Other Potentially Interested Parties:

None

NOW THEREFORE, in accordance with O.C.G.A. § 32-3-6(b)(6) and (c), it is hereby found by The Alpharetta City Council that the circumstances are such that it is necessary that the property, easements and other rights as described in the appendices and annexes to this Order be acquired by condemnation under the provisions of O.C.G.A. § 32-3-1 et seq. for public road purposes or other transportation purposes.

IT IS ORDERED that The City of Alpharetta, Georgia proceed to acquire the title, estate or interest in the lands hereinafter described in the appendices and annexes to this Order be by condemnation under the provisions of said Code, and City Attorney, Patrick Jaugstetter, or his designee(s) is authorized and directed to file the condemnation proceedings, including a Declaration of Taking, to acquire said title, estate, or interest in

said lands and to deposit in the Court the sum estimated as just compensation all in accordance with the provisions of the law.

SO ORDERED by the Mayor and City Council of Alpharetta, Georgia this _____ day of _____, 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal M. Brady

[SIGNATURES CONTINUED ON FOLLOWING PAGE]

[CONTINUED FROM THE PREVIOUS PAGE]

(SEAL)

Attest:

Approved as to form and legal sufficiency:

Lauren Shapiro, City Clerk

_____, City Attorney



STAFF REPORT

Department: Public Works
Submitted By: Arash Moradkhani
Meeting Date: November 18, 2024

AGENDA ITEM:

Invitation to Bid 25-006: Construction of Roswell Street Pedestrian Safety Improvements

Consideration of approval of the award of a contract for ITB 25-006 to Azimuth Contractors, LLC for the construction of Roswell Street Pedestrian Safety Improvements for an amount not to exceed \$712,940.06 and authorize the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve the award of a contract for ITB 25-006 to Azimuth Contractors LLC for the construction of Roswell Street Pedestrian Safety Improvements for an amount not to exceed \$712,940.06 and authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$712,940.06

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Alpha Loop Parks Bond / 31841100-541420-C1712	\$712,940.06

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
N/A	\$0.00

ITEM DESCRIPTION:

This is to award construction of pedestrian safety improvements and the extension of the Alpha Loop on Roswell Street between Old Milton Parkway and Old Roswell Street.

BACKGROUND:

Alpharetta has experienced unprecedented growth since the Alpha Loop was originally planned. Development continues to increase, and mixed-use lifestyle centers in various stages of development are emerging throughout the Downtown district. Residents understand the valuable connectivity that the Alpha Loop brings. Residents want to be near the trail, and the development community is eager to build the trail to make that possible. Establishing a clear and comprehensive vision for the Downtown trail is critical to maximizing the public benefit of these private investments and ensuring a cohesive and connected Alpha Loop system for commuters and recreational users alike.

Traffic speeding has been one of the concerns on Roswell Street. Additionally, it has been reported that the intersection of Roswell Street and Marietta Street has sight-line and visibility concerns which brings safety issues to traffic exiting Marietta Street.

CURRENT PROJECT OVERVIEW:

The current project is for traffic-calming on Roswell Street, improving sight-lines and visibility at the intersection of Roswell Street and Marietta Street, and constructing Alpha Loop along Roswell Street between Old Milton Parkway

and Old Roswell Street. Some of the major construction elements of this project are listed below:

1. A 12' wide sidewalk, illuminated with light poles, will be constructed on the east side of Roswell Street between Old Milton Parkway and Old Roswell Street.
2. Lights will be bollard style, similar to Alpha Loop north of Thompson Street.
3. Between Marietta Street and Old Roswell Street, all on-street parking spaces will be removed.
4. Between Old Milton Parkway and Marietta Street, some of the existing parking spaces will be removed to improve the sight-line and visibility for traffic exiting Marietta Street.
5. The intersection of Roswell Street and Marietta Street will be a 4-way stop controlled.

PROCUREMENT PROCESS:

Procurement for this project was initiated through Invitation to Bid (ITB 25-006), which was issued on September 12, 2024, with a response deadline of October 17, 2024. Through the City's Bonfire system, 1281 vendors were notified with 43 document takers. Also, 1246 vendors were notified through the State of Georgia Department of Administrative Services. A total of eight submittals were received in response to this invitation:

Company/Bidder	Proposed Price
Azimuth Contractors LLC	\$712,940.06
CMC, Inc.	\$725,560.00
Backbone Infrastructure LLC	\$849,136.00
R&B Developer, Inc	\$856,256.50
Sol Construction LLC	\$885,298.40
Ohmshiv Construction, LLC.	\$987,247.15
Lagniappe Development	\$1,017,882.85
The M. Mitchell Group, LLC	Eliminated. An incorrect list of materials was used by the Contractor.

RECOMMENDED VENDOR:

After evaluation and verifying the submitted bids, staff from the Public Works Department met with representatives of Azimuth Contractors, as the low bidder. The project scope, schedule, and bid package as submitted by Azimuth were discussed with the contractor during the meeting. Azimuth is an experienced contractor that has successfully completed similar projects.

PROJECT TIMELINE:

Project construction is anticipated to take 10 months from the issuance of a notice to proceed.

ALTERNATIVES:

Do not award ITB 25-006 for the Roswell Street Pedestrian Safety Improvements Construction and direct staff to rebid the project.

ATTACHMENTS:

1. Azimuth 25-006 Roswell St Ped Imp Contract

CONTRACT AGREEMENT

CONSTRUCTION OF ROSWELL STREET PEDESTRIAN SAFETY IMPROVEMENTS (INVITATION TO BID NO. 25-006)

THIS CONTRACT AGREEMENT (the "Contract"), made by and between **CITY OF ALPHARETTA, GEORGIA**, a municipal corporation of the State of Georgia (hereinafter, the "CITY"), and **AZIMUTH CONTRACTORS LLC**, a Domestic Limited Liability Company with its principal office located at 5645 Enfield Way, Suwanee, Georgia 30024 (the "CONTRACTOR").

WITNESSETH: that for and in consideration of the payments to be made by the CITY, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the CONTRACTOR hereby agrees to commence and complete the construction project described as follows:

CONSTRUCTION OF ROSWELL STREET PEDESTRIAN SAFETY IMPROVEMENTS (the "Project") including, but not limited to, roadway and sidewalk construction, installation of curb and gutter, installation of storm drain structures, installation of pedestrian lighting, and related work. The location of work is along Roswell Street between Old Milton Parkway and Old Roswell Street --- within the City of Alpharetta, Georgia, and all as more particularly defined and described in the project and construction information and materials included with ITB No. 25-006 upon which this Contract is based.

For CONTRACTOR'S performance and completion of the Project (as defined in General Conditions in ITB No. 25-006 (the "General Conditions")), CITY shall pay CONTRACTOR a fee in accordance with the unit costs on Exhibit A attached for a total sum not to exceed **SEVEN HUNDRED TWELVE THOUSAND, NINE HUNDRED FORTY and 06/100 DOLLARS (\$712,940.06)**. At CONTRACTOR's own cost and expense, CONTRACTOR shall furnish all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary or convenient to the successful completion of the Project and the carrying out of all duties and obligations in accordance with the terms and conditions set forth in ITB No. 25-006 and the General Conditions contained therein, CONTRACTOR'S Bid, the plans and specifications, including all explanatory matter thereof, and the other contract documents, all of which (the "Contract Documents") are made a part hereof and collectively constitute the agreements and obligations of the parties under this Contract (the "Work").

The CITY agrees to pay CONTRACTOR in current funds for the performance of the Work subject to additions and deductions as provided in the General Conditions and to make payments on account thereof as provided in the General Conditions.

In the event of any delay which is not the fault or responsibility of CONTRACTOR or any supplier to CONTRACTOR, CONTRACTOR is entitled to additional days for performance of this Contract (not to exceed fifteen (15) days from the date of completion set forth in this Contract). CONTRACTOR shall not be entitled to any additional money for any delay which it encounters. CONTRACTOR's remedy shall be to obtain an extension of time within which this Contract is to be performed.

Upon CONTRACTOR's breach of any material provision of this Contract, which breach

remains uncured after seven (7) days written notice of default, the CITY may terminate this Contract without liability for further payment of amounts due or to become due under this Contract. Termination shall be in addition to, and not in lieu of, any other remedies available to the CITY under this Contract or applicable law, including making of claims under CONTRACTOR's bonds. Upon the CITY's breach of any material provision of this Contract, which breach remains uncured after seven (7) days written notice of default, CONTRACTOR shall be entitled to terminate this Contract or pursue such other remedies not inconsistent with this Contract, as it may have in law or equity. This Contract may also be terminated or suspended by the CITY for CITY's convenience upon not less than seven (7) days written notice to CONTRACTOR. In the event of such termination, CONTRACTOR shall be compensated for services performed through the date of termination, together with any reimbursable expenses then due. Any termination of this Contract by the CITY for an alleged default which is ultimately held unjustified shall automatically be deemed to be a termination for convenience.

This Contract was awarded and is contingent upon CONTRACTOR's compliance with O.C.G.A. § 13-10-91, Chapter 300-10-1 of the Rules of the Georgia Department of Labor, and CONTRACTOR's certification to the CITY that it has registered and currently participates in the federal work authorization program to verify employment eligibility of all newly hired employees. Further, as part of any approved subcontracting agreement, CONTRACTOR has certified that any subcontractor entering into this Contract for the physical performance of services within this State is in compliance with O.C.G.A. § 13-10-91 and Chapter 300-10-1 of the Rules of the Georgia Department of Labor and has registered and currently participates in the federal work authorization program to verify employment eligibility of all newly hired employees. This Contract may be suspended or terminated if it is determined that CONTRACTOR has made a false certification or has violated such certification by failure to carry out this requirement.

CONTRACTOR shall maintain the types and amounts of insurance set forth in the ITB and the General Conditions, and as otherwise reasonably required by the CITY from time to time. CONTRACTOR shall provide proof of such insurance to the CITY contemporaneously with the execution of this Contract, and as and when requested by the CITY during the term hereof. Acceptance of a certificate or proof of insurance does not constitute approval or agreement by the CITY that the insurance requirements have been satisfied. CONTRACTOR shall indemnify and hold the CITY harmless from all claims, demands, losses, attorneys' fees and liabilities of any type or nature arising out of or related to CONTRACTOR's, or CONTRACTOR's agents', employees' or subcontractors', performance or non-performance of this Contract, including, but not limited to, claims for injury to person or property; provided, however, that this indemnification obligation shall not apply to claims arising from the sole negligence of the CITY or its employees. Nothing in this paragraph or this Contract shall be deemed to constitute a waiver of the CITY's sovereign immunity, create rights in any third party, or create any third-party beneficiaries.

The provisions of this Contract and the Contract Documents constitute the entire Contract between the parties, and all prior discussions and agreements are merged herein. This Contract is expressly intended to supersede all provisions of the Georgia Prompt Pay Act.

Any dispute arising in connection with the interpretation of this Contract, the performance of any party under this Contract or any claim or dispute under this Contract or otherwise related to this Contract shall, at the sole option of the CITY, be referred to binding arbitration in Atlanta, Georgia in accordance with the Construction Arbitration Rules of the American Arbitration Association. CONTRACTOR'S surety shall be obligated to be a party to

any such arbitration and be conclusively bound by the decision of the arbitrator.

The CONTRACTOR shall promptly commence the Work with adequate force and equipment **within ten (10) calendar days** from receipt of the Notice to Proceed, or as may be specified by the Special Provisions, continuously pursue the Work without interruption to achieve final completion of the Work **Three Hundred (300) calendar days from the Notice to Proceed**. Liquidated damages will apply.

IN WITNESS WHEREOF, the Parties hereto have each caused this Contract to be executed and delivered by a duly authorized officer, agent, or official as of the date set forth below.

Executed _____

CITY OF ALPHARETTA, GEORGIA

By: _____

Jim Gilvin, Mayor

Date: _____

Approved as to Content:

Chris Lagerbloom, City Administrator

Approved as to form:
JARRARD & DAVIS, LLP

Jennifer K. McCall, City Attorney

AZIMUTH CONTRACTORS LLC

By: _____

Maulik Patel, President

Attest:

By: _____

Ghanshyam Patel, Secretary

Date: _____

EXHIBIT "A"

SCHEDULE OF ITEMS- LIST OF MATERIALS AND QUANTITIES					
Project Name: ITB 25-006 Construction of Roswell Street Pedestrian Safety Improvements					
ADDENDUM 2					
Azimuth Contractors LLC			Bidder's / Company's Name		
Item ID	Item Description	Item Quantity	Measuring Unit	Unit Price (\$)	Total Cost of Line Item (\$)
150-1000	TRAFFIC CONTROL	1	LS	\$ 62,202.20	\$ 62,202.20
n/a	WALL VENEER - 216 LF	1	LS	\$ 24,995.00	\$ 24,995.00
634-1200	RIGHT OF WAY MARKERS	5	EA	\$ 279.74	\$ 1,398.70
900-0526	LIGHTED BOLLARDS CHARLESTON SERIES	11	EA	\$ 3,998.00	\$ 43,978.00
441-0018	DRIVEWAY CONCRETE 8 IN TK	37	SY	\$ 64.97	\$ 2,403.89
441-0104	DRIVEWAY SIDEWALK 4 IN TK	15	SY	\$ 32.99	\$ 494.85
441-0108	DRIVEWAY SIDEWALK 8 IN TK	55	SY	\$ 64.97	\$ 3,573.35
n/a	6" REINFORCED PORTLAND CEMENT CONC PAVEMENT	1320	SY	\$ 50.70	\$ 66,924.00
402-3103	RECYCLED ASPH CONC 9.5 MM SUPERPAVE, TYPE II, GP 2 ONLY, INC BITUM MATL & H LIME	103	TN	\$ 225.00	\$ 23,175.00
402-3190	RECYCLED ASPH CONC 19 MM SUPERPAVE, GP 1 OR 2, INC BITUM MATL & H LIME	10	TN	\$ 200.00	\$ 2,000.00
310-1101	GR AGGR BASE CRS, INCL MATL	520	TN	\$ 26.13	\$ 13,587.60
441-4020	CONC VALLEY GUTTER 6 IN	24	SY	\$ 48.48	\$ 1,163.52
441-4030	CONC VALLEY GUTTER 8 IN	33	SY	\$ 64.97	\$ 2,144.01
441-5002	CONCRETE HEADER CURB, 6 IN, TP 2	31	LF	\$ 14.01	\$ 434.31
441-6022	CONCRETE CURB & GUTTER 6 IN X 30 IN, TP 2	1155	LF	\$ 17.00	\$ 19,635.00
163-0232	TEMPORARY GRASSING	0.5	AC	\$ 100.00	\$ 50.00
163-0240	MULCH	4	TN	\$ 450.00	\$ 1,800.00
163-0550	CONSTRUCT & REMOVE INLET SEDIMENT TRAP	11	EA	\$ 200.00	\$ 2,200.00
165-0010	MAINTENANCE OF TEMPORARY SILT FENCE, TP A	436	LF	\$ 0.50	\$ 218.00
165-0105	MAINTENANCE INLET SEDIMENT TRAP	11	EA	\$ 50.00	\$ 550.00
171-0010	TEMPORARY SILT FENCE, TYPE A	872	LF	\$ 4.00	\$ 3,488.00
700-7000	AGRICULTURAL LIME	0.6	TN	\$ 550.00	\$ 330.00
700-8000	FERTILIZER MIXED GRADE	0.2	TN	\$ 1,000.00	\$ 200.00
700-8100	FERTILIZER NITROGEN CONTENT	14	LB	\$ 1.50	\$ 21.00
700-9300	SOD	1364	SY	\$ 6.00	\$ 8,184.00
550-1180	STORM DRAIN PIPE, 18 INCH CLASS III	11	LF	\$ 108.04	\$ 1,188.44
611-3000	RECONSTRUCT CATCH BASIN, GROUP 1	1	EA	\$ 3,197.34	\$ 3,197.34
611-3030	RECONSTRUCT STORM SEW MANHOLE, TYPE 1	2	EA	\$ 2,386.56	\$ 4,773.12
668-1100	CATCH BASIN GROUP 1 HEIGHT <= 6 FEET	3	EA	\$ 3,689.06	\$ 11,067.18
647-1030	RECTANGULAR RAPID FLASHING BEACON INSTALLATION NO - 1	1	LS	\$ 11,988.00	\$ 11,988.00
647-1030	RECTANGULAR RAPID FLASHING BEACON INSTALLATION NO - 2	1	LS	\$ 11,988.00	\$ 11,988.00
647-1030	RECTANGULAR RAPID FLASHING BEACON INSTALLATION NO - 3	1	LS	\$ 11,988.00	\$ 11,988.00
647-1030	RECTANGULAR RAPID FLASHING BEACON INSTALLATION NO - 4	1	LS	\$ 11,988.00	\$ 11,988.00
702-7501	TREE PROTECTION FENCE	871	LF	\$ 1.90	\$ 1,654.90
653-0220	THERMOPLASTIC PVMT MARKING WORD, TP 2	2	EA	\$ 100.00	\$ 200.00
653-1501	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	2222	LF	\$ 0.50	\$ 1,111.00
653-1502	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, YELLOW	1027	LF	\$ 0.50	\$ 513.50
653-1704	THERMOPLASTIC SOLID TRAF STRIPE, 24 IN, WHITE	26	LF	\$ 10.00	\$ 260.00
653-1804	THERMOPLASTIC SOLID TRAF STRIPE, 8 IN, WHITE	686	LF	\$ 2.85	\$ 1,955.10
653-3501	THERMOPLASTIC SKIP TRAF STRIPE, 5 IN, WHITE	50	GLF	\$ 0.60	\$ 30.00
652-9002	YELLOW HATCH	309	SY	\$ 6.00	\$ 1,854.00
654-1001	RAISED PAVEMENT MARKERS TP1	72	EA	\$ 5.00	\$ 360.00
210-0100	GRADING COMPLETE	1	LS	\$ 181,397.97	\$ 181,397.97
636-1033	HIGHWAY SIGNS, TP1 MATERIAL, TP 9 REFLECTIVE SHEETING	72	SF	\$ 24.72	\$ 1,779.84
636-2070	SQUARE TUBE POINTS, GALV STEEL POSTS, TP 7	26	LF	\$ 13.23	\$ 343.98
610-9000	REMOVE SIGNS	2	EA	\$ 79.94	\$ 159.88
611-5551	RESET SIGNS	2	EA	\$ 79.94	\$ 159.88
432-0350	MICRO-MILL ASPHALTIC CONCRETE PAVEMENT, VARIABLE DEPTH	3341	SY	\$ 14.00	\$ 46,774.00
	CONDUIT, (2) #6, #6G in 1-1/4" Conduit	950	LF	\$ 6.45	\$ 6,127.50
	DIRECTIONAL BORE - for Light poles	950	LF	\$ 21.00	\$ 19,950.00
	12"x18"x18", Tier 15 Quazite box	1	EA	\$ 780.00	\$ 780.00
	CABLE, #6, #6G in 1-1/4"	1000	LF	\$ 4.20	\$ 4,200.00
n/a	MISCELLANEOUS CONSTRUCTION	1	LS	\$ 90,000.00	\$ 90,000.00
TOTAL PROJECT COST / GRAND TOTAL					\$ 712,940.06

By completing and submitting this bid price form in response to the City of Alpharetta's ITB 24-006, Construction of Roswell Street Pedestrian Safety Improvements, Bidder certifies that:

A. Bidder has carefully read and understands Bidding Documents;

B. Bidder has visited site and/or is familiar with local conditions under which Work is to be performed, including verifying visible conditions, such as dimensions, materials, and attachments to remain, on existing facility;

C. Bidder has correlated Bidder's personal observations with requirements of Bidding Documents;

D. Bidder has reviewed ITB 25-006 Plans and Project Manual Project Manual and Specifications;

E. Bidder understands that Bid may not be withdrawn within Sixty (60) days after bid due date, and Bidder guarantees that the City has the right to waive informalities and irregularities in Bid received and to accept Bid which, in City's judgment, is in City's own best interests; and

F. Award of this project will be by Total Project Cost / Grand Total bid. The City does retain the right to decrease quantities or remove items as is in the best interest of the City.

Azimuth Contractors LLC	Bidder / Company Name (from top of page)
3645 Enfield Way, Suwanee, GA 30024	Address
Maulik Patel, President	Name and Title of Authorized Signer
404-528-5705	Contact Info - Phone Number
mp@azimuthcontractors.com	Contact Info - Email Address



STAFF REPORT

Department: Public Works
Submitted By: Dennis Roland
Meeting Date: November 18, 2024

AGENDA ITEM:

Invitation To Bid 25-002: Fiscal Year 2025 Pavement Preservation

Consideration of approval to award invitation to bid to Holbrook Asphalt, LLC. for an amount totaling \$106,652.57 for the fiscal year 2025 pavement preservation project with approval of the associated contract and with the authorization for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Approve the award of Invitation to Bid No. 25-002 to Holbrook Asphalt, LLC. for an amount not to exceed \$106,652.57 for the FY 25 Pavement Preservation Project and authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: YES

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST: \$106,652.57

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
Milling and Resurfacing 30141100 541410 C1219	\$106,652.57

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
NA	\$0.00

ITEM DESCRIPTION:

The Public Works Department would like to enhance the Street Preventative Maintenance program with more modern, feasible and sustainable solutions. High Density Mineral Bond is a high-density mix of selected aggregate and asphalt binder that creates a surface treatment installed over an existing asphalt roadway surface. It is intended to preserve existing asphalt paved streets from surface wear and from oxidation. There are several different types of high density mineral bond treatments utilized for pavement preservation. The most prevalent type is HA5 which is widely used across the U.S. due to its effectiveness in extending pavement life and reducing maintenance costs. HA5 treatment will extend the service life of the streets by preserving their good condition for a longer period. HA5 is a proprietary mix that must be applied with specialized equipment by a trained crew. A robust pavement management program includes multiple maintenance approaches depending on the condition of the street. HA5 is a high density mineral bond that is applied to streets typically between 2-4 years after asphalt has been installed. HA5 retains the critical oils and resins that keep asphalt pavement flexible and greatly increases the lifespan of the road. Extending the lifespan delays the need to implement the next stage in a pavement preservation program, which is mill and overlay that cost substantially more. HA5 application adds an estimated 7-10 years of life to asphalt roads if applied at the proper times and conditions. HA5 has garnered strong support and utilization among counties and cities throughout the U.S. and Georgia. Below is a list of some of the surrounding counties and cities currently utilizing HA5 as part of their pavement management.

1. City of Milton
2. Fayette County
3. Walton County

4. Peachtree City
5. Newnan County
6. Spalding County
7. City of Sugar Hill
8. Rockdale County

The Public Works Department prepared a request for bids (ITB 25-002) for the FY 25 Pavement Preservation road list. The City advertised for competitive bids on August 7th, 2024. Bids for the project were received on September 5th, 2024 and the City received one bid from the following.

Holbrook Asphalt, LLC

\$106,652.57

Holbrook Asphalt, LLC is currently the only approved contractor in the state of GA for the application of HA5. The cure time for HA5 is approximately 24 hours before traffic can be allowed to traverse it. Holbrook Asphalt has vast experience applying this product while obtaining the proper cure time and also allowing individuals to access their homes, receive deliveries, etc. Holbrook Asphalt will provide shuttle services during the application for residents and stage the application so one lane is always open to traffic. Holbrook Asphalt will also coordinate with Fulton County Schools, USPS, etc. during the application of materials. Public Works staff has been working with HOA's already and provided information regarding the process and benefits. So far, Public Works has not received any negative communication with the affected neighborhoods, only positives. Staff from the Public Works Department obtained the City of Milton's recent bid for HA5 application to compare the cost per square yard. The City of Milton received a cost of \$5.00 a SY and our cost received was \$4.49 a SY.

With approval, the following roads will receive HA5 treatment:

- Lillian Drive
- Pearson Court
- Mccoy Way
- Javad Lane
- Yasha Court
- Shadetree Way
- Cobblestone Court

Shadetree Way and Cobblestone Court are two streets within the Fairfax Subdivision. The City recently resurfaced several of the streets within the subdivision and applying HA5 to these streets will enable Public Works to monitor the oxidation of the asphalt and compare how streets recently resurfaced compare to streets that received an application of HA5.

There are numerous pavement preservation applications and methods, such as slurry seal, chip seal, fog seal, and micro-surfacing. HA5's calculated performance is approximately three times longer than typical seal coat treatments. The aesthetics of a properly applied HA5 is much greater than other preservation techniques and has a higher public approval.

The importance of pavement preservation, with the cost of asphalt and labor continuously rising, is important in moving forward with the City's pavement management strategies and techniques. Extending the life of a road for a substantially less cost than a mill and overlay, will allow funding to go further and be utilized more strategically in preserving our infrastructure. Expanding our pavement preservation efforts and utilizing effective technologies and products will enable the City to prolong the time between milling and resurfacing.

ALTERNATIVES:

Do not approve award of contract to Holbrook Paving for FY 25 Pavement Preservation.

ATTACHMENTS:

1. ITB 25-002-Holbrook Asphalt-Contract
2. 25-002 SCORING SUMMARY
3. Holbrook Asphalt-Bid docs

**CONTRACT AGREEMENT
FY25 PAVEMENT PRESERVATION
(INVITATION TO BID NO. 25-002)**

THIS AGREEMENT made by, and between, **CITY OF ALPHARETTA, GEORGIA**, a municipal corporation of the State of Georgia (hereinafter, the "CITY"), and **HOLBROOK ASPHALT LLC**, a Utah limited liability company, with its principal office located at 1545 E COMMERCE DRIVE, ST. GEORGE, UT 84790 (hereinafter, "CONTRACTOR").

WITNESSETH: that for and in consideration of the payments to be made by the CITY, and for other good and valuable consideration, the receipt and legal sufficiency of which is hereby acknowledged, the CONTRACTOR hereby agrees to commence and complete the construction project described as follows: -

FY25 PAVEMENT PRESERVATION includes, furnishing all materials, labor, and equipment for the complete construction, including, but not limited to, maintaining traffic control measures, applying high density mineral bond, performing cleanup, and related work. The location of the work is at various locations within the City of Alpharetta, Georgia.

For CONTRACTOR'S performance and completion of the Project (as defined in the General Conditions set forth in ITB No. 25-002), CITY shall pay CONTRACTOR a fee in accordance with the unit costs established in CONTRACTOR'S Bid and as finally awarded by the City for a total sum not to exceed **ONE HUNDRED SIX THOUSAND, SIX HUNDRED FIFTY-TWO DOLLARS AND FIFTY-SEVEN CENTS. (\$106,652.57)**. At CONTRACTOR's own cost and expense, CONTRACTOR shall furnish all materials, supplies, machinery, equipment, tools, superintendence, labor, insurance, and other accessories and services necessary or convenient to the successful completion of the Project and the carrying out of all duties and obligations in accordance with the terms and conditions set forth in ITB No. 25-002, CONTRACTOR'S Bid, the General Conditions, including the Standard Specifications as modified by the Supplemental Specifications, the Special Provisions, including any technical specifications for the Project, the Plans and Specifications, including all explanatory matter thereof, and the other Contract Documents as enumerated in Section 101.16 of the General Conditions, all of which are made a part hereof and collectively constitute the Contract (the "Work").

The CITY agrees to pay CONTRACTOR in current funds for the performance of the Work subject to additions and deductions as provided in the General Conditions, and to make payments on account thereof as provided in Section 109 of the General Conditions.

In the event of any delay which is not the fault or responsibility of CONTRACTOR or any supplier to CONTRACTOR, CONTRACTOR is entitled to additional days for performance of this Contract (not to exceed fifteen (15) days from the date of completion set forth in this Contract). CONTRACTOR shall not be entitled to any additional money for any delay which it encounters. CONTRACTOR's sole remedy shall be to obtain an extension of time within which this Contract is to be performed. Under no circumstances shall CONTRACTOR be entitled to assert any claim of entitlement against the CITY for actual or consequential damages resulting from delays.

Upon CONTRACTOR's breach of any material provision of this Contract which breach remains uncured after ten (10) days written notice of default, the CITY may terminate this Contract without liability for further payment of amounts due or to become due under this Contract. Termination shall be in addition to, and not in lieu of, any other remedies available to

the CITY under this Contract or applicable law, including making of claims under CONTRACTOR's bonds. Upon the CITY's breach of any material provision of this Contract, which breach remains uncured after ten (10) days written notice of default, CONTRACTOR shall be entitled to terminate this Contract or pursue such other remedies, not inconsistent with this Contract, as it may have in law or equity. This Contract may also be terminated or suspended by the CITY for CITY's convenience upon not less than seven (7) days written notice to CONTRACTOR. In the event of such termination, CONTRACTOR shall be compensated for services performed through the date of termination, together with any reimbursable expenses then due. Any termination of this Contract by the CITY for an alleged default which is ultimately held unjustified shall automatically be deemed to be a termination for convenience.

This Contract was awarded and is contingent upon CONTRACTOR's compliance with O.C.G.A. § 13-10-91 and Chapter 300-10-1 of the Rules of the Georgia Department of Labor, and CONTRACTOR's certification to the CITY that it has registered and currently participates in the federal work authorization program to verify employment eligibility of all newly hired employees. Further, as part of any approved subcontracting agreement, CONTRACTOR has certified that any subcontractor entering into this Contract for the physical performance of services within this State is in compliance with O.C.G.A. § 13-10-91 and Chapter 300-10-1 of the Rules of the Georgia Department of Labor and has registered and currently participates in the federal work authorization program to verify employment eligibility of all newly hired employees. This Contract may be suspended or terminated if it is determined that CONTRACTOR has made a false certification or has violated such certification by failure to carry out this requirement.

CONTRACTOR shall maintain the types and amounts of insurance set forth in the ITB and the General Conditions, and as otherwise reasonably required by the CITY from time to time. CONTRACTOR shall provide proof of such insurance to the CITY contemporaneously with the execution of this Contract, and as and when requested by the CITY during the term hereof. Acceptance of a certificate or proof of insurance does not constitute approval or agreement by the CITY that the insurance requirements have been satisfied. CONTRACTOR shall indemnify and hold the CITY harmless from all claims, demands, losses, attorneys' fees and liabilities of any type or nature arising out of or related to CONTRACTOR's, or CONTRACTOR's agents', employees' or subcontractors', performance or non-performance of this Contract, including, but not limited to, claims for injury to person or property; provided, however, that this indemnification obligation shall not apply to claims arising from the sole negligence of the CITY or its employees. Nothing in this paragraph or this Contract shall be deemed to constitute a waiver of the CITY's sovereign immunity, create rights in any third party, or create any third-party beneficiaries.

The provisions of this Contract and the Contract Documents constitute the entire Contract between the parties, and all prior discussions and agreements are merged herein. This Contract is expressly intended to supersede all provisions of the Georgia Prompt Pay Act.

Any dispute arising in connection with the interpretation of this Contract, or the performance of any party under this Contract or any claim or dispute under this Contract or otherwise related to this Contract shall, at the sole option of the CITY, be referred to binding arbitration in Atlanta, Georgia in accordance with the Commercial Arbitration Rules of the American Arbitration Association.

The CONTRACTOR shall promptly commence the Work with adequate force and equipment as the CONTRACTOR deems appropriate weather conditions for the project exist, or as may be specified by Special Provision, continuously pursue the Work without interruption to completion, and fully complete the Work pursuant to a mutually agreed upon schedule.

This Contract may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall together constitute one (1) and the same instrument. This Contract may be executed by electronic signature, and such signature shall have the same validity and effect as a signature affixed by hand and shall constitute an original for all purposes.

IN WITNESS WHEREOF, the parties hereto have each caused this Contract to be executed and delivered by a duly authorized officer, agent or official as of the date set forth below.

Executed _____

CITY OF ALPHARETTA, GEORGIA

By: _____

Jim Gilvin, Mayor

Approved as to Content:

Chris Lagerbloom, City Administrator

Approved as to form and Legal Sufficiency:

City Attorney

HOLBROOK ASPHALT, LLC

By: _____

Mark Beatty, Sr. Vice President

Attest:

By: _____

Chris Rasmussen, Contracts Manager

Date: _____

25-002 - FY25 PAVEMENT PRESERVATION

Scoring Summary

Active Submissions

Supplier	Total / 100 pts	B-1 - SOI / 100 pts
Holbrook Asphalt	100	100 (\$106,652.57)

City of Alpharetta
ITB 25-002, FY25 Pavement Preservation
Bid Form

Bidder Name:

Instructions for completion of Bid Form:

1. This form MUST be used to submit cost proposal.
2. Do not include a copy of this bid form in your technical bid information.
3. Complete all fields. See end of form for bid authorization and contact information.
4. Verify all amounts entered. This form will be used for bid award.
5. During the bid opening, only the bid grand total will be called.
6. Enter unit cost only. Form will calculate the extension by multiplying the Quantity by the Unit Cost entered.

Line Item	Description	Quantity	Unit	Unit Cost	Extension
1	High Density Mineral Bond	19,193	SY	\$ 4.49	\$ 86,176.57
2	Traffic control	1	LS	\$ 6,600.00	\$ 6,600.00
3	Asphalt-rubber crack and joint sealing of approximately 2.17 lane miles of asphalt. This includes cold joints between lanes, and cracks in the asphalt surface.	1	LS	\$ 13,876.00	\$ 13,876.00
Grand Total :					\$ 106,652.57

Bid Price Certification

In compliance with Scope of Project/Specifications, the undersigned offers and agrees that if this Bid is accepted by the City Council within one hundred twenty (120) days of the date of ITB Response Due Date and Bid opening, that the undersigned will furnish any or all of the deliverables upon which prices are quoted, at the price set opposite each, to the designated point(s) within the time specified.

Company Name: Holbrook Asphalt LLC

Company Address: 1545 E Commerce Dr

Authorized Signature(s): Mark Beatty

Print/Type Name(s) and Title(s): Mark Beatty, Sr. Vice President

Date Signed: 9/3/2024

Contact Info - Phone Number: 435-652-4427

Contact Info - E-mail Address: mark@holbrookasphalt.com



Mark Beatty
Holbrook Asphalt
1545 E Commerce Dr
St George, UT 84790

August 22, 2024

RE: ITB Title: FY25 PAVEMENT PRESERVATION, # 25-002

Dear Ms. Rucker,

Holbrook Asphalt is dedicated to the preservation of asphalt pavement assets. It is our company's core focus. As a result of that focus and dedication to extending the life of pavement assets, in 2002 we installed several test applications of what has become known as HA5 and classified as a High Density Mineral Bond. After seven years of evaluation, and showing an exceptionally high level of performance, HA5 was introduced to public and private agencies in 2009. Today, over 20 years after the first installations, HA5 has been installed in 25 states, in multiple climate conditions, and is recognized as one of the fastest growing and effective pavement preservation tools in the country.

The enclosed bid response provides background showing successful projects and satisfied customers over several years with Holbrook Asphalt. Holbrook Asphalt is the developer of HA5 and has installed more HA5 than any other contractor in the U.S. Holbrook Asphalt's HA5 product meets the specification for a High Density Mineral Bond material as specified in this RFP.

Sincerely,

A handwritten signature in black ink that reads "Mark Beatty". The signature is fluid and cursive, with the first and last names clearly legible.

Mark Beatty
Sr. Vice President
Holbrook Asphalt



Business Information

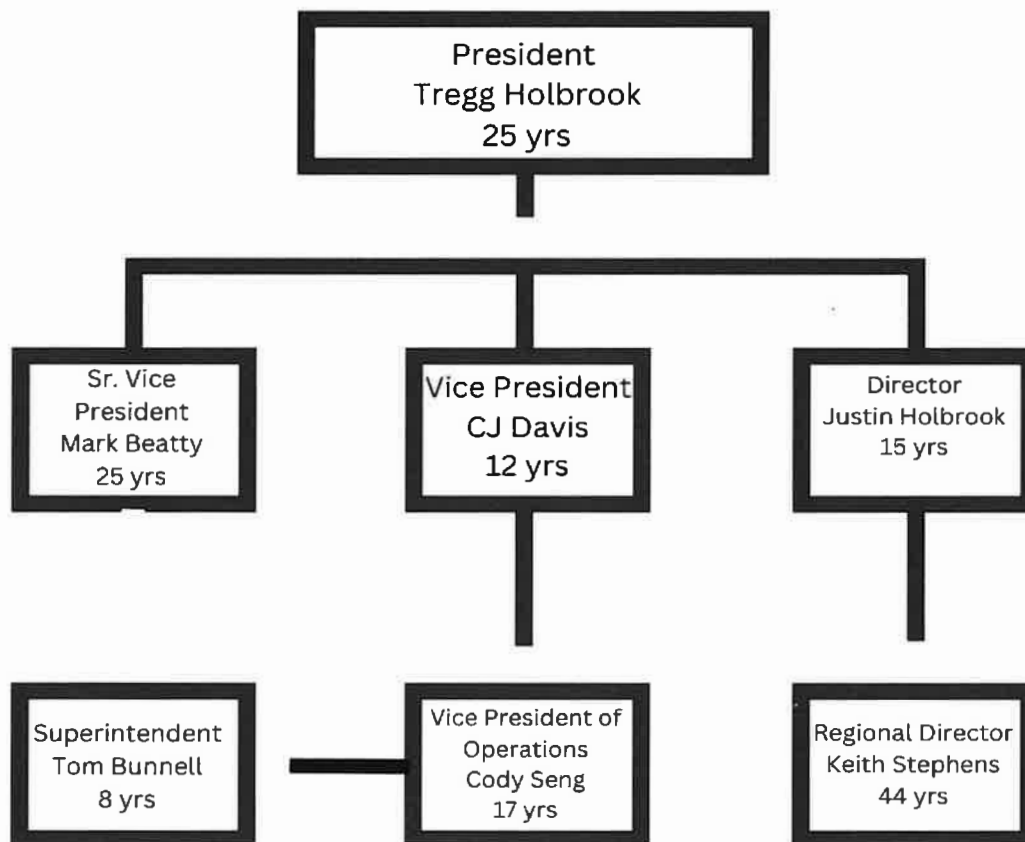
Holbrook Asphalt
1545 E Commerce Dr
St. George, UT 84790

Point of Contact

Keith Stephens, Regional Direction
1545 E Commerce Dr
St. George, UT 84790
O- 435-652-4427 ext 153
C- 404-882-2545
keith@holbrookasphalt.com

Statement of Qualifications
Holbrook Asphalt Key Personnel

President – Tregg Holbrook (435) 652-4427
Sr. Vice President – Mark Beatty (435) 652-4427
Vice President – CJ Davis (435) 652-4427
V.P of Operations – Cody Seng (435) 705-6156
Superintendent – Tom Bunnell (435) 749-1373
Regional Director – Keith Stephens (404) 882-2545



Employee Expertise

Our employees are fully trained and completely familiar with the scope of work required for pavement preservation. We invest heavily in training programs to ensure that every team member is proficient in the latest techniques and technologies in pavement preservation. This comprehensive training includes detailed instruction on the application of HDMB, safety protocols, quality assurance, and project management. Our team's expertise ensures that we can deliver consistent, high-quality results on every project.

References

Reference #1

Barrow County, GA
30 N Broad St
Winder, GA 30680

Primary Scope of Work:

Preserve roadways by Installing HA5 High Density Mineral Bond

Contact:

Scott Bratcher
404-694-0960
sbratcher@barrowga.org

Reference #2

Milton City, GA
2006 Heritage Walk
Milton, GA 30004

Primary Scope of Work:

Preserve roadways by Installing HA5 High Density Mineral Bond

Contact:

Matt Fallstrom
404-867-6191
matthew.fallstrom@miltonga.gov

Reference #3

Walton County, GA
1407 S Madison Ave
Monroe, GA 30655

Primary Scope of Work:

Preserve roadways by installing HA5 High Density Mineral Bond

Contact:

John Allman
770-267-1350
jallman@co.walton.ga.us

Available Resources/Capabilities

Understanding of the Contract Goals and Objectives:

Our company, Holbrook Asphalt, comprehends the primary goals and objectives of the Pavement Preservation Services contract, which include extending the lifespan of roadways, improving surface safety and quality, and achieving cost-effective maintenance solutions. Pavement preservation is crucial for maintaining infrastructure, reducing the need for extensive repairs, and ensuring the safety and satisfaction of road users.

Our Firm's Approach:

To achieve these objectives, we employ our proprietary surface treatment, High Density Mineral Bond (HDMB). This treatment is designed to enhance the durability of road surfaces, providing a robust, skid-resistant finish that protects against environmental wear and tear. The application process of HDMB is streamlined to ensure quick deployment with minimal traffic disruption, adhering to the highest standards of quality control.

Demonstration of Comprehension:

Our firm has a proven track record of successfully implementing HDMB in various municipalities and regions. Our team comprises highly trained professionals with extensive experience in pavement preservation.

Commitment to the Client's Goals:

We are dedicated to achieving the client's goals through exceptional service and ongoing innovation. Our commitment to customer satisfaction is reflected in our proactive communication and responsive support throughout the project lifecycle. Additionally, we continually invest in research and development to enhance our treatment solutions, ensuring that we deliver the most effective and up-to-date pavement preservation services.

Capabilities to Perform Services:

Our firm possesses the capabilities required to perform all aspects of the pavement preservation services outlined in the contract. We have a fleet of specialized equipment designed for the efficient and effective application of HDMB. Our logistics and project management teams ensure timely delivery and execution of services, minimizing disruptions and adhering to project timelines. Additionally, our strong supplier relationships guarantee the availability of high-quality materials, enabling us to maintain the highest standards of workmanship. Our extensive experience in similar projects has equipped us with the skills and knowledge necessary to handle any challenges that may arise during the course of the contract.

Holbrook Asphalt: Construction Contracts in last 5 years similar in scope to

City of Alpharetta ITB 25-002

Project #1:

- a) Name and Location of the project:
City of Sachse, TX
- b) Name, address, and telephone number of the project owner:
City of Sachse, 3815 Sachse Road, Sachse, TX 75048 Phone: 469-429-4792
- c) Brief description of the work involved:
Pavement preservation with High Density Mineral Bond
- d) Contract amount:
\$309,131.80
- e) Contract date for completion:
Sept, 2022
- f) Date of actual completion – reason for delay, if any:
Oct 13, 2022
- g) Name, address and phone number of Engineer/Architect/Landscape Architect:
Corey Nesbit, 3815 Sachse Road, Sachse, TX 75048 Phone: 469-429-4792

Project #2:

- a) Name and Location of the project:
City of Spanish Fork, UT
- b) Name, address, and telephone number of the project owner:
City of Spanish Fork, 40 S Main St, Spanish Fork, UT 84660 Phone: 801-804-4454
- c) Brief description of the work involved:
Pavement preservation with High Density Mineral Bond
- d) Contract amount:
\$498,117.34
- e) Contract date for completion:
August 15, 2021
- f) Date of actual completion – reason for delay, if any:
July 19, 2021
- g) Name, address and phone number of Engineer/Architect/Landscape Architect:
James Chappel, 40 S Main St, Spanish Fork UT 84660 Phone: 801-804-4454

Project #3:

- a) Name and Location of the project:
City of South Jordan, UT
- b) Name, address, and telephone number of the project owner:
South Jordan, 1600 W Towne Center Dr, South Jordan, UT 84095 Phone: 801-446-4357
- c) Brief description of the work involved:
Pavement preservation with High Density Mineral Bond, repair cracks and concrete joints
- d) Contract amount:
\$324,412.74
- e) Contract date for completion:
Sept 2022
- f) Date of actual completion – reason for delay, if any:
Sept 2022
- g) Name, address and phone number of Engineer/Architect/Landscape Architect:
Devin Sear, 1600 W Towne Center Dr, South Jordan, UT 84095

Project #4:

- a) Name and Location of the project:
Town of Queen Creek, AZ
- b) Name, address, and telephone number of the project owner:
Queen Creek, AZ 22358 S Ellsworth Rd, Queen Creek, AZ 85143
Phone: 480-358-3821
- c) Brief description of the work involved:
Pavement preservation with High Density Mineral Bond, and crack repairs
- d) Contract amount:
\$1,047,520.22
- e) Contract date for completion:
Nov 2022
- f) Date of actual completion – reason for delay, if any:
Nov 2022
- g) Name, address and phone number of Engineer/Architect/Landscape Architect:
Jan Martin, 22358 S Ellsworth Rd, Queen Creek, AZ 85142 Phone: 480-358-3821

Project #5:

- a) Name and Location of the project:
Barrow County, GA
- b) Name, address, and telephone number of the project owner:
Barrow County, 30 N Broad St, Winder, GA 30680 Phone: 404-694-0960
- c) Brief description of the work involved:
Pavement preservation with High Density Mineral Bond, and crack repairs
- d) Contract amount:
\$514,471.20
- e) Contract date for completion:
Oct 2023
- f) Date of actual completion – reason for delay, if any:
Oct 2023
- g) Name, address and phone number of Engineer/Architect/Landscape Architect:
Scott Bratcher, 30 N Broad St, Winder, GA 30680 Phone: 404-694-0960

Timeline

Project duration is expected to be approximately 3 days to complete. Two coats of HA5 will be applied to each street on their scheduled day. Streets will be closed for 12 hours, from 7am to 7pm, or as allowed by city regulations.

Holbrook Asphalt will notify residents, if applicable, 48-72 hours before their street is scheduled to close to allow time for planning, and we will work with the city to find parking options and alternatives as necessary.

Holbrook Asphalt will implement the necessary traffic control measures and will submit a traffic control plan for the city to approve. All traffic control will comply with MUTCD standards.

Shuttle service will be provided for residents between the hours of 7am and 7pm to transport residents to their cars.

In the event of rain the roads scheduled for that day will be rescheduled at the end of the project.



BID BOND

(Five Percent (5%) of Bid)

Bid Bond # TBD

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned

Holbrook Asphalt LLC 1545 E Commerce Drive
St. George, Ut 84790

as **CONTRACTOR**, and

United Fire and Casualty Company 118 Second Ave
SE Po Box 73909 Cedar Rapids, IA 52407-3909

as **SURETY**, a corporation duly organized

under the laws of the State of Iowa, are hereby held and firmly bound unto

CITY OF ALPHARETTA, GEORGIA
2 PARK PLAZA

ALPHARETTA, GA 30009 as CITY and hereafter called OBLIGEE, in the penal sum of

_____ Dollars (\$ _____), or Five Percent

(5 %) of the bid amount, whichever is less, for the payment of which sum well and truly to be made, the said **CONTRACTOR** and the said **SURETY**, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

Signed this 29th day of August, 2024

The condition of the above obligation is such that whereas the **CONTRACTOR** has submitted to the **OBLIGEE** a certain bid attached hereto and hereby made a part hereof to enter into a contract in writing for the construction of

FY25 PAVEMENT PRESERVATION- The work to be done consists of furnishing all materials, labor, and equipment for the complete construction, including, but not limited to, maintaining traffic control measures, applying high density mineral bond, performing cleanup, and related work. The location of the work is within the City of Alpharetta, Georgia.

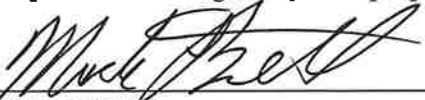
NOW, THEREFORE, if the **OBLIGEE** shall accept the bid of the **CONTRACTOR** and the **CONTRACTOR** shall enter into a Contract with the **OBLIGEE** in accordance with the terms of such bid and give such bonds or bond as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the **CONTRACTOR** to enter such Contract and give such bond or bonds, if the **CONTRACTOR** shall pay to the **OBLIGEE** the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the **OBLIGEE** may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

BID BOND

Page 2 of 2

The **SURETY**, for value received, hereby stipulates, and agrees that the obligations of said **SURETY** and its bond shall be in no way impaired or affected by any extension of the time within which the **OBLIGEE** may accept such bids, and said **SURETY** does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the **CONTRACTOR** and the **SURETY** corporate seals to be hereto affixed and these presents to be signed by their proper officers, the day and year first set forth above.



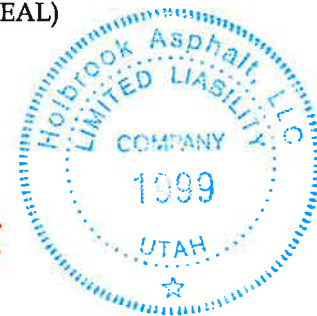
CONTRACTOR

(SEAL)

By: MARK BEATTY



SURETY



By: Steven Burgess

Georgia Representative

Surety Contact Information:

Address: 118 Second Ave SE Po Box 73909 Cedar Rapids, Iowa 52407

Phone: 319-399-5700

Fax: 888-514-9190

Email: Anorrell@unitedfiregroup.com

Surety companies executing bonds must appear on the Treasury Department's most current list (Circular 570, as amended) and be authorized to conduct business in the State of Georgia.



UNITED FIRE & CASUALTY COMPANY, CEDAR RAPIDS, IA
UNITED FIRE & INDEMNITY COMPANY, WEBSTER, TX
FINANCIAL PACIFIC INSURANCE COMPANY, LOS ANGELES, CA
CERTIFIED COPY OF POWER OF ATTORNEY
(original on file at Home Office of Company – See Certification)

Inquiries: Surety Department
118 Second Ave SE
Cedar Rapids, IA 52401

KNOW ALL PERSONS BY THESE PRESENTS, That United Fire & Casualty Company, a corporation duly organized and existing under the laws of the State of Iowa; United Fire & Indemnity Company, a corporation duly organized and existing under the laws of the State of Texas; and Financial Pacific Insurance Company, a corporation duly organized and existing under the laws of the State of California (herein collectively called the Companies), and having their corporate headquarters in Cedar Rapids, State of Iowa, does make, constitute and appoint

JOHN LEXINGTON ENCE, NICK ENCE, VICKIE BOHRER, STEVEN BURGESS, SHAUNA HAFEN, JACIE SMITH, TAMIE GRIFFITHS, LIA DRESSLER, BRITTANY DAVIS, TIERRA SHORT, EACH INDIVIDUALLY

their true and lawful Attorney(s)-in-Fact with power and authority hereby conferred to sign, seal and execute in its behalf all lawful bonds, undertakings and other obligatory instruments of similar nature provided that no single obligation shall exceed \$10,000,000.00 and to bind the Companies thereby as fully and to the same extent as if such instruments were signed by the duly authorized officers of the Companies and all of the acts of said Attorney, pursuant to the authority hereby given and hereby ratified and confirmed.

The Authority hereby granted shall expire the 17th day of August, 2024 unless sooner revoked by United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

This Power of Attorney is made and executed pursuant to and by authority of the following bylaw duly adopted by the Boards of Directors of United Fire & Casualty Company, United Fire & Indemnity Company, and Financial Pacific Insurance Company.

"Article VI – Surety Bonds and Undertakings"

Section 2, Appointment of Attorney-in-Fact. "The President or any Vice President, or any other officer of the Companies may, from time to time, appoint by written certificates attorneys-in-fact to act in behalf of the Companies in the execution of policies of insurance, bonds, undertakings and other obligatory instruments of like nature. The signature of any officer authorized hereby, and the Corporate seal, may be affixed by facsimile to any power of attorney or special power of attorney or certification of either authorized hereby; such signature and seal, when so used, being adopted by the Companies as the original signature of such officer and the original seal of the Companies, to be valid and binding upon the Companies with the same force and effect as though manually affixed. Such attorneys-in-fact, subject to the limitations set forth in their respective certificates of authority shall have full power to bind the Companies by their signature and execution of any such instruments and to attach the seal of the Companies thereto. The President or any Vice President, the Board of Directors or any other officer of the Companies may at any time revoke all power and authority previously given to any attorney-in-fact.

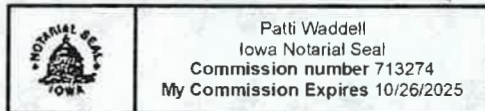
IN WITNESS WHEREOF, the COMPANIES have each caused these presents to be signed by its vice president and its corporate seal to be hereto affixed this 17th day of August, 2022

UNITED FIRE & CASUALTY COMPANY
UNITED FIRE & INDEMNITY COMPANY
FINANCIAL PACIFIC INSURANCE COMPANY

By: *Kyanna M. Saylor*
Vice President

State of Iowa, County of Linn, ss:

On 17th day of August, 2022, before me personally came Kyanna M. Saylor to me known, who being by me duly sworn, did depose and say; that she resides in Cedar Rapids, State of Iowa; that she is a Vice President of United Fire & Casualty Company, a Vice President of United Fire & Indemnity Company, and a Vice President of Financial Pacific Insurance Company the corporations described in and which executed the above instrument; that she knows the seal of said corporations; that the seal affixed to the said instrument is such corporate seal; that it was so affixed pursuant to authority given by the Board of Directors of said corporations and that she signed her name thereto pursuant to like authority, and acknowledges same to be the act and deed of said corporations.



Patti Waddell
Notary Public
My commission expires: 10/26/2025

I, Mary A. Bertsch, Assistant Secretary of United Fire & Casualty Company and Assistant Secretary of United Fire & Indemnity Company, and Assistant Secretary of Financial Pacific Insurance Company, do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Section of the bylaws and resolutions of said Corporations as set forth in said Power of Attorney, with the ORIGINALS ON FILE IN THE HOME OFFICE OF SAID CORPORATIONS, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

In testimony whereof I have hereunto subscribed my name and affixed the corporate seal of the said Corporations this 29 day of August, 2024.



By: *Mary A. Bertsch*
Assistant Secretary,
UF&C & UF&I & FPIC

BPOA0045 122017

This paper has a colored background and void pantograph.

**AFFIDAVIT VERIFYING CONTRACTOR PARTICIPATION IN
FEDERAL WORK AUTHORIZATION PROGRAM (E-Verify)**

The undersigned contractor ("Contractor") executes this Affidavit to comply with O.C.G.A. § 13-10-91 related to any contract to which Contractor is a party that is subject to O.C.G.A. § 13-10-91 and hereby verifies its compliance with O.C.G.A. § 13-10-91, attesting as follows:

- a) The Contractor has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program;
- b) The Contractor will continue to use the federal work authorization program throughout the contract period, including any renewal or extension thereof;
- c) The Contractor will notify the City of Alpharetta in the event the Contractor ceases to utilize the federal work authorization program during the contract period, including renewals or extensions thereof;
- d) The Contractor understands that ceasing to utilize the federal work authorization program constitutes a material breach of Contract;
- e) The Contractor will contract for the performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the Contractor with the information required by O.C.G.A. § 13-10-91(a), (b), and (c);
- f) The Contractor acknowledges and agrees that this Affidavit shall be incorporated into any contract(s) subject to the provisions of O.C.G.A. § 13-10-91 for the project listed below to which Contractor is a party after the date hereof without further action or consent by Contractor; and
- g) The Contractor acknowledges its responsibility to submit copies of any affidavits, drivers' licenses, and identification cards required pursuant to O.C.G.A. § 13-10-91 to the City of Alpharetta within five business days of receipt.

1377822

Federal Work Authorization User Identification Number

Holbrook Asphalt LLC

Name of Contractor

02/07/2019

Date of Authorization

ITB 25-002-FY25 Pavement Preservation

Name of Project

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed date 9/3/24 in ST GEORGE (city), UT (state).

A handwritten signature in black ink, appearing to read "Mark Beatty".

Signature of Authorized Officer or Agent

Mark Beatty, Sr. VP

Printed Name and Title of Authorized Officer or Agent

SUBSCRIBED AND SWORN BEFORE ME

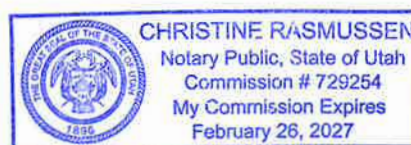
ON THIS THE 3rd DAY OF SEPT, 2024.

A handwritten signature in blue ink, appearing to read "Christine Rasmussen".

NOTARY PUBLIC

My Commission Expires: 2/26/27

(Notary Stamp)





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[<](#) **Entity**

HOLBROOK ASPHALT, LLC

ID Assigned



The entity record has been validated as unique and existing, but is not registered in SAM.gov.

Unique Entity ID
YMRTEQ2S1215

Physical Address
**1545 E Commerce Dr
Saint George, UT
84790-4672, USA**

Version

Current Record



Feedback

Our Website

[About This Site](#)

[Our Community](#)

[Release Notes](#)

[System Alerts](#)

Policies

[Terms of Use](#)

[Privacy Policy](#)

[Restricted Data Use](#)

[Freedom of Information Act](#)

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BIDDER'S DISCLOSURES AND CERTIFICATIONS

PROCUREMENT NUMBER & TITLE: 25-002 FY25 Pavement Preservation

DISCLOSURE FORM AND CERTIFICATION OF NON-COLLUSION

Bidder must disclose any possible conflict of interest and/or any relationship that exists between any principal or employee of your corporation/firm/team/organization and with any City elected official and/or employee. Relationship may be financial, personal, or family or may be in the form of campaign contributions to elected officials. State whether Relationship DOES or DOES NOT exist. Failure to disclose or to submit this completed form may result in response being declared non-responsive and will not be considered further.

Check applicable box. Use additional forms if needed:	No known relationship exists ☒	Yes, Relationship does exist ☐	If this box checked, include the name and position of the City Official to whom a campaign contribution was made or official/employee relationship. Use a separate form for each official to whom a contribution has been made within the past two (2) years or for additional official/employee relationships.
City Elected Official and/or Employee Name and position		None	
Contribution Amount/Value (if any)	n/a	Contribution Date and Description	n/a
List other Relationship if not contribution	n/a		

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS

The Contractor certifies to the best of its knowledge and belief that neither it nor any of its principals:

1. are presently debarred, suspended, proposed for debarment, or declared ineligible from submitting bids or proposals by any federal, state or local entity, department or agency;
2. have within a three-year period preceding this bid/offer, been convicted or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performance of a public (Federal, state or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statement, tax evasion, or receiving stolen property;
3. are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph 2 of this certification;
4. have within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal, state or local public agency.

By signing this form, I certify that:

- As an officer of this firm, or per the attached letter of authorization, I am duly authorized to certify the information provided herein is accurate and true; and my firm shall comply with all State and Federal Equal Opportunity and Non-Discrimination requirements and conditions of employment.
- That the firm's response is made without prior understanding, agreement, or connection with any corporation, firm, team, organization, or person submitting a response for the same materials, supplies, equipment, opportunity, or services and is in all respects fair and without collusion or fraud. My firm understands and agrees that bid/proposal collusion is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards;
- Employees of this company or employees of any company supplying material or subcontracting to do work on this Contract will not engage in business ventures with employees of the CITY or Consulting Engineers nor shall they provide gifts, gratuities, favors, entertainment, loans or other items of value to employees of this Department, and
- That the provisions of the Official Code of Georgia Annotated, Sections 45-10-20 et seq. have not been violated and will not be violated in any respect. O.C.G.A. 45-10-20 through 45-10-28 provide that it is unlawful for a City elected official or employee to transact business with the City by which that person is employed for himself, on behalf of a business in which the employee or his/her spouse or dependents has a substantial interest, or on behalf of anyone as agent, broker, dealer, or representative.

Holbrook Asphalt LLC

Company Name

Mark Beatty

Signature of Authorized Officer or Agent

9/3/24

Date

Mark Beatty, Sr. Vice President

Printed Name & Title of Authorized Officer or Agent

1545 E Commerce Dr, St. George, UT 84790

Company Address

Subscribed and sworn before me on this the

3rd day of Sept, 2024

Christine Rasmussen

Notary Public

2/26/27

My Commission Expires

(Notary Stamp)



Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) Holbrook Asphalt LLC	
	2 Business name/disregarded entity name, if different from above. Holbrook Asphalt Co	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☒ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) S Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions)	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions ☐	
	5 Address (number, street, and apt. or suite no.). See instructions. 1545 E Commerce Dr	Requester's name and address (optional) City of Alpharetta 2 Park Plaza Alpharetta, GA 30003
6 City, state, and ZIP code St George, UT 84790		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-					
or								
Employer identification number								
8	7		-	0	6	2	6	5 8 3

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person *Chris Rasmussen*

Date **8-29-2024**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

Quest

#
2.0.1
2.0.2
2.0.3
2.0.4
2.0.5

ion Set 2: Requested Information

Question
Authorized signer for contract execution in DocuSign: Name, business title, email address, Response Type: Response Type: text entry.
Legal notices contact needed for contracting: Business name and mailing address, contact name, Response Type: text entry.
Unique Entity ID / identifier used at SAM.gov, Response Type: alphanumeric entry
Corporate secretary for contract execution in DocuSign: Name, business title, email address, Response Type: Response Type: text entry.
Note the employee-number category for your company (all locations). Select either 500 or more employees, 100 or more employees, or less than 100 employees.
5 Questions

Response

Mark Beatty, Sr. Vice
President,
mark@holbrookasphalt.com

Holbrook Asphalt LLC, 1545 E
Commerce Dr, St. George, UT
84790, Keith Stephens

YMRTEQ2S1215

Chris Rasmussen, Contracts
Manager,
chris@holbrookasphalt.com

100 or more employees

Comment
Holbrook Asphalt has 130 employees.
100.00% Complete

Status
Complete
Complete
Complete
Complete
Complete



STAFF REPORT

Department: Recreation, Parks & Cultural Services

Submitted By: Sarah Bausano

Meeting Date: November 18, 2024

AGENDA ITEM:

iCan Shine & City of Alpharetta 2025 iCan Bike Host Agreement

Consideration and approval of the iCan Bike Host Agreement between the City of Alpharetta and iCan Shine for the June 23rd through June 27th, iCan Bike Program.

STAFF RECOMMENDATION:

The Department of Recreation, Parks & Cultural Services finds the program indispensable and wishes to take the responsibility of continuing the program to prevent the program's cessation. As such, staff recommends approval, as presented, of the agreement between the City of Alpharetta and iCan Shine will allow the City of Alpharetta to host the 2025 iCan Bike Host Agreement and to authorize the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: YES

FISCAL IMPACT: YES

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: YES

TOTAL PROJECT COST: \$20,000 (\$8000
PROJECTED REVENUES FOR A NET COST OF
\$12,000)

APPROPRIATIONS:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
ACC Professional Services - Special Needs: 10061400 521200 RCC10	\$11,400.00

EXTERNAL FUNDING SOURCES:

<u>ACCOUNT TITLE/NUMBER</u>	<u>DOLLAR AMOUNT</u>
ACC Event Registration Fees - Special Needs Events: 10061400 347300 RCC10	\$8,000.00

ITEM DESCRIPTION:

BACKGROUND

The Recreation, Parks & Cultural Services Department for the City of Alpharetta has always strived to provide exceptional and trending recreational programs for city citizens. Each year, staff evaluates the success of prior programs and monitors the interest in developing sports and recreational activities. This annual assessment ensures program offerings are always in demand and of high quality. Additionally, a key element of the City's vision for recreational programs and activities is "inclusion". Programs and activities should encompass the various demographics of residents and staff work diligently to deliver classes, programs, and events for all ages and abilities.

The iCan Bike program was initially introduced by the Alpharetta Public Safety Department in partnership with iCan Shine. The weeklong camp, made possible by volunteers comprised of Public Safety and Recreation staff, seeks to empower adaptive children and adults through learning the skill of riding a bike. Each year, the camp experiences approximately 40 "riders" and requires over 50 volunteers. Riders of varying abilities come from all over to participate in this unique and rare program for ages eight and up, including teens and adults with intellectual and

developmental disabilities. Riders are taught that they can do amazing things with a little effort, parents find the camp inclusive and heartwarming, and volunteers can pride themselves on the unforgettable contribution made to the community.

In the absence of the program's former Public Safety organizer, the Recreation Services Division of the Recreation, Parks & Cultural Services Department took over the program in 2024. This is a natural transition as the division already assists by funding the program via operational funds and registration revenue and provides staffing assistance in preparation for and during the weeklong program.

THE AGREEMENT

Under the agreement attached hereto, iCan Shine agrees to transfer over the hosting responsibilities of the iCan Bike Program to the City of Alpharetta's Department of Recreation, Parks & Cultural Services. Additionally, the agreement commits the City to a financial responsibility of \$11,400 in service costs (shown below) to be provided by iCan Shine for 2025 iCan Bike Program.

\$11,400 will cover the following expenses:

1. Two Floor Lead Staffers
2. One Bike Technician
3. All iCan Bike Camp Bike Rentals
4. iCan Bike Program Management (iCan Shine will manage the program while Recreation, Parks & Cultural Services staff provides volunteers to manage the program.

TOTAL PROGRAM COST

Historically, the iCan Bike Program averages a total cost of \$20,000 to produce. \$11,400 of the \$20,000 expenses are for the services provided by iCan Shine to facilitate the program. The remaining \$8,600 encompasses the day-to-day operational expenses for the camp (camp supplies, camp t-shirts, etc.). This year, City staff hope to offset the City's cost through the camp's registration fees as well as actively pursuing sponsorship funding. In the least, if all 40 "riders" register for the program, \$8,000 can be raised in registration revenue and the total out-of-pocket expense to the City will be \$12,000. This will only be reduced if additional sponsorship funds are obtained.

ALTERNATIVES:

There are two alternatives to this recommendation:

1. Defer approval of the iCan Shine agreement, and direct staff on the next steps in order to advance the program.
2. Deny approval of the iCan Shine agreement effectively canceling the iCan Bike Program for 2025.

ATTACHMENTS:

1. iCan Bike Host Agreement 2025 EB - Alpharetta GA Custom (002)
2. Alpharetta Affidavit E-Verify 2024



Professional Services Agreement

This Professional Services Agreement ("Agreement") is between, iCan Shine, Inc., ("Shine"), with a business mailing address of P.O. Box 541 Paoli, PA 19301, and the City of Alpharetta ("Host").

In consideration of the Terms and Conditions set forth in this Agreement, Exhibit and invoices attached hereto, Shine and Host agree that duly authorized representatives as of the date below execute this Agreement.

AGREED BY:

City of Alpharetta

Sign: _____

Name: Jim Gilvin

Title: Mayor

Date: _____

APPROVE AS TO CONTENT:

Sign: _____

Name: Chris Lagerbloom

Title: City Administrator

APPROVE AS TO FORM:

Sign: _____

Name: Jennifer McCall

Title: City Attorney

iCan Shine, Inc.

Sign: _____

Name: Jeffrey Sullivan

Title: Director of Finance &
Administration

Date: 9/18/24

PLEASE MAIL THIS SIGNED SIGNATURE PAGE ONLY, ALONG WITH DEPOSIT, TO ICAN SHINE, INC AT P.O. BOX 541 PAOLI, PA 19301.

I. DEFINITIONS

The following additional defined terms will have the meanings set forth below:

1. "Camp" or "iCan Bike Camp" means the weeklong iCan Bike program offered and operated through a collaborative effort between the Host and Shine, including all defined terms, related activities, and obligations described herein.
2. "Camp Booking Form" means Shine's online booking form, completed and submitted by Host, including details necessary to consummating this Agreement.
3. "Camp Director" is the responsible adult person(s) provided by Host that coordinate with Shine during, and (when possible) before, the Camp in the provision of Services under this Agreement. The Camp Director (a full-time role that may be fulfilled by more than one person) may or may not be involved in helping the Host plan and administer the Camp beyond what is required to coordinate with Shine during the weeklong Camp.
4. "Facility" means the local venue utilized to accommodate the Camp, procured by Host, that includes, but is not limited to, the indoor riding area, outdoor riding area, overnight storage for Shine's bikes and related equipment, and parent and volunteer orientation space, including chairs, projector and projection screen.
5. "Family Bike(s)" means the bicycles intended for Riders to use for post-Camp riding that their parents/caregivers bring to Camp. One goal of the Camp is to transition Riders onto their respective Family Bike by the end of Camp.
6. "Fleet" means the adapted bicycles, conventional bicycles, and related equipment, in quantities necessary for conducting an iCan Bike Camp.
7. "Intellectual Property" means Shine's and Rainbow Trainer's (Shine's equipment Lessor) pre-existing inventions and techniques including, but not limited to, iCan Bike programming materials and techniques, policies and procedures, trade secrets, design and specifications of the adapted bicycle equipment utilized, trade names and logos and any other intellectual property incorporated into any deliverable in providing the Services defined herein.
8. "Usable Riding Space" means the riding surface area, whether indoor or outdoor, that: 1) is unobstructed and allows for a circular or ovular bicycle riding pattern for the Riders; and 2) is the source of the available square footage used to calculate the Maximum Number of Riders permitted, as defined below, for each 75-minute Camp session.
9. "Maximum Number of Riders" means the largest number of Riders the Host may enroll for each 75-minute Camp session and is determined by dividing the Usable Riding Space square footage (length x width) by 1,700 and then

rounding to the nearest whole number (i.e., 4, 5, 6, 7 or 8). Under no circumstances can the Maximum Number of Riders exceed eight (8).

10. "Minimum Number of Riders" means the minimum number of Riders the Host may enroll for each 75-minute Camp session. Under no circumstances can the Minimum Number of Riders be less than four (4).
11. "Rider" means the participating person who utilizes the adapted, conventional and/or modified bicycles, and related equipment at the Camp for the purpose of learning to independently ride a conventional two-wheeled bicycle. The Host deems riders eligible for the Camp after review of a completed Rider Registration Form. Eligibility is subject to the Maximum Number of Riders and is permitted based on the Usable Riding Space, both of which were previously defined.
12. "Rider Data Spreadsheet" means Shine's standard one-page excel spreadsheet, to be completed and submitted by Host, which compiles all Rider details necessary to help facilitate efficiency in the operations of the Camp.
13. "Shine Staff" means a minimum of a single full-time Floor Supervisor and a single full-time Bike Technician for the duration of Camp.
14. "Spotter(s)" or "Volunteer(s)" used interchangeably herein, means reasonably prudent and responsible people procured by Host, whether paid or unpaid, that assist the operation of the Camp through activities including, but not limited to, providing physical, motivational and/or emotional support to Riders and/or administering the Rider and Volunteer Camp daily check-in process.

II. DESCRIPTION OF PROFESSIONAL SERVICES

The professional services shall be provided subject to the Terms and Conditions, which follow.

Pursuant to this Agreement, Shine will collaborate with Host to conduct a weeklong iCan Bike Camp, using one Fleet of equipment, as well as Shine's trained staff, to perform the professional services described herein ("Services").

This Agreement is effective as of the date Shine receives, from Host, both the signature page of this Agreement and requisite deposit.

TERMS AND CONDITIONS

1. Shine's Obligations/Services

Shine must provide:

- One Fleet, as defined herein, in order to conduct an iCan Bike Camp to be held at a Shine approved Facility secured by Host from **June 23rd to 27th, 2025**. Unless otherwise agreed to, by Host and Shine, Shine will arrive at Host's locale with said Fleet on Saturday, June 21, 2025, and depart the following Saturday, June 28, 2025. On Sunday, June 22, 2025, Shine will expend approximately 2 hours unloading the Fleet contents into the Facility and conducting a parent and volunteer orientation at the Facility.
- One Trained Full-Time Floor Supervisor to monitor and manage the progress of the Riders, provide training to, and monitor the activities of, Host's Spotters/Volunteers, consult with Riders' parents/caregivers as needed, and coordinate the overall operation of the Camp. The Floor Supervisor will also resolve any related Camp issues, or concerns, in collaboration with the Host's appointed Camp Director.
- One Trained Full-Time Bike Technician to perform all maintenance on, and necessary adjustments to, all Fleet equipment, provide training to Riders utilizing a custom-designed tandem bicycle, as well as collaboratively work with the Floor Supervisor and Camp Director to resolve any related Camp issues or concerns. Additionally, Bike Technicians will assess and provide feedback and recommendations on Family Bikes to ensure such bicycles are suitable and appropriately sized for the specific Rider.
- One Additional Full-Time Staff Person to collaborate with and support the Floor Supervisor and/or Bike Technician, as deemed appropriate, to optimize the collective efficiency of Shine resources available to service the needs of the camp families and volunteers. For example, supervising and monitoring the outdoor riding activities will be a primary focus of this additional staff person during camp days #3 to #5.

Bike Technicians are expressly prohibited from making any modifications or adjustments to Family Bikes including, but not limited to, brakes, handlebars, gears, tires, and seats, except for installing a bike safety training handle and/or stem riser, but then only at the request of a Rider's parent/caregiver.

Your contact for all Camp planning or other questions is Jeff Sullivan, Director of Finance and Administration, who can be reached at jeff@icanshine.org or 610-608-1312.

Shine Staff assignments will be determined and communicated to Host no later than 14 days prior to the commencement of the Camp.

2. Host's Obligations

Shine's success in conducting the Camp is dependent upon the Host providing, maintaining, and making available, at Host's expense and in a timely manner, the resources described in this Section, and such other additional resources as Shine may, from time to time, reasonably request in connection with Shine's performance of the Services:

Camp Director:

- (a) Host must provide a reasonably prudent and responsible adult representative Camp Director, as defined, to consult with Shine in advance of, and during Camp. A Camp Director, which can be a role shared by multiple people, must be in attendance and available at all times, during the Camp's hours of operation.
- (b) Host is responsible for ensuring the Camp Director performs their primary duties as outlined below. Camp Directors may or may not be involved in planning the Camp. In addition to possible involvement in helping Host plan and organize the Camp, the primary responsibilities of a Camp Director during the week of Camp include, but are not limited to:
 - Coordinate any emergency or other issues with Shine Staff (e.g., calling 911 or managing and collaborating with Shine Staff to resolve parent or spotter questions/issues) and act as a liaison between Shine Staff and parents of Riders (e.g., fielding and answering parent questions as best as possible and consulting with Shine Staff as needed)
 - Coordinate communications and resolution of all Facility issues with the facility's staff (e.g., issues with access to or use of the indoor or outdoor riding areas as agreed)
 - Providing oversight of Volunteers/Spotters
 - Organize and administer a Rider and Spotter daily check-in process near entrance to indoor riding area. Check-in process should include:

- Having Riders arrive 10 minutes before session start time to obtain a name tag and wait in check-in area until met and greeted, each day, by assigned Spotter(s)
- Arrange for seating in check-in area for Riders' parents/caregivers to wait prior to session start times
- Having Spotters arrive 20 minutes before session start time to obtain a name tag and partake in daily instructional/training with the Shine Floor Supervisor
- Label Riders' Family Bikes (using tape on handlebars and marker) as they are brought to Camp by parents/caregivers writing Rider name and session # and provide such bikes to Shine Bike Technician for assessment and storage during Camp
- Coordinate and communicate all details of pre-camp orientation with Facility personnel. This includes, but is not limited to:
 - Scheduling to meet Shine Staff at Facility on Sunday (June 22, 2025) to unload the bike equipment into the Facility, which takes approximately 45 - 60 minutes (typically in the early afternoon) one hour before the start of orientation
 - Scheduling a Rider parent/caregiver and Volunteer/Spotter orientation to take place at the Facility beginning 60 minutes after the scheduled time to begin equipment unload (typically Sunday afternoon or evening)
 - Requesting that parents/caregivers not bring Riders to the Sunday orientation
 - Providing a screen and projector for Shine Staff to connect Shine laptop to show Power Point

presentation at Sunday orientation (no audio requirements)

- Making arrangements for seating for parents/caregivers and Volunteers/Spotters at Sunday orientation (NOTE: Parents/Caregivers and Volunteers/Spotters attend the same orientation.)
- Coordinate and communicate all details of outdoor riding area with Facility personnel and Shine Staff. This includes, but is not limited to:
 - Scheduling outdoor riding area (e.g., track, tennis courts, parking lot or basketball courts) to be free and clear for use before start of Camp on Wednesday (Day #3) through Friday (Day #5)
 - Ensuring outdoor riding area is free of obstacles (e.g., parked cars and other obstructions/hazards)
 - Ensuring outdoor riding area has adequate water/drinks for Spotters and Riders
- At the option of Host, coordinate and administer post camp award ceremony with Riders, Spotters, and parents, if any (typically occurring during the last 5 minutes of each 75-minute session on last day of Camp). Shine Staff does not take part because they are preparing for next session.

Facility:

- (c) Facility must have one continuous clean, hard, level, and smooth indoor riding surface, with adequate lighting, that must not be carpeted or asphalt (e.g. hardwood, hard rubber or similar synthetic material or polished concrete). The indoor riding area must have 1,700 sq. ft. of riding space per Rider, per session, available during the hours of Camp, for the duration of Camp.

- (d) Host must either provide a Facility with air conditioning or provide commercial grade fans to properly ventilate and circulate air to maintain a comfortable and safe environment during Camp.
- (e) The Maximum Number of Riders permitted per 75-minute session is presented below. However, after dividing the total usable square footage of the indoor riding area by 1,700, rounding to the nearest whole number is permissible when determining Maximum Number of Riders. For example, 4.50 to 4.99 may be rounded to 5 Riders and 5.50 to 5.99 may be rounded to 6 Riders per session:

<u># of Riders per Session</u>	<u>Usable Riding Space</u>
4	6,800 sq. ft.
5	8,500 sq. ft.
6	10,200 sq. ft.
7	11,900 sq. ft.
8	13,600 sq. ft.

- (f) The Facility must also have secure overnight storage for Shine's bikes and equipment from the time the equipment is unloaded into the Facility (typically the Sunday immediately before camp commences) through the last day of Camp (typically Friday).
- (g) Host must also provide one continuous flat outdoor riding area, no further than 200 yards from the indoor riding area, and in compliance with the 'Usable Riding Space' discussed above, to support Riders who will transition to a less-controlled environment if and when ready. The outdoor riding surface must be substantially free of obstacles; including, but not limited to, raised manhole covers, speed bumps, drain grates, uneven/not level areas, curbed planter boxes and other objects or conditions which may pose a safety risk.
- (h) The outdoor riding area needs to be available exclusively for Camp activities, beginning at the start of day 3 of Camp (typically Wednesday) through the end of day 5 of Camp (typically Friday). During such time, Riders will be transitioned, based on their individual progress, from the indoor riding area to the outdoor riding area.

Riders:

- (i) Host must provide qualified Riders (minimum requirements are defined on Shine's standard Rider Registration Forms located on Shine's website at <http://www.icanshine.org> on the Host page) to be enrolled in the Services, not to exceed forty (40) Riders per day, eight (8) Riders per session, and five (5) 75-minute sessions per day provided adequate usable riding space exists to comply with the Maximum Number of Riders, as defined above.
- (j) Hosts must wait-list Rider applicants that will be between seven and one half (7 ½) and eight (8) years old at the start of camp. Such underage Riders may be permitted to participate in Camp ONLY if there are available spots within the seven (7) days immediately prior to Camp that could not be filled with applicant Riders that meet the 8-year old minimum age requirement. Under no circumstances, can any child attend Camp as a Rider if they are less than 7 ½ years old at the start of Camp.
- (k) If the minimum sq. ft. per Rider is not available at the Host's Facility, to accommodate the number of Riders Host has enrolled in Camp for any given 75-minute session, Host agrees to reduce the number of Riders to comply with the Maximum Number of Riders, as defined above.
- (l) The minimum number of Riders enrolled in any one session must not be less than four (4). In the event Host has fewer than 4 Riders scheduled, for any one session, Host agrees to reschedule such Riders to other sessions to comply with the Minimum Number of Riders, as defined.
- (m) Host must ensure the distribution of Riders in each session appropriately complies with the bicycles/equipment available for each session. Shine Fleets have only five (5) of the largest 26" bikes and two (2) of the smallest 16" bikes. Specifically, **having more than five (5) Riders 64" or taller OR more than two (2) Riders under 48" tall in any one 75-minute session cannot be accommodated.**
- (n) Host must schedule each Rider to attend no more than one 75-minute session per day for Camp, and schedule each session to be 75 minutes in duration with no less than a 20-minute break in between sessions (15-minute breaks do not suffice). The

schedule must allow for an approximate one-hour meal break for Shine Staff each day.

- (o) Host must supply all available Rider registration data, on Shine's Rider Data Spreadsheet to the then assigned Shine Floor Supervisor. If all data is not available 14 days prior to the Camp start date, Host must send all available data at that time, and send additional data as it becomes available in the days immediately preceding Camp. Please note this data is automatically generated and produced if Host elects to utilize Shine's complimentary online registration platform.
- (p) Host must offer either Shine's virtual orientation OR arrange for Riders' parents/caregivers to be available to Shine Staff for a one-hour informational orientation meeting, designed for parents/caregivers and Volunteers/Spotters, at the Facility or other space approved by Shine the day prior to the start of Camp. Riders should NOT attend this orientation. This is the same orientation meeting as discussed below for Spotters/Volunteers.

Volunteers/Spotters:

- (q) Host must provide **two (2) Spotters, at least fifteen (15) years old, per Rider (ratio of 2:1 Spotters to Rider), for each session to work with the Riders.** These Spotters must be physically fit, such that they can run beside Riders on the bike for most of the session, and strong enough to hold the bike and Rider in the event of a fall.
- (r) Host must offer either Shine's virtual orientation OR arrange for Volunteers/Spotters to be available to Shine Staff for a one-hour informational orientation meeting designed for Spotters and parents/caregivers at the Facility or other space approved by Shine the day prior to the start of Camp. This is the same orientation meeting as discussed above for Riders' parents/caregivers.
- (s) Host is responsible for background screenings of Volunteers/Spotters only to the extent required by federal, state, and/or local laws. Host is responsible for compliance with any applicable federal, state, and local laws and regulations regarding Volunteer/Spotter screenings and participation in this type of event.

- (t) Host will instruct Spotters to arrive to camp each day 20 minutes before their scheduled session start time for check-in and a mandatory 15-minute spotter meeting with Shine Floor Supervisor.
- (u) Host will provide the completed Shine Volunteer Data Spreadsheet to Shine Floor Supervisor no later than the Friday prior to the Camp start date. Please note this data is automatically provided if Host elects to utilize Shine's online registration platform.

Shine Staff Lodging:

- (v) Host must provide appropriate lodging for Shine Staff. Appropriate lodging consists of the following: Two (2) separate bedrooms and bathrooms, for seven (7) nights, at the same location, checking in Saturday (June 21, 2025) and checking out on Saturday (June 28, 2025) unless otherwise agreed to, at Host's sole expense, and in addition to the fees indicated in Section 4 below.

Such accommodations should be placed in the name(s) of the then assigned Shine Staff to ensure a smooth check-in upon arrival. Any lodging arrangements at properties other than hotels, for example dormitories, condominiums, summer houses, cottages, etc. require advanced approval by Shine.

Host agrees that lodging will meet the following requirements:

- Have two (2) beds in at least one of the hotel rooms to enable sharing of room by staff
- Located in a safe neighborhood
- Air-conditioned, clean, and comfortable
- Overall average or better online reviews/ratings
- Located no more than a 30-minute drive from the Camp Facility, unless otherwise agreed to by Shine
- If accommodations are not a hotel, room comfort and hygiene amenities provided shall include those provided by a hotel, including but not limited to: pillows, bed sheets, blankets, soap, towels, and toilet paper

Camp Rules:

- (w) Host must appropriately communicate and assist Shine Staff in enforcing that anyone who sits on a bicycle, at Camp at any time, must wear a properly fitted and secured helmet suitable for a bicycle; and that no one shall be permitted to enter the indoor and outdoor riding areas unless they are wearing shoes with closed toes, such as sneakers. Flip flops, sandals, and other open-toe shoes are not permitted.
- (x) In order for a Rider to participate, Host must ensure the following for each applicable Rider: 1) Shine be provided with a signed Rider Acknowledgement & Liability Release, as presented in Exhibit A attached hereto, from the party legally responsible for the Rider (electronic signature is accepted for online registrations); 2) appropriately fitting bike safety equipment (e.g., Bike helmet) be available and worn while sitting on a bike; and 3) have a parent/caregiver, legal guardian or designated equivalent present at Camp at all times. If Host, for any reason, cannot ensure the above, that Rider will not be permitted to participate in Camp.
- (y) Host must communicate to all present at Camp that: 1) photography is to be focused on the people at Camp as opposed to the bike equipment; 2) escorting Riders into the restroom by anybody other than their parent or caregiver is strictly prohibited; and 3) close up photos or filming of the bike equipment that would enable an individual to determine manufacturing measurements, materials, and methods are strictly prohibited.
- (z) Host agrees to utilize Shine's administrative forms (e.g., Rider Registration Forms, Rider Data Spreadsheet and Volunteer Data Spreadsheet, etc.) as provided on the iCan Bike Host page of Shine's website, without modification, aside from inputting and/or customizing the content requested by such forms. Host may elect to utilize Shine's complimentary online registration platform.

3. Place of Performance

Unless otherwise mutually agreed to in writing, Shine will perform the Services, in whole or in part, at the Facility secured by Host and approved by Shine as disclosed in the Online Camp Booking Form submitted by Host.

4. **Price, Payment Terms, Lodging, Border Crossing, Credit Card Processing & Refund Policy**

Price & Payment Terms:

The price for the Services shall be USD \$11,400.

Payments for the Services are due as follows (see attached invoices):

- A deposit of USD \$2,500 is due at contract signing and secures Host's Camp week
- A payment of USD \$4,500 is due 30 days prior to the start of the Camp
- A final payment of USD \$4,400 is due by the Friday prior to the start of Camp.

In the event any payment is not received by the above due dates, Shine reserves the right to assess a one percent (1.0 %) monthly late charge, calculated on a pro rata daily basis, to past due outstanding balances.

If Shine does not receive payment, in full, by the first day of Camp, Shine reserves the right to promptly cease performance under this Agreement. This is exercisable at Shine's sole discretion, in addition to Shine's other rights and remedies, and failure to exercise this right shall not act as a waiver of this, or any other, rights and remedies available to Shine at present or in the future.

Lodging:

In addition, Host acknowledges and agrees that Host is responsible for:

Staff Lodging Costs - providing adequate lodging for Shine Staff (2 separate rooms for 7 nights checking in and checking out on Saturday), as previously discussed in Section 2, at its own expense

Credit Card Processing:

Hosts may opt to utilize Shine's website credit card payment processing feature, enabling participant registration fees and/or donations to be processed via credit card through Shine's website and credited directly to

Host's Shine account. Shine will record such credit card payments to Host's account for the gross amount, thereby absorbing related merchant bank processing fees. This service is complimentary to Hosts.

Hosts are notified via e-mail each time a credit card transaction, specific to their camp, has been processed through Shine's website and credited to their account. The amounts due per above mentioned invoices shall be reduced accordingly by all such credit card transactions credited to Host's Shine account. Host may request a detail of their Shine Account at any time which will be promptly e-mailed to Host.

Additionally, at the request of Host, Shine will pay vendors directly or reimburse Host for camp related costs (e.g., lodging, t-shirts, facility fees, camp supplies, etc.) from Host's Shine account to the extent such payments or reimbursements do not create an outstanding balance due to Shine.

Refund Policy:

The following outlines the circumstances and the extent to which Host Payments are refundable:

1. In the event Shine informs Host of an inability to provide the services described herein, due to events as described in Section 13, Shine must fully and immediately refund to Host all monies paid that have not yet been expended on such Camp by Shine (e.g. non-refundable airline tickets, if any, purchased in advance).
2. In the event Host provides written notice to Shine (e-mail messages suffice), equal to or more than 150 days prior to the start date of Camp, this Agreement may be terminated for any reason by Host and all monies paid by Host to Shine will be fully and immediately refunded.
3. In the event Host terminates this Agreement **less than** 150 days prior to the start of Camp, all monies paid by Host to Shine, other than the deposit, will be fully and immediately refunded. The deposit amount will first be applied by Shine as reimbursement for actual costs Shine incurs directly related to such Camp cancellation that are unavoidable (e.g. non-refundable airfare/travel, truck rental and trailer storage, Staff Camp compensation and/or per diem to the extent incurred by Shine).

After reducing Host deposit by said actual costs Shine incurs, if any, the remainder of the deposit will be maintained by Shine as a credit for the benefit of Host, with no expiration date, to be applied towards the

price of any future Shine program (i.e. iCan Bike, iCan Swim or iCan Dance) hosted by Host.

5. Confidentiality and Privacy

Shine must keep confidential any Host information that has been provided to Shine as such. All Rider information and data must be kept confidential, at all times, by Host and Shine, and shall only be shared with Spotters assigned to work with and support the respective Rider at Camp. Shine's confidentiality obligation under this Agreement shall survive termination of the Agreement.

6. Intellectual Property/Branding & Marketing

- (a) Shine and not Host, shall retain ownership of, and all rights, title, and interest in and to the Intellectual Property, as defined. Additionally, no license therein, whether express or implied, is granted by this Agreement, or as a result of the Services performed hereunder, without the express written consent of Shine.
- (b) Host may include references to Shine or the iCan Bike program and its capabilities and Services in brochures, fund-raising materials, news articles, websites, Facebook pages, advertising materials, and/or Camp signs/clothing/gifts in support of the Camp. However, Host or its' agents (e.g., printers) must use only the Shine logos (including the format for the name "iCan Shine" or "iCan Bike") provided on Shine's website Host page Marketing Section, or otherwise by Shine, absent of any modifications except for adding beneath the words "iCan Shine" or "iCan Bike" the city, state and/or date of the Host's local camp using the same font, color, style, and format (e.g., iCan Bike 2023 – Atlanta, GA).

Under no circumstances shall Host 're-brand' the Shine iCan Bike program under a name different than "iCan Bike."

- (c) Host agrees to not use any design or proprietary information obtained from access to, or observation of, the specialized bike equipment used by Shine, such as by manufacturing or causing to be manufactured equipment patterned after the designs of such equipment.

7. Termination/Cancellation

Either party may terminate this Agreement if:

- (a) the other party fails to perform a material obligation of the Agreement in accordance with its terms and does not cure such failure within a period of 30 days after receipt of written notice from the non-breaching party specifying such failure; or
- (b) the other party becomes insolvent or the subject of proceedings under law relating to bankruptcy or the relief of debtors or admits in writing its inability to pay its debts generally as they become due; or
- (c) the Host opts to do so for convenience subject to the terms set forth in Section 4.

8. Disclaimer of Warranties

Shine expressly disclaims all express or implied standards, guarantees or warranties including, but not limited to, a warranty that any Rider will be independently riding a conventional two-wheel bike, or otherwise, by the conclusion of Camp. SHINE MAKES NO WARRANTIES OF ANY KIND CONCERNING POTENTIAL RESULTS OF SHINE'S SERVICES.

9. Limitation of Liability and Release

The following limitations of liability are provided under this Agreement:

- (a) Shine's total liability to Host for any and all liabilities, claims, or damages arising out of or relating to this Agreement, howsoever caused and regardless of the legal theory asserted, including breach of contract or warranty, tort, strict liability, statutory liability or otherwise, shall not, in the aggregate, exceed the greater of either the amounts paid by Host to Shine under this Agreement or the amounts paid by Shine's insurance carriers to or on behalf of Host.
- (b) In no event, shall either Shine or Host be liable to the other for any punitive, exemplary, special, indirect, incidental or

consequential damages (including, but not limited to, lost profits, lost business opportunities, loss of use or equipment down time, and loss of or corruption to data) arising out of or relating to this Agreement, regardless of the legal theory under which such damages are sought.

10. Severability

If any covenant, condition, term, or provision contained in this Agreement is held or finally determined to be invalid, illegal, or unenforceable in any respect, in whole or in part, such covenant, condition, term, or provision shall be severed from this Agreement, and the remaining covenants, conditions, terms, and provisions contained herein shall continue in force and effect, and shall in no way be affected, prejudiced, or disturbed thereby.

11. Assignment

Neither party may sell, assign, transfer, or otherwise convey any of its rights or delegate any of its duties under this Agreement without the prior written consent of the other party. Notwithstanding the foregoing, Shine may, without violation of this paragraph, engage the services of independent contractors to assist in the performance of its duties hereunder.

12. Applicable Law

This Agreement shall be governed by and construed under the laws of the State, Commonwealth, or Province in which the Host's Facility resides, without regard to its laws relating to conflict or choice of laws.

13. Force Majeure

Neither party shall be liable for any failure or delay in performance of its obligations (except monetary payment) under this Agreement to the extent such failure or delay is due to an unexpected and disruptive event beyond its reasonable control (referred to herein as "Force Majeure Event") examples of which include, but are not limited to, drought, war, famine, pandemics, embargo, martial law, labor shortages, strikes, economic and natural disasters and environmental hazards.

Upon a Force Majeure Event, the parties must notify the other that such an

event has occurred and include the effect and duration on its performance. The parties must use reasonable diligence in resuming performance and updating the other party on its progress.

Any such delays shall not be a breach of, or failure to perform, this Agreement or any part thereof, and the date on which the obligations hereunder are due to be fulfilled shall only be extended for a period equal to the time lost as a result of such delays, to the extent Host and Shine's schedule permits, or rescheduled for a future date mutually agreed upon by Shine and Host. Shine and Host must make all reasonable efforts to mutually agree on a future date.

14. Relationship of Parties

Shine is an independent contractor in all respects with regard to this Agreement.

15. Third Party Beneficiaries

This Agreement does not create, and must not be construed as creating, any rights or interests enforceable by any person not a party to this Agreement.

16. Waiver or Modification

This Agreement may be modified, or parts hereof waived, only by an instrument in writing specifically referencing this Agreement and signed by an authorized representative of both Host and Shine (unless in the form of e-mail in which both parties explicitly and mutually agree to the waiver or modification). Nothing in this Agreement shall be deemed to constitute a waiver of the City's sovereign immunity.

17. Entire Agreement

This Agreement, including any and all Exhibits attached hereto, all of which are incorporated herein by this reference, constitutes the entire agreement and understanding between the parties hereto and supersedes and replaces any and all prior or contemporaneous proposals, agreements, understandings, commitments or representations of any kind, whether written or oral, relating to the subject matter hereof or the Services to be provided hereunder.

18. Survival

The provisions of sections 4, 5, 6, 8, 9, 14, 15 and 20 shall survive the termination or expiration of this Agreement.

19. Insurance

Shine shall provide liability insurance with an aggregate limit of USD \$3 million (General liability insurance of USD \$2 million plus Umbrella liability insurance of USD \$1 million) by naming the Host and owner of Host's Facility as an "Additional Insured" on Shine's liability insurance policies for the Camp period. The Host will be provided with certificates of insurance prior to Camp as evidence of coverage (an example of such insurance certificate is available on Shine's website on the iCan Bike Host page under the subsection 'Legal').

Additionally, Host must name Shine as an "Additional Insured," on any existing liability insurance policies maintained by Host, for the Camp period as follows: iCan Shine, Inc. and its' officers PO Box 541 Paoli, PA 19301.

Because the Host recruits Camp Volunteers/Spotters locally, such Volunteers/Spotters are considered the Host's Volunteers/Spotters and are therefore NOT COVERED by Shine's accident insurance. Hosts should consider if such Volunteers/Spotters are covered under Host's insurance policies and/or if procuring a weeklong 'special events' insurance policy in this regard is warranted. Obtaining such optional insurance coverage is at the sole discretion of the Host.

20. Mutual Indemnification/Hold Harmless

Host agrees to indemnify and hold harmless Shine (together with its officers, directors, employees, volunteers, or agents) from and against all losses, claims, damages, liabilities, expenses, and costs including, but not limited to, attorneys' fees, as result of **Host's** breach of any representation, warranty, duty, promise or covenant made in this Agreement.

Shine agrees to indemnify and hold harmless Host (together with its officers, directors, employees, volunteers, or agents) from and against all losses, claims, damages, liabilities, expenses, and costs including, but not limited to, attorneys' fees, as a result of **Shine's** breach of any representation, warranty,

duty, promise or covenant made in this Agreement.

Exhibit A

Rider Acknowledgment & Liability Release **(Mandatory for Participation)**

Rider Name: _____

Rider's Parent/Legal Guardian Name: _____

The undersigned hereby agrees to the following:

1. Assumption of Risk:

I, _____, am the above indicated Rider's parent or legal guardian and, for myself and on behalf of said Rider, have fully read the accompanying iCan Bike Rider Registration Form and the related materials made available to me describing the iCan Bike program ("Camp"), and I am aware of, understand, and assume the unavoidable risks of the inherently dangerous activity of bicycling, which involves movement and physical exertion that could result in, but not be limited to, severe bodily injury or death.

I further understand and acknowledge that some bicycles have a handbrake connected to the front wheel posing a significant safety risk to riders being dislodged from the bicycle over the handlebars to the extent such handbrake is squeezed too firmly while riding. I also understand and acknowledge that iCan Shine, Inc. ("iCan Shine") has a practice of teaching bicycle braking using handbrakes connected to the rear wheel only to mitigate this risk. To alleviate the risk of bodily injury to said Rider, in the absence of my explicit request that such front wheel handbrake disengagement not occur, I hereby consent to iCan Shine disengaging any front wheel handbrake affixed to said Rider's personal bicycle brought to camp.

2. Release of Liability:

In consideration of iCan Shine, its affiliates, _____ [insert Host name], and _____ [insert Facility name] allowing the above named Rider's and MY participation in the Camp, I, for myself and on behalf of said Rider, our heirs, administrators, personal representatives or assigns, hereby agree to release, indemnify, hold harmless and discharge iCan Shine, its owners, agents, employees, officers, executives, directors, representatives, affiliates, assigns, Rainbow Trainers, Inc., [Insert Host and Facility Names] and their volunteers, agents, employees, and officers of and from all claims, demands,

causes of action, and liability, whether the same be known or unknown, anticipated or unanticipated, even if caused, in whole or part, **BY THE NEGLIGENCE OF ANY OF THE FOREGOING.** I further agree that I shall not bring any claims, demands, legal action and causes of action, against iCan Shine and/or any of the foregoing for any economic and non-economic losses due to bodily injury and/or death and/or property damage, sustained by said Rider or ME in relation to the facility and/or operations of the Camp, which shall include, but not be limited to, riding, driving, training, handling, or otherwise being near both conventional two-wheeled bicycles as well as the adapted and/or modified biking equipment used by iCan Shine at the facility during the Camp, whether or not such bicycles and equipment are owned by iCan Shine, or in the care, custody, or control of iCan Shine.

3. Indemnification:

If, despite this release, I, the above named Rider or anyone on said Rider's behalf makes a claim against iCan Shine or any of the foregoing, I agree to indemnify and hold harmless iCan Shine and the foregoing from any litigation expenses, attorney's fees, loss, liability, damage, or cost that they may incur due to the claim(s) made against iCan Shine and the foregoing related to any of the activities or associated activities outlined above.

Further, I hereby expressly acknowledge that photographs and/or videos of said Rider could be taken by parties outside the control of iCan Shine and [insert Host and Facility names] in connection with participating in the Camp. I acknowledge that iCan Shine and [insert Host and Facility names] have limited or no control over such activities of third parties and have no control over any editing and/or use of such photos and/or video footage.

Signature of Rider's Parent/Legal Guardian: _____

Media and Data Collection Release **(NOT mandatory for participation)**

I give permission for said Rider to be photographed and/or videotaped and later published in print or electronic media by iCan Shine or [insert Host and Facility names] or third parties acting on behalf of iCan Shine or [insert Host and Facility names]. I acknowledge and agree that photographs and videos may be edited and used in whole or in part as desired for these purposes, and may be produced, duplicated, distributed and used for informational, promotional, or other public purposes. I understand that photographs and videos are not my property and I will not be compensated for them. I understand and authorize the use in writing or otherwise the name or identity of said Rider.

Further, I understand that data collected from this program will be used to help the camp operate effectively relative to appropriate progressions, bike sizing and behavior management. I acknowledge that I may be contacted in the future for follow up information pertaining to rider progress, status or for other requests to support the future development and success of the program.

Signature of Rider's Parent/Legal Guardian: _____



INVOICE

Invoice #: 20251B

To: City of Alpharetta

Description	Amount
Deposit for 2025 Bike Camp	USD \$2,500
2024 Credit applied from Host Account	(2,500)
Total Due Upon Receipt	USD \$0

NOTE: Camp is not confirmed until deposit is received by iCan Shine

Make all checks payable to:

iCan Shine, Inc.
P.O. Box 541
Paoli PA 19301

For questions concerning this invoice, please e-mail or call:
jeff@icanshine.org or (610) 608-1312

THANK YOU FOR YOUR COLLABORATION!



INVOICE

Invoice #: 20252B

To: City of Alpharetta

Description	Amount
Progress Payment for 2023 Bike Camp	USD \$4,500
Total Due No Later Than May 23, 2025	USD \$4,500

NOTE: A late fee of 1.0% per month is assessed to all past due amounts on a pro rata daily basis

Make all checks payable to:

iCan Shine, Inc.
P.O. Box 541
Paoli PA 19301

For questions concerning this invoice, please e-mail or call:
jeff@icanshine.org or (610) 608-1312

THANK YOU FOR YOUR COLLABORATION!



INVOICE

Invoice #: 20253B

To: City of Alpharetta

Description	Amount
Final Payment for 2025 Bike Camp	USD \$4,400
Total Due No Later Than June 20, 2025	USD \$4,400

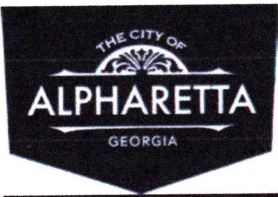
NOTE: A late fee of 1.0% per month is assessed to all past due amounts on a pro rata daily basis

Make all checks payable to:

iCan Shine, Inc.
P.O. Box 541
Paoli PA 19301

For questions concerning this invoice, please e-mail or call:
jeff@icanshine.org or (610) 608-1312

THANK YOU FOR YOUR COLLABORATION!



AFFIDAVIT VERIFYING CONTRACTOR PARTICIPATION IN FEDERAL WORK AUTHORIZATION PROGRAM

By executing this affidavit, the undersigned contractor verifies its compliance with O.C.G.A. § 13-10-91, stating affirmatively that the individual, firm or corporation which is engaged in the physical performance of services on behalf of the **City of Alpharetta (GA)** has registered with, is authorized to use and uses the federal work authorization program commonly known as E-Verify, or any subsequent replacement program, in accordance with the applicable provisions and deadlines established in O.C.G.A. § 13-10-91. Furthermore, the undersigned contractor will continue to use the federal work authorization program throughout the contract period and the undersigned contractor will contract for the physical performance of services in satisfaction of such contract only with subcontractors who present an affidavit to the contractor with the information required by O.C.G.A. § 13-10-91(b).

Contractor hereby attests that its federal work authorization user identification number and date of authorization are as follows:

2321033

Federal Work Authorization (E-Verify) User Identification Number

11/13/23

Date of Authorization

iCan Shine Inc

Name of Contractor

iCan Bike Camp

Name of Project

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September, 3rd, 2024 in Malvern (city), PA (state).

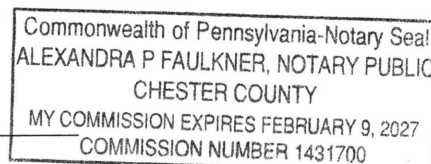
Jeffrey Sullivan
Signature of Authorized Officer or Agent

Jeffrey Sullivan, CFO
Printed Name and Title of Authorized Officer or Agent

Subscribed and Sworn Before Me On This The 3 Day of September, 2024.

Alexandra P Faulkner
Notary Public

My Commission Expires: 02/09/2027





STAFF REPORT

Department: Legal
Submitted By: Lauren Shapiro
Meeting Date: November 18, 2024

AGENDA ITEM:

Resolution: Amicus Brief for Chang v. City of Milton Appeal

Consideration of adoption of a resolution authorizing the City of Alpharetta to participate in an Amicus Brief in the Chang v. City of Milton appeal and with authorization for the Mayor to execute all necessary documents.

STAFF RECOMMENDATION:

Adopt a resolution authorizing the City of Alpharetta to participate in an Amicus Brief in the Chang v. City of Milton appeal and with authorization for the Mayor to execute all necessary documents.

BUDGET & PROCUREMENT:

BUDGETED ITEM: NO

FISCAL IMPACT: NO

INCLUDED IN CURRENT FY CPTL BUDGET: NO

INCLUDED IN CURRENT FY OPRT. BUDGET: NO

TOTAL PROJECT COST:

APPROPRIATIONS:

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

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

The City Attorney's Office has requested the City's permission to file an amicus brief (friend of the court legal brief) on the City's behalf in the pending matter before the Court of Appeals and/or Supreme Court of Georgia of a civil lawsuit that, at the trial court level, was referred to as Chang, et. al. v. City of Milton, State Court of Fulton County, Case No. 18EV004442.

The case involves a claim of liability against the City of Milton for personal injuries due to a 2016 vehicle collision with a fixed obstruction (a masonry planter) located on City-owned right of way where the obstruction was outside the motoring lanes of travel.

If adopted, this resolution would allow to the City Attorney's Office to file an amicus brief, which may include the City's name as a participating party.

ALTERNATIVES:

Do not adopt this resolution, and forego filing an amicus brief in this appeal.

ATTACHMENTS:

1. 2024-11-18 Resolution RE Milton Chang Appeal copy



RESOLUTION OF THE CITY OF ALPHARETTA, GEORGIA (the "CITY") AUTHORIZING PARTICIPATION IN AN AMICUS BRIEF IN THE CHANG V. CITY OF MILTON APPEAL

WHEREAS, there is presently pending before the Court of Appeals and/or Supreme Court of Georgia an appeal of a civil lawsuit that, at the trial court level, was referred to as Chang, et. al. v. City of Milton, State Court of Fulton County, Case No. 18EV004442;

WHEREAS, the case involves a claim of liability against the City of Milton for personal injuries due to a 2016 vehicle collision with a fixed obstruction (a masonry planter) located on City-owned right of way where the obstruction was outside the motoring lanes of travel;

WHEREAS, the masonry planter had been at the same location since 1992 and had never been the subject of a complaint or prior accident;

WHEREAS, at the trial court, the City of Milton was found to be partially at fault and a jury awarded money damages against the City of Milton of \$35,000,000;

WHEREAS, the Court of Appeals affirmed the findings of the trial court, City of Milton v. Chang, et. al., 2024 WL 4195584 (Chang appellate ruling);

WHEREAS, the Court of Appeals ruled that the "*planter...was a hazard for vehicles leaving the travel lanes*" and that its presence "*renders the use of these thoroughfares more hazardous*";

WHEREAS, the CITY is concerned by the Court of Appeals decision finding that a municipality may be liable for fixed obstructions located outside the motoring lanes of travel where the obstruction had never been the subject of a prior collision or complaint;

WHEREAS, the CITY believes the Court of Appeals decision is inconsistent with existing legal precedent and should be overturned; and,

WHEREAS, the CITY believes the financial implications of the Court of Appeals decision could be devastating for Georgia municipalities.

NOW THEREFORE BE IT RESOLVED, that the

SO RESOLVED, this ____ day of November 2024.

CITY OF ALPHARETTA

By: _____
Jim Gilvin, Mayor

COUNCIL MEMBERS

Mayor Pro Tem Dan Merkel

Council Member Donald F. Mitchell

Council Member Brian Will

Council Member Douglas J. DeRito

Council Member John Hipes

Council Member Fergal M. Brady

(SEAL)

Attest:

Approved as to form and legal
sufficiency:

Lauren Shapiro, City Clerk

Molly Esswein, City Attorney